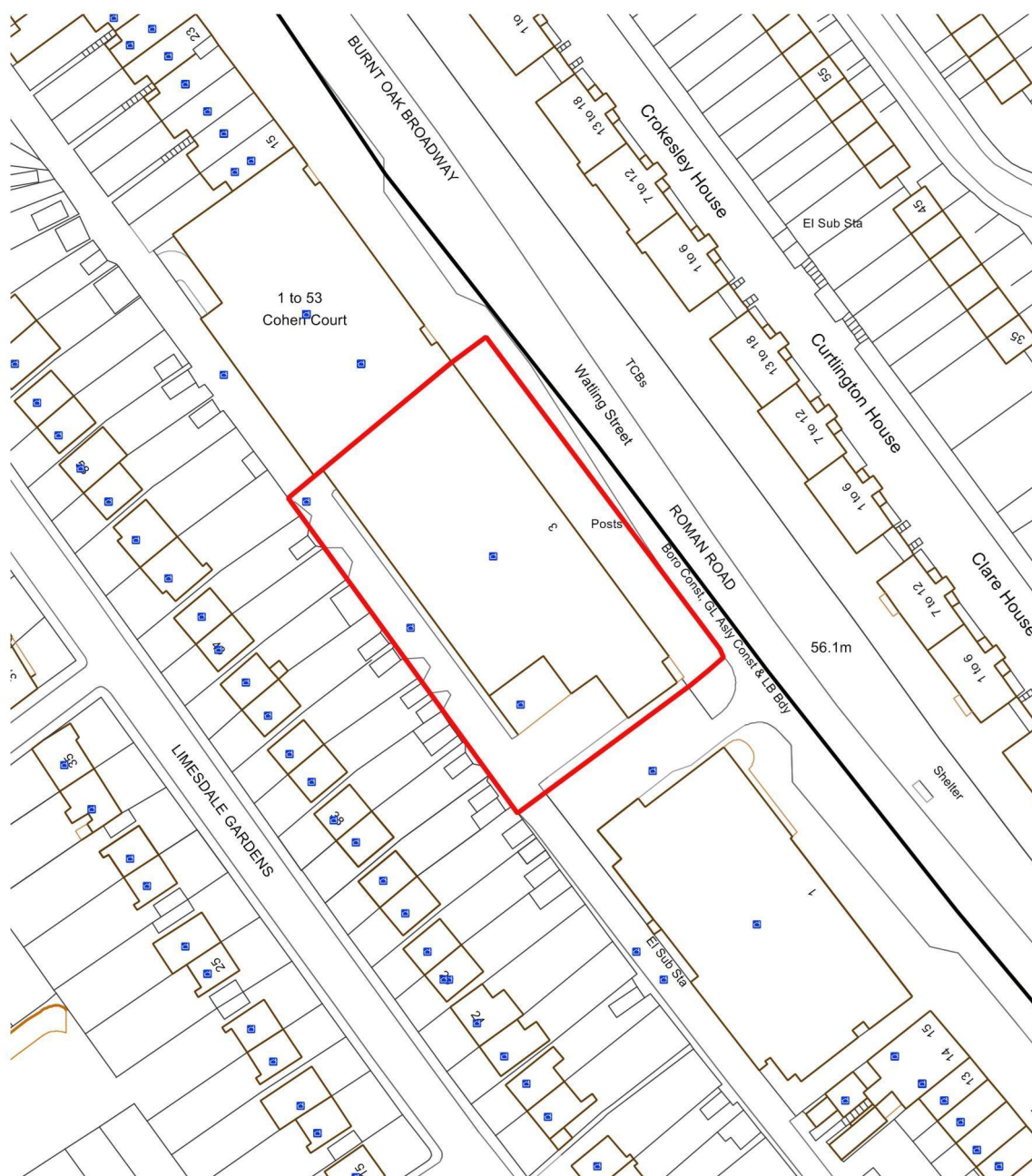




### Planning Committee Map

Site address: 3 Burnt Oak Broadway, Edgware, HA8 5LD

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This map is indicative only.

**RECEIVED:** 19 July, 2013

**WARD:** Queensbury

**PLANNING AREA:** Kingsbury & Kenton Consultative Forum

**LOCATION:** 3 Burnt Oak Broadway, Edgware, HA8 5LD

**PROPOSAL:** (a) Variation of Condition 2 (development in accordance with plans) to allow a minor material amendment to planning permission 11/0403 dated 32 June 2011 for Demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended. The amendments include:

- Revision to internal layouts of flats;
- Revisions to ground floor/mezzanine level car parking layout including to separate retail loading bays from residential car parking;
- Increase height of building by 0.8 metres;
- Changes to residential entrances and stair cores;
- Residential refuse stores re-located to Burnt Oak Broadway frontage;
- Alterations to layout and locations of communal gardens

(b) Variation of Condition 19 (landscaping) to change submission date to within 6 months of construction to planning permission 11/0403 dated 32 June 2011 for Demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended.

**APPLICANT:** Catalyst Housing Group

**CONTACT:** MEPK Architects

**PLAN NO'S:**  
See Condition 2.

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## **RECOMMENDATION**

Approval.

## **EXISTING**

The application site is located on the southwest side of Burnt Oak Broadway with a site frontage of approximately 74 metres and area of 2740sqm. It is located within the Burnt Oak Secondary Town Centre Shopping Frontage and on a London Distributor Road.

The site has the benefit of planning permission for the erection of a seven-storey mixed use building comprising 76 flats, 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), 75 parking spaces and first

floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended (LPA Ref: 13/0403).

There is an approximate drop of 2 metres in ground level across the site from north to south.

To the rear (west) of the site there is a service road which serves the units to Burnt Oak Broadway alongside the rear garages of the semi detached properties to Limesdale Gardens.

To the east of the site, across the other side of the Broadway within the London borough of Barnet, the uses are residential (three storey flats).

To the north is the recently completed mixed use residential development at the Theoco site, and to the south the Grade II listed Mecca Bingo Building.

## PROPOSAL

(a) Variation of Condition 2 (development in accordance with plans) to allow a minor material amendment to planning permission 11/0403 dated 32 June 2011 for Demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended. The amendments include:

- Revision to internal layouts of flats, entrances, stair cores and commercial floorspace;
- Revisions to ground floor/mezzanine level car parking layout including to separate retail loading bays from residential car parking;
- Increase height of building by 0.8 metres and revisions to rear fenestration;
- Alterations to servicing arrangements including type of communal heating system and residential refuse stores re-located to Burnt Oak Broadway frontage;
- Alterations to layout and locations of communal gardens

(b) Variation of Condition 19 (landscaping) to change submission date to within 6 months of construction to planning permission 11/0403 dated 32 June 2011 for Demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended.

## HISTORY

**13/2484:** Details pursuant to Condition 5 (piling), Condition 8 (insulation and ventilation details) and Condition 16 (Construction Method Statement) of full planning permission reference 11/0403 dated 03/06/2011 for demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended – *under consideration*

**13/1596:** Details pursuant to condition 10 (vehicle wheel washing facilities) of full planning permission reference 11/0403 dated 03/06/2011 for demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended – *Granted, 29/09/2013*

**13/1825:** Details pursuant to conditions 11 (archaeological report), 12 (foul & surface water capacity report) and 14 (sewage infrastructure report) of full planning permission reference 11/0403 dated 03/06/2011 for demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended (Description Revised 28/08/2013) – *Granted, 28/08/2013*

**13/0909:** Details pursuant to condition 10 (vehicle wheel washing facilities) of full planning permission reference 11/0403 dated 03/06/2011 for demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended – *application withdrawn*

**11/0403:** Demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received on 19 April 2011), subject to a Deed of Agreement dated 03/06/2011 under Section 106 of the Town and Country Planning Act 1990, as amended – *Granted, 03/06/2011*

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework 2012**

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings are required.

Accordingly, the policies contained within the adopted SPG's, London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals.

### **London Plan 2011**

- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.16 Protection and enhancement of Social Infrastructure
- 5.2 Energy Assessments
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 8.2 Planning Obligations

### **Core Strategy 2010**

- CP2 Housing Growth
- CP11 Burnt Oak/ Colindale Growth Area
- CP14 Public Transport Improvements
- CP15 Infrastructure to Support Development
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP21 A Balanced Housing Stock

### **Site Specific Allocations 2011**

## **UDP 2004**

BE2 Townscape: Local Context and Character  
BE3 Urban Structure: Space & Movement  
BE4 Access for Disabled People  
BE5 Urban Clarity & Safety  
BE6 Public Realm: Landscape Design  
BE7 Public Realm: Streetscape  
BE9 Architectural Quality  
H12 Residential Quality – Layout Considerations  
H18 Quality of Flat Conversions  
TRN3 Environmental Impact of Traffic  
TRN11 The London Cycle Network  
TRN22 Parking Standards – Non-residential Developments  
TRN23 Parking Standards – Residential Developments  
TRN34 Servicing in New Development

## **SPG17: 'Design Guide for New Development'**

### **CONSULTATION**

#### **Public consultation**

The Council consulted 201 residents, Ward Councillors and the Kingsbury/ Queensbury Residents' Associations on 19/07/2013. One letter of support has been received for the proposal.

#### **Statutory and Internal consultees**

Statutory consultees were consulted on 19/07/2013.

Their comments are summarised, where relevant, below.

##### *Brent's Transportation Unit*

The council's Transportation Department have not raised any objection to the proposal, but have suggested a number of additional details that could be secured through planning conditions.

##### *Brent's Design Unit*

No objections raised to the principle changes to the proposal, although concern was raised regarding the detailing proposed to the rear elevation.

##### *Brent's Environmental Health Officers*

Environmental Health have requested that further details of the proposed plant equipment for the Exhaust Air Source Heat Pumps, together with any ancillary equipment so as to prevent the transmission of noise and vibration into neighbouring premises, are provided. The equipment should be at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises and the method of assessment carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. It should be assumed that each item of plant incurs a +5dB(A) penalty to account for tonal qualities.

##### *Brent's Planning Policy Team*

No comments or objections raised to the proposal.

##### *Brent's Landscape Department*

The Council's Landscape Department have not raised any objection to the proposal, but have suggested a number of additional details that could be secured through planning conditions, **such as**

### *Housing Unit*

No representations received on the proposal.

### *Transport for London*

No objections raised subject to adequate provision of 20% vehicular electric charging points and the provision of two additional cycle parking spaces for visitors.

### *Thames Water*

No representations submitted for the current proposal, however it is noted that for the previous approval no objections were raised providing conditions were included relating to foul/ sewage conditions. These conditions have now been discharged.

### *Barnet Council*

No representations submitted received on the proposal. It is noted that no objections were raised in relation to the original planning application.

### *Environment Agency*

No representations received for the subject application. It is noted that no objection was raised to the previous proposal subject to a condition being attached to ensure that the piling for the foundations does not penetrate the London Clay and contaminate the principal chalk aquifer; this condition is currently under consideration.

## **REMARKS**

### **1. Key considerations**

2. This application is for minor material amendments to the previously approved scheme. Changes to Government policy has meant that since 2009 applicants have been able to submit applications for amendments "whose scale and nature results in a development which is not substantially different from the one which has been approved." (CLG, 2009); this is assessed by way of a variation of condition application.

### **3. Summary and principle of proposed changes**

4. The Burnt Oak/Colindale area is identified in the Council's Core Strategy (adopted 2010) as a growth area. Policy CP11 in the Core Strategy sets out the general approach to development in the area; it states that new economic activity will be created in the form of ground floor commercial frontage. New connections will be created in the form of improved access to local stations and the creation of effective interchanges with new buses. 14.65 hectares of land is promoted for at least 2,500 new homes to 2026, supported by infrastructure developments.

5. This site has a Site Specific Allocation which identifies the site as being suitable for mixed use including residential and retail. In addition, the principle of a mixed use residential and retail development has been accepted by the previous permission (LPA Ref: 11/0408) for a mixed use scheme comprising 76 flats and 925m<sup>2</sup> of commercial floorspace and as such the variation of conditions are considered acceptable subject to detailed policy considerations.

6. Relating specifically to the variation of conditions, the proposal seeks to make variations to Conditions 2 (development to be carried out in accordance with the approved plans) and Condition 19 (landscaping) of the approved scheme, LPA Ref: 11/0408.

7. It is noted that these amendments are required following the sale to a new owner, which is a Registered Provider.

8. The amendments include:

- Revisions to ground floor/mezzanine level car parking layout to separate retail loading bays from residential car parking including the provision of one additional parking space and 9 disabled bays;
- Reconfiguration to internal entrances, stair cores and residential accommodation to meet London Housing Design Guide requirements (mix to be retained as existing - 23 x 1-bed, 38 x 2-bed, 11 x 3-bed & 4 x 4-bed, with all of units proposed to be affordable);
- Increase in height of building by 0.8 metres;
- Residential refuse stores re-located to Burnt Oak Broadway frontage;
- Reconfiguration of amenity space including additional amenity space to 6th floor following the removal of the communal energy plant equipment, and a reduction in amenity space to first floor at north west of site to accommodate servicing bay;
- Reconfiguration of rear elevational detail including fenestration, additional height to rear servicing bay and larger rear balconies
- The reconfiguration of the commercial floorspace to provide three larger communal units as opposed to seven smaller commercial units;
- Internal alterations to servicing to re-position the refuse stores to the front of the building and to provide an additional substation;
- Variation of landscaping condition (Condition 19) to change submission date from within 6 months of construction to

9. Each of these issues are considered in more detail below.

#### **10. Increase in height to existing building**

11. The scale, massing and bulk of the proposal is an important consideration given the location of the site on Burnt Oak Broadway, a main thoroughfare through the Borough. The site is next to the recently completed mixed use residential development at the Theoco site to the north and to the south the Grade II listed Mecca Bingo Building. To the rear of the site are the more sensitive residential gardens of the dwellinghouses on Limesdale Gardens and to the front (east) of the site are three storey residential flats located within the London borough of Barnet.

12. The proposed building will have 7 storeys, with the upper storey being recessed from the main front and rear elevations. The proposed building would be 0.8m higher than the existing permission (LPA Ref: 11/0408) however the upper storey will not be clearly visible from the street scene as it is set behind a parapet wall. It is considered that the building will still sit comfortably in the streetscene and relate well to both neighbouring buildings.

13. The proposal remains in compliance with SPG 17 in terms of the 30 degree and 45 degree sight lines in relation to neighbouring residential properties and gardens, and is not considered to have any additional impact on the adjoining residential properties to the east (front) and west (rear) of the site and is considered to have an acceptable visual impact from the neighbouring residential gardens and habitable windows.

#### **14. Reconfiguration of elevational detail including fenestration and servicing bay**

15. The plans propose to reconfigure the rear fenestration of the development; the amendments include alterations to the rear (western facing) balconies on the third, fourth and fifth floors which were previously recessed but are now proposed to project by 1m beyond the main footprint of the building. There are also some slight alterations in the locations and numbers of windows across the rear elevation, alongside an increase in the head height of the north western loading bay to allow servicing access for larger vehicles.

16. The increase in height for the servicing bay to the retail unit on the mezzanine floor now complies with the Council's requirements, and as such is acceptable.

17. Subject to the securing appropriate materials, the alterations to the rear fenestration are considered acceptable. It is noted the additional 1m projecting balconies will not have any significant impact on amenity to the rear gardens and properties to Limesdale Gardens as they replace balconies approved under the

original scheme. It is further noted the larger balconies allow for the provision of improved residential accommodation and these amendments, on balance, are thus considered acceptable in design terms.

## **18. Changes to parking and servicing layout**

19. The plans propose to reconfigure the parking and servicing layout to the ground and mezzanine floors. One additional space is provided as a result of these changes, with the car park access to the lower level from the rear service road separated out from the main loading area via a new 4.5m wide entrance and 3.8m wide gates set 5m back from the rear service road. In addition, a separate transit- sized loading bay has been indicated at the northern end of the site, accessed via a separate 4.9m wide opening from the rear service road, thus allowing the transit bays previously approved within the car park to be removed. These details are considered acceptable by Transport for London and Brent's Transportation Department.

20. Bicycle parking remains unaltered, with 82 spaces in secure storerooms alongside the car park.

21. The proposed provision of 76 residential car parking spaces, i.e. one additional parking space, still accords with standards and would help to ensure no overspill residential parking occurs on the surrounding streets (particularly when supplemented by a Travel Plan) and as the car park is now separated out from the retail loading area and allocated for the use of residents only at a rate of one space per flat, there is no longer a need to approve a Car Park Management Plan (as previously secured through the S106 Agreement).

22. The revised car park and loading bay access arrangements now results in four accesses from the rear service road and the gradients (maximum 1:12), widths and visibility splays shown are considered acceptable.

23. Transport for London have requested that cycle parking provision is amended to reflect the latest London Plan Standards and take into account of the proposed minor Alterations to the London Plan where visitors cycle parking spaces should be provided at ratio of 1 space per 40 residential units; this would thus require 2 additional spaces which could be accommodated at the front of the site and has now been shown within the revised plans.

24. It is recommended by TfL that electric vehicle charging points at a ratio of 20% and further 20 passive provision should be made however as this was not secured through the original permission it is not considered that this it would now be reasonable to make this a requirement.

## **25. Provision of larger sub station**

26. The utilities provider has required the applicant to provide an additional sub station to provide adequate electricity capacity for the units. This has been provided to the rear of the site to its south west and it is noted that, given the Communal Heating System will no longer be provided, this can be easily accommodated without compromising any other space or access.

## **27. Re-location of refuse**

28. The applicant has proposed to move the refuse stores to the front of the building; this is considered to be an acceptable arrangement and it is noted the facility will not be visible from the highway. The proposed bin storage capacities meet the Council's Waste Guidance and a condition will be included for further detail of the doors as required by Brent's Transportation unit. Bin storage for the retail units remains alongside the rear service road.

## **29. Alterations to proposed retail units and associated servicing**

30. The original application proposed seven separate retail units, each no more than 141sqm in area (from north to south the retail units were proposed to be 120sqm, 141sqm, 120sqm, 94sqm, 103sqm, 90sqm and 113sqm). The revised plans propose three separate retail units which would be 295sqm, 377sqm, 251sqm respectively north to south.

31. It is noted that the servicing arrangements would not change which is considered acceptable. The provision of three larger units, in consideration of the development being located in a Secondary Shopping Frontage, is acceptable in policy terms.

## **32. Reconfiguration of residential layouts and amenity space**



33. The plans propose internal amendments to the residential units to comply with the London Housing Design Guide.

34. The reconfiguration of the residential units will not result in any worsening amenity to the accommodation, and it is noted the proposed flats will all comply with the requirements of the Mayors SPG on housing in terms of minimum floor areas, room sizes and window sizes. The proposed unit areas are all above the Council's minimum floor area. Whilst most of the units are dual aspect those that are not are either east facing or west facing as such each unit will have direct sunlight at some point each day.

35. SPG 17 requires the provision of approximately 20sqm of amenity space per flat. Applying this standard, there is a requirement for 1520sqm of amenity space for this scheme.

36. The previous proposal provided access to a private balcony or roof terrace with communal gardens to the rear of the development, with a total level of amenity space at 1730sqm. The revised scheme results in a loss of some ground floor amenity space to allow for the provision of a 67sqm servicing bay, however larger balconies are proposed with additional communal roof terraces proposed to the 6th floor resulting in a further 40sqm of amenity space to the roof.

37. Although there is a slight loss in the level of amenity space provided compared to the previous scheme, it is noted that the Council's standards of 20sqm amenity space will be provided.

### **38. Sustainability and renewable energy**

39. Individual heating systems are now proposed instead of community heating. The development still complies with the approved energy strategy as Exhaust Air Heat Pumps will be provided to make up for the shortfall in CO2 savings and still meet the Council's Sustainability policies for the Growth Area.

40. There is the potential for the plant equipment for the Exhaust Air Heat Pumps to cause noise and disturbance to residential uses. A condition has therefore been included to ensure further details are provided to address any noise concerns raised by the council's Environmental Health Officers.

### **41. Landscaping and the streetscape**

42. Comments have been received on the proposal from Brent's Landscape Department in relation to proposed materials; play areas; street trees and further planting detail. This will be required through condition.

43. The applicant has requested to vary condition 19 to allow for the submission of the landscaping details within six months of construction which is considered acceptable.

### **44. Other indicative amendments**

45. It is noted that there are some indicative amendments with regard to the materials within the development; the previously approved scheme seemingly proposed the set back to the 6th storey to be timber but it appears to now be render and the proposed windows appear to be UPVC. Existing conditions in relation to materials shall be attached to this permission to ensure these details are submitted to the Local Planning Authority.

### **46. Conclusion**

47. The proposed alterations meet the policies set out within the council's Core Strategy (2010), Site Specific Allocations (2011) and Unitary Development Plan. Approval is recommended.

**RECOMMENDATION:** Grant Consent

### **REASON FOR GRANTING**

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

Brent's Unitary Development Plan 2004  
PPG3 Housing and PPG4 Industrial and COMmercial Development Central Government

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

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Employment: in terms of maintaining and sustaining a range of employment opportunities  
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation  
Transport: in terms of sustainability, safety and servicing needs  
Design and Regeneration: in terms of guiding new development

#### **CONDITIONS/REASONS:**

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on 3 June 2011.

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:

Revised Plans:

P-01; P-02 Revision C; P-03 Revision B; P-04; P-05; P-07; P-08 "Third Fourth and Fifth Floor Plan"; P-08 "Roof Plan"; P-09 Revision A; P-10 Revision B; P-11 Revision B; Daylight and Sunlight Report; Design Statement; Refuse Strategy

Details approved under reference 11/0403:

Design and Access Statement

Transport Statement by TTP Consulting dated February 2011

Three Dragons Toolkit by Kim Sangster Associates Ltd dated 21 February 2011

Energy Strategy Report by Price Myers Engineers dated 17 February 2011

BREEAM Retail 2008 Design Stage Assessment by Price Myers dated January 2011

Air Quality Assessment by Hilson Moran dated 15 February 2011

Code for Sustainable Homes Pre Assessment by Price Myers 14 February 2011.

Noise Survey Report by Hilson Moran 16 February 2011

Statement of Community Involvement

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

- (3) During demolition and/or construction works on site:-

(a) the operation of site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Monday - Friday, 0800 - 1300 Saturday and at no time on Sunday or Bank Holidays;

(b) vehicular access to the adjoining and opposite premises shall not be impeded

(c) all plant and machinery associated with such works shall at all times be situated and operated within the curtilage of the site;

(c) no waste or other material shall be burnt on the application site;

(d) all excavated topsoil shall be stored on the site for reuse in connection with the landscape works scheme.

(e) a barrier shall be constructed around the site, to be erected prior to demolition

(f) a suitable and sufficient means of suppressing dust must be provided and maintained

- (g) the best practical means available in accordance with BS5228: 1984 shall be employed at all times to minimise the emission of noise from the site
- (h) all construction vehicles used during construction must meet European Emission Standards of Euro 3 during any works on site.
- (i) all non-road mobile vehicle with compression ignition engines used on the site shall comply with the emission standard contained in EC Directive 97/68/EC.
- (j).any diesel powered machines used on or otherwise serving the site shall be operated on ultra-low sulphur diesel meeting the specification BSEN950

Reason: To limit the detrimental effects of noise and disturbance from construction works on adjoining residential occupiers.

- (4) The car parking spaces shown on the approved plans shall be retained at all times. The nine disabled car parking spaces shall be marked as being available for use by disabled drivers only and be of a minimum width of 3.6m to ensure that they are accessible. The works shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

Reason: To safeguard the amenities of the future occupiers of the development.

- (5) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Deep piling, foundations or basements could penetrate the London Clay, which protects the Chalk principal aquifer. Therefore details on maximum depth and the techniques used to assess the risk to groundwater in the deep aquifer are required to ensure the proposal complies with PPS 23.

- (6) The proposed full size servicing bay shall only be used for loading and unloading of goods and shall only be used outside the hours of operation of the north bound bus lane on Burnt Oak Broadway.

Reason: To ensure that vehicles waiting or being loaded or unloaded do not interfere with the free passage of vehicles or pedestrians along the public highway.

- (7) Notwithstanding the details of materials provided within the submitted application, prior to the commencement of development full details of materials for all external work with samples of all external surfaces i.e. bricks, fenestration, roofing materials and other surfaces and window reveals at least 100-150mm, shall be submitted to and approved by the Local Planning Authority. The works carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- (8) Before any building works commence on the site, a scheme providing for the insulation and ventilation of the proposed building shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall not be occupied until the approved scheme has been fully implemented.

Reason: To ensure that the occupiers are not subjected to excessively high noise levels and to ensure an adequate standard of amenity.

- (9) The cycle parking details hereby approved, including the provision of a minimum of 82 secure cycle parking spaces for prospective residents and five publicly accessible spaces along the site frontage for the commercial unit, shall be completed prior to occupation of the development hereby approved and so maintained in accordance with the details so approved for the lifetime of the development.

Reason: To ensure satisfactory facilities for cyclists.

- (10) Vehicle wheel washing facilities shall be provided on site, in accordance with planning application reference 13/1596. Such facilities shall be used by all vehicles leaving the site and no work shall take place at any time the said facilities are not present or are otherwise incapable of use.

Reason: To ensure that the construction of the proposed development does not prejudice the conditions of safety and cleanliness along the neighbouring highway.

- (11) Further details shall be submitted to the local planning authority for approval within three months of the commencement of the development which shall consist of:

- (i) Security measures for the underground car parking area;
- (ii) CCTV measures overlooking the rear service road to provide safety and security;

The details as approved in writing by the local planning authority shall be fully implemented.

Reason: These details are required to ensure that a satisfactory development is achieved.

- (12) Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development shall be carried out in full accordance with the details approved in the Construction Method Statement.

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

- (13) Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by the contamination and an appraisal of remediation options required to contain, treat or remove any contamination found. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004

- (14) Any remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004

- (15) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority within 6 months of construction and shall be carried out within the first available planting season. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) proposed walls and fences indicating materials and heights;
- (b) screen planting along the rear boundary of the first floor residential units;
- (c) details of drainage, irrigation and water points.
- (d) areas of hard landscape works and proposed materials;
- (e) details of the tree pits to the frontage
- (f) details of the childrens play space
- (g) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

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

- (16) Notwithstanding the plans hereby approved, the expected noise levels and any mitigation measures necessary to achieve the required noise levels for the plant equipment proposed for the Exhaust Air Heat Pumps shall be submitted to and approved in writing by The Local Planning Authority within three months of the date of this permission. The rated noise level from all plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises. The method of assessment should be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. It should be assumed that each item of plant incurs a +5dB(A) penalty to account for tonal qualities. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy EP2

#### **INFORMATIVES:**

- (1) The applicant is reminded that, as balconies are shown overhang the adopted highway, an oversailing licence will be required from the Highway Authority under S177 of the Highways Act 1980.
- (2) All external samples should be left on site, viewable at a convenient time for the Local Planning Authority.

Any person wishing to inspect the above papers should contact Laura Jenkinson, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5276