

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 October, 2020
05
20/0685

SITE INFORMATION

RECEIVED	28 February, 2020
WARD	Northwick Park
PLANNING AREA	
LOCATION	79-83 ODDS, Kenton Road, Harrow, HA3 0AH
PROPOSAL	<p>Variation of condition 2 (approved plans) to allow:</p> <ol style="list-style-type: none">1. Narrowing of vehicular access ramp2. Installation of one-way traffic control system <p>of Full Planning Permission reference 17/3717 dated 15 May 2018 (and subsequent minor material amendment ref: 19/4473) for demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping, subject to a Deed of Agreement dated 15 May 2018 under Section 106 of the Town and Country Planning Act 1990, as amended (and subsequent Deed of Variation dated 18th August 2020).</p>
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_149136</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 "20/0685" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

A. The prior completion of a satisfactory deed of variation to the existing Section 106 legal agreement to link the new consent (if granted) to the original agreement:

Section 106 Heads of Terms were as follows:

1. Payment of legal and professional costs
2. Notification of material start 28 days prior to commencement
3. Securing 4 affordable housing units as intermediate units together with post implementation review.
4. Contribution towards a local carbon off-setting scheme to achieve the London Plan targets for carbon reduction, should those targets not be met through on-site measures.
5. Training and Employment
6. Any other planning obligation(s) considered necessary by the Head of Planning

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

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

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

Conditions _

As this would technically be a new planning permission, the conditions imposed on the original permission would be re-imposed with amendments to reflect the fact that some conditions have been discharged and to update trigger points.

1. Three year rule
2. Approved plans
3. Provision of Amenity Space
4. Wheelchair Units
5. Air Quality Mitigation Measures
6. Car Parking Layout
7. TV Aerial/Satellite system
8. Water Consumption
9. Considerate Contractors
10. Construction and Demolition Management Plan
11. Air Quality Impact Assessment
12. Lighting
13. Play Provision
14. Landscaping
15. Electric Vehicle Parking
16. Cycle Parking
17. Materials
18. Refuse Storage
19. Tree Protection Measures
20. Delivery and Servicing Management Plan
21. Noise Insulation
22. SUDS
23. Crossover
24. Car Park Management Plan
25. Screens to Balconies
26. Security Gate
27. Sedum roof
28. PV Panels
29. Travel Plan
30. Plant Noise

Informatives

1. CIL liability
2. Party Wall
3. Asbestos
4. Vehicle Crossover
5. Tree Protection
6. Highway works
7. Fire Safety
9. Living Wage
10. Noisy works

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

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

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

SITE MAP



Brent

Planning Committee Map

Site address: 79-83 ODDS, Kenton Road, Harrow, HA3 0AH

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

This application relates to a minor material amendment to full planning permission 17/3717 (and subsequent minor material amendment 19/4473) for the following alterations to the consented scheme:

1. Narrowing of vehicular access ramp (access will remain from Rushout Avenue)
2. Installation of one-way traffic control system

and erection of a part three part four storey building comprising 39 self-contained flats (27 x 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping, subject to a Deed of Agreement dated 15 May 2018 under Section 106 of the Town and Country Planning Act 1990, as amended, and subsequent minor material amendment reference: 19/4473 and associated Deed of Variation dated 18th August 2020.

EXISTING

The application site is located on the corner of Kenton Road and Rushout Avenue. It previously comprised 3 two storey dwellings (known as 79 to 83 Kenton Road). These have been demolished as part of the implementation of the consented planning permission.

The surrounding area is mixed, with commercial premises containing residential accommodation on the upper floors located to the east of the site. The majority of properties north, east and south of the site are predominantly residential in nature. As part of the emerging Local Plan, the site lies within an Intensification Corridor.

The opposite side of Kenton Road lies within the London Borough of Harrow.

AMENDMENTS SINCE SUBMISSION

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

- Updated floorplans were received to reflect the basement and cycle storage arrangements approved under 19/4473 and changes to core reflected throughout all floor levels
- Updated tracking diagrams received to reflect basement changes are still feasible

SUMMARY OF KEY ISSUES

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

Representations Received: 13 objections from individual properties together with objections from Cllr McLennan and Perrin. The objections have been considered when evaluating the proposal. It is considered that the proposal accords with policy and guidance and it is recommended that planning permission is granted.

Principle of Development: The demolition of the existing houses on the site and their replacement with a new building accommodating 39 flats has already been established by previous consents. This minor material amendment proposes to narrow the width of the vehicular access ramp into the basement car park, with the associated installation of a one-way traffic control system. These amendments are considered to be in material compliance with the principles established under the original consent.

Highway impacts: Transport officers have assessed the scheme and advised that the amendments are acceptable. They are not considered to result in a material impact upon the local highway network compared

to the consented scheme.

Residential amenity: The proposed changes would not result in any material impact on the residential amenities of neighbouring occupiers in terms of noise and disturbance, daylight and sunlight or overlooking, compared to the consented scheme.

Design and appearance: The proposed changes to the proposal would not result in any material alteration on the design and appearance of the scheme, compared to the consented scheme.

RELEVANT SITE HISTORY

Reference	Proposal	Decision	Date
17/3717	Demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping, subject to a Deed of Agreement dated 15 May 2018 under Section 106 of the Town and Country Planning Act 1990, as amended.	Granted	15/05/2018
19/2811	Details pursuant to condition 9 (Considerate Constructors Scheme), 10 (Construction Method Statement), 11 (Air Quality Neutral Assessment), 17 (exterior materials), 19 (Tree Protection Measures) and 28 (Basement Car Park Ramp and Access) of Full Planning Permission reference 17/3717	Granted	08/10/2018
19/4473	Variation of condition 2 (approved plans) to allow: <ul style="list-style-type: none">• Rear fire escape stairs• Basement enlargement• Relocation of the cycle storage of Full Planning Permission reference 17/3717	Granted	18/08/2020
20/2164	Erection of a part three part four storey building comprising 40 self-contained flats with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping	Under consideration	

CONSULTATIONS

Public Consultation

141 Neighbouring properties were consulted on 10th March 2020

Site Notice Displayed on 12/03/2020

Application was advertised in the local press on 19/03/2020

13 objections were received from individual properties and Cllrs McLennan and Perrin. These are summarised as follows:

Objection	Response
Potential for cars to wait on Rushout Avenue when waiting to enter the basement car parking leading to congestion on Rushout Avenue.	Discussed in paragraph 14
Scheme reliant on sensors that could break	Discussed in paragraph 15
Increased noise pollution from vehicles idling next to neighbouring houses and noise from the access gates	Discussed in paragraph 14
Potential for light pollution from car headlights	Discussed in paragraph 14
Increased pollutants into air from vehicles idling	Discussed in paragraph 14
Vehicle access should not have been granted as part of original consent from Rushout Avenue	Objection is noted however the access onto the site has already been assessed fully and approved under the parent permission 19/4473. No changes to the principle of access onto Rushout Avenue is proposed and this remains acceptable.
Vehicles unable to enter or leave the site with cars parked on the opposite side of Rushout Avenue, including white vans	Discussed in paragraph 16
Impact from construction works in terms of broken pavements and damaged tarmac	Discussed in paragraph 17
Concerns over refuse collection	Discussed in paragraph 13
Objections to cycle storage adjacent to boundaries due to security impact	This element of the proposal has now been removed since the logging of this objection, details of which are secured as part of application reference 19/4473.

Internal Consultees

Local Lead Flood Authority – No objections or recommended conditions

Environmental Health – No objections raised.

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, the 2011 Site Specific Allocations Document and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

Development Management Policy (2016)

DMP1: General Policy

DMP11: Forming an Access onto a Road

DMP12: Parking

DMP13: Movement of Goods and Materials

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.

Relevant policies in the 'intend to publish' London Plan include:

SI1 – London's air quality

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

Relevant policies in the draft Local Plan 2020 include:

DMP1 – Development Management General Policy

BT2 – Parking and Car Free Development

BT3 – Freight and Servicing, Provision and Protection of Freight Facilities

BT4 – Forming an Access on to a Road

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)

SPD1 Brent Design Guide 2018

Basements SPD 2017

DETAILED CONSIDERATIONS

Background

1. Section 73 of the Town and Country Planning Act (1990) allows applicant to submit schemes which include alterations to the approved plans whereby such amendments are considered to be minor material amendments. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.
2. Permission granted under section 73 should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect.
3. There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Proposed changes to be considered under the section 73 application

4. For this scheme the plans have been altered in the following ways:

1. Narrowing of vehicular access ramp
2. Installation of one-way traffic control system

5. For clarity, the extant permission is still in effect and the purpose of this application is to assess these proposed changes from this permission only.
6. The proposed changes are not considered to result in a development which is substantially different to the extant permission approved under application reference 17/3717. As such, the principle of development remains acceptable, and this report will focus on the changes proposed as part of this section 73 application.

Highway and transport considerations

7. The extant permission included a basement car park with access off Rushout Avenue to accommodate 30 car parking spaces. The width of the access ramp into the basement car park was approved as a minimum of 4.6m wide, which would be capable to accommodate two passing cars.
8. A subsequent section 73 application was approved under application to enlarge the basement car park, add an emergency escape stairwell from the basement car park at the rear of the site, and contain all of the cycle parking for the development within the enlarged basement car park. As part of this application no changes were made to the number of car parking spaces (i.e. this remained at 30) and the access ramped remained at a minimum of 4.6m wide.
9. The current proposal involves reducing the width of the vehicle access to 3m for a distance of 15m. The minimum width of access in order to accommodate two passing cars needs to be 4.1m, so this reduced width at 3m wide along part of the access ramp, would only allow one-way access at any one time. The basement is also reduced to be set in from the boundary with No. 2 Rushout Avenue next to the basement escape stairwell.
10. In order to manage the situation, traffic is proposed to be controlled by a red & green traffic light system. Information has been provided on the process of detecting vehicles with the access to the basement on the upper level being on a default red light unless a car approaches and no movement in the lower level has detected for a period of time. Whilst on the lower level the default is for a green light unless movement is detected on the upper level. A stop line would be placed a car length's away from the highway to prevent vehicles waiting on the highway in order to access the ramp.
11. The stop line for egressing is located some distance away from the traffic lights and would not be located at the most direct way of exiting the car park for all cars. The applicant has submitted a Tracking diagram however that indicates this would be accessible for a large car to enter and exit the basement. This is considered acceptable by Transport.
12. Officers in Transportation have advised that on the basis of the information provided in relation to the control of the traffic light system that the proposed changes to the access ramp are acceptable in highway safety terms.
13. An objector has raised concerns regarding the refuse collection. No changes are proposed to the refuse collection arrangements which were found to be acceptable and approved under the original permission. As such, this remains acceptable.
14. Objections have also been raised as to potential for cars to wait on Rushout avenue to enter the basement leading to congestion. Further concerns have been raised that this could lead to increased noise and air pollution as a result. Regarding the first point, a waiting space is being provided and it is considered that this would be sufficient given the likely level of demand for car parking, particularly as flows to and from the car park would be tidal with more vehicles exiting in the am peak than entering and more vehicles entering in the pm peak than existing. In terms of impacts of idling cars on air and noise pollution, this is not considered to be at a level above that which has been already approved or results from similar scale developments in the borough. Additionally, the potential for light pollution from car headlights is not considered to be materially greater than would result from a surface car park.
15. Concerns have been raised regarding the reliance on sensors which could fail or break. Technological solutions are common to mitigate impacts of development and although it is possible they could fail to

work properly subject to a satisfactory maintenance programme the impacts would be minimal and rare.

16. It is acknowledged that concerns are raised regarding difficulties accessing the site, particularly for white vans. Construction vehicles have been known to struggle accessing or egressing the site but cars would be smaller than this and whilst the vehicle access is approximately 4.6m so the impact would be better than vehicles accessing or egressing the numerous existing driveways that are currently on Rushout Avenue which are smaller than this.
17. Concerns over damage to the highways/pavement will be covered by separate legislation which allows the Highways Authority to ensure that any damage from construction vehicles is made good by the developer

Design and Appearance

18. The proposed changes to the width of the ramp would not be visible from the streetscene and would have no impact on the design or appearance of the approved development and is acceptable in this regard.
19. The signal would be set back from the main road and would not result in any impact on the design of the approved scheme. Likewise, access gates were proposed across the entrance to the basement car park, and the resulting changes to these access gates as part of this submission, are not considered to materially change the appearance of the development.

Residential Amenity

20. The proposed changes to the width of the vehicle access ramp and the associated traffic control system would have no greater impact on neighbouring amenity than the already approved scheme.
21. An objector has raised concerns that headlights from cars using the ramp may cause disturbance from neighbours. This is acknowledged. However, the ramp itself already benefits from planning permission.
22. Likewise, concerns have been raised in relation to increased noise and disturbance from vehicles having to stand at the entrance to the basement car park and increased pollutants from vehicles idling by the access. The approved planning permission considered the likely trip generation from the development which included 2 arrivals/7 departures in the am peak hour and 4 arrivals/1 departures in the pm peak hour. As this scheme does not increase the level of parking with the basement, it is not considered that the trip generation as envisaged within the extent permission will change, and as a result, it is not considered that neighbouring occupiers would be materially affected in terms of increased noise/disturbance or increase levels of pollutants as a result of the signalled access into the car park.
23. The proposed Basement plan reflects the alterations made to the location of Core 1 which have been reflected up through all floor levels. There would be no material impact on the layouts of the approved flats as a result of this.

Equalities

24. 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).

Conclusion

25. The proposed changes would facilitate vehicular access to the site and are considered not to result in any material harm to the highways network or neighbouring amenity than would exist as a result of the approved development. The proposal is therefore considered to be acceptable and in accordance with the development plan. It is recommended for approval subject to conditions as set out below and the

obligations being secured within the Section 106 Agreement.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 20/0685

To: Mr Alexander
Bell Cornwell LLP
Bell Cornwell LLP
Unit 2
Meridian Office Park
Osborn Way, Hook
RG27 9HY

I refer to your application dated **27/02/2020** proposing the following:

Variation of condition 2 (approved plans) to allow:

1. Narrowing of vehicular access ramp
2. Installation of one-way traffic control system

of Full Planning Permission reference 17/3717 dated 15 May 2018 (and subsequent minor material amendment ref: 19/4473) for demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping, subject to a Deed of Agreement dated 15 May 2018 under Section 106 of the Town and Country Planning Act 1990, as amended (and subsequent Deed of Variation dated 18th August 2020).

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

at **79-83 ODDS, Kenton Road, Harrow, HA3 0AH**

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: 06/10/2020

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 the:-
National Planning Policy Framework
London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning from the 15/05/2018.

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):

A200 REV 03 Proposed Basement Plan
A201 REV 03 Proposed Ground Floor
A202 REV 03 Proposed 1st Floor Plan
A203 REV 03 Proposed 2nd Floor
A204 REV 03 Proposed 3rd Floor
A222 Rev 03 Proposed Section CC
KNR-DLTY-01-GR-DR-T-10100-P03 Signalised Ramp Egress
KNR-DLTY-01-GR-DR-T-10101-P03

Supporting Documents:

Ground Floor Traffic Light Strategy
Risk Assessment

Approved plans and documents under application ref: 19/4473

A221 Rev 02 Proposed Section BB
A223 Rev 04 Proposed Section DD
A355 Rev 01 South East Elevation
A356 Rev 01 South West Elevation
A404 Proposed Emergency Exit

Approved plans and documents under planning permission reference 17/3717

A001 Rev 00, A002 Rev 01, A100 Rev 00, A110 Rev 00, A111 Rev 00, A112 Rev 00,
A202 Rev 01, A203 Rev 01, A205 Rev 01,
A210 Rev 01, A211 Rev 01, A220 Rev 01

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

- 3 Prior to the occupation of the residential units hereby approved the communal and private external amenity spaces shown on the drawings hereby approved shall be provided in accordance with the approved details and made available. They shall be retained as such for the lifetime of the Development.

Reason: To ensure that the residential units are high quality and offer acceptable amenity standards for future residents.

- 4 Units 10, 21, 31 and 32 shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) with intermediate units provided as fully adapted units and the remainder of units shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

- 5 The scheme shall be constructed in accordance with the mitigation measures described in the approved Air Quality Impact Assessment

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

- 6 The car parking spaces and accesses shall be laid out and made available prior to the occupation of any part of the development hereby approved and shall thereafter be retained as such for the lifetime of the Development. The car parking spaces shall be maintained as ancillary to the development and shall be used for no other purpose at any time.

Reason: To ensure that the impact of the development on the highways network is appropriate.

- 7 A communal television aerial and satellite dish system shall be provided, linking to all residential units unless otherwise agreed in writing by the local planning authority.

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

- 8 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.

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

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

- 10 The Construction Method Statement approved under reference 18/2811 shall be adhered to throughout the construction period.

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

- 11 The development shall be carried out in accordance with the measures in the Air Quality Neutral Assessment approved under reference 18/2811

Reason: To ensure that the development would not result in a detrimental impact on local air quality.

- 12 Details of the height, type, position, angle and spread of any external lighting shall be submitted to and approved in writing by the Local planning authority prior to first occupation of the

development hereby approved. The external lighting shall be erected and maintained in accordance with the approved details to minimise light spillage and glare outside the designated area.

Reason: To protect the amenity of existing and future residents and in the interest of safety and ecology.

- 13 Within 9 months of commencement of development, a site wide children's play space plan shall be submitted and approved in writing by the Local Planning Authority. Such details shall include:

- (i) the location of the play area and/or equipment
- (ii) details of the equipment / measures to meet the minimum standards for play

The approved equipment / measures shall be installed prior to the occupation of the residential units and retained for the lifetime of the Development.

Reason: To ensure there is sufficient provision of areas and equipment for children's play.

- 14 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the hard and soft landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority within 9 months of commencement of development. Such a scheme shall include:-

- (a) all planting and trees including location, species, size, density and number incorporating native species;
- (b) details of the layouts of the publicly accessible spaces;
- (c) areas of all hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users;
- (d) the location of, details of materials and finishes of, all street furniture, drainage and external cycle stands;
- (e) proposed boundary treatments including walls, fencing, retaining walls, divisions between private amenity spaces, indicating materials and height;
- (f) details of defensible space in front of bedrooms serving unit 10 at ground floor level;
- (g) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping;
- (h) details of all tree planting pits (including surfacing);
- (i) details of the pedestrian access ramp along Rushout Avenue (to include details of materials of surface of ramp, gradient and details of hand rails)

The approved details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

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 positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- 15 Within 3 months of commencement of development, full details of electric vehicle charging points (with 20% to facilitate charging and 20% capable of being upgraded in the future) shall be submitted to and approved in writing by the Local Planning Authority. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 16 Within 9 months of commencement of development, full details of the cycle spaces shall be submitted to and approved in writing by the Local Planning Authority. Notwithstanding the approved drawings, these details shall show a minimum of 51 spaces located within the basement. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 17 The external materials shall be carried out in full accordance with the details approved under application reference 18/2811, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appearance of the development is high quality, and in the interest of the privacy of future occupants.

- 18 The refuse areas shown on the drawings hereby approved shall be provided and made available prior to the occupation of the residential units. They shall be maintained as such thereafter.

Reason: To ensure that the residential units are high quality and that the development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 19 The tree protection measures shown on drawings 'Arbtech TPP 01' and 'Arbtech AIA 01' shall be enacted and remain in place for the duration of the construction period, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that those trees considered worthy of retention are protected from damage.

- 20 Prior to the occupation of the residential units hereby approved a Deliveries and Servicing Management Plan setting out delivery arrangements shall be submitted to and approved by the Local Planning Authority. The approved details shall be fully implemented upon first occupation of the non-residential units within the development, and maintained thereafter.

Reason: In the interests of providing sufficient servicing facilities on site, and ensuring that the relationship with the highways network and neighbouring properties is acceptable.

- 21 All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

<u>Time</u>	<u>Area</u>	<u>Maximum noise level</u>
Daytime Noise 07:00 – 23:00	Living rooms	35dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

Prior to first occupation of the residential units hereby approved a test shall be carried out to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To obtain required sound insulation and prevent noise nuisance.

- 22 The scheme shall be constructed in accordance with the Sustainable Drainage measures described in the approved Flood Risk Assessment, SuDs & Drainage Strategy Report prepared by Nimbus Engineering Consultants Ltd.

Reason: To reduce the flow of surface water into the drainage system.

- 23 The proposed crossover on Rushout Avenue and any redundant crossovers on Kenton Road and Rushout Avenue shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Local Highway Authority, with the works carried out and completed in accordance with these approved prior to first occupation of the development hereby approved.

Reason: In the interests of highway conditions within the vicinity of the site.

- 24 Prior to first occupation of the approved development, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. It shall include on how measures would be put in place to ensure that the number of car parking spaces within the basement does not exceed 30 spaces as shown in the approved car park layout.

The car park management plan shall thereafter be carried out in accordance with the approved details and retained throughout the lifetime of the development.

Reason: To ensure that over provision of parking does not occur on site

- 25 Prior to the occupation of the units hereby approved, and notwithstanding the approved drawings, details of a scheme to prevent overlooking from the balconies hereby approved shall be submitted to and approved by the Local Planning Authority.

Reason: To prevent undue overlooking between the units and hereby approved and of the adjoining properties, and to ensure a high quality residential environment.

- 26 Prior to the occupation of the units hereby approved, details of how the vehicle entrance gate to Rushout Avenue shall be controlled and how access will be managed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that suitable security arrangements are in place for future residents.

- 27 Prior to the occupation of the residential units hereby approved details of the sedum roof shall be submitted to and approved by the Local Planning Authority. This shall include details of species mix, depth and maintenance regime. The approved details shall be fully implemented upon first occupation of the non-residential units within the development, and maintained thereafter.

Reason: In the interests of maximising the sustainability (and in particular the ecological) benefits of the development.

- 28 Details of the roof plan, showing the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and shall be installed prior to occupation of the development hereby approved.

Reason: To demonstrate these are adequate and suitable to provide the level of carbon offset sought.

- 29 Within 3 months of first occupation of the development, a Residential Travel Plan shall be submitted to and approved in writing to the Local Planning Authority. This shall demonstrate the Travel Plan is of sufficient quality to score a PASS when assessed under Transport for London's ATTrBuTE programme (or any replacement thereof), to incorporate targets for minimising car

use, monitoring of those targets and associated measures to meet those targets. The approved Travel Plan shall be fully implemented for the lifetime of the Development, or as amended by the agreement of the Local Planning Authority in writing.

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

- 30 Prior to first occupation of the units hereby approved, an assessment of the noise level from any installed plant (such as air handling units, generators, ventilation/extraction systems) together with any associated ducting, achieving 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises, shall be undertaken and submitted to the Local Planning Authority for approval. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. If the predicted noise levels of the plant exceed those specified within this condition, then a scheme of insulation works to mitigate the noise shall be included. The recommendations provided within the noise assessment together with any required mitigation measures shall be carried out in full accordance with the approved details prior to first use of the plant equipment hereby approved.

Reason: To protect that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance.

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 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 4 In relation to condition 30, the applicant is advised to contact the Council's Highways and Infrastructure Service on 020 8937 5121 to make arrangements for the crossover works to be carried out.
- 5 In relation to condition 21, the applicant is advised to contact the Council's Tree Officer, Lawrence Usherwood. The contact details are lawrence.usherwood@brent.gov.uk or on 020 8937 5247.
- 6 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 7 The Council recommends that the maximum standards for fire safety are achieved within the development.

- 8 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.
- 9 Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:
- Monday to Fridays 08:00 to 18:00
Saturday 08:00 to 13:00
At no time on Sundays or Bank Holidays

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