

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

20 October, 2021
04
20/1335

SITE INFORMATION

RECEIVED	4 May, 2020
WARD	Mapesbury
PLANNING AREA	
LOCATION	Oman Court, Oman Avenue, London, NW2 6AY
PROPOSAL	Redevelopment of part of rear parking to Oman Court to build 2 x two-bed residential duplexes with gardens
PLAN NO'S	Please 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 https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_149853</p> <p><u>When viewing this as a 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 "20/1335" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to **grant** planning permission subject to conditions.

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

Conditions

1. Time Limit
2. Approved Plans
3. Submission of Materials
4. Submission of Block Paving Details and Implementation
5. Submission of Trees & Landscaping
6. Submission of Construction Method Statement
7. Restriction of identified windows to be Obscure glazed and non-opening
8. No access to flat roof
9. Compliance with Tree Report
10. Cycle and bin facilities
11. Revocation of Permitted Development Rights (Classes A- E Extensions)
12. Revocation of Permitted Development Rights (Class L relating to HMO's)
13. Permit Free Condition

Informatives

1. Building near boundary
2. CIL Liable Approval
3. Party Wall
4. Highway works
5. Fire Safety
6. Building Regulations requirements
7. Living Wage

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
Brent	Site address: Oman Court, Oman Avenue, London, NW2 6AY
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is for two new dwellings to be located on the northern side of the existing car park to the rear of Oman Court. The dwellings would be part single, part two storey and would incorporate a front garden and parking space for each new dwelling. The proposal also includes the laying of block paving across a larger proportion of the car park.

EXISTING

The application site comprises a courtyard car parking area in association with the Oman Court, a five storey flatted development located south of the proposed development. To the north of the site are the rear gardens of the properties along Olive Road, to the east are the residential gardens associated with properties on Oman Avenue. West of the site is the single storey bike store structure, beyond which is a four storey building with Cricklewood Library at ground floor with residential use above. To the south of the site is the 5 storey flatted development of Oman Court.

The site is not Listed, nor located within a Conservation Area. The site is located within an Air Quality Management Area. The carriageway on Olive Road and Oman Avenue to the south and west of the site is affected by Flood Zone 3a (Surface Water). It is acknowledged that a small area to the south west of the site which sits within the blue line is affected by Flood Zone 3a, yet this is outside the red line boundary and unaffected by any development proposed.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Representations received: A total of 35 objections were received. Concerns raised by residents included but are not limited to those regarding design, living conditions for future occupants, the impact on character, parking and highway safety, neighbours living conditions, housing mix consultation impact to trees. The consultation section provides more detail in relation to the nature of all objections.

Principle: The site is located on an existing car park within a predominantly residential area, the proposal would result in the loss of 7 parking spaces. There are no in principle objections to the principle of development subject to the consideration of the impacts of the development.

Character and Appearance: The proposal is considered to be a good quality design that adequately respects the character of its surroundings and would have an appropriate relationship with the surrounding buildings and streetscene.

Standard of Accommodation: The living conditions of future occupiers of the development would be acceptable and would sufficiently meet the relevant standards in terms of internal space, light and outlook. External amenity space would be provided in the form of front garden. The external amenity space would fall slightly short (3sqm) of DMP 19 standards. However, having regard to the proximity to nearby open spaces (Cricklewood Gate entrance to Gladstone Park located approximately 150m walk from site) and the quality and quantity of on-site provision, the new homes would nonetheless have access to external space that is sufficient in size and type to satisfy the needs of future residents.

Impact on Neighbouring Amenity: The development has been assessed against loss of light, outlook and sense of enclosure on all neighbouring properties against the guidance contained with SPD 1 and the

proposed development complied with the guidance. It is not considered that the proposed development would result in adverse harm to the residential amenity of any nearby properties or their gardens.

Parking: The proposal would result in the loss of 7 off street parking spaces. The proposal would result in 2 two bedroom houses, two new off street parking spaces are proposed, one for each new house. A parking survey was undertaken and reviewed by Brent Transport Team along with other information about the site and surroundings. It is considered that there would be sufficient parking available on and off-street to meet likely future parking demand.

Trees: A Phase II Arboricultural Impact Assessment has been submitted by the applicant and reviewed by the Councils Tree Officer. The development includes the removal of three trees (TA-TC), Silver Birch Trees to the rear of the site in order to accommodate the development. It is reported within the Arboricultural Report that one of these is dead (TB) whilst the other two are recently established with potential to grow into significant specimens. Three replacement trees (2 x silver birch and 1 x snowy mespil) are proposed within the car parking area in order to mitigate against the loss of the three trees. The replacement trees are considered to adequately mitigate against the removed trees.

RELEVANT SITE HISTORY

Oman Court

17/2259 – Granted

Non-material amendments as follows:

- * minor amendments to windows and doors
- * minor amendment to roof finish

of planning permission reference 10/2012 dated 08/04/2011 for Erection of single-storey roof extension to form five-storey building to provide 4 additional self-contained flats (1x 3-bedroom and 3 x 2-bedroom), enlarged refuse-storage area, alterations to parking layout, cycle-storage area to front and associated landscaping to site (revised plans received on 26th October 2010) and subject to a Deed of Agreement dated 24 March 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

10/2012 – Granted

Erection of single-storey roof extension to form five-storey building to provide 4 additional self-contained flats (1x 3-bedroom and 3 x 2-bedroom), enlarged refuse-storage area, alterations to parking layout, cycle-storage area to front and associated landscaping to site (revised plans received on 26th October 2010) and subject to a Deed of Agreement dated 24 March 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

Cricklewood Library (152 Olive Road)

18/2803 – Granted

Erection of canopy to front of library; acoustically attenuated enclosure within the existing refuse store to the rear; relocation of the refuse store to a new enclosure at the front of the property, the addition of fresh air intake/ventilation louvres to the rear and side (north) elevations.

14/2548 – Granted

Demolition of former Cricklewood Library building and erection of a four storey building comprising 6 self-contained flats (1 x 1bed, 4 x 2bed and 1 x 3bed) and 187m² of D1 (multi-functional community) floorspace, with provision for bike and bin stores, associated landscaping and temporary retention of site hoarding for site security (to be removed on completion of development) and subject to a Deed of Agreement dated 10th December 2014 under Section 106 of the Town and Country Planning Act 1990, as amended.

TPO/03/00287 – TPO

Oman Court, Oman Avenue, NW2 6AY.

CONSULTATIONS

A total of 65 were consulted on May 6th 2020, as well as, North West Two Residents Association and Watling Gardens Tenant's Management Organisation. A total of 35 objections have been received, this is inclusive of objections received from Councillor Dar and Councillor Choudhary.

The table below addresses the concerns raised in representations received:

Objection raised	Officer comment
<p>Impact to Residential Amenity</p> <p>Impact to daylight/sunlight, outlook overbearing and sense of enclosure to surrounding properties and gardens. Blocking of sunlight will impact plants.</p> <p>Noise increase and disturbance.</p> <p>Light pollution.</p> <p>Overlooking. Frosting is poor mitigation does not overcome overbearing impact windows can be opened.</p> <p>Lack of separation distances to surrounding boundaries and properties.</p> <p>Pre-application criticised perceived impact on residential gardens.</p> <p>Impact to health and wellbeing.</p> <p>Smell and mess, increased rubbish collection, already a problem with rubbish at Oman Court many flats in multiple occupancy.</p>	<p>Please refer to impact to residential amenity section of report.</p> <p>Adequate bins incorporated to their frontage. The store area and capacity is such that no issues of smell or mess are considered to arise. Issues with current bin stores/nuisance should be with the management and maintenance arrangements of the existing properties such issues fall outside the scope of this application.</p> <p>The impact to sunlight on surrounding gardens is discussed in the residential amenity section of report. It is not considered that the level of impacts to sunlight is significant, it is not considered that the loss of sunlight would impact plants to a degree that would be harmful to the local landscape.</p>
<p>Impact to Character and Appearance</p> <p>Lack of separation distances to surrounding boundaries and properties. Cramped.</p> <p>Should respect character. Spoil view of 1920's flats.</p> <p>Does not create a strong sense of place.</p> <p>Does not integrate with Art Deco design of Oman Court not surrounding character. Not in keeping with environment.</p>	<p>Please refer to 'Impact to Character and Appearance' section of this report'.</p> <p>The loss of a view is not a material planning consideration in this instance. The views referred to are not protected and outlook is not impacted to an unacceptable degree.</p>

Odd location.

Elevations with no principal windows should be set back at least 1m from a site boundary to allow access for maintenance and to avoid a cramped appearance.

Makes reference to illegal buildings in back gardens and Brent's action against such developments. Asserts concept is same for his car park development.

Roof facade close to Chronicle Heights, request that roof be as light as possible, to avoid oppressive feature.

Hardstanding should be limited to prevent overdevelopment.

Reference made to the outdated UDP Polices, but also to the draft London Plan in regards to backland development. States development is harmful to character and appearance. Backyard development contrary to Greater London Authority and Brent policies.

The development is not considered to be comparable to unauthorised buildings within gardens.

The design and access statement outlines that the tiles would be terracotta or brown flat clay tiles. A condition is recommended to secure further details of materials

The proposed site area is largely hardstanding with a small area of shrubs and trees to the north strip of the site. The proposal introduces front gardens with soft landscaping as well as new trees and a sedum roof.

The development is not considered to be inappropriate. Policy does not preclude back land development subject to other planning considerations which are discussed in the detailed considerations section of the report.

Standard of Accommodation

Cramped space, limited access.

Overlooked and overshadowed by Oman Court and the Library development.

Insufficient separation between Oman Court and development. Cramped development.

Concerns about amenity space provided. Proposed amenity space overlooked.

Compares accommodation to beds in sheds.

Please refer to the 'Standard of Accommodation' section of the report.

The development is not considered to be comparable to unauthorised buildings within gardens.

Construction Disruption

Disturbance during previous construction works. Does not mitigate pollution effects of

A pre-commencement condition requiring the submission and approval of a construction method

development.

Only access via the undercroft would result in noise and disturbance.

Concerns regarding construction, two main entrances notes one is not high enough for construction materials, other entrance previously used. If this is used again, bins have to be removed in the first place. This is a very tight space between the side of 18 Oman Court and the neighbouring building. Vehicles previously scraped wall, created a danger for these walls. Concerns regarding use of entrances.

Noise from the construction site, congestion impact on light air circulation and so on.

More people working from home impacted by construction disruption.

statement is recommended and shall include outline measured to control dust, noise and other environmental impacts of the development.

It would be up to the developer to consider the logistics of the build. If property becomes damaged this would become a civil matter.

The disruption caused as a result of construction is covered under Environmental Health Legislation (The Control of Pollution Act 1974).

Some inconvenience may be caused, as with most construction projects, excessive impacts are controlled by the above legislation and it would be unreasonable to withhold planning permission due to the construction phase or lack of individual benefit to residents.

Bin Storage

Insufficient space for waste. Bin capacity at Oman Court is already stretched.

Bins, impact to Trees to front protected by preservation orders.

The old rubbish bin area is opposite and is intended for the second house in the planning application.

The new houses have incorporated bin stores to their frontage. This provided adequate bin stores to the proposed units. The store area and capacity is such that no issues of smell or mess are considered to arise.

The bins proposed would not impact trees.

The existing bin store area for Oman Court/Cricklewood Library would remain unaffected by the development.

Issues with current bin stores/nuisance should be taken up with Brent's Environmental Health department and such issues fall outside the scope of this application.

Trees and Landscaping

Loss of trees reduce outlook and privacy. Loss of natural features, more concrete, impact to outlook of protected open space.

Loss of shrubs and this is not referred to.

Impact to green infrastructure and wildlife.

Please refer to the 'Trees and Landscaping' section of the report.

Private views are not protected by planning policy. The replacement trees are considered to adequately mitigate the trees to be removed in terms of visual amenity, wildlife and air quality.

Two new small specimens will be no substitute to maintain air quality and all the other human amenity trees provide.

Loss of trees and natural area. States trees were built to mitigate the additional floor on Oman Court. Silver birch takes moisture out of soil and could cause issues.

Concerns that trees are high moisture demand and may cause damage to nearby properties.

The proposed trees are low water demand and given there placement are not considered to result in harm to the surrounding properties.

Housing Need/Mix

Does not meet spatial vision and does not ensure 25 % are family homes or that 50% would be affordable. Overdevelopment not for family.

Accept need for housing, but this is not for social housing where need is greatest.

Contribution to housing need negligible.

The scale of the development is such that policy does not seek to secure a specific housing mix of tenure.

Contributes 2 homes to housing stock.

Consultation

Developer has not consulted with community, not notified. Was not told about development when recently purchased house.

Received letter late. Did not receive letter.

Questions if this is the only consultation.

Three weeks does not seem enough to comment on the proposals. Developer been working on site for two years, seems an unfair amount to respond.

Issue with access to view plans.

Consultation has been carried out meets the statutory and local requirements for the application. Please refer to the 'Consultation Section' of this report for more detail.

Plans have been accessible via the public access site.

Other matters

States does not meet building control regulation.

Density is a crude measure for determining development in site. Object density.

Questions why it cannot be developed into a children's playground. Loss of community space. Could be better developed, such as garden refers to COVID. Not community minded

Not policy compliant. Inappropriate use of land.

Building control is not a material planning consideration and part of a separate regulatory framework.

The scale of development is considered within the main body of the report as opposed to the measure of density.

Planning applications must be assessed on their own merits, rather than what alternative schemes could be considered.

Increased crime. Access via gate which is locked via a padlock opened for those with spaces. Gate locked for security and experienced carjacking and anti-social behaviour in the past. Locked gate prevents access for deliveries and slows down emergency services. Limited gap and lack of lighting may result in crime/ anti-social behaviour.

Bin area previously broken into. Used by people with additions, results in health & safety risk.

Limited gap to boundaries, hindering maintenance, damage and damp to boundaries and sheds. Sloping roof near boundary could cause water to overflow onto neighbouring shed and cause damage. Water could collect between boundaries and cause damage.

Creates microclimate.

Advise committee to view site before decision.

Solely for financial benefit.

Refers to other cases in car parks that only allow single storey buildings.

Reference made to freeholder, leaseholder arrangements, costs of renovation and parking allocations. New owners in penthouse have preferential treatment in terms of parking and access to lift. Reference made to freeholder/leaseholder arrangements costs and repairs, Refers to the fenced off pen with materials in the car park.

Breach of planning at Oman Court, chimney stacks removed. States communication to freeholder not been resolved. Claims applicant disregards planning control.

Use of planning conditions and non-material amendments on previous case avoids public scrutiny. Raises concern about the design approved at conditions stage in regards to previous permission.

Please see report

There is no evidence to show that this development would directly increase crime and anti-social behaviour.

Outside the scope of this application.

Whilst it is acknowledged that there are pinch points, it is considered that maintenance will be able to be achieved. The separation distances not considered to give rise to damage/damp.

The scale and form of the development is not considered to create a micro-climate.

Noted.

The profit or motive of the developer in this circumstance is not a material planning consideration.

Each application is determined on its own merits.

The conditions and arrangements within the freehold or leasehold are not a material planning consideration. Outside the scope of this application. Not a material planning consideration.

Any breaches of planning should be reported to the Planning Enforcement Team. Such allegations are not within the scope of this application.

Key details regarding the acceptability of a development are covered during the main assessment. Other details may be conditioned where the principle is accepted and consultation would not be deemed necessary.

Refers to 2001 application for houses, stating concerns were raised in relation to amenity, overcrowding and impact to residents. This application was withdrawn. Refers to a number of approvals nearby since this and questions why an application is now acceptable.

Criticises level of detail in planning statement, no reference to the east of the site. States this questions accuracy of submission.

Responses to pre-app in planning statement are not evidenced.

Refers to NPPF and the presumption in favour of sustainable development and refers to paragraph 127 of the NPPF in balancing considerations. Developer priority is profit. Human cost not outweighed by negative results.

Security lights may have to be removed so as not to impact the new development.

Limited access for emergency service, due to height of undercroft.

Bins block exist route in event of a fire, motorbike previously blocked exist for pedestrians. Burnable wood next to bins is a hazard. Vandals have previously set alight to things.

Questions accuracy of drawings asserting that it has been shown bigger than it is.

Each application is determined on its own merits with regard to current polices and the site context.

Noted, yet enough detail has been presented for a recommendation to be made. Impact to the east of the site has been considered.

Noted.

Please refer to the detailed considerations section for the report for a full assessment.

This has not been proposed.

The two houses would both be within 45m of Oman Avenue to comply with access requirements for fire appliances.

Bin proposed do not block exit. Previous blockages due to individuals parking behaviours is not a material planning consideration to this case. Nor vandals behaviour.

The size of the site as shown in the submitted drawings is consistent with our mapping.

Transport Concerns

Increased vehicular and pedestrian traffic, impact to security and safety.

Please refer to the 'Transport Considerations' section of this report

Increased parking pressure, for existing, proposed and surroundings, lack of spaces and impact from other developments.

Concerns raised in regard to the parking methodology used and impact from other developments, park and places of worship.

Elderly should be able to park, cannot carry things far and should feel safe.

Heavily reliant on car usage, given accessibility.

Oman Court in 2 CPZs. The Traffic Note ignores this, putting much of Olive Road and St Michaels Road in the same 'parkable' category as Oman Avenue. Refers to hours of CPZ's and states main pressure is in the day and that the night time survey is therefore unrepresentative.

Brent Council intends removing the 3 parking spaces outside Cricklewood Library.

Reference made to outdated UDP parking policies, states UDP refers to Olive Road as heavily parked. States excessive on street parking can be dangerous for pedestrians and can hamper flow of traffic. Witnessed accidents at corner as no additional parking provided. Concerns that manoeuvring is limited and concerns raised about space for number of cars.

No provision for disabled spaces, cycles or motorcycles. Impact to disabled residents.

Flats bought with understanding that they came with parking spaces. Parking already reduces due to freeholder allocating two spaces to new flats at top of Oman Court. Impacts quality of life, price of flats and puts pressure of street parking. Thinks that freeholder has withdrawn parking for residents forcing them to park on the road in order to claim the car park is underused. Queries regarding land ownership. Leaseholder and freeholder share ownership of spaces.

Freeholder withdrawn parking to show less pressure.

Of the 22 on-site car parking spaces, only seven spaces are allocated to the households of Oman Court. The rest of the households either do not own a car or park their car on streets.' The seven spaces are reserved for the three flats built in the Oman Court side extension (nos 22,

Oman Court residents with permits are able to park in Zone GA. Zone is more lightly parked. The Lambeth Methodology is widely used and survey times are overnight. That said other evidence (Google Streetview) does not suggest the road is more heavily parked in the day.

Parking spaces were removed some years ago.

It is not considered that the proposal would create unsafe conditions for road users/pedestrians. Adequate manoeuvring space is provided.

The development would not result in the loss of any accessible spaces and the scale of the development is not such that any would be required in policy terms. Adequate cycle provision proposed.

The sale of properties and conditions of lease is not a material planning consideration. The planning conditions cannot control the freeholder's allocation of spaces.

Please see 'Transport Considerations' section of this report.

Approval reference 10/2012 for additional flats to Oman Court included 23 parking spaces and this was conditioned. It is acknowledged (within the submitted Traffic note) that the existing site has 22 spaces. Brent's Transport Team were consulted and our assessment has been based

<p>23 and 24) and the penthouses (25-28).</p> <p>Elderly residents use spaces cannot carry things far and need to feel safe.</p> <p>No delineation for cars and pedestrians.</p> <p>Increase noise pollution.</p>	<p>on 22 existing spaces. In any case and notwithstanding the additional one parking space already lost, the resulting provision of off street parking, taken with on street parking pressure as a result of this development is considered acceptable.</p> <p>Between the car park and the street, there is sufficient space available to accommodate the parking demand from the existing and proposed properties in Oman Court. If the residents feel that the amount of parking in Oman Court is making it difficult to find parking, then they have the option to purchase a permit to park within Oman Court</p> <p>A condition requiring block paving be extended across the width of the existing car park and along the access drive. This would then send a subliminal message to drivers that the area is more of a mews court with pedestrian present than a car park and will encourage them to keep speeds low. It would also improve the outlook from the proposed houses.</p> <p>The development is not considered to give rise to increased or harmful noise pollution.</p>
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Brent Internal Consultees:

Transport: No objection raised subject to conditions for re-surfacing of part of the car part and removal of new resident's right to obtain on street parking permits.

Tree Officer: No objection raised, subject to the submission and implementation of a detailed Tree & Landscaping Strategy.

Environmental Health: No objection raised, subject to the submission and implementation of a Construction Method Statement.

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. The specific policies applicable to this application include:

Regional Level

The London Plan (2021)

- GG2: Making the best use of land
- GG3: Creating a healthy city
- GG4: Delivering New Homes Londoners need
- D4: Delivering Good Design
- D5: Inclusive Design
- D6: Optimising site capacity through the design-led approach
- D5: Accessible Housing
- D3: Optimising Housing Density
- D12: Fire Safety

D14: Noise
G7: Trees and Woodlands
H1: Increasing Housing Supply
H10: Housing size mix
SI1: Improving Air Quality
T4: Assessing and Mitigating Transport Impacts
T5: Cycling
T6: Car Parking
T6.1: Residential Parking

Local Level

Brent's Core Strategy 2010

CP 1: Spatial Development Strategy
CP 2: Population and housing growth
CP 5: Placemaking
CP 6: Design & Density in Place Making
CP 17: Protecting and enhancing the suburban character of Brent
CP 20: Protecting and Enhancing the Suburban Character of Brent

Brent's Local Plan Development Management Policies 2016

DMP1: Development Management General Policy
DMP12: Parking
DMP18: Dwelling size and Residential Outbuildings
DMP19: Residential Amenity Space

Draft Brent Local Plan

The Council is at a significant stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. The planning Inspectors are still considering the Plan prior to undertaking a final stage of consultation on a set of proposed main modifications before the Plan can be adopted. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

DMP1: Development Management General Policy
BD1: Leading the Way in Good Urban Design
BH1: Increasing Housing Supply in Brent
BH13: Residential Amenity Space
BT1: Sustainable Travel Choice
BT2: Parking & Car Free Development
BG12: Trees and Woodlands
BSUI2: Air Quality

The following are also material planning considerations

National Level

National Planning Policy Framework 2021
Technical Housing Standards - nationally described space standards
National Design Guide (2019)

Supplementary Planning Documents/Guidance (SPD/SPG)

Brent SPD1: Design Guide for New Development (2018)
Mayor's Housing SPG
Mayor's Sustainable Design and Construction SPG
National Planning Policy Guidance
National Design Guide
Brent Waste Planning Guide

Public Sector Equality Duty

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.

DETAILED CONSIDERATIONS

Principle of Development

1. The site is located on hardstanding currently in use as a car park in association with the five storey flatted development of Oman Court to the South. The proposals would be consistent with the aims of the London Plan and policies within the Core Strategy which seek to support development which contributes to the strategic housing needs of Greater London and the Borough. Notwithstanding the in-principle support for additional housing, it is important that all other relevant planning considerations which seek to ensure that appropriate regard is given to design, the character of the area, neighbour amenity, traffic generation and highway safety, and acceptability with regards to sustainable design and construction is properly satisfied.
2. Core Strategy Policy 17 (“Protecting and Enhancing the Suburban Character of Brent”) confirms that the infilling of plots with out of scale buildings which do not respect the setting of existing dwellings is not acceptable. Additional design guidance can be found in DMP1 (“Development Management General Policy”) and within the Councils SPD 1 (“Design Guide for New Development”).
3. The surrounding area is largely residential, but not uniform in character or architectural design. The immediate context is characterised by a mix of two storey semi-detached and detached properties and flatted developments carrying in height from 2-5 storeys.
4. The proposal is for part single, part two storey dwellings sited on the northern side of the existing car park, which would incorporate a front garden and parking space for each new dwelling. The proposal also included the laying of block paving across a larger proportion of the car park.
5. The separation distances to boundaries varies from approximately 0.9m to 1.7m on the western boundary, from 0.5m to 0.7m to the northern boundary and approximately 1.6m-1.45m to the eastern boundary. Although it is acknowledged that there are pinch points, the separation to all boundaries is considered acceptable in terms of character and appearance.
6. The proposed bulk and mass has been designed to respect the neighbouring amenity, the two storey elements of the proposals are located to the east and west sided of the site with a single storey element with a flat roof in the middle. The two storey elements would have south facing front gable with a steeper sloped roof to the east and west boundaries respectively, both have hipped roofs to the rear (north of the site). The design and access statement outlines that the tiles would be terracotta or brown flat clay tiles, that the flat roof would have a sedum roof and that a combination of brown or terracotta bricks to reflect Oman Court as well as timber effect cladding would be used. In principle the materials described are considered to relate sufficiently to the proposal and wider context, however a condition is recommended for the submission and approval of exact material proposed.
7. The erection of two new houses is not considered inappropriate in this location. Furthermore, the scale of development is not out of context within its surroundings.

Standard of Accommodation

8. London Plan Policy D6, Development Management Plan policies DMP 18 Dwelling Size and Residential Outbuildings, DMP 19 Residential Amenity Space, Housing Supplementary Planning Guidance and Brent’s SPD 1 seek high quality development to ensure the creation of new residential units provide an acceptable standard of accommodation for potential occupiers.
9. With a proposed GIA of 70.5sqm, both proposed two bedroom three person dwellings would comply with

the relevant London Plan minimum space standard of 70 sqm. All bedrooms meet the minimum sizes set out in London Plan Policy D6. Adequate built-in storage is shown.

10. All rooms are of a reasonable size and layout, with habitable rooms would benefit from at least one opening and are expected to receive reasonable levels of natural light and outlook. The London Plan strongly recommend that 75% of all new dwellings should have a floor to ceiling height of 2.5m. Part of the ground floor falls marginally short of this at 2.45m. At least 75% of the floor area would have ahead height of at least 2.45m and as such is considered acceptable. The roof pitch limited some areas of the first floor, however the bedroom would benefit from adequate floor to ceiling height to ensure practical use of the room.
11. The bedrooms at first floor level are proposed to have one obscure glazed window and one window with clear glazing facing into to development (and thus towards each other) in the interest of protecting privacy between the future residents of the scheme itself as there is a 14 m distance between these opposing windows. This single non-obscured window in itself would be considered to provide adequate outlook. However, given that this relationship would be within the scheme itself and the relationship between windows would be akin to a mews development, it is not considered necessary to obscure these windows. Both bedrooms contain a third window facing toward Oman court, with the window of the western house proposed with clear glazing as it is situated opposite the stair well and deck access while the window of the eastern house would be obscured as it would face and be less than 18 m from windows of Oman Court flats. Each bedroom would also benefit from two small rooflights.
12. Objections were received in regard to the light and outlook of the proposed dwellings. The proposed dwellings would be located north of Oman Court a 5 storey flatted development with its 5th floor set back. The proposed building line is stepped creating different separation distances (varying from approximately 11m to over 15m). At ground floor the bedroom benefits from a side window facing east and away from Oman Court and the windows serving the living/kitchen diner are set back with a separation distance to Oman Court of over 15m. At first floor the bedrooms are served by both south facing windows facing Oman Court and side windows facing the east and west. As such the combination of dual aspect, rooflight and separation distances provide sufficient light and outlook for the proposed dwellings.

External amenity space

13. Policy DMP19 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20 sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms).
14. The DMP19 requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
15. With regard to quality of the space, the supporting text to policy DMP19 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
16. London Plan policy D4 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m is reconfirmed in the emerging policy.
17. Both proposed dwellings provide private amenity space in the form of front gardens enclosed by a hedging. Each of these areas measures approximately 17sqm and the depth and width is such that it would provide usable amenity space for future residents. The areas exceed London Plan Policy D4, but fall short of the requirement in DMP 19 by approximately 3sqm.
18. The amount of external amenity space for some homes falls below the targets expressed within policy).

However, having regard to the proximity to nearby open spaces (Cricklewood Gate entrance to Gladstone Park located approximately 150m walk from site) and the quality and quantity of on-site provision, the new homes would nonetheless have access to external space that is sufficient in size and type to satisfy the needs of future residents. Even if one was to contend that the 3 sqm shortfall for each house would result in a level that was not sufficient, the limited conflict with this policy would be considered to be outweighed and the overall living conditions of the future occupiers would be good.

Impact to Residential Amenity

Light and outlook

19. SPD 1 (2018) prescribes that the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of two metres. BRE Guidance sets out that further testing is required where a proposed development projects above a 25 degree line taken from nearby windows.

Oman Court

20. The 30 and 45 degree line rules prescribed within SPD 1 would not be breached in reference to Oman Court.

29 Oman Avenue

21. The 30 degree line is not an appropriate measure given the relationship of number 29 Oman Avenue to the proposed development. The building envelope largely remains within the 45 degree line with reference to the rear garden of number 29 Oman Avenue. It is acknowledge that the rooflight would project by a nominal amount beyond the 45 degree line, however this is a nominal amount and this taken with the size of the rooflight is such that the it is not considered to result in adverse harm to the rear garden in terms of light, outlook or sense of enclosure.

136, (1-8 Park Lodge), 134, 148 & 150 Olive Road

22. The proposed building envelope would respect the 30 degree line rule in reference to all of the above listed properties.
23. The building envelope largely remains within the 45 degree line with reference to the rear gardens of the above properties. It is acknowledge that the rooflight would project by a nominal amount beyond the 45 degree line (as shown on Section M on Drawing 015/PL/240 Revision C), however this is a nominal amount and this taken with the size of the rooflight is such that the it is not considered to result in adverse harm to the rear garden in terms of light, outlook or sense of enclosure.

152 Olive Road (Cricklewood Library) & Flats 1-6 Chronicle Heights, 154 Olive Road

24. The ground floor accommodates the Library as well as one residential flat. The proposed building envelope would not breach a 30 degree line as drawn from the ground floor residential flat within Chronicle Heights.
25. The rear of the building provides a communal garden for upper floor flats, as well as a private garden for the ground floor flat and accommodated single storey building to the rear for bike storage. The single storey structure to the rear extends for the majority (8.7m of 12.9m) of width of the garden.
26. The proposed building envelope would not breach a 45 degree line drawn from the edge of the garden associated with the ground floor flat. Nor would the 45 degree line be breached when taking the measurement from the west side of the single storey structure. However, when measuring the 45 degree line from the garden's boundary, the proposed development would beach the 45 degree line, with approximately 0.6m above the threshold continuously sloping away from the boundary at a 45 degree angle.
27. It is important to consider the nature of the breach and impact to the site specific circumstance. In this

instance as explained above, the majority of the rear garden is not considered to be adversely affected due to the presence of the single store bike store (approximately 3m in height) located to the rear of the garden. The remaining area of the garden located to the north east corner is the communal garden for the upper floor flats and the proposed building would breach the 45 degree line for a depth of approximately 0.65m and a width of approximately 2.8m. As such, the proposed level of breach of the 45 degree line in regard to the communal amenity space to the upper floor flats within Chronicle Heights is not considered to have an adverse impact on the living conditions of flats 2-6 and the benefits of the scheme outweigh the limited harm, it is also important to note that each of the flats within Chronicle Heights have access to their own private amenity space, as well as the communal garden.

Summary

28. The applicant has not shown the BRE 25 degree line on the drawings. However, this has been evaluated by officers and the building does not project above this line. The potential level of impact therefore accords with BRE guidance in relation to daylight. The proposed development is not considered to result in adverse harm to the residential amenity of any nearby properties.

Privacy

28. SPD 1 (2018) at Principle 5.1 states that new development should provide adequate privacy and amenity for residents. Development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies
29. At ground floor level the windows on the western house would not directly oppose habitable rooms within Oman Court to the south, the closest habitable room window is located at an angle approximately 17.5m away and located behind the defensible space provided by the front garden area and hedging. Similarly the windows to the eastern house at ground floor would be located at an angle to windows at Oman Court located approximately 16.8m away and again located behind the front garden which creates a defensible space. Some windows are located directly opposite windows within Oman Court at ground floor, however issues of privacy have been mitigated by having high level windows in these sections located at a height of at least 1.7m.
30. At first floor where proposed windows are less than 18m from directly opposing habitable rooms in Oman Court, or less than 9m from amenity space of 29 Oman Avenue, overlooking has been mitigated by using obscure glazed windows, a condition would be recommended to ensure that these windows are fully obscure glazed and non-opening below a height of 1.7m as measured from the finished floor level of the room they serve.
31. Objections were received regarding issued of privacy resulting from the placement of the rooflights. Due to their siting, height within the roof and angles afforded, the proposed rooflights would not give rise to overlooking to any nearby properties or their gardens.

Trees and Landscaping

32. It is noted that there are a number of trees located to the rear and side of the proposed development (boundaries with gardens of Oman Avenue and Olive Road) that would likely be impacted by the development. A number of Trees with Tree Preservation Orders (TPO's) located to the south of Oman Court, fronting Oman Avenue.
33. A Phase II Arboricultural Impact Assessment has been submitted by the applicant and reviewed by the Councils Tree Officer. The development includes the removal of three trees (TA-TC), Silver Birch Trees to the rear of the site in order to accommodate the development. It is reported within the Arboricultural Report that one of these is dead (TB) whilst the other two are recently established with potential to grow into significant specimens. Three replacement trees (2 x silver birch and 1 x snowy mespil) are proposed within the car parking area in order to mitigate against the loss of the three trees. The replacement trees are considered to adequately mitigate against the removed trees.
34. The report has demonstrated that the development would not result in adverse harm to trees identified off

site and has provided mitigation measures to protect trees during construction.

35. A condition is recommended to secure the replacement trees and measured within the submitted Arboricultural Impact Assessment are adhered to.
36. A sedum roof is proposed to the flat roof and front gardens with hedging to the boundaries. This along with the proposed tree planting is considered to result in a more verdant visual appearance.

Transport Considerations

Car Parking

37. As the site has poor access to public transport services, the higher residential car parking standards set out in Table 6 at Appendix 1 of the adopted DMP 2016 apply. 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. The Brent maximum Parking Standards allow the 27 existing flats within the building up to 35 off-street car parking spaces while the London Plan maximum standards would allow 40.5 spaces, and the existing provision of 22 off-street spaces accords with maximum standards.
38. This proposal for two additional 2-bedroom houses will increase the maximum permissible parking allowance by 2 spaces (3 if using the London Plan), whilst also reducing off-street parking to 14 spaces. Maximum standards will therefore still be complied with.
39. Policy DMP12 requires that new development does not add to on-street parking problems where there is a lack of safe parking capacity, such as on heavily parked streets. Census data has been examined for the flats, it shows average car ownership to be 0.69 cars/flat in this area, which would equate to 20 cars for the 29 resultant properties in Oman Court following this development. As such, with the proposed reduction in off-street parking to 14 spaces, an overspill of about six cars onto Oman Avenue could be expected.
40. The submitted parking note includes overnight car parking surveys for the existing car park and adjoining streets. These were carried out in March 2020, at about the time the country was entering lockdown due to COVID-19 restrictions on movement. As such, the overnight parking survey figures are considered to represent a worst case.
41. The results showed just five cars parked within the Oman Court car park, but all ten bays along the site frontage occupied. The overall number of cars parked within and alongside the site therefore generally accorded with Census results.
42. A number of objections were raised in regard to parking demand and the representations critique the methodology used and scope of the submitted parking survey. Notwithstanding the points raised, Brent's Transport Team have concluded that the development would not result in insufficient parking available on- and off-street to meet likely future parking demand.
43. With ten parking bays marked out along the site frontage and a further 14 within the site, there is considered to be sufficient parking available on- and off-street to meet likely future parking demand.
44. In terms of numbers, there are 22 spaces at present and the development will result in the loss of 10 spaces. The additional space is lost to landscaping at the eastern end of the site, where tree planting is proposed, rather than the two new dwellings.
45. To summarise, Census data suggests that 20 cars would be expected from the existing and new properties. With 14 accommodated within the site (12 existing spaces and two new spaces for the new houses), six cars would be left to park on-street and the bay along the Oman Court frontage can accommodate six cars. Oman Avenue is not at all heavily parked, so is considered to comfortably cater for on-street parking.
46. Two parking spaces are proposed and to be allocated to the proposed dwellings. A condition would be recommended to remove rights of the proposed dwelling occupiers from obtaining a parking permit.
47. Objections were received stating that the freeholder had removed the right for existing residents (with the

exception of some flats) to park in the off street car park and that this increases parking pressure figures. The agent has advised that 7 flats within Oman Court have spaces linked to their lease and the remaining spaces were offered to residents at an annual cost of £600, but that no residents took this up. It is believed that those with cars park on-street. The proposal would result in the retention of 12 spaces for the existing flats, leaving 5 spaces to be leased by residents in addition to the 7 assigned spaces and the 2 spaces for the proposed dwelling. There are no restrictions in any planning consents regarding the leasing or letting of the remaining spaces. Nevertheless, the agent has indicated an intention to offer these spaces at a rate comparable to the CPZ tariffs. However, this falls outside of the application site so could not be secured through condition. The proposal would make adequate provision for the proposed dwelling and given that the remainder of the existing residents park on-street, the proposal would not result in additional over-spill parking. The anticipated parking demand for the entire site (including existing and proposed dwellings) is 20 cars, with 10 on-street spaces and 9 off-street (7 assigned to existing flats and 2 for the proposed flats), the shortfall below the projected would be minor in any case.

Bike Provision

48. The London Plan requires two secure bicycle parking spaces for each house and each incorporates a bicycle store to meet this requirement.

Access / Block Paving

49. With regard to access, the vehicular and pedestrian accesses from Oman Avenue remain unaltered. At present, the car park and driveway are surfaced in tarmac and the originally submitted plans illustrated that block paving will be laid along the site frontage including the parking spaces. The proposal would increase pedestrian traffic across the car park and along the narrow entrance drive and in order to make the route safer, amendments were sought for the block paving be extended across along the access drive and for larger proportion of the car park. It is considered that this would visually signal to drivers that the area is more of a mews court or shared surface with pedestrian movements
50. Concerns have been raised in regards to manoeuvring space and pedestrian safety. The above measure is considered to overcome concerns and the space is sufficient for manoeuvring.

Refuse

51. Refuse vehicles are unable to access the site, so it is suggested that residents will move their bins to the communal bin storage area at the western end of Oman Court on collection days. This arrangement is considered to be fine.

Fire Safety

52. Policy D12 of the London Plan (2021) requires all new development to take account of fire safety in design. The applicant has submitted a Planning Fire Safety Statement which addresses criteria set out within policy D12A and identifies the potential fire risks and sets out safety measures and identifies escape routes and access for emergency vehicles and specifies the use of a fire hydrant for those parts of the development that are located over 45m from a fire appliance.
53. The submission of the fire safety information pursuant to Policy D12A is intended to ensure fire safety is considered early in the development process and accordingly deals with fire safety matters that could relate to land use planning. However, it is not intended to replace the detailed information required through Part B of the Building Regulations. An informative will remind the applicant of their duties under the Building Regulations with respect to fire safety.

Environmental Health Considerations

54. Due to the size of the development there is no requirement for an air quality assessment or an air quality neutral assessment. In terms of contaminated land there are no previous uses that would pose a risk to this land being used for residential. The applicant must consider minimising noise, vibration and dust during the construction phase. As such a pre-commencement condition requiring the submission and approval of a construction method statement is recommended and shall include outline measures to control dust, noise and other environmental impacts of the development.

Conclusion

55. The proposed development would have an acceptable impact on the character and appearance of the locality, ensure a good standard of amenity for both future and neighbouring occupants. The proposal would also be acceptable in terms of transport and impact to trees. The proposed development would provide two good quality dwellings which would make a contribution to meeting Brent's housing needs. The development is considered to accord with the development plan when viewed as a whole and the application is therefore recommended approval.

CIL DETAILS

This application is liable to pay **£57,974.43** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 162 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	162	0	162	£200.00	£0.00	£48,166.07	£0.00
(Mayoral) Dwelling houses	162	0	162	£0.00	£60.00	£0.00	£9,808.36

BCIS figure for year in which the charging schedule took effect (Ic)	224	330
BCIS figure for year in which the planning permission was granted (Ip)	333	
TOTAL CHARGEABLE AMOUNT	£48,166.07	£9,808.36

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 20/1335

To: Mr Carroll
Dave Carroll Planning Limited
30 Altenburg Avenue
West Ealing
W13 9RN

I refer to your application dated **04/05/2020** proposing the following:

Redevelopment of part of rear parking to Oman Court to build 2 x two-bed residential duplexes with gardens

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

at **Oman Court, Oman Avenue, London, NW2 6AY**

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.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework (2021)
The London Plan (2021)
Brent Core Strategy (2010)
Brent Development Management Policies (2016)
Supplementary Planning Document 1- Brent Design Guide - (2018)

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:

015/PL/001 – Location Plan
015/PL/002 – Site Plan
015/PL/200 D – Proposed Ground Floor Plan
015/PL/201 D – Proposed First Floor Plan
015/PL/202 B – Proposed Roof Plan
015/PL/211 B – South Elevation
015/PL/212 B – East Elevation
015/PL/213 B – North Elevation
015/PL/214 B – West Elevation
015/PL/240 C – Proposed New Sections
015/PL/241 – Chronicle Heights Sections
015/PL/248 – Unit 2 Internal Elevation

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

- 3 Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- 4 No part of the development shall be occupied until further details of details of the proposed block paving shown of approved drawing 015/PL/200 D (Materials, including permeability and details of the juncture between the existing retained hard surfacing and the proposed block paving) have been submitted and approved in writing by the Local Planning Authority.

Reason: In the interest of pedestrian and vehicular safety as well as visual amenity.

- 5 No part of the development shall be occupied until a detailed Tree & Landscaping Strategy has been submitted to and agreed in writing by the Local Planning Authority. The agreed Strategy shall include :

- a) details of the front garden and hedging
- b) a minimum of three trees as outlined within 'Phase II Arboricultural Impact Assessment (AIA) prepared by Arbol EuroConsulting dated 23/04/2020' to be located within the site and details of the species and size must be submitted as well as a plan illustrating the location of the replacement trees.
- c) details of the green roof species.

The details shown on Trees & Landscaping must be completed prior to the occupation of the development. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development and in the interest of wildlife.

- 6 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. This must include:
- (a) damping down materials during demolition and construction, particularly in dry weather conditions,
 - (b) minimising the drop height of materials by using chutes to discharge material and damping down the skips/ spoil tips as material is discharged,
 - (c) sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
 - (d) ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
 - (e) utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
 - (f) installing and operating a wheel washing facility to ensure dust/debris are not carried onto the road by vehicles exiting the site.
 - (g) the use of demolition equipment that minimises the creation of dust.

Reason: In the interest of residential amenity and air quality.

- 7 Notwithstanding the approved drawings, the first floor window to the southern elevation of the eastern house hereby approved annotated as 'obscure glazed' on the approved plans shall be fully obscure glazed and non-opening below a height of 1.7m as measured from the finished floor levels of the rooms they serve. The windows must remain this way in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of privacy for the existing residents within Oman Court

- 8 No access shall be provided to the flat roof of the extension by way of window, door or stairway and the roof of the extension hereby approved shall not be used as a balcony or sitting out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

- 9 The development shall be carried out in accordance with the agreed measures contained within the submitted details submitted within the submitted 'Phase II Arboricultural Impact Assessment (AIA) prepared by Arbol EuroConsulting dated 23/04/2020' unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure trees are protected and appropriate replacement trees.

- 10 The cycle and bin storage facilities shown on the approved drawings shall be installed and made available for use prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the development hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety and to ensure adequate facilities for future occupants.

- 11 Notwithstanding the provisions of Classes A, AA, B, C, D, E and F 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) no further extensions, alterations or buildings shall be constructed within the curtilage of the dwellinghouses unless a formal planning application is submitted to and approved by the Local Planning Authority.

Reason: In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority. In view of flood risk on site.

- 12 Notwithstanding the provisions of Class L of Part 3 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, no change of use of the properties from the approved use to Class C3 or C4 of the Use classes order shall occur, 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 the proposed development and to prevent over development of the site and undue loss of amenity to adjoining occupiers.

- 13 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

INFORMATIVES

- 1 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.
- 2 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.

- 3 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 4 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 The submission/approval of the Fire Safety Statement does not replace the need for building regulations approval in relation to fire safety, nor does it convey or imply any approval under those regulations.
- 7 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.

Any person wishing to inspect the above papers should contact Sarah Dilley, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2500