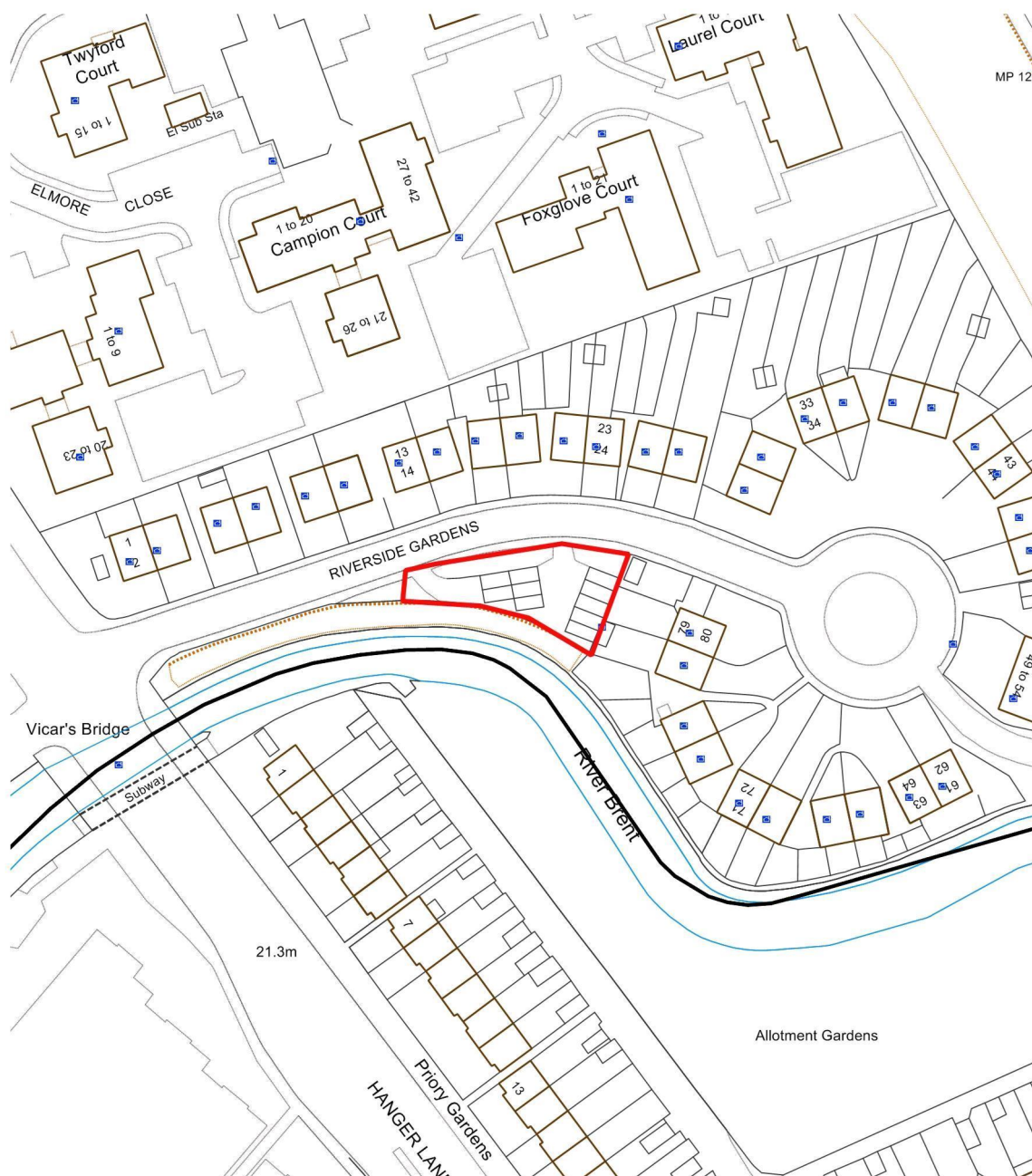
 **Planning Committee Map**
Site address: Garages rear of 77-80, Riverside Gardens, Wembley
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This map is indicative only.

RECEIVED: 25 July, 2012

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: Garages rear of 77-80, Riverside Gardens, Wembley

PROPOSAL: Demolition of a block of ten garages and the erection of a three storey building comprising 5 flats (1 x 1-bed, 2 x 2-bed and 2 x 3-bed) including new landscaping, refuse and recycling storage, cycle storage and the provision of 5 off-street car parking spaces.

APPLICANT: Erin Homes Ltd.

CONTACT: Martin Evans Architects

PLAN NO'S:
See condition no 2

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor

If the applicant fails to demonstrate the ability to provide for the s106 terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an agreement within an appropriate timescale, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:

1. Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing performance.
2. A contribution of £27,000 (£3000 per bedroom created, with a total reduction of £6,000 for the provision of land to be offered for adoption as highway and associated works) due on material start and, index-linked from the date of committee for Education, Sustainable Transportation and Open Space & Sports in the local area.
3. A contribution of [amount to be confirmed as awaiting estimate for the cost of works] due on material start and index-linked from the date of committee for biodiversity works (such as the treatment of the Japanese Knotweed and Giant Hogweed) along the river corridor adjacent to this site or in the local area.
4. Enter into a S38/278 Agreement for the widening of the footway of Riverside Gardens by 1.0m, and to thereafter construct the footway at the applicants own expense (as well as making amendments to the vehicular access points to the site, together with adoption by Brent Council of the revised section of footway as highway maintainable at public expense)
5. Join and adhere to the Considerate Contractors scheme for the duration of construction and to submit a Certificate of Compliance for verification within 3 months of any occupation.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by

concluding an appropriate agreement.

EXISTING

The application site is a triangular piece of land containing 10 disused domestic garages, located on the south side of Riverside Gardens, Alperton. The road is a residential road, of mainly 2-storey maisonettes. Immediately to the south of the site is the bank of the River Brent. The River Brent in this area forms the boundary with London Borough of Ealing. The site is located within Flood Zone 2, and borders Flood Zone 3 to the south.

DEVELOPMENT SCHEDULE

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

USE

Number	Primary Use	Sub Use
1	vacant land - null use	garages
2	Dwelling houses	

FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	131	0	131		
2	0	0	0	404	404

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	131	0	131	404	404

Mayoril CIL multiplier is £35 per SQM of total net gain floorspace, therefore Amount Payable is £14,140.00.

PROPOSAL

Demolition of a block of ten garages and the erection of a three storey building comprising 5 flats (1 x 1-bed, 2 x 2-bed and 2 x 3-bed) including new landscaping, refuse and recycling storage, cycle storage and the provision of 5 off-street car parking spaces.

HISTORY

11/2712 - Demolition of 10 garages and the erection of a three storey building comprising 5 flats (1 x 1-bed, 3 x 2-bed and 1 x 3-bed) including new landscaping, refuse and recycling storage, cycle storage and the provision of 5 off-street car parking spaces. *Refused 14/12/2011*

11/0207 - Demolition of 10 garages and the erection of a four storey building comprising 7 flats (1 x 1-bed, 5 x 2-bed and 1 x 3-bed) including new landscaping, refuse and recycling storage, cycle storage and the provision of 7 off-street car parking spaces. *Application withdrawn 16/05/11*

91/11/02 Change of use of garages No.s 6-10 to use as workshop with ancillary storage. *Appeal Dismissed 19/05/1992*

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

The London Plan

Policy 3.5 – Quality and Design of Housing Developments – Minimum space standards for new development

Policy 5.12 – Flood Risk management
Policy 5.13 – Sustainable Drainage
Policy 7.19 – Biodiversity and Access to Nature
Policy 7.30 – London’s Canals and other Rivers and Waterspaces

Brent Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The relevant policies for this application include:

CP2: Population and Housing Growth
CP17: Protecting and Enhancing the Suburban Character of Brent
CP18: Protection and Enhancement of Open Space, Sports and Biodiversity:
CP21: A Balanced Housing Stock

Brent Unitary Development Plan 2004

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary Development Plan (UDP), which was formally adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

BE2	Local Context
BE3	Urban Structure; Space and Movement
BE5	Urban Clarity and Safety
BE6	Public Realm; Landscape Design
BE7	Streetscene
BE9	Architectural Quality
EP2	Noise and Vibration
EP3	Local Air Quality Management
EP12	Flood Prevention
H12	Residential Quality- Layout considerations
TRN3	Environmental Impact of Traffic
TRN4	Measures to make transport impact acceptable
TRN10	Walkable Environments
TRN11	The London Cycle Network
TRN15	Forming an access to a road
TRN23	Parking standards – Residential developments
CF6	School Places
OS7	Provision of Public Open Space

Supplementary Planning Guidance/Documents

SPG3 - Forming an access onto a road
SPG17 - Design Guide for New Development
SPD- Planning Obligations- s106

CONSULTATION

Consultation Period: 22nd August 2012 – 12th October 2012.

Public Consultation response

86 neighbouring properties were notified. 9 letters of representation have been received to date, including 7 letters of objection. The issues raised are summarised as follows:

- The proposed 3-storey building would be out of character with all the other properties in the road. The proposed building cannot be compared to the existing 3-storey block of flats on the other side of the roundabout which do not cause problems to other properties.
- Because of the disproportionate size, the proposed structure will impact greatly on the properties closest to it – in particular 77-80 Riverside Gardens

- The privacy of the residents of 6 Priory Gardens, W5, will be affected
- The submitted Design and Access Statement suggests that because the windows located in the east elevation are angled south, there is no loss of light. Whilst this may be the case from these windows, it appears as though residents of the new building will be able to go onto their balconies and be able to view the gardens of No.s 77-80 Riverside Gardens
- The proximity of the development may also effect the amount of sunlight received.
- The white render will be totally inappropriate for their surroundings
- The 5 off-street parking spaces are not sufficient for the development, as many have more than just one vehicle per household. Although Riverside Gardens is a quiet residential road, there are already 80 flats with their associated vehicles, some with more than one per household, and parking has always been a problem on this road
- There are existing issues of fly tipping on the roundabout. More people moving in would mean further rubbish worsening the environment of the road
- The value of properties on Riverside Gardens would be affected
- The application site should be turned into a play area or parking for the residents, not apartments that will further add to the problems on this road.
- The River could attract new people to dump their rubbish into it, as others have done in the past
- If granted, the impact of building works for the development, through noise, dust, and extra vehicular activities of HGVs coming and going would be tremendous
- The development would result in loss of light and outlook from nearby properties
- The design of the flats is out of place
- The increased volume in traffic which would arise from the development would result in safety issues for children playing on the road.
- The site on which the development is proposed is unstable ground. Any necessary engineering works would de-stabilise and cause detriment to the existing properties
- There is no playing area for children
- There have been recurring problems with the sewers in Riverside Gardens, and the sewers may not be able to cope with the increase of flats.
- Problems with sewers/drains in Riverside Gardens will become worse

Ward Councillors

Councillor Brown has written in on behalf of a neighbour. This neighbour has also written themselves, objecting to the application, and their concerns are included in the section above.

Highways and Transport Delivery

Riverside Gardens is defined as being heavily parked. The site lies outside of any current CPZ, but has good accessibility with a PTAL rating of level 4. Hanger Lane Station and Alperton Station are both within walking distance of the site and five bus routes are locally available.

The garages on the application site are disused, and inaccessible. As such there will be no loss of usable car parking as a result of this proposal. Nevertheless, the historical loss of the garage court for the use of residents has inevitably contributed to the high levels of parking stress experienced in the street, evidenced by obstructive footway parking and echelon parking around the turning head at night, which makes access for pedestrian and for service and emergency vehicles difficult.

To address this, it is considered essential that a 1m wide strip of land be dedicated for footway widening along the site frontage as part of this development. The extra width will provide opportunities for one of several options to be carried out. Either the carriageway may be widened, or the footway. If the footway is widened, this can allow partial footway parking to be tolerated without obstructing pedestrian access, or can allow bollards to be installed to safeguard pedestrian access. Essentially there will be flexibility to improve the parking situation in the street in a number of potential ways. Works would need to be undertaken through an agreement under S38/278 of the Highways Act 1980. The developer appears happy to acquiesce these requirements according to the revised site layout, which moves the boundary of the site away from the existing footway.

Relevant parking standards are set out in PS14 of the UDP for the proposed development. Since there is no CPZ in this location, the full standards are applied, where by the proposed 1-bed flat can be permitted 1.0 spaces, each 2-bed flat 1.2 car spaces and each 3-bed flat 1.6 car spaces. This gives a combined maximum standard for the proposed development of 6.6 car spaces. The proposed 5 off street car parking spaces, equivalent to 1 per dwelling is considered to be an acceptable level. A couple of the car parking spaces do not provide the correct 4.8m length of bay, however this is only due to the fact that the developer is offering

land for footway widening, and in this context can be therefore be accepted.

All works to form or alter crossovers and street marking will need to be carried out at the developer's expense. The location of the proposed refuse and recycling storage facilities is easily accessible by waste collection staff, and is welcomed. A secure set of cycle racks for up to eight bicycles has been shown, which exceeds the minimum requirements and is welcomed. However, it is not clear whether these are covered, and so clarification is required.

A standard financial contribution per dwelling is normally sought by Highway and Transport Deliver, towards improving highway safety, new parking controls and improving non-car accessibility, secured via S106 Agreement. However, since the applicant has agreed in principle to the widening of the footway on Riverside Gardens to improve pedestrian access, then this requirement will be waived in favour of securing the identified necessary highway works.

In conclusion, there are no objections, subject to the applicant entering a Section 38/278 agreement to facilitate highway works adjacent to the site at Riverside Gardens, widening the public highway by one metre, as well as making amendments to the vehicular access points to the site, together with adoption by Brent Council of the revised section of footway as highway maintainable at public expense, in order to ensure that the site can be safely and conveniently access by pedestrians (particularly those with pushchairs and wheelchairs) at all times, in order to comply with TRN3, TRN4 and TRN10 of Brent's UDP.

Landscape Officer

No objections to the application, subject to a high quality landscaping hard and soft scheme, and good quality garden amenity space. The main roof, at least, should be a living/green roof in order to retain the ecological value of the site. The detailed landscaping scheme should include proposed trees and other planting including species, location, pot sizes and numbers; all hard materials, boundary treatment, street furniture and surfacing type/colour/finish.

An existing tree is proposed for removal – no details of are provided for this tree or any other vegetation on the site. A survey is requested for all existing on site vegetation.

Environmental Health

No objections, subject to a 'Contaminated Land Watching Brief' informative; a noise insulation condition and a condition requiring measures for mitigating the impacts of dust during construction works.

Urban Design Officer

No objections to the design of the scheme. However, has highlighted the lack of private amenity space for proposed residents.

Statutory Consultees

Environment Agency

Having worked with the applicant at pre-application stage before re-submission of this proposal, there is no longer an objection to the proposal. This is subject to a Section 106 agreement to mitigate for the impact of the balconies from the development extending into the 8 metre buffer zone.

Concerns are raised due to the impact of the proposal on biodiversity and due to the proximity of the balconies to the bank. The S106 contributions should therefore provide mitigation against this impact on biodiversity. There are opportunities to provide mitigation nearby with the removal or treatment of Japanese Knotweed and Giant Hogweed which is known to be present here in the river corridor. There is a suitable 500m section of river upstream alongside Queensbury Avenue as Environment Agency have an access ramp here to the river channel, this should be considered as this site is accessible and has both Japanese Knotweed and Giant Hogweed contamination. Environment Agency expect a contribution of around £5,000 would cover these works. However, Brent Council should get a quote their contractors for the chemical treatment of the site. Alternatively, Environment Agency are supportive that the contribution should not be tied directly to one of the works but rather to measures to improve biodiversity in general.

Environment Agency request to see a copy of the S106 Agreement before it is signed and are happy to provide any further information as it is drawn up.

This is particularly important as the River Brent is currently classified as poor ecological status under the River Basin Management Plan which has been produced to achieve the Water Framework Directive requirements that water bodies achieve good ecological status by 2015 or the later period of 2027. The actions required to achieve good status of the River Brent are:

- The control and eradication of problem non-native species (Japanese Knotweed, Giant Hogweed etc) which are problematic with the Brent River corridor
- Measure to capture/contain contaminants that could pollute the river systems through surface water drainage/missed connections leading to improvements in water quality.
- Any opportunities to naturalise the river – from basic enhancement to full restoration techniques such as removal of concrete structures, return to natural bed and banks – should be taken whenever possible and encouraged through new development. Projects both upstream and downstream demonstrate locally what can be achieved.
- Subject to the Section 106 agreement, various conditions and informatives are also required on any planning permission granted.

Ealing Council

No objections to the application

REMARKS

Introduction

This application seeks planning permission for the demolition of the existing garage blocks on this site, and their replacement with a 3-storey building, comprising of 5 self contained flats with 5 off-street parking spaces. The proposed flats comprise of 1 x 1 bedroom flat; 2 x 2 bedroom flats and 2 x 3 bedroom flats. Along the northern boundary of the site, adjacent to the Riverside Gardens road frontage, a 1.0m wide strip of the application site is to be adopted as part of the public footpath adjacent to the site.

Previous application

A previous application has been refused for this site, for a number of reasons, in December 2011, under planning application reference 11/2712. The reasons for refusal are summarised as follows:

- The absence of an acceptable Flood Risk Assessment (FRA)
- Inadequate buffer zone to the River Brent, harmful to the biodiversity interests along the river corridor
- Proposal failed to demonstrate that the risk of pollution to controlled waters is acceptable
- By virtue of its height in proximity to neighbouring boundaries would be detrimental to the residential amenities of the occupiers of 77-80 Riverside Gardens
- The proposed development would provide a substandard form of accommodation for two of the proposed flats by reason of inadequate provision of outdoor amenity space
- In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure and education, as well as increase pressure for the use of existing open space and sports facilities, or make contributions to improve the environment.

Design, Scale and Massing

The surrounding properties are 2-storey residential buildings, mainly comprising of maisonettes.

Brent's Supplementary Planning Guidance 17 on Design Guidance for New Development (SPG17), and Brent's Unitary Development Plan Policy BE9 states that proposals should be of a scale, massing and height that are appropriate to its setting.

The proposed development is to be 3-storey in height, with the proposed second floor set in to reduce its visual mass.

The proposal does differ in its design, overall massing and form from the existing dwellings in the street and objections have been received on this basis. However, your officers consider that it is not always necessary for new developments to replicate the existing dwellings. Most new development proposals look to have an appropriate regard to local context rather than to replicate it. Development that adjoins an open area, such as a canal, often exhibits a greater massing than those buildings that do not adjoin that open area. It is

considered that sufficient architectural devices have been incorporated into the scheme to ensure that the proposed building is appropriate in terms of its scale, massing and design.

Impact on neighbouring properties

The proposed 3-storey building will have a height of 5.3m to 2-storey level and increasing to 7.8m at 3-storey level. At the second floor (3-storey level), the building is to be stepped in by 2.5m. The proposed building would be close to the adjoining neighbouring boundary with maisonettes at 77-80 Riverside Gardens. At its closest, the proposed building would measure 3.3m from the shared boundary with these properties.

Brent's Supplementary Planning Guidance 17 on Design Guide for New Development (SPG17), deals with impact of new development on neighbouring residential gardens. The proposed extension complies with both the 30 degree and 45 degree rules set out in this. The building envelope is set below a line of 30 degrees from the nearest rear habitable room window of these adjoining existing properties, measured from a height of 2m above floor level. It is also set below a line of 45 degrees at the garden edge, measured from a height of 2m.

The windows on the eastern elevation of the proposed building are to be angled in order to ensure there would be no overlooking into the gardens of the nearby residential properties. The proposed balconies closest to these properties would also have screening to prevent overlooking. Further details of these screening measures will be required by planning condition should the application be supported.

Officers therefore consider that the development would not have an unduly harmful impact on the residential amenities of neighbours in terms of loss of light and outlook.

Residential Quality for Future Residents

Unit sizes

London Plan floor space standards are set out in *London Plan Policy 3.5 – Minimum space standards for new development*.

An assessment of the current scheme indicates that all flats shown on the plans comply with these minimum standards. In summary:

- Ground Floor Flat 1 3 bedroom flat with 86sqm of floor space
- Ground Floor Flat 2 1 bedroom flat with 50sqm of floor space
- First Floor Flat 3 2 bedroom flat with 62sqm of floor space
- First Floor Flat 4 2 bedroom flat with 77sqm of floor space
- First Floor Flat 5 3 bedroom flat with 93sqm of floor space.

The proposed floor spaces for the proposed flats comply with the minimum floor space standards as set out in the London Plan.

Private Amenity Space

The ground floor flats 1 and 2 are to have private amenity, including a portion facing the River Brent. Proposed flats 3 and 5 on upper floors would both have private terraced areas. These four flats would have a minimum of 30sqm each of private amenity space, which is acceptable.

However, proposed flat 3 would have only a small balcony measuring just over 5sqm. This is significantly below the standards for private amenity space as set out in Brent's SPG17 guidance. In this instance, this lower level of private amenity space is considered acceptable for this particular flat, due to the proposed balcony facing south, with the River Brent for outlook. It is considered that the lack of private amenity space for this one flat in this particular instance does not warrant a refusal of the whole proposal.

Stacking

The stacking arrangements of flats do not in parts comply with SPG17 guidelines which states that ideally bedrooms should not be placed either above or below living room and kitchen areas in other units. However, as the proposed development is a new building, sound insulation between units can be achieved to meet minimum standards. A relevant condition will therefore be attached requiring such insulation should the application be granted.

Outlook and light

All flats proposed would have windows facing south to the River Brent, as well as windows within other elevations. The outlook and light received to all five flats proposed is therefore acceptable.

Landscaping

Full details of all soft and hard landscaping for this development will be sought by planning condition. This should include details of any trees to be removed, and proposed new trees. The proposal also includes a green roof, of which full details will also be sought.

Highway Considerations

Detailed response from the Council's Transportation officer are in the 'consultations' section of this report. In order to improve the existing footpath adjacent to the site along the northern boundary, the applicants have agreed to allow a 1.0m wide strip to be adopted as public highway. This would result in a wider public footpath on this side of Riverside Gardens, which would improve pedestrian safety.

The proposal includes the provision of 5 off street parking spaces, which allows for one space for flat proposed. This complies with the parking standards as set out in Brent's Unitary Development Plan.

Officers have agreed a reduced amount of the standard financial contributions for the improvement of Transport infrastructure in this case, due to the applicants agreeing to allowing 1.0m wide strip of land, as discussed above, to the public footpath. The reduced amount is in line with the guidance set out within Brent's SPD on Planning Obligations.

Flood Risk Assessment

As the site is located within a Flood Zone 2 and is adjacent to Flood Zone 3, it is a requirement of the Environment Agency that the applicants submit a Flood Risk Assessment. The Environment Agency find the report acceptable, and have recommended a number of conditions be attached, as well as a contribution towards biodiversity works along the river corridor, to be secured through the S106 Agreement, to mitigate the impact of the development.

Contributions to mitigate the impact of the development along the River Corridor

The Environment Agency has highlighted concerns regarding the impact of the proposal on the biodiversity of the adjoining river corridor but consider that this can be adequately mitigated through contributions towards works to improve biodiversity. The applicant has agreed to contribute towards costs to improve the biodiversity along the river corridor. The Environment Agency has suggested a contribution of £5,000 but have qualified this with a disclaimer that quotes or estimates should be sought to ensure that this amount would be sufficient. The Council's Landscape team have said that the level may not be sufficient and that it may cost a considerable amount more. They are accordingly seeking estimates for the cost of such works in order to determine what contributions are required. This agreement is in line with relevant London Plan policies 7.19 with regard to Biodiversity and Access to Nature and 7.30 with regard to development along London's Rivers.

CIL Liability (Community Infrastructure Levy)

The proposed additional area of the proposal is 404m² (Gross Internal Area). As this is more than 100m², the development is liable for the Community Infrastructure Levy (CIL) imposed by the Mayor of London. The total amount is therefore 404 x £35, equalling £14,140. As the existing garages have not been occupied for 6 of the last 12 months no exemption can be applied for the floorspace of these.

Response to objections to the proposal not discussed elsewhere in report

The main issues for concern raised by objectors to this development, not discussed elsewhere in this report, are the design of the development and the increase in the impact of existing parking problems.

The proposal includes the provision of five off street parking spaces which the Council's Transportation officer consider to be sufficient for the proposed development. It is not considered that the limited level of traffic associated with 5 additional homes is likely to result in an unduly detrimental level of impact. The applicants have agreed to allow a 1.0m wide strip to widen the existing footpath, which increase pedestrian safety.

Matters such as the property value and existing problems of fly-tipping are not material planning considerations and therefore cannot be considered within this application.

Officers have assessed the application with the balanced view of what may be permitted on site, taking into account the scale and character of existing development. The final revised scheme addresses the reasons for refusal on the previous application, reference 11/2712, and on balance is not considered of an appropriate scale.

Structural matters (including the stability of land) are covered by the Building Regulations and accordingly cannot be considered within this application.

Your officers are not aware of any issues relating to sewerage in the locality. Nevertheless, the standard condition regarding drainage will be attached to this consent.

Conclusion

The proposal complies with requirements set out in the London Plan 2011, the Council's Core Strategy 2010 and Unitary Development Plan 2004, as well as relevant guidance contained within the Council's Supplementary Planning Guidance, and is considered to be an acceptable scheme on balance. The proposal is therefore recommended for approval subject to attached conditions, informatives and a S106 Agreement.

RECOMMENDATION: Grant Consent subject to Legal agreement

(1) The proposed development is in general accordance with policies contained in the:-

Brent Core Strategy 2010
Brent Unitary Development Plan 2004

Council's Supplementary Planning Guidance 17 Design Guide for New Development \$

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Housing: in terms of protecting residential amenities and guiding new development
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation
Transport: in terms of sustainability, safety and servicing needs
Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

(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):

Site location plan;
RIV-PL-GA-01-B;
RIV-PL-GA-02-C;
RIV-PL-GA-03-C;

RIV-PL-GA-04-C;
RIV-PL-GA-06-C;
RIV-PL-GA-07-C;
RIV-PL-GA-08-C;
RIV-PL-GA-09-C;
RIV-PL-GA-10-C;
RIV-PL-GA-11-C;
RIV-PL-GA-13-A;
RIV-PL-DE-01;
RIV-PL-DE-02;
Phase 1 Flood Risk Assessment Report, by ambiental dated September 2011;
Flood Warning and Evacuation Strategy, by ambiental dated January 2012;
Phase 1 land quality assessment, by Environmental Consultants, dated April 2012;
Ecological Survey by phlorum, dated February 2012;
Giant Hogweed Eradication Works Method Statement, by phlorum, dated May 2012,

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

- (3) Details of materials for all external work, including samples where necessary, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. 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.

- (4) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) ref 1457 dated September 2011 produced by Ambiental and the following mitigation measures detailed within the FRA:

(i) Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.

(ii) Finished floor levels are set no lower than 22.75 m above Ordnance Datum (AOD), as stated on page 11 of the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: (i) To ensure safe access and egress from and to the site and (ii) To reduce the risk of flooding to the proposed development and future occupants.

- (5) No development shall take place until details which demonstrate that the construction of the development will take place entirely within the application site and not within the area between the application site and the river unless otherwise agreed by the Council. This shall include details of the working areas, compound areas, other areas for access and storage and any other areas associated with the construction of the development. This shall also include details of the construction boundary treatment to separate the application site from the adjoining land between the application site and the river. The construction of the development shall be carried out in full accordance with the approved details.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

- (6) No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- (i) A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site

(ii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(iii) The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The previous uses of the site may have resulted in contamination to soil and groundwater. The site is located on a Secondary A aquifer in the Taplow Gravels and this groundwater is likely to provide flow to the nearby River Brent.

- (7) No occupation of any part of the permitted development / of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The previous uses of the site may have resulted in contamination to soil and groundwater. The site is located on a Secondary A aquifer in the Taplow Gravels and this groundwater is likely to provide flow to the nearby River Brent.

- (8) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: The previous uses of the site may have resulted in contamination to soil and groundwater. The site is located on a Secondary A aquifer in the Taplow Gravels and this groundwater is likely to provide flow to the nearby River Brent.

- (9) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The previous uses of the site may have resulted in contamination to soil and groundwater. The site is located on a Secondary A aquifer in the Taplow Gravels and this groundwater is likely to provide flow to the nearby River Brent. Infiltration of surface water

could result in migration of contaminants at the site into the underlying Secondary A aquifer.

- (10) All residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice' to attain the following internal noise levels:

Criterion	Typical situations	Design range LAeq, T
Good resting conditions	Living rooms	30 dB (day: T = 16 hours 07:00 – 23:00)
Good sleeping conditions	Bedrooms	30 dB (night: T = 8 hours 23:00 – 07:00) LAmax 45 dB (night 23:00 – 07:00)

The development hereby approved shall not commence unless details of the proposed sound insulation measures which demonstrate that the above requirements will be met have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full.

Reason: To ensure a satisfactory standard of residential accommodation and due to the stacking of rooms within the building.

- (11) The development is within an Air Quality Management Area and construction and demolition works are likely to contribute to background air pollution levels. The applicant must employ measures to mitigate the impacts of dust and fine particles generated by the operation, the details of which must be submitted to and approved in writing by the Local Planning Authority, prior to commencement of the development and the approved details shall be implemented in full.

Reason: To minimise dust arising from the operation in the interest of local air quality.

- (12) Notwithstanding the details submitted, full details of proposed balcony materials, as well as measures for screening shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The approved details shall thereafter be implemented in full and retained unless otherwise agreed in writing with the Local Planning Authority.

Reasons: In the interests of the privacy of adjoining neighbouring residents

- (13) All areas shown on the approved plans, including the proposed green roof and such other areas as shall be suitably landscaped and a scheme is to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. The building shall not be occupied unless the landscape works have been completed in full and the landscaping scheme shall thereafter be maintained.

Such details shall include:-

- (i) Existing contours and levels and any alteration of the ground levels.
- (ii) Details of all trees to be removed on site, and all proposed replacement trees, including species, size and location
- (iii) Hard surfaces details including locations, materials and finishes. Proposed boundary treatments including screening, walls and fencing, indicating materials and dimensions.
- (iv) All planting including location, species, size, density and number.
- (v) Full details of the proposed Green Roof, to include all planting, including location, species, size, density and number. Native, suitable plants should be specified as much as possible, where appropriate and the general arrangement of hard and soft landscape; construction details of roof, drainage; waterproofing proposals; indicative sections across roof
- (vi) A detailed (min 5 year) landscape management plan showing requirements for the

- ongoing maintenance of hard and soft landscape.
- (vii) Details of any new habitats to be provided
- (viii) Details of the method for checking for invasive species and if present, how these will be dealt with

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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 in pursuance of section 197 of the Town and Country Planning Act 1990.

- (14) Development shall not commence until details of drainage including any on site drainage works and connections to the public system has been submitted to and approved by the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To ensure that sufficient capacity is made available to cope with the new development.

- (15) No development shall take place until details which demonstrate that the construction of the development will take place entirely within the application site and not within the area between the application site and the river unless otherwise agreed by the Council. This shall include details of the working areas, compound areas, other areas for access and storage and any other areas associated with the construction of the development. This shall also include details of the construction boundary treatment to separate the application site from the adjoining land between the application site and the river. The construction of the development shall be carried out in full accordance with the approved details.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

INFORMATIVES:

- (1) In addition to planning permission, under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank/foreshore of the Brent, designated a 'main river'.
- (2) No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), particularly the buffer alongside the River Brent shall be submitted to and approved in writing by the local planning authority. The landscape/ buffer management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- (i) detail extent and type of new planting (NB planting to be of native species)
- (ii) details of maintenance regimes
- (iii) details of any new habitat created on site
- (iv) details of methods for checking for invasive species and if present how they will be appropriately dealt with on site
- (v) details of how the bufferzone will be protected during development

(vi) details of management responsibilities

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

REFERENCE DOCUMENTS:

The London Plan 2011
Core Strategy
Brent's UDP 2004
SPG17 "Design Guide for New Development"
S106: Planning Obligations
Letters of Objection

Any person wishing to inspect the above papers should contact Avani Raven, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5016