

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
08
18/0236

SITE INFORMATION

RECEIVED	17 January, 2018
WARD	Brondesbury Park
PLANNING AREA	
LOCATION	Thanet Lodge, Mapesbury Road, London, NW2 4JA
PROPOSAL	Erection of a 3 storey 6-bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road
PLAN NO'S	Received 18/1/18: 1721/TP03; 1721/TP05; 1721/TP06; 1721/TP07; 1721/TP08; 1721/TP09; 1213/L21; Received 3/3/18: 1721/TP01; Received 24/3/18: Tree report; 14142LS; Received 4/5/18: 1721/TP04 revB; 1721/TP010; 1721/TP10 (2); 1721/TP11; 1721/TP12; 1721/TP21; 1721/TP22
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_138172</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/0236" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

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

1.2 Conditions

1. Time
2. Built as per the approved drawings
3. Landscaping-compliance
4. Materials- submission of details
6. Car free condition- no CPZ permits: compliance
7. Cycle parking and refuse provided prior to occupation- compliance
8. Removal of permitted development rights to convert to C4 HMO.
9. Landscaping and planting of trees

1.3 Informatives:

1. CIL liability
2. Building near boundary
3. Party wall
4. Basement- structural integrity & building regulations
5. Construction works- noise and vibration.
6. Construction works- requirement for licences
7. Construction works near highway- requirement of Highways Act 1980
8. Piling operations- code of practice refs vibration
9. Construction- air quality, dust, environmental requirements
10. Fire safety
11. London Living Wage
12. Highways to be contacted refs vehicle crossing

1.4 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



Planning Committee Map

Site address: Thanet Lodge, Mapesbury Road, London, NW2 4JA

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This map is indicative only.

PROPOSAL IN DETAIL

3.0 The proposal is for the erection of a 3 storey, 6-bedroom dwellinghouse, plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road. The proposal is an amendment to a previously approved application ref: 15/1205, to add a third floor which would be set back from the south edge of the building by approximately 2.8m. Also the bedrooms increase from 4 to 6. In other respects the proposal is largely unchanged.

EXISTING

4.0 The application site is a piece of land which forms part of a communal garden that services a four storey mid-twentieth century apartment complex (Thanet Lodge) to the south of the site. The site is located on Mapesbury Road and the property is located within the Brondesbury Conservation Area.

The existing apartment complex (Thanet Lodge) consists of 40x self-contained 1x/2x bed flats, including the 4x 2xbed flats at fourth floor level approved in 2003 and completed in 2006.

SUMMARY OF KEY ISSUES

2.0 The principle of a house on this plot has already been established. The proposal would provided a new dwelling that complies with national and local standards, with sufficient amenity space, and cycle and refuse storage.

2.2 The key issue to be considered is whether the loss of outlook from the four flats that would be affected by the proposal, on the north face of the Thanet Lodge building, is of sufficient harm to the neighbour amenity of those occupants to warrant a refusal, despite the fact that the proposal complies with policy in respect of the relationship between the proposed building and Thanet Lodge. Loss of a view is not a material planning consideration, however it is material to consider whether the proposal would have an acceptable impact on outlook, which relates to the positioning of a structure in close proximity to a habitable window.

RELEVANT SITE HISTORY

5.0 12/2813: The erection of three flats (1x Two Bed and 2 x One Beds) to the North of Thanet Lodge. Refused and appealed, appeal dismissed on 3/11/13, on the basis of lack of a 'car-free' agreement, and on overbearing impact on residents of flats in the north elevation of Thanet Lodge. It is to be noted that the distance between the proposal and those flats would have been 3m, not 5m as on the current proposal.

14/3463: Erection of a 2 storey 1 x 4 bedroom dwellinghouse to the north of Thanet Lodge involving direct pedestrian access from Mapesbury Road. Granted, 27/10/14. (The plans were revised to move the development further away from Thanet Lodge)

15/1205: Erection of a 2 storey 4x bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road (amendment to approved application ref: 14/3463 to include a basement level) Granted, 31/7/15.

CONSULTATIONS

6.0 96 adjoining and nearby residents were consulted, including all residents of Thanet Lodge. A site notice was displayed from 12th April 2018, and a press notice was also published on the same date. Ward councillors and Mapesbury Residents' Association were consulted. 15 objections were received. All were from nearby residents except one which was from a ward councillor in their official capacity. These are summarised below and will be considered in the assessment.

Issue	No. of mentions	Discussed in paragraph
Loss of open/green space	5	8.4, 8.8, 8.9
Building problems with other previous developments	5	2.0
Parking/traffic issues	3	8.15
Noise issues (basement media room)	3	8.12
Smells from cooking in garden	1	8.12
Pressure on existing sewage infrastructure	2	8.12
Building would be overcrowded on plot	2	8.3
Proposal is out of character for the CA	2	8.3, 8.5
Flooding risk	1	8.4
Impact on outlook to the north facing flats of Thanet Lodge	6	2.0, 8.10, 8.11, 8.13,
Brick wall would be damaged	1	8.3
Glare from basement lightwells	1	8.12
Loss of sun from Thanet Lodge	1	8.11
Previous application 12/2813 was appealed and dismissed and this is similar	1	2.0, 5.0, 8.2, 8.7
Applicant has made several applications	2	6.0
Conditions of a previous permission should be imposed	1	The previous conditions are not all necessary and some have been superseded by current guidance.

POLICY CONSIDERATIONS

7.0 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011). The specific policies applicable to this application are:

National Planning Policy Framework (2018)

The London Plan (2016): Policy 3.5 – Quality and Design of Housing Developments and 7.6: Architecture
 Core Strategy 2010: CP17- Protecting and Enhancing the Suburban Character of Brent, and CP21- a
 Balanced Housing Stock
 Brent Development Management Policy 1- General Planning Policy, 12- Parking, 19- Residential Amenity
 Space

SPG17 – Design Guide for New Developments, and draft guidance SPD1.

The London Plan Housing SPG (2012)

Brent Basements SPD

Technical housing standards: nationally described space standard

Listed Buildings and Conservation Areas Act 1990

DETAILED CONSIDERATIONS

8.0 Principle of the Development

8.1 The principle of the development was already established under planning permissions 15/1205 and 12/2813. The proposed development is different to that proposed within application 12/2813 in that it has a greater distance from the boundary and neighbouring building to the south.

Design and Character/ Context

8.2 The design of the building would be contemporary and would complement the streetscene. It would be proportionate with the scale of other nearby buildings. Above ground the proposed dwelling has been well designed and the additional storey over the previous permission would have a balanced appearance within the streetscene. The proposal would be set back from the road to the front and would not appear overly prominent or out of place. The basement's lightwells exceeds the criteria of 80cm depth, and is therefore not compliant with Brent's Basements SPD adopted in 2017. However as one basement lightwell would be to the rear, and the other 9.3m from the pavement, the parts of the dwelling would not be viewed prominently from surrounding vantage points and are not considered to be harmful to the character of the street or the conservation area.

8.3 An objection was received stating that the boundary wall would be damaged; it is not suggested in the proposal that this is removed; it is marked as existing, i.e. being retained, on the proposed plans. The design aspect of the proposal is satisfactory and although it would introduce a new building in the streetscene, the character of the conservation area would be preserved. Further details of materials will be required via submission condition should the application be granted.

8.4 The amenity space for the proposal is well designed and complies with DMP12 (Parking) requirement for 50% soft landscaping. It would present well to the streetscene. There would be sufficient soft landscaping to mitigate the risk of flooding as mentioned in one objection. The use of the section of garden as a building plot would remove 10% of the amenity space available to Thanet Lodge, that being the less attractive and less useable amenity space next to the road. This aspect is discussed in more detail in paragraph 8.9.

8.5 In terms of design and context, overall the proposal is acceptable and would preserve the character of the conservation area in accordance with the requirements if the Listed Buildings and Conservation Areas Act 1990.

Neighbour Amenity

8.6 The impact on the neighbouring plots is tested with the 45 degree guidance as outlined in SPG17, and also the 30 degree rule. The height of the proposal would increase by 3.25m above the previously granted scheme, with the extra height set back by approximately 2.8m.

8.7 The development would involve the creation of a new boundary which would abut the boundary of Thanet Lodge's garden area. The principle is already established under approved proposal 15/1205 and is considered to be acceptable.

8.8 Taking the measurement at a height of 2m from the ground level on the Thanet Lodge side according to the plans, the angle would be 55 degrees. However the rule relates to amenity space, not the interior of buildings. The area of amenity space to the side of Thanet Lodge, nearest to the street, is not the most likely area to choose for sitting out, it being facing the street and not providing a private garden space. The larger amenity area to the rear of Thanet Lodge would still be available for residents to use and is more attractive as an amenity space having more privacy. This privacy would improve as a result of the proposal (as would security) as the rear garden of Thanet Lodge would not have unfettered access, with open views from, the street.

8.9 Although the proposal involve a reduction in the outside space surrounding Thanet Lodge significant amenity space would remain and its quality would not be reduced as a result of the proposal.

8.10 The proposal also satisfies the 30 degree rule due to the setback of the second floor by 2.87m from the flank wall of the first floor, and the distance from the neighbouring windows of the north elevation of Thanet Lodge is more than 5m and therefore the proposal complies with policy. The raised ground and first floor of Thanet Lodge would have a changed outlook, from enjoying a relatively open aspect, to facing a white rendered wall at a distance of 5.13m (raised ground) and 8m (first floor). Although visible this impact would

not have an adverse impact on the overall outlook and living conditions of the neighbouring property.

8.11 Proposal complies with policy in terms of distance and height, and would be north, not south, of the nearest habitable room windows in Thanet Lodge. The proposal also would have ensured that the additional bulk of the development is set away from the boundary, therefore not having a significantly greater impact than the permitted scheme. The proposed dwelling would be sited to the north of Thanet Lodge and therefore would not result in any significant impact to direct sunlight. Due to the layout and siting of the neighbouring properties the proposal would not result in a significant loss of daylight to the main living areas and would not harm the overall living conditions of the adjoining occupiers.

8.12 Further objections were received which can be examined under the matter of neighbour amenity: Noise issues from basement / media room: this would be covered under building regulations requirements for insulation. . Subject to reasonable use, it is not considered that there would be any significant noise externalities from a family dwellinghouse. As with other types of excessive noise or disturbance, unreasonable impacts would be covered by requirements of the Environmental Health Legislation.

- Smells from cooking in the garden: This objection appears to refer to barbeque activities in the grounds of Thanet Lodge. Reasonable use of the property would not result in an adverse impact in terms of disturbance from cooking within the garden.
- Glare from basement lightwells: These would be of a moderate size to have obscured glass. The nearest properties to the lightwells would be 8m (rear lightwell) and 11m (front lightwell) away. The front lightwell would be 9.3m from the pavement. It is therefore not considered that any light they omit would have a significant impact on neighbouring occupiers or the surrounding public vantage points.
- Pressure on sewage infrastructure: This matter is managed by the utility provider and under Building Regulations, and for a small development of this size, is not a planning matter that can be given any significant weight.

8.13 Officers consider that the objection regarding the impact on outlook upon the north-facing flats of Thanet Lodge is material, however the proposal complies with policy which is why this proposal is brought before the Committee due to the number of objections received.

Standard of Accommodation

8.14 The proposed floor space overall would be 328m², with all bedrooms complying with London Plan 3.5 and National Housing Technical Standards. Sufficient amenity space would be provided and ventilation and light within the property would be acceptable. In this respect the proposal would be satisfactory and would provide a good standard of accommodation.

Parking/ Bins/ Cycle Storage

8.15 Amendments were received showing the bins stored at the top of the stairs down to the basement. This arrangement is considered to be acceptable and would ensure easy collection. There were no objections from Highways to the proposal, subject to a condition removing the right of future occupants of the dwelling to on-street parking permits. Subject to this condition the proposed development would have an acceptable impact on the safety and free flow of the surrounding highway network.

Trees/ Arboricultural Impacts

8.16 The feedback of the borough Tree Officer was obtained and plans for replacement trees obtained. It is considered that this aspect of the proposal was satisfactory. Conditions are recommended to ensure that the tree planting is implemented.

Conclusion

8.17. The proposal has an acceptable design and appearance which would preserve the character of the surrounding conservation area. Although the development would be noticeable from neighbouring properties the design and distance from the boundary have overcome issues with the refused scheme under reference 12/2813. The application complies with the Development Plan and is recommended for grant.

CIL DETAILS

9.0 The proposal may be eligible for self-build relief. The figures quoted here do not include any discount for relief because an application for relief must be made after planning permission has been issued and be received in the proper form and decided before any works commence.

This application is liable to pay **£107,774.29*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 328 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	328	0	328	£200.00	£35.15	£91,664.29	£16,110.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	313	
Total chargeable amount	£91,664.29	£16,110.00

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/0236

I refer to your application dated **17/01/2018** proposing the following:

Erection of a 3 storey 6-bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road

and accompanied by plans or documents listed here:

Received 18/1/18: 1721/TP03; 1721/TP05; 1721/TP06; 1721/TP07; 1721/TP08; 1721/TP09; 1213/L21;
Received 3/3/18: 1721/TP01; Received 24/3/18: Tree report; 14142LS; Received 4/5/18: 1721/TP04 revB; 1721/TP010; 1721/TP10 (2); 1721/TP11; 1721/TP12; 1721/TP21; 1721/TP22

at **Thanet Lodge, Mapesbury Road, London, NW2 4JA**

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: 03/08/2018

Signature:

A handwritten signature in blue ink that reads "Alice Lester".

Alice Lester

Head of Planning, Transport and Licensing

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 (2018)

The London Plan (2016): Policy 3.5 – Quality and Design of Housing Developments and 7.6: Architecture
Core Strategy 2010: CP17- Protecting and Enhancing the Suburban Character of Brent, and CP21- a Balanced Housing Stock
Brent Development Management Policy 1- General Planning Policy, 12- Parking, 19- Residential Amenity Space

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website, and a pre-application advice service is available
The scheme complies with guidance, and no pre-application discussions were entered into

- 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:

Received 18/1/18: 1213/L21; 1721/TP03; 1721/TP05; 1721/TP07; 1721/TP08; 1721/TP09;
Received 3/3/18: 1721/TP01; Received 24/3/18: 14142LS; Construction method statement [Goddard Consulting, February 2018]; Tree survey and arboricultural method statement [TreeTec, October 2014]; Received 4/5/18: 1721/TP04 revB; 1721/TP10; 1721/TP11; Received 9/11/18: Tree protection plan

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

- 3 The landscape works and planting shown on the approved plans shall be carried out:-
(a) prior to the occupation of any part of the development;

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

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

- 4 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.

- 5 The refuse and recycling facilities and cycle parking facilities as approved shall be provided in full prior to occupation of the relevant part of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for refuse storage and cycle parking and in the interests of safeguarding the amenities of occupiers and the area in general.

- 6 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space in the front garden to accommodate additional bin or cycle storage

- 7 Details of materials for all external materials to include (but not limited to) boundary treatments, doors and windows, in the form of high quality colour photomontage keyed to elevational drawing(s), including specification of products and RAL nos as appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work excluding demolition 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 visual amenity of the locality.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 4 **STRUCTURAL INTEGRITY**
The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

5 NOISE

The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

6 LICENCES

The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before: (i) erecting any scaffolding, hoardings, gantry, temporary crossing or fence on the highway; (ii) depositing a skip; or (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment. The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.

7 HIGHWAYS

The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

The applicant is also advised of their responsibility to apply to the Council for parking bay suspension:

www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations

8 VIBRATION

The applicant is advised to adhere to the following guidance in respect of vibration to ensure measures are taken to protect the residents and users of buildings close by and passers-by from nuisance or harm and protect buildings from physical damage: (i) human exposure: the contractor should refer to BS5228:1992 Part 4 'Code of Practice for Noise and Vibration Control Applicable to Piling Operations' for guidance; and (ii) protection of structures: the contractor should carry out demolition and construction activities in such a way that

vibrations arising will not cause significant damage to adjacent structures and should refer to BS7385 'Evaluation and Measurement of Vibration in Building - Part 2 Guide to Damage Levels from Groundborne Vibration' for guidance.

9 AIR QUALITY

The applicant is advised that the Environmental Act 1995, Clean Air Act 1993, the Health and Safety at Work Act 1974 etc, the Environmental Protection Act 1990 all control air quality and that the EPA 1990 controls dust under the 'statutory nuisance' provisions. The contractor should: (i) take all necessary measures to avoid creating a dust nuisance during both demolition and construction works including excavations; (ii) not burn any materials on the site; (iii) avoid the occurrence of emissions or fumes from the site including from plant and ensure off-road vehicles (e.g. bulldozers, excavators etc) with compression ignition engines comply with emission standards set in EC Directive 97/68/EC, meeting Stage II limits where possible and run on low sulphur diesel; (iv) ensure on-road vehicle emissions are in line with the provisions of the Road Vehicles (Construction and Use) Regulations (as amended) and the Motor Vehicles (Type Approval) (Great Britain) Regulations made under the Road Traffic Act 1988 and the EURO standards.

10 The Council recommends that the maximum standards for fire safety are achieved within the development.

11 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

12 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should Application for such works should be made to the Council's Safer Streets Department, Brent Civic Centre, Engineers Way, Wembley HA9 0FJ Tel 020 8937 1234. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

Any person wishing to inspect the above papers should contact Michele Katzler, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231