

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 April, 2019  
05  
**18/3603**

## SITE INFORMATION

RECEIVED	18 September, 2018
WARD	Kensal Green
PLANNING AREA	
LOCATION	124 Purves Road, London, NW10 5TB
PROPOSAL	Proposed two-storey, two bedroom dwellinghouse with a lower ground floor at the rear of 124 Purves Road with associated amenity space, allocation of private amenity space for existing flats of 124 Purves Road with raised ground level and provision of refuse & recycling storage
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_141842">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_141842</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 "18/3603" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

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

### Conditions:

1. Time limit for commencement
2. Approved drawings/documents
3. Car free development
4. Reinstatement of crossover
5. No C4 permitted development rights
6. Bin and cycle storage to be implemented prior to occupation
7. Details of materials
8. Landscaping scheme
9. Details of glazing
10. Tree report and method statement
11. Contaminated land
12. Soil remediation measures
13. Construction Method Statement
14. External lighting

### Informatives

1. CIL liability
2. Reinstatement of crossings
3. Control of Pollution
4. Hours of Construction
5. Building regulations
6. Construction Licences
7. Highways agreement
8. Noise and vibration
9. Notification of commencement
10. Party Wall informative
11. Building near boundary
12. Liaise with Network Rail

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.

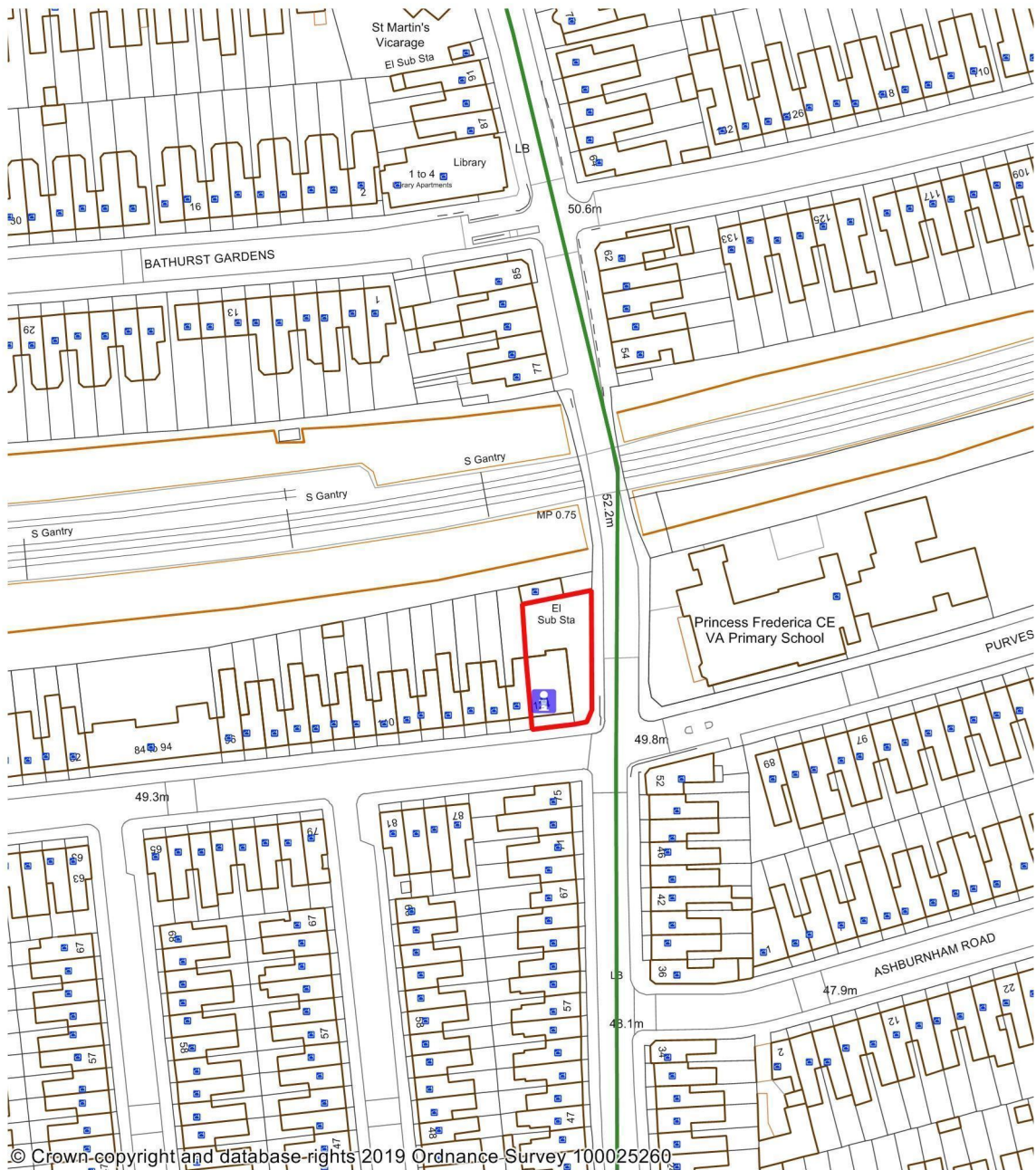
## SITE MAP



### Planning Committee Map

Site address: 124 Purves Road, London, NW10 5TB

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This map is indicative only.

## PROPOSAL IN DETAIL

Proposed two-storey, two bedroom dwellinghouse with a lower ground floor at the rear of 124 Purves Road with associated amenity space, allocation of private amenity space for existing flats of 124 Purves Road with raised ground level and provision of refuse & recycling storage

## EXISTING

The application concerns the rear of 124 Purves Road which is currently used as a car park by the residents of 124 Purves Road which consists of five self-contained flats. The site is not located within a conservation area nor does it contain any listed buildings.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

### Principle

The site comprises a residential building with a car park located to the rear. The surrounding uses are predominantly residential and as such the proposed additional unit would be consistent with the surrounding locality. The development would provide an additional housing unit contributing to the borough's Housing Stock.

### Standard of accommodation

It is considered that the scheme would provide a good standard of accommodation, generally consistent with Development Plan Policies in terms of internal and external space and quality of living environment.

### Design/Character and appearance

Subject to approval of details of proposed external materials, it is considered that the proposal would be in keeping with the character and appearance of the wider area.

### Impact on neighbouring amenity

It is considered that the proposal will result in no material harm to the amenities of neighbouring occupiers in terms of impacts on privacy, light and outlook.

### Highways/parking

Subject to a condition to secure a parking permit restrict for future residents it is considered that the proposal is acceptable in highways and transport terms.

## RELEVANT SITE HISTORY

### 18/1042 - REF

Erection of split level, 2 bedroom dwelling over basement, ground and mezzanine level on land to the rear of 124 Purves Road with associated amenity space, bicycle, refuse & recycling storage. Allocation of private amenity space and bicycle storage to existing ground floor flat and provision of communal amenity space and refuse & recycling storage for the upper floor flats at 124 Purves Road

### 16/5034 – DIS

Erection of two-storey, 2 bedroom dwelling over ground and basement level on land to the rear of 124 Purves Road with associated amenity space, bicycle, refuse & recycling storage. Allocation of private amenity space and bicycle storage to existing ground floor flat and provision of communal amenity space and refuse & recycling storage for the upper floor flats at 124 Purves Road

### 16/2972 – REF

Erection of a detached two storey two bedroom dwellinghouse with associated landscaping, cycle provision, bin stores and recycling and amenity space and new entrance on land rear of 124 Purves Road and creation of new amenity area, cycle and bin provision and new gate for existing ground floor flat and installation of bike lockers and refuse storage for all other existing flats of 124 Purves Road

### 15/4571 – GTD

Variation of planning permission reference 90/0669 dated 14/06/1990 for erection of a block of five flats and formation of vehicular access and parking to secure the development as parking permit-free

### 90/0669 – GTD

EREC OF A BLOCK OF FIVE FLATS & FORM OF VEHICULAR ACCESS & PARKING

## CONSULTATIONS

19 neighbouring properties were notified. 8 representations were received at the time of writing this report

Objection	Response
Noise	See neighbouring amenity section
Overlooking/loss of privacy from windows	See neighbouring amenity section
Disruption from building works	Most developments result in an element of disturbance during construction works, any excessive impacts would be managed through Environmental Health Legislation. Once built, reasonable use of the property would not have an adverse impact on the neighbouring occupiers.
Impact on/from railway/substation	No objections have been received from either the electricity provider or railway company following formal consultation.
Impact of additional light	See neighbouring amenity section
Overshadowing	See neighbouring amenity section
The site would not be maintained	This is not a planning consideration
Basement will affect foundations	Structural stability and construction details will be addressed by Building Control legislation
Lack of access	The proposal would not involve any parking space and the future residents would not be eligible for parking permits. Access to the property would only be by foot. Construction access would have to be managed by the development to ensure that

	disturbance is minimised.
Increase in parking and traffic	See parking and access section
Increased smell	See neighbouring amenity section
Impact on character of area	See character and appearance section
Development contrary to planning permission 15/5471	See principle section
Development would attract more opportunity for crime	See neighbouring amenity section

### External consultation

Due to the sites proximity to an electricity substation and railway line, UK Power Network and Network Rail were formally consulted. No objections were received from either consultees.

### Internal consultation

Transport & Highways – no objections subject to a permit free agreement and removal of the existing vehicular access and its return to footway.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (2018)

#### The London Plan (2011 as amended)

Policy 3.5 – Quality and Design of Housing Developments (as amended)

#### Core Strategy (2010)

CP17 – Protecting and Enhancing the Suburban Character of Brent

CP21 – A Balanced Housing Stock

#### Development Management Policies

DMP 1 Development Management General Policy

DMP 12 Parking

DMP 18 Dwelling Size and Residential Outbuildings

DMP 19 Residential Amenity Space

#### Supplementary Planning Guidance

SPD1 – Brent Design Guide (2018)

## DETAILED CONSIDERATIONS

### 1. Background and Context

1.1 Three applications for a detached two-storey, two bedroom dwellinghouse have previously been refused by the LPA with one dismissed at appeal. The appealed application (16/5034) was dismissed as the Inspector found that the proposal would have had significant harm on the living conditions of future occupants by way of insufficient outlook. The application submitted following the appealed decision was again refused, this time on the basis that the development would have a detrimental impact on the occupants of neighbouring properties as well as having a negative impact on the character and appearance of the area due to its scale and design. The current application again proposes a two storey dwelling, however the scale and design has been altered in order to overcome the previous reasons for refusal.

## **2. Principle**

2.1 The principle of residential development at the site has already been established in the previously refused applications. A local resident has raised concern with the suitability of the land for residential development and has also made reference to application 15/4571 and the conditions attached to that application. Application ref.15/4571 was a variation of condition application relating to 90/0669 that sought to have No.124 as a permit free development. This application was approved subject to two conditions, one of which required the area that is currently proposed to be developed at the rear of the site is to be either ancillary car parking or amenity space. The land is currently in use as car parking and therefore would appear to be in compliance with that condition. Notwithstanding the existing permission and attached conditions, a new grant of permission if approved would supersede the previous permission. Therefore, the current application can be assessed on its own merits, and the previous written condition does not necessarily restrict development. The principle of developing this area of land for residential purposes is therefore again considered to be acceptable.

## **3. Standard of accommodation**

3.1 DMP18 requires the size of dwellings to be consistent with London Plan Policy 3.5 Table 3.3 in terms of internal space standards. The application proposes the erection of a two bedroom dwelling set out over basement, ground and first floor levels. The unit would have a gross internal area (GIA) of just under 80.2sqm therefore exceeding the minimum size required for a 2B4P

3.2 The unit would have access to private amenity space which would well exceed the 20sqm required under DMP19 due to the provision of two terraces at basement level and a garden at ground floor level.

3.3 In terms of internal amenity, outlook would be somewhat restricted to the bedrooms due to the subterranean nature of the basement level and proximity to the boundary walls. Due to the open plan nature of the kitchen/dining room at ground floor, the use of glazing and low boundary wall proposed outlook would be good from these habitable rooms. Due to its location at first floor and the fact that the living room would be well served by windows, outlook would also be good from this habitable room. As the living room would be the primary living area, the slightly restricted nature of the bedrooms would be considered acceptable on balance.

3.4 The applicant has submitted a daylight/sunlight assessment to accompany the application. The daylight/sunlight report confirms all habitable rooms would receive good levels of daylight, all of which would significantly exceed required standards and therefore it is accepted that the accommodation would prove suitable in this regard.

3.5 Whilst accepting that there would be some limitations namely in terms of outlook, it is considered that the overall standard of accommodation would provide good levels of internal and external amenity for the future residents of the site in compliance with DMP1.

## **4. Parking and Access**

4.1 Car parking allowances for residential use are set out Appendix 1 of the adopted DMP (2016). As the site has good access to public transport services, the lower parking standard applies. The size of the five existing flats at 124 Purves Road is not known, but they were originally constructed with a 5-space car park at the rear, with a planning condition requiring those spaces to be retained for the exclusive use of those flats thereafter.

4.2 Planning consent was granted under reference 15/1711 for the removal of that condition, allowing the car park to be removed. A 'car-free' condition removing the rights of those five flats to on-street parking permits was attached to that consent, so that there would be no displacement of parking onto the surrounding heavily parked streets. On this basis, the car park is now surplus to requirements and can be developed for other uses.

4.3 The existing driveway alongside the existing flats is to be retained but not as parking. Therefore a condition to reinstate the vehicular crossover onto Purves Road to footway at the developer's expense prior

to occupation of the development is recommended should permission be granted.

4.4 With regard to the new dwelling itself, no parking is proposed for the building. With the good access to public transport services and location within a CPZ, a 'car-free' agreement would be appropriate to mitigate against additional parking pressure in the area, as long as it is properly secured condition.

4.5 The London Plan requires the provision of secure long-term bicycle parking spaces. A total of ten secure bicycle lockers are proposed – eight for the existing upper floor flats (the ground floor flat has its own private amenity space) and two for the proposed new house – thus satisfying this requirement for the whole site, which is welcomed.

4.6 Refuse storage for three wheeled bins for the new house is proposed alongside the site access, allowing easy collection from College Road, in line with requirements. A new covered refuse store for two Eurobins for the existing flats is also proposed alongside the driveway, allowing easy collection of waste from Purves Road.

## **5. Impact on neighbouring amenity**

5.1 Residential properties are located within the site at No.124 Purves Road and also adjacent to the site in No.122 Purves Road which contains two self-contained flats. During the site visit it was noted that there are a number of habitable room windows to the rear elevation.

5.2 The proposal would occupy the rear of the application site and consist of the proposed dwelling and an area of amenity space. As part of the application, the remaining area of land, not designated as the curtilage of the proposed dwelling, would be re-provided as three separate areas of amenity space for the existing flats. Two of these are proposed to the rear of No.124 and one to the side of No.124. The smaller areas of amenity space, with a combined area of 30 sqm, would be allocated to the rear ground floor flats and the larger area, with an area of 60 sqm, would be used as communal space for the remaining three flats.

5.3 With regard to overlooking there would be no directly facing habitable room windows to the proposed new dwelling that would result in overlooking to the rear of No.124. With regard to the impact from the proposed building, guidance within SPD1 is applied by means of the 30 and 45 degree guidance lines. The applicant has submitted sectioned drawings showing the relationship between the proposed and existing buildings

5.4 In relation to the rear private amenity space allocated to the existing ground floor unit within 124 Purves Road, the building would not extend the full depth of the rear boundary and as such the space allocated to the existing unit would not experience any unacceptable overbearing impact due to the fact that the rear boundary would abut amenity space. The rear facing openings serving this unit would also not be unduly affected because of this relationship. In the previously refused application, concerns were raised with regards to the impact of the new dwelling on the new provided communal amenity area and the development was considered to have an unacceptable overbearing impact on this. In this application, and in order to address previous concerns, the rear communal amenity space is proposed to be raised by 0.5m. Therefore when taken from a height of 2m from the newly raised rear garden area, the building would not intrude the 45 degree line and therefore would not have an unacceptable overbearing impact on the rear garden area of the flats of 124 Purves Road. In addition to this and whilst noting that the building would be sited in close proximity to the existing residential building the dwelling would not extend the full rear boundary of the communal area which would further limit its impact.

5.5 It should also be noted that the development would bring about some improvements for the existing units on 124 Purves Road. At present the habitable room windows in the rear elevation benefit from limited privacy due to the location of the existing car park and the lack of any defensible space. Whilst it is acknowledged that such improvements could be facilitated without the addition of a new dwelling, the development would result in a communal garden for residents but also private amenity space for two of the existing units and increased privacy as a result of this provision

5.6 The other residential property most likely to be affected by the development is no. 122 Purves Road. The shared boundary wall would be retained and the proposed building would be set in 2.7 metres from the boundary and this would be at single storey. At two storeys the building would be set in 4.5m from the boundary and given the separation and the design of rear elevation, which would pitch away from this

property, the dwelling would not intrude the 45 degree and as such is not considered to result in any harmful overbearing impact. Whilst the first floor rear is proposed to be predominantly glazed, given the design of the elevation and the type of glazing proposed which would be obscure glazed, becoming transparent only at high level, no overlooking would occur. Furthermore, whilst the glazing would add light to the unit, given the presence of the void area immediately adjacent the windows with the mezzanine set towards the front of the building, it would not be possible to obtain clear views of the neighbouring garden.

5.7 Whilst the communal space is proposed to be raised by 0.5m, the private amenity space closest to the boundary with no. 122 is proposed to be maintained. The raised area would therefore be set away from the boundary by 4m and given this and the proposed boundary treatment, of which further details are to be secured by condition, this aspect of the development is not considered to be detrimental to the occupants of this neighbouring property.

5.8 A resident has raised concerns with a lack of access to the site however the site would be accessible on foot and vehicular access would be removed. A resident has raised concerns about increased light pollution however it is not considered that this would be excessive in this residential location. A resident has raised concerns with increased smells from the site however refuse storage is proposed. A comment has also been made, raising concern that the development would make the site more susceptible to crime. However, there is no reason why this would be the case, particularly in light of improved boundary treatment.

## **6. Design and Impact on character**

6.1 With regards to the previously refused applications, the approach has always been to produce a dwelling more contemporary in design. Whilst a number of neighbouring objections have been received on the basis that the proposed development would not be in keeping with the character and appearance of the area, it is acknowledged that in the appeal decision for application ref. 16/5034 the Inspector noted that due to the mix of different house types and designs in the locality, a contemporary design would not necessarily result in any unacceptable harm to the character and appearance of the area.

6.2 The surrounding area consists predominantly of brick built, pitched roof buildings. It is acknowledged that the proposed new dwelling has been designed to be contemporary in appearance, nevertheless it is considered that the design of the dwelling has been refined and as proposed would sit sympathetically within its surroundings. The proposed building would have a mono pitched roof which would reflect the design of the outriggers to the properties in the locality and on Purves Road. Additionally, whilst the fenestration would be more modern to the rear, comprising full width glazing, the windows to the front would be of a simple design and of traditional proportions, also compatible with surrounding development. In terms of the materials the dwelling is proposed to be of brick construction which again would be compatible with surrounding development.

6.3 The proposed building would be two storeys, however it would be well set back from the footpath which would help to reduce its presence when viewed from College Road. Furthermore despite its two-storey design it would be of a smaller scale than both the outriggers to the adjacent buildings on Purves Road and the substation which is read as a single storey building. Effort has also been made to avoid any cramped appearance within the street scene by setting part of the first floor front elevation back towards the substation in order to achieve a degree of separation between the two buildings.

6.4 Given the set back position of the building from the footpath, the scale and design including the use of traditional materials and fenestration the proposed new dwelling would have an acceptable impact on the character and appearance of the area.

6.5 The existing boundary treatment to College Road consists of a timber fence that is not of any particular quality. The proposal would see the erection of a brick wall that would run the length of the site for just over 21 metres and then end where the boundary for the proposed residential unit starts. The brick wall element would be considered acceptable in this location. The boundary in front of the proposed building would consist of a brick pier with black metal railings. Whilst boundary treatments within the surrounding area largely consist of timber fencing and brick walls, the proposed treatment would not be overly prominent and it is noted that adjacent school benefits from a similar treatment to its Purves Road boundary. Such a front boundary treatment would be acceptable in this predominantly residential setting.

6.6 It should also be acknowledged that the development is proposing soft landscaping on a site where

there is currently none. Whilst it should be noted that this could be achieved without the complete re-development of the site, it should also be considered a benefit of the scheme.

## **7. Trees**

7.1 A large tree is shown along the existing boundary with College Road and the plans show the retention of this. In order to ensure that the tree is not harmed and is retained as indicated, a tree survey and arboricultural method statement are recommended to be secured by condition to ensure that the works would have an acceptable impact on this tree.

## **8. Equalities**

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

## **9. Conclusion**

9.1 The proposed development would provide a good standard of accommodation for future residents, would have an acceptable impact on the occupants of neighbouring properties and would have an acceptable impact on the character and appearance of the locality.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 18/3603

To: Mr Babic  
Milan Babic Architects  
Ground Floor Office  
151b Bermondsey Street  
LONDON  
SE1 3UW

I refer to your application dated **17/09/2018** proposing the following:

Proposed two-storey, two bedroom dwellinghouse with a lower ground floor at the rear of 124 Purves Road with associated amenity space, allocation of private amenity space for existing flats of 124 Purves Road with raised ground level and provision of refuse & recycling storage

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

at **124 Purves Road, London, NW10 5TB**

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: 29/03/2019

Signature:

**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 the policies contained in the:-

National Planning Policy Framework (2018)  
The London Plan (2016)  
Brent Development Management Policies (2016)  
Council's adopted Supplementary Planning Document 1- Brent Design Guide (2018)

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

PL-919-001  
PL943-MB-00-102  
PL-943-MB-04-100  
PL-943-MB-04-102 Rev C  
PL-943-MB-04-104  
PL-943-MB-00-099  
PL-943-MB-00-100  
PL943-MB-00-101  
PL943-MB-00-100xl Rev A  
PL847-MB-00-100  
943-MB-04-103  
PL-943-MB-04-101  
PL-943-MB-04-105

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

- 3 Occupiers of the residential development hereby approved and the occupiers of units A-E 124 Purves Road shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

- 4 The development hereby approved shall not be occupied until works to remove the existing crossover and reinstate it to a footway with full height kerb, has been completed at the applicants expense.

Reason: In the interests of highway and pedestrian safety.

- 5 The residential unit 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 and cycle storage.

- 6 The dwelling hereby approved shall not be occupied until both the refuse and cycle-storage has been installed in accordance with the details on the approved plans (PL943-MB-00-100xl). The storage shall thereafter be retained and maintained for the life of the development.

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

- 7 (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.

- 8 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 prior to the commencement of any site clearance, demolition or construction works on the site. 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) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) proposed walls and fences indicating materials and heights;

(c) screen planting along the illustrated boundaries;

(d) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(e) areas of hard landscape works and proposed materials;

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.

- 9 Prior to the occupation of the dwelling hereby approved, full details of the glazing to the first floor rear elevation shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved detail and retained in perpetuity unless otherwise agreed in writing.

Reasons: In order to safeguard the privacy of neighbouring residential properties.

- 10 Prior to the commencement of development, a tree report and method statement detailing how the development will impact the tree along the College Road boundary and detailing suitable measures for its retention and protection shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reasons: In the interests of local amenity.

- 11 Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. 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

- 12 Any soil contamination 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 suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 13 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.

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

- 14 Prior to above ground works commencing, details of the design, siting, lux levels and measures to prevent external lighting affecting light sensitive premises in the vicinity of the development shall be submitted to the Local Planning Authority for approval in writing. The approved lighting shall be implemented prior to first occupation and permanently maintained.

Reason: To ensure that the development does not prejudice the amenities of adjoining occupiers.

## 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 removal of a crossover fronting Purves Road including the reinstatement of the public footpath shall be carried out by the Council as the Local Highway Authority at the applicant's expense. Such application should be made to the Council Highway Consultancy. 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.
- 3 The applicant is advised to ensure that demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise

and vibration effects.

#### 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 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 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.

- 8 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will

require that any damage to the adopted highway associated with the works is made good at the expense of the developer.

- 9 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](http://www.communities.gov.uk)
- 10 The applicant must ensure that the treatment/finishing of flank walls can be implemented, before work commences, 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.
- 11 The applicant is advised to contact Network Rail to agree a Basic Asset Protection Agreement (AssetProtectionLNWSouth@networkrail.co.uk)

Any person wishing to inspect the above papers should contact Paige Ireland, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3395