

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

20 October, 2021  
03  
21/3059

## SITE INFORMATION

RECEIVED	9 August, 2021
WARD	Fryent
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	6A and 7-8, Elmwood Crescent, London, NW9 0NL
PROPOSAL	Demolition of existing bungalow and detached garage at No.6A Elmwood Crescent and erection of two-storey detached building to be used as accommodation for mental-health rehabilitation (Use Class C2), comprising of 9x self-contained units with associated landscaping, erection of single storey rear outbuilding, cycle & refuse storage and car-parking for use in conjunction with the residential institution at No.7-8 Elmwood Crescent
PLAN NO'S	Please 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_156491">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_156491</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 "21/3059" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

A. That the Committee resolve to GRANT planning permission subject to conditions and informatives as set out below.

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

### Conditions

#### *Compliance*

1. 3 year time limit
2. Approved plans and drawings
3. Restrict to specific C2 use and Brent nominations agreement
4. Restrict maximum occupant for nine residents
5. Use of communal room and office to be ancillary only
6. Use of outbuilding to be ancillary only
7. Limit water consumption to 105lppd
8. Side windows to be obscure glazed

#### *Pre-commencement*

9. Construction Method Statement
10. Tree Protection Measures

#### *During construction*

11. Site investigation for land contamination
12. Materials samples
13. Landscaping scheme including tree planting, parking, cycle storage, bin storage, lighting, CCTV

#### *Pre-occupation*

14. Contaminated land remediation and verification
15. Management plan

### Informatives:

1. CIL Liability
2. Party Wall
3. Building near boundary
4. Imported soil
5. London Living Wage
6. Fire Safety standards
7. Construction hours

C. 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, 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.

D. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

## SITE MAP



**Brent**

### Planning Committee Map

Site address: 6A and 7-8, Elmwood Crescent, London, NW9 0NL

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This map is indicative only.

## PROPOSAL IN DETAIL

The proposal seeks to demolish the bungalow and garage at No 6a and to construct a two-storey building, comprising nine self-contained studio flats for the provision of supported living for adults to be run in conjunction with the existing facility at No 7 & 8. The boundary wall and railings separating the two properties would be demolished to create a shared forecourt providing bin and cycle storage, soft landscaping and three parking spaces, with the existing access to No 7 & 8 used for access to both buildings. An office with ensuite bathroom would be provided in the proposed building for the use of staff, and a communal room for residents. An outbuilding would be constructed in the rear garden of No 7 & 8 to provide additional storage space for both buildings and space for occasional meetings.

The proposal is similar to the previous application 20/3402, which was refused under delegated powers, and reference to this previous application is made as appropriate throughout this report.

Amended plans were received to address issues with the site layout as follows:

- relocation of side garden gates to align with front of building line, in response to Secure by Design comments;
- provision of 1.5m deep defensible space to ground floor habitable room windows;
- relocation of parking spaces and provision of dedicated pedestrian route to both buildings;
- relocation of bin store and cycle store, in response to Secure by Design comments;
- increased size of cycle store;
- increased soft landscaping on site frontage.

These did not materially alter the nature of the proposal, and did not require a further period of consultation.

## EXISTING

The application site consists of No 6a Elmwood Crescent, a 3 bedroom detached bungalow and its residential curtilage including a detached garage on the frontage and a driveway of approx 20m length and 3.5m width, and No 7 & 8, a two-storey property (originally two semi-detached houses) currently in use to provide supported living for adults requiring a level of care. The site is at the end of Elmwood Crescent, which has other residential properties to the east and south, and the western side boundary of No 6a adjoins the rear gardens of properties on Stag Lane.

The site is not in a conservation area and the buildings are not listed.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

**Representations received:** 55 neighbouring properties were notified of the development. Eleven objections were received from individual addresses, in addition to an objection from Cllr Crane. Objections raised concerns in relation to the over-concentration of mental health care supported living facilities in the area and the perceived threat to the local community associated with potential residents, the over-development of the site, neighbour amenity considerations, impact on infrastructure including the sewerage network, highway conditions, access constraints, and traffic and parking impacts. Your officers have addressed the objections raised and consider that the development proposal is acceptable.

**Principle of development:** The development is supported by Brent's Adult Social Care team as it would meet an identified Brent need for supported living to aid mental health rehabilitation, and would be delivered by an existing provider of care services, helping to reduce out-of-Borough placements. Nomination rights would be secured for the use of Brent residents and a robust management plan would also be secured. The increased occupation of the site would be acceptable in scale and would reflect Brent's emerging policy on the redevelopment of small sites, and the loss of a family-sized dwelling would be compensated by the provision of non-self contained housing to meet a identified Brent need.

**Design, scale and appearance:** The proposed building would be of a small scale and commensurate with the scale of surrounding properties, whilst its height and siting within the plot would retain the subservient character of the existing dwelling and would ensure that it remains unobtrusive within the streetscene. The combined frontage of the two buildings would be improved with new hard and soft landscaping works, to contribute to the visual amenity of the area.

**Relationship with neighbouring properties:** The proposed building would have an acceptable relationship with neighbouring properties in terms of its impact on light and outlook, overlooking and privacy, in accordance with Brent’s Design Guide SPD1. It is considered to have addressed concerns relating to the previous application in this respect.

**Residential living standards:** The standard of accommodation is comparable to that of the adjoining facility and has been confirmed to be adequate as temporary accommodation for this client group by the Adult Social Care Team, and would be supplemented by internal communal space and external amenity space.

**Impact on trees:** The proposal would lead to the loss of one tree on-site, in addition to the previous removal of a tree subject to a Tree Preservation Order. Two replacement trees would be provided, in addition to a hedgerow of six trees.

**Environmental health:** There are no concerns on environmental health grounds, subject to conditions relating to site investigation and remediation of contaminated land, and a construction management plan.

**Flood risk and drainage:** Notwithstanding neighbour objections, the site is not in or near any areas of flood risk and the development would not materially impact on drainage conditions in the area.

**Transportation considerations:** The proposal would provide three parking spaces on site, which exceeds Brent’s parking standards for the two buildings and so would provide additional parking for any visiting health or social care professionals, taking account of the low accessibility to public transport. The site is sufficiently close to local shops and services to meet the needs of the proposed residents, and the proposal would improve access arrangements and provide adequate cycle parking and bin storage.

**RELEVANT SITE HISTORY**

**20/3402**

6A Elmwood Crescent  
 Full Planning Permission  
 Refused 05/01/2021 (see discussion below)  
 Demolition of existing bungalow and detached garage at No.6A Elmwood Crescent and erection of two-storey detached building to be used as accommodation for mental-health rehabilitation (Use Class C2), comprising of 10x self-contained units with associated landscaping, cycle & refuse storage and 4x car-parking spaces for use in conjunction with the residential institution at No.7-8 Elmwood Crescent

**09/1851**

7 & 8 Elmwood Crescent.  
 Full Planning Permission  
 Erection of single-storey rear and side extensions, a first floor front extension, a raised terrace with ramped access to rear and front, a new canopy to the front door, 2 front and 1 rear rooflights, and associated landscaping, and the change of use of the premises from a family dwelling (Use Class C3) to supported accommodation for people with mental health problems, incorporating 11 self-contained flats (Use Class C2)  
 Refused 8 March 2010  
 Allowed on appeal with costs awarded 23 September 2010.

**CONSULTATIONS**

55 neighbouring properties were consulted by letter on this proposal on 12 August 2021. Objections were received from 11 neighbouring addresses and from Cllr Crane. These are summarised below:

Comment	Officer response
Insufficient time allowed to respond, including holiday period.	A 21-day response period is required under planning regulations, however all objections

	received prior to determination of the application will be considered and a considerably longer for local residents to comment in this instance.
Application is materially different to previous householder applications on this site.	The planning system does not prevent subsequent applications of a different nature being made.
Over-concentration of care facilities in small area would have adverse impact on residential character of area, and 20 people with mental health problems would exceed the number of residents in the cul-de-sac. Previous application was not supported by Adult Social Care.	See 'Principle of development'
Over-intensive use of small plot in constrained location, including increased movement and activity.	See 'Principle of development' and 'Transport' sections
Strain on infrastructure including drainage and sewerage network.	New developments are subject to Community Infrastructure Levy payments which contribute towards new and enhanced infrastructure.  The site is not located within land that is identified as being liable to surface water flooding.
Size of flats is significantly less than minimum space standards, site is not within 400m of shops and amenities and does not have good access to public transport.	See 'Residential living standards'
Communal space for residents and staff facilities would be inadequate.	See 'Design, scale and appearance'.
Proposed building would be overbearing to rear gardens on Stag Lane and would overlook these and other properties, and would cause loss of light, overshadowing and loss of privacy to neighbours.	See 'Relationship with neighbouring properties'
Air quality assessment has not been carried out.	This is not currently a policy requirement for minor developments. The previous application 20/3502 was classified as a major development, for which an air quality assessment is required.
Existing access constraints and damage to pavements within Elmwood Crescent, and constrained access for emergency vehicles.	See 'Transportation considerations'. This is an existing situation which would not be materially worsened by the development.
Additional traffic, noise and dust pollution, and disruption from construction traffic.	See 'Transportation considerations'. Noise and dust impacts from the construction process would be controlled through a Construction Method Statement and environmental nuisance regulations.
Existing occurrences of anti-social incidents, abusive language and police presence at No 7 & 8. Perceived threat to residents of neighbouring properties from residents with severe mental health problems. Increased incidence of littering to neighbouring gardens.	See 'Principle of development'
Proximity of waste bins to neighbouring boundary.	This issue has been resolved in the amended layout, however it should be noted that many properties choose to place their bin storage on the boundary with neighbouring properties.

Increased traffic, servicing requirements including visits from healthcare and emergency services, parking pressure and pedestrian footfall in area.	See 'Transportation considerations'
Insufficient parking proposed.	See 'Transportation considerations'
Existing driveway to No 6a is narrow and not suitable for emergency and fire service vehicles.	See 'Transportation considerations'. The proposal would provide a combined frontage for the two buildings and vehicle access would be via the existing access to No 7 & 8.
Existing pollution of neighbouring gardens from cigarette smoke.	This is an existing situation and could occur through any form of residential use. There is no evidence to suggest that residents in need of care and support would be more likely to smoke than residents in general needs housing.
Residents on Stag Lane are already impacted by noise and disturbance from a special school at 341 Stag Lane.	This is an existing situation and not relevant to this proposal.

### Internal and external consultees

Adult Social Care Services: No objection. Nomination rights required. Comments are discussed under 'Principle of development'.

Environmental Health: No objection. Conditions requested. Comments are discussed under 'Environmental Health considerations'.

Secure by Design: No objections subject to minor amendments to site layout and recommendations regarding issues such as means of access to the building and fenestration standards. Comments are discussed under relevant sections of report.

## POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2021 London Plan. Relevant policies include:

### London Plan 2021

D1: London's form, character and capacity for growth  
D3: Optimising site capacity through the design-led approach  
D4: Delivering good design  
D12a: Fire Safety  
H12: Supported and specialised housing  
G7: Trees and woodlands  
T5: Cycling  
T6: Car parking

### Brent Core Strategy 2010

CP1: Spatial Development Strategy  
CP2: Population and Housing Growth  
CP17: Protecting and Enhancing the Suburban Character of Brent  
CP21: A Balanced Housing Stock

### Brent Development Management Policies 2016

DMP1: Development Management General Policy  
DMP11: Forming an Access on to a Road  
DMP12: Parking  
DMP16: Resisting Housing Loss  
DMP18: Dwelling Size and Residential Outbuildings  
DMP19: Residential Amenity Space  
DMP20: Accommodation with Shared Facilities or additional support

The following are also relevant material considerations:

The National Planning Policy Framework 2021  
Brent Design Guide SPD1 2018  
Brent Domestic Vehicle Footway Crossover Policy 2021

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

The Council is at an advanced stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. Planning Inspectors appointed on behalf of the Secretary of State have considered the draft Plan and have requested that the Council undertake consultation on a number of Main Modifications which took place between 8 July and 19 August 2021. Therefore, having regard to the tests set out in paragraph 48 of the NPPF, it is considered that significant weight can now be applied to policies contained within the draft Brent Local Plan.

The draft Local Plan carries significant weight in the assessment of planning applications given the progress through the statutory plan-making processes. Relevant policies include:

DMP1: Development management general policy  
BD1: Leading the way in good urban design  
BH7: Accommodation with shared facilities or additional support  
BH10: Resisting housing loss  
BH13: Residential amenity space  
BGI2: Trees and woodlands  
BT1: Sustainable travel choice  
BT2: Parking and car free development  
BT4: Forming an access on to a road

## DETAILED CONSIDERATIONS

### Principle of development

#### Policy background

1. Policy CP21 of Brent's Core Strategy seeks to maintain and provide a balanced housing stock in Brent by protecting existing accommodation that meets known needs and by ensuring that new housing appropriately contributes towards the wide range of borough household needs including:
  - Non-self contained accommodation to meet identified needs
  - Care and support accommodation to enable people to live independently
  - Residential care homes which meet a known need in the Borough
2. Policy DMP20 allows accommodation with care where it includes suitable management arrangements and demonstrates a specific Brent need for the particular use, to be secured by a planning agreement. The policy also provides additional criteria to assess proposals: the development should normally be within 400m of public transport and other amenities including local shops; the accommodation should meet appropriate standards for the needs of its occupants; and suitable management arrangements should be agreed with the council to not unacceptably impact on neighbour amenity. Emerging Policy BH7 carries this forward and sets out an additional criterion, that the proposal should not lead to an over-concentration of the type of accommodation in the area (over-concentration is quantified for Houses in Multiple Occupation as three or more out of ten properties, but is not quantified for other housing types).



### Comparison with previous application

3. The previous application (ref 20/3402) was refused for the following reasons:

*Whilst the use of the site for C2 or C3(b) purposes is considered acceptable in principle, the proposal does not provide adequate communal facilities for residents or dedicated space for key workers to support this use. The use of communal facilities at No 7-8 to serve proposed residents at No 6a has not been demonstrated to be conveniently accessed, adequate for the needs of both properties or appropriate for the transitional nature of the proposed accommodation. The addition of 10 residential units of this type to the existing 11 would represent an over-intensification of the site that would not be supported in an area of poor access to public transport and local services. The proposal does not comply with Policy DMP20 of Brent's Development Management Policies or emerging Policy BH7 of the draft Local Plan 2020*

and

*The proposal is not considered to represent a C2 use due to the lack of communal facilities, and instead consists of a major housing development comprising 10 self-contained residential units in Use Class C3(b). As such it is unacceptable for the reasons as set out below:*

- the proposal fails to propose at least 50 % Affordable Housing or submit a Financial Viability Assessment demonstrating that the maximum reasonable proportion of Affordable Housing will be provided and as such, fails to demonstrate that the proposal will meet identified housing need within the borough and within London as a whole.*
- The submission fails to demonstrate that the proposal can achieve an appropriate level of carbon reduction or water use, or demonstrate that the development will be air quality neutral and as such, is likely to contribute to unduly contribute towards climate change, will not adequately reduce water use and will result in adverse air quality.*
- The proposal is not supported by a drainage strategy using appropriate sustainable drainage measures, and so fails to make adequate provision for the control and reduction of surface water run-off.*
- The proposal is contrary to policies policy 3.12, 5.2, 5.3, 5.15 and 7.14 of the London Plan 2016, Policy CP19 of the Brent Core Strategy 2010, policy DMP9b and DMP15 of Brent's Development Management Policies 2016, and policy H5, H6, H7, SI1 and SI2 of London Plan Intend to Publish Version 2019 and policy BH5, BSUI1, BSUI2 and BSUI4 of Brent's Draft Local Plan 2020.*

4. To resolve the first reason for refusal, officers have been in discussion with the applicants and Brent's Adult Social Care team. As a result of these discussions, the number of units proposed has been reduced and the provision of communal space for residents has been proposed, together with improved facilities for staff and space for keyworking meetings. The current proposal has been designed to operate mostly independently of No 7-8, as requested by the Adult Social Care team, to encourage residents' transition towards fully independent living. The Adult Social Care team have confirmed that the layout of the current proposal is suitable to provide this type of care, and that a nominations agreement could secure the use of the property as C2 residential care units for the use of Brent residents requiring supported living, whilst the applicant has agreed to enter into a condition or section 106 agreement to secure nomination rights for Brent. These amendments to the previous proposal are considered sufficient to address the first reason for refusal.

### Assessment of proposal

5. The second reason for refusal of the previous application arose from the proposal being for ten or more self-contained dwellings within Use Class C3 and as such, it was a Major development. Due to the lack of the facilities discussed above, the premises previously could not be treated as a care facility within Use Class C2 use (Residential Institutions). The additional policy requirements for Major residential developments applied to the previous application in respect of affordable housing provision, carbon reduction, water use, air quality and drainage, which the proposal did not comply with. The current proposal is for a care home within Use Class C2 with a floorspace of less than 1,000 sqm, which is classified as a minor development and does not involve the provision of self contained homes falling within use class C3(b). The policy requirements relating to Major developments do not apply, which has addressed the second reason for refusal.

6. The proposal would lead to the loss of the existing 3 bedroom bungalow at No 6a. Policy DMP16 seeks to resist a net loss in residential homes. The loss of the existing dwelling would be compensated for by the provision of nine supported living units, which would also contribute to the borough's housing supply and meet an identified need, and consequently, it is considered that the policy conflict is limited in this case and is outweighed by the benefits of the scheme given the identified need for a facility of this type within the borough.
7. The proposed facility would be operated in conjunction with the existing C2 facility at No 7 & 8 and by the same operator, and would allow for 'step-down' care to be provided to help enable residents to make the transition back into independent living. The proposals show the inclusion of adequate office space and communal space for the use of staff and residents and to provide dedicated space for keyworking, and on this basis it is considered that the proposal could be classified as a residential institution within Use Class C2 rather than being self-contained dwellings within Use Class C3.
8. The proposal also includes construction of an outbuilding in the rear garden of No 7 & 8, to provide additional space for occasional meetings and activities, in addition to storage space. This would provide additional space to allow the operation of the service and the range of activities available to residents to be enhanced, and would be acceptable in principle, subject to its use remaining ancillary to the accommodation provided and would not house additional residents, which would be secured by condition.
9. The proposal to provide short-term accommodation for mental health rehabilitation is supported by Brent's Adult Social Care team and would meet an evidenced need for this type of accommodation within the Borough. The applicant is an established provider of accommodation and care for mental health service users in Brent, and the additional facility would help to address the current shortage of mental health placements within the Borough and to reduce placements made out of the Borough. Nomination rights together with a management plan would be secured through a section 106 agreement to ensure that the facility provides for Brent's residents and is subject to satisfactory management arrangements, and the quality of care provided would be regulated through the applicant's contractual relationship with Adult Social Care and through the national regulatory body, the Care Standards Commission.
10. The proposed building would be run in conjunction with the applicant's existing supported accommodation premises at No 7-8. This is laid out in a similar fashion to the proposed building, comprising eleven rooms with small kitchen areas and ensuites in addition to a communal room which provides amenity space for residents but no communal cooking facilities, and a small office for staff. This is classified as a C2 use (residential care home), and the principle of C2 use on this site has been accepted by the Council in previous applications. It is considered that the proposed building would also be in the C2 use class given the similar layout, provision of communal space for residents and additional office space, and the arrangements to secure nomination rights and a management plan.
11. If the need for this type of housing declines in the future, it is considered that the layout of the building as proposed would lend itself to conversion to general needs housing to provide one or more self-contained C3 residential units. Whilst this would be subject to a grant of planning permission and would require some internal alterations given the size of rooms and mix of units, the general principle of a C3 residential use in this location would be acceptable given the existing residential use and surrounding context.
12. As to whether residents with mental healthcare needs would present a real or perceived nuisance or threat to neighbouring residents, in terms of crime, fear of crime, or challenging and disruptive behaviour, Brent's Adult Social Care team have confirmed that the eligibility criteria for this scheme would be adults who have a mental health diagnosis who have been assessed as able to live in the community. The service is not designed to operate as a 'dual diagnosis' service (i.e. catering for residents who also have a drug and / or alcohol addiction) and therefore regular incidents of drug and alcohol abuse would not be expected. Associated behaviours and conditions linked to a mental health presentation may at times cause low level disturbances but this would be the exception to the rule. The care and support provider would be required to consider known and presenting behaviours and the possible impacts on the local community in their pre admission assessment process. The council would require the provider to evidence a robust management plan before accepting any individual with this presentation. The applicant's Design & Access Statement also confirms that the needs of residents would be fully assessed prior to their placement and that the client group would not include those with a history of physical violence, drug or alcohol abuse. It is considered that the risk of incidents causing nuisance to neighbours would be minimised and that any incidents would be effectively managed through the submission and operation of a suitable management plan.

13. The Metropolitan Police Design Out Crime officer has advised that calls to the police regarding the existing facility at No 7 & 8 have been rare and have resulted in only one arrest for an incident involving fighting between residents. Specific recommendations have been made to minimise opportunities for anti-social behaviour and crime, including relocation of the bin store, cycle store and side entrance gate, the use of an intercom, external lighting, defensible planting, and restricting access to the rear garden at night. These issues have been resolved through the amended site layout where appropriate, and other matters would be secured by condition.
14. It is considered that the loss of a family-sized dwelling could be supported on this occasion, given the specific circumstances of the case. The proposal would contribute to the borough's housing supply and would meet a specific Brent need for accommodation with care. The proposal would comply with Brent's Policy DMP20 and emerging Policy BH7, subject to a management plan and nominations agreement secured through a planning conditions and further consideration of the standard of accommodation proposed and accessibility to public transport and local services as set out in the relevant sections of this report, and would be acceptable in principle.

## **Design, scale and appearance**

### Policy background

15. Policy CP17 aims to protect the suburban character of Brent from development that erodes the character of the area and infills plots with out-of-scale buildings that do not respect the settings of the existing dwellings, while Policy DMP1 requires the scale, type and design of development to complement the locality. The NPPF also emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials. Emerging Local Plan Policy BD1 carries forward these aims and further detailed advice on good design principles is set out in the Brent Design Guide SPD1.
16. Elmwood Crescent is characterised by substantial two-storey semi-detached houses with hipped roofs (the only exceptions being No 6, a detached house, the apartment blocks at Nos 19 and 20, and No 6a itself), demonstrating a variety of householder extensions and alterations. The existing building at No 6a is a bungalow with a low hipped roof, and the lower height reflects both the secluded location of the site at the end of the cul-de-sac and the gently falling ground levels.
17. The proposed building would also have the appearance of a bungalow on the front elevation, due to the roof extending down over the first floor, and would successfully retain the character of the site in this respect. The front and rear building lines would be aligned with those of the existing building at No 7-8, and the building would be of a similar bulk. Although larger than many of the houses on Elmwood Crescent, householder extensions to existing properties could result in these being similar in size to the proposal building. Due to its position in line with the front building line of No 7-8 at the end of the cul-de-sac, the building would not be prominent or obtrusive within the street scene and would retain the subservient appearance of the existing bungalow.
18. The roof would be hipped in a Dutch barn style with two small gable-end dormer windows in the front roof slope. A hipped rear projection would be set down from the main ridgeline, with a small area of crown roof. Whilst the roof form would not be typical of the area, it would have a recessive quality similar to the surrounding roofscape and the small area of crown roof would not be visible from the street.
19. The building would extend to the rear across two storeys, with the rear element being partly set in on both sides. This would provide a degree of articulation that would help to reduce the bulk and mass of the building. The side elevations would be mainly blank, although these would not be widely visible and the rear elevation would be well composed, with regular and generous fenestration arrangements.
20. The outbuilding proposed would be located in the rear garden of No 7 & 8, and would be of a typical domestic scale and appearance, with brick facing elevations and a flat roof of 2.5m height. Some landscaping of the rear garden to No 6a is shown, including planting and external seating, and a gated pedestrian route to the garden of No 7 & 8 and the outbuilding. These elements are considered acceptable.
21. In general, the proposal is considered to be acceptable in design terms, subject to materials samples, a more detailed landscaping plan and details of Secure by Design features being secured by condition.

## Relationship with neighbouring properties

22. Any development would need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the 30 degree and 45 degree standards and the 1:2 guidance set out in SPD1. Habitable room windows should be sited at least 9m from boundaries and 18m from existing habitable room windows to prevent overlooking and loss of privacy.

23. The previous proposal (ref 20/3402) was refused for the following reason:

*The proposed building would be unacceptably overbearing to residents of No 345 Stag Lane, due to the higher ground level of the site combined with the height and proximity to the shared boundary of the building, leading to a loss of light and outlook to the rear garden of that property and, due to the proximity of habitable room windows to the boundary and the higher ground level of the garden, would result in an unacceptable degree of overlooking and loss of privacy to the rear gardens of that property and other properties on Stag Lane. The proposal does not comply with Policy DMP1 of Brent's Development Management Policies and Brent's Design Guide SPD1.*

24. The rear building line of the new building would not extend beyond that of the existing property at No 7-8 and would not impact upon the light and outlook available to the existing residents on the site. The two buildings would be separated at the side by approx 1m and, whilst the proposed staff office would have a ground floor window on this side elevation, there are no windows in the existing building on this elevation and therefore no concerns regarding overlooking.

25. The proposed building would be approx 9.5m from the boundary with the side of No 6 Elmwood Crescent and approx 12.5m from the side garden boundary of No 345 Stag Lane. The building would stand well clear of the 45 degree line from the side garden boundary of No 6 and, due to the adequate separation distance and relative positioning of the two buildings, would not have any adverse impacts on the latter in terms of overlooking, privacy, or breach of the 30 degree line. The relationship with the garden boundary of No 345 Stag Lane would also be acceptable as, due to the distance involved, the building would be well clear of the 45 degree line from this boundary.

26. The proposed building would be set off from the boundary with the rear gardens of properties on Stag Lane by a greater distance than the previous proposal (3.5m distance compared to the previous 2.3m). Given the distances involved, it would not breach the 30 degree line from the rear windows of these properties. The topographical survey submitted indicates that ground levels fall within the site towards the north and west, and that the nearest part of the neighbouring gardens on Stag Lane are approx 0.2m lower. The increased separation distance, coupled with the recessive hipped roof design and the lower ridge height of the building, ensures that the building would cause only a very minimal breach of the 45 degree line (by about 0.2m in height) at a height of 2m from the rear garden boundary of No 351 Stag Lane, even when the drop in ground levels along this boundary are taken into account. Given the extensive tree cover on the neighbour's side of the boundary, it is not considered that any materially significant loss of outlook to the rear garden would occur.

27. The previous proposal also included a number of habitable room windows and a balcony on this side elevation, which was considered to result in an unacceptable degree of overlooking and loss of privacy to No 349 Stag Lane. The current proposal does not include any side-facing habitable room windows and, as noted above, adequate separation distances are provided to the front and rear to prevent concerns about overlooking from front and rear windows. The communal room would contain two side-facing windows at ground floor level, and a condition is recommended to require these to be obscure glazed and non-opening, to prevent any over-looking onto the neighbouring properties.

28. The outbuilding proposed would have a flat roof with a height of 2.5m. This would comply with the guidance on residential outbuildings set out in Brent's SPD2 guidance on householder extensions, and with permitted development criteria for residential outbuildings. It is therefore considered to be of an acceptable height so as not to be overbearing to neighbouring gardens or to cause any harmful loss of outlook.

29. The proposal is considered to have addressed the reason for refusal of the previous proposal, and to have an acceptable relationship with neighbouring properties, subject to the conditions above.

## Residential living standards

### Policy background

30. Whilst London Plan Policy D6 provides minimum space standards for self-contained residential units for general needs housing (Use Class C3), accommodation for non-self-contained housing types are not required to comply with these standards. This policy also provides qualitative criteria for assessing the quality of residential accommodation, including appropriate levels of light, outlook and privacy for residents, however, and regard has been had to these criteria to assess the quality of accommodation proposed.
31. Brent's Policy DMP19 establishes that all new self-contained dwellings are required to have external private amenity space of a sufficient size and type to satisfy proposed residents' needs. This will normally be expected to be 20sqm for studio, one or two-bedroom homes and 50sqm for family housing (homes with 3 or more bedrooms). These standards are carried forward in the emerging Local Plan Policy BH13. Again, this policy standard is not directly applicable to this type of accommodation, but has been taken into account in assessing the proposed amenity space.

#### Assessment and comparison with previous proposal

32. The previous proposal (ref 20/3402) was refused for the following reason:

*The proposal would not provide an adequate standard of residential accommodation to facilitate independent living for residents, due to the severely limited internal floorspace of the units in combination with instances of poor layouts, limited outlook and limited headroom. Furthermore, no units are proposed to meet Building Regulations M4(3) 'wheelchair accessible' standards. The proposal fails to comply with Policy DMP18 of Brent's Development Management Policies 2016 and Policies D6 and D7 of the Intend to Publish London Plan 2019.*

33. This reason for refusal arises from concerns that the units would be occupied as self-contained C3 units. The minimum internal floorspace for such units is 37sqm, and the previous proposal involved units of approx 25sqm-26sqm.
34. The current proposal is for nine units, all of 25sqm approx floorspace. The units are shown laid out with single beds, small kitchen areas and ensuite shower rooms or bathrooms. Whilst these are below the minimum floorspace standards for studio flats provided as permanent accommodation, Brent's Adult Social Care team have confirmed that the size and layout proposed is typical of supported living units and is adequate for residents' needs in this case. Furthermore, each unit would have an efficient layout, a good standard of light and outlook from front- or rear-facing windows and a floor-to-ceiling height of 2.5m, to comply with Policy D6. Ground floor habitable room windows would require defensible space to a depth of 1.5m to protect residents' privacy, and further details of this would be secured under the landscaping condition.
35. A communal room of 25sqm would also be provided for the use of residents. The proposed outbuilding could provide additional secure storage space if this is required by individual residents. The rear garden is shown as being approx 266sqm in area, and would include a centrally located seating area and landscaped areas. This would be adequate to provide amenity space for the number of residents proposed.
36. The proposal is considered to have addressed the previous reason for refusal and to provide an adequate standard of accommodation in this instance, in accordance with Brent's Policy DMP20 and emerging Policy BH7.
37. **Impact on trees**
38. The potential effect of the development on trees in and surrounding the site, whether statutorily protected or not, is a material consideration in the determination of planning applications. Brent's emerging Policy BGI2 requires planning applications to be supported by a tree survey and to provide replacement tree planting to compensate for any loss of trees.
39. The applicant's tree survey identifies 15 trees and one tree group on or near the site. A Tree Preservation Order was made in 1971 (Ref 43.10/33) to protect two trees on the site frontage, a Horse Chestnut and Sycamore. However, the Sycamore tree has subsequently been removed. One Category C tree (a White Willow) would be removed to facilitate the development, however this is in close proximity to the existing dwelling on site and would outgrow its position in any case.

40. Two replacement trees would be provided as part of the landscaping scheme: a Hornbeam on the site frontage to replace the Sycamore and a Birch in the rear garden to replace the White Willow, in addition to six trees planted within a whip-double-staggered row of hornbeam hedging, and native hedging on the frontage with additional landscaping to enhance the appearance of the site and provided additional screening to No 6.
41. These details have been previously agreed with the Tree Officer, and would ensure that the development results in no net loss of trees, in accordance with emerging Policy BGI2. A Tree Protection Plan has been submitted, and a site visit by the applicant's arboricultural consultant would be required as a pre-commencement condition to ensure that the approved tree protection measures are implemented to protect retained trees during demolition and construction.

### **Environmental health**

42. Environmental health officers have been consulted on the application and conditions are recommended to address their concerns as follows.
43. The site at No 6A has formerly been used for a car repair business and therefore a full assessment of land contamination would need to be undertaken, together with the implementation and verification of any remediation measures required.
44. A construction method statement is required as a pre-commencement condition, outlining measures that would be taken to control dust, noise and other environmental impacts of the demolition and construction process.
45. As noted above, the proposal is not classified as a major development and consequently there is no policy requirement for an air quality assessment.

### **Flood risk and drainage**

46. It is noted that neighbour objections have been received on the basis of inadequacies in drainage and sewerage infrastructure. However, this is an existing situation and would not be made materially worse by the proposed development.
47. The site is not in or adjoining an area of surface water flood risk or any other type of flood risk. As the proposal is for a minor development, Brent's Policy DMP9B and emerging Policy BSUI4 encourage the use of sustainable drainage measures, however there is no policy requirement for the submission of a drainage strategy. The proposal would increase the proportion of soft landscaping provided on the site frontage, which would contribute towards sustainable drainage, and is considered to be acceptable on this basis.

### **Transportation considerations**

48. Maximum parking allowances are given in Policy DMP12 and Appendix 1 of the Development Management Policies, whilst Appendix 2 provides servicing standards and Policy DMP11 provides criteria for new road accesses. London Plan Policy T6 seeks to restrict car parking in line with existing and future public transport accessibility and connectivity, and the parking allowances in Brent's emerging Policy BT2 are aligned with those set out in London Plan Policy T6.
49. Elmwood Crescent is a narrow street and recent parking surveys (2013) confirm that this street is heavily parked. Its carriageway is only 4.8m wide, so cannot safely accommodate on-street parking. This site lies at the end of the Crescent, fronting the turning circle. The site has low access to public transport with a PTAL rating of 2, however a local shopping parade at Hay Lane is about 200m away, while bus routes and several GP practices are available on Stag Lane.
50. The existing 3bed dwelling at No 6A has a parking allowance of 1.5 spaces under Brent's current standards, and the site can accommodate two spaces within the double garage and further spaces in front of the garage. The relevant parking standard for the eleven 1bed units at No 7-8 is one space per ten units, and this part of the site can currently accommodate three to four spaces on the frontage. The proposal would result in a combined parking allowance for the two properties of two spaces.
51. The existing access to No 7-8 is proposed to be used for the two properties, and the boundary treatment between the two would be removed to provide a combined frontage. The existing access to No 7-8

includes vehicular gates which are open metalwork and so would provide adequate visibility, and a separate pedestrian gate in the same style, which would provide a dedicated pedestrian route to both buildings.

52. Transport officers have requested that the dropped kerb in front of No 6a is restored to footway at the applicant's expense. However from the officer's site visit it was apparent that this area of dropped kerb and part of the site frontage of No 6a is required to provide vehicle access to No 6 (historical street images show that this is an existing situation dating from 2008 or earlier) as the front boundary wall to that property and the curvature of the road partially obstructs its own dropped kerb. Whilst a small part of the dropped kerb could be reinstated to footway, it is considered that the benefits to pedestrian safety of doing so would be very limited in this case and that it would consequently be unreasonable to do so.
53. The proposal would include three designated parking bays adjacent to the boundary with No 6 (this area currently provides a driveway to No 6a, which would not be required if a combined frontage is provided, and which is currently used to park several cars in tandem). Whilst this exceeds the allowance of two spaces, it is considered that this is acceptable given the low public accessibility of the site and would allow any visitors including health and social care professionals to park on-site.
54. Cycle storage for four cycles and bin storage would also be provided on the site frontage, together with soft landscaping. Further details of these would be secured under the landscaping condition.
55. It is noted that objections have been received regarding access constraints and highway conditions within Elmwood Crescent. However, this is an existing situation that would not be made materially worse by the proposed development, and there is no evidence to suggest that the proposed residents would place greater demands on emergency services than residents in general needs housing. The existing access to No 6A is acknowledged to be constrained, and the proposal would improve access arrangements by providing vehicle access to both buildings from No 7-8, which would make the access to No 6A.
56. The development is not expected to generate additional traffic beyond that associated with the existing dwelling on the site. Subject to the conditions above, the proposal is considered to be acceptable in terms of transportation considerations.

### **Fire safety**

57. The application has not been accompanied with the fire safety information set out within D12a of London Plan. However, formal approval under the Building Regulations will be required if the scheme goes ahead, and therefore given the scale and location of the development, the absence of the fire statement does not render the scheme unacceptable.

### **Equalities**

58. 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).

### **Conclusion**

59. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of legal agreement.
60. Whilst the concerns of neighbouring residents are acknowledged, the reasons for refusal of the previous application have been satisfactorily addressed through proactive engagement with the applicant and Brent's Adult Social Care team. The proposal would meet an identified Brent need for accommodation of this type within the Borough and would help to reduce out-of-borough placements, and robust management procedures would be secured to minimise any risk of challenging or disruptive behaviour by residents.



**DECISION NOTICE – APPROVAL**

Application No: 21/3059

To: Mr Pearson  
Pearson Associates  
8 Baronsmere Court  
Manor Road  
Barnet  
EN5 2JZ

I refer to your application dated **09/08/2021** proposing the following:

Demolition of existing bungalow and detached garage at No.6A Elmwood Crescent and erection of two-storey detached building to be used as accommodation for mental-health rehabilitation (Use Class C2), comprising of 9x self-contained units with associated landscaping, erection of single storey rear outbuilding, cycle & refuse storage and car-parking for use in conjunction with the residential institution at No.7-8 Elmwood Crescent

and accompanied by plans or documents listed here:  
Please see Condition 2.

at **6A and 7-8, Elmwood Crescent, London, NW9 0NL**

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: 12/10/2021

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.



**SUMMARY OF REASONS FOR APPROVAL**

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

London Plan 2021  
Brent Core Strategy 2010  
Brent Development Management Policies 2016

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

Site plan  
C4021 – T : Site Survey  
2819/1A: Existing plans  
2819/2: Existing elevations  
BP1: Block Plan (Proposed) submitted 05 October 2021  
2601/6H: Proposed ground and first floor plans  
2601/7H: Proposed front and west side elevations  
2601/8H: Proposed rear and east side elevations  
2601/9A: Proposed outbuilding plans and elevations  
2601/10B : Existing and proposed long sections  
2601/11C: Proposed roof plan, section and front boundary wall  
Tree Constraint Plan (B)  
Tree Protection Plan

Design & Access Statement  
Phase II Arboricultural Impact Assessment (Ref 5440011 1470 / 101 589, Arbol EuroConsulting, 15/04/2021)

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

- 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 premises shall not be used other than for the purpose of supported accommodation for clients with mental health problems and for no other purpose within Use Class C2 notwithstanding the provisions of the Town and Country Planning (Use Classes) Order, 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the development continues to provide accommodation in relation to a specific identified Brent need.

Brent Council shall have 100% nominations rights whilst the service is mobilising and until it achieves 100% occupancy.

Thereafter Brent Council shall retain 100% nomination rights in the first instance for any new void. On day 29 if Brent Council has not been able to nominate, the provider may accept a nomination from another local authority.

In the event a void is let after day 29 to another local authority, then the provider shall inform the relevant commissioning team at Brent Council of this detail..

In the event a void occurs that has previously been secured by another local authority then Brent Council shall automatically secure the nomination right for the first 28 days.

The provider shall inform Brent Council's commissioning team via an availability notice of all voids, giving Brent Council 28 days to nominate from the date of the availability notice.

Reason: To ensure the development continues to provide accommodation in relation to a specific identified Brent need.

3 The accommodation within the development hereby approved shall not be occupied other than in accordance with the following criteria for the nomination of occupants:

- Brent Council shall have rights to nominated all (100%) of the occupants whilst the service is mobilising and until it achieves 100% occupancy.
- Thereafter Brent Council shall have the right to nominate all (100%) of the occupants in the first instance for any new void. If on day 29 following the notification of Brent Council of a vacant room Brent Council has not provided details of a person to occupy the room, the provider may accept a nomination for that specific room from another Local Authority for that particular letting instance.
- In the event a void is let after day 29 to another Local Authority, the provider shall inform the relevant commissioning team at Brent Council of the full details of the letting.
- In the event a void occurs that has previously been secured by another Local Authority then Brent Council shall automatically secure the nomination right for the first 28 days in accordance with the above criteria.
- The provider shall inform Brent Council's commissioning team via an availability notice of all voids, giving Brent Council 28 days to nominate from the date of the availability notice.

Reason: To ensure the development continues to provide accommodation in relation to a specific identified Brent need.

4 No more than 9 persons shall reside within the premises at any one time, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that any intensification in the use of premises does not result in substandard form of accommodation for the C2 use and that it would not result in a harmful impact on neighbouring amenity. .

5 The communal room and office hereby approved shall not be used other than for purposes ancillary to the use of the building as a C2 residential institution for nine persons requiring supported accommodation.

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

6 The outbuilding hereby approved shall not be used other than as a meeting room and/or storage space ancillary to the use of the Use Class C2 accommodation provided within the main building, and shall not be used for any other purpose. No business or industry shall be carried out therein, nor shall this building be used for additional living accommodation or be sold, let or occupied separately from the main buildings.

Reason: In the interests of safeguarding neighbouring residential amenity.

7 The development shall be designed and constructed so as to limit the internal consumption of water to 105 litres or less per head per day.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with Policy SI5 of the London Plan, and DMP9b of the Development Management Policies.

8 The windows located on the ground floor within the western façade or roofslope of the building

must be—

- (i) obscure-glazed for all parts of the windows above 1.7m above the floor of the room in which the window is installed, and
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;

and shall be permanently maintained in that condition thereafter unless the planning consent is obtained from the Local Planning Authority.

Reason: To ensure the development does not unduly impact the privacy of the adjoining occupier(s).

- 9 Prior to the commencement of the development a Construction Environmental Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The construction of the development shall be carried out in accordance with the approved document.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 10 No development shall commence until the applicant's arboricultural consultant has visited the site and has provided written confirmation within seven days of the visit that the approved tree protection measures have been implemented in full, and this written confirmation has been submitted to and approved in writing by the local planning authority

Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To ensure the protection of retained trees on and around the site, in accordance with Policy BGI2 of Brent's emerging Local Plan.

Reason for pre-commencement condition: Damage to trees can occur at any stage of the demolition and construction process, and adequate controls need to be in place to prevent any such damage.

- 11 Following the demolition of the building and prior to the commencement of building works:

(a) 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;

(b) a report shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, 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.

Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full.

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

- 12 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any construction work is commenced above

foundation level. 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.

- 13 Prior to first occupation or use of the development, and notwithstanding any details of landscape works referred to in the submitted application, a scheme for the hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. Such a scheme shall include:

- (a) all planting and trees including location, species, size, density and number, incorporating native species and including one Hornbeam tree or similar species, one Birch tree or similar species, and one row of six trees planted within a whip-double-staggered row of hornbeam hedging;
- (b) details of the layout of the rear garden space;
- (c) areas of all hard landscaped works including details of materials and finishes, which shall have a permeable construction, and including three parking spaces demarcated with the use of contrasting materials;
- (d) proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height;
- (e) details of external lighting within the site (including light spillage plans showing details of lux levels across the surface of the site and at residential windows);
- (f) details of a CCTV system to be installed within the site;
- (g) details of materials proposed for the bin storage;
- (h) details of cycle storage for four cycles in accordance with London Cycling Design Standards;
- (i) details of all tree planting pits (including surfacing).

The approved hard and soft landscape works, external lighting and CCTV shall be implemented in full prior to first occupation of the development.

Any planting that is part of the approved scheme that within a period of *five* years after completion 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 to ensure that it enhances the visual amenity of the area.

- 14 Prior to first occupation or use of the site, a verification report shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, stating that any soil contamination remediation measures required by the Local Planning Authority have been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Local Planning Authority has previously confirmed that no remediation measures are required).

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

- 15 Prior to first occupation of the development, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall set out, *inter alia*, processes for minimising the risk of challenging or disruptive behaviour by residents, including: prior assessment and eligibility criteria, responding to and recording any such behaviour; managing residents' access to and use of external amenity space; ensuring units are occupied on a temporary basis with a maximum tenancy duration of four years; managing the reception of visitors to the building. The building shall not be used other than in full accordance with the management plan.

Reason: To ensure the premises are managed so as to minimise any nuisance or adverse impacts on neighbouring residential amenity.

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 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 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 In relation to the discharge of conditions on contaminated land, 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.
- 5 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 Under the Control of Pollution Act 1974, noisy construction works are regulated as follows:

Monday to Fridays - permitted between 08:00 to 18:00  
Saturday - permitted between 08:00 to 13:00  
At no time on Sundays or Bank Holidays

For work outside these hours, the Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at [ens.noiseteam@brent.gov.uk](mailto:ens.noiseteam@brent.gov.uk) to obtain a section 61 application form. Please note that the council has 28 days to process such applications.

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration,  
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233