

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 April, 2023
04
22/2560

SITE INFORMATION

RECEIVED	18 July, 2022
WARD	Brondesbury Park
PLANNING AREA	Brent Connects Kilburn
LOCATION	Yates Court Garages, Yates Court, 228 Willesden Lane, Willesden, London, NW2 5RH
PROPOSAL	Demolition of existing 17 garages and development of land to provide four new dwellinghouses, parking, refuse and cycle storage and associated landscaping
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_161171</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 "22/2560" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the committee resolve to GRANT planning permission subject to conditions.

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

Conditions

1. Time Limit
2. Approved Plans
3. Obscure glazing
4. Drainage
5. Removal of PD rights (Extensions and Alterations)
6. Car free
7. Cycle and Bin Storage
8. Tree Protection Plan and Arboricultural Method Statement
9. Construction Environmental Management Plan (CEMP)
10. Demolition and Construction Method Statement (CMS)
11. Land Contamination: Site Investigation
12. Land Contamination: Remediation
13. Materials
14. Hard and Soft Landscape
15. Lighting

Informatives

1. Party Wall Agreement
2. Building Near a Boundary
3. CIL Liability
4. Fire Statement
5. Tree Works
6. Construction Hours

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

SITE MAP



Planning Committee Map

Site address: Yates Court Garages, Yates Court, 228 Willesden Lane, Willesden, London, NW2 5RH

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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the demolition of existing 17 garages and development of land to provide four new dwellinghouses (1 x two-bedroom, 2 x three-bedroom, and 1 x four-bedroom), parking, refuse and cycle storage and associated landscaping.

EXISTING

The site comprises two rows of single storey garages (17 in total) and adjacent hardstanding to the rear of Yates Court to the northern side of Willesden Lane. The site is not within a Conservation area as designated in Brent's Local Plan, nor does it impact a Listed Building.

AMENDMENTS SINCE SUBMISSION

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

- Revised Site Layouts and Floor Plans to show revised first floor windows, disabled parking bays, EV charge points, amended bin store, block paving surfacing to Houses 01-03, reduced hard landscaping within private amenity areas, provision of an outdoor tap and access shown to shared open space
- Revised Landscape Design Report and Landscape Plan
- Revised Drainage Strategy
- Submission of Weekend Parking Survey Summary

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: 19 objections have been received. Officers have considered the comments and the planning merits of the proposal and consider that the proposal is acceptable.
- Principle: The application would create four dwellinghouses including three family dwellinghouses within a residential area with a PTAL of 4 on an intensification corridor. The general principle of the development accords with planning policy and is supported in this location.
- Standard of Accommodation and External Amenity Space: The proposal would provide well proportioned, well lit habitable rooms and generous internal dimensions. Appropriate garden space compliant with Brent policy would be provided in rear gardens.
- Design and Appearance: The proposal is considered to represent a good standard of contemporary design within the infill site and would not result in harmful impact on the character and appearance of the local area.
- Residential Amenity: The proposal would not result in a significant impact on the residential amenities of neighbouring occupiers in terms of daylight and sunlight, overlooking or loss of privacy.
- Highway Impact: The development would result in a loss of 17 garages and retain 21 off street parking spaces of which one active and two passive electric vehicle charging spaces would be provided and two widened disabled parking bays. This would be within the maximum car parking allowance. The scheme would be car-free.
- Urban Greening, Biodiversity, Ecology and Trees: The proposed development would be situated on existing garages and hard landscaping. The proposal would result in a loss of one tree but a net gain of 13 trees. Replacement shrubs green roofs, plants and trees are provided to meet the required urban greening factor. The proposed planting is considered to sufficiently mitigate the loss of biodiversity on site. The development is considered to have no significant impact on protected habitats and species.

RELEVANT SITE HISTORY

There is no relevant site history.

CONSULTATIONS

110 neighbouring and nearby properties including Chatsworth Area Residents Organisation were consulted on 21/07/2022 on and later reconsulted on 09/01/2023 following the submission of a weekend parking survey summary, revised landscaping, drainage and amended site plans for a 21-day period.

19 objections were received.

Reasons for objecting	Officer's Comment
Concerns regarding noise, working hours, waste pollution, disturbance, dust and vehicles during construction Requiring the submission of a Construction Management Plan or Construction Logistics Plan Concerns regarding the use of garden during construction work Concerns regarding security during construction Concerns regarding communication/relationship during construction	Construction and demolition works are essential for the growth and redevelopment of Brent. However the noise and disturbance associated with such works can affect those living and working in close proximity. The Control of Pollution Act 1974 gives powers to the Council which can restrict working hours and allow conditions to be stipulated on the types of machinery/ plant that are used on construction sites and complaints can be made to the Council's noise team where nuisances occur. Due to there being other primary legislation which controls this work, these issues cannot be considered within the planning assessment. A Construction Management Plan is recommended to be secured via a condition.
Concerns regarding increased costs for existing residents including service charges and council tax Costs of planting regime and maintenance	These comments are noted however they are not material planning considerations.
Concerns regarding boundary wall/fence heights	Further detail will be secured via condition.
Concerns regarding location of play space, materials, loss of effect on trees, surveillance	There are no proposed loss of trees as a result of the playspace. The play space is proposed with soft landscape features including stepping stones, wooden balance beams and jumping discs. The play area is overlooked by existing residential windows and windows of proposed House 04 providing natural surveillance.
Concerns regarding proposed landscaping in communal garden	The proposed landscaping details within the application have been assess in sections 7, 8 and 9 of the report.
Concerns regarding lack of parking and parking in undesignated areas Concerns regarding weekend parking including stress from nearby temple Concerns regarding turning and road access issues Concerns regarding traffic	Please see section 5. Transport Considerations within the main report.

Development should be car free	
Request for electric vehicle charging points	
Concerns regarding loss of privacy for residents of Yates Court and neighbouring properties including green space	Please see section 4. Impact to Neighbouring Amenity within the main report.
Concerns regarding overlooking	
Concerns regarding loss of light	
Concerns regarding overdevelopment and overcrowding	Local and National planning policies encourage efficient use of land. The addition of four homes is not considered to be an overdevelopment of the site or significantly result in overcrowding of the area.
Increased risk of infection and reduced health and wellbeing	
Comments on existing unoccupied flats within Yates Court	The planning department must consider the merits and impact of the proposed development.
Loss of green space	The proposed dwellings would not be situated in areas of green space.
Increased noise	All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'. If approved, Building Regulations will be required to ensure that the construction of the build is suitable to meet recommended internal and external noise levels.
Economic impact of loss of garages and storage space	These comments are noted however they are not material planning considerations.
Concerns regarding inaccuracies with parking survey	The inaccuracies noted from within the Weekday Parking Summary were an incorrect building name and inaccurate road now. This summary was received during the course of the application to accompany the Weekend Parking Summary. The full weekday parking survey was provided at submission. While the mistakes within the summary report are noted, it is clear that the survey relates to Yates Court and the information was available from submission and this has been re-confirmed by the planning agents.
Surfacing/paving should be improved throughout Yates Court	While there is no requirement or indication for surfacing throughout Yates Court. Further detail will be required via condition to ensure that the meeting of paving materials within and accessing the site does not undermine the quality of the development.
Residents have previously requested use of garages	These comments are noted, however, they do not form part of the planning assessment.
Concerns regarding impact on local services including GP services, transport, schools and	Given the scale of the development proposed, the projected occupancy is not considered to

other services in the local area	have a significant impact on local services.
Concerns regarding consultation process and requesting a public meeting	This relates to the applicant's consultation rather than that carried out by the Council as part of this planning application. Flyers/mail drops to interested parties for this scale of development are in accordance with the Council's published Statement of Community Involvement.
Site exceeds 0.25ha misinterpretation of London's small site policy	See discussion within paragraphs 1.3 to 1.6.
Concerns regarding rise of Anti-Social Behaviour and requesting use of gates Fire risk from enclosing garden/courtyard	Objections received have varying opinions of the installation of security measures. The proposal does not involve a gate and open access is maintained to the existing garden/courtyard between House 04 and Yates Court with a width of 2.7m . The proposal has been designed to provide natural surveillance of the adjoining spaces which typically decreases risks of anti-social behaviour and security/safety issues.
Impact on bats and natural habitats	Please see section 8. Ecology within the main report.
Concerns regarding loss of trees Contrary to Brent Climate & Ecological Emergency Strategy	The development proposes the loss of 1 tree and the planting of 14 additional trees. Please see section 9. Trees within the main report.
Devaluation of Yates Court property prices	Loss of value is not a material planning consideration.
Concerns regarding infrastructure for waste and recycling in terms of capacity, cleaning and maintenance Concerns regarding refuse storage in terms of location, appearance and proximity to existing residential units	Revised refuse details were submitted during the course of the application. Please see paragraph 5.31
Concerns regarding impact to the amenity of existing residents including quality of life and wellbeing	Please see section 4. Impact to Neighbouring Amenity within the main report.
Concerns regarding lack of maintenance for existing block Yates Court	These comments are noted, however, works to the existing building are not covered within the scope of this planning application and maintenance of the existing buildings cannot be considered when evaluating this planning application.
Request for provision of replacement cold water tap	Revised plans have been received including the provision of a tap on the refuse store.
Concerns regarding electricity to new homes/national grid supply	The scale and location of this application is such that it is no expected to result in significant impacts to electricity supply.

Concerns regarding damage to nearby properties	The Party Wall Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. Due to there being other primary legislation which controls these impacts they do not hold any significant weight in terms of a planning assessment.
Concerns regarding drainage	Please see section 6. Drainage and Flood Risk in the main report.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the

- London Plan 2021
- Brent Local Plan 2019-2041

Key relevant policies include:

London Plan 2021

D1 London's form, character and capacity for growth
D3 Optimising site capacity through the design-led approach
D4 Delivering Good Design
D6 Housing quality and standard
D12 Fire Safety
H1 Increasing housing supply
H2 Small sites
HC1 Heritage conservation and growth
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving Air Quality
SI 12 Flood risk management
SI 13 Sustainable drainage
T5 Cycling
T6 Car Parking
T6.1 Residential parking

Brent Local Plan 2019-2041

DMP1 Development Management General Policy
BD1 Leading the Way in Good Urban Design
BH1 Increasing Housing Supply in Brent
BH2 Priority Areas for Additional Housing Provision within Brent
BH4 Small Sites and Small Housing Developments in Brent
BH13 Residential Amenity Space
BGI1 Green and Blue Infrastructure
BGI2 Trees and Woodlands
BT1 Sustainable Travel Choice
BT2 Parking & Car Free Development
BSUI3 Managing Flood Risk
BSUI4 On Site Water Management and Surface Water Attenuation

Other material considerations

The following are also relevant material considerations:

- National Planning Policy Framework

- National Planning Practice Guidance
- Supplementary Planning Guidance / Documents:
 - SPD1 Brent Design Guide 2018

DETAILED CONSIDERATIONS

1 Principle

1.1 Delivery of Additional Housing

1.2 Policy H1 of the London Plan identifies a target for Brent's housing stock to be increased by 2,325 dwellings per annum for the period 2019/20-2028/29, reflecting a high demand for the delivery of new homes across London. Brent Local Plan policy BH1 reflects this target.

1.3 Policy D3 of London Plan requires developments to make the best use of land by following a design-led approach that optimises the capacity of the site, with development that is the most appropriate form and land use for the site, with the policy recognising that small sites make a significant contribution towards increasing housing supply within London. This is also set out in policy H2 of London Plan which relates to small sites, defined within the policy as sites below 0.25 hectares (Ha) in size. It is noted that the application includes the entire Yates Court site which is 0.42 Ha in size and therefore greater than the size referred to in the policy. Some comments have been made that the small sites policy is not applicable, which is arguable given the total site area. However, the London Plan small sites policy promotes development within "small sites", and does not prevent developments where the application site area is above 0.25 Ha and D3 does continue to promote the best use of land as discussed above. It is also noted that the development is proposed to the rear of the site within an area of the site considerably below 0.25 Ha.

1.4 In response to the strategic policy position above, the Council has set out priority areas for new housing under Brent Local Plan policy BH2 and BH4.

1.5 Policy BH4 relates to small sites and small housing developments in Brent and supports the delivery of small housing developments, where consistent with other policies in the development plan. It acknowledges that in priority locations (of PTAL 3-6), intensification corridors, or a town centre boundary the character may change over the Local Plan period. The policy also notes that development can be through the redevelopment of flats, non-residential buildings and residential garages. The site falls in a priority location as defined by as defined by Policy BH4 in that it has good accessibility with PTAL rating of 4 and sits on an intensification corridor of Willesden Lane. It should be noted that the local plan definition of small sites is those below 0.25 Ha or 25 dwellings. As discussed above, the total site area is above 0.25 Ha (albeit with the proposed development within an area considerably smaller than 0.25 Ha). However, in relation to Brent policy, developments of fewer than 25 dwellings fall within the scope of this policy even where the application site area is above 0.25 Ha.

1.6 To summarise the principle of development is considered acceptable, subject to an assessment of all other planning considerations outlined in the following sections of this report.

2. Housing

2.1 Affordable Housing

2.12 Brent Local Plan Policy BH5 Affordable Housing requires development between 5-9 dwellings to make a financial contribution for the provision of affordable housing off-site. Two fixed rates across the borough have been set depending on their land values.

2.13 This application proposes 4 dwellings, as such, a financial contribution for the provision of affordable housing is not required. Nevertheless, all dwellings are proposed for London affordable rent which is welcomed. It is set out within the submission that all dwellings are intended to be provided as London Affordable Rent. This is welcomed, but, not required by Planning Policy and as such, it would not be reasonable to require the provision as London Affordable Rent through planning condition

2.2 Housing Mix

2.21 Local Plan Policy BH6 seeks to deliver a target of 25% of new homes as family sized (3 bedrooms or more) dwellings. For every four dwellings included within developments at least one must be 3 bedrooms or

more.

2.22 The development proposes 1 x two-bedroom, 2 x three-bedroom, and 1 x four-bedroom property. Three of the four dwellings would be family sized which would exceed policy targets.

2.3 Accessible Housing

2.31 London Plan Policy D7 requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.

2.32 Each of the proposed dwelling will be compliant with part M4(2) which would provide accessible and adaptable dwellings.

2.4 Standard of Accommodation

2.41 Local Plan Policy DMP1 states that new development must provide high levels of internal and external amenity. The size of dwellings and rooms should be consistent with London Plan Policy D6 specifically Table 3.1 'Minimum internal space standards for new dwellings'. Housing development should maximise the provision of dual aspect dwellings.

2.42 London Plan Policy D6 also requires at least 75% of the GIA of each flat to have an internal floor-to-ceiling height of 2.5m. This exceeds the national standard of 2.3m as higher housing and the urban heat island effect are more prevalent in London, and a higher standard is required to ensure adequate quality in terms of daylight penetration, ventilation and cooling, and sense of space.

2.43 House 01 creates a 2b3p dwelling of 62.55 sqm across a single storey that exceeds minimum space standards. Both the single and double bedroom are well sized. Storage space falls marginally short (0.15sqm) of the built-in storage requirement. However, given the unit exceeds a minimum floor area for the proposed occupancy, this is not considered to significantly harm the standard of internal amenity. Habitable rooms are served by northern and western windows. It is noted the aspect for the bedrooms would have an outlook which is close to the fence to the rear of the site (2.35m) which is not an ideal outlook. However, the living/kitchen/dining room would be dual aspect with a larger 4.4m separation to the western boundary of the site. Overall, considering the constraints of the site and the well lit main living space, the proposed fenestration is considered to provide adequate light and outlook.

2.44 Houses 02 and 03 creates a 3b5p dwelling of 110.77 sqm across two storeys that exceeds minimum space standards. Both the single and double bedrooms are well sized. Built in storage exceeds requirements. Habitable rooms are served by northern, southern and western windows which are considered to provide good levels of light and outlook.

2.44 House 04 creates a 5b7p dwelling of 119.56 sqm across two storeys that exceeds minimum space standards. The single, twin and double bedrooms are well sized. Built in storage exceeds requirements. Habitable rooms are served by windows on all elevations which are considered to provide good levels of light and outlook.

2.45 Proposed sections confirm that floor to ceiling heights across the proposed dwellings will achieve 2.5m across 75% of the floor area.

2.5 External Amenity Space

2.51 Local Plan Policy BH13 establishes that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 50sqm per home for family housing (3 bedrooms or more) situated at ground floor level and 20sqm for all other housing.

2.52 The BH13 requirement is for amenity space to be of a "sufficient size and type". This may be achieved even when the 'normal expectation' of 20 or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where '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'. Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is 'sufficient', even where a shortfall exists in private and/or communal space.

2.53 With regard to quality of the space, the supporting text to policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.

2.54 London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth requirement of 1.5m is reaffirmed in the policy.

2.55 Each of the proposed dwellings will be served by private amenity space in the form of gardens. Houses 01, 02 and 03 provide areas of soft landscaping, patio and planting. House 04 provides a patio and planting. All areas meet Local Plan Policy in terms of quantity proposed. In terms of quality, objections have been raised regarding the extent of hard landscaping. During the course of the application additional areas of soft landscaping in the form of grass lawn has been provided to Houses 01, 02 and 03. The limited depth of the amenity area for House 04 makes the provision of grass more difficult to suitably maintain. The development also includes new landscape works to the existing public open spaces within the site. Overall, the amenity areas are considered sufficient to meet the needs of future occupiers.

3. Character and Design

3.1 The NPPF seeks developments of high quality design that will function well and add to the overall quality of the area, responding to local character and history, reflecting the identity of local surroundings while not discouraging appropriate innovation, establishing or maintaining a strong sense of place, and optimising the potential of the site to accommodate an appropriate amount and mix of development. London Plan Policies D3 and D4 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth, supporting higher densities in well-connected locations.

3.2 Brent's Policy DMP1 and the Brent Design Guide SPD1, provide further guidance on principles of good design. Local Plan Policy BD1 seeks the highest quality of architectural and urban design, including innovative contemporary design that respects and complements historic character.

3.3 The site lies to the rear of Yates Court. The surrounding area contains a mixture of typologies including four storey flatted development, Yates Court; three storey block of flats, No.236 Willesden Lane with a pitched roof and, two and three storey semi-detached and detached houses on Willesden Lane to the south and Chatsworth Road to the north. In terms of massing, the proposed four houses would be compact, distinct and detached aligned east to west in proximity to the rear garden boundaries of No.78 to 86 Chatsworth Road. The dwellings would be angular in form, ranging from a single storey to two storey elements with a mixture of flat roof and pitched roofs to set the property away from neighbouring gardens. The proposed dwellings are well arranged within the site, subordinate to the locality and do not visually compete with the surrounding typologies.

3.4 In terms of materials, the immediate context has a varied materiality. Yates Court features light coloured brick and white details. No.236 Willesden Lane contains yellow brick with orange brick banding details and dark brown window surrounds and roofing. Larger houses on Willesden Lane and Chatsworth Road have brick and render facades. The proposed principal elevations would feature light buff/brown brick with some white brick detailing. Window surrounds would be PPC Aluminium in a beige colour and doors are indicated as red engineered hardwood. Fair faced precast concrete elements are employed in windows sills, low wall coping and entrance canopy. Final details of materials will be secured via a planning condition. However, the proposed palette corresponds well to the existing garages and nearby Yates Court.

4. Impact to Neighbouring Amenity

4.1 SPD1 advises that development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies.

4.2 Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy as well as high quality design and solutions which can sometimes mitigate impacts and allow for efficient use of land.

4.3 The building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where

proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of two metres.

4.4 The development site is bordered by rear gardens of No. 78 to 90 of Chatsworth Road to the north, rear gardens of No.242 to 236 Willesden Lane to the south and west and Yates Court and its amenity area to the east and south.

4.5 Massing and Height

4.51 The height and volume of the proposed dwellings sit below a 45 degree line from the edge of the gardens of Chatsworth Road and Willesden Lane. This is indicated in the submitted proposed section. The rear habitable windows of Chatsworth Road are set over 30m away to the boundary and as such the massing complies with a 30 degree line to the north. To the south, the rear windows to Willesden Lane are set over 20m away and given the maximum height, the massing complies with a 30 degree line with regards to these neighbouring properties. With regards to Yates Court, there are no habitable windows on the northern elevation of the building in close proximity to proposed House 04. The massing of House 04 is in close proximity to the shared amenity space of Yates Court. A small portion first floor of House 04 would exceed the 45 degree line, however, given that this courtyard space is shared, within the site and in close proximity to trees, it is not considered that the massing would harm the amenity of the area. The massing of House 04 also broadly aligns with front and rear elevations of the adjacent wing of Yates Court.

4.52 Overall, the massing and height broadly complies with SPD1 guidance and the bulk of the proposed buildings are not considered to detrimental impact the sense of enclosure or outlook of nearby occupiers.

4.6 Privacy and Overlooking

4.61 For House 01, windows are proposed to the north and west elevations, these are within 9m of the shared boundary however as these are limited to the ground floor, any boundary treatment would prevent direct overlooking. Houses 02, 03 and 04 have ground floor windows that equally face amenity areas protected by boundary treatments or the shared paved area to the frontage. At first floor habitable windows for Houses 02 and 03 are angled away from nearby gardens and windows or obscure glazed. House 04 has two first floor eastward facing windows with a separation of minimum 3.5m towards the shared amenity space of Yates Court. While this would not meet a 9m separation, this is a shared amenity space which is already overlooked by the existing eastward facing windows from Yates Court along the same orientation. As such, the additional two windows are not considered to cause significant harm to privacy over the existing arrangement.

4.7 Daylight and Sunlight

4.71 The applicant has provided a Daylight & Sunlight Report. For impact to neighbouring buildings, the BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. If this remains at least 0.8 times its former value, the room will not experience a noticeable level of impact.

4.72 To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months, or when amenity spaces receive less than two hours sunlight on 21 March or less than 0.8 times their former value.

4.73 However, the BRE also recognise that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas. The NPPF recognises that a flexible approach should be taken when applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, and the resulting scheme would provide acceptable living standards.

4.74 The assessment has been undertaken using the VSC, NSL, and APSH (sunlight) tests set out within the BRE guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (2011). It is noted that the assessment was undertaken using the 2011 edition rather than the 2022 edition (released in June 2022). However, the assessment does not differ in relation to the impacts on surrounding properties. Given the height and the siting of the scheme, there are no significant effects in daylight / sunlight to the neighbouring

properties. This is confirmed by the full BRE compliance rate to all of the relevant residential windows and rooms neighbouring the scheme. The effects of the proposal are therefore in full accordance with the BRE guidance and the development is not considered to harm neighbouring amenity with regards to daylight and sunlight.

5. Transport Considerations

5.1 Overview

5.11 Willesden Lane is a London distributor road & bus route. On street parking is restricted on weekdays with the wider area within a controlled parking zone. There are garages and a parking court to the rear of Yates Court containing 11 hardstanding spaces and 17 garages. Access is from Willesden Lane with two crossovers.

5.2 Car Parking and Access

5.21 Car parking allowances in Brent are set out in Appendix 4 of the adopted Local Plan and for residential development, this requires compliance with the standards set out in Table 10.3 of the London Plan. As the site has good access to public transport services (PTAL 4), the maximum parking standards allow up to 0.5-0.75 spaces per dwelling. It is specified that the lower standard applies for development proposals that are higher density or in more accessible locations.

5.22 The sizes of the 36 existing flats are not known, but the maximum parking standards allow the same number of spaces per dwelling for 1-2 bedroom homes as they do for 3+ bedroom homes. On this basis, up to 18 / 27 off-street parking spaces would be allowed for the existing homes and the existing provision of 46 spaces exceeds the maximum allowance.

5.23 This proposal would increase the parking allowance by 2-3 spaces to 20/ 30 spaces. At the same time, the off-street parking provision would be reduced to 21 spaces through the demolition of the rear garage court and removal of most of the rear car park. The site would therefore be brought into line with current maximum standards as a result of this proposal.

5.24 Policy BT2 also requires that any overspill parking that is generated can be safely accommodated on-street. In this case, the site fronts a major London distributor road and bus route which needs to be kept clear to cater for high volumes of traffic. The street frontage does not therefore offer scope to accommodate parking from this site. It is therefore considered desirable that the site continues to provide sufficient off-street parking to meet existing demand. In this respect, 2011 Census data records car ownership for flats in the immediate area as averaging 0.57 cars/flat, which would suggest existing parking demand of about 21 cars. However, site photographs suggest that parking numbers in the site generally vary between 10-15 cars during the day. The applicant has undertaken two overnight parking surveys on consecutive nights in December 2021 which also showed parking demand of 14-15 cars at night. On this basis, the retention of 21 spaces within Yates Court would be sufficient to satisfy demand from both the existing flats and the new houses and overspill parking appears unlikely to be generated as a result of this proposal. The applicant has also confirmed that of the seventeen existing garages, eight are currently unused and none of the remainder are used for car parking.

5.25 During the course of the application, weekend surveys were also taken on Saturday and Sunday to coincide with prayer times and temple activities at the nearby Shree Swaminarayan Temple. The results of the survey show that the worst-case parking stress reached 12 spaces occupied. The information demonstrates that there is sufficient capacity to meet any additional demand caused by the development.

5.26 During the course of the application, of the spaces that are to be retained, two spaces have been widened and marked for disabled persons.

5.27 One active and two passive electric vehicle charging spaces have also now been indicated on the submitted site plan. Initially, 20% of spaces (five spaces) were requested with active electric vehicle (EV) charging points. However, on balance, whilst the demand for EV chargers is increasing, it is considered that this requirement can be applied uniquely to the new spaces as opposed to the existing.

5.28 Access for fire appliances, refuse and service vehicles will be retained via the existing driveway to the side of Yates Court. A turning head needs to be retained in the vicinity of the new houses to allow such vehicles to enter and leave the site in a forward gear. In this respect, service vehicles are able to reverse onto the proposed block paved area fronting House 03, using sufficient turning space available. This is

demonstrated in tracking diagrams provided.

5.29 Finally, a pedestrian footway is already provided through to the rear of the site to serve the rear entrance to Yates Court and this will link into the proposed block paved footway serving House 04. Revised plans also include the extension of the block paved surfacing to provide a shared surface; extending from the existing block to Houses 01-03 welcomed in terms of improving pedestrian access.

5.3 Cycle and Refuse Storage

5.31 The London Plan requires each dwelling to be provided with two secure bicycle parking spaces. Double bike lockers are proposed within the curtilage of each house to meet this requirement. In addition, a new secure store for eight bicycles is proposed at the northern end of the existing flats for existing residents, which is also welcomed.

5.31 A shared bin store is proposed on the western side of the access drive to allow easy access for collection. The bin store has been amended to reprovide for the existing tenants in Yates Court. Objections have been raised about the location and appearance of the bin store. The bin store is located 15m from west facing windows of the rear wing of Yates Court. The bin store is set along the boundary and also includes the physical separation of the existing parking spaces. As such, the location is not considered to be of detriment to the outlook of these occupiers. In terms of appearance, the bin store would be constructed in facing brick, high quality light buff/brown brick with galvanised steel doors powder coated to match aluminium windows and other metal work elements. As such, the bin store would suitably match the proposed development and existing buildings.

6. Drainage and Flood Risk

6.1 Brent Local Plan Policy BSUI4 sets out proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems. Proposals that would fail to make adequate provision for the control and reduction of surface water run-off will be refused.

6.2 The site is in flood zone 1 with a low risk of flooding. The site is not within a critical drainage area.

6.3 The applicant has submitted a Drainage Strategy. The strategy employs the London Plan Policy SI 13 surface water hierarchy. Rainwater harvesting is proposed on site in the form of water butts which can be used for irrigation. As the underlying geology is London Clay, infiltration rates on site are expected to be very low, therefore it is not considered feasible to discharge the site to ground. Small rain gardens are proposed within the site with green/brown roofs proposed on top of areas of flat roof on the houses and individual bin and cycle store areas. Finally, discharge to surface water body is not feasible, therefore it is proposed to discharge to the private surface sewer which serves Yates Court.

6.4 The greenfield runoff rate has been calculated for this development for a range of return period events to be <0.2l/s for the 1 in 1 year event, 0.6 l/s for the 1 in 30 year event and 0.8l/s for the 1 in 100 year event. This would represent a 91.4% reduction. Officers consider the strategy to be acceptable in principle with acceptable reduction rates. The strategy also includes maintenance plans for SuDS. These measures will be conditioned to ensure compliance.

7. Urban Greening and Biodiversity

7.1 Brent Local Plan Policy BGI1 Green and Blue Infrastructure and the London Plan Policy G6 sets out that development should aim to secure a net biodiversity gain. Brent Local Plan Policy BH4 in line with London Plan Policy G5 requires all minor development proposals to achieve an UGF score of 0.4 on site. This score needs to be demonstrated through a landscape masterplan that incorporates green cover into the design proposal. It should be accompanied by a score table measuring the UGF leading to better quality green cover on site.

7.2 The applicant has provided a Landscape Design Report. The plan includes proposed boundary/hedge planting, amenity lawn, proposed trees and plants, green roofs and a play area. The UGF score has been calculated as 0.44 which would meet policy requirements.

7.3 Objections have been raised regarding the play space. The play space is situated in an existing amenity area and will be integrated with the soft landscape with key features to include stepping stones, robust wooden balance beams and jumping discs. This is not considered to harm the amenity value of the green

area.

8. Ecology

8.1 The applicant has submitted an Ecological Impact Assessment prepared by Waterman dated July 2022.

8.2 The site is not located within or adjacent to any statutory designated sites. Westbere Copse Local Nature Reserve is located within 1 km of the site. The site is located within an urban environment, bordered by residential houses and gardens to the north, west and south east together with garden spaces of the Shree Swaminarayan Temple to the east and the A4003 Willesden Lane to the south. Beyond this are further areas of predominantly residential development together with an active railway line which forms the Metropolitan Line Between Kilburn and Neasden Site of Importance for Nature Conservation (SINC), which is the closest non-statutory designated site.

8.3 The Ecological Impact Assessment includes the results of an ecological desk study, comprising an ecological data search and review of existing information; a UK Habitat Classification (UKHab) Field Survey; a Preliminary Roost Assessment (PRA) at buildings and trees (external and ground based) for bats; evening emergence surveys for bats at buildings; and a survey for common invasive non-native plant species.

8.4 No significant impact is anticipated from the proposed development on off-site and on-site habitats. With regards to birds, the site provides foraging and nesting opportunities for common species of urban bird only and no significant nesting bird assemblages are considered likely to be present. No significant impact is anticipated from the development on invertebrates and other protected fauna and flora. The assessment provides suggested measures during the construction including a Construction Environmental Management Plan, to ensure the proposed development minimises impact on any retained habitations within the site. This is will secured via a condition.

8.5 With regards to bats, no roosting bats were recorded emerging from buildings or Trees T1 and T2 during the evening emergence survey undertaken at the site. Consequently, roosting bats are considered likely to be absent from the site. Given that the earliest recording time for common pipistrelle occurred within the typically emergence time for this species, it is also likely that further common pipistrelle roost is present within the vicinity of the site. Habitats adjacent to and within proximity of the site including private residential gardens and urban trees also provide suitable foraging and commuting opportunities for bats to a greater extent than that provided by the site itself. Low levels of activity by common pipistrelle bats were recorded during the evening emergence survey. The site is highly unlikely to comprise an area upon which the local bat population would be dependent. Should roosting bats be discovered during the course of works, all works should immediately cease as specified in the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended). An appropriate lighting strategy during construction and operation will minimise impact on foraging and commuting bats.

9. Trees

9.1 Brent Local Plan Policy BG12 requires submission of a BS5837 or equivalent tree survey detailing all trees that are on, or adjoining the development site. Existing trees are to be retained on site as far as possible. Where it is agreed retention is not possible, appropriate replacement trees will need to be provided on-site.

9.2 The applicant has provided an Arboricultural Impact Assessment (AIA) prepared by waterman dated July 2023. The assessment identifies 11 individual trees, 2 groups of trees and 1 hedge row on or close to the site. None of which would be Category A (high amenity value), 2 of which would be Category B (moderate amenity value) and the remaining would be Category C (low amenity value) and Category U (poor condition) trees. It is stated that the U grade tree could be removed for Arboricultural reasons irrespective of any development proposals. The site is affected by TPO 43.10/149 which protects on Bay tree (T6) to the rear of 240 Willesden Lane. This tree may sit within G2 of the surveyed trees in the AIA.

9.3 The applicants propose to remove 1 Category C hedgerow, however a further 2 Category B trees and 8 Category C individual and group of trees will be retained but require additional protection. To mitigate for the loss of the hedgerow, 15 new trees will be planted within the gardens and public spaces of the development and hedging is proposed in the location of the removed.

9.4 These proposals have been reviewed by Brent's Principal Tree Officer who notes that the four new dwellings are all situated very close to trees, both impacting the RPA of trees and sited beneath the canopies to a significant extent. The limited amenity space is mostly laid patio and the site is surrounded by large trees. The RPA of these trees is likely to be significantly affected and the construction within these areas will also

result in necessary pruning which will then need to be repeated at intervals.

9.5 The tree planting indicated in the submitted strategy is considered an appropriate level for the loss of trees. However, in order to minimise any impact on trees, careful consideration will be required with regards to the construction of the proposed dwellings. Conditions are required with regards to tree protection and further landscaping details.

9.6 Overall, while the potential impact to existing trees is noted, having regard to the replacement tree cover, with careful consideration to tree protection measures and details of hardsurfacing and soft landscape works prior to the commencement of the development, it is considered that sufficient amenity will be maintained on site.

10. Fire Safety

10.1 Policy D12A of the London Plan (as well as the draft London Plan Fire Safety Guidance) requires all development proposals to achieve the highest standard of fire safety and requires submissions to demonstrate that they:

- 1) identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) provide suitable access and equipment for fire fighting which is appropriate for the size and use of the development.

10.2 The applicant has provided a fire statement which has addressed the above requirement, in accordance with policy D12A of the London Plan.

11. Environmental Health Considerations

11.1 Environmental Health officers have recommended that the standard conditions are attached regarding land contamination due to the previous use of the site for parking. A condition is also recommended requiring the approval of a Construction Method Statement in relation to demolition and construction. It is recommended that permission is granted subject to these conditions. A condition was also recommended regarding noise levels for the proposed dwellings. However, the proposed dwellings would be situated some distance from noise sources (approximately 130 m from the railway with two rows of houses between the railway and the site, and not fronting a busy road) and this is not considered to be necessary to make the development acceptable in planning terms.

12. Equalities

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

13. CONCLUSION

13.1 Whilst proposal would result in the construction of dwellings within the RPA of existing retained trees on site, having regard to the replacement tree cover, in addition to proposed quality of accommodation, provision of family homes and proposed amenity spaces, the proposal is considered to respond well to design policies without compromising neighbouring amenity. The proposal therefore complies with the Development Plan and guidelines set out within SPD1.

Approval is accordingly recommended.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 22/2560

To: Mr Farren
Maddox and Associates Ltd
33 Broadwick Street
London
W1F 0DQ

I refer to your application dated **18/07/2022** proposing the following:

Demolition of existing 17 garages and development of land to provide four new dwellinghouses, parking, refuse and cycle storage and associated landscaping

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

at **Yates Court Garages, Yates Court, 228 Willesden Lane, Willesden, London, NW2 5RH**

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: 11/04/2023

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 2021
The London Plan 2021
Brent Local Plan 2019-2041

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

P 0001 Existing Site Location Plan
P 0010 Existing Site Plan
P 0200 Existing Context Elevations
P 0201 Existing South Elevation
P 0202 Existing North Elevation
P 0203 Existing West Elevation - Garages
P 0204 Existing West Elevation - Yates Court
P 0205 Existing East Elevation
P 2000 Proposed Context - South Elevation
P 2001 Proposed Context East & West Elevations
P 2010 Proposed South Elevation Houses 01-04
P 2011 Proposed North Elevation Houses 01-04
P 2012 Proposed East and West Elevations House 01
P 2013 Proposed West and East Elevations House 02/03
P 2014 Proposed West and East Elevations House 04
P 3000 Proposed Long Section A-A House 01-04
P 3001 Proposed Section B-B, C-C and D-D House 01, 02 and 04
P 1000 Rev B Proposed Ground and Landscape Plan
P 1001 Rev B Proposed Site Plan
P 1002 Rev B Proposed Ground Floor Plan
P 1003 Rev B Proposed First Floor Plan
P 1004 Rev B Proposed Roof Plan
L-100 P04 General Arrangement Plan

WIE-18009-SA-95-0012-A01 A01 Yates Court Brent Infills (Tracking Diagrams)
Landscape Design Report November 2022 Revision 004
Drainage Strategy dated October 2022 prepared by waterman
Planning Statement dated July 2022
Brent Infill - Yates Court Site Stage 3 Fire Strategy July 2022
Daylight & Sunlight Report prepared by eb7 dated July 2022
Ecological Impact Assessment dated July 2022 prepared by waterman
Arboricultural Impact Assessment dated July 2022 prepared by waterman
Design and Access Statement July 2022
Parking Survey Wednesday 15th December 2021, Thursday 16th December 2021 prepared by tss
Yates Court - Weekday Survey
Yates Court - Weekend Survey

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

- 3 Prior to the first occupation of the development, the obscure glazing to the first floor windows shall be installed in accordance with the annotations provided within drawing P1003 Rev B hereby approved. The obscurity of the windows shall then be permanently retained for the lifetime of the development.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 4 The measured within the Drainage Strategy prepared by Waterman dated October 2022 shall be adhered to and implemented in full prior to the completion of the development hereby approved.

Reason: To implement and manage sustainable drainage systems on site.

- 5 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

- 6 Occupiers of the residential units, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 7 The approved cycle parking and refuse storage arrangements shall be implemented in full prior to first occupation of the development and permanently retained as approved unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure satisfactory facilities for future occupiers.

- 8 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837: 2012 including a tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the local planning authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/utilities/drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS5837: 2012) of the retained trees
- c) Details of construction within the RPA that may impact on the retained trees (both on and off site)
- d) A full specification for the installation of boundary treatment works
- e) A full specification of the construction of any roads, parking areas and driveways to be

- constructed using a no-dig specification including the extent, they should also be permeable.
- f) Detailed levels and cross sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within the RPS is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
 - g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
 - h) A specification for scaffolding and ground protection within tree protection zones.
 - i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
 - j) Details of site access, temporary parking, on site welfare facilities. Loading, unloading and storage of equipment, materials, fuels and waste, as well as concrete mixing and use of fires
 - k) Arboricultural supervision and inspection by a suitably qualified tree consultant

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with local plan policies DMP1 and BGI 2.

Reason for pre-commencement condition: Impacts on trees can arise at any time from the commencement of works, and adequate controls need to be in place from this time.

- 9 Prior to the commencement of the development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to protect ecology including the implementation of mitigation measures set out in the approved Ecological Impact Assessment, the works shall then be carried out in accordance with approved details.

Reason: To protect the ecology of the site during the construction of the development.

Reason for pre-commencement condition: Construction impacts on ecology and protected species can arise at any time from the commencement of works, and adequate controls need to be in place from this time.

- 10 Prior to the commencement of the development a Demolition and Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Detailed information shall include:

- measures that will be taken to control dust, noise and other environmental impacts of the development
- parking and servicing arrangements during construction
- schedule/timetable of works
- management and security of construction site

The approved measures shall be adhered to during all phases of the development and construction.

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

Reason for pre-commencement condition: Construction impacts can arise at any time from the commencement of works, and adequate controls need to be in place from this time.

- 11 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works (excluding demolition and site clearance), that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall

include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

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

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

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

- 13 Details of materials for all external work, including specification and technical sections illustrating how specific elements of the façade may be constructed and including samples of key materials which shall be made available on-site or in another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition, site clearance and the laying of foundations). 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 Prior to the commencement of development (excluding demolition and site clearance), details of hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. These details shall include:

- i) Earthworks showing existing and proposed finished levels of contours;
- ii) Hard surfacing materials including details of permeable paving, intersection with existing surfacing, tree pit design, underground modular systems, sustainable urban drainage systems, etc.;
- iii) Minor artefacts and structures, e.g. furniture, play equipment, refuse or other storage units, signs, etc;
- iv) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc.);
- v) Details of soft landscape works shall include planting plans, written specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, plant supply sizes and proposed numbers/densities where appropriate;
- vi) Details of all fencing, walls, boundaries and means of enclosure to the site and amenity areas;
- v) An implementation programme and maintenance plan;

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied or in accordance with an approved implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

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: Required to protect and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with the local plan policies DMP1, BGI1 and BGI2.

- 15 Details of external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development (excluding demolition, site clearance and any below ground works). The approved details shall be fully implemented prior to first

occupation.

Reason: In the interests of safety, amenity and ecology.

INFORMATIVES

- 1 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 government website:
<https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>
- 2 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.
- 3 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.
- 4 The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.
- 5 The following British Standards should be referred to:
 - a) BS: 3998:2010 Tree work – Recommendations
 - b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- 6 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 Lena Summers, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5233