

COMMITTEE REPORT

Planning Committee on

10 June, 2020

Item No

06

Case Number

19/4434

SITE INFORMATION

| | |
|---|---|
| RECEIVED | 17 December, 2019 |
| WARD | Brondesbury Park |
| PLANNING AREA | |
| LOCATION | Pharamond Garages, rear of 258-262 Willesden Lane, Willesden, London |
| PROPOSAL | Demolition of the existing garages and redevelopment to provide a four storey building comprising 10 self-contained flats with associated car parking, cycle and refuse storage, amenity space and landscaping. |
| PLAN NO'S | 618-2b-001A, 100C, 110A, 111A, 112B, 200A, 300A, 301A, 900A, WIE/SA/95/0009/A02, 0010/A02, 0011/A02 & 240915B |
| 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_148241</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 "19/4434" (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 informatics to secure the following matters:

Conditions

1. *3 Years to commence development*
2. *Development to be built in accordance with approved plans*
3. *Details of SUDs/Drainage secured*
4. *Affordable housing*
5. *Restriction on housing to be within C3 use (no C4 use)*
6. *Bike storage and electric charging points*
7. *Details of water consumption*
8. *Requirement for 10% wheelchair accessible units*
9. *Submission of employment and training plan*
10. *Submission of construction management plan*
11. *Submission of energy assessment*
12. *Plant noise*
13. *Contaminated land site investigation*
14. *Contaminated Land remediation*
15. *Submit details of materials*
16. *Submit details of external lighting*
17. *Details of tree works and protection secured*
18. *Submit Air quality neutral assessment and mitigation measures*
19. *Submit landscaping and tree planting details*
20. *Submit Biodiversity action/management plan*
21. *Submit details of Considerate Constructor Scheme*
22. *Confirmation of sewerage capacity*
23. *Confirmation of surface water capacity*
24. *Submit details of sustainable development*
25. *Non-road mobile machinery to be limited in terms of power output*
26. *Revised details of balconies*

Informatics

Asbestos

Party Wall

Building near boundary

CIL liable approval

London living wage

Quality of imported soil

Fire safety

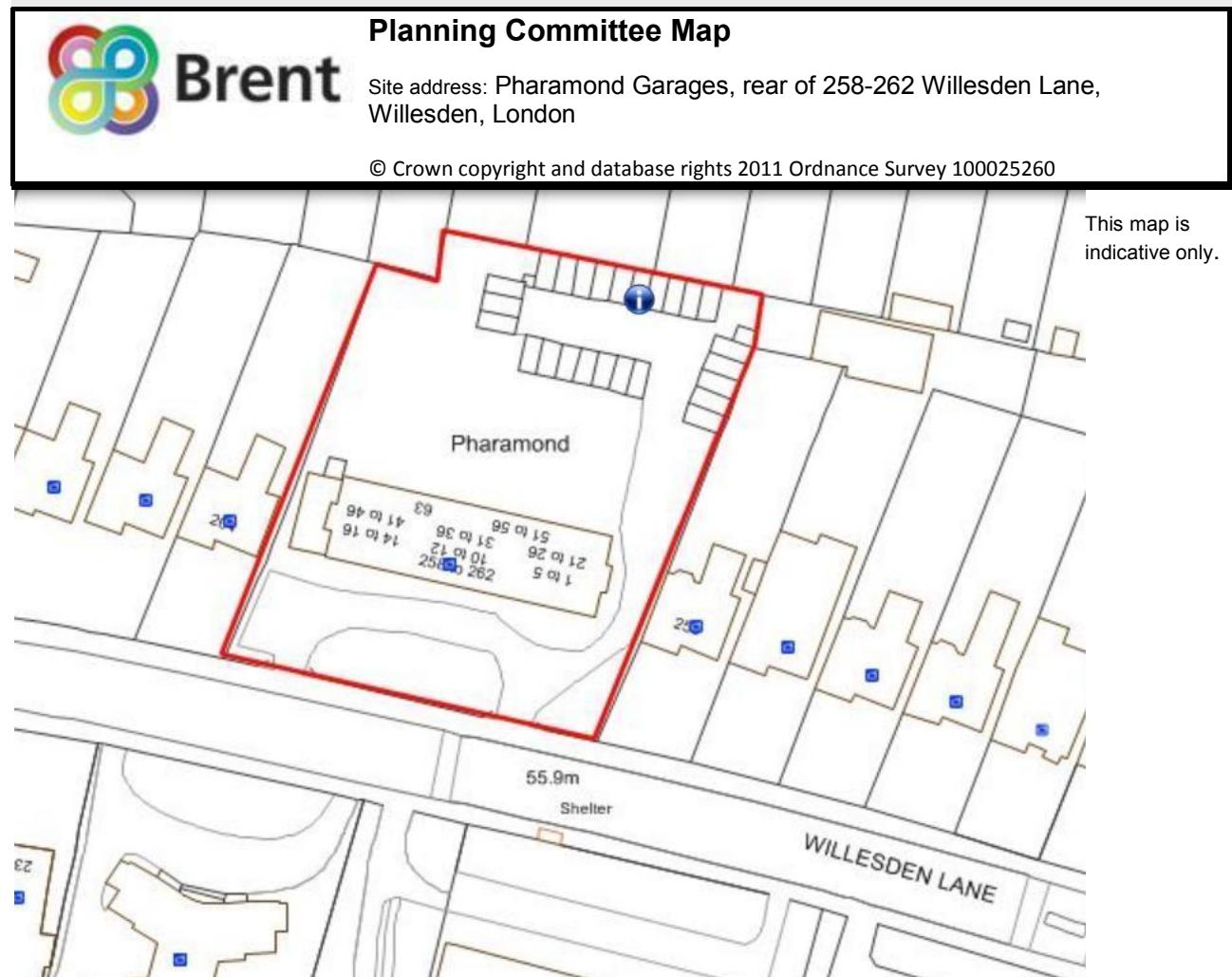
Contact Thames Water

Thames Water – minimum water pressure

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, informatics, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

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

SITE MAP



PROPOSAL IN DETAIL

The proposal seeks to demolish existing garage block and develop the existing car parking area and garages to the rear of the site to create 10 (2 x 1 bed, 6 x 2 bed and 2 x 3 bed) affordable rent dwellings set out over a four storey building.

Parking provision amended to 24 hard-standing & 1 garage space, with access unaltered.

EXISTING

The site lies to the rear of Pharamond House currently occupied by a car parking area and garages. Pharamond is a six storey building accessed via Willesden Lane that consists of 36 self-contained flats with a large area of communal amenity space to the rear. The site is not located within a conservation area nor does it contain any listed buildings. The surrounding area is generally residential in character.

The site is accessed via 2 x 6.5m crossovers with carriage drive at front of block and a garage block at rear. The garage block is generally in poor condition, with limited use for car parking.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

- **Representations received** – 13 objections have been received and considered. It is considered that the proposal accords with planning policy, having regard to material consideration, and it is recommended that planning permission is granted.
- **Principle of use** - Additional residential homes in this residential area is acceptable in principle.
- **Affordable homes / unit mix** – The proposed development is to be 100% affordable housing (London Affordable Rent). While the proposal does not include any Intermediate Accommodation and the proportion of family size homes (20 %) falls below the target for new homes within the borough, the benefits of providing Affordable Rented accommodation are considered to outweigh the harm associated with the absence of Intermediate accommodation and the lower proportion of family homes given the acute need for Affordable Rented accommodation.
- **Design/Heritage impacts** – The proposed development is considered subordinate in scale to the main building, Pharamond, and appropriate in character and appearance for its context. The proposal will not result in any harm to designated heritage assets.
- **Quality of accommodation** – The proposed accommodation would be of good quality size and layout, consistent with London plan standards, with good access to light, outlook, with adequate amenity provision for existing and future occupiers.
- **Neighbour amenity** – The proposals generally comply with guidance of SPD1 subject to conditions relating to the balconies of three of the flats.

- **Highways** – The proposal will result in a reduction from 40 to 25 parking spaces. However, the applicant reports that 22 of the 24 garages is disused. The resultant level of parking is considered to be sufficient for the existing and proposed homes, and no significant harm is considered likely to occur to the highway network.
- **Trees, landscaping** – 9 Individual trees and two groups of trees are proposed to be removed. However, a number of trees are proposed to be planted to mitigate the loss of the trees and tree protection measures are proposed to be put in place for the trees that are to be retained. 25 trees are proposed for planting throughout the site.
- **Environment and sustainability** – It is proposed that the new homes are connected to the heat network within Pharamond if feasible, with Air Source Heat Pumps provided if this is not feasible. The approach is considered to be acceptable, but an updated energy statement is recommended to be secured through condition. Consideration has been given to ecology and the sustainable development of the proposals benefits of which are proposed to be secured by conditions.

RELEVANT SITE HISTORY

No formal planning applications in recent times.

CONSULTATIONS

Site notices were placed outside the site and a press notice was placed in local paper.

119 Neighbour notification letters were sent to nearby addresses.

In total 13 objections were received were received

Summary of Objection Comments:

| Comment | Response |
|---|---|
| Inappropriate height and bulk, materials and appearance | Refer to character and appearance section. |
| Loss residential amenity, outlook, light, privacy | Refer to neighbouring amenity section. |
| Will increase traffic and parking problems | Refer to highways section. |
| Lack of affordable housing | Refer to affordable housing section. |
| Not in keeping with area | Refer to character and appearance section. |
| Excessive noise and nuisance | Refer to noise section. |
| Loss of trees and greenspace and reliance on tree cover of other properties | Refer to trees and landscaping section, character and appearance and neighbouring amenity sections. |
| Inappropriate stacking of flats | Whilst there are some living rooms over bedrooms, new development in accordance |

| | |
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| | with building regulations is able to ensure appropriate sound insulation measures. |
| The proposed flats may not receive a Freeview TV signal as the Pharamond blocks signal from Crystal Palace. | TV signal to new development is not a material planning consideration. |
| Willesden Lane a historic pilgrimage route and the provision of additional parking will be detrimental to the character of the lane / path. | The proposed development is not considered to adversely affect the character of Willesden Lane. Please see character and appearance section. |
| Garages better use of site | Use of land for housing helps meet the objectives of the development plan policies CP2 and CP21 to deliver more housing choice. |
| Right to light | Is a civil matter. |

External Consultees:

Thames Water – Prior to occupation sewerage and drainage capacity shall be confirmed. This can be secured by condition.

Internal Consultees:

Lead Local Flood Authority – Drainage strategy will reduce existing impacts by 65%, overall drainage strategy improvement on existing and acceptable.

Tree officer – no objection subject to condition encouraging additional and native planting.

Sustainability officer – Acceptable subject to condition.

Environmental health – no objection subject to conditions.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011).

Key relevant policies include:

The London Plan

- 2.18 Green infrastructure
- 3.1 Life Chances for All
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities

- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 5.2 Minimising Climate Change
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 6.3 Assessing Effects of Development on transport Capacity
- 6.9 Cycling
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP5: Placemaking
- CP6: Design & Density in Place Shaping
- CP16: Town Centres and Sequential Approach to Development
- CP17: Protecting and enhancing the suburban character of Brent
- CP18: Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21: A Balanced Housing Stock
- CP23: Protection of existing and provision of new Community and Cultural facilities

Brent Development Management Policies (2016)

- DMP1: Development Management General Policy
- DMP2: Supporting Strong Centres
- DMP3: Non Retail Uses
- DMP7: Heritage Assets
- DMP9A: Managing Flood Risk
- DMP9B: On Site Water Management and Surface Water Attenuation
- DMP11: Forming an Access on to a Road
- DMP12: Parking
- DMP13: Movement of Goods and Materials
- DMP15: Affordable Housing
- DMP18: Dwelling Size and Residential Outbuildings
- DMP19: Residential Amenity Space

In addition, the council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to some policies contained within

the draft Brent Local Plan.

Key draft Local Plan policies include:

- BD1: Leading the Way in Good Urban Design
- BSI1: Social Infrastructure and Community Facilities
- BE1: Economic Growth and Opportunities For All
- BG1: Green and Blue Infrastructure in Brent
- BH1: Increasing Housing Supply in Brent
- BHC1: Brent Heritage Assets
- BH5: Affordable Housing
- BH6: Housing Size Mix
- BG12: Trees and Woodlands
- BSUI2: Air Quality
- BSUI4: On Site Water Management and Surface Water Attenuation
- BT1: Sustainable Travel Choice
- BT2: Parking and Car Free Development
- BT3: Freight and Servicing

The draft London Plan has recently been subject to an Examination in Public and the Panel Report has been received by the GLA. The GLA has released its “Intend to Publish” version (December 2019) and this carries weight.

Key London Plan “Intend to Publish” version policies include:

- GG1 Building Strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering New Homes Londoner's need
- GG6 Increasing Efficiency and Resilience
- D1 London's Form and Characteristics
- D4 Delivering Good Design
- D5 Inclusive Design
- D6 Housing Quality and Standards
- D7 Accessible Housing
- D3 Optimising Site Capacity
- D11 Safety, Security and Resilience to Emergency
- D12 Fire Safety
- D14 Noise
- G1 Green Infrastructure
- G5 Urban Greening
- G6 Biodiversity and Access to Nature
- G7 Trees and Woodlands
- H1 Increasing Housing Supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H10 Housing size mix
- S3 Education and Childcare Facilities
- S4 Play and Informal Recreation
- SI1 Improving Air Quality
- SI2 Minimising Green house Emissions
- SI3 Energy infrastructure
- SI4 Managing Heat Risk
- SI7 Reducing Waste and Supporting the Circular Economy
- SI12 Flood Risk Management

- SI13 Sustainable Drainage
- T4 Assessing and Mitigating Transport Impacts
- T5 Cycling
- T6 Car Parking
- T7 Deliveries, servicing and construction
- DF1 Delivery of the Plan and Planning Obligations

Other Relevant Material Considerations include:

National Planning Policy Framework

Supplementary Planning Documents/Guidance (SPD/SPG)

- Brent SPD1: Design Guide for New Development (2018)
- Brent s106 Planning Obligations SPD (2013)
- Brent Waste Planning Guide
- Mayor's Affordable Housing and Viability SPG
- Mayor's Housing SPG
- Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG
- Mayor's Sustainable Design and Construction SPG
- National Planning Practice Guidance
- National Design Guide

DETAILED CONSIDERATIONS

Principle

1. The application site is located within an existing residential area and the proposed building would largely be sited on an area currently occupied by a garage block. As such, the general principle of the residential use of the site is already established. The delivery of housing helps meets other objectives of the adopted development plan such as CS Policy CP2 and CP21 to deliver additional and balanced housing stock.
2. The proposed building would sit behind the main building line and Policy CP17 is relevant, relating to the suburban character of Brent. The proposal is considered to relate appropriately to its context for the reasons set out within the "Character and appearance" section of this report.
3. The general principle of the development of the site to provide new homes is considered to accord with policy, subject to the relevant material planning considerations set out below.

Affordable Housing

4. Brent's adopted local policy (CP2 and DMP15) sets out the affordable housing requirements for major applications and stipulates that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing. The policies allow for the reduction in the level of Affordable Housing (below the 50 % target) on economic viability grounds. This is discussed in more detail later in this report.

5. The emerging London Plan (Intend to Publish Version) has been subject to examination and the associated affordable housing policies (H4, H5 and H6) are now given greater weight. These policies establish the threshold approach to applications where a policy compliant tenure mix is proposed*, where viability is not tested at application stage if affordable housing proposals achieve a minimum of:
 - 35 % Affordable Housing; or
 - 50 % Affordable Housing on industrial land** or public sector land where there is no portfolio agreement with the Mayor.
6. * other criteria are also applicable.

** industrial land includes Strategic Industrial Locations, Locally Significant Industrial Sites and non-designated industrial sites where the scheme would result in a net loss of industrial capacity.
7. The policies set out the Mayor's commitment to delivering "genuinely affordable" housing and the following mix of affordable housing is applied to development proposals:
 - A minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent);
 - A minimum of 30% intermediate homes;
 - 40% to be determined by the borough based on identified need.
8. When interpreting these policies, the tenure mix set out in Brent's adopted policies (70:30 ratio of Affordable Rent : Intermediate) and Brent's emerging policies (70:30 ratio of London Affordable Rent : Intermediate) provide clarity on the tenure of the third category (40 % to be determined by the borough). This means that this element of Affordable housing mix should be provided as Affordable Rented homes.
9. These policies allow for a reduction to affordable housing obligations on economic viability grounds where it can be robustly demonstrated that the target level of affordable housing would undermine the deliverability of the scheme. The policies require schemes to deliver the maximum reasonable amount of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the targets) and schemes that aren't eligible for the threshold approach must be accompanied by a Financial Viability Assessment. It is important to note that these policies do not require all schemes to deliver 35 % or 50 % Affordable Housing.
10. Brent's emerging Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted policy DMP15 policy and emerging London Plan policies H4, H5 and H6 would carry considerably more weight than the Brent emerging Affordable Housing policy at this point in time.

11. All of the proposed homes (100%) will be affordable housing at London affordable rent, this exceeds policy requirements for 50% affordable housing on public land and complies with the emerging London Plan and Brent policies for Affordable Rented homes. The scheme would not include 30 % Intermediate homes set out within Brent and London Plan policy targets. However, given the acute shortage of Affordable Rented homes, the benefits of the proposed mix is considered to significantly outweigh the absence of intermediate homes.

Unit Mix/Family sized dwellings

12. Brent Policy CP21 requires Major developments (10+ homes) to include a proportion of family sized homes and the proposal accords with this, with two 3-bedroom flats proposed. Policy CP2 of Brent's Core Strategy 2010 sets a borough wide target of 25% of the new homes to be family sized. If directly applied to this scheme rather than on the borough-wide basis set out in this policy, this would correspond to a minimum of 2.5 homes. The proposal includes 20% family sized units. Emerging Brent Policy BH6 sets targets for family homes on a scheme basis. However, objections have been received to this policy and it can only be given limited weight prior to the Examination in Public of the draft Local Plan.
13. When balancing the shortfall against the borough wide target and the benefits of the scheme (100 % London Affordable Rent homes) and taking into account the compliance with Policy CP21, the proposed housing mix is considered to be acceptable.

Character and Appearance

14. London Plan policy 7.1 ("Lifetime Neighbourhoods") advises that the design of new buildings and the spaces created by them should "help to reinforce or enhance the character, permeability, and accessibility of the neighbourhood" while policies 7.4, 7.5 and 7.6 confirm the requirement for achieving the highest architectural quality, taking into consideration the local context and its contribution to that context. Design should respond to contributing towards "a positive relationship between urban structure and natural landscape features..." Additional design guidance can be found in DMP1 ("Development Management General Policy") and within the Councils SPD1 ("Design Guide for New Development").
15. Local Plan Policy DMP1 states that development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design and complements the local area. Core Strategy Policy CP17 states that the distinctive suburban character of Brent will be protected from inappropriate development.
16. A four storey building with recessed fourth storey is considered to be acceptable in this location. It will be subordinate to the existing 6 storey Pharamond and would have a spacious setting, set well in from the neighbouring boundaries. It would not occupy a street

frontage. However, there are other examples of built forms projecting significantly back from the street frontage in the vicinity, including Yates Court and Hillspring Hostel. The proposal is largely to be situated on land currently occupied by garages and parking and is not considered to be harmful to the suburban character of the area.

17. The design is considered acceptable in the context of the existing Pharamond House. The fenestration and balconies help reduce the visual mass and bulk of the building, whilst the use of high quality brickwork add to the character and appearance of the building.
18. Overall the proposals are considered to represent appropriate quality architecture which relates well to Pharamond House and will help to improve the function and overall quality of the area, with sympathetic design, effective landscaping and appropriate mix of uses and improved accessibility consistent with the objectives of the development plan.

Density

19. Policy CP6 supports high densities in areas of good public transport accessibility, subject to the quality of the design, location of the site and the need to provide family housing. Given the large site increasing density of the site is considered proportionate to the wider context of the site and makes efficient use of the land.

Quality of Residential Accommodation

20. Local Plan Policies DMP1 and DMP18 state that it is important that development provide high levels of internal amenity and create a high quality environment, and should be consistent with London Plan Policy 3.5, Table 3.3 'Minimum Space Standards for New Dwellings'.
21. All of the residential units would meet or exceed the minimum size standards as required by DMP policy DMP18, London Plan policy 3.5 and emerging London Plan policy D6 with efficient layout and good aspect, outlook and light.
22. Policy DMP19 provides guidance for outdoor residential amenity space and specifies that new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents needs. It is specified that this is normally expected to be 20 sqm per flat and 50 sqm per family unit including ground floor flats. This quantum is not an absolute, as the policy does allow for some flexibility in that this quantum is to be "normally expected". Moreover, where sufficient private amenity space cannot be achieved, communal amenity space is acceptable. Emerging London Plan policy D6 sets out a requirement for 5 sqm for 1- or 2-person flats, and 1 sqm for each additional person beyond this. Of the 10 proposed flats, Flats 9 and 10 on the third floor are each provided with terraces offering 20 sqm. Flat 9 has three bedrooms but is not at ground level and as such, the 20 sqm target is applicable. Each of the second and first floor flats are provided

with balconies of either 7sqm or 8sqm. These are 1-bedroom 2-person or 2-bedroom 4-person flats so meet emerging mayoral policy. Both of the ground floor flats are provided with larger private terraces (20sqm and 13sqm respectively). All flats accord with emerging London Plan Policy D6 in terms of external space, but there is a shortfall of 112 sqm of private amenity space below DMP19 targets, which could therefore be provided in the form of communal space.

23. Approximately 1,020 sqm of communal amenity space is available within the grounds which are shared with the existing flats, Pharamond.
24. Pharamond consists of 36 flats that are understood to be either one or two bed units, with 5 units on the ground floor and the remainder over the 6 upper floors. The 20 sqm target result in a requirement of 870 sqm for the existing flats in addition to the 112 sqm shortfall within the proposed 10 home scheme. This would create an overall requirement of 990 sqm. The communal provision of 1,020 sqm would meet the targets set out in Policy DMP19 when applying the standards to both the existing and proposed flats. The level of private external amenity space for two one-bedroom flats is likely to reduce to 5 sqm (each) as a result of the amendment to the balconies discussed below. However, the level of external amenity space would continue to be acceptable.
25. Outlook and access to light are considered to be satisfactory. Overall the proposed flats would benefit from good aspect and dual aspect in most cases.

Neighbouring Amenity

26. Local Plan Policy DMP1 seeks to ensure new development, amongst other things, provides high levels of internal and external amenity and does not unacceptably increase exposure to noise, light and general disturbance. This is supported by SPD1.

Privacy

27. The design guide for new developments SPD1 outlines the minimum distance between habitable facing windows is 18m and distance from windows to private amenity space should be 9m. The distance between the proposed buildings and Pharamond measures 17.75 m on the submitted drawings. A shortfall of 25 cm below targets is not considered to result in noticeably less privacy. The amenity spaces within the Pharamond grounds are communal rather than private, and the development meets or exceeds the minimum distance of 9 m to surrounding suburban gardens.
28. One projecting balcony is proposed on the northern side of the building and two on the eastern side which would be less than 9m from the adjoining garden. This would result in levels of overlooking of adjoining gardens beyond those anticipated within SPD1. This

could be addressed by:

- relocating one of the balconies on the eastern side of the building to the southern side;
 - relocating the balcony to the north so that it is situated within eastern façade;
 - Partly recessing the balconies in the eastern façade and reducing their size to 5 sqm (which will continue to meet size targets).
29. This would not be considered to materially alter the scheme and could be secured through condition. It would result in a reduction in internal floorspace, but levels of floorspace are not likely to fall below the 50 sqm target. A good standard of residential accommodation would continue to be provided and the reduced level of private external amenity space would continue to be mitigated by the provision of communal amenity space. This amendment is recommended to be secured through condition.
30. The balconies within the southern façade and western façade comply with SPD1 guidance as they are adjacent to communal amenity space and are more than 9 m from habitable rooms.
- Daylight/Sunlight/Outlook*
31. The design guide for new developments SPD1 outlines the 30 and 45 degree principles in relation to the potential impact of a development on the outlook from adjoining properties, and the potential for an overbearing relationship. The proposed building is shown to comply with the 30 degree line guidance set out in SPD1. The proposed building is shown to be approximately 11.6 m above ground level within the adjoining gardens and a minimum of 9 m from the boundary. Elements of the proposed building will project marginally (up to 0.6 m) above the SPD1 45 degree line from the adjoining gardens. However, this relates to relatively small parts of the building: a 5.1 m wide section of the stair core within the northern façade and a 4 m wide section of the eastern façade of the proposed building. The affected gardens are large, with the garden to the rear (north) approximately 30 m deep garden and the garden to the side (east) approximately 30 m deep and 12.5 m wide. The proposal is not considered to have a significant impact on these gardens.
32. Brent SPD1 encourages the use of BRE209 guidance in the assessment of potential impacts on surrounding properties and amenity / open spaces. A Daylight and Sunlight Assessment has been submitted to accompany the application. This assessment concludes that the proposed development would have an imperceptible impact on nearby windows and amenity areas in terms of daylight and sunlight. Only 5 windows are shown to have levels of VSC reduction in excess of 20 %. However, the absolute value for the associated windows remains above the BRE target of 27 % and the windows continue to meet BRE guidance. Daylight Distribution (also known as no-sky-line) testing has not been undertaken. However, the layout of surrounding homes would not be known and in such

instances, such testing is not necessary. Also, the development would not project above the BRE 25 degree line for most surrounding windows and further testing of those windows is therefore not required. The neighbouring properties would retain acceptable levels of daylight/sunlight and outlook.

Noise

33. Local Plan Policy DMP1 states that new development will be acceptable providing it does not unacceptably increase exposure to noise and general disturbances.
34. The predominantly residential use of the site fits within the surrounding residential context and unlikely to generate significant noise impacts to neighbouring occupiers.

Parking, access and refuse storage

35. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (Policy 6.12) and parking (Policy 6.13). Policies DMP11 and 12 provide the criteria upon which developments will be assessed with regard to layout and access / servicing / parking standards.
36. The NPPF para.109 states, “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
37. The site has PTAL 3 (moderate) score. Willesden Lane is a London distributor road & bus route. On-street parking prohibited 8am-6.30pm & loading prohibited at peak hours along site frontage. Wider area within Controlled Parking Zone “MA” – 10am-3pm weekdays.
38. As the site is in a PTAL 3 area, the higher residential parking allowance set out in Table 6 of Appendix 1 of the DMP applies.
39. The sizes of the 36 existing flats are 1 and 2 bed units. On this basis, up to 36 off-street parking spaces would be allowed and the existing provision of about 40 spaces exceeds the maximum allowance (although the applicant states that 22 of the 24 garages are currently disused).
40. This proposal would increase the maximum parking allowance by 11 spaces to 47 spaces. At the same time, the off-street parking provision would be reduced to 25 spaces through the demolition of the rear garage court. The site would therefore be brought into line with maximum standards.

41. Policy DMP12 also requires that any overspill parking that is generated can be safely accommodated on-street though. In this case, the site fronts a major London distributor road and bus route which needs to be kept clear to cater for high volumes of traffic. The street frontage does not therefore offer scope to accommodate parking from this site and it is considered essential that the site continues to provide sufficient off-street parking to meet demand.
42. In this respect, affordable social rented housing is generally predicated to generate parking demand at about 50% of the maximum parking standard, which would equate to about 24 spaces in this case.
43. To test whether this is the case in practice, a Transport Consultant has been appointed to carry out overnight car parking surveys on four separate dates in March 2017 and December 2018. The latter survey dates included the site itself and identified 18-19 cars parking overnight at present. This equates closely to the 50% parking level assumed above. It also corresponds fairly closely with 2011 Census data, which records average car ownership for flats in the immediate area as 0.45 cars/flat. On this basis, the proposed provision of 25 spaces is considered sufficient to meet demand and thus mitigate potential overspill parking.
44. Of the proposed parking spaces, one is to be marked for a disabled person, in accordance with standards. Eleven spaces (five active and six passive) are also to be provided with electric vehicle charging points, in accordance with London Plan standards.
45. The new spaces towards the rear of the site are generally to be provided parallel to the access drive and all spaces are shown with adequate dimensions and turning space.
46. The London Plan requires at least 18 secure bicycle parking spaces for the new flats. An internal bicycle store for 18 bikes on semi-vertical racks has been shown to satisfy this requirement.
47. Tracking has been provided to demonstrate that the driveway layout will be able to accommodate access and turning by 10m refuse vehicles (and thus fire appliances) adjacent to the new block, so maximum refuse carrying and fire hose distances would be complied with.
48. A 1.35m wide segregated pedestrian footway is proposed alongside the existing driveway to access the new block of flats to the rear, which is fine. It does result in the carriageway being reduced to a single-width of about 3.5m for a distance of about 15m, but there is plenty of space for vehicles to wait at either end of the pinch point clear of the highway, with clear visibility between vehicles, so this arrangement is fine.

49. Overall the development would be safe with suitable access and the impacts on the highway would be limited.

Wheel chair accessibility

50. London Plan Policy 3.8 requires 90% of new housing to meet Building Regulation requirement M4 (2) "accessible and adaptable dwellings". It also requires 10% of new housing to meet the Building Regulation requirement M4(3) "wheelchair user dwellings".

51. One of the units proposed (10%) meets Building Regulation requirement M4(3) 'wheelchair user dwellings' and the rest of the units (90%) meet requirement M4(2) 'accessible and adaptable dwellings', in compliance with the London Plan (2016).

Air quality

52. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. Environmental Health have assessed the application, with potential mitigation measures appropriately secured by condition.

53. Prior to the commencement of the development a Construction Method Statement should be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

54. Brent is currently part of the 'London low emission construction partnership'. Therefore the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. This can be secured by condition.

Land Contamination

55. The site to be redeveloped use as garages gives rise to potential land contamination. A site investigation and remediation conditions should be attached to any grant of permission to protect human health and restore healthy ground conditions.

Trees / Landscaping

56. London Plan Policy 5.10 ('Urban Greening') and DMP Policy DMP1 seeks to retain high amenity trees and landscape features and provide appropriate additions or enhancements.

Trees are a key component of green infrastructure and help to create resilient and more sustainable development. Core Policy 18 ('Protection and Enhancement of Open Space, Sports and Biodiversity') of the Core Strategy confirms that support will be given to the improvement of the built environment.

57. The proposed development is expected to require the removal of nine individual trees and two groups of trees. However, the majority of these trees are deemed to be of a low, Category C value.
58. It is expected that some construction works will be carried out within the RPAs of a Silver Maple tree (T8), Damson (T13) and a mixed species tree group (number G4) towards the northern site boundary.
59. No significant impacts of development on the Root Protection Areas (RPAs) of retained trees are anticipated. In order to minimise unforeseen impacts on retained trees, it is recommended that proposed works are conducted in accordance with the guidelines set out in BS5837:2012 and that tree protection barriers are installed to protect retained trees. This recommendation forms part of the arboricultural survey which will be conditioned as an approved document.
60. The Council's Tree officer raises no objection to the removal of trees as set out within the arboricultural impact assessment and agree that the root ingress into retained trees can be carefully managed with a suitable arboricultural method statement and tree protection plan.
61. Some objections have been received which specify that the scheme relies on trees within adjoining sites. However, the proposed building is set sufficient from the boundaries to ensure levels of privacy in line with SPD1 (subject to the conditions discussed above).
62. The proposed tree planting includes some very attractive species which are proposed between existing and proposed flats, further details will be required by condition to ensure species of tree are used with appropriate durability and of a more robust flowering natives to provide food source for pollinators and appropriate biodiversity enhancement.
63. The inclusion of a temporary irrigation system is a positive aspect of the scheme.
64. The landscaping arrangements offer a more flexible and diverse arrangement of amenity areas and is considered to take opportunity to improve the existing arrangements.

Biodiversity and Ecology

65. Policy 7.19 ('Biodiversity and access to nature') of the London Plan requires development

proposals to contribute to mitigating the effects of climate change by considering integrating green infrastructure and to make a positive contribution, where possible, to the protection, enhancement, creation, and management of biodiversity. Core Policy 18 ('Protection and Enhancement of Open Space, Sports and Biodiversity') of the Core Strategy confirms that support will be given to the improvement of the built environment for biodiversity and nature conservation.

66. Local authority has a duty to consider potential impacts upon biodiversity, wildlife and protected species as part of policy and decision making as set out in sec 40 of the National Environment and Rural Communities Act 2006 (as amended) (NERC) and The Wildlife and & Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended). It is an objective of the NPPF (paragraphs 8 and 175) to help improve biodiversity.
67. Given the site context the risk to protected species is low. No immediate risk is identified to wildlife or protected species from the proposals and there are no local wildlife sites or sites of nature conservation or notable habitats close to the site.
68. A suitable biodiversity management plan could be conditioned to meet the objectives of polices CP18 and DMP para 5.6 which requires all developments to make a positive contribution to biodiversity to enhance habitat opportunities and a lighting condition will also have relevance to enhancing biodiversity on site.

Flood Risk

69. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively. Policy DMP9A ('Managing Flood Risk') confirms that new development must avoid and reduce the risk of flooding, and not increase the risks elsewhere and that planning permission will only be granted for proposals which have addressed all sources of flood risk and would not be subject to, or result in unacceptable levels of flood risk on site or increase the level of flood risk to third parties. DMP9B ('On Site Water Management and Surface Water Attenuation') requires minor schemes to make provision of an appropriate SuDS scheme where feasible.
70. The Council's drainage engineer has reviewed the application and supports the improvements proposed. The site is within a fluvial flood zone 1, also is close to a surface water flood zone 3 which is adjacent to the site. The proposed site will demonstrate almost a 65% reduction in discharge rates to the current site. This will result in an overall mitigation of flood risk to the surface water catchment.
71. Thames water have requested conditions to confirm appropriate surface and foul water capacity prior to occupation which can be attached to any grant of permission.

Sustainable Design and Construction

72. London plan Policy 5.3 Sustainable Design and Construction and the Mayors Sustainable Design and Construction SPG requires applicants to demonstrate sustainable design standards are integral to new development, including its construction.
73. The applicant has included an Energy and Sustainability Statement to address major development sustainability requirements as set out in Policy 5.2 of the adopted London Plan.
74. Initially the use of individual boilers was proposed. However, the approach was revised in response to feedback from the Council's sustainability officer. It is now proposed that the feasibility of connection to the heat network within Pharamond House is evaluated and this option is taken forward if possible. If this is not feasible then the use of individual Air Source Heat Pumps is pursued. The revised approach is considered to be acceptable, but would required an updated energy assessment which can be secured through condition.
75. London Plan policy 5.18 confirms that through the Local Plan, developers should be required to produce site waste management plans (SWMP) to arrange for the efficient handling of construction, excavation and demolition waste and materials. The supporting text to CP19 ('Brent Strategic Climate Change Mitigation and Adaptation Measures') of the Core Strategy confirms that developers will be expected to play their part in reducing the overall waste arising and is managed towards the upper end of the waste hierarchy.
76. A construction method statement/management plan condition could demonstrate acceptable construction practices to avoid excess waste and nuisance arising from the development.

Fire Safety

77. The London Plan policy 7.13 requires development to minimise potential risk from fire and draft London Plan policy D12 also requires fire statement for major applications, although acknowledges this typically a matter for building regulations to address. The proposals would provide adequate access for a fire appliance to reach the development and details of fire mitigation in the construction of the building is a matter of building regulations to address. A report has not been provided with the application. However, the submission include vehicle tracking drawings showing that a fire appliance can enter the site, access the development and turn within the site. The detailed fire strategy will be dealt with within the Building Regulations application (should permission be granted).

Public Sector Equality Duty

78. The Equality Act 2010 came into force in April 2011. Section 149 of the Act introduced the public sector equality duty, which requires public authorities to have 'due regard' to the need to eliminate discrimination on the grounds of the relevant protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex and sexual orientation, and to advance equality of opportunity. In relation to this specific application due regard has been made to the protected characteristics and it is considered that there would be no adverse impact caused following this development.

Conclusion

- 79.** The proposal are considered to have significant benefits of delivering 10 London Affordable Rented homes and make effective use of previously developed land. The scale and massing is appropriate in the context of the broader Pharamond House site and remains a subordinate development of complimentary character and appearance.
80. Appropriate replacement tree planting and landscaping can be secured by condition which will ensure a net gain of trees on site as well as further enhance and integrate the development with the locality.
81. The proposal development sufficiently complies with guidance in SPD1 with respect to neighbouring amenity and not considered to cause undue harm to existing or future occupier overall living conditions, therefore meeting the requirements of policy DMP1.
82. On balance the proposals are considered to accord with the objectives of the development plan and it is recommended the application be approved.

CIL DETAILS

This application is liable to pay **£131,372.61** * 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): 350 sq. m.

Total amount of floorspace on completion (G): 716 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 |
|---------------------------|-------------------------------|------------------------------------|-----------------------------------|-------------------------------|---------------------------------|-----------------|-------------------|
| (Mayoral) Dwelling houses | 716 | 0 | 366 | £0.00 | £60.00 | £0.00 | £22,226.18 |
| (Brent) Dwelling houses | 716 | 0 | 366 | £200.00 | £0.00 | £109,146.43 | £0.00 |

BCIS figure for year in which the charging schedule took effect (lc) 224

330

BCIS figure for year in which the planning permission was granted (lp) 334

| TOTAL CHARGEABLE AMOUNT | £109,146.43 | £22,226.18 |
|--------------------------------|-------------|------------|
|--------------------------------|-------------|------------|

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

**Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 19/4434

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

I refer to your application dated **17/12/2019** proposing the following:

Demolition of the existing garages and redevelopment to provide a four storey building comprising 10 self-contained flats with associated car parking, cycle and refuse storage, amenity space and landscaping.

and accompanied by plans or documents listed here:
618-2b-001A, 100C, 110A, 111A, 112B, 200A, 300A, 301A, 900A, WIE/SA/95/0009/A02, 0010/A02, 0011/A02 & 240915B

at **Pharamond Garages, rear of 258-262 Willesden Lane, Willesden, London**

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: 01/06/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

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

SCHEDULE "B"

Application No: 19/4434

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development on balance is considered acceptable when considered against the development plan and all material considerations.

- 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 and documents:

618-2b-001A,
100C,
110A,
111A,
112B,
200A,
300A,
301A,
900A,
WIE/SA/95/0009/A02,
0010/A02,
0011/A02
240915B

RT-MME-129209-05 Rev A

- 3 The sustainable urban drainage system (SUDS) works shall be carried out fully in accordance with the RSK Flood Risk assessment and Drainage strategy report. The approved scheme shall be implemented in full prior to first occupation of the development and shall be retained for the lifetime of the Development.

Reason: To ensure the development meets the requirements of London Plan Policy 5.13 Sustainable Drainage.

- 4 The residential units of the development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing (capped at London Affordable Rent as defined by the Mayor of London document, Homes for Londoners - Affordable Homes Programme 2016-2021, Nov 2016, with rents to set at rate no more than the relevant benchmark of the year of first occupation and thereafter London Affordable Rent homes will be subject to rent-setting guidance issued by the Social Housing Regulator) and LB Brent will have the right to nominate people to be housed in the whole of the affordable housing development, unless otherwise agreed in writing with the local planning authority.

Prior to the occupation of the development a Nominations Agreement to define nominations criteria and arrangements shall be entered into with the Council, and submitted to and approved in writing by the Local Planning Authority. The Nominations Agreement will set out the policies and procedures for the nomination by the Council of prospective tenants to the development and shall be implemented on occupation and shall remain in effect for the lifetime of the development.

Reason: To ensure the development is implemented in accordance with the approved details submitted having regard to Local Plan affordable housing policy, the weight that was given to

this scheme being 100% affordable when reaching a decision and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 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 and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 6 The approved parking layout, electric charging points, cycle storage facilities and bin storage facilities shall be installed and made available for use prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the development hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 7 The buildings shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 8 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or shall meet easily accessible/adaptable standards (Building Regulations M4(2)) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable facilities for disabled users, in accordance with the London Plan policy 3.8.

- 9 (a) No development shall commence on site until a Training & Employment Plan has been submitted to and approved in writing by the Local Planning Authority which shall include but not be limited to the following:

- (i) the details of the Training & Employment Co-ordinator;
- (ii) a methodology for meeting the Training & Employment Targets and the Training & Employment Reporting Schedule;
- (iii) a commitment to offer an interview to any job applicant who is a resident in Brent provided that they meet the minimum criteria for the particular job

The approved Training and Employment Plan shall be implemented throughout the construction phases of the development for the lifetime of the construction of the Development.

Reason: In the interest of providing local employment opportunities.

- 10 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The approved

statement shall be implemented throughout the duration of construction.

The applicant must employ measures to mitigate the impacts of dust and fine particles generated by the operation. This must include:

- (a) damping down materials during demolition and construction, particularly in dry weather conditions,
- (b) minimising the drop height of materials by using chutes to discharge material and damping down the skips/ spoil tips as material is discharged,
- (c) sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
- (d) ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
- (e) utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
- (f) installing and operating a wheel washing facility to ensure dust/debris are not carried onto the road by vehicles exiting the site.
- (g) the use of demolition equipment that minimises the creation of dust.

Non Road Mobile Machinery

Brent is currently part of the 'London low emission construction partnership'. Therefore, the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM.

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

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development and therefore needs to be discharged prior to construction.

- 11 Prior to commencement of development (excluding any site clearance, demolition and hoarding) an updated Energy assessment shall be submitted including feasibility study regarding connection to Pharamond House heat network and confirmation of details of means of heating and hot water for future occupiers. The details shall be agreed prior to the commencement of development and thereafter implemented and maintained in accordance with approved details.

Pending the outcome of the Energy Assessment should it be necessary the applicant shall enter into a Memorandum of Understanding (MOU) with the Local Planning Authority in order to provide appropriate offsetting measures for the development's carbon emissions.

No later than two months after practical completion of the development an Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This shall include a review of the energy assessment commissioned at the applicant's expense and prepared by an independent assessor to demonstrate as built construction is in accordance with the approved Energy Assessment.

The applicant shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate offsetting measures for the developments carbon emissions as approved within the review of the Energy Assessment.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.2.

- 12 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. 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 the Local Planning Authority in writing for approval.

The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the residential amenity of nearby properties.

- 13 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

- 15 Prior to commencement of development (excluding any site clearance, demolition and hoarding), details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

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

- 16 Within six months of commencement of the development, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the lighting fixtures, luminance levels within and adjoining the site. The lighting shall not be installed other than in accordance with the approved details.

Reason: In the interests of safety and the amenities of the area.

- 17 The tree protection measures as set out within the submitted Arboricultural Impact Assessment and Method Statement shall be adhered to through all stages of construction, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect existing trees during the course of construction works in order to ensure that the character and amenity of the area are not impaired.

- 18 An Air Quality Neutral Assessment must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and submitted to the Local Planning Authority for approval. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral.

Reason: To protect local air quality.

- 19 Prior to first occupation of the development, details of tree planting and landscaping scheme has been submitted to and agreed in writing with the local planning authority. The approved details shall be implemented in full prior to the first occupation of the development hereby approved.

Any planting that is part of the approved scheme that within a period of five years 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 ensure a satisfactory standard of appearance and setting for the development.

- 20 No development shall commence until A Biodiversity Management Plan (BMP) shall be submitted to, and be approved in writing by the Local Planning Authority. The content of the BMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The BMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details."

Reason: To enhance biodiversity and mitigate potential impact upon wildlife in accordance with Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended) and to ensure due regard is paid to likely impact on the habitat of protected species in accordance with national Legislation and London Plan.

- 21 The development shall not be occupied until confirmation has been provided in writing to the local planning authority that either:
- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
 - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The ensure sustainable development with appropriate infrastructure and protect against sewage flooding

- 22 The development shall not be occupied until confirmation has been provided that either:
- all surfacewater network upgrades required to accommodate the additional flows from the development have been completed; or
 - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The ensure sustainable development with appropriate infrastructure and protect against sewage flooding and pollution

- 23 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 in accordance with Brent Policy DMP1 and London Plan policies 5.3 and 7.14.

- 24 Prior to the commencement of the development, the approved development shall be registered with the Considerate Constructors Scheme (CCS) and aim to achieve best practice standards on the direct and indirect impacts of the construction work of this development and thereafter construct the development in accordance with best practice principles of CCS.

Reason: In the interests of sustainable development and neighbouring amenity.

- 25 Prior to the commencement of development, revised details of the balconies for flats 03, 06 and 07 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. The revised balconies shall be situated no less than 9 m from a boundary with an adjoining residential garden and shall be at least 5 sqm in size in relation to flats 3 and 6 and 7 sqm in size in relation to flat 7.

Reason: In the interest of the privacy of adjoining occupiers and to ensure a satisfactory standard of accommodation for future residents of the development.

INFORMATIVES

- 1 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 2 (PWAL) 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 (F16) 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 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.
- 5 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.

- 6 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 7 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 8 Thames Water advise the applicant that if they are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
- 9 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Any person wishing to inspect the above papers should contact Patrick Doyle, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5169