



**Planning Committee Map**

Site address: Quality House, 249 Willesden Lane, Willesden, London, NW2 5JH

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This map is indicative only.

**RECEIVED:** 11 June, 2012

**WARD:** Willesden Green

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** Quality House, 249 Willesden Lane, Willesden, London, NW2 5JH

**PROPOSAL:** Demolition of existing building and erection of a 2, 3 & 4 storey building containing 38 retirement apartments with associated parking, access and landscaping.

**APPLICANT:** McCarthy and Stone Retirement Lifestyles Ltd

**CONTACT:** The Planning Bureau Ltd

**PLAN NO'S:**  
See condition 2

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### **RECOMMENDATION**

Grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, on expiry of the neighbour consultation period taking into account any comments received, and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

### **SECTION 106 DETAILS**

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- A contribution of £372 000, due on material start and index-linked from the date of committee, towards enabling the provision of affordable housing off site.
- A contribution of £51,000 (£1k per additional bedroom), index-linked from the date of Committee, and for Sustainable Transportation and Open Space & Sports in the local area, due on Material Start.
- Sustainability - submission of and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and Code for Sustainable Homes Level 3, in addition to adhering to the Demolition Protocol, with compensation should it not be delivered.
- Join and adhere to the Considerate Contractors scheme.
- A S38/S278 Agreement to undertake the implementation of the highway works as broadly set out in drawing 10-1825-105 REvA , to also include at the developers' expense;

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

In addition, the Mayoral CIL multiplier is also payable here at a rate of £35 per square metre of total net additional floorspace.

### **EXISTING**

The existing property is a three storey vacant office building fronting onto Willesden Lane. It was last occupied by Brent Council Trading Standards Officers.

The building is not a listed building, nor is it within a Conservation Area. However, the western boundary of the site adjoins the Willesden Green Conservation Area and this point is discussed further in the Consultation section of the report below.

## **PROPOSAL**

See description above.

## **HISTORY**

There are no recent decisions relating to the site and only one historic application:

90/0906. Refurbishment of existing trading standard office, provision of lift shaft including disabled persons lift and access, change of use of part ground floor and the whole of the second floor to day centre for social services. Granted 15/08/1990.

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework**

The NPPF was published on 27th March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where PPG's, PPS's, LDF Core Strategy, SPD's, SPG's and UDP saved policies are referred to in the report below they have been considerations in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

### **London Plan 2011 and Mayor's Community Infrastructure Levy (CIL)**

This applies to relevant developments from 01/04/2012.

The following local policy documents need to be taken into account in the assessment of this application:

London Borough of Brent Core Strategy 2010

London Borough of Brent Unitary Development Plan 2004 (UDP)

Supplementary Planning Guidance Note (SPG) 17 "Design Guide for New Development"

Supplementary Planning Guidance Note (SPG) 19 "Sustainable Construction & Pollution Control"

### **UDP 2004**

BE2 – Townscape: Local Context & 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

BE12 – Sustainable Design Principles

EP2 – Noise & Vibration

EP3 – Local Air Quality Management

EP6 – Contaminated Land

H11 – Housing on Brownfield Sites

H12 – Residential Quality – Layout Considerations

H25 – Sheltered Housing

TRN3 – Environmental Impact of Traffic

TRN14 – Highway Design

TRN23 – Parking Standards – Residential Developments

PS14 – residential Development Parking Standards

EMP 17 – Re-use of Redundant Offices

## **Core Strategy 2010**

CP6 – Design & Density in Place Shaping – Regard shall be had to London Plan policies on density and design.

CP 14 – Public Transport Improvements

CP15 – Infrastructure to support development

CP17 – Protecting and enhancing the suburban character of Brent

CP 19 – Brent Strategic Climate Change Mitigation and Adaptation Measures.

CP21 – A Balanced Housing Stock – The proposal should meet a known need.

## **London Plan 2011**

Policy 3.5 – Quality and Design of Housing Developments

Policy 3.8 – Housing Choice

Policy 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

Policy 3.13 – Affordable Housing Thresholds

Policy 5.2 – Minimising Carbon Dioxide Emissions

Policy 5.3 – Sustainable Design and Construction

Policy 5.7 – Renewable Energy

Policy 5.9 – Overheating and Cooling

Policy 5.10 – Urban Greening

Policy 5.17 – Waste Capacity

Policy 5.18 – Construction, excavation and demolition waste

Policy 5.21 – Contaminated Land

Policy 6.5 – Funding Crossrail

Policy 6.13 – Parking

Policy 7.1 – Building London's Neighbourhoods and Communities

Policy 7.2 – An Inclusive Environment

Policy 7.3 – Designing Out Crime

Policy 7.5 – Public Realm

Policy 7.6 – Architecture

Policy 7.8 – Heritage Assets and Archaeology

Policy 7.14 – Improving Air Quality

## **SUSTAINABILITY ASSESSMENT**

Members will be updated at the Meeting about sustainability matters.

## **CONSULTATION**

Consultation letters were sent out on 13/06/2012 to all properties within 100m of the site. Two site notices were also placed outside of the site and a press notice was served advertising the development as being Of Public Interest.

As mentioned above, the site adjoins Willesden Green Conservation Area and, as a result, it is necessary to advertise this application as potentially impacting on the character and appearance of the Conservation Area. Unfortunately, although Press and Site Notices were served, as explained above, they were not under the correct legislation and Officers have had to correct this.

As a result, further Site Notices were posted on 9 August 2012 and a second Press Notice published on 10 August 2012. It is unlikely that this process will result in any additional comments that were not picked up first time around, but Members need to be aware that the consultation period does not expire until 31 August 2012 and consideration of anything that does come in after the Committee should, therefore, be delegated to the Head of Area Planning.

An objection has been received making the following points:

- Loss of light to neighbouring gardens
- Loss of privacy in the same gardens and property
- Loss of view from properties within Brondesbury Park
- Loss of home value
- Excessive height of the proposed building would be out of keeping with the character and appearance of the surrounding streetscene.
- Mix of materials out of keeping with the character and appearance of the property.

Highways Engineers have no objection to the proposed development subject to conditions and section 106 clauses relating to the provision of cycle storage, disabled parking spaces and the re-instatement of existing crossovers at the developers expense.

Environmental Health Officers have no objections to the proposed development, subject to conditions relating to construction management, site contamination assessment/remediation and noise insulation.

Urban Design Officers originally objected to the proposed development. They were particularly concerned about the height and siting of the development which failed to provide an appropriate setting for the proposed building. There was also concern about the materials proposed. Revisions were sought and the revised proposal satisfactorily overcame the concerns. The matter is further explored below.

## **REMARKS**

### **REMARKS**

#### Amendments during the planning process.

The submitted planning application was originally considered to have a number of shortcomings and, as a result, it has been amended during its lifetime in the following way:

- A fifth floor has been removed.
- The proposed building line has been set in at the north east corner of the site.
- A more prominent entrance on the Willesden Lane frontage is now proposed.
- Rear balconies have been removed.
- The Willesden Lane frontage has been amended to provide a more coherent frontage.
- The number of parking spaces has been reduced from 12 to 10.
- The number of units has been reduced from 39 to 38.

#### Principle of the development

The proposed development would result in the demolition of an existing vacant office building and erection of a building containing 38 Later Living Retirement Homes. 26 of these will be one bedroom units and 12 will be 2 bedroom units. The proposed accommodation will be a completely private scheme.

The loss of existing vacant Council office buildings is considered to be acceptable where appropriate alternative uses are proposed. The re-use of the site for residential accommodation is considered to be an appropriate use in line with policy EMP17 of Brent's UDP 2004, as well as the provisions of the NPPF. The proposal also accords with national and local policy requiring development to take place on brownfield sites.

#### Need for Residential Accommodation in Local Area

The applicants have provided information to support this submission. They state that there are 47 retirement housing developments within Brent providing a total of 1505 dwellings. Of these 1173 are for rent and 332 are available for sale. Within 3.5km of the application site there are 3 existing retirement homes providing accommodation for owner occupiers of which none are located within Brent.

The applicants also make the point that the provision of this type of accommodation allows for elderly home owners within larger properties to move from these to more suitable accommodation, freeing up existing underutilized houses to help to meet housing demand for families. The argument is understood and, in this case, it is considered that it has been demonstrated that, in relation to the type of accommodation, the proposed development will provide units that go towards meeting the needs of local residents in line with policy CP21 of Brent's Core Strategy 2010 and policy 3.8 of the London Plan 2012.

#### Affordable Housing Provision

Affordable housing includes social rented and intermediate housing in order to meet the needs of specified eligible households whose needs are not met by the market. It should meet the needs of these households, including availability at low cost in relation to local incomes and local house prices. It should include provisions for the home to remain at an affordable price for future eligible households or if these restrictions are lifted, for the subsidy to be recycled for alternative housing provision.

As explained above, the proposed development is a full private scheme and makes no on-site provision for affordable housing. Officers do not consider that this is an acceptable situation and through discussions, the applicants have now committed to the provision of a commuted sum to provide in lieu affordable accommodation elsewhere within the Borough.

Members will be aware that the Council will only accept a commuted sum payment for affordable housing provision off-site in exceptional circumstances where the provision of different housing tenures is not practical, or possible, within a proposed development. In this instance the applicants have stated that it is only realistically possible to provide different tenures of retirement housing within separate buildings and not in a single building as is proposed here. As a result of the specialist nature of the accommodation proposed and the relatively restricted size of the site, it is acknowledged that it would be difficult to propose more than one block and to do so would significantly reduce the number of units on the site, as well as potentially affecting the viability of the scheme, such that it could be likely to preclude the private development from taking place. Therefore, Officers consider that the provision of a commuted sum in lieu is the most appropriate means of providing affordable accommodation for the benefit of the Borough. This is an approach that the Council have agreed should be secured through a section 106 agreement.

Looking at the wider issue of the legal agreements that are needed here and the contributions that should be secured through them, the Council has accepted reduced planning obligations in the development of previous private sheltered housing schemes, as it has been argued that the impact of such development (notably in terms of the main funding areas for S106 obligations, namely education and transportation) is much reduced. As a result, Officers have agreed that taking all considerations into account, a sum of £1000 per additional bedroom should be sought through the legal agreement, rather than the normal sum of £3000 or £2400 per bedroom that is sought for private and affordable housing respectively. A similar argument has been applied to the provision of affordable housing on sheltered housing sites, both in terms of the fact that it is not viable to provide affordable housing on site and secondly it is not practicable to do so. This is particularly because the service, and other, charges paid by private sector residents would not result in affordable rents for social rent tenants. The Council has tested these assumptions in the past and generally has accepted reduced contributions or affordable housing provision.

On this particular site, which is a former Council owned site, there is some capacity for an affordable housing obligation, but it is acknowledged that this should be met off-site. The affordable housing contribution of over £372,000 for off-site provision is considered reasonable, based on using the sum in the same way that housing associations receive grant, equating to on average about £35,000 per property for a mix of shared ownership and affordable rent. This would mean that the total figure would give rise to the build of 10 or 11 affordable properties, equating to a little below 30% of the total numbers of units proposed on site here. In the circumstances it is considered to be a reasonable off-site payment.

### Quality of Accommodation

As explained, this application proposes a total of 26 one and 12 two bed units. A large residents lounge of approx. 80 square metres in area is provided within the proposed ground floor. Many of the units would be single aspect with only those proposed for the corners of the block being able to benefit from dual aspect, but every habitable room does benefit from a window, providing outlook and light. The north facing units look out towards Willesden Lane and although Officers consider that it is these single aspect north facing units that do provide the biggest challenge as far as providing a quality of accommodation is proposed, in this case views would be by and large unrestricted views out across the proposed amenity space/planting area. The internal floor areas proposed appear to broadly comply with the provisions of the London Plan, which are normally applied to residential schemes. The internal space proposed is, therefore, likely to more than meet the needs of the future occupants who would use the space in a different way to, for example, a family with small children.

Outside amenity space is also likely to be less used than a conventional residential scheme, with fewer demands placed upon it. It is therefore the quality of the outside spaces on the site, and the uses/activities that can take place within them that are considered to be more important than the quantum of amenity space proposed. The combination of inside and outside space, accepting the characteristics of this type of accommodation, is considered to be acceptable.

### Design Considerations

The existing building is not without merit in architectural terms, but it is not listed or locally listed. As a result, it is considered that the key issue is to ensure that if the building is to be demolished that it is replaced by something that is acceptable in design terms in its own right. As explained above, originally Officers took the

view that the proposal failed to demonstrate the quality of design that the Council should seek on sites like this, both in terms of the design and appearance of the building itself, but also the way that the space around the new building is used. Here, the relationship with the prominent Willesden Lane/Sidmouth Road junction was also an issue. However, changes were requested to deal all of these particular points and these have been made so that this now means that the scheme is considered to be acceptable in design terms.

A further consideration here is the relationship of the site with the Willesden Conservation Area which, as explained in the Consultation section above, lies to the immediate west of the site. Although the site falls outside the Conservation Area, Members will be aware that proposals that are outside a Conservation Area, but which might still impact on the character and appearance of that Area, need to be considered in that context. The application has been advertised as a development affecting the Conservation Area in order to comply with the relevant legislation, although Officers do not consider that the impact is a detrimental one for the reasons set out. The proposed building would be 2.5 metres closer to the western boundary than the existing main element of Quality House, but would still be sited over 14 metres from the Conservation Area boundary. The fact that Officers consider that the new building would be acceptable in terms of its design, in conjunction with this separation distance, means that the development would not have a detrimental impact on the Conservation Area.

The existing building is essentially a "U" shape with an open area in front of it, largely made up of car parking, and the rear section relatively close to the nearest Sidmouth Road property to the rear. It has a central element which is three storeys in height, but with two storey wings at either side. The proposed building, which is more L-shaped, is able to pull the main rear element away from the rear, but in doing so results in a building closer to the Willesden Lane frontage than existing. That said, a distance of a minimum of 4.0 metres would be retained to the front allowing sufficient space for tree planting in order to enhance the setting of the building and the streetscene. The building would be closer to the Sidmouth Road frontage where it meets Willesden Lane by approx. 2.5 metres, but would still retain sufficient space around the building, so as to overcome concerns expressed previously about relationship with the boundary and streetscene.

Following amendments the new building would now have a maximum of four storeys on the corner of Willesden Lane with Sidmouth Road. Along most of the frontage on Willesden Lane it has a recessed third floor, except on the north east corner where the fourth floor is flush with the lower floors and on the west and south flanks where it is stepped down to a maximum of 3 storeys. The Willesden Lane frontage features a prominent central pedestrian entrance and which along with the projecting three storey bays serves to punctuate the horizontal plane with a vertical emphasis. The elevations have a significant level of glazing which is also arranged in an ordered sequence with a vertical emphasis. The changing ground-levels across the site are used to ensure that the building has an acceptable relationship with the neighbouring two-storey building on Sidmouth Road. The predominant material finish is brick while there are also secondary rendered and rockpanel cladding. Full details of these materials including samples will be sought by condition, but Officers do feel that the submission does now include sufficient information so as to allow the conclusion to be reached that this scheme could have the necessary quality of development required on sites such as this.

### Residential amenity

There are a number of residential properties nearby including those on Brondesbury Park to the rear, Sidmouth Road to the east and Mapeshill Place on the opposite side of Willesden Lane. The proposed rear elevation of the main part of the building will be set back 10m from the rear boundary of the site. This is in compliance with SPG 17 guidelines which seek to protect the privacy and outlook of neighbouring residents. The proposal also complies with a 45 degree line when taken from a height of 2m (SPG17 refers) on the boundary of the site with the rear gardens of the dwellings on Brondesbury Park and as such it is not considered to have a detrimental visual impact on neighbouring properties. The rear elevations of the dwellings on Brondesbury Park are over 30m from the rear boundary of the site with the development site. Given this separation distance, it is considered that there will be no detrimental impact in terms of daylight and sunlight to, and outlook from, these windows. There are a number of windows proposed for the flank of the two storey element located nearest to the adjacent Sidmouth Road property only 2.0 metres from this boundary. These are either secondary windows or openings that serve non-habitable rooms and, given this, it is considered that ensuring that these are obscure glazed would ensure amenities are protected (overlooking is not a significant issue given the existence of a large former sub-station building on Sidmouth Road but oblique views could still be had into the rear portion of the nearest Brondesbury Park property) whilst at the same time not impacting to any degree on the quality of internal accommodation proposed within this development. The matter will be conditioned.

In terms of the residential properties on the opposite side of Willesden Lane, these are of a similar scale to the development proposal and have front elevations with a set back of approximately 5m from the road

frontage. The proposed development is of a scale and height that is in accordance with the requirements of SPG 17 and will not have a detrimental impact on the properties on the opposite side of this Distributor road.

### Car Parking and Servicing

The site currently benefits from several areas of car parking providing 24 parking bays to the front and a further access from Sidmouth Road to another 12 spaces. It is located on the southern side of Willesden Lane, a London Distributor road. The site lies within a CPZ which operates 08:00 – 18:30 Monday to Saturday. It has good accessibility to public transport services with a PTAL rating of level 4 – Willesden Green Station (Jubilee tube) is close to the site and seven bus routes are locally available.

The existing offices provide a total floor area which is estimated at approximately 1,600sqm. Under parking standard PS6 of the UDP-2004, for offices in or adjacent to a major town centre, where PTAL ratings are good, a stricter standard of 1 car space per 300sqm can be applied. This would equate to a maximum parking standard for the existing buildings of 5.3 no. car spaces. At present therefore the parking availability at the site exceeds 2004 UDP standards by a significant degree. In addition, under policy PS19 offices are required to be serviced by an 8m rigid vehicle and the existing carriage driveway to the front of the main block would have been able to accommodate such vehicles so that they could enter the site and leave in a forward gear. Removal of such servicing provision could be regarded as a highway gain in terms of the type of vehicular movements that would no longer take place here.

The proposed development consists of retirement housing, which has its own subset of car parking standards set out in PS14 of the UDP-2004. Irrespective of the number of bedrooms (the accommodation is split between 1-bed and 2-bed apartments), the key indicator for maximum parking is the Category in which the accommodation sits. According to the submitted Transport Assessment the type of sheltered accommodation is "Category II" which under PS14 can be permitted 0.25 car spaces per apartment. With 38 apartments now proposed, the maximum parking allowance for the site following development would be 9.5 spaces, plus one car space for a warden. The scheme has been amended to propose ten spaces so as to meet the requirements of the Transportation Engineer. A condition is attached to the consent requiring further details of the spaces and, in particular, the need for there to be the provision of wider spaces in order to accommodate disabled drivers.

The submitted Transport Assessment discusses the demand for car parking at retirement apartments. It points out that the average age of a new resident in such complexes, according to the developer's experience from other sites, is 76 years. Survey data is combined with this, showing that fewer than 35% of people aged 75-80 own a car, and that the percentage steadily decreases from 80% of 55-60 year olds to 5% of 90 to 95 year olds. As such it can be seen that the demand for car parking is likely to be significantly lower than for other types of housing and the point is understood by Officers. Survey data from 656 similar apartments around the UK is submitted showing that on average 1.66 vehicle movements per 12-hour day are seen within retirement complexes. This equates to approximately 66 vehicle movements per day for a total of 39 apartments (the proposal is now for 38). Of these, only 4 to 5 movements are likely to be seen in the AM and PM peak periods, which is clearly a lower peak trip generation than the existing office use of the site, where nearly all trips would occur around peak times. The applicant indicates that they propose to include in their welcome pack details of public transport facilities tailored to the local area and this is welcomed by Officers as good practice.

The internal refuse and recycling storage is acceptable, minimising carry-distances for residents, and the location of the bin store on the Willesden Lane frontage of the building should allow straightforward collection by Brent Council's waste and recycling contractors.

The retention of the westernmost vehicular access onto Willesden Lane to serve the car park is considered acceptable in technical highway terms, as it is located the maximum distance away from the junction of Willesden Lane and Sidmouth Road. It also has good visibility in either direction as the road is level and can provide splays of 2m x 90m (west) and 2m x 70m (east).

The proposed works to widen the footway, and dedicate as highway, at the junction of Willesden Lane and Sidmouth Road into the site are welcomed, allowing the potential to ease the radius at the adjoining signalised junction to ease the left-turn by large vehicles from Sidmouth Road into Willesden Lane in the future. The area of affected land has been included within the property sale by Brent Council and will, therefore, be within the control of the applicant when the sale goes through. The Highway & Transport Delivery Unit is therefore seeking a legal obligation to be placed on any planning consent, secured through the Section 106 Agreement, for the associated highway works to be undertaken by the developer, whereby they are required to pave the identified area of land as footway/verge and provide a suitable boundary treatment to the satisfaction of the Head of Highway & Transport Delivery. The land shall thereafter be



offered to Brent Council for adoption as highway maintainable at the public expense under Sections 38 and 278 of the Highways Act 1980.

In addition to these works, the redundant vehicular crossover on Sidmouth Road and the two redundant crossovers on Willesden Lane will all need to be restored to footway with full height kerbs at the developer's expense and it is suggested that these works be included in the above mentioned S38/S278 Agreement.

#### Landscaping Matters

The Landscape Designer raises no objections to the proposals on landscape grounds. The proposals to remove hard surfacing within the site and the creation of new grass areas are welcomed. It is however important to ensure that the important trees on, or near to, the site are adequately protected and to this end it is noted that creating grass areas near the existing mature Horse Chestnut (T1) should not change ground level within the canopy. Ground preparation for shrub planting within the root protection zone should be hand dig only for planting holes with no use of rotovators or other mechanical cultivation in order to protect roots of existing tree. It is suggested that this should be covered by a condition for arboricultural supervision and method statement for all works within the root protection zone. Only outline planting proposals for trees and shrubs are provided, with a large number of shrub species are listed, whereas the final scheme may need fewer species or a very small number of each. A fully detailed planting plan and details of all paving, surfacing, furniture and built elements of landscape scheme will be controlled by way of condition.

**RECOMMENDATION:** Grant Consent

#### **REASON FOR GRANTING**

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

Brent Unitary Development Plan 2004

Council's Supplementary Planning Guidance Note 17: Design Guide for New Development.

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

Transport: in terms of sustainability, safety and servicing needs

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

(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):

10-1825-OS

10-1825-100RevA

10-1825-101

10-1825-102RevA

10-1825-103RevA

10-1825-105RevA

10-1825-106RevA  
10-1825-107RevA  
10-1825-108RevA  
10-1825-109RevA  
Basic Elevations - Sheet 1  
Basic Elevations - Sheet 2  
Topographical Survey

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

- (3) Further details showing two of the car parking spaces widened (and marked out) to accommodate disabled spaces shall be submitted to, and approved in writing by, the Local Planning Authority prior to the development (save for demolition works) commencing. Once those details are approved, all parking spaces shall be constructed prior to the occupation of the building and shall be permanently retained and used solely in connection with the use of the site hereby approved.

Reason: To ensure that the approved standards of parking/garage provision are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- (4) All existing vehicular crossovers rendered redundant by the development, hereby approved, shall be made good, and the kerb reinstated, at the expense of the applicants, prior to the first occupation of the development.

Reason: In the interests of highway safety and in order to allow the Council to secure proper control over the development.

- (5) The windows on the first floor of the southern face of the building (relating to units 20 and 21, as well as corridor as shown on plan 10-1825-106A) shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- (6) 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.

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

- (7) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed prior to occupation of the building.

Such scheme shall also indicate:-

(i) Walls and fences

Proposed walls and fencing, indicating materials and heights.

(ii) Screen planting on boundary

Screen planting along the southern boundary.

(iii) Physical separation

Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.

(iv) Hardsurfacing

All details of the materials to be used in the areas of hardsurfacing.

(v) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

(vi) Method Statement

To control works within the vicinity of the Horse Chestnut tree and to protect all trees that are to be retained during construction works.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (8) Detailed drawings showing all existing trees which are not directly affected by the building(s) and works hereby approved shall be submitted to the Local Planning Authority prior to demolition and construction works. Such trees shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted or their soil levels within the tree canopy altered at any time without prior approval in writing of the Local Planning Authority. Any such tree which subsequently dies, becomes seriously diseased or has to be removed as a result of carrying out this development shall be replaced in the next planting season with a tree of a similar species and size in the same position or in such position as the Local Planning Authority may otherwise in writing approve.

Reasons: To ensure that the existing trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained as an integral feature of the development and locality and kept in good condition.

- (9) All residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice' to attain the following internal noise levels:

| Criterion                | Typical situations | Design range LAeq, T   |
|--------------------------|--------------------|--|
| Good resting conditions  | Living rooms       | 30 dB (day: T =16 hours 07:00 – 23:00)   |
| Good sleeping conditions | Bedrooms           | 30 dB (night: T = 8 hours 23:00 – 07:00) □ L <sub>A</sub> max<br>45 dB (night 23:00 – 07:00) |

Prior to the building of the dwelling, the applicant shall submit in writing to the Local Planning Authority details of the proposed sound insulation measures to meet the above requirements for approval.

**Reason:** To obtain required sound insulation and prevent noise nuisance

- (10) Prior to the commencement of the development works 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, mud 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.

- (11) Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. 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, and an appraisal of remediation options should any contamination be found that presents an unacceptable risk to future site users. 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 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

- (13) In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, details of communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of each relevant phase of the development. The approved details shall be fully implemented.

**Reason:** In the interests of the visual appearance of the development in particular and the locality in general.

#### **INFORMATIVES:**

- (1) The applicant is informed that whoever carries out the works in the future is reminded of their obligation to comply in full with s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4 which states that Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of: Monday to Friday 08:00 to 18:00, Saturday 08:00 to 13:00 and at no time on Sundays or Bank Holidays.
- (2) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- (3) The developer is advised to contact the Council's Head of Highways & Transport Delivery in order to progress the S38/S278 highway works.
- (4) The applicant is informed that the doors to the buggy store should not open outwards in the interests of highway safety.

#### **REFERENCE DOCUMENTS:**

London Borough of Brent Core Strategy 2010

London Borough of Brent Unitary Development Plan 2004 (UDP)

Supplementary Planning Guidance Note (SPG) 17 "Design Guide for New Development"

Supplementary Planning Guidance Note (SPG) 19 "Sustainable Construction & Pollution Control"

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229