

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

16 June, 2021
04
20/3965

SITE INFORMATION

RECEIVED	2 December, 2020
WARD	Kensal Green
PLANNING AREA	Harlesden Neighbourhood Forum
LOCATION	Building and land rear of 1 The Tudors, Harlesden Road, London
PROPOSAL	<p>Variation of condition 3 and 4 (development built in accordance with approved plans) and 9 and 10 (widening of driveway), to allow minor material amendments as follows:</p> <ul style="list-style-type: none">-the building to be narrowed by 300mm on the west-north-west to east-south-east plane;-change of pedestrian access into house from ramped access at front, at lower ground floor level, to stepped access to ground floor at garden side of building;-amendment to driveway width and refuse collection arrangements. <p>to planning permission 19/1545, granted 3rd July 2019, for Demolition of existing shed and construction of a two bedroom, two storey dwellinghouse consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage.</p>
PLAN NO'S	See condition 2
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 <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</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 "20/3965" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

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

Conditions- these are as per the parent permission.

1. Time Limit to Commence
2. Approved Plans
3. Cycle parking and bins to be in place before occupancy
4. Landscaping- submission condition
5. Withdrawal of permitted development rights- extensions
6. Withdrawal of permitted development rights: use as HMO
7. Materials- submission condition
8. Ground contamination- investigation
9. Ground contamination- remediation (as required following investigation) and verification

Informatives

1. Code of Construction Good Practice
2. CIL liable informative
3. Building near boundary informative
4. Party Wall Act informative
(Standard basement informatives follow):
5. Structural integrity
6. Noise
7. Licenses
8. Highways
9. Vibration
10. Air quality
11. Trees
12. Reminder to applicants of outstanding pre-commencement conditions
13. Reminder to conform with times in/out for bins.

And 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.

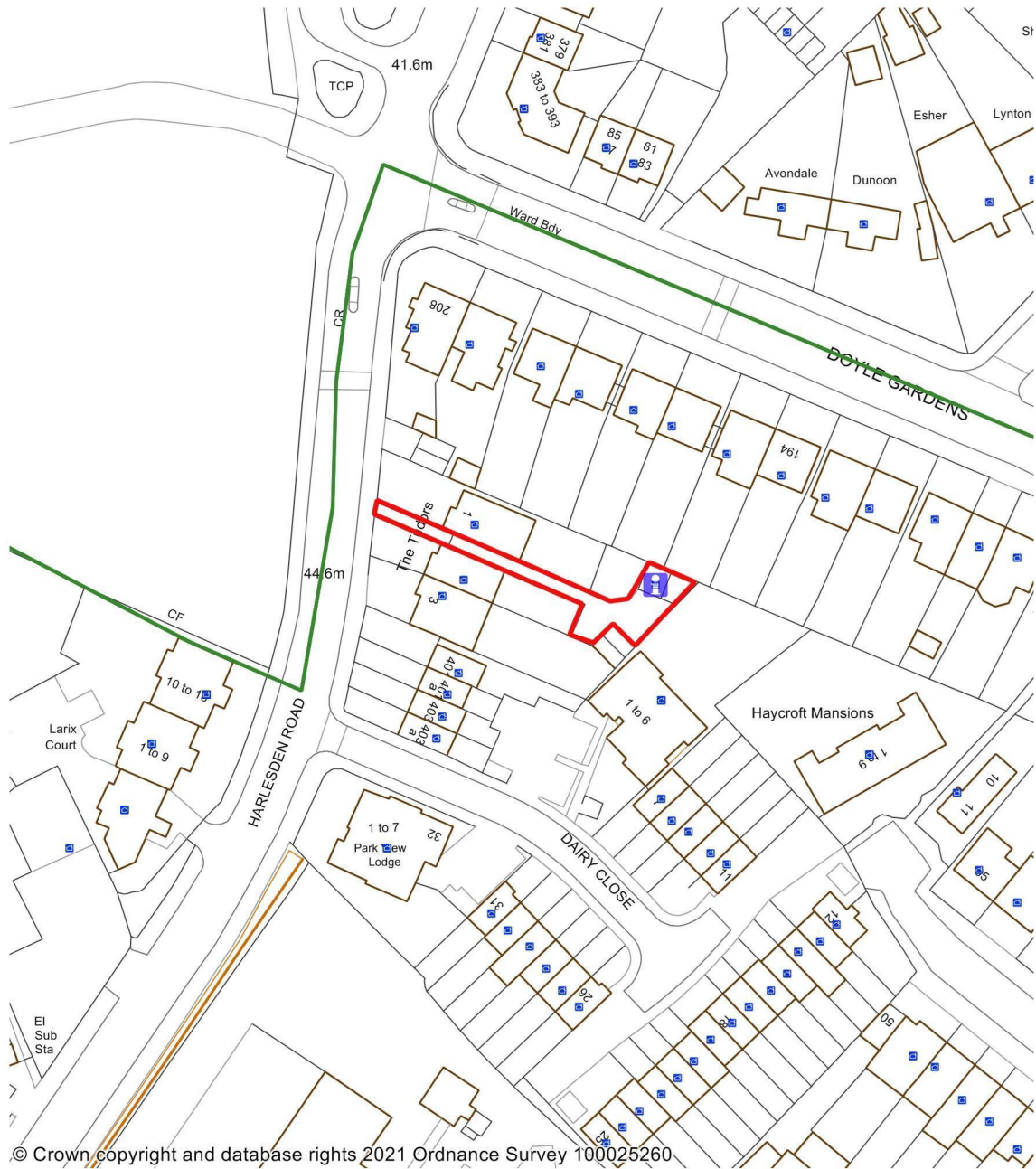
SITE MAP



Planning Committee Map

Site address: Building and land rear of 1 The Tudors, Harlesden Road, London

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This map is indicative only.

PROPOSAL IN DETAIL

The proposal would, as described in the title, involve the following changes:

- the building to be narrowed by 300mm on the west-north-west to east-south-east plane;
- change of pedestrian access into house from ramped access at front, at lower ground floor level, to stepped access to ground floor at garden side of building; and

an amendment to the driveway width and refuse collection arrangements.

EXISTING

The site is on the west side of Harlesden Road, to the rear of 1 The Tudors. It is accessed via a service road between 1 & 2 The Tudors, which is marked as a communal drive and has three garages at the end of it. This is understood to be a private road and is currently gated off.

The surrounding area is characterised predominately by two-storey, semi-detached and detached 1930s houses in good condition, on spacious plots. The rear gardens are characterised mostly by shrubs and trees and contribute to the open character of the gardens to the rear.

The proposed site is 133m² in area, is not in a conservation area and is not listed. There are not known to be any environmental constraints.

AMENDMENTS SINCE SUBMISSION

Additional information / amendments were requested by case officer and received 17/3/21. These consisted of:

-a waste management plan

-a front elevation

-a diagram at larger scale showing the relative widths of the passage between the two houses on either side of the drive, and the entrance to the drive.

A diagram showing turning paths into the drive was also supplied, although not requested.

SUMMARY OF KEY ISSUES

1. Whether the narrowing of the driveway at its entrance and placing of bins at the collection point as shown according to the management plan supplied, for waste collection days only, is acceptable in the overall context of the proposal.

2. The narrowing of the building and the changing of access to the house itself from a ramp to steps have not been contentious issues, however these should also be considered.

RELEVANT SITE HISTORY

08/1652: Erection of a two-storey, two-bedroom, detached house in the rear garden of the dwellinghouse. Refused, 18/7/08

08/2834: Demolition of an existing garage and workshop and erection of a two-storey, two-bedroom, detached dwellinghouse in the rear garden of the existing dwellinghouse. Refused, 1/12/08

19/1545: Demolition of existing shed and construction of a two bedroom, two storey dwellinghouse consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage. Granted, 3/7/19.

20/1675: Variation of conditions 3 and 4, development built in accordance with approved drawings and conditions 9 and 10 (driveway) to allow:

- Narrowed building (by 300mm);
- Removal of lower ground floor access and associated structures;
- New main access to building at ground floor level and revised floor layout;
- Narrowed site access;

of Full Planning Permission reference 19/1545 dated 3 July, 2019, for Demolition of existing shed and construction of a two bedroom, two storey dwellinghouse consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage. Case withdrawn.

CONSULTATIONS

27 letters of consultation were sent to the occupiers of neighbouring and nearby properties. The Harlesden Neighbourhood Forum was also consulted.

Eight objections were received, covering the following matters. Three of these related only to the principle of the original consent.

The table below summarises the objections and where material to this assessment, in which part of the report they are discussed.

Nature of objection	Comments- and where discussed
The drive with bins as located would not be wide enough to allow all but narrow cars to pass	The amendment deals with access and refuse arrangements- discussed in Highways /Servicing – section 4.
The plans have reduced the living accommodation within the scheme	The amendment deals with a 300mm narrowing of the house- discussed in Standard of Accommodation – section 3.2
The removal of the ramp means that the house would fail to meet accessibility standards for disabled occupants	The amendment would remove the ramp arrangements- discussed in Standard of Accommodation – see 3.3
Cars would have to swing onto opposite side of road if driving towards school which would create a hazard	The amendment deals with access and refuse arrangements- discussed in Highways /Servicing – see 4.4 to 4.9
The bins would not be sufficient size for a 2-bedroom house.	The amendment deals with access and refuse arrangements- discussed in Highways /Servicing – see 4.3
The house would cause noise, loss of light, and increase of crime due to the access to the new house (impact on / towards Doyle Gardens)	This objection relates to the original permission. The principle of development is already established and no changes are taking place that would affect impacts from these matters.
Construction traffic would block access and cause other issues during construction	This objection relates to the original permission. The principle of development is already established and no changes are taking place that would affect impacts from these matters.
New house would exacerbate crime issues	This objection relates to the original permission. The principle of development is already established and there is no evidence that the proposal would have any significant impact on crime.
The building would constitute a loss of privacy (towards Doyle Gardens)	This objection relates to the original permission. The principle of development is already established and no changes are taking place that would affect impacts from these matters. The approved scheme is not considered to have an adverse impact on the privacy

	of the neighbouring occupiers.
Loss of trees	This objection relates to the original permission. The principle of development is already established and no changes are taking place that would affect impacts from these matters.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the:

London Plan 2021

Brent Core Strategy 2010

Brent Development Management Policies 2016

Key policies include:

London Plan 2021:

D4: Delivering good design
D6: Housing quality and standards
H1: Increasing housing supply
H2: Small sites
T5: Cycling
T6: Car parking
T6.1: Residential parking

Brent Core Strategy

- CP17 Protecting and Enhancing the Suburban Character of Brent

Brent Development Management Policies

- DMP 1 Development Management General Policy
- DMP12 Parking
- DMP18 Dwelling size and residential outbuildings
- DMP19 Residential Amenity Space

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. The plan has undergone examination and is in the final stages of amendments. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officers that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Key policies include:

DMP1 Development Management General Policy
BD1 Leading the way in good design
BD3 Basement Development
BH11 Conversion of Family Sized Dwellings
BH4 Small sites and small housing developments in Brent
BH12 Residential outbuildings
BH13 Residential Amenity Space
BT1 Sustainable Travel Choice
BT2 Parking & Car Free Development
BSUI2 Air Quality
BSUI3 Managing Flood Risk
BSUI4 Onsite water management and surface water attenuation

Other Relevant Policy Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Technical housing standards – nationally described space standards (2015)
- LB Brent Waste Planning Guide SPG
- SPD1- Brent Design Guide

London Cycling Design Standards

DETAILED CONSIDERATIONS

1. The principle of development has already been approved within the original consent, which is 19/1545.
2. Impact on Character and Appearance of the Area
 - 2.1. As a result of the amendment, the ramp to the entrance of the property would be replaced with stairs to the lower terrace and the entrance would be on the north-western elevation at lower level. The gate to the ground level frontage would be moved along the fence to be nearer to the stairs to lower level. Neither of these changes would have a significant effect on the original design or be detrimental to it.
 - 2.2. The changes to the refuse collection arrangements do not have a significant character/design impact. Likewise, the change to the building size of reduction 30cm, will not noticeably alter the design visually.
 - 2.3. Overall the amendments are considered acceptable with regards to visual design impact.
3. Neighbouring Residential Amenity
 - 3.1. The principle of development is already established in 19/1545, where all aspects of neighbour amenity were examined in detail with regards to Brent policy and guidance. This is an assessment of the proposed amendments to that permission.
 - 3.2. There are no changes within these amendments that significantly affect the massing of the proposed building, or fenestration above ground floor level.
 - 3.3. The moving of the position of the front door would not affect neighbour amenity.
 - 3.4. The reduction in the size of the building would not materially change the level of impact to neighbouring properties.

3.5. Overall, the amendments are considered acceptable with regards to neighbour amenity.

4. Standard of Accommodation.

4.1. Access for emergency services, maintenance services and tradesmen, deliveries and visitors will be provided through a number of access means. This includes an intercom system with keypad linked to each of the residents within the mews. A Fireman's key switch would allow access for emergency vehicles. A key protected manual release is incorporated in the case of a power cut.

4.2. The total gross internal area would reduce from 88.7m² to 84m². The minimum under national and London Plan standard for a dwelling over 2 floors and with two bedrooms, for four people, is 79m², so the house continues to meet standards. Layout remains acceptable.

4.3. As there is one dwelling, it is not required to be a 'lifetime homes' dwelling. However it appears adaptable for alteration were this to be required in the future.

4.4. Overall it is considered that the standard of accommodation would still be acceptable using the amended plans.

5. Highways and Servicing

5.1. It is noted that objections received relate to the space that would be available, at the entrance to the driveway, on the days each week when the bins are in place.

5.2. Condition 9 (duplicated in 10) required that a slice of land owned by adjoining property no. 2 The Tudors was used to augment the pavement-side width to the driveway. The driveway would have been realigned using this slice of land prior to commencement of construction. This has proven to not be possible. The reason for the condition was that originally it was considered that the additional space would be required for the temporary storage of full size 240l bins on collection days. Using smaller bins was not considered at that time.

5.3. Waste team were consulted on the use of 140l bins. 60l per bedroom is considered a normal requirement for waste, bearing in mind also that the borough seeks to provide sufficient waste capacity, not excessive, in order to incentivise waste minimisation. For a two-bedroom property, the revised capacity accords with the Brent waste planning guidance and is considered to be sufficient.

5.4. The storage space is considered acceptable. In the unlikely occurrence that the bins be in the way when a car arrives or leaves, it would be possible to step out of the car for a moment, and move them, as many householders do with a similar situation when they return home and find their bins are on their driveway. It should be noted that it is likely to be the occupier driving into the access route, so the arrangement would not affect the neighbouring occupiers.

5.5. However, leaving this aside, the width between the two houses, 1 and 2 The Tudors, is itself 2.15m, or less considering the presence of drainpipes, which reduce it to 2.05m.

5.6. With the 140l bins in their collection place, a gap of 2.05m would remain at kerbside. This amendment would therefore result in no more of a width restriction at the point of entry, than is already present- and unlikely to ever change- between the two solid walls of the existing houses.

5.7. Therefore, officers consider that any car that is planning to / able to traverse down this path, is equally able to travel through the initial part of the driveway, with care, when bins are present.

5.8. Tracking diagrams have been considered from both objectors and applicant. If carrying out

normal safe driving, i.e. checking surrounding traffic, indicating, slowing down, waiting if necessary for a moment, there is no reason why the driveway cannot be entered safely.

5.9. Bin collections are on Wednesdays; every other week is recycling and food waste, and the general waste is collected alone, on alternate weeks, opposite weeks to the recycling and food bins. Therefore the maximum bins that would ever be present is one 140l bin and one 20l food bin, providing the occupiers follow waste department guidance and place bins out for collection only for the requisite times.

5.10. Therefore, officers consider that any car that is planning to / able to traverse down this path, is equally able to travel through the initial part of the driveway, with care, when bins are present.

5.11. Cycle parking and fire hydrant would not change as a result of the amendments and these remain acceptable.

5.12. Overall it is considered that the variation of condition is acceptable with regards to Highways and Servicing.

Equalities statement

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).

6. Conclusion.

It is considered that the scheme continues to comply with the development plan, and that the proposed amendments do not represent a fundamental alteration of the consent. It is recommended that planning permission is granted.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 20/3965

To: Mr Kyte
Enabling Projects
Enabling Projects Ltd
40 Sandringham Road
NW11 9DP

I refer to your application dated **02/12/2020** proposing the following:

Variation of condition 3 and 4 (development built in accordance with approved plans) and 9 and 10 (widening of driveway), to allow minor material amendments as follows:

- the building to be narrowed by 300mm on the west-north-west to east-south-east plane;
- change of pedestrian access into house from ramped access at front, at lower ground floor level, to stepped access to ground floor at garden side of building;
- amendment to driveway width and refuse collection arrangements.

to planning permission 19/1545, granted 3rd July 2019, for Demolition of existing shed and construction of a two bedroom, two storey dwellinghouse consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage.

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

at **Building and land rear of 1 The Tudors, Harlesden Road, London**

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: 08/06/2021

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.

2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The amended proposal is in general conformity with the relevant policies from the development plan for the area which comprises London Plan 2021, Brent Core Strategy 2010, Brent Development Management Policies 2016 and relevant guidance (SPD1)- Brent Design Guide.

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning from 3rd July 2019.

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 replacement approved drawings and documents:

Received 4/1/21:

6361/7.10.20/01C: Existing site plan
6361/7.10.20/03C Existing ground floor/roof plan
6361/7.10.20/05C: Proposed 1st floor/roof plans
6361/7.10.20/06C: Proposed elevations
6361/7.10.20/07C: Proposed sections
6361/7.10.20/09C: Proposed materials

Received 19/1/21:

6361_18.1.21_08D: Amended driveway plan

Received 19/2/21:

6361/17.2.21/04D: Proposed ground floor plan

Received 22/2/21:

6361/17.2.21/02D: Proposed site plan

For the avoidance of doubt, the existing scheme remains an option for development.

In either case, the following approved documents, not being amended, remain approved for either scheme, and the development must comply with them in either case:

Tree Protection Plan ref MWA TLP001

Aboricultural Assessment (MWA, October 2018)

Location plan

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

- 3 The refuse and recycling facilities and cycle parking facilities as approved shall be provided in full prior to occupation 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.

- 4 The areas so designated within the site shall be landscaped, to include two suitable replacement trees, and details of all surfacing and planting, in accordance with a scheme to be

submitted to and approved in writing by the Local Planning Authority before above ground works commence on-site. The landscape works must be completed during the first available planting season following completion of the development hereby approved. 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 in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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.

- 5 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse subject of this application, notwithstanding the provisions of Classes A, B, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: In view of the restricted nature and layout of the site for further development and occupation and to prevent over-development of the site and undue loss of amenity to adjoining occupiers.

- 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 amenity area to accommodate additional bin or cycle storage.

- 7 Details of materials for all external work, i.e., wall materials, paving materials, roof tiles, window and door frames, to consist of high quality colour PDF including RAL colours and /or product code or details, keyed to elevational drawing, shall be submitted to and approved in writing by the Local Planning Authority before any above-ground 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 visual amenity of the locality.

- 8 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. 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

Please note: The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

- 9 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

Please note: The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

INFORMATIVES

- 1 The applicants are reminded of the requirements of the Code of Construction Good Practice, which requires that no activities shall be carried out and no commercial vehicles may arrive, depart, be loaded or unloaded within the general site, except between the hours of 0800 and 1800 Mondays to Fridays, 0800 and 1300 Saturdays and at no time on Sundays or Bank Holidays, in order to comply with the Environmental Protection Act 1990 with regards to noise and nuisance. Please see <https://www.ccscheme.org.uk/ccs-ltd/code-of-considerate-practice-2/>
- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a revised 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.
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The 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
- 5 **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.

- 6 **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.

7 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.

8 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

9 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.

10 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.

11 Trees can be easily damaged during construction activities which may involve direct damage

to the above ground parts of the tree being hit by excavators or having materials stacked against them etc. The area most often overlooked is the tree's root system, responsible for anchoring the tree in the ground as well as providing water and nutrients to keep the tree in a healthy state. Construction activity compacts the soil making it very hard for the tree to attain moisture and oxygen, leading to the tree falling into decline. The digging of foundations and inadvertent cutting of roots can also have the same negative impact.

The mixing of cement and spillage of any construction related products will also have a detrimental effect on tree health.

We recommend that a protective fence is erected as far from the trunks of the trees as possible. No construction activity including the storage of materials should take place within these areas throughout the duration of construction. See the TREE PROTECTION PLAN which is a mandatory approved document.

Under normal circumstances fencing would be erected a distance equal to a radius 12 x the diameter of the tree stem when measured at 1.5 metres above ground level. In the case of your Magnolia that may have two stems of 100mm diameter =200mm x 12= root protection area of 2.4 metres.

- 12 The applicants are reminded that there are outstanding pre-commencement conditions on the permission at the time of issue of this amendment, notably site survey for contamination (two) and materials (one).
- 13 All occupiers or purchasers must be made aware by the applicants that the bins should only be present at the collection point from the night before the allotted collection day, and must be returned to their storage place in the property as soon as possible after collection on the day of collection. The bins must not be left at the kerbside, on the driveway, or on the pavement, other than at these times.

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