

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 February, 2020
04
19/2163

SITE INFORMATION

RECEIVED	17 June, 2019
WARD	Welsh Harp
PLANNING AREA	
LOCATION	44 Queens Walk, London, NW9 8ER
PROPOSAL	Demolition of existing building and erection of a 2 and 3 storey building accommodating 7 dwellings with installation of new vehicular access (to Queens Walk) and associated landscaping.
PLAN NO'S	Refer to 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_145749</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 "19/2163" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the following conditions and informatives.

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

Conditions

1. 3 Years to commence development
2. Development to be built in accordance with approved plans
3. Communal indoor amenity space to be used for incidental purposes
4. Revoke permitted development rights to convert units to C4 use (small scale HMO)
5. Water consumption to be limited to 105 litres per head per day
6. Carry out works to remove existing and form new crossover before occupation
7. Provide parking spaces and visibility splays before occupation
8. Restricted outlook of specified windows and use of privacy screens where appropriate
9. Carry out development in accordance with tree report.
10. Carry out development in accordance with flood report.
11. Submit construction management statement prior to commencement
12. Submit details of tree supervision prior to commencement
13. Submit details and samples of materials prior to above ground works commencement
14. Submit revised long stay cycle storage and revised refuse storage details prior to occupation
15. Submit detailed landscaping details prior to above ground works commencement

Informatives

- a) CIL liable approval
- b) Party Wall
- c) Building near boundary
- d) Highways to be contacted to carry out works to form/remove crossovers
- e) Highways to be notified of condition of highway ahead of highway works
- f) Guidance note that removal of hedge is a civil matter and that grant of planning permission does not infer that the hedge should be lost
- g) Guidance note against soil mounding within oak tree root protection areas
- h) Asbestos safety information
- i) London Living Wage
- j) Fire Safety

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.

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

SITE MAP



Planning Committee Map

Site address: 44 Queens Walk, London, NW9 8ER

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Demolition of existing building and erection of a 2- to 3-storey building accommodating 7 dwellings (3 x 1 bed, 3 x 2 bed, 1 x 3 bed) with installation of new vehicular access (to Queens Walk) and associated landscaping.

EXISTING

The application site is occupied by a two-storey detached dwelling house. The site is on the corner of Queens Walk and Salmon Street. The surrounding area is mainly residential in character with two storey houses. The adjacent property along Salmon Street is a two and a half storey detached residential building.

There are two mature Oak trees on site protected by a tree protection order (TPO). The site is not within a conservation area nor is the building listed.

AMENDMENTS SINCE SUBMISSION

The proposed development has been revised as follows:

- Top floor flat and associated balustrades removed
- Replacement of one of three bedroom flats at ground floor with a one bedroom flat
- Re-arrangement of the garden spaces to create a larger communal garden at the rear
- Creation of an interior communal space accessible from the rear garden at ground floor level to increase the amount and variety of amenity space available to residents
- Alterations to balconies, including relocating flat 4's balcony from the side to the front of the flat and the reduction in size of flat 6 and 7's roof terraces
- Simplification of materials palette, including the removal of red metal cladding and some areas of grey metal cladding and an increase in brick cladding
- Addition of brickwork texturing to the north west elevation (adjacent to Cherrylands Close)
- Other minor alterations including relocating of some windows and changes to the cycle storage arrangement

Further amendments were received to comply with 1:2 guidance in relation to Cherrylands Close. This involved:

- Reduction in footprint of the part of the building projecting alongside Cherrylands Close to ensure sympathetic relationship with this neighbouring property, resulting in flat 3 reducing from a 2b3p flat to a 1b2p flat and flat 6 reducing from a 1b2p flat to a 1b1p flat.

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: 78 properties were consulted. 29 objections and 1 petition containing 4 signatories from 4 addresses were received. Objections were generally made on grounds of character, massing, parking stress, highway safety, overcrowding, amenity impact and overdevelopment.
2. Principle: The principle of the demolition of a house and the site's redevelopment for residential purposes is considered to be acceptable. The wider area is predominantly residential in nature and the proposed additional housing (including the provision of one x three-bedroom family unit) is in accordance with planning policy.
3. Character and appearance: The proposal's design is considered to have regard to the character of its surroundings and to not inappropriately challenge or dominate surrounding development. The character is clearly different to that of its surroundings but in a way that officers consider acceptable.
4. Standard of accommodation: The living conditions of future occupiers of the development would be acceptable and would meet the relevant standards.
5. Impact on neighbouring amenity: The proposal is considered to not result in an unduly harmful impact on the surrounding properties in terms of privacy, loss of light and outlook, and complies with the Council's guidance as set out in SPD1.
6. Parking & servicing: It is considered that the appropriate provision of parking spaces, cycle parking and the modest amount of traffic that would be generated by the development would not undermine highway safety.

7. **Trees & landscaping:** The site has two formally protected Oak Trees which will be protected during construction. Comprehensive planting and tree planting is proposed with a condition securing more detail of this at a later stage. This aspect of the scheme is acceptable.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	161		161	652.74	491.74

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Houses)								1	1	1
EXISTING (Flats û Market)										
PROPOSED (Houses)										
PROPOSED (Flats û Market)	1	5	2							8

RELEVANT SITE HISTORY

An application (17/0965) was made to demolish the existing dwellinghouse and associated buildings and to erect a part 2 and part 3 storey building with a basement level to provide 7 self-contained flats (2 x 1bed, 2 x 2bed, 2 x 3bed and 1 x 4bed) with associated vehicular and pedestrian access, basement car parking, cycle and bin storage, landscaping and amenity space.

The application was refused by Brent Council for the following reasons:

- The proposed residential accommodation is not considered to be sufficiently high quality. This is due to insufficient amenity space (and what is proposed is considered poor quality), and a convoluted route to the communal amenity space to the rear, and some of the units having poor outlook and internal daylight resulting in an oppressive environment. The proposal is therefore contrary policies DMP1 and DMP19 of Brent Development Management Local Plan 2016 and the guidance contained in Supplementary Planning Guidance 17 Design Guide for New Development.
- The proposal, by reason of its design, appearance layout and depth of the roof pitch would result in an overly bulky building, which would be out of character with the streetscene and detract from the surrounding area. This is contrary to policies DMP1 and DMP19 of Brent Development Management Plan 2016 and the guidance contained in Supplementary Planning Guidance 17 Design Guide for New Development.
- The Arboricultural report fails to demonstrate the proposal can be implemented without substantial harm to the two mature Oak trees protected by TPO. The proposal is therefore contrary to Policy 7.21 of the London Plan 2016 and DMP 1 of the Development Management Policies 2016.

The applicant lodged an appeal (APP/T5150/W/17/3185922) wherein the appeal inspector upheld the reasons for refusal specified by the Council. The appeal inspector also found an additional reason for refusal in relation to impact on the rear bedroom first floor side window at no. 42 Queens Walk, where the massing of the development was considered to be overbearing in relation to the living conditions within this bedroom. This additional reason for refusal must form a material planning consideration in the context of further proposals.

CONSULTATIONS

78 properties were notified of the original development proposal on 19/09/2019.

The same properties were notified of the current (revised) development proposal on 18/12/2019.

Across both consultation periods, objections were received from 29 properties and one objecting petition containing 4 signatories from 4 addresses was also received.

The comments received are summarised below:

Ground of objection	Officer Response
The development is too large and is significantly taller than no. 42 Queens Walk	The previous scheme which was dismissed at appeal was 2.84m taller than this proposal (12m tall versus 9.16m tall) and bulkier than this proposal with substantial out of character roof forms which emphasised the prominence of the building. The proposal is therefore about 25% lower in scale than the appeal scheme.
The development will cause overcrowding	The density of the development is considered to be acceptable, making efficient use of the land given that the building is considered to be in keeping with its context and all dwellings exceed expected space standards for internal and external spaces.
The development will cause problems with drainage capacity	A series of drainage improvements have been included within the proposal. There is no requirement to interrogate sewerage capacity on a minor development proposal of this scale.
The development will erode the character of the area and is not in keeping	This is addressed at paragraphs 4-14 below.
Trees must be preserved at all cost	This is addressed at paragraphs 41-47 below.
The scheme retains the previously rejected contemporary design	This proposal is materially different from the previous scheme. It has a simpler façade with a contemporary feel and has a reduced massing along the Salmon Street façade, which is considered to result in a building which integrates more sympathetically with 42 Queens Walk.
The development will cause parking stress on local roads due to underprovision of parking	This is addressed at paragraph 35 below.
The road junction of Salmon Street and Queens Walk is congested with traffic and the application fails to consider the impact of the development on the transport network	This scheme is not expected to materially affect the transport network as it is small in scale.
The front doors for main entrances at ground floor open directly onto the main living room area, reducing privacy and outlook for these flats and poorer security.	This is only the case for one such flat (flat 2). Flat 1 has an alternative hallway entrance from within the main core of the building. There is no policy resisting this arrangement and it is a common arrangement for many existing homes including new-build flats and older homes which have a “cottage” type of layout.
Some of the layouts are not logical, with a two bedroom flat on the fourth floor having two bathrooms and a three bedroom flat at ground	It is not a requirement of policy or guidance for three bedroom flats to have more than one

level having only one bathroom.	bathroom.
Concern that the layout will be adapted post planning to provide additional bedrooms.	Future internal changes would not require planning permission and any existing homes (including those surrounding the site) could be changed in the future. However, a condition has been recommended to restrict the ability to convert the property to a House in Multiple Occupation through permitted development to ensure a satisfactory standard of accommodation is provided.
The scheme will bring extra traffic, congestion and fumes into the area.	The on-site parking has been reasonably minimised which will assist with dis-incentivising car use and encourage the associated benefits of reduced congestion and fumes. Highways officers consider that suitable overspill parking space exists on the street to accommodate the expected demand without disturbing the highways. The proposal is not expected to result in material impacts on highway congestion or air quality.
The development will set a precedent.	All proposals are considered on their individual merits. Brent's policies seek to protect the integrity of the borough's suburban character, away from corner plots there is little justification for an increase in scale.
The development will result in a loss of natural light to surrounding properties.	This is addressed at paragraphs 20-24 below.
14/2450 was refused for being overbearing on neighbours' outlook yet was smaller	This application was for a householder development to build a rear extension to a dwellinghouse and is not deemed to be particularly comparable. Nonetheless, this proposal sought to erect a two storey addition within 1 metre of a neighbour's boundary and would therefore represent a more overbearing impact than this proposal for which the proposed addition would be more than 5 metres from the boundary with 42 Queens Walk at its closest point.
There is a school within approximately 150m of the site and associated safety concerns	Highways officers do not consider that this development would materially affect school activities or worsen safety. A condition will ensure that visibility splays either side of the vehicle access are maintained so that passers-by (especially children) have good visibility when crossing the road.
The site will compromise privacy to 42 Queens walk and properties across the road from it	This is addressed at paragraphs 15-19 below.
This scheme is larger than the previous scheme	The previous scheme which was dismissed at appeal was 2.84m taller than this proposal (12m tall versus 9.16m tall) and bulkier than this

	<p>proposal with substantial out of character roof forms which emphasised the prominence of the building. The proposal is therefore about 25% lower in scale than the appeal scheme.</p> <p>This proposal has a simpler façade with a contemporary feel and has a reduced massing along the Salmon Street façade, which is considered to result in a building which integrates more sympathetically with 42 Queens Walk.</p>
The potential for anti-social behaviour will increase.	The addition of new residents is not a cause of anti-social behaviour in itself. The site has been designed with an open front garden and good levels of natural street surveillance which should help to limit the potential for ASB and crime
The vehicular access to the site is dangerous	The vehicular access is suitably sited and visibility splays are to be provided and required to be maintained by condition.
The building is an eyesore	The building does not have a 1930s appearance but does respond appropriately to the neighbouring developments in terms of scale. The corner plot presents an opportunity for a building of a differing architectural style and slightly greater prominence to sit comfortably without detracting from the character along either of the streets it adjoins.
What about room for the refuse bins?	This is addressed at paragraph 40 below.
At most, there should be a pair of semi-detached houses on this plot.	The development proposed is considered to be suitable in terms of appearance, massing, density on site quality.
The Queens Walk elevation is a side profile of the building.	<p>It is agreed that the development's principal/front elevation addresses Salmon Street rather than Queens Walk. Occupying a corner plot, the development has to principally respond to one of its bordering roads. Salmon Street is a more significant through route than Queens Walk and the choice of more prominently addressing Salmon Street is considered logical.</p> <p>The side profile of the building facing Queens Walk is considered to be acceptable and it is noted that this elevation sees a reduction in scale which helps to establish a sympathetic relationship with the neighbour at no. 42.</p>
The balconies along the east elevation of the scheme would overlook no. 42 Queens Walk's garden.	This is addressed at paragraph 18 below.
Only 1 family sized dwelling in a scheme of 7 dwellings does not adequately address Brent's need for family housing.	This is addressed at paragraph 2 below.
Brent should not let the developer's need to	The proposal has been considered on its merits having regard to planning policy and material

recoup costs affect their decision making.

planning considerations. Developer costs are not a material planning consideration for this scheme.

Internal consultation

Environmental Health - recommended that as the site is located within an Air Quality Management Area that a Construction Method Statement is conditioned to any forthcoming consent that outlines measures that will be taken to control dust, noise and other environmental impacts of the development.

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 DPD, and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

London Plan March 2016

Policy 3.5

Core Strategy 2010

CP 1 – Spatial Development Strategy

CP 2 – Population and Housing Growth

CP 17 – Protecting and Enhancing the Suburban Character of Brent

CP 21 – A Balanced Housing Stock

Brent Development Management Policies 2016

DMP 1 Development Management General Policy

DMP 9B On site Water Management and Surface Water Attenuation

DMP 11 Forming an Access on to a Road

DMP 12 Parking

DMP 18 Dwelling Size and Residential Outbuildings

DMP 19 Residential Amenity Space

The following are also relevant planning considerations:

The National Planning Policy Framework 2019

Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018

Brent's Waste Guidance

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

The Regulation 19 consultation for Brent's draft Local Plan has also recently completed and comments of the policies have been assessed. It can only be given limited weight at this stage of its preparation.

Key relevant policies from these documents include:

Draft London Plan 2019

Key policies include:

D6: Housing quality and standards

T5: Cycling

Brent's Local Plan

Key policies include:

BP2: East

BD1: Leading the Way in Good Urban Design
BH1: Increasing Housing Supply in Brent
BH6: Housing Size Mix
BG12: Trees and Woodlands

DETAILED CONSIDERATIONS

Principle of development

1. The NPPF 2019 states that a sufficient amount and variety of land is necessary in order to meet the Government's objective of delivering a sufficient supply of housing. Small and medium sized sites can make an important contribution to meeting the housing requirements of an area, and can be built out quickly in comparison to a larger site. In this instance, the application site is located within an existing residential area within Brent's suburban fabric. Policy CP 2 of Brent's Core Strategy and draft policy BH1 of Brent's Local Plan includes housing targets for the borough, reflecting the London Plan. Draft policy D3 of the London Plan seeks for new developments to make the best use of land by following a design led approach that optimises the capacity of sites. There is no objection to the principle of the creation of additional residential dwellings in this location.
2. Policy CP21 seeks to maintain and provide a balanced housing stock in Brent. The proposal would result in the loss of an existing family sized dwelling. The proposal would provide 1 x 3 bed units, 3 x 2 bed units and 3 x 1 bed unit in accordance with the requirements set out in policy CP2 and CP21. The mix of units is also consistent with the requirement set out in draft policy BH6. As such, the general principle of development is considered to be acceptable, particularly as it does not result in the loss of family sized units on the site (3 bedrooms or more) given the provision of a family sized unit within the development proposal.
3. Therefore, in principle and subject to other material considerations, the proposal is considered to be acceptable.

Design and appearance

4. Policy CP17 seeks to protect the suburban character of Brent from inappropriate development. This includes limiting development outside of main town centres and away from corner plots on main road frontages, which would erode the character of suburban housing. Infilling of plots with out of scale buildings that do not respect the settings of the existing dwellings will not be supported. Policy DMP1 seeks to ensure that development is "of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality,"
5. The existing building has a traditional 1930s appearance. It is located on a corner plot on the junction of Salmon Street and Queens Walk. Salmon Street (between Fryent Way and Blackbird Hill) is a London Distributor Road.
6. Within the previous appeal, the Inspector did not raise an objection to the general scale of the proposed building (which was considered to complement the streetscene). However, they did raise concerns with the pitched grey zinc roof design that was considered to be an unduly dominant and oppressive feature that would result in a building with a top heavy appearance. This was one of the grounds that the appeal was upheld on.
7. The design of the building as now proposed has significantly changed since the appeal. The use of the pitched roof design is no longer proposed and the proposed new building is now of a modern design and appearance with rectilinear massing and flat roofs. The location of the plot at a corner provides a natural position for a building of a differing design. The scale of the building reflects the transition in scale between the surrounding houses on Queens Walk and the taller flatted building fronting Salmon Street would therefore be considered appropriate, and consistent with the approach applied within policy CP17.
8. On the Salmon Street frontage, the maximum height of the building (up to three storeys) sits below the maximum height of the Cherrylands Close development to which it is adjacent. Closer to the junction of Salmon Street and Queens Walk, the building massing reduces to reflect the greater separation from the larger Cherrylands Close building.

9. On the Queens Walk frontage there are two main building heights. The part of the building that extends closest to the neighbouring suburban housing is set back from the frontage and has a height which broadly corresponds to the eaves height and dormer window level height of this adjoining property at 42 Queens Walk. The main massing of the building is positioned 2.5m further in from the boundary with 42 Queens Walk and sits 1.4m above the roof ridge of 42 Queens Walk. However, by virtue of its placement in the north western part of the building, this part of the building is clearly designed to relate to the Cherrylands Close context and would be of more limited visibility from the Queens Walk elevation, which is acknowledged as being more sensitive.
10. The building maintains generous set backs from both the Salmon Street and Queens Walk frontages (over 6m) that maintains the open character of the corner plot and would respect the building lines of No. 42 Queens Walk and Cherrylands Close.
11. A key façade feature of the building on the Salmon Street elevation is a framed stack of balcony spaces and associated windows/doors at the northern edge of the building. The feature establishes a vertical emphasis on this side of the building which helps to detract from the perception of the building's width. Overall, the proposed building's massing and relationship with its surrounding context, to both the more sensitive suburban context of Queens Walk and the more substantial suburban context of the Cherrylands Close development along Salmon Street, is considered to be acceptable.
12. A residential material palette based around brick has been proposed. The proposal is for a light grey brick palette, supplemented by a band of commercial red brick at the lower part of the building. The red brick will also be used to add emphasis to the key features of the building, including the dedicated residential entrances along the frontage, the stack of balconies along the Salmon Street elevation and the angled window projections along the rear elevation. The brick façade will be broken up through two bands of re-oriented brick headers atop the first and second floors. Finally, a grey metal cladding would be used to strongly define the main building entrance at the base of the framed balcony stack.
13. The material palette is considered to be acceptable in principle and the predominant use of brick will foster a residential character befitting of the location; however, the colour scheme for the materials is quite modern (grey bricks and commercial red bricks are generally not traditional to a Metroland setting). A standard condition will apply in respect of material samples being submitted and approved by officers. However, it is considered likely through this process that changes to the colour of the brick cladding will need to be made through this process so that the delivered building would complement its suburban setting appropriately.
14. In summary, the proposal is acceptable in terms of its design and appearance. The design as now submitted is considered to have overcome the previous concerns raised by the Inspector.

Impact on neighbouring amenity

Privacy

15. SPD1 requires a minimum distance of 9m to be maintained between habitable room windows and the boundary with neighbouring private rear gardens and a distance of 18m to be maintained between directly facing habitable room windows.
16. As discussed above, two properties immediately adjoin 44 Queens Walk, those being 42 Queens Walk to the east and a block of flats forming the Cherrylands Close residential development to the north. There are no habitable room windows in the southern aspect of Cherrylands Close to the north. In addition, the view from the host property towards this site is to a flank wall on the western side and to a car parking area on the eastern side, which would not have a private nature warranting of protection from overlooking.
17. The two storey element of the scheme that sits alongside the building of No. 42 Queens Walk does not contain any habitable room windows at first floor level. The window is to a bathroom and is to be obscured glazed and opening at high level only. At ground floor level outlook is relied from bedroom windows in an easterly direction to No. 42 Queens Walk, and these windows sit within 9m from the boundary. However, they face the garage of No. 42 Queens Walk and in the event that this garage was demolished, views would be restricted through the introduction of a 2m high boundary fence. This would also apply for any habitable room windows within 9m of the boundary with the rear garden of No. 42 Queen Walk at ground floor level.

18. On the upper floors, the new building is designed so that it does not have windows or balconies which would enable a view into the garden of no. 42 Queens Walk at a distance of less than 9m, in line with SPD1 requirements. On the first floor, flat 3's windows that are less than 9 m from the boundary are angled, projecting windows which have an obscure glazed east facing component and a clear glazed north facing component to avoid undue levels of overlooking into the garden of no. 42. The bathroom window on the flank elevation to Flat 4 would also be obscured glazed. On the second floor, the massing of the building is sufficiently recessed from no. 42's garden for such design to be necessary (i.e. habitable room windows are over 9m from the boundary with the rear garden). Nevertheless, any second floor windows that either serve secondary windows to habitable rooms or to bathrooms that face over the rear garden of No. 42 would be obscured glazed. Flat 6 benefits from a roof terrace which extends within 9m of the boundary with no. 42 Queens Walk. The eastern balustrade to this balcony should be built to high level (1.7m) and obscure glazed to preserve privacy to the garden of no. 42 and a condition will require this. The condition will also require high level/obscure glazed treatment between the terraces serving flats 6 and 7 to preserve internal privacy between flats.
19. In conclusion, the proposal would not be considered to result in harmful levels of overlooking to the neighbouring occupiers. It meets the requirements of policy DMP1 and SPD1 in this respect.

Outlook/Overbearing Appearance and Light

20. The first floor side facing bedroom window in the west facing flank of 42 Queens Walk was identified by the inspector during the previous appeal of warranting protection from undue encroachment in terms of loss of outlook. The impact of the previous proposal on the ground floor windows was considered to be acceptable by the Inspector. The existing house's single storey side extensions extend up to the boundary with no 42 Queens Walk whereas the proposed plans would see a full separation between the boundary with no 42 Queens Walk of 4.75m to the two storey element of the proposed building and 7.2m to the three storey element of the proposed building. This broadly equates to an 8.6m separation from the identified flank window to the two storey element and 11.1m from the identified flank window to the three storey element. By comparison, the distance from the boundary to the flank of the two storey house in the context of the appeal scheme is 0.15m and the distance from the identified flank window to the flank of the appeal proposal is 4.65m, demonstrating that a considerably more generous separation has been established within this scheme in comparison to the previous one.
21. The key test, in line with Brent's SPD1 guidance, of the amenity impact on this window would be a test of 30 degrees, taken from this window at a height of 2m above the bedroom floor towards the development. The 30-degree line test would be comfortably met from this upper floor window, there would also be a substantial separation of 8.6m from this window (the bedroom is served by a secondary window on the rear elevation as well) to the built form of the proposal, retaining a good level of outlook to the side of the bedroom. A similar test of 25-degrees, taken from the centre of the window would also be passed (with the proposed development not projecting above a 25 degree line taken from this point), confirming that suitable daylight for the habitable room would be retained as defined within BRE guidance.
22. The new building would project significantly beyond the rear wall of no. 42 but will be significantly set in from the boundary (between 5.0m and 9.3m depending on the part of garden tested). Given the substantial set in, it is considered appropriate to apply a 45-degree test along the length of the garden between 42 and 44 to ascertain whether the development is too overbearing on the amenity of the neighbour's garden. The 45-degree line is shown on the drawings and it is noted that the proposed building does not breach this line at any point alongside the main rear garden of no. 42 Queens Walk. Alongside the side of the dwellinghouse itself at no. 42, a small breach of the 45 degree line is apparent by virtue of a small roof stack (appearing to contain a riser) which projects above the main roof of the building. This breach would only be experienced from a very small section of no. 42's property, in an area to the side of the house which would have a lower amenity value than the main rear garden space. The proposed development would project beyond a SPD1 1:2 angle taken from the nearest habitable room window of No. 42. However, this would be some distance from that window (approximately 16 m) and the development would fall below a 30 degree angle taken from this window, so the level of impact is not considered to be unduly detrimental.
23. In respect of Cherrylands Close to the north, the proposed development would project about 2.5m at upper floor levels to the east of the main east (rear) elevation of this building. Whilst it does not project alongside sensitive garden space of this development, given the side-on relationship of the proposed building with the Cherrylands Close building, it would be appropriate to apply 1:2 relationship testing, as set out in Brent's SPD1 guidance. In applying this test, the closest set of main habitable windows (a dormer window and first floor window) have been tested for this impact and it is shown that the built form

of the proposal fully complies with this relationship for a distance of 9.3m from this window, in excess of the standard set out in SPD1 for a good level of outlook. As such, the development is considered to be suitably sympathetic to the living conditions of occupiers in the Cherrylands Close development.

24. Overall, the impact of the development on the surrounding properties is considered to be in compliance with the expectations for such impact within Brent's SPD1 guidance – the design guide for new development. This means that privacy and undue dominance and sense of enclosure to surroundings are both addressed and mitigated in line with guidance expectations. In making this conclusion, officers would also note that the previous concerns relating to impact on the rear bedroom flank upper floor window at no. 42 Queens Walk raised by the appeal inspector have also been addressed.

Quality of Accommodation

25. All seven flats exceed the minimum space standards as set out in policy 3.5 of London Plan and draft policy D6. Five of the flats benefit from dual outlook, with the exception of flats 3 and 5, which have outlook in an easterly and westerly direction. As these units are not south facing they would not experience problems associated with south facing units and overheating. Likewise, as they are not north facing, they will receive adequate levels of light.
26. The two ground floor flats are accessed from Salmon Street with their own front doors. The entrance to the upper floor flats is also accessed from Salmon Street at the northern end of the site. All entrances are legible. There are no more than three units per core.

External amenity space

27. Policy DMP19 requires one and two bedroom units to have access to 20sqm of external amenity space and for family units (including ground floor flats) to have access to 50sqm of external amenity space. The policy notes that whilst it is expected the new development should provide private external amenity space, it recognises that when sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space.

28. A table breaking down the amenity space for this scheme is set out below:

Unit	Floor	No. of beds	Standard	Private amenity	Shortfall
1	Ground	1	20	21	0
2	Ground	3	50	50.5	0
3	1st	1	20	4.67	15.33
4	1st	2	20	6	14
5	1st	2	20	6.5	13.5
6	2nd	1	20	12	8
7	2nd	2	20	18	2
Total					52.83
Communal space					115
Shortfall					0

29. Whilst upper floor units do not have access to 20sqm of private external amenity space, all units within the development will have access to the communal garden at the rear of the site. The communal garden is 115sqm, thus providing 16.4sqm of communal amenity space per flat. When combining private and communal amenity space, the flats have access to at least 20sqm each of external amenity space thus complying with DMP19. Flat 3 marginally falls short of the London Plan standards for private amenity space provision (by 0.3m), although given that this is the only shortfall this is acceptable on balance. The balcony is otherwise high quality and has a width of 2.5m and a depth of between 1.6m and 2m, resulting in a good level of usability.

30. The applicants also propose a 16.5sqm indoor communal recreation room accessed from the communal garden. This could be used for indoor games/activities and is considered to be a positive inclusion within the scheme.

31. It is considered that the quantum of external amenity space now proposed, in addition to the access

arrangements for the upper floor flats to the communal garden (via direct access from the internal access core) has overcome the previous concerns raised by the Inspector in relation to the quantum of external amenity space and access arrangements to the communal garden which was previously accessed through walking around Salmon Street before re-entering the site and proceeding past the side of the building.

Highways

Car Parking

32. Car parking allowances for a dwelling house are given in the Development Management Policies Appendix 1. The maximum allowance for the existing 4-bed dwelling house is 2 parking spaces and this can currently be accommodated within the front garden.
33. The proposed 7 self-contained flats will have a maximum parking allowance of 1 space for the 1-bed and 2-bed units and 1.5 spaces for the 3-bed units. A total of seven and a half parking spaces are therefore permitted, which is a significant increase in maximum parking standards.
34. The scheme proposes a 3.7m wide crossover on the eastern side of the property on Queens Walk which would be positioned over 15m away from the junction of Queen's Walk with Salmon Street. This will lead to 5 car parking spaces arranged perpendicular to the highway and accessed from a 6.2m wide aisle. The location of the vehicle access and the arrangement of car parking spaces is acceptable.
35. The proposed number of car parking spaces would be less than the maximum car parking standards allowable. To justify this level of car parking, the applicant's transport consultants undertook overnight parking surveys within the vicinity of the site on two separate occasions during the early hours of the morning, with one of the days being the morning after a Wembley Stadium event day. This indicates that there is some spare capacity on Queens Walk (approximately 18 unused spaces with the Salmon Street end having a lower car parking occupancy than the Church Lane end) for any overspill car parking. This being the case, the lower parking provision would be in line with the Council's DMP policy and so the level of car parking based on the evidence submitted would be satisfactory. Two cars are able to be accommodated on-street along the site frontage (Queens Walk frontage), but the adjustments to the waiting restrictions to provide parking bays will need to be funded by the developer as part of the works to amend the site access.
36. The site has an existing vehicle access which will become redundant and therefore needs to be reinstated to footway at the developer's expense, to be secured by condition. The plans confirm that the access would have suitable pedestrian visibility splays with no obstruction over 0.85m in height for 2m either side of the access. A condition will secure the provision and maintenance of these parking spaces and the maintenance of the visibility splays at the correct height and distance either side of the access.
37. At least 1 of the bays would be capable of providing a disabled parking space which would meet the minimum requirements.

Cycle Parking

38. The proposal requires a minimum provision of 12 long stay cycle parking spaces. Eleven dedicated bicycle storage spaces would be located in an undercroft within the secure private rear garden area whilst further cycle parking could be provided in two of the private gardens. However, the plans do not indicate the type of cycle storage that will be provided and the width of the access path is insufficient to ensure efficient circulation space for accessing the cycle storage. A condition will require that details are submitted setting out an acceptable arrangement that meets LCDS standards for cycle storage. Highways officers deem that it would be appropriate and that there would be, for example, sufficient space for the cycle storage to be arranged at 90 degrees to the current arrangement and set across six Sheffield stands. The undercroft location and the positioning behind a secure gate ensures that the cycle storage would be secure and weatherproof.
39. A significant number of short stay cycle spaces are shown at the front of the building, however these are surplus to requirements given the low number of homes and detract from the relationship between the main entrance and the garden space. The cycle parking condition will also require the short stay cycle parking to be significantly reduced so as to maximise the benefit of the landscaped front garden for

residents.

Refuse

40. The refuse store would provide 2 x 1100l bins and a 240l bin. This would amount to a sufficient amount in order to provide the minimum requirements for standard waste, recycle waste and food waste storage. The store would be located approximately 12m away from the footway which is just beyond the maximum carry distance of 10m for 1100 l bins. However, the bin store is large enough for the development's refuse requirements to be met wholly through the provision of 7-8x 240l bins within this space. 240l bins have a maximum carry distance of 20m which this would scheme's arrangement would comply with. A condition will require that an alteration to the type of bins within the bin store is proposed, submitted, approved and implemented ahead of occupation.

Trees

41. Two protected oak trees sit within the property, adjacent to the Salmon Street boundary. In landscape terms, they are of high visual amenity, and make a significant contribution to the character and appearance of the area. As part of the previous appeal, the Inspector raised concerns with the submitted arboricultural implications assessment did not fully consider the root protection zone (RPA) nor were detailed engineering solutions specific to the trees provided as pathways to the development and amenity space were sited within the RPAs. The Inspector concluded that further information in relation to these matters was required at the application stage to ensure that the health and longevity of the two trees is maintained, given their important in landscape terms.
42. A robust tree survey and arboricultural method statement has been submitted which seek to safeguard the highest levels of protection for these trees. The scheme as now submitted has been amended so that the built form of the development sits outside of the root protection area (RPA) of these two trees. The RPA has been modified to take into account an asymmetric root spread given the proximity of the trees in relation to the pavement and carriageway of Salmon Street, which is likely to result in the roots of the trees being more concentrated within the application site. The basement element of the previous proposal has also been removed which is welcomed from a tree protection point of view. It is also welcomed that the scheme does not contain hard surfacing within the RPAs of the two protected Oaks. Ground treatment beneath the two trees consists of soft flower beds/grass. Proposed pathways have also been kept to a minimum.
43. The Tree Officer has reviewed the latest proposal and confirms that it has addressed the previous issues of encroachment into the RPA of both trees and has been improved again to replace the previously specified hard landscape beneath the canopy with a less invasive grass and natural play area. The tree officers also notes from the landscape proposals that 'playful grass banks' are proposed. The tree officer has highlighted concerns against any soil mounding to create features within the RPA's of the retained and protected trees. This can be added as an informative with full details of the landscape works conditioned to any forthcoming consent.
44. The arboricultural method statement recommends crown clean through the removal of deadwood and storm damaged branches on one of the trees and a crown lift to 3 metres and removal of ivy followed by a re-inspection for the other protected tree. Finally, a nearby Cypress hedge of category C (poor) quality is proposed to be felled to accommodate the development.
45. A schedule of tree planting in place of the hedge is requested to compensate for the loss of this hedge and to form a suitable screen between the two properties. A landscaping condition will require tree planting with suitable species and stem girths to be proposed in this location.
46. It is understood that this hedge falls within the ownership of the neighbouring site at Cherrylands Close, but that the hedge cannot be retained with the proposed development in situ. This planning permission does not have any bearing on whether the neighbouring landowner should accept the loss of their hedge and whether or not the hedge is removed would therefore be a civil matter between the applicant and the neighbouring landowner. An informative will remind the applicant of this.
47. In conclusion, it is considered that the scheme has been amended to cover the previous concerns raised by the Inspector in relation to the protected Oak Trees. The proposal accords with draft policy BG12.

Environmental Health

48. The development is within an Air Quality Management Area and located very close to other 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 will therefore be required by condition for pre-commencement discharge.
49. 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. An informative will remind the applicant of this.

Drainage

50. The applicant has prepared a Flood Risk Assessment (FRA) in support of their proposal. The main sources of information to undertake flood risk assessment are the flood maps and data of the Environment Agency and the previous flood studies by the Local Authority. There are no major watercourses around the site and the site has no history of flooding. The site lies within the Flood Zone 1 (low probability flooding).
51. Brent policy DMP9B encourages the use of SuDS and a reduction in surface water runoff to improve the sustainability of development.
52. In order to improve on site drainage and minimise flood risk, SuDS features are to be implemented and are set out in the applicant's flood risk assessment. The surface runoff of the site will be improved by implementing a raingarden and permeable paving. Also, an underground storage tank of 6.5 cubic metres will be implemented in order to attenuate the surface runoff from the site. The storage tank will not be contained within the RPAs of the oak trees and will instead be below the car parking area. The development will not give rise to backwater affects or divert water towards other properties.
53. The applicant's report demonstrates that the proposal will be safe, in terms of flood risk, for its design life and will not increase flood risk elsewhere. It also clearly indicates a positive response that seeks to address the requirements of policy DMP9B.
54. A condition will be imposed requiring the applicant to limit the development's water consumption to no more than 105 litres of water per head per day, in the interests of sustainability.

Equalities

55. 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).

Summary

56. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal accords with the development plan, having regard to material planning considerations, and should be approved subject to conditions.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 19/2163

To: Mr Pender
PPM Planning Limited
185 Casewick Road
West Norwood
London
SE270TA

I refer to your application dated **17/06/2019** proposing the following:

Demolition of existing building and erection of a 2 and 3 storey building accommodating 7 dwellings with installation of new vehicular access (to Queens Walk) and associated landscaping.

and accompanied by plans or documents listed here:
Refer to condition 2.

at **44 Queens Walk, London, NW9 8ER**

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: 10/02/2020

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
London Plan 2016
Brent's Core Strategy 2010
Brent's Development Management Policies 2016
Brent's Supplementary Planning Document 1 - Design Guide for New Development 2018

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

160308/00/P0
160308-11-P1
160308-12-P17
160308-13-P16
160308-14-P5

Supporting documents

Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan – In Accordance with BS 5837:2012, REV B, prepared by Hayden Arboricultural Consultants
Tree Protection Plan 6099-D Rev B
Flood Risk/Surface Water (SuDS) Assessment together with Appendix A prepared by UK Flood Risk - Flood Risk Consultants
Surface water storage requirements for sites
Appendix E Proposed Surface runoff Improvement Measures (SuDS)

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

- 3 The room denoted as "communal room" within drawing 160308-12-P17 hereby approved shall not be used other than for purposes incidental to the residential units hereby approved and shall not be used for any other purpose.

Reason: To ensure an appropriate standard of accommodation in accordance with policy DMP1.

- 4 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.

- 5 The building 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.

- 6 Prior to occupation of the development hereby approved:

- The existing vehicular access to the site, rendered redundant by this development, shall be reinstated to footway and the proposed new vehicular access along Queen's Walk shall be implemented in full.

- Two parking bays shall be provided along the street and adjustments to the existing waiting restrictions to accommodate these bays shall be made.

These works shall be carried out by Brent's Local Highway Authority at the expense of the applicant.

Reason: To ensure a safe and convenient means of access to and from the site by residents and visitors.

- 7 Prior to first occupation of the development hereby approved, the five approved car parking spaces within the property forecourt shall be marked out and made available for use. Following occupation, the hedge along the Queens Walk frontage either side of the vehicular access shall be maintained with a maximum height of 0.85m from the ground level. Both the parking spaces and hedge shall be maintained in the above arrangement for the lifetime of the development, unless an alternative arrangement is first approved in writing by the Local Planning Authority.

Reason: To ensure the development appropriately mitigates impact on the local highway in respect of parking stress and road safety and visibility.

- 8 The east face of the windows on the first and second floor of the eastern face of the building, serving the living/kitchen/dining room, bathroom and bedroom of flat 3, bathroom of flat 4, and living/kitchen/dining and bathroom of flat 6 (as shown on the approved plans) shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

A suitable privacy screen across the full extent of the eastern and western edges of the private outdoor terrace space serving flat 6 shall be constructed to a height of no less than 1.7 metres and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and between proposed flats.

- 9 The development shall be carried out in full accordance with the methodologies detailed in the Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan (prepared by Hayden's Arboricultural Consultants, dated May 2019 - Ref no: 6099 Rev B) unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure the development appropriately protects the protected Oak Trees and other trees within the site.

- 10 The development shall be carried out in full accordance with the methodologies detailed in the Flood Risk/Surface Water (SuDS) Assessment (prepared by UK Flood Risk Consultants, dated May 2019 – Ref no: DFRA 728/1402) unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure the development appropriately mitigates flood risk and improves on site

drainage.

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

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a suitably limited impact on surrounding properties.

Pre-commencement Reason: This condition seeks to approve construction practices, which must be accounted for before commencement.

- 12 No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by Condition 9 has been submitted to and approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and will include details of:

- a. Induction and personnel awareness of arboricultural matters
- b. Identification of individual responsibilities and key personnel
- c. Timing and methods of site visiting and record keeping, including updates
- d. Procedures for dealing with variations and incidents.

The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved in writing by the local planning authority. The scheme of supervision shall be carried out as approved.

Reason: To prevent any damage to retained trees including TPO trees.

Pre-commencement Reason: There is the potential for trees to be damaged during construction processes and appropriate measures must therefore be prepared and approved prior to construction/commencement being undertaken.

- 13 Details of materials for all external work, including samples which shall be viewed on site or in an agreed location by a planning officer, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations).

The submission shall include details of revised brickwork, which has a colour and texture befitting of the suburban location.

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.

- 14 Further details of cycling parking and refuse storage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations). Such details shall include: the following:

- The type of cycle stores to be used ensuring the cycle storage is both secure and weatherproof (including elevational details of any external cycle stores within the private garden areas for flats 1 and 2)
- An appropriate arrangement of twelve such cycle storage spaces that provide sufficient spacings between stands and sufficient circulation/aisle space for the stores to be accessed by residents
- A reduction or removal of the short stay visitor cycle parking
- A reconfiguration of the refuse storage, proposing all of the development's refuse

capacity requirements through the sole use of Eurobins with a 240 litre capacity.

The development shall thereafter be implemented in accordance with the approved details prior to commencement of use of the development.

Reason: To ensure a suitable and usable cycle store for residents that will maximise the usability and encourage uptake of cycling among residents and to ensure ease of refuse collection.

- 15 Details of the landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations). Such details shall include:
- (i) A planting plan for of the front and rear garden areas, including the provision of a replacement hedge along the boundary with Cherrylands Close;
 - (ii) provision of any front garden wall, fences or other form of boundary treatment to be provided or retained;
 - (iii) any car parking spaces for 5 cars, including the size and siting of the parking area, defined points of access and the surfacing materials to be used;
 - (iv) details of surfacing materials for pathways/patios within the site;

The hard and soft landscape works and boundary treatments shall be carried out in full accordance with the as approved details prior to the use of the building hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales .

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 in the same positions with others of a similar size and species, 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 and to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the highway works to to form the site access to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 5 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. Such notification shall include photographs

showing the condition of highway along the site boundaries.

- 6 This planning permission does not have any bearing on whether the hedge between the subject site and the neighbouring site to the north should be removed. Whether or not the hedge is removed to accommodate this development would be a civil matter between the applicant and the neighbouring landowner.
- 7 The applicant is advised that landscape features that result in soil mounding (for example, grass banks) have the potential to detrimentally affect the root systems of the protected oak trees on site if implemented within the trees' root protection areas and such an approach should be avoided.
- 8 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.
- 9 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 10 The Council recommends that the maximum standards for fire safety are achieved within the development.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903