

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

11 December, 2024  
07  
24/0826

## SITE INFORMATION

RECEIVED	27 March, 2024
WARD	Harlesden & Kensal Green
PLANNING AREA	Harlesden Neighbourhood Forum
LOCATION	Rivington Court, Longstone Avenue, London, NW10 3RL
PROPOSAL	Proposed second and third floor extensions to 4 x existing blocks to create new self-contained residential dwellings. Associated enlargement of refuse storage, cycle parking spaces to front / rear and improvements to soft landscaping to communal garden.
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_168331">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_168331</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> _</p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "24/0826" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement.
3. An early and late stage review mechanism towards the provision of affordable housing in the event that a surplus is identified.
4. Sustainability and Energy
  - Detailed design stage energy assessment based on Part L 2021 of Building Regulations with a minimum 35% reduction on site. Initial carbon offset payment to be paid prior to material start if zero-carbon target not achieved on site.
  - Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site.
  - Be seen' energy performance monitoring and reporting
5. Biodiversity Net Gain to include:
  - Biodiversity Gain Plan
  - Habitat & Maintenance Management Plan
  - Statement of Conformity
  - Survey & Monitoring Report for Net Gain
6. Indexation of contributions in line with inflation
7. Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to impose conditions and attach the following informatives in relation to the following matters:

### Conditions

#### Compliance

1. Three-year rule for commencement
2. Approved drawings and documents
4. Number of Units
5. Cycle Parking
6. Refuse Stores
7. Car-free agreement
8. NRMM
9. Implementation of submitted Travel Plan

### Pre-commencement


10. Materials
11. Privacy Screens
12. Landscaping Details
13. Construction Method Statement
14. Construction Logistics Plan

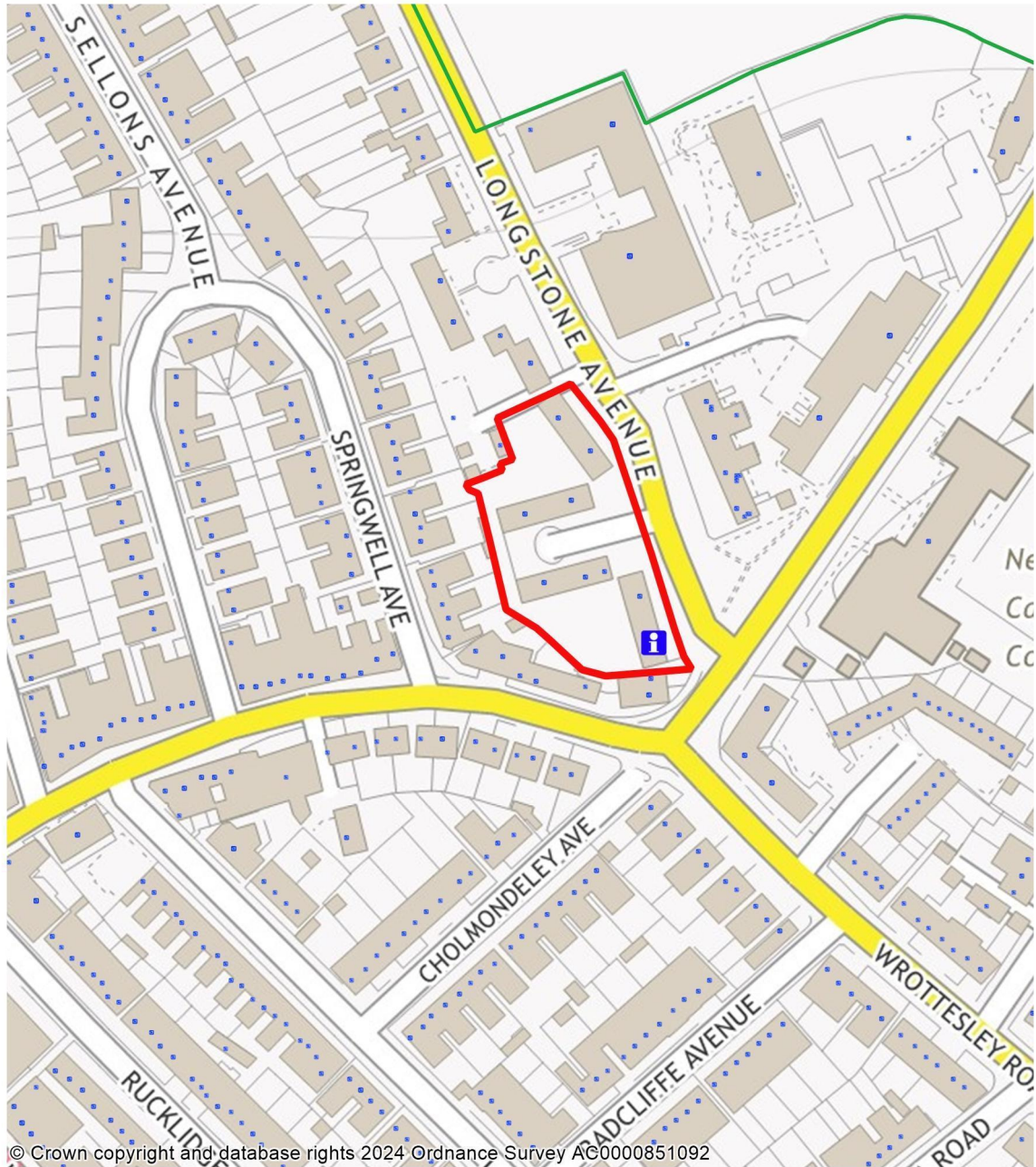
## Informatives

1. CIL Liability Approval
2. Party Wall
3. Building Near Boundary
3. Fire Statement Informative

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

## SITE MAP

	<b>Planning Committee Map</b>
<b>Brent</b>	Site address: Rivington Court, Longstone Avenue, London, NW10 3RL
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This map is indicative only.

## PROPOSAL IN DETAIL

The development proposes the second and third floor extensions to 4 x existing blocks to create 16 new self-contained residential dwellings. The proposed dwellings would comprise 2 x studios, 6 x 1-bedroom units, 4 x 2-bedroom units and 4 x 3-bedroom units. The 2 bedroom and 3 bedroom properties would have a duplex layout and the other 8 would be flats. Other works within the site would involve the enlargement of refuse storage, cycle parking spaces to front / rear and improvements to soft landscaping to communal garden.

## EXISTING

The application site is 1 - 41 Rivington Court located on the west side of Longstone Avenue. The surrounding area is predominately residential. This application concerns four of the residential blocks. Two of the blocks (A and B) are three storey brick and render buildings with pitched roofs. These buildings are parallel to each other and sited around and fronting a central cul-de-sac with a turning circle. Two of the blocks (C and D) are two-storey in height and face onto Longstone Avenue. The site lies within the Harlesden Neighbourhood Forum area. The site is not situated within a Conservation Area, nor is it nearby any Listed buildings.

## AMENDMENTS SINCE SUBMISSION

Since the submission of the application, the top floor massing of Blocks A and B has reduced to maintain a greater distance from the rear gardens and rear windows of properties on Springwell Avenue. This has resulted in the reduction of dwelling A-03-01 and B-03-01 to Studio 1 bedroom 1 person dwelling.

## SUMMARY OF KEY ISSUES

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

**Representations Received:** *17 objections were received. Further details of the comments received are discussed within the Consultation section below.*

**Principle:** *Having regard to good accessibility of the level and the proximity Harlesden Town centre, the site is considered acceptable for principle of residential intensification.*

**Affordable Housing:** *The proposed development would not provide any on site affordable housing. The scheme has been viability tested and has been demonstrated provide maximum reasonable. The legal agreement will secure early and late stage reviews.*

**Housing Mix:** *The development creates 16 units (2 x studios, 6 x 1 bedroom units, 4 x 2 bedroom units and 4 x 3 bedroom units). This would equate to 25% family sized homes.*

**Quality of Residential Accommodation:** *The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers. The flats would all be dual aspect providing good outlook and light. The amount of external private amenity space meets London Plan requirements but does not fully meet Brent's numerical requirements set out within policy BH13, however, the development provides enhanced good quality communal amenity and as such this is considered of sufficient quality and provides a variety of external communal spaces and on-site play for future occupiers.*

**Character and Appearance:** *The development proposes a good approach to rooftop extensions, utilising the existing building character while adding contemporary alterations that complement the appearance while maintaining a scale that is appropriate for the residential area.*

*Externally, the scheme proposed changes to the landscaping with the introduction of native and ecologically beneficial planting, the provision of additional furniture (seating and play facilities) within shared amenity spaces and introduction of Sustainable Drainage (SuDS) measures. In addition, the new shared cycle stores and refuse stores are proposed to the rear of the cul-de-sac. In terms of appearance, these alterations will visually enhance the amenity areas and areas surrounding the site. In addition, the provision of dedicated refuse and cycle stores in convenient locations will reduce the visual clutter on the footpath and present.*

**Heritage Assets:** NONE

**Impact to Neighbouring Amenity:** The scheme is considered acceptable with regards to privacy and overlooking. Conditions requiring privacy screening to some balconies are sought to protect neighbouring amenity space. The 30 and 45 degree lines are broadly complied with. Whilst there is a slight infringement of the 45 degree rule in part, these are limited to small corners of the proposed development. With regards to daylight, sunlight and overshadowing the scheme is fully compliant with BRE guidance, therefore the development is not considered to have an adverse impact on neighbouring residents.

**Transport Considerations:** The development is subject to a car free agreement for the new flats created. Suitable cycle and bin storage is provided. Subject to other conditions requiring a Travel Plan and a Construction management Plan the scheme is considered acceptable on transportation grounds.

**Landscape, Ecology, Biodiversity** The proposal provides a compliant Biodiversity Net Gain for the Site of 10.44%. The proposal have been demonstrated to meet an UGF with a score of 0.49. The landscaping includes ecologically beneficial planting and enhancement of current amenity areas through the planting of hedgerow, shrubs, green roof, hawthorn scrub, climbers, rain gardens and new trees. New pathways will be created providing access to proposed seating and play features for residents. Two rain gardens will be created bordering the main entrance with an area. Conditions relating to habitat management and maintenance, wildlife and nesting features, biodiversity plans and monitoring and a statement of conformity will be sought to ensure enhancements are secured. In addition, planning obligations relating to Biodiversity net gain will be secured through the S106 agreement.

**Flooding and Drainage:** A small part of the site falls within Flood Zone 3a (surface water). This area covers the end of a cul-de-sac into the site and does not cover any area of current or proposed residential accommodation. The proposals will use existing drainage connections which will not result in a net increase of surface impermeable area, will have a separation between surface and foul water systems and will include a SuDs meadow.

**Environmental Impact, Sustainability and Energy:** The measures outlined by the applicant achieve the overall required improvement on carbon savings within London Plan policy. Subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to existing/future residential occupiers.

**Fire Safety:** A Fire Statement produced by a qualified fire engineer has been submitted with the application. The statement responds to the criteria within London Plan Policy D12 (B).

## RELEVANT SITE HISTORY

Reference	Proposal	Decision	Date
23/1097	Prior approval for the construction of new dwellings on a detached block of flats: the addition of 1-storey above 2 x 3 storey residential building within Rivington Court. Comprising of 8 x 1B2P residential units (4 per block), totalling 241 sqm internal floor area (GIA), together with provision of 12 long-stay cycle parking spaces, 2 short-stay visitor cycle parking spaces as well as waste storage facilities.	Prior Refusal Required and Refused	30/05/2023

## CONSULTATIONS

### External Consultations

129 neighbouring and nearby properties were consulted for a 21-day period along with Harlesden Neighbourhood Forum commencing 10/04/2024.

A press notice and site notice were also displayed.

A further round of consultation was carried out on 6th November 2024 in relation to revised plans and additional supporting documents. A further press notice notice and site notice were also displayed.

In response a total of 17 objections were received as summarised below.

Reasons for objecting	Officer's Comment
<b>Design, Character and Impact on the Street Scene</b>	
Detrimental Impact to character and setting with concerns raised regarding height, general aesthetic and appearance of the buildings and the change in roof style, Not suitable for this location.	Refer to Design, Character and Impact on the Street Scene sections of the report.
<b>Impact on Nearby Residents</b>	
Impact to nearby neighbouring residents owing to loss of daylight, sunlight and overshadowing, to include garden spaces and a lack of consideration to windows and garden of Fort Garry	Refer to Impact on Neighbouring Occupiers sections of the report.
The proposal would result in the loss of peaceful enjoyment of neighbouring amenity spaces with permanent impact living conditions and mental health	Refer to Impact on Neighbouring Occupiers sections of the report.
The proposal would include additional residents resulting in additional noise and disturbances	The application site is located within a generally residential area. The proposed residential intensification is therefore considered to be acceptable from a noise perspective.
Impact to neighbouring amenity owing to increased overlooking and loss of privacy	Refer to Impact on Neighbouring Occupiers sections of the report.
The additional units within the proposal would detrimentally impact the neighbouring amenity of existing top floor residents within the host site.	Refer to Impact on Neighbouring Occupiers sections of the report.

<b>Parking and Highways Considerations</b>	
The proposal includes inaccuracies involving rear parking spaces which are under separate garage renters and inaccuracies with ownership of shared access road to the rear	Refer to Transport and Highway Considerations section of the report
Concerns over parking arrangements and increased traffic and number of vehicles	Refer to Transport and Highway Considerations section of the report
Concerns regarding the position of bicycle/refuse storage	Refer to Transport and Highway Considerations section of the report
<b>Other Matters</b>	
The proposal raises health and safety issues	Not all health and safety issues are material planning considerations. Relevant assessment has been undertaken within this report regarding health and safety.
The proposal would lead to high levels of disruption, inconvenience, and noise disturbance due to construction. It would also add to the construction works taking place adjacent to the host site. This would include the creation of dust, noise pollution and debris. Further concerns with regards to construction methodology, access issues during and after constructions and lack of information on scaffolding.	A Construction Method Statement and Construction Logistics Plan would be required by condition to reduce any potential noise harm from the proposed works.
Concerns have been raised regarding asbestos	Whilst this is not a material planning consideration, the Control of Asbestos would be required to comply with other standards (i.e. building Regulations)
The proposal would lead to an increase in crime, anti-social behaviour and a loss of security	The application site is located within a generally residential area. The proposed residential intensification is therefore considered to be acceptable from a public safety perspective.
Shared amenity space with many residents would be detrimental to the overall standard of accommodation.	Refer to Quality of Residential Accommodation section of the report
Limited information provided within the application submission and lack of consultation from applicant/freeholder	The application submission was considered to meet planning validation requirements to include the appropriate Certificate of Ownership being signed on the submitted Application Form. The Council actioned statutory public consultation on the development proposal within the required timeframes to invite comments.
There is a lack of appropriate infrastructure and amenities (GP access, schools and nurseries) for the increased occupancy.	A financial contribution via a section 106 Legal agreement is sought in supporting the wider borough intensification.
Details of the freeholder's intent for the site is not evident. (Lack of essential repairs and maintenance, Lack of security measures influencing lights, Opportunistic development, Money making exercise, Associated costs to upgrade common parts of building, Increased service charges for leaseholders, Compensation for residents should be given, Leaseholder concerns, Increased financial burdens)	These are not material planning considerations.
The development would incur concerns regarding fire safety and means of fire escape	Refer to Fire Safety section of the report
The structural integrity of the proposed	These are not material planning considerations.



extensions are not detailed - The date of the construction of the existing buildings predates 1948	
Social housing contribution	Refer to Housing section of the report – subheading: Affordable Housing
Lack of access by way of lifts, impact on accessibility of new homes created.	Refer to Housing section of the report – subheading: Accessible Housing
Lack of carbon offset	Refer to Energy and Sustainability section of the report
Concerns regarding surface water flooding and drainage issues, increased water pipe blockages and disruption of water tanks to the lofts	Refer to Flood Risk and Drainage section of the report
Concerns regarding size and quality of proposed flats	Refer to Quality of Residential Accommodation section of the report
Granting consent for this application will set precedents for other developments	Each planning application is assessed on its own merit and would be required to address a wide range of planning policy requirements to be deemed acceptable.
Concerns raised with the proposed flat roof resulting in damp and mould	Damp and mould are not material planning considerations. Such matters are governed by Building Regulations.
There are legal implications for granting the application	Legal implications are civil matters and any advice should be sought from a suitably qualified legal professional.

#### *Internal Consultations*

**Transport** - no objections raised. Conditions are recommended in relation to a car free scheme for the new units, implementation of the Travel Plan and the submission of a Construction Management Plan.

**Urban Design** – No objections raised. The proposal of high architectural merit could represent an exemplar and best practice approach to rooftop extensions.

**Environmental Health** - no objections raised. Conditions are recommended in relation to air quality and construction management.

**Ecology** – No objections raised. Conditions are recommended in relation to Biodiversity Net Gain, Habitat Management, Wildlife and Nesting and Planning Obligations requirements.

**Local Lead Flood Authority** – No response received. However, only a small part of the site falls within Flood Zone 3a (surface water). This area covers the end of a cul-de-sac into the site and does not cover any area of current or proposed residential accommodation.

**Thames Water** – No objections raised subject to informatives.

**Cadent Gas** - No response received from Cadent Gas regarding notifiable pipeline but no excavation required

## **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
- Harlesden Neighbourhood Plan

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  
D5 Inclusive design  
D6 Housing quality and standard  
D7 Accessible housing  
D12 Fire Safety  
H1 Increasing housing supply  
H2 Small sites  
H4 Delivering affordable housing  
H6 Affordable housing tenure  
H7 Monitoring of affordable housing  
H10 Housing size mix  
S1 Developing London's social infrastructure  
S4 Play and informal recreation  
G5 Urban greening  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
T5 Cycling  
T6 Car Parking  
T6.1 Residential parking  
T7 Deliveries, servicing and construction

### **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  
BH5 Affordable Housing  
BH6 Housing Size Mix  
BH13 Residential Amenity Space  
BH10 Resisting Housing Loss  
BSI1 Social Infrastructure and Community Facilities  
BGI1 Green and Blue Infrastructure  
BGI2 Trees and Woodlands  
BSUI1 Creating a Resilient and Efficient Brent  
BSUI2 Air Quality  
BSUI3 Managing Flood Risk  
BSUI4 On Site Water Management and Surface Water Attenuation  
BT1 Sustainable Travel Choice  
BT2 Parking & Car Free Development

### 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
  - Harlesden Neighbourhood Plan
  - Brent's Sustainable Environment & Development SPD
  - Brent's Planning Obligations SPD
  - Brent's Residential Amenity Space & Place Quality SPD

## **DETAILED CONSIDERATIONS**

### **Principle**

#### *Principle of Residential intensification*

1. London Plan Policy H1 sets a target of 23,250 new homes across a ten-year plan period from 2019 for Brent. Local Plan policy confirms that the council will maximise the opportunities to provide additional homes in the period to 2041, granting planning permission, including on appropriate windfall sites, for a minimum 23,250 homes in the period 2019/20-2028/29 and a minimum of 46,018 homes in the period 2019/20-2040/41. Brent's Local Plan Policy BH2 states that in addition to the Growth Areas and Site Allocations identified in the Plan, town centres, edge of town centre sites, areas with higher levels of public transport accessibility levels and intensification corridors will be priority locations where the provision of additional homes will be supported. Policy BP5 relating to the South Place within Brent envisages a minimum of 4,900 additional homes in the period to 2041. The Harlesden Neighbourhood Plan anticipates a minimum of 797 dwellings being provided in the Harlesden Neighbourhood Plan Area in the period to 2041.
2. Being larger than 0.25ha in site area, the site would not fall under London Plan Policy H2 which relates to small residential sites (under 0.25ha). However, Brent's Local Plan Policy BH4 would apply as this covers small housing developments (below 0.25 hectares or 25 dwellings in size). This policy identifies small sites as an additional important source of new housing and supports small housing developments through the more intensive and efficient use of sites, within the priority locations of PTAL 3-6, intensification corridors, or a town centre boundary. The entrance and the portion of the site fronting Longstone Avenue has a PTAL score of 3 (parts of the site are in PTAL 2, but the site is also close to a PTAL 5 area). It would therefore be reasonable to consider this to be a priority location for intensification under Local Plan policy BH4.
3. Whilst not within a town centre, it is noted that the site entrance is a 2-minute walk from the edge of Harlesden town centre. A variety of social infrastructure, including food shops and pharmacies, are easily accessible on foot. In addition, Roundwood Park is around 200 metres (3 minutes' walk) away and Roundwood Youth Centre is around 130 metres (2 minutes' walk) away. This makes it possible to meet many day-to-day needs within a short walk of the proposed development.
4. Harlesden Local Plan Policy H2 New housing density states that 'Density of new housing development should be optimised taking account of the development site's connectivity and accessibility and subject to the proposals being acceptable in terms of local context and design.'
5. In view of the above, residential intensification of the site is considered acceptable in principle, given its access to public transport and social infrastructure facilities, and subject to appropriate design.

### **Housing**

#### *Affordable Housing*

6. London Plan Policies H4, H5 and H6 set out the Mayor's commitment to delivering 'genuinely affordable' housing. The strategic target remains at 50% affordable housing, and a fast-track route is provided whereby applications proposing at least 35% affordable housing, a policy-compliant tenure split. Applications not meeting the criteria for the fast-track route are subject to viability testing, to determine the maximum reasonable amount of affordable housing that the scheme can support.

7. Policy H6 requires affordable housing provision to include a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; and 40% to be determined by the borough based on identified need.
8. Brent's Local Plan Policy BH5 supports this approach and sets a target of 70% of affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products.
9. The proposals have been viability tested. The applicant has submitted a Viability Study prepared by Turner Morum LLP dated March 2024. The viability of the scheme has been independently reviewed to establish whether the current offer is the maximum reasonable amount.
10. The applicant's financial viability study indicates that the scheme would result in a residual land value ("RLV") of -£853,545 (with 0% Affordable Housing) against a benchmark land value ("BLV") of £1. Where the RLV is less than the BLV, a scheme is in deficit, and as outlined above. Therefore, the scheme is considered non-viable by the applicant. The study set out the developer can choose to take a commercial decision on an individual site basis.
11. There are areas of disagreement regarding some of the provided assumptions. However, the independent review still identified a reduced deficit of - £181,415 when benchmarked against a site value of £1. Consequently, the proposed scheme cannot support any affordable housing, and this is the maximum reasonable amount. The scheme will be subject to both early stage and late-stage viability testing within a legal agreement.

#### *Accessible Housing*

12. London Plan Policy D7 Accessible housing requires proposals to provide suitable housing and choice to cater for London's diverse population. This applies to all new development. At least 10% of dwellings (which are created via works to which Part M volume 1 Building Regulations applies), should meet Building Regulation requirement M4(3) as 'wheelchair user dwellings'. All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
13. The submission does not propose any new lifts and seeks to justify this, with reference to paragraph 3.7.6 of the supporting text to London Plan policy D7 which acknowledges that lift provision may not be achievable in certain circumstances, including specific small-scale infill developments. It is accepted that the maximum height of the blocks would be four storeys and that the provision of lifts to each core may be difficult to achieve given space constraints. In this instance, it is considered that non-compliance with part A2 of London Plan policy D7 is justified with regard to the lack of a lift as the proposal is a small-scale infill development. The Design and Access Statement confirms that the new dwellings would be built to a good standard of accessibility, achieving Building Regulation requirement M4(1) at the very least.

#### *Housing Mix*

14. Local Plan policy BH6 requires that for every four dwellings included within developments at least one must be 3 bedrooms or more. A schedule of accommodation has been submitted which includes 2 x studios, 6 x 1-bedroom units, 4 x 2-bedroom units and 4 x 3-bedroom units. This would equate to four in sixteen units being family sized (25%) which would be in accordance with Local Plan policy BH6.

#### *Quality of Accommodation*

15. 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'. 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.
16. The proposed dwelling sizes are set out below:

Table 1: Dwelling Sizes

Dwelling	Dwelling Type	GIA (sqm)
Block A		
A-03-01	Studio	39.2
A-03-02	1b/2p	49.9
A-03-03	1b/2p	50.5
A-03-04	1b/2p	49.9
Block B		
B-03-01	Studio	39.1
B-03-02	1b/2p	50.3
B-03-03	1b/2p	50.2
B-03-04	1b/2p	50.5
Block C		
C-02-01	2b/3p (duplex)	73.9
C-02-02	3b/5p (duplex)	94.8
C-02-03	3b/5p (duplex)	94.8
C-02-04	2b/3p (duplex)	73.4
Block D		
D-02-01	2b/3p (duplex)	74.1
D-02-02	3b/5p (duplex)	95.1
D-02-03	3b/5p (duplex)	94.7
D-02-04	2b/3p (duplex)	74.1

17. Internally, the proposed dwellings broadly comply with London Plan policy D6 in terms of overall floor area and individual bedroom sizes. It is noted that A-03-02 and A-03-04 fall marginally short of 50 sqm which is the minimum space standard for a one storey 1b2p dwelling. However, the shortfall of 0.1 sqm is not considered to materially alter the quality and useability of the dwellings. Floor to ceiling heights across the extended floor area of Blocks A and B achieve 2.5m throughout. Blocks C and D have pitched roofs, therefore there are some minor with reduced headroom, however, over 75% of the GIA meets internal floor-to-ceiling height of 2.5m.
18. Across all Blocks, the development creates, at a minimum, dual aspect homes which provide good cross ventilation and daylight penetration. Block A and B dwellings propose north and south facing windows to habitable rooms which provide good levels of light and outlook. Block C and D dwellings propose east and west facing windows to habitable rooms which provide good levels of light and outlook. In addition, open plan living spaces lead directly onto balcony spaces and the majority of bathroom include windows to aid ventilation.
19. The daylight within the proposal has been tested as part of the submitted Daylight, Sunlight and Overshadowing Assessment. The new residential dwellings will benefit from daylight levels in excess of the requirements of BS EN 17037:2018 recommendation, therefore occupiers of the proposed dwelling will have sufficient daylight within their habitable rooms.
20. Overall, the proposed accommodation is considered good quality providing spacious, well-designed homes with good access to sunlight and daylight.

#### *Private Amenity Space*

21. London Plan Policy D6 states where there are no higher local standards, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings with an extra 1sqm for each additional occupant. The space must achieve a minimum depth and width of 1.5m.
22. Local Plan Policy BH13 establishes that all new dwellings are 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 20 sqm for all other housing.
23. Private amenity space should be accessible to all dwellings from a main living room, ideally without level changes. It should also be planned to take maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot achieve the full requirement of the policy, the remainder should be provided

in the form of communal amenity space.

24. The provision of private amenity space is set out below:

Table 2: Amenity Space Sizes

Dwelling	Dwelling Type	Amenity Space (sqm)
Block A		
A-03-01	Studio	5
A-03-01	1b/2p	5.2
A-03-01	1b/2p	5.2
A-03-01	1b/2p	5.8
Block B		
B-03-01	Studio	5
B-03-02	1b/2p	5.1
B-03-03	1b/2p	5.1
B-03-04	1b/2p	5.4
Block C		
C-02-01	2b/3p (duplex)	10
C-02-02	3b/5p (duplex)	11.7
C-02-03	3b/5p (duplex)	11.7
C-02-04	2b/3p (duplex)	9.9
Block D		
D-02-01	2b/3p (duplex)	10
D-02-02	3b/5p (duplex)	11.7
D-02-03	3b/5p (duplex)	11.6
D-02-04	2b/3p (duplex)	9.8

25. All proposed new flats would have access to a private balcony, measuring at least 5 sqm with adequate depth and width. This would meet London Plan standards. In the case of Block C and D which creates 2 and 3-bedroom dwellings, larger amenity spaces are provided split between balcony areas on the second and third floor. Nevertheless, there is a shortfall when considering Brent Local Plan standards.
26. The existing site is served by a communal amenity space which surrounds the four blocks but is principally contained in the L-shaped enclosed areas between Blocks A and D, and Blocks B and C. Combined, these areas total approximately 1,589 sqm.
27. The existing blocks contain 40 flats. With the proposed development the communal amenity spaces would need to serve 56 flats (40 existing and 16 proposed flats). The existing flats are 2-bed, self-contained flats and would therefore have require 20 sqm of space each, totalling 800 sqm. The proposed 16 flats would require an additional 320 sqm of external space. Given that each dwelling provides a private amenity area, and the communal garden areas exceed 1,500 sqm, this area is considered sufficient in size terms, provided its quality and functionality are adequate. The provision of communal amenity space is sufficient in addressing the shortfall of private amenity space.
28. The submission sets out proposed enhancements to the existing communal amenity space. Additional planting is proposed along with facilities to enhance their use for recreational purposes, including seating and play equipment. The landscaping improvements would be likely to enhance biodiversity and the visual setting of the development and promote residents' use and enjoyment of their shared spaces, making good use of a space restricted area.
29. The landscaping improvements would be likely to enhance biodiversity and the visual setting of the development and promote residents' use and enjoyment of their shared spaces, making good use of a limited area. A long-term maintenance plan would need to be secured to ensure continued benefits of such provision.

*Playspace*

30. Policy S4 of the London Plan states that development proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation and incorporate good quality, accessible play provision for all ages and specifies that at least 10sqm of playspace should be provided per child.
31. Using the GLA population yield calculator, the proposed 16 new market dwellings in this location are estimated to house 4.5 children which would equate to 45 sqm of play space. Play equipment for young children is proposed in both communal gardens and the landscaping scheme offers opportunities for informal play across the site. The play equipment areas appear to occupy approximately 40 sqm of garden space. In addition, there is a Local Area of Play within a 400m distance of the site in the form of Roundwood Park to the north. This park includes designated children's play space and is a direct route from the site requiring the crossing of one road. The proximity of the park and the provision of the enhanced communal amenity space on site, is considered to provide sufficient opportunities for play in demonstrate compliance with this policy S4.

### **Design, Character and Appearance**

32. 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.
33. London Plan Policy D3 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth by seeking development of the most appropriate form and land use, while Policy D5 seeks inclusive design without disabling barriers. Brent's Local Plan Policy DMP1 and the Brent Design Guide SPD1 provide further guidance on principles of good design, and Policy BD1 seeks the highest quality of architectural and urban design. Policy BH4 highlights that in priority locations including Intensification Corridors, the character of the existing area will be subject to change over the Local Plan period.
34. In terms of height and massing the host site itself accommodates four flatted blocks, Blocks C and D are 2 storeys and front Longstone Avenue while Blocks A and B are three storeys fronting the cul-de-sac. These blocks sit within a landscaped plot with surrounding amenity space including some trees. There are a number of blocks of flats in the surrounding area, including on the opposite side of Longstone Avenue, which are 3 to 4 storeys in height, although the properties along Park Parade and Springwell Avenue are generally comprised of two-storey terraced houses.
35. For Blocks A and B, these two residential blocks are each three-storeys in height with a hipped roof parallel to each other and sited around and fronting a central cul-de-sac with a turning circle, set back from Longstone Avenue. These blocks are finished in brick exteriors for the first two-storeys and render for the final storey.
36. The proposed development would remove the pitched roof and create an additional habitable storey with a flat roof. The upwards extension would be set away from both the side elevations. The additional storey would be asymmetrical with a greater set in to the west to protect the impact from rear garden boundaries and rear windows of properties on Springwell Avenue. The additional floor would continue the render exterior. The roof of the third storey would be employed as private amenity areas for new units.
37. The additional storey would not add significant height due to the existing pitched roof, the maximum height of the building would increase by approximately 0.4m which is considered to respect the established height of buildings in the locality.
38. In terms of character, the approach to massing is simple and while the introduction of a flat roof would change the character of the buildings, the loss of the pitch in itself is not considered harmful. There are various precedents of development in the locality with flats roofs including 1-47 Longstone Avenue and Knowles House. The proposed window design aligns with pattern of fenestration at floors below and the external materials would be coherent with the current mixture of brick and render.
39. For Blocks C and D the existing Blocks face Longstone Avenue and are two-storey rectangular buildings with pitched hipped roofs. The proposal would remove the roof and add an additional storey with a habitable gable roof with dual height boxes framed recessed balconies to connect the two floors. The existing rear elevations of Blocks C and D are finished in brick and this will be carried up to the third floor. At roof level, two types of dormer windows have been proposed. An open dormer with a setback balcony

for the master bedrooms and a smaller dormer for the secondary bedrooms. As with Blocks A and B, the proposed fenestration has been aligned with existing window patterns below.

40. The development at Blocks C and D would incur an additional storey in height along with habitable roofspace. This alteration would be noticeable. However, the buildings front Longstone Avenue, a generous road with an open character due to the set back of the buildings on the eastern opposite side of the road. The provision of a 3-4 storey building is not considered to be out of character in the site context nor at a scale that would harm the visual appearance of the area.
41. Overall, the scheme presents a good approach to rooftop extensions, utilising the existing building character while adding contemporary alterations that complement the appearance while maintaining a scale that is appropriate for the residential area.
42. Externally, the scheme proposes changes to the landscaping, with the introduction of native and ecologically beneficial planting, the provision of additional furniture (seating and play facilities) within shared amenity spaces and introduction of SuDS measures. In addition, the new shared cycle stores and refuse stores are proposed to the rear of the cul-de-sac. In terms of appearance, these alterations will visually enhance the amenity areas and areas surrounding the site. In addition, the provision of dedicated refuse and cycle stores in convenient locations will reduce the visual clutter on the footpath and present.

### **Heritage Considerations**

43. 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.
44. Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 (as amended) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
45. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest.
46. The site is not located within a Conservation Area nor contains any listed buildings. Harlesden Conservation is sited approximately 300m to the west of the site. The closest listed properties are the Green Man public house and 105, 107 and 109 High Street, all of which are Grade II and located ~300m to the west. Roundwood Park is a Grade II listed park and is approximately ~200m north of the site. The closest Grade II\* property is the Church of All Souls, approximately 530m south-west. These heritage assets are not considered to be affected by the proposed development.

### **Impact on Neighbouring Amenity**

47. In accordance with Brent's Policy DMP1, any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. Separation distances of 18m to existing habitable room windows and 9m to boundaries should be maintained.
48. To ensure development does not adversely impact on daylight and sunlight to existing properties, new buildings should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing private rear garden boundaries, both measured from a height of two metres above ground level. Where buildings would be within a 25 degree line of existing windows, the Building Research Establishment considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. A more detailed assessment of daylight and sunlight impacts based on the BRE's Site Layout Planning for Daylight and Sunlight 2022 guidance is required where the 25 degree test is not met.

### ***Privacy and Overlooking***

49. With regards to privacy, the front and rear windows would continue the established relationships across the site. For Blocks A and B, proposed habitable rooms would be served by north and south orientated views with outlook across the communal amenity areas and towards each block. Directly facing habitable windows within the site would achieve approximately a 18m separation and beyond the site northwards



and southwards the same distance is provided to the neighbouring shared boundaries in excess of 9m. Units A-03-01 and B-03-01 create side balconies that fall short of a 9m separation to the adjoining boundaries of No.6 and No.14 Springwell Avenue, as such, a condition will seek privacy screening to the western facades of these balcony spaces to ensure privacy to private gardens.

50. For Blocks C and D, the proposed habitable rooms would be served by east and west orientated views with outlook across the communal amenity areas and Longstone Avenue. These windows would continue the established relationship with nearby windows and spaces. At the corner where Block A meets Block D and where Block B meets Block C there is a close relationship between residential units, however, this is due to the current positioning of the building and the windows have a perpendicular association to each other, therefore are considered to reduce mutual overlooking.

### *30 and 45 degree rules*

51. With regards to massing, long sections of Blocks A and B have been submitted that indicate the 30 and 45 degree to No.4 to No.16 Springwell Avenue. During the course of the application the massing was reduced to this side of the development. No. 4, 12 and 14 have rear garden outbuildings on the shared boundary, therefore this has also been taken into consideration. The closest neighbouring windows are contained within the ground floor rear windows of No.6 and No.8 and are set approximately 16 m and 18m away from the upwards extension of Block B. The additional massing would meet the 30 degree line to all neighbouring properties on Springwell Avenue, therefore the development is not considered to obstruct nearby windows. Neighbouring gardens are sited between 7.9m and 9.3m from the proposed upward extension. There are slight infringements to the 45 degree line, however, this is limited to the final corner and parapet of the proposed third floor. In the case of Block A, due to the outbuilding at No.14, the closest relationship with No.16 will only be experienced for a minor proportion of the rear boundary. This has a similar transgression to the existing pitched roof.
52. The additional height on Blocks C and D is not considered to pose significant concern to Fort Garry, Harlesden Road to the south or Fairfield Court to the north due to the buildings running parallel to each other. There are not any windows on the main side elevation of Fort Garry and the outrigger side windows that sit beyond the rear elevation only contain non habitable spaces, therefore the massing is not considered to have an impact on outlook. There is a small ground floor window on the flank wall of 1 to 4 Fairfield Court. From available plans, this window is also non-habitable or serves as a secondary window. Therefore, the additional height is not considered to pose significant concern, however the impact is discussed further below.

### *Daylight, Sunlight and Overshadowing*

53. The submission is accompanied by a Daylight, Sunlight and Overshadowing Assessment. The following calculations for the change in daylight and sunlight to existing buildings are addressed within the assessment:
- Vertical Sky Component (VSC) and No Sky Line (NSL) for daylight impacts
  - Annual Probable Sunlight Hours and Winter Probable Sunlight Hours (WPSH) (APSH) for sunlight impacts
  - Target Daylight Factor (DFT) for daylight within the proposal
54. The VSC method measures the general amount of light available on the outside plane of the window as a percentage of the amount of total unobstructed sky viewable following introduction of visible barriers such as buildings. The maximum value is just under 40% for a completely unobstructed vertical wall. This assessment calculates VSC using computer simulation under a CIE overcast sky. This works by simulating the amount of visible sky from the centre point of each window. It is not affected by orientation and so all potentially affected windows are assessed.
55. BRE guidance states that the NSL can additionally be calculated "where neighbouring room layouts are known". It is common practice, in view of the wording of the BRE guidance, that where reliable floor plans cannot be found then the NSL test should not be undertaken. In this instance, indicative floor plans have been sourced for the neighbour known as Fort Garry, 4B Springwell Avenue (first and second floors only) and 46 Park Parade. This means that NSL calculations can be undertaken for the several rooms of these addresses.

56. Annual Probable Sunlight Hours (APSH) and Winter Probable Sun light Hours (WPSH) are a measure of the amount of potential direct sunlight that is available to a given surface. APSH covers sunlight over the whole year and WPSH from September 21st to March 21st. The number of total available hours is calculated from a data file in the software, built up over a number of years of actual weather data records. Only windows which face within 90° of due south need be assessed for sunlight. APSH can also be used to assess the impact on external spaces such as gardens.
57. The relevant BRE recommendations for daylight and sunlight are:
- The Vertical Sky Component measured at the centre of a window should be no less than 27%, or if reduced to below this, no less than 0.8 times the former value.
  - The window should receive at least 25% of available annual sunlight hours and more than 5% during the winter months (September 21st to March 21st), or, where this is not the case, 80% of its former value.
58. For Daylight, windows were tested in Longstone Avenue, Fort Garry, Park Parade, Springwell Avenue and Rivington Court. All windows tested retain more than 80% Vertical Sky Component in accordance with BRE guidance. An objection has been received regarding the assessment excluding two rooflights within Fort Garry. It is noted that these windows project upwards and sit beyond the additional massing to the south, as such, the visible sky is not likely to be affected. Windows 73 and 76 on the ground floor of Fort Garry that are enclosed and closer to the development retain over 80% their original VSC.
59. In addition, NSL calculations were able to be undertaken for the several rooms of the addresses known as Fort Garry, 4B Springwell Avenue (first and second floors only) and 46 Park Parade. This test is more detailed and represents better the actual impact on a room, as it considers both the size of the room and the window(s), and accounts for multiple windows serving the same space, which VSC does not. The results submitted within section 8.0 of the Daylight & Sunlight Assessment, indicate that the assessed rooms retain in excess of 80% of their respective areas within the No Sky Line, in compliance with the BRE Guidance.
60. For Sunlight, all windows retain more than 80% Annual Sunlight Hours and Winter Sunlight Hours in accordance with BRE guidance.
61. In terms of Overshadowing, all gardens along Springwell Avenue retain well in excess of 80% of their existing values and therefore compliant with BRE guidance. The specific gardens identified as G3 (No.6 Springwell Avenue) and G7 (No.17 Springwell Avenue) retain 100% and 99.23% when comparing the before / after scenarios. This is not considered to be material. It is noted that the gardens in Fort Garry and Park Parade have not been tested due to their siting and orientation to the proposed development.
62. Overall, the scheme is fully compliant with BRE guidance, therefore the development is not considered to have an adverse impact on neighbouring residents in terms of daylight and sunlight.

### **Transport Considerations**

63. Longstone Avenue is a traffic-calmed local residential access road within a Controlled Parking Zone. There are 15 residents' permit bays along Rivington Court frontage & shared bays on opposite side of Longstone Avenue. Longstone Avenue not heavily parked at night. Rivington Court cul-de-sac is privately maintained and experiences extensive footway parking.
64. The site is located on the border of PTAL 2 (low) and PTAL 3 (moderate). The proposed new units will be within PTAL 3 (moderate).
65. Car parking allowances for Brent are set out at Appendix 4 of the 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 a moderate PTAL rating, up to 0.75 spaces per 1-/2-bed flat and one space per 3-bed flat would be allowed. This proposal would therefore increase the parking allowance of the site from 30 spaces to 43 spaces. The applicant has submitted a Transport Statement to review this.

### *Transport Statement*

66. Paragraph 3.3 states that there is hardstanding northwest of the site, where approx. 11 vehicles can be parked, although this is not within the planning application red line boundary. Existing residents also have

access to on-street parking permits to park along Longstone Avenue, with 15 spaces located along the Rivington Court frontage. Nevertheless, parking still takes place along the central cul-de-sac, with its narrow width meaning that footway parking is commonplace. This is despite the presence of notices warning of private parking enforcement and large fines against any vehicles parking along this street.

67. 2021 Census suggests that car ownership for flats in this area averages 0.44 cars/flat. On this basis, total car ownership would increase from about 18 cars to about 25 cars with this proposal. With only 15 on-street spaces, along the site frontage, future demand cannot be met.
68. Paragraph 5.8 therefore states that the new dwellings will be subject to a 'car-free' (permit free) agreement. As the proposal will result in a significant increase in the parking standard (13 spaces) and as no new parking is proposed, measures to rein in on-street parking demand are welcomed. The site has a PTAL rating of 3 and is located within a Controlled Parking Zone, so the proposed 'car-free' agreement for the 16 new flats on their own distinct floors of the buildings can be enforced.
69. Please note that transportation would also request that access to off-street parking spaces within Rivington Court also needs to be denied, to ensure new residents do not displace existing residents' vehicles from the estate onto Longstone Avenue. Such measures could be requested through a Car Park Management Plan.
70. Paragraph 5.7 states that one on-street parking space will be changed into a disabled parking space, in order to satisfy disabled parking standards set out in the London Plan. As noted above there is no off street parking within the application site so should a disabled user require an on-street disabled bay, an application to the Council can be made for one to be marked out on Longstone Avenue.
71. Table 6.2 predicts the multi-modal trips for the new 16 units and this shows that the development will result in 8 additional public transport trips in the morning peak hour and 8 additional public transport trips in the evening peak hour. These extra loadings amount to less than one passenger per bus and the proposal is therefore unlikely to have any adverse impact on public transport capacity.
72. Paragraph 6.11 states that a parking beat survey was carried out on Wednesday 17th and Thursday 18th January 2024 overnight (5am). The survey results found that Longstone Avenue as a whole, had an average parking stress of 64.5%, which is not deemed to be heavily parked.
73. However, Appendix G shows that the on-street spaces along the site frontage on Longstone Avenue were all occupied on Wednesday 17<sup>th</sup>, with just two spaces being available on Thursday 18<sup>th</sup>. This indicates that there is very limited on-street parking available in the immediate vicinity of the site. The survey did not include a parking beat of vehicles parked along the access road of the site. Nevertheless, the 'car-free' proposal will ease any concerns regarding potential increases in on-street parking demand along the site frontage.

#### *Refuse Storage*

74. Section 6.18 states that servicing and waste collection will occur from the private cul-de-sac, which is an existing situation. Google Streetview images show bins left on the footpath permanently and not just on collection days. Whilst this is a private footpath, this practice would not be acceptable on a public footpath and to address this the applicant has shown proposed bin stores around the site. Paragraph 6.23 states that the bin stores are within 30m wheeling distance of the public highway, but flats are generally provided with large Eurobins which should be wheeled a maximum of 10m. It is therefore assumed that Brent's refuse truck reverses into the private cul-de-sac on collection day.
75. Google Streetview images do show signs stating 'no parking' with the private cul-de-sac, although vehicles do still park within the cul-de-sac. Nevertheless, the lack of authorised parking within the cul-de-sac is welcomed and allows service/refuse vehicles to use the cul-de-sac safely.

#### *Cycle Storage*

76. Paragraph 5.10 states that 28 cycle spaces will be provided, plus two visitors spaces. This does comply with the London Plan cycle standards for the new units. In addition to this, a further 24 cycle spaces will be provided for the existing residents, which is welcomed. Figure 5.2 shows the locations of the cycle stores, which will be provided north of the site (behind Block D), west of the site (between Blocks A and B) and adjacent to Block C, giving a good distribution of parking across the site. The cycle parking will be provided in the form of 'Sheffield' stands and will be covered, which is welcomed.

## Travel Plan

77. Table 3.1 provides the targets whereby a 5% increase in walking and cycling is sought over the 5 years and a 10% decrease in public transport use over the 5 years of the travel plan. The targets to increase walking and cycling are welcomed and should be at the expense of car and taxi trips, rather than solely as a result of a decrease in public transport trips. As such, with the new units being car-free, we would expect public transport, walking and cycling to increase over the 5 years.
78. Table 8.1 provides an Action Plan and shows that the Travel Plan will be reviewed during years 1, 3 and 5 following occupation.
79. As the size of the development falls below the threshold at which TfL's guidelines would require a Travel Plan, it would be acceptable to simply secure its implementation through a condition.
80. A Construction Management Plan (CMP) should be submitted for LPA approval, to ensure obstruction and damage to the highway do not occur.

## Energy and Sustainability

81. Planning applications for major development are required to be supported by proposals for sustainable design that accord with various policies in the Brent Local Plan and the London Plan. This is designed to demonstrate, at the design stage, how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per day (SI 5) and the use of sustainable drainage (BSUI4).
82. Major residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2021 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy SI2. Policy SI2 also sets out more detailed requirements, including the 'Be Seen' requirement for energy monitoring and reporting and (for proposals referable to the Mayor) a Whole Life Cycle Carbon Assessment). Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.
83. Any shortfall in achieving the target emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £95, or through off-site measures to be agreed with the Council.
84. For the residential development, the policy also requires at least 10 percentage points of the minimum 35 percentage point reduction to be attributable to energy efficiency measures (known as 'be lean' measures) and for the commercial parts of the development, the policy requires at least 15 percentage points of the reduction to be attributable to 'be lean' measures. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.
85. The Council also adopted the Sustainable Environment and Development SPD that provides guidance on range of sustainable development issues.
86. The submission includes an Energy and Sustainability Assessment. The energy strategy includes utilising a communal air source heat pump (ASHP) system and installing PV panels. Following the energy hierarchy, passive design measures and energy efficient equipment the residential development has been demonstrated to be capable of achieving an improvement of 67% CO<sub>2</sub> emissions over the Part L 2021 baseline. The scheme has incorporated these savings at Be Lean and Be Green stages through passive design measures and energy efficient equipment. However, a payment of £15,630 would be required to offset the shortfall to zero carbon. This will be secured within the S106 agreement.
87. The submission also includes an Overheating Assessment of the proposed units and concludes that all the units within the development would pass the requirements of the Building Regulations Part O overheating assessment. Therefore, no further mitigation is required.
88. The Sustainability statement provides details of how the development would mitigate water inefficiency at source by incorporating low-use fittings and confirms that water meters would be specified to encourage residents to limit their water usage.

## *Air Quality*

89. Local Plan policy BSUI2 requires major developments within Air Quality Focus Areas to be Air Quality Positive.
90. An Air Quality Assessment has been submitted which concludes that the proposed development would meet the London Plan's requirement that new developments are at least 'air quality neutral'. An air quality positive statement has also been provided. The assessment advises that air quality will not be an issue to the future occupants of the site or impact on existing residential receptors in the locality. This is deemed acceptable.

## *Construction Process*

91. A Construction Method Statement would be required as a pre-commencement condition, setting out details of how dust, noise and other environmental impacts would be controlled during the construction period.

## **Flood Risk and Drainage**

92. Brent Local Plan Policy BSUI3 outlines that where Flood Risk Assessment are required development will be resistant and resilient to all relevant sources of flooding including surface water.
93. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a Flood Risk Assessment as set out in paragraph 6.7.37 must contribute to flood risk management and reduction and:
- minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
  - wherever possible, reduce flood risk overall;
  - ensure a dry means of escape;
  - achieve appropriate finished floor levels which should be at least 300mm above the modelled 1 in 100 year plus climate change flood level; and
  - not create new basement dwellings in areas of high flood risk.
- c) Proposal that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.
- d) Brent Local Plan Policy BSUI4 sets out that substantial weight will be afforded to the achievement of greenfield runoff rates for surface water. Where greenfield run-off rates cannot be achieved this should be clearly justified by the applicant.
94. Major development proposals or minor developments and changes of use which would impact on the current drainage regime must be accompanied by a drainage strategy.
95. A small part of the site falls within Flood Zone 3a (surface water). This area covers the end of a cul-de-sac into the site and does not cover any area of current or proposed residential accommodation. The submission has been accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy Report, prepared by Price and Myers, dated October 2024.
96. The FRA conducted for Rivington Court identifies minimal flood risks from multiple sources, including rivers, tidal, groundwater, surface water (Flood Zone 1), reservoirs, and sewer flooding.
97. The proposed SuDS strategy is well-designed and considers multiple drainage techniques that align with the London Plan's Policy SI13 drainage hierarchy:
- Nine Green Roofs
  - Two Detention Basins
  - One Attenuation Tank
98. The strategy achieves a significant 97% reduction in surface water discharge during a 1 in 100-year storm event (plus 40% climate change allowance), reducing the peak discharge to 2.3 l/s, which is below greenfield runoff rates. This complies with both Brent and London Plan policies on drainage and flood management.

99. Overall, The Flood Risk Assessment (FRA) for Rivington Court demonstrates a robust and effective approach to flood risk management. The SuDS strategy is comprehensive, achieving a significant reduction in flood risks and aligning with key national, regional, and local policies, including those addressing surface water, sewer, and groundwater flooding. By reducing peak surface water discharge to greenfield runoff rates, the strategy mitigates flood risks effectively.
100. Given the thoroughness of the assessment, the comprehensive range of proposed mitigation measures, and compliance with relevant policies, the FRA is considered to be acceptable.

### **Urban Greening and Biodiversity**

101. London Plan policy G5 states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The Mayor recommends a target urban greening factor (UGF) score of 0.4 for developments that are predominately residential.
102. London Plan Policy G6 and Brent Local Plan BG11 require biodiversity net gain and there is a statutory requirement for a biodiversity net gain of 10%.
103. The Planning Statement states that a Biodiversity Net Gain for the Site is 10.44% and this is supported by a report by Green Shoots Ecology. This notes that there is an increase in Area Based habitat units on site from 2.01 to 2.22, a net gain of 10.44% and an increase in linear based habitat units on site from 0.15 to 0.17, a net gain of 17.74%. The proposal has been demonstrated to meet an UGF with a score of 0.49. The landscaping includes ecologically beneficial planting and enhancement of current amenity areas through the planting of hedgerow, shrubs, green roof, hawthorn scrub, climbers, rain gardens and 24 new trees. New pathways will be created providing access to proposed seating and play features for residents. Two rain gardens will be created bordering the main entrance. Details relating to habitat management and maintenance, wildlife and nesting features, biodiversity plans and monitoring and a statement of conformity will be sought to ensure enhancements are secured. These matters relating to Biodiversity Net Gain would be provided as planning obligations secured through the S106 agreement.

### **Trees**

104. In accordance with Local Plan policy BG12, as major development, the proposals should make provision for the planting and retention of trees on site. Where retention is agreed to not be possible, developers should provide new trees to achieve equivalent canopy cover or a financial contribution for off-site tree planting of equivalent canopy cover will be sought. Replacement canopy cover will be measured as total canopy area of new trees at the time of planting being equal to the canopy area of existing mature trees proposed for removal.
105. The submission confirms that there no plans to remove any trees and no harm to trees is anticipated as a result of the proposal. The trees on the site have been retained due to the proposal only increasing storey heights and not affecting the footprint of the existing buildings. The final landscaping details will be secured by condition to ensure any landscape enhancements fully consider and mitigate against impact to trees. The proposal would secure the delivery of an additional 24 trees within the site.

### **Fire Safety**

106. Policy D12 of the London Plan states that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.
107. The statement should detail how the development proposal will function in terms of:
- the building's construction: methods, products and materials used, including manufacturers' details
  - the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
  - features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
  - access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire

suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these

- how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

108. A Fire Statement produced by a qualified fire engineer has been submitted with the application. The statement responds to the criteria within London Plan Policy D12 (B).

### **Equalities**

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

### **CONCLUSION**

110. The proposal would result in the delivery of 16 new homes in a location that is deemed appropriate for residential intensification. The development would provide good quality homes with good levels of internal and external amenity including four family sized dwellings. The development would be car-free with appropriate refuse and cycle storage facilities.

111. The development would deliver landscape improvements across the site in excess of 10% Biodiversity Net Gain and an 0.49 Urban Greening Factor.

112. The proposal would have an acceptable impact on neighbouring amenity in terms of privacy, overlooking, daylight, sunlight and overshadowing.

113. The scheme delivers sustainable improvements including the provision of Air Source Heat Pumps and PV panels.

114. The proposal is considered to accord with the Development Plan, and having regard to all material planning considerations, should be approved subject to conditions and necessary legal agreements.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 24/0826

To: Mr Reeds  
Lambert Smith Hampton  
55 Wells Street  
London  
W1T 3PT

I refer to your application dated **27/03/2024** proposing the following:

Proposed second and third floor extensions to 4 x existing blocks to create new self-contained residential dwellings. Associated enlargement of refuse storage, cycle parking spaces to front / rear and improvements to soft landscaping to communal garden.

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

at **Rivington Court, Longstone Avenue, London, NW10 3RL**

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: 03/12/2024

Signature:

**David Glover**  
Head of Planning and Development Services

### Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG



## SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2023  
The London Plan 2021  
Brent's 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:

2023-P600-S2-P1 - ACCOMMODATION SCHEDULE  
2231-P001-S2-P0 - LOCATION PLAN  
2231-P002-S2-P0 - EXISTING SITE PLAN  
2231-P003-S2-P0 - PROPOSED SITE PLAN  
2231-P100-S2-P0 - PROPOSED GROUND FLOOR PLAN  
2231-P101-S2-P0 - PROPOSED FIRST FLOOR PLAN  
2231-P102-S2-P0 - PROPOSED SECOND FLOOR PLAN  
2231-P103-S2-P1 - PROPOSED THIRD FLOOR  
2231-P104-S2-P1 - PROPOSED ROOF PLAN  
2231-P200-S2-P1 - PROPOSED SITE ELEVATIONS  
2231-P201-S2-P1 - PROPOSED FRONT ELEVATIONS - BLOCKS A & B  
2231-P202-S2-P1 - PROPOSED REAR ELEVATIONS - BLOCKS A & B  
2231-P203-S2-P1 - PROPOSED SIDE ELEVATIONS - BLOCKS A & B  
2231-P204-S2-P0 - PROPOSED FRONT ELEVATIONS - BLOCKS C & D  
2231-P205-S2-P0 - PROPOSED REAR ELEVATIONS - BLOCKS C & D  
2231-P206-S2-P0 - PROPOSED SIDE ELEVATIONS - BLOCKS C & D  
2231-P300-S2-P1 - PROPOSED SITE SECTIONS  
2231-P301-S2-P0 - PROPOSED CROSS SECTION - BLOCK A & B  
2231-P302-S2-P0 - PROPOSED CROSS SECTION - BLOCK C & D  
2231-P400-S2-P1 - PROPOSED THIRD FLOOR PLAN - BLOCK A  
2231-P401-S2-P1 - PROPOSED THIRD FLOOR PLAN - BLOCK B  
2231-P402-S2-P0 - PROPOSED SECOND/THIRD FLOOR PLAN – BLOCK C  
2231-P403-S2-P0 - PROPOSED SECOND/THIRD FLOOR PLAN – BLOCK D  
PROPOSED BAY STUDY - BLOCKS A & B

DESIGN ACCESS STATEMENT  
PLANNING STATEMENT  
AIR QUALITY ASSESSMENT  
BIODIVERSITY METRIC CONDITION ASSESSMENT  
BIODIVERSITY METRIC ASSESSMENT  
BNG CALCULATION REPORT  
DAYLIGHT AND SUNLIGHT ASSESSMENT  
DRAINAGE NOTE  
ENERGY AND SUSTAINABILITY STRATEGY  
FLOOD RISK ASSESSMENT AND DRAINAGE STRATEGY REPORT  
LANDSCAPE DESIGN REPORT  
LONDON PLAN FIRE STATEMENT  
OVERHEATING ASSESSMENT

TRANSPORT STATEMENT  
TRAVEL PLAN  
VIABILITY REPORT  
LANDSCAPE PROPOSAL

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

- 3 (a) Details of materials for all external work, including samples, 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.

(b) Details of materials for all external work 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 scheme hereby approved shall contain 16 residential dwellings within Use Class C3 as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning

- 5 The development shall not be occupied until the provision of the 54 cycle spaces as approved, is completed. These facilities must be retained and maintained thereafter in perpetuity.

Reason: To ensure satisfactory facilities for cyclists.

- 6 Prior to the occupation of any part of the development, the refuse areas shall be laid out and provided in accordance with the approved drawings, and maintained as such thereafter.

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

- 7 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within any existing or future 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.

- 8 The recommendations set out within the Travel Plan hereby approved shall be implemented in full.

Reason: To ensure the development encourages sustainable travel modes and has an acceptable impact on the local highway network.

- 9 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW

used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/> "

Reason: To protect local amenity and air quality in accordance with Brent Policies BSUI1, BSUI2 and London Plan Policy SI1.

- 10 Prior to the occupation of the building hereby approved the flood risk measures and drainage strategy shall be implemented in accordance with the Flood Risk Assessment and Drainage Strategy Report, Prepared by Price & Myers, dated October 2024

Reason: To ensure that the proposed development does not adversely increase flood risk.

- 11 Prior to any works commencing on the development (excluding demolition, site clearance and laying of foundations), details of privacy screening to the western facades of the balcony spaces of Units A-03-01 and B-03-01 shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality or result in overlooking and loss of privacy to No.6 and No.14 Springwell Avenue.

- 12 Prior to the commencement of the development (including demolition and site clearance) a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development during construction and site clearance works. The CMS shall include, but is not limited to, details of a dust monitoring plan, to be implemented during construction, site clearance and demolition works.

All agreed actions shall be carried out in full for the duration of the site clearance, demolition and construction phases, unless otherwise agreed in writing by the local planning authority.

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 nuisance can occur at any time during the construction process, and adequate controls need to be in place prior to works starting on site.

- 13 Prior to commencement of the development hereby approved (including site clearance and demolition works), a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall include, but is not limited to the following:

- i. Construction programme, forecast construction trip generation (daily) and mitigation proposed;
- ii. Site set up and access arrangements and booking systems, ensuring vehicle loading and unloading takes place clear of the highway;
- iii. Vehicular routes to the site;
- iv. Parking of vehicles of site operatives and visitors;
- v. Storage of plant and materials used during the construction period;
- vi. Wheel washing facilities;
- vii. Any temporary lighting;
- viii. Protection of the carriageway and any footway users at all times during construction;
- iv. Erection of hoardings, security fencing and scaffolding on/over and pavements and carriageway;

x. Contact details of personnel responsible for the construction works

The development shall thereafter be constructed fully in accordance with the approved Construction Logistics Plan, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is constructed in an acceptable manner and in the interests of pedestrian and highway safety.

Reason for pre-commencement condition: The condition relates to details of construction, which need to be known before commencement of that construction.

14 Details of the hard and soft landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), Such details shall include:

1. A scaled plan showing vegetation to be retained and trees and plants to be planted
2. A schedule detailing sizes and numbers of all proposed trees, hedges and use of native and/or wildlife attracting species to achieve a net gain in biodiversity within the site
3. Details to demonstrate that an Urban Greening Factor of at least 0.4 would be achieved within the site
4. Sufficient specification to ensure successful establishment and survival of new planting
5. Details of all proposed hardstanding
6. Details of all play space equipment
7. Details of cycle storage through the provision of secure, weatherproof cycle storage facility, which shall include capacity for a minimum of 28 long-stay and 2 visitor spaces.
8. A schedule of landscape maintenance for a period of 5 years which shall include details of the arrangements for its implementation and sufficient specification to ensure successful establishment and survival of new planting.

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

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new trees(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning authority gives its written consent to any variation).

Reason To safeguard 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 policies DMP1 and BGI 2.

15 Prior to commencement of the development hereby permitted, a Biodiversity Gain Plan must be submitted and approved by the Local Planning Authority. This will take the form of a report provided by Natural England available from: <https://www.gov.uk/government/publications/biodiversity-gain-plan>.

- 16 Prior to commencement of the development hereby permitted, a scheme for habitat creation and enhancements shall be submitted to and approved in writing by the Local Planning Authority. This will take the form of a Habitat Management and Maintenance Plan (HMMP) and include an updated Net Gain evaluation, working to the Statutory BNG methodology and in general accordance with BS42020:2013, to provide a Net Gain of minimum of 10% on site.

Habitat that is assessed as “Significant On-site Gains” for this development and context and need to be managed and monitored to reach their target condition for a minimum of 30 years comprise:

- a. Woodland,
- b. Green roofs,
- c. Rain gardens,
- d. Hawthorn scrub,
- e. Introduced shrubs,
- f. Hedgerows; and
- g. Urban trees.

Habitats considered non-significant are the modified grassland and sealed surfaces.

- a. The sizes of each habitat/green infrastructure to be created, how they will be created and full details and responsibilities on at least 30 years of aftercare and ongoing management and monitoring from creation based on the submitted information;
- b. A soft landscaping masterplan will detail biodiversity enhancement through planting schemes that provide nectar, pollen and fruit resources throughout the seasons, a variety of structural diversity and larval food plants, through no less than 60% native and local species by number and diversity. Substrate, provenance and numbers of all bulbs, seeds and plugs / whips / trees will be detailed, as will aftercare and ongoing management.  
Ornamental plants will not include any genera or species on Schedule 9 of the Wildlife and Countryside Act (1981) or the LISI list and should be on the “RHS Plants for Pollinators” lists (or of documented wildlife value), to provide increased resource availability;
- c. A timetable of delivery for each habitat to be created;
- d. Details on the monitoring of habitats and the provision of a report, which shall be provided to the LPA on the 1st November of each year of monitoring (years 1-3 after creation, years 5, 7 & 10 and every 5 years thereafter), which will assess the condition of all habitats created and any and all necessary management or replacement / remediation measures required to deliver the Net Gain values set out in the HMMP for each habitat;
- e. Details of the contingency methods for management and funding, should the monitoring identify changes are required to ensure the habitat(s) are in the appropriate condition to deliver the Net Gain values set out in the HMMP for each habitat.

Work shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance with Policy BGI of the Brent Local Plan. This condition is required to be pre-commencement to ensure that the biodiversity value of the fully mitigated for, prior to the demolition / construction stage.

- 17 Prior to completion of the development hereby permitted, a scheme for wildlife and nesting features shall be submitted to and approved in writing by the Local Planning Authority. These will include:
- a. 3 x deadwood features within soft landscaping areas;
  - b. At least 4 features on buildings, such as
    - i. multi-chamber swift bricks (preferred) or boxes,
    - ii. starling boxes,
    - iii. house sparrow terraces,
    - iv. bat bricks (preferred) or boxes

The scheme will include full details on: numbers of each feature, type of feature / box / brick, location (plan and elevation views) of each feature, height above ground (if applicable) and nearest external lighting (if likely to have an impact).

Features shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance Policy BGI of the Brent Local Plan

- 18 Prior to occupation of the development hereby permitted, a Statement of Conformity shall be submitted to and approved in writing by the Local Planning Authority. The Statement of Conformity will be signed by a suitably qualified ecologist named within the Habitat Management and Maintenance Plan (HMMP) and include evidence in the form of full details on:
- a. starting and completion dates for each habitat/ feature green infrastructure/enhancement
  - b. time stamped photographs of each habitat/feature green infrastructure
  - c. proof will be provided that all natural environment data (e.g. habitats, species, green infrastructure features) from ecological surveys for the site (including pre- and post-development), will be shared with Greenspace Information for Greater London CIC (GiGL), London's environmental records centre, following GiGL's [data standards](#).
  - d.

This condition is to certify that the details for each habitat / green infrastructure/ feature, as approved under the HMMP, are in accord with the submitted information and that this information is made available for future use.

Reason: To enhance the biodiversity value of the land in accordance with Enhancement and Management Plan (BEMP)

- 19 Prior to occupation of the development hereby permitted, details of surveying and monitoring shall be submitted to and approved in writing by the Local Planning Authority. The Survey and Monitoring report shall:
- a. outline all surveying and monitoring to be undertaken to ensure the agreed upon net gain is delivered and maintained in perpetuity. A Survey and Monitoring report shall subsequently be provided to the LPA on the 1st November of each year of monitoring (years 1-3 after creation, and then years 5, 10 and every 5 years thereafter), which will assess the condition of all habitats created and any and all necessary management or replacement / remediation measures required to deliver the agreed upon values.
  - b. provide full details of the contingency methods for management, should any of the Surveying and Monitoring reports identify changes are required to ensure the habitat(s) are in the appropriate condition to deliver the required biodiversity values.

## INFORMATIVES

**1** - The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).

**2** - The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the

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>

- 3** - The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4** - The 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.

Any person wishing to inspect the above papers should contact Parag Dhanani, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6007