

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

22 January, 2020
06
19/2688

SITE INFORMATION

RECEIVED	29 July, 2019
WARD	Willesden Green
PLANNING AREA	
LOCATION	19 Dudden Hill Lane, London, NW10 2ET
PROPOSAL	Demolition of the existing two-storey building and structures associated with the adjacent recreational sites and construction of a part 4-storey and part 5-storey building comprising D1 use on the ground floor and 29 residential units from part-ground to 4th floors. Works to include creation of communal roof terraces at 4th floor level, mechanical plant room, 48 cycle parking spaces, waste storage and associated landscaping.
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_146338</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 "19/2688" (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:

1. Time limit for commencement
2. Approved drawings/documents
3. Defining/securing Affordable Housing
4. Use Restricted to D1
5. Removal of permitted development rights to change properties into small HMOs
6. Implementing Bin/Bicycle Storage
7. Restricting water consumption
8. Securing accessible units
9. Securing Training & Employment
10. Construction Method Statement
11. Securing Carbon Offset/Energy Statement
13. Contaminated Land Investigation
14. Contaminated Land Verification and Remediation
15. Materials
16. Overheating Strategy
17. Highway Works
18. External Lighting Strategy
19. PV Arrangements
20. Arboricultural method statement
21. Nominations Agreement
22. Parking Permit Restriction
23. Communal Satellite Dish
24. Travel Plan
25. Sound Insulation
26. Air Quality Report/Mitigation
28. Landscaping
29. Hours of Operation D1 use
30. Roof terrace privacy screen
31. Construction Logistics Plan
32. Scheme of sound insulation
33. Securing replacement trees
34. Non road mobile machinery

Informatives:

1. CIL Liable
2. Party Wall
3. Building Near Boundary
4. London Living Wage
5. Fire Safety
6. Thames Water Notification
7. Thames Water: Water Pressure
8. Highways Licences

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: 19 Dudden Hill Lane, London, NW10 2ET

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This map is indicative only.

PROPOSAL IN DETAIL

Demolition of the existing two storey building and structures associated with the adjacent recreational sites and construction of a part 4-storey and part 5-storey building comprising D1 use on the ground floor and 29 residential units from part-ground to 4th floors (14 x 1-bed, 5 x 2-bed and 10 x 3-bed). Works to include creation of communal roof terraces at 4th floor level, mechanical plant room, 48 cycle parking spaces, waste storage and associated landscaping.

EXISTING

The subject site is positioned close to the intersection where Dudden Hill Lane meets Willesden High Road. The site itself comprises a community centre, a games court and a disused playground. Retail units run to the south of the site with a mixture of residential and retail to the north and east of the site. The site is not within a conservation area and is not a listed building.

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:

1. **Representations received:** 4 objections and one comment in support of the application have been received. Officers have considered the comments and the planning merits of the proposal and consider that the proposal is acceptable.
2. **Provision of new affordable homes:** Your officers give great weight to the delivery of a substantial proportion of Affordable homes. 29 (100%) of the units would be for social rent, . At 100 % Affordable Rent for the affordable homes, development does not meet the 70/30 ratio of affordable rent to intermediate homes set out in policy. However, the proposed mix reflects the acute need for affordable rented homes in Brent.
3. **Provision of an improved, high quality community centre:** The development will replace the existing community centre with a high quality community facility. The new facility will be of a comparable size
4. **Design, layout and height:** The proposal makes effective use of the existing site. It utilises good architecture with detailing and materials in order to maximise the site's potential whilst regulating its height to respect surrounding development in the areas changing context.
5. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of a good quality. The mix of units is in accordance with the standards within the London Plan and well aligned with the Core Strategy target mix. The residential would have good outlook and light. The amount of external private/communal space is acceptable and has been maximised through the use of different means
6. **Neighbouring amenity:** The development would have an acceptable impact on neighbouring properties and would sufficiently comply with the guidance contained within SPD 1.
7. **Highways and transportation:** The scheme is to provide suitable provision of cycle parking and will encourage sustainable travel patterns and mitigate the potential for parking due to the new units, a 'permit-free' development, with the exception of blue badge parking spaces.
8. **Trees, landscaping and public realm:** Three trees would be removed in order to facilitate development. Appropriate mitigation measures to protect those retained trees during construction have been identified. A scheme of soft landscaping has been submitted to address the loss of three street trees in terms of visual amenity within the street scene.

9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy.

CONSULTATIONS

251 neighbouring properties were notified. A site notice was displayed on the 30/08/2019 and a press notice was displayed on the 05/09/2019. As a result of the consultation process, 4 representations were received, 3 objecting to the development and one in support. One of the objections posed a number of questions in relation to the development, these questions are answered in full in the main body of this report.

Objection	Response
Too big and not in keeping with surrounding area	The scheme has been designed to be sympathetic to the scale of neighbouring buildings. Furthermore, this part of Dudden Hill Lane is undergoing significant change and the proposal has been assessed with this in mind
A symmetrical design would have been more aesthetically pleasing	The design is considered acceptable and takes account of the scale of neighbouring buildings
In an area that needs an uplift, 100% affordable housing might drag it down further	The re-development of the site is positive as it would make use of an underused brownfield site by providing an attractive, contemporary building The amount of housing would help provide for an unidentified need and would not create an unbalanced community.
No parking for disabled residents	Disabled residents would be exempt from the car free agreement and could park in disabled bay located in close proximity to the subject site
Bike should be discouraged on busy roads and should only be used for leisure purposes on side streets and parks	Promoting sustainable transport modes is embodied in national policy and the provision of adequate cycle storage supports this
Compromises privacy as people can look directly into my property	The development would meet relevant separation distances and where it falls short there would be no overlooking due to obscure glazing and the use of privacy screens (a condition is will attached to this permission should the recommendation be supported)
Overshadowing/ loss of light to properties in Chaplin Road	See neighbouring amenity section
Height of development and location of windows may lead to overlooking	See neighbouring amenity section
Claustrophobic with how close the building would be	See neighbouring amenity section

The representation in support of the proposal stated that support was given on the basis that the development would not increase traffic congestion in this very busy road junction area. This matter is discussed in full in the transport section

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application:

National Planning Policy Framework 2019

The London Plan 2016

Key policies include:

- 3.3 - Increasing Housing Supply
- 3.4 - Optimising housing potential
- 3.5 - Quality and Design of Housing Development

3.6 - Children and young person's play and informal recreation facilities
3.8 - Housing Choice
3.12 - Negotiating affordable housing on individual private residential and mixed use schemes -
5.2 - Minimising Carbon Dioxide emissions
5.12 - 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
6.10 - Walking
7.2 - An inclusive environment
7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Draft London Plan 2018

Key policies include:

GG2 - Making the best use of land
H1 - Increasing Housing Supply
H2 - Small sites
H5 - Delivering affordable housing
H6 - Threshold approach to applications
H7 - Affordable housing tenure
H12 - Housing size mix
D6 - Housing quality and standards
T5 - Cycling

Brent Core Strategy (2010)

Key policies include:

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP6: Design & Density in Place Shaping
CP17: Protecting and enhancing the suburban character of Brent
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

Brents Draft Local Plan

Key policies include:

BP5: South
BSSA10: Dudden Hill Community Centre
BD1: Leading the Way in Good Urban Design
BH1: Increasing Housing Supply in Brent
BH6: Housing Size Mix
BG12: Trees and Woodlands

Brent Development Management Policies (2016)

Key policies include:

DMP 1: Development Management General Policy
DMP 9 A: Managing Flood Risk
DMP 9 B: On Site Water Management and Surface Water Attenuation
DMP 11: Forming an Access on to a Road
DMP 12: Parking
DMP 13: Movement of Goods and Materials
DMP 15: Affordable Housing
DMP 18: Dwelling Size and Residential Outbuildings
DMP 19: Residential Amenity Space

Supplementary Planning Guidance (SPG)

SPD1: Design Guide for New Development (2018)
Mayor's Affordable Housing and Viability SPG -
Mayor's Housing SPG
Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG

DETAILED CONSIDERATIONS

1. Principle

1.1 The subject site forms no. 29 of Site Specific Allocations Plan and is stated to be suitable for ' a small mixed use development with, community, leisure or retail use on the ground floor with residential above. The allocation goes onto state that the financial contributions will be sought towards the provision of a new play area and open space improvements in the vicinity, namely Learie Constantine open Space on Villiers Road, and Willesden Communal Gardens, Dudden Hill Lane.'

1.2 The allocation regards a variety of uses as acceptable, rather than identifying a specific one. The site has a current community use on it within a hall which it is proposed to be replaced and would have a similar area to the existing, with the existing measuring 505sqm and the proposed measuring 495sqm, the loss would therefore be negligible. In addition, the layout of this modern facility would be improved with modern access arrangement and flexible internal spaces which would be more versatile than the existing building. The provision of this is consistent with Policy CP23 'Protection of existing and provision of new Community and Cultural Facilities' and DMP1 which seeks to ensure that development does not result in the loss of community facilities where there is an identified need.

1.3 The indicative residential development capacity is given as 20 units. The proposed development at 29 exceeds this figure, which is considered positive in terms of the provision of new homes to meet identified need. Allocation capacities are indicative rather than a maximum and are not normally derived through a detailed design. Furthermore, taking into account the increases in the borough's housing target since the core strategy, plus changes in policy relating to the draft London Plan namely an increase in housing targets and the emerging local plans emphasis on maximising opportunities to provide additional homes, it is clear that where the opportunity arises in areas with good PTAL ratings, the most efficient use of land should be encouraged where it is consistent with the character (existing or emerging) of an area.

1.4 Furthermore, in order to mitigate against the loss of the existing play area, the applicant has agreed to fund upgrading works to Learie Constantine Open Space. A condition has been included to ensure that suitable funding is received prior to the first occupation of the development. This would sufficiently offset the loss of play space on the site and enhance the nearby provision that would be required by future residents of the proposed dwellings.

1.5. Subject to detailed criteria consider below, the principle of an affordable, residential led, mixed use development is acceptable on this site.

2. Housing mix and tenure

2.1 The proposed development includes 29 residential units. Of the 29 units 10 of these are proposed to be family sized (3+ bedrooms) which would equate to a percentage of 33% and therefore would exceed the requirement of 25% of units to be family sized under CP2.

2.2 CP2 requires 50% of all new housing in the borough to be affordable. This is expanded on in DMP 15 which requires 50% affordable housing to be secured on sites with the capacity to provide 10 or more homes. Adopted DMP Policy 15 confirms the Core Strategy target (Policy CP2) that 50% and states that 70% of new affordable housing should be social/affordable rented and 30% intermediate housing at affordability that meets local need.

2.3 The proposal would provide 29 residential units of all of which would be provided at social rents specific to the Council's needs. The proposal therefore exceeds the 50 % target set out in policy. Whilst the affordable housing offer does not include intermediate housing and therefore does not accord with the policy split, the housing mix responds to a specific acute need for affordable rented accommodation and the proposed tenure mix is considered to meet the strategic objective of the development plan in relation to meeting housing need. As such, the proposed tenure mix is acceptable and would help to meet the affordable housing needs of Brent.

3 Design, scale, massing and layout

3.1 The subject site is located close to the junction where Dudden Hill Lane meets High Road. This part of Dudden Hill Lane is largely characterised by two storey terrace buildings with the ground floor uses in commercial use and the upper floors in residential use. High Road is characterised by three storey terrace buildings where ground floor uses are similarly commercial in use. Buildings immediately surrounding the site are traditional in appearance being predominantly brick built with pitched roofs. However, it should be noted that Dudden Hill Lane is undergoing quite significant re-development and therefore there are a number of sites which have recently been redeveloped or are within the planning process to be redeveloped. There are two contemporary buildings at either adjacent side to Colin Road (3 storeys) and consent has recently been granted for a 5 storey development on the corner of Villiers Road (Learie Constantine Centre). Therefore, whilst the surrounding development is relatively consistent at present, the development should be viewed in the context of the evolving character of Dudden Hill Lane.

3.2 103 Dudden Hill Lane is a two storey pitched roof building. The development would be three storeys closest to this and would extend to 5 storeys closest to High Road. Whilst five storeys in height at its greatest, the building would not be significantly greater in height than the three storey buildings on High Road. Furthermore, a suitable setting has been provided for the building, with a separation distance of 9m between the subject site and High Road meaning that the scale of the building would not be read so closely to the smaller scale buildings. Due to the overall arrangement of the building together with the space ensured around the development, and whilst noting that it would be greater in height than adjacent buildings, the scale would not be unacceptable in this location and again, would be consistent with the evolving character of this part of Dudden Hill Lane.

3.3 The development would be predominantly brick built which would help to ensure it is consistent with surrounding development. A condition will however be attached to this permission requiring the submission of the further details to ensure that the proposed brickwork and the development integrates sufficiently with surrounding development. Whilst it would feature elements of rock panel cladding, the use of this more modern material is considered to be acceptable, given the presence of more contemporary materials within recent development on Dudden Hill Lane. The fenestration would be similar in design. Whilst the building would feature projecting balconies, which are not typical features of the surrounding area, these are common within modern developments and help to articulate the façade and will also reflect the evolving character of Dudden Hill.

3.4 The design, scale, layout of massing of the development is considered to be acceptable, having regard to the character and appearance of the area and would improve an underused site.

4. Density

4.1 The proposal makes efficient use of land to provide a contribution to Brent's annual housing target currently standing at 1525 per year. The draft London Plan proposes a significant increase in this number to 2325 homes per year, and therefore there is increased pressure to use land as efficiently as possible in order to meet this proposed future demand. London Plan policy 3.4 seeks to optimise housing potential taking into account local context, character, design principles and public transport capacity. In accordance with the London Plan density matrix (table 3.2) the application site, which is considered to be in an 'Urban' setting, with a PTAL of 5 would be appropriate for accommodating between 200-700hr/ha. The proposed scheme would result in a level of density in 581 hr/ha and 181u/ha and therefore would be in accordance with the density matrix range as specified under Policy 3.4 of the London Plan

5 Sustainability

5.1 The applicant has included an Energy and Sustainability Statement; this strategy is to use Air Source Heat Pumps and PV Panels. The report includes indicative areas on the roof that could be covered. and as such a condition requiring detailed drawings is therefore recommended. The submitted statement indicates how the development complies with the minimum standards set out in the GLA guidance.

5.2 The submitted energy statement indicates that a financial contribution of £24,964 is required as a carbon offset contribution. The offset payment shall cover a 30-year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment would be secured through a condition to any forthcoming consent. With the modelling provided, a payment of £24,964 would be secured for this purpose.

5.3 In terms of the non residential floorspace, this has been target as BREEAM Very Good and not Excellent. However, as the unit non residential space is less than 1000m², this is acceptable.

5.3 Brent's Sustainability Officer was consulted on the application and raised no objection to the proposed development.

6. Quality of accommodation

6.1 DMP 1 states that development will be acceptable providing, amongst other things, it ensures a high level of internal and external amenity.

Internal amenity

6.2 In relation to the residential element all of the units would meet, with a proportion of dwellings exceeding, technical space standards minimum floor space requirements and therefore the development would be consistent with DMP 18 in this regard. Of the 29 units, 16 would be single aspect, however, none of these would be north facing and all single aspect units would be one or two bedrooms. All three bedroom units have been carefully arranged to be dual aspect which complies with the Mayors Design Guide which states that single aspect dwellings with three or more bedrooms should be avoided. All habitable rooms would enjoy good levels of outlook, although it is noted that the internal units would have an outlook over the roof of the community centre nevertheless, the overall living conditions of these properties would be good.

6.3 A daylight/sunlight report has been submitted to identify the levels of daylight/sunlight experienced within the new development. Various methods have been used in order to properly assess the quality of accommodation in this respect. In terms of the Vertical Sky component (VSC) the report states that 168 windows were assessed, and 104 of those receive good levels of daylight. Those falling short of the required standard (less than 27%) are stated to fall short due to design features or the constrained nature of the site e.g. those on the ground floor, under balconies or close to balcony walls.

6.4 However, in order to demonstrate that the residential units would receive adequate daylight, additional Average Daylight Factor calculations have been undertaken. The results of this confirm that the proposed development can achieve the required minimum average daylight factor (ADF) in accordance with required standards being 1% to bedrooms, 1.5% to living rooms or kitchen/dining rooms, 2% for kitchen living/living/dining rooms with the exception of 3 rooms where standards fall marginally short of requirements (1.4% for kitchen/dining room). Therefore, whilst a significant proportion of windows would not meet the VSC standard, they would meet the ADF standard and therefore would be acceptable in terms of daylight.

6.5 The submitted report, also assesses sunlight levels within the residential element using Annual Probable Sunlight Hours (APSH). There would be a larger proportion of windows that do not receive the recommended sunlight levels. However, the majority of windows which do not receive adequate sunlight are either one of a number of windows serving the same rooms or would serve bedrooms where a lower standard of sunlight is required. When considering the residential element as a whole, the development has been designed to ensure the receipt of adequate sunlight.

6.6 An overheating risk assessment was submitted with the application. It identified areas at risk of overheating but has not fixed the final details of a set of suggested mitigation measures. A revised report was therefore requested, this identified mitigation measures required to mitigate overheating, namely (but not limited to), opaque lower glazed panels to affected windows and external shading. The overheating strategy identifies those affected windows, the opaque panels and provides indicative drawings of shading/birse soleil, to provide shading would provide some mitigation. The revised report provides indicative illustrations of the proposed mitigation, the mitigation is not considered to result in material changes to the external appearance of the building and as such re-consultation is not considered necessary.

6.7 A condition would be recommended for a revised overheating strategy to clarify all proposed measures and provide scaled drawings/ details of materials for the proposed mitigation measures. These details shall be submitted and approved by the Local Planning Authority prior to above ground works.

6.8 Subject to conditions, the development would ensure a good standard of internal amenity for future

residents.

External amenity

6.9 In terms of external amenity space, all units would be provided with private balconies/terraces and there would also be a number of communal spaces.

6.10 DMP 19 states that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed resident's needs which is normally expected to be 20sqm per flat and 50sqm for family housing including ground floor flats. One family sized flat is at ground floor level and the remainder are on the upper floors.

6.11 All of the private spaces (balconies/roof terraces) would fall short of the requirements of DMP 19, however they would exceed the minimum standards as specified within the Mayors Design Guide, with the minimum proposed being 5.8sqm, increasing to 11.3sqm for a three bedroom units. A number of units would also benefit from far more generous private roof terraces measuring 54.6m² and 30.9sqm. Whilst the private areas afforded to each of the units would fall below the requirements specified under DMP19, these would be supplemented by a number of communal areas including a roof terrace at fourth floor (53sqm), another at third floor (129sqm). At ground floor level there would be a generous landscaped amenity area measuring 299m². When considered cumulatively and divided by the 29 units, the proposal would provide an average of 16.6 sqm of communal space per home. The ground floor family sized flat benefits from more than 50 sqm of external amenity space. The quality of the units is therefore considered to be of a very good standard in this respect.

7. Impact on neighbouring properties

21 Dudden Hill Lane

7.1 No 21 is a two storey end of terrace building that is currently in non-residential (Use Class B1 (a)) use at both ground and first floors. There is an outbuilding to the rear of the site meaning that the entire depth of the plot is built over and extends to the same depth as the existing community facility. The proposed development has been designed to also occupy the full depth of the plot. Whilst the development would be greater in scale than the existing structures on site, it has been designed to avoid undue levels of detrimental impact on the occupants of neighbouring properties. The front of the building, whilst three storeys in height would not extend beyond the flank wall of no 21 Dudden Hill Lane. Whilst the development would increase to 5 storeys to the rear, and whilst there would be a large number of side facing windows serving habitable rooms as well as balconies, a distance 13m would be retained between these openings and the boundary of neighbouring properties. It should also be noted that there is no private amenity space within the adjacent site with the development would overlook. or have an overbearing impact on. Therefore, whilst considered in relation to the guidance in SPD 1, the development would comply.

7.2 The submitted daylight/sunlight report considers the impact of the development on no. 21 Dudden Hill Lane. It identifies that there would be an impact on the upper floor windows of no. 21 Dudden Hill Lane. However, it is important to note that the report specifies that the property is in residential use and it was identified on site that this is not the case. Furthermore, the report also identifies that as existing the windows do not receive the recommended targets and therefore given the commercial use together with this factor, the impact of the development on these upper floor windows are also considered acceptable.

290 High Road

7.3 290 High Road is a two storey end of terrace building which is in commercial use at ground floor with residential above. Planning history indicates that a development comprising three residential units was approved to the rear of the site, however this has not been constructed. Windows to this property are front and rear facing, with the exception of one window which does not appear to serve a habitable room window. Whilst there would be a large amount of balconies and windows to the flank elevation of the development and therefore facing the site, a 9m separation distance would be retained between the development and the boundary with this property. Given the absence of any primary windows serving habitable rooms to the flank elevation of this neighbouring building, together with the separation distance provided the development would

not have an unduly detrimental impact on the occupants of their neighbouring property in terms of any overlooking or loss of privacy.

7.4 The site visit revealed that there is no private amenity space serving this building that would need to be safeguarded from new development and therefore the development is also not considered to result in any overbearing impact on any useable external space.

7.5 The submitted daylight/sunlight report identifies that the window to 290 High Road would be affected by the development, however, and as above, it was noted on site that this window does not serve a habitable room (likely a hallway) and therefore the impact on this would be tolerable and would not adversely affect the living conditions of the occupants of this property.

Chaplin Road

7.6 Chaplin Road runs parallel to the rear boundary of the development site. An objection has been received from the occupants of one of the properties of Chaplin Road raising a number of queries with regards to the development. It should be noted that the existing boundary treatment with the rear boundaries on Chaplin Road is already much higher than the 2m typically assumed. Furthermore, the majority of the properties which abut the subject site, have large outbuildings located along the boundary so the rear.

7.7 SPD 1 states that in order for new development to have an acceptable impact on the occupants of neighbouring properties, it should be set below a 45-degree line taken at 2m from the garden edge. In this case, given the fact that rear boundary is already far greater in height than 2m, it is not considered necessary to apply this rule as written, rather the height can be taken from the height of the existing outbuilding. The submitted drawings, indicate that the height of rear boundary treatment is in the region of 6m, however it is accepted that this is the greatest height to the rear and this is not consistent with height. However, the most built up part of the boundary is the centre, where the development is proposed to extend to three metres. Where the rear boundary is lower this would abut the single storey community building or the communal area. Therefore, when considered in relation to the 45-degree rule as outlined in SPD1, despite the height and close proximity of the development relative to the rear boundaries of Chaplin Road, the development would have an acceptable impact.

7.8 SPD 1 also states that in order to prevent overlooking and ensure adequate privacy, directly facing habitable room windows will normally require a minimum separation distance of 18m and a distance of 9m should be kept between gardens and habitable rooms and balconies. In this case the separation distance between the rear elevation of the building would fall short of the 9m typically required and there would be a number of rear facing windows. However, of the rear facing windows, these are all indicated to serve either the communal hallways or be secondary windows serving habitable rooms. In this case the rear elevation indicates the majority of rear facing windows to be obscure glazed and fixed shut below 1.7m which is acceptable given the nature of the windows. Where they not indicated to be obscure glazed, the windows meet the 9m separation distance.

7.9 There is a third floor terrace proposed which would be located in close proximity to the rear boundaries of Chaplin Road. Whilst a privacy screen is indicated to the rear to be between 1.1m and 1.6m a condition will be attached to this permission requiring a consistent 1.7m boundary treatment to be provided to the rear to ensure adequate privacy.

7.10 The submitted daylight/sunlight report has assessed the impact of the development on the occupants of the properties to the rear on Chaplin Road and concludes that there would be no adverse impact on the receipt of daylight/sunlight.

7.11 There is already an existing D1 use on site which is proposed to be replaced. It does not appear that there are any restrictions in terms of opening hours. Nevertheless, given the proposed relationship of the D1 use with the residential units, it is considered appropriate to add a condition restricting the opening hours in order to control any noise and disturbance generated.

8. Transport

8.1 As the site has very good access to public transport services, the lower maximum residential car parking allowances set out in Table 6 at Appendix 1 of the Development Management Policies 2016 apply.

8.2 The 29 proposed flats (14 x 1-bed, 5 x 2-bed & 10 x 3-bed) would therefore be allowed up to 26 residential car parking spaces. Any off-street parking for the community hall would need to be justified by a Transport Assessment. With no off-street parking spaces proposed anyway, maximum standards would not be exceeded.

8.3 However, Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. In this case, Dudden Hill Lane is a major distributor road along which parking is prohibited at all times in order to maintain traffic flow through the adjacent signalised junction, whilst the nearby residential side roads are already heavily parked at night, so do not have any surplus capacity.

8.4 Policy DMP12 does also encourage 'car-free' development in areas with good access to public transport services though and to mitigate parking concerns, it is recommended that the development is designated 'car-free' and the right of future residents to on-street parking permits is withdrawn. This has been accepted by the applicant.

8.5 No off-street parking is to be provided for disabled residents, but they would be exempt from the 'car-free' agreement and would thus be able to park in nearby residents' permit holder bays, such as in Meyrick Road opposite

8.6 The London Plan requires a minimum of 44 secure bicycle parking spaces for the flats. To this end, an internal storage room on the ground floor is proposed with capacity for 58 bicycles on a mixture of single-and two-tier stands to meet standards.

8.7 A further six spaces are required for the community hall and three 'Sheffield' stands are indicated to the front of the building to meet this requirement.

8.8 In terms of servicing, there are no particular requirements for the community hall. Residential (six Eurobins and three wheeled bins) and community centre (two Eurobins) bin stores are proposed to the front of the building to meet Brent's waste storage standards. Due to the traffic-sensitive location of the site, a footway loading bay (3m x 12m) is also proposed to be created on Dudden Hill Lane at the western end of the site. This is welcomed as a means of maintaining traffic flow (particularly for buses) through the signalised junction when vehicles are servicing the flats or community hall.

8.9 Aside from the location and layout, details of the loading bay are not clear, but should comprise a block-paved loading pad on the existing footway, plus splays at either end. Existing railings and a salt bin on the site frontage will need to be removed. In order to maintain an unobstructed footway when vehicles are using the bay, a new 3m wide footway is to be provided to the rear of the loading bay, which sits largely within the application site boundary. This widened footway would therefore require adoption as public highway. Works to provide the loading bay and footway would need to be undertaken through a S38/S278 agreement under the Highways Act 1980 (which should be secured through a S106 Agreement) and this could also usefully include improvements to the paving along the whole site frontage.

8.10 The new area of footway is proposed to be oversailed by balconies from first floor level upwards, giving a minimum headroom of 2.8m above the new footway. This is fine in principle, but the balconies would require a licence under S177 of the Highways Act 1980 once the footway is adopted.

8.11 Pedestrian access to both elements of the building is to be taken directly from Dudden Hill Lane, which means all points of the building to be within 45m of Dudden Hill Lane to meet fire hose distances, with a dry riser provided between floors.

8.12 In terms of trip generation, a community centre is to be retained on site and would be of a comparable size to the existing centre, so any trips associated with this use are likely to already be using the local transport networks. Nevertheless, the Transport Statement has provided estimates of trips to and from the community centre, as well as to and from the flats, based upon comparisons with surveys for other sites across London and the UK.

8.13 This predicts that the development will generate 28 arrivals/21 departures in the morning peak hour (8-9am) and 36 arrivals/22 departures in the evening peak hour (5-6pm) by all modes of transport. As no parking is available within the site though, no trips are expected to be made by car (aside from a handful of taxi journeys or passenger drop-offs each day), so the development would have a negligible impact on the road capacity in the area.

8.14 In terms of public transport trips, the development is estimated to generate 21 trips in the morning

peak and 26 in the evening peak hour by rail/Underground, with 17 and 20 trips in each peak hour respectively by bus. These flows amount to less than one additional passenger per rail or bus service, so are not considered likely to have any material impact on public transport capacity.

8.15 Although the development is below the thresholds above which a Travel Plan would automatically be required, an Interim Travel Plan has nevertheless been submitted with the application. This proposes to appoint a Travel Plan Co-ordinator prior to occupation of the development to manage the plan. Proposed measures include the provision of travel information packs and personalised journey planning, provision of transport information on notice boards, promotion of cycling events and discounted bike purchase and the provision of two years' free membership of the local Car Club for new residents to introduce them to the concept.

8.16 With the scheme being 'car-free' anyway, the targets will be to increase walking, cycling and public transport modal share by 2% each and to reduce car share trips and motorcycle trips by 3%. The progress towards these targets will be monitored through i-Trace compliant surveys undertaken within six months of occupation and annually thereafter for five years, with a plan of remedial action devised if targets are not met.

8.17 The Interim Travel Plan is welcomed and as this 'car-free' development is not particularly large, it would be appropriate to secure this requirement through a planning condition.

8.18 Finally, a Construction Management Plan has been submitted for the works.

8.19 For the initial enabling works, a temporary crossover will be provided from Dudden Hill Lane to bring vehicles onto the site to be loaded. The crossover will require consent from Brent's Environmental Improvement team.

8.20 The main building works would not allow vehicles to be brought onto site though, so use is to be made of the proposed loading bay at the front of the site instead. This will in turn require the full close of the footway to along the site frontage and if this is to be done, then safe pedestrian crossing facilities will be required to the west of the site. Hoarding licences and a traffic order for the footway closure will need to be approved by Brent. If it is not possible to provide safe crossing facilities, then it may be necessary to keep the footway open using a scaffolding tunnel.

8.21 Wheel washing equipment would be provided for the initial enabling works, but would not be necessary for the main construction work period, as vehicles would not enter the site.

8.22 In terms of parking, limited on-site parking would be possible during the enabling works, but not during the main construction programme. Staff would therefore be encouraged to use public transport and the CPZ in operation in the area should ensure they do not park in surrounding streets.

8.23 In conclusion, the construction works are predicted to have a number of direct impacts on the adjoining highway network that would need to be agreed with Brent's Highways & Infrastructure and Environmental Improvement teams and these will need to be set out more comprehensively within a detailed Construction Logistics Plan prior to works commencing, as a condition of any approval.

9 Trees and Landscape

9.1 An Arboricultural Impact Assessment and Method Statement has been submitted to support application. This consider the impacts on trees on and adjacent to the site during the construction stage and the life of the development. It is proposed to remove a number of trees from within and outside of the site.

9.2 On the Dudden Hill Lane footpath, there are three trees, these have been identified as being Category U, C and E. These street trees enhance the local landscape whilst providing a range of well documented ecosystem benefits. In order to facilitate the development T6 (category U tree) and a T5 (a category B rated Robinia) are proposed to be removed. In order to ensure the retention of a T4 and T7 a detailed arboriculture method statement is requested by condition to ensure they are protected with minimal negative impacts.

9.3 In order to counteract the loss of the trees, a landscaping plan has been submitted including the mixed native hedge. A condition will be attached to support this. The constrained nature of the site means that the planting of trees with the site to make a greater contribution to local ecosystem is limited. The tree officer has also requested that in order to address this (and the loss stated above) we identify the locations for a further four off-site street trees to be planted as 14-16cm girth specimens. A suitable contribution is

recommended to include the supply, planting and three years' maintenance of the trees

10 Air Quality

10.1 The site is within a designated Air Quality Management Area (AQMA). An air quality report has been submitted to support the application (Stroma Environmental ref 131418 dated 23/7/19). This assessment indicates that mitigation measures will be required on the site due to air quality levels at ground floor to second floor exceeding the air quality objective for NO₂ (annual and hourly). Details of mitigation measures have been provided and these will be conditioned to ensure that future residents are protected from poor air quality.

10.2 As stated above the development is within an Air Quality Management Area and located very close to other commercial and residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A construction management plan has been submitted with the application however within this plan there are no details of the piling works. A revised construction management plan will therefore be requested by condition to ensure the inclusion of full details of piling works to ensure that the development would be air quality neutral.

10.3 The redevelopment of the site would therefore have an acceptable impact on air quality.

11 Noise

11.1 London Plan policy 7.15 requires development proposals to be designed to minimise the impacts of noise. Acoustic reports and construction method statement have been submitted to support the application. The noise team have no objections to the development but have requested further information by condition to ensure that occupiers of the residential dwellings are not unduly affected by noise generated from the proposed D1 use.

12 Flood risk and drainage

12.1 London plan policy 5.12 requires developments to comply with flood risk assessment and management requirements set out in the NPPF. The site is situated within Flood Zone 1 and therefore has the lowest level of flood risk. A Flood Risk Assessment does support the application. This confirms the site is at low risk of tidal or fluvial flooding, and that flood risk from all other sources is deemed to be low

12.2 London plan policy 5.13 requires development to utilise sustainable urban drainage systems (SUDS), aim to achieve greenfield run-off rates and to ensure surface water run-off is managed as close to source as possible. The proposed development includes 'living roofs', comprising green roofs covering approximately 253m² of the building roof area. The remaining roof areas are occupied by a plant or used as terraces. The green roofs will provide source control by reducing the rate of surface water run-off from the roof areas whilst increasing biodiversity and amenity. Due to the measures proposed, the development is not considered to result in any increase in flood risk.

13 Contaminated Land

13.1 The requirement to deal with contaminated land is set out in London Plan policy 5.21 and reinforced by the NPPF. The applicant has submitted a Soils Technics Preliminary Investigation Report and this concludes that further investigation works are required. As such conditions requiring a site investigation report and any required mediation and verification measures to be completed prior to the commencement of development.

14 Equalities

14.1 In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

15 Conclusion

15.1 The scheme meets planning policy objectives and is in general conformity with local, regional and national policy, having regard to material planning considerations. The proposal makes efficient use of previously developed land in a sustainable location and would make a positive contribution to the locality. with the provision of an improved community facility. This efficient use of the land will result in a substantial number of new affordable homes, helping to meet housing targets. It is considered that the form of development would have an acceptable impact on and relationship with the existing surrounding development and will not unduly harm surrounding amenity. A landscape strategy is proposed, which combined with the proposed standard of design and layout of building would ensure a high standard of development and a good quality residential environment for future occupiers. The benefits of the proposal clearly outweigh any harm caused and the application is therefore recommend for approval.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 19/2688

To: Ms Washbourn
Living Architects
14 Linen House
253 Kilburn Lane
London
W10 4BQ

I refer to your application dated **29/07/2019** proposing the following:

Demolition of the existing two-storey building and structures associated with the adjacent recreational sites and construction of a part 4-storey and part 5-storey building comprising D1 use on the ground floor and 29 residential units from part-ground to 4th floors. Works to include creation of communal roof terraces at 4th floor level, mechanical plant room, 48 cycle parking spaces, waste storage and associated landscaping.

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

at **19 Dudden Hill Lane, London, NW10 2ET**

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: 14/01/2020

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

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
 - National Planning Policy Framework 2019
 - The London Plan 2016
 - Brent's Core Strategy 2010
 - Brent's Development Management Policies 2016
 - Brent's Supplementary Planning Document 1: Design Guide for New Development 2018

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:
 - 987 X01
 - DHL-CON-ZZ-00-DR-C-1000
 - DHL-LIV-ZZ-00-DR-A-0001 REV P07
 - DHL-LIV-ZZ-01-DR-A-0002 REV P06
 - DHL-LIV-ZZ-02-DR-A-0003 REV P06
 - DHL-LIV-ZZ-03-DR-A-0004 REV P08
 - DHL-LIV-ZZ-04-DR-A-0005 REV P08
 - DHL-LIV-ZZ-05-DR-A-0006 REV P06
 - DHL-LIV-ZZ-ZZ-DR-A-0100-P02
 - DHL-LIV-ZZ-ZZ-DR-A-0150 REV P07
 - DHL-LIV-ZZ-ZZ-DR-A-0151 REV P07
 - DHL-LIV-ZZ-ZZ-DR-A-1000 REV P01
 - 20234SE-04
 - 20234SE-03
 - 20234SE-02
 - 20234SE-01
 - 1911-PL1 REV B

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

- 3 The development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing (at rents up to 80% of the market rents and capped at Local Housing Allowance rates, inclusive of service charge, intended for households who cannot afford housing at market rates) 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.

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.

- 4 The community centre facilities hereby permitted shall only be used for community events and community activities and for no other purposes within Class D1 of the schedule to the Use Classes Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that the use remains appropriate for the site location and to ensure that the standards applied to the consideration of the approved development are maintained in connection with the completed development so approved.

- 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 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.

(b) The new community centre hereby approved shall not be occupied until the Training & Employment Verification Report has been submitted to and approved in writing by the Council.

Reason: In the interest of providing local employment opportunities.

Pre-commencement reason: part (a) of the condition seeks to exercise control over training and employment of Brent residents throughout the construction phase of the development and therefore needs to be discharged prior to construction.

- 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.

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

- 11 Prior to the commencement of works the applicant shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate offsetting measures for the development's carbon emissions as approved within the above Energy Assessment.

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 development's 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 (a) 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. 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.

(b) 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

- 13 Contaminated Land Condition 2: Remediation and verification
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.

- 14 Prior to commencement of works above ground level, 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.

- 15 Prior to commencement of works above ground level, a revised Overheating Risk Assessment and Mitigation Strategy with detailed drawings to scale and materials for all external work including mitigating solar shading and opaque glazing 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 No development above ground level shall commence until the developer has entered into an agreement with the Local Highways Authority to carry out the following works:

(i) Highway works to be undertaken through an agreement under S38/S278 of the Highways Act 1980 to construct a loading bay measuring 3m x 12m plus splays in the footway of Dudden Hill Lane at the western end of the site frontage with a 3m wide footway behind in broad accordance with the arrangement shown on drawing DHL-LIV-ZZ-00-DR-A-0001 Rev. P07, including any associated works to street furniture, traffic signs and lining and associated Traffic Regulation Orders;

Reason: To ensure the development provides a safe and functional highway environment to connect the development with its surroundings.

- 17 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.

- 18 Within six months of commencement of work on site, detailed drawings showing the photovoltaic panel arrays on the roofs of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority.

The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the development hereby approved.

Reason: To ensure that the development minimises its carbon emissions, in accordance with London Plan policy 5.2.

- 19 A detailed arboricultural method statement should be provided to ensure that T4 and T7 off-site trees can be retained with minimal negative impacts. The method statement should include elements of site supervision where excavation and construction takes place within the RPA's of all retained trees.

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.

- 20 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.

- 21 No part of the development shall be occupied until the landscaping, including tree planting, has been carried out in accordance with the approved drawing 1911-PL1 Rev B

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.

- 22 The operational hours of the D1 use hereby approved shall be restricted between the following hours unless otherwise agreed in writing by the Local Planning Authority:

08:00 to 23.00 Sunday to Thursday

08:00 to 01.00am Friday to Saturday

Reason: To protect the neighbouring amenity from adverse disturbance.

- 23 Notwithstanding the height of the privacy screen as indicated, the third floor roof terrace as indicated on approved drawing DHL-LIV-ZZ-03-DR-A-0004 REV P06 the consistent height shall be no less than 1.7m above terrace level.

Reason: In the interests of neighbouring amenity. To comply with DMP 1.

- 24 Prior to the occupation of the development hereby approved, the applicant shall fund the following improvement works towards Learie Constatine Open Space

- Replace playground rubber matting with wetpour safety surfacing
- Repair worn grass areas with topsoil and seed
- Replace playground swings
- Uplift tree in centre of playground

The units shall not be occupied until the applicant has submitted a statement, to be approved in writing by the Local Planning Authority, outlining the full details of the works undertaken and confirming that the works have been carried out at the applicants expense.

Reasons: To mitigate against the loss of the existing open space.

25

- 26 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 the 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 of each building, 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.

- 27 Prior to first occupation of the development hereby approved details of a communal television aerial and satellite dish system for each of the three buildings linking to all residential units within the development, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details. No further television aerial or satellite dishes shall be erected on the premises.

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

- 28 The development and operations of the site must be carried out in accordance with the submitted Travel Plan: Interim Travel Plan dated 23 July 2019 prepared by Curtins.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 29 Prior to use of the community centre hereby approved, a scheme of sound insulation measures shall be submitted to the Local Planning Authority for approval. The insulation shall be designed so that noise from the community centre operation does not result in an exceedance of the indoor ambient noise levels specified within BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' in the flats above the community centre. This criterion applies with windows shut and with an appropriate ventilation system that does not give rise to a noise level greater than 30dB(A) at night or 35dB during the day or a sound level in any 1/3 octave band in the range 50Hz to 8kHz that is more than 5dB above immediate adjacent 1/3 octave bands. The approved insulation measures shall thereafter be implemented in full.

Reason: To ensure acceptable noise levels. To protect the amenity of residential properties within and surrounding the site.

- 30 Prior to the occupation of any part of the development, the applicant shall submit a report which provides evidence that the mitigation measures described in the approved Air Quality Impact Assessment and Document (Air Quality Assessment Ref: 130669 Rev 2.1, prepared by HRS Services Limited dated 12/09/2019) have been implemented. The report is subject to the approval of the Local Planning Authority.

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

- 31 Prior to the commencement of development, a construction and logistics plans based on the submitted construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the development does not have an unacceptable impact on highway safety, transportation and neighbour amenity.

- 32 Prior to the commencement of above ground works a scheme of sound insulation measures shall be submitted to the Local Planning Authority for approval. The insulation shall be designed so that noise from the D1 Class Use (Community Facility) does not result in an exceedance of the indoor ambient noise levels specified within BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' in the flats above. The approved insulation measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels.

- 33 Prior to the occupation of the development hereby approved, the applicant shall prepare a statement identifying suitable locations for four off site trees to be planted as 14-16cm girth specimens within close proximity to the site. The submitted statement shall be approved in writing by the local planning with the works to be carried out in accordance with the approved details and entirely funded by the applicant.

Reasons: To counteract the loss of the trees to the frontage and in the interest of local amenity.

- 34 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 EP3 and

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 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.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 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.
- 7 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.
- 8 The applicant is advised of the need to secure a S177 oversailing licence for the balconies above the future adopted footway and a the need to agree the temporary construction crossover, hoarding licences and footway closures from Brent Council before construction works commence.

Any person wishing to inspect the above papers should contact Paige Ireland, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3395