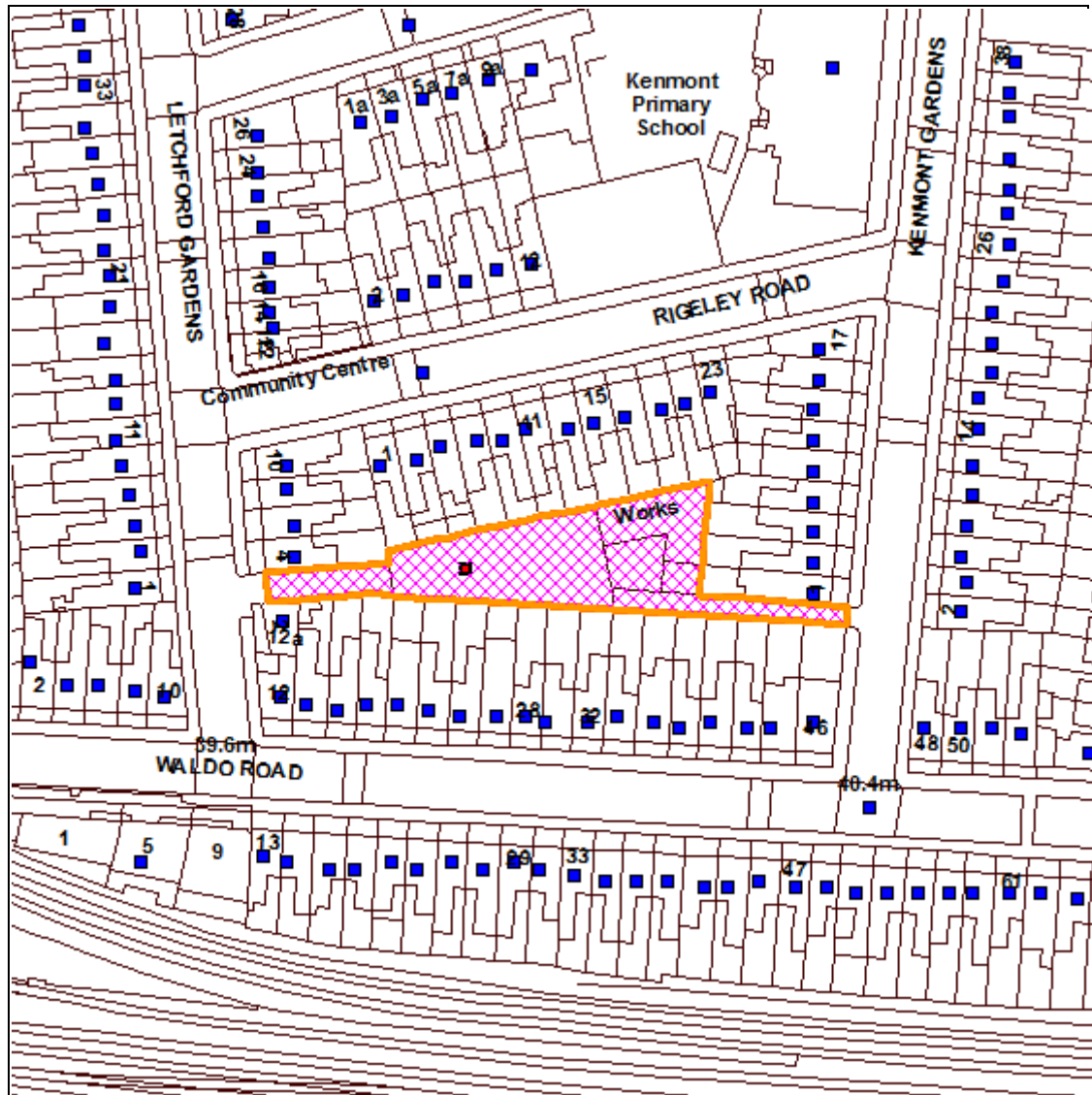


Ward: College Park And Old Oak

Site Address:

Land At Rigeley Mews London NW10



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).
For identification purposes only - do not scale.

Reg. No:
2018/01943/FUL

Case Officer:
Grace Harrison

Date Valid:
12.06.2018

Conservation Area:

Committee Date:
06.11.2018

Applicant:

Mr & Mrs Dossett
Elm Lane Bristol BS6 6UE UK

Description:

Demolition of light industrial buildings and the redevelopment of the site by the erection of 4no. two storey plus basement single family dwelling houses; provision of 4no. off street parking spaces and associated landscaping.

Drg Nos: RM.12.11 Rev D; RM.12.12 Rev C; RM.12.13 Rev B; RM.12.14 Rev C;
RM.12.31 Rev B;

Application Type:

Full Detailed Planning Application

Officer Recommendation:

1) That the Committee resolve that the Strategic Director, Growth and Place, be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below.

2) To authorise the Strategic Director, Growth and Place, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions or heads of terms of the legal agreement, any such changes shall be within their discretion.

1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

Condition required to be imposed by section 91(1)(a) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2) The development shall be carried out and completed in accordance with the following drawings hereby approved:

RM.12.11 Rev D;
RM.12.12 Rev C;
RM.12.13 Rev B;
RM.12.14 Rev C;
RM.12.31 Rev B.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with the policies of the London Plan (2016) and Policy DC1 of the Local Plan (2018).

3) No part of the structure above ground level shall be constructed until details and samples of all materials to be used on the external faces of the building, including walls, roof coverings, windows and doors, have been submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the visual amenities of surrounding properties, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 4) No part of the structure above ground level shall be constructed until details, including drawings in plan and elevation at a scale of 1:20 and details of material, colour and finish, of the new vehicle gates proposed for the Letchford Gardens entrance to the site, have been submitted to, and approved in writing by, the Council. Thereafter the gates shall be installed in accordance with the details so agreed prior to the occupation of the development and permanently retained thereafter.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1, DC2, DC4 and HO11 of the Local Plan (2018).

- 5) The development hereby approved shall not be occupied until a sample of the obscured glazing to be installed in those windows at first floor level (as indicated on the approved drawings) has been submitted to, and approved in writing by, the Council and installed in accordance with the approved details. The glazing shall thereafter be permanently maintained in the agreed form.

To prevent harm to the existing residential amenities of the occupiers of neighbouring properties as a result overlooking, contrary to Local Plan (2018) Policies DC4 and HO11 and Key Principle HS7 of the Planning Guidance Supplementary Planning Document (2018).

- 6) No above ground works (save demolition) shall be commenced until detailed drawings, at a scale of no less than 1:20, of typical bays on each elevation of the building in plan, section and elevation have been submitted to, and approved in writing by, the Council. Thereafter the development shall be carried out in full accordance with the approved details and permanently retained as such thereafter.

To ensure a satisfactory external appearance and to prevent harm to the character, appearance and setting of the adjacent conservation area, in accordance with Policies DC1 and DC4 of the Local Plan (2018).

- 7) Prior to occupation of the development, details of the Ultra Low NOx Gas fired boilers to be provided for space heating and hot water must be submitted to and agreed in writing by the council. The Ultra Low NOx Gas fired boilers shall have dry NOx emissions not exceeding 30 mg/kWh (at 0% O₂). Where any installations do not meet this emissions standard, it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates will need to be provided to the council to verify boiler emissions. The approved details shall be fully implemented prior to the occupation/use of the residential development and thereafter permanently retained and maintained.

To ensure the development does not have an adverse impact on air quality within the borough, particularly with regards to nitrogen oxides emissions, in accordance with Local Plan (2018) Policy CC10.

- 8) Prior to the commencement of the Demolition and Construction phases of the development, an Air Quality Dust Management Plan (AQDMP) shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during demolition and construction; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NO_x and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>; Ultra Low Emission Vehicle Strategy (ULEVS) for the use of on-road Ultra Low Emission Vehicles in accordance with the emission hierarchy (1) Electric (2) Hybrid (Electric-Petrol) (3) Petrol, (4) Hybrid (Electric-Diesel) (5) Diesel (Euro VI HGV); Details of Air quality monitoring of PM₁₀ where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

To ensure the development does not have an adverse impact on air quality within the borough, in accordance with Local Plan (2018) Policy CC10.

- 9) Prior to commencement of the development, a Demolition and Construction Logistics Plan shall be submitted to and approved in writing by the Council. The plan shall be prepared in accordance with Transport for London (TfL) requirements and should seek to minimise the impact of demolition and construction traffic on nearby roads and restrict construction trips to off peak hours only. The approved details shall be implemented throughout the project period.

To ensure that demolition and construction works do not adversely impact on the operation of the public highway, in accordance with Policies T7 of the Local Plan (2018).

- 10) No part of the structure above ground level shall be constructed until full details of the green roof system to be used have been submitted to, and approved in writing by, the local planning authority. Details shall include vertical sections through the green roof, as well as a maintenance plan. No part of the development shall be used or occupied prior to the completion of the development in accordance with the agreed details.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 11) The development hereby permitted shall not be occupied or used before details and samples of surface materials, of the soft and hard landscaping of all private and communal external areas, including planting, planting schedules, paving, boundary walls, fences, gates and other means of enclosure, have been submitted to and approved in writing by the Council. The development shall thereafter be carried out in accordance with the approved details and permanently retained thereafter. All soft landscaping shall be carried out during the first planting season available. Any soft landscaping removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

To ensure the building maintains satisfactory external relationship with its surroundings and that the new external areas are of an acceptable appearance, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 12) Prior to occupation of the buildings hereby approved, details of any proposed external lighting shall be submitted to and approved in writing by the planning authority. Thereafter the lighting shall be installed in accordance with the details so agreed and retained as such thereafter.

To ensure the amenities of surrounding occupiers is not adversely affected through light spillage or light pollution, in accordance with Policy CC13 of the Local Plan (2018).

- 13) The development shall not be used or occupied until the refuse storage areas, as shown on the approved drawing no. RM.12.11 Rev C have been installed, and the refuse storage areas shall be permanently retained in this form thereafter.

To ensure adequate provision for refuse storage, in accordance with Local Plan (2018) Policy CC7.

- 14) The development hereby permitted shall not be occupied or used until the flood resilient design measures and sustainable drainage measures identified in the Design and Access Statement (Rev A, 10.09.2018) and Construction Method Statement (Green Structural Engineering, 18.04.2018) submitted with this application are fully implemented. The measures shall thereafter be permanently retained.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 of the London Plan (2016), Policy CC3 and CC4 of the Local Plan (2018), the National Planning Policy Framework (2012) and the Technical Guidance to the National Planning Policy Framework (2012)

- 15) The development shall not be used or occupied until full details of the proposed cycle spaces, as shown on the approved drawings have been submitted to, and approved in writing by, the Council. The details shall include the type, size and dimensions of the cycle spaces. The facilities shall be implemented prior to occupation or use of the development and shall be permanently retained thereafter.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers, in accordance with policies 6.9 and 6.13 of the London Plan (2016) and Policy T3 of the Local Plan (2018).

- 16) No alterations shall be carried out to the external appearance of any part of the development hereby approved, including the installation of air-conditioning units, ventilation fans or extraction equipment not shown on the approved drawings, without planning permission first being obtained.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1, DC2, DC4 and HO11 of the Local Plan (2018).

- 17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

To ensure that that the visual impact of telecommunication equipment can be considered in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018).

- 18) No above ground works (save demolition) shall be commenced until a statement of how "Secured by Design" requirements are to be adequately achieved for the development has been submitted to and approved in writing by the Council. Confirmation shall be supplied that the details are agreed by the Metropolitan Police's Crime Prevention Advisor. Thereafter the approved details shall be carried out prior to occupation of the development and permanently maintained thereafter.

To ensure a safe and secure environment for users of the development, in accordance with Policies HO11 and DC2 of the Local Plan (2018).

- 19) The development shall be carried out in compliance with the Demolition Method Statement 070618 (prepared by Picardi Architects) submitted with the application. Advance notification shall be given to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The approved details shall be implemented throughout the demolition period.

To ensure that demolition and construction works do not adversely impact the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 20) No part of any roof of the building shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roof, and no alterations shall be carried out to any elevation of the application property to form access onto the roof.

The use of the roof as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of noise and disturbance, contrary to Policies CC11 and CC13 of the Local Plan (2018).

- 21) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 22) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 23) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the

Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 24) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018)

Justification for Approving the Application:

- 1) 1. Land Use: The proposal would achieve a sustainable development by providing much-needed housing on previously developed land, that has been disused and in a derelict state for many years. The proposal would provide four additional units of housing, including three units of a suitable size for families. The proposal is considered to be in accordance with Policies HO1, HO4, and HO11 of the Hammersmith and Fulham Local Plan (2018).
2. Housing: The accommodation to be provided is considered to be of high quality in terms of internal and external space, layout and design, having regard to the Mayor's Design Guidelines and London Plan (2016) Policies 3.5 and Table 3.3, together with Policies HO3, HO6, and HO11 of the Local Plan (2018).
3. Design: The development is considered to comply with Local Plan (2018) Policies DC1, DC2, DC4 and DC8 which require a high standard of design in all new build developments and extensions and alterations to existing buildings, compatible with the scale and character of existing development and its setting,

and London Plan policies 7.1, 7.4, 7.6 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development. The state of the derelict site would be significantly improved.

4. Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered acceptable. The proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of light, outlook or privacy and noise and disturbance. In this regard, the development would respect the principles of good neighbourliness, and would therefore be acceptable in accordance with Policies HO11 and DC4 of the Local Plan (2018).

5. Accessibility and Safety: The development would provide a safe and secure environment for all users, and would provide ease of access for all people, including disabled people, in accordance with in accordance with Policies DC1, DC2, HO6 and HO11 of the Local Plan (2018) and Policies 3.8 and 7.2.

6. Highways matters: It is considered that the scheme would not have a significant further impact on the highway network or local parking conditions and is thus considered to be acceptable. Satisfactory provision would be made for cycle parking and future occupiers of the net new units would be prevented from obtaining on-street parking permits, to help prevent overspill of parking onto the local highways. Adequate provision for the storage and collection of refuse and recyclables would be provided. The development thereby accords with Local Plan (2018) Policies T1, T3, T4, T5 and T7 as well as CC7 and London Plan 2016 Policies 6.1, 6.3, 6.10, 6.11 and 6.13.

7. Environment: The impact of the development with regards to land contamination, flood risk, tree protection and air quality are considered to be acceptable subject to the recommended conditions, in accordance with Local Plan (2018) Policies CC9, CC10, CC3, CC4 and OS5.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by Andrew Marshall (Ext: 4841):

Application form received: 8th June 2018
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2018
The London Plan 2016
LBHF - Local Plan 2018
LBHF - Supplementary Planning Document 2018

Consultation Comments:

Comments from:
Thames Water - Development Control

Dated:
15.06.18

Neighbour Comments:

Letters from:	Dated:
40 Waldo Road London NW10 6AT	09.07.18
18 Waldo Road London NW10 6AT	09.07.18
7 Rigeley Road London NW10 6AR	09.07.18
15 Kenmont Gardens London NW10 6BX	09.07.18
10 Waldo Road London NW10 6AB	09.07.18
28 Waldo Road London NW10 6AT	09.07.18
14 Waldo Road London NW10 6AT	09.07.18
11 Rigeley Road London NW10 6AR	27.06.18
6 Letchford Gardens London NW10 6AS	09.07.18
4 Letchford Gardens London NW10 6AS	06.07.18
20 Waldo Road London NW10 6AT	04.07.18
13 Rigeley Road London NW10 6AR	09.07.18
32 Waldo Road London NW10 6AT	09.07.18
15 Rigeley Road London NW10 6AR	09.07.18
26 Waldo Road London NW10 6AT	09.07.18
35 Waldo Road London NW10 6AU	09.07.18
12 Waldo Road London NW10 6AT	09.07.18
23 Rigeley Road London NW10 6AR	09.07.18
4 Rigeley Road London NW10 6AP	09.07.18
49 Waldo Road London NW10 6AU	09.07.18
13 Kenmont Gardens London NW10 6BX	09.07.18
31 Waldo Road London NW10 6AU	09.07.18
5 Rigeley Road London NW10 6AR	09.07.18
6 Rigeley Road London NW10 6AP	09.07.18
29 Waldo Road London NW10 6AU	09.07.18
3 Kenmont Gardens London NW10 6BX	09.07.18
24 Waldo Road London NW10 6AT	09.07.18
1 Rigeley Road London NW10 6AR	09.07.18
10 Rigeley Road London NW10 6AP	14.07.18
13 Kenmont Gardens London NW10 6BX	03.07.18
2 Letchford Gardens London NW10 6AS	27.06.18
12 Letchford Gardens Kensal Green NW106AN	29.06.18
20 Waldo Road College Park NW10 6AT	29.06.18
Flat 1A Kenmont Gardens London NW10 6BX	05.07.18
22 Waldo Road College Park London NW10 6AT	04.07.18
36 Kenmont Gardens	09.07.18
16 Letchford Gardens London NW10 6AN	09.07.18
21 Letchford Gardens London NW10 6AD	09.07.18
23 Letchford Gardens London NW10 6AD	09.07.18
20 Trenmar Gardens London NW10 6BE	09.07.18
28 Trenmar Gardens London NW10 6BE	09.07.18
41A Scrubs Lane	09.07.18
11 Letchford gardens College Park Harlesden, London Nw10 6ad	02.07.18
37 Pembroke Road London W8 6PW	06.09.18

OFFICER'S REPORT

1.0 BACKGROUND

1.1 The application site is a triangular parcel of land situated to the rear of houses on Letchford Gardens, Rigeley Road, Waldo Road, and Kenmont Gardens. The main vehicular access is from Letchford Gardens, and there is also pedestrian access from Kenmont Gardens, although it appears to have been blocked for some time.

1.2 The site is currently vacant and in a derelict state. The most recent use for the western part of the site is believed to have been for the unauthorized storage of bottled gas, with the eastern part of the site being occupied by a light industrial workshop. In 1991 there was a gas explosion and significant fire on the site, and since then, it been vacant but the ruins of the workshop buildings remain. The existing lawful planning use of the site is Class B2 (general industrial use).

1.3 The site is not located within a conservation area and no part of the site or existing buildings are subject to statutory listing or any other local heritage designation.

1.4 The site falls within the Environment Agency's Flood Zone 1 and has a Public Transport Accessibility Level (PTAL) rating of 3/4 indicating moderate to good levels of accessibility.

1.5 This application seeks planning permission for demolition of the derelict industrial buildings on site and the erection of four two storey plus basement houses, with four off-street parking spaces and associated landscaping.

1.6 Relevant planning history for the site includes:

2013/02477/FUL - Planning permission was refused for demolition of existing buildings and erection of 3 x two-storey and 2 x three-storey single family dwellinghouses, with roof terraces at second floor level; associated off-street car parking and associated landscaping. The reasons for refusal were as follows:

1) The proposal fails to provide a high standard of design. More particularly, the scheme represents an overdevelopment of the site, providing buildings of an excessive scale and massing and of an incongruous form which would not be compatible with surrounding development. The proposal also fails to adhere to the principles of good neighbourliness.

2) The proposed development would represent a poor standard of accommodation. More particularly, the outlook to the proposed units would be severely restricted due to the obscure glazed and non-opening windows to the living spaces and the car parking spaces directly outside windows, providing an oppressive environment. The application has not provided evidence that sufficient daylight and sunlight would be achieved to the internal living spaces of the units which are compromised by the overhang of the building above the ground floor.

3) The proposed development would be unacceptable in the interest of residential amenity. More particularly, the height, design, and proximity of the proposed new buildings to the boundaries with residential properties would result in an unacceptable

loss of outlook to existing neighbouring dwellings. The inclusion of a large roof terrace to unit 3 is also likely to cause additional noise and disturbance to neighbours.

A subsequent appeal (ref. APP/H5390/A/13/2205512) was dismissed on 28th April 2014. All of the reasons for refusal were upheld in some form. The Inspector's particular concerns were regarding the overall scale and height of the development; and the cantilevered form which failed to respond to the form of the surrounding terraces. The expanse of obscured glazing was considered to result in poor outlook at first floor level, and the amount of daylight receivable to habitable rooms was also questioned. Lastly the Inspector found that the size of the elevated terraces were likely to lead to noise disturbance for neighbours.

2003/00314/FUL - Planning permission was refused for the erection of a part three and part two storey building comprising of 8 live/work units and a 3-storey building comprising of one B1 business unit (729.4 m²).

2001/03008/FUL - Planning permission was refused for the redevelopment of the site by the erection of a three-storey building to the side of No. 4 Letchford Gardens and a three- storey block of terraced houses and flats to provide a total of 10 residential units (4 x 2-bed & 6 x 1-bed), with roof terraces and 9 parking spaces.

2.0 PUBLICITY AND CONSULTATION RESPONSES

2.1 A site notice and a press advert were published to advertise the application, and notification letters were sent to the occupants of 146 surrounding properties. 41 responses were received, including:

One support comment from 12 Letchford Gardens, stating that the development will be an excellent addition to the neighbourhood, which needs investment and growth; and it will help to improve the area's industrial image.

Forty objection comments were received (from 10, 12, 14, 18, 20, 22, 28, 24, 26, 29, 31, 32, 35, 40 and 49 Waldo Road, 1, 4, 5, 6, 7, 10, 11, 13, 15 and 23 Rigeley Road, 2, 4, 6, 11, 16, 21 and 23 Letchford Gardens, 20 and 28 Trenmar Gardens, 1A, 3, 13, 15 and 36 Kenmont Gardens, and 41A Scrubs Lane).

2.2 The objection comments may be summarised as follows:

- Noise pollution from additional residential units and gardens close to existing buildings;
- Car parking on the site is excessive and is close to neighbours' gardens, will cause air pollution;
- Risks to local community from disturbance of contaminated land;
- Suspected knotweed on the site could spread into surrounding properties;
- Insufficient consideration given to light pollution from the new units;
- Design is not in keeping with local area, where the local housing is all 19th Century Victorian houses;
- Loss of privacy and overlooking into existing properties;
- Excessive vibration, noise, and impacts to quality of life during the construction phase;
- Impact on local amenities, health care and schools in the area are already oversubscribed;
- The real need is for affordable housing not luxury developments; there is no demand in College Park for housing of this nature;

- The local area is being stripped of commercial units. It would be beneficial to other local businesses if more commercial units opened in this space;
- The placement of bins are directly next to the back wall of neighbours and should be closer to the road.

2.3 The material planning issues raised will be addressed in the report below. In addition, the following non-planning issues were also raised:

- Potential subsidence or damage to adjoining Victorian houses. Officer comment: No evidence has been provided to suggest that the existing houses surrounding the site are particularly at risk of subsidence or that the proposed development would increase that risk. The Building Regulations process will seek to ensure that the new development is structurally sound. A Construction Method Statement, prepared by a qualified civil engineer, has also been submitted with the application and considers the structural stability of adjacent properties.
- Emergency access to the site. Officer comment: Fire safety compliance is a Building Control issue and is covered by Approved Document B5 of the Building Regulations 2010, which requires sufficient means of external access to enable fire appliances to be brought near to the building for effective use. Subject to the parking bay alterations explained below, a fire engine would be able to enter the site via the crossover on Letchford Gardens, ensuring it can be brought to within 45 metres of all parts of the site, in accordance with the Building Regulations requirement.

2.4 Thames Water - No objection, request that the applicant is informed of matters relating to existing Thames Water infrastructure that is on or near to the site.

3.0 RELEVANT PLANNING POLICIES

3.1 The development plan for the borough consists of the London Plan (2016) and the Hammersmith and Fulham Local Plan (2018). The National Planning Policy Framework (revised 2018) and the Council's Planning Guidance - Supplementary Planning Document (2018) are also material considerations. The key policies are given below:

LONDON PLAN (2016)

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 4.4 Managing industrial land and premises

HAMMERSMITH & FULHAM LOCAL PLAN (2018)

- HO1 Housing supply
- HO4 Housing quality and density
- HO6 Accessible housing
- HO11 Detailed residential standards
- E2 Land and premises for employment use
- DC1 Built environment
- DC2 Design of new build
- DC11 Basements and lightwells
- CC3 Minimising flood risk and reducing water use
- CC4 Surface water drainage systems
- CC7 On-site waste management

CC9 Contaminated land
CC10 Air quality
CC12 Light pollution
T1 Transport
T3 Promoting opportunities for cycling and walking
T4 Vehicle parking standards
T7 Construction and demolition logistics

4.0 PLANNING CONSIDERATIONS

The application has the following principal amendments from the refused 2013 application and subsequent dismissed appeal:

- Scheme has been reduced to four, rather than five houses;
- All balconies and roof terraces have now been omitted;
- The overall mass and height of the development has been reduced, and the scheme amalgamates all of the houses within the same single building;
- The end house has been pulled away from the Kenmont Gardens boundary wall, leaving a passage between the building and the boundary wall.

LAND USE

4.1 It is accepted that the site has been disused and vacant of an employment use for nearly 30 years, following the gas bottle explosion in 1991. During this time, several schemes for residential development have come forward, and none of have included any provision for an employment use. Whilst no evidence has been provided to support the loss of the lawful employment use in accordance with Local Plan Policy E2, Officers are satisfied that the amount of time that has passed without an employment scheme coming forward is an indication of a lack of interest in this site for employment use. Furthermore, Officers consider that a general industrial use would no longer be appropriate on this site, given its proximity to neighbouring residential dwellings. The residential character of the surrounding area means that residential use would be compatible with it.

HOUSING PROVISION

4.2 The proposed development would provide 4 residential units, which would help the Council achieve its London Plan housing targets, which is for 1,031 net new units per annum. The application site has a PTAL rating of 3 /4, indicating moderate to good access to public transport. According to the London Plan's density matrix, the site is in an 'urban' location. The recommended density range for this site is therefore between 200 and 700 habitable rooms per hectare (hr/ha). The site is around 0.094ha and the proposed development would provide 24 habitable rooms, and therefore the density of the site is approximately 255 hr/ha. The proposed development therefore sits within the parameters, and the relatively low density is considered to be acceptable given the site's location and physical constraints and allows a good quality of accommodation to be provided.

4.3 The proposed development provides the following mix of units: 1 x 2 bed, 1 x 3 bed and 2 x 4 bed houses. Three family sized units would be provided and this is a good mix of sizes, appropriate to the local area of College Park where many of the houses are

family homes. The development would therefore be supported by Policy HO5, which seeks to increase the proportion of family accommodation in new developments.

QUALITY OF ACCOMMODATION

+ Indoor and outdoor space standards

4.4 London Plan (2016) Policy 3.5 places a significant focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures and sets out the minimum Gross Internal Areas (GIA) for new dwellings. All the proposed units would exceed recommended minimum GIA as set out in London Plan Policy 3.5. The development is also compliant with the Technical Housing Standards in terms of room sizes, storage space and floor-to-ceiling height.

4.5 The Mayor's Housing SPG Baseline Standard 26 relates to private open space. The standard is quantified as 5sq.m. for 1-2 person dwellings and an extra 1sq.m. should be provided for each additional occupant. SPD Housing Policy 1 states that new, family-sized accommodation should have access to amenity or garden space of not less than 36sq.m. This standard is met throughout the development, in the form of ground level rear gardens.

+ Outlook and daylight to habitable rooms

4.6 All of the units would be dual aspect, with the habitable rooms oriented South. The main living/kitchen areas would be located at ground floor level, with large clear French doors opening onto the private gardens, thereby affording a good amount of outlook. Outlook from the basement and first floor rooms would be more constrained, however these would be bedrooms and play rooms and therefore less sensitive to a lack of outlook. An internal daylight and sunlight assessment report submitted with the application demonstrates that all the rooms within the proposed development achieve acceptable levels of daylight, the majority significantly in excess of the BRE's Average Daylight Factor (ADF) test. Officers have reviewed this report and are satisfied that it is a robust assessment. On balance, therefore, it is considered that the development provides an acceptable quality of living accommodation that maximises amenity levels considering the physical constraints of the site.

+ Accessible and inclusive design

4.7 The Design and Access Statement submitted with the application states that the proposed development is designed to meet Building Regulations Approved Document M Volume 1 - Dwellings, Category 2 'Accessible and adaptable dwellings'. in order to meet M4(2) reasonable provision must be made for people to gain access to and use the dwelling and its facilities; and this provision must be sufficient to meet the needs of occupants with differing needs, including some older or disabled people; and to allow adaptation of the dwelling to meet the changing needs of occupiers over time. In this case, the site layout allows for level access to the entrance storey of all of the units with all gradients within permissible guidelines and without steps or abrupt changes in gradient.

DESIGN OF NEW DEVELOPMENT

4.8 The scale of the proposed development has been reduced in scale from the previously refused submission, and the number of houses proposed has been reduced from five to four. The pitched roof has been replaced by a flat, sedum roof, which as a result has lowered the height further. The surrounding built environment is typically comprised of two storey Victorian terraced houses, with pitched roofs. The proposed development would be lower and therefore subservient to this context. Furthermore the massing has been consolidated so all of the units are contained within a single building that is set away from the boundaries of the site and sits comfortably towards the centre of the site.

4.9 The building's simple and contemporary design and materials (including rendered walls with grey aluminium trims and windows, with painted timber panels between the windows on the Southern elevation) are considered to be appropriate for a mews development. The development will be only minimally visible from the street, and the West elevation which faces the main entrance on Rigeley Road has been detailed with the name of the development. Private views of the site will also be enhanced, as neighbours on all sides would look out onto the attractive green sedum roof rather than derelict buildings.

4.10 The submitted plans indicate that the area surrounding the building will be landscaped with planting beds introduced along the northern and eastern boundary walls to allow climbing plants to this boundary wall. A full landscaping plan, to include details of hard and soft landscaping and boundary treatments and means of enclosure, will be required by condition. The main access from Letchford Gardens is a 'shared surface' although the main gate is divided into a vehicle gate and a pedestrian gate. As part of the hard landscaping plan, Officers will seek to ensure that the pedestrian pathway is visually delineated from the driveway. A separate pedestrian-only access is available from Kenmont Gardens.

4.11 It is also proposed to include a feature lighting scheme to the front entrances, paths and car parking areas, compatible with the aims of Secure by Design. Limited details have been supplied with the application, stating that the lighting will be comply with best practice guidance with regards to the avoidance of light pollution through controls on lighting distribution, colour temperatures and luminance limits. Full details of the proposed lighting scheme will be reserved by condition.

4.12 The proposal includes a new basement level to be excavated beneath the new units, which would be a full storey beneath the current ground level. It would mostly be contained underneath the footprint of the new building, except for the proposed lightwells and a small area underneath the front entrance to Unit 2. The proposed basement excavation would comply with Criteria A-L of Policy DC11. In accordance with the policy, a Subterranean Construction Method Statement was submitted with the application, prepared by Green Structural Engineering Ltd. The Flood Risk Assessment submitted with the application confirms that structural waterproofing measures and active drainage devices would be incorporated into the new basement and this is considered to be acceptable.

IMPACT ON NEIGHBOUR'S LIVING CONDITIONS

+ Outlook/openness/sense of enclosure

4.13 The bulk and massing of proposed development would be set away from the site boundaries and sits below an angle of 45 degrees taken from ground level at the boundaries of all adjoining boundaries, in accordance with Criterion (i) of Key Principle HS6. Officers are satisfied that the development would not be overbearing for neighbours and would not lead to an increased sense of enclosure to their homes and gardens. The building would be subservient to the surrounding buildings in terms of height, and the general sense of openness that the site currently affords would be preserved. For certain properties which back onto the eastern part of the site, outlook will be substantially improved due to the demolition of the existing derelict industrial buildings on the site.

4.14 The site is mostly bounded by existing brick walls which are generally 3 metres in height and it is proposed to maintain these sections at the same height. On those sections which are dilapidated or currently just a timber fence, the intention is to rebuild the wall in stock brick, in the same style as the recently completed section of wall on the Waldo Road side. For those sections on the East boundary, where there is an extant tall factory wall which will be lowered to approximately 3 metres.

+ Daylight and sunlight

4.15 Due to the low profile of the development, and the distance between the new building and existing houses, Officers are satisfied that the development would not have a significant adverse impact on daylight or sunlight to any of the surrounding properties. The bulk of the building sits below an angle of 25 degrees taken from one metre above ground level on the rear elevation of adjoining properties, complying with the initial test of the British Research Establishment (BRE) best practice guidance 'Site layout planning for daylight and sunlight - a good practice guide' (2011).

+ Privacy

4.16 Residents have raised concern with regards to overlooking and loss of privacy as a result of the development. The building would be less than 18 metres away from the houses on Waldo Road and Rigeley Road, and the first floor would be higher than the boundary walls. Therefore, it has been necessary to design the first floor windows in the North and South elevations to ensure that harmful overlooking does not occur for residents of Waldo Road and Rigeley Road. There are no windows in either the East or West elevations except for one clear first floor bedroom window facing East towards Kenmont Gardens. This window would be more than 18m away from the rear elevation of the nearest property. Therefore the residents of Kenmont Gardens and Letchford Gardens would not be significantly affected through overlooking.

4.17 The first floor windows in the North elevation comprise narrow slot windows that would be clearly glazed but which serve stairwells and landings. Although these windows would be approximately 10 metres or less away from the houses on Rigeley Road, it is considered that they offer low potential for overlooking as they have clearly been designed to offer light rather than outlook and do not serve habitable rooms. The first floor windows in the South elevation all relate to bedrooms, and comprise angular projecting bays with a larger obscurely glazed pane (up to 1.8m above internal floor level) and a narrow clear glazed pane (approximately 0.5m wide) at an oblique angle to the properties on Waldo Road. Due to the angle of the clear glazed pane and the shape of the bay, views would be thrown obliquely across the gardens of Waldo Road would

be restricted to a small area of the room. The narrow size of the clear window also restricts views. Most of the rear elevations of the back additions to the Waldo Road properties are blank at first floor level, and the rear windows on the main parts of the buildings would be more than 20 metres away.

4.18 In some instances, there are ground floor rear windows on the Waldo Road properties where the 60-degree 18m separation standard set out in Key Principle HS7 would be infringed, however for the most part there would still be at least 15m separation (except for one house on Waldo Road which has an especially large rear extension). It should be noted that this infringement would only occur when a person was standing right inside the projecting bay section, right up against the window. From the main part of the room, the angle of view would be much more limited and the only instance where Key Principle HS7 would still be infringed is at No. 26 Waldo Road which has an especially large single storey rear extension.

4.19 On balance therefore, Officers consider that the residents of Waldo Road would not experience a significant loss of privacy and that the proposed window design achieves a satisfactory balance between preserving the privacy of neighbouring residents whilst ensuring an adequate level of amenity for future occupiers. As such, no objections would be raised in terms of Key Principle HS7 of the Planning Guidance SPD.

+ Noise disturbance

4.20 Residents have also expressed concern about noise disturbance arising from the new dwellings. However, Officers do not consider this to be a significant cause for concern. The new dwellings would have small gardens that abut the rear garden walls of those houses on Waldo Road, but the rear gardens of Waldo Road are relatively long (the shortest garden, diminished by a rear extension, is around 6 metres) and it would be a typical arrangement in most residential areas to have rear gardens abutting each other. Given the length of time the site has been entirely vacant, it is understandable that residents have become accustomed to the status quo. It is considered that the amount of noise generated by four additional residential dwellings in what is already a densely developed residential area would not cause significant harm and is not sufficient justification for refusal of the application. Residential use is also likely to be significantly less noisy than if a commercial use were to occupy the site.

+ Construction

4.21 With regard to noise and disturbance from the construction phase, whilst this is not grounds to withhold planning permission, if the application were to be approved, Officers would recommend compliance with the measures set out within the submitted Demolition Method Statement with regards to control of nuisance during this phase. All construction works within LBHF are required to be subject to either a Section 60 notice or Section 61 consent under the Control of Pollution Act 1974, which provides sufficient controls over the protection of neighbouring amenity during construction works. Any complaints about building site noise could be reported to the Council's Noise and Nuisance Team for appropriate action.

PARKING AND HIGHWAYS

4.22 The site has a PTAL rating of 3/ 4 indicating moderate to good public transport accessibility. The main local transport links are:

- 220 bus services on Scrubs Lane to Willesden Junction/ Wandsworth and services on Harrow Road to Central London;
- Willesden Junction London Overground 0.5km to the West;
- Kensal Green Underground 0.7km to the East.

4.23 In terms of local amenities, the town centre facilities of Harlesden High Street (within the London Borough of Brent) are closest, around 0.7km away. The application proposes four car parking spaces to be provided on the site, one for each of the units. This amount is consistent with the London Plan's car parking standards and it is not considered reasonable to insist that the development is completely car-free, given that public transport accessibility in the area is relatively lacking compared to most parts of the borough. However, a legal agreement will be required to ensure that the occupiers of the development are not entitled to street parking permits as well, to prevent an increase in parking stress on local streets in accordance with Local Plan T4.

4.24 Key Principle TR4 (Dimensions of Car Parking Spaces) states that all spaces should enable easy access to and from the vehicle, taking account of needs of users and the constraints of the parking area. The Council will expect the following dimensions to be achieved: at least 4.8m long x 2.4m wide. The proposed parking spaces for each of the units meets this standard, and space for turning would be provided at the Eastern end of the site. Electric vehicle charging points will be provided for each space, thereby providing 100% active provision in exceedance of the requirements of Key Principle TR7, which states that 20% of spaces must provide active provision and a further 20% must provide passive provision.

4.25 Cycle parking provision has been made in the form of cycle storage boxes, suitable for two cycles, to be provided in the rear garden of each unit. This is a safe, secure and convenient method of storage and therefore the development is considered to comply with Local Plan Policy T3 and Appendix 8. In addition, in excess of the minimum requirement, a communal cycle store with space for three cycles is provided at the Eastern end of the site. The dimensions of the stores is shown to comply with the West London Cycle Parking Guidance (published by WestTrans, 2017).

4.26 Refuse and recycling storage is provided in the form of two separate bin stores, close to the East and West entrances to the site. This ensures that no resident will need to walk further than 25 metres to take their refuse to the bin store, and will also be able to easily transport their refuse to the kerb on collection day (either on Letchford Garden or Kenmont Gardens) as is required by the Council's Waste Team.

EMERGENCY ACCESS

4.27 The vehicle access into the site from Letchford Gardens is approximately 4.8m wide, which is wide enough for a fire engine. In order to facilitate the swept path necessary for a fire engine to turn into the site from Letchford Gardens, the existing parking bays on the eastern side of the road, to the south of the crossover, would have to be altered and the entire bay would be moved approximately 2 metres to the south, ensuring there is no loss of street parking. Highways Officers have confirmed that the

double yellow line to the south of the existing bay is excessive, and that the safety of the junction would be adequately maintained with the proposed amendment. In addition, the crossover on Kenmont Gardens would be reinstated, creating a whole new parking bay. Overall, therefore there will be a net increase in the amount of on-street parking spaces in the area.

4.28 In the event of an emergency, therefore, the fire engine could enter the site in first gear from Letchford Gardens, and could then reverse the same way before leaving the area by driving north along Letchford Gardens towards Harrow Road. This means that there is no need for any part of the parking bays on the northern side of the crossover to be altered.

4.29 With regards to the Kenmont Gardens access, which is gated, the applicant has confirmed that he is the owner of this driveway and whilst neighbouring properties have a right of pedestrian access (there is a side entrance to No. 1A Kenmont Gardens, as well as rear garden gates to houses on Waldo Road, including 46, 44 and 42), they do not have a right to park. The applicant has confirmed that pedestrian access for these residents would be maintained. As such, Officers do not have any objections to the crossover being removed.

ENVIRONMENT

+ Flood risk and sustainable drainage

4.30 The site falls within the Environment Agency's Flood Zone 1. Together, the Design and Access Statement and Construction Method Statement provide sufficient details of flood mitigation measures, including a statement that the basement will comply with BS8102:1990 standards including a tanking system with a sump pump and non-return valves. Providing these details are complied with no objections would be raised in terms of flood risk. In line with the requirements of Local Plan Policy CC4, water efficiency and sustainable drainage measures should be included where possible. The D&A statement confirms the use of water efficient fixtures and fittings, and that a permeable garden space will be created and permeable paving used for any hard surfaces. This is satisfactory and compliance with these is conditioned.

+ Contaminated land

4.31 It is highly likely that there will be ground contamination on the site, given its long history as an industrial site, with previous known uses to include a tin works and bottled gas storage. However, contamination is common throughout the borough and can be addressed through investigation and remediation. Conditions are attached to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment, in accordance with Local Plan Policy CC9.

4.32 Residents have also raised concerns that Japanese knotweed is known to be present on the site. This has not been verified by Officers and the applicant has confirmed that there is no knotweed on site to his knowledge, although there are a variety of shrubs on the site. Although the Town and Country Planning Act gives local authorities the power to impose conditions regarding knotweed, it is not considered reasonable or necessary to do so here, as it will very clearly be in the interest of the developer to ensure that any Japanese knotweed discovered on the site is eradicated.

+ Air quality

4.33 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of poor air quality, and therefore further mitigation measures will be required to make the development acceptable in accordance with Local Plan Policy CC10.

4.34 After road transport, buildings are the second largest source of air pollution in London, emitting 44% of the total Nitrogen Dioxides, or about 2950 tonnes per year. Buildings are also the second largest anthropogenic source of Particulates after road transport, contributing 18% of London emissions through gas heating, large boilers and Industrial plant. Building emissions arise primarily from combustion to provide space and water heating and some industrial processes. Domestic sources, primarily water heating gas boiler exhausts, are distributed over wide areas, diluting their pollution. While commercial heating plant emissions can be intense, these are required to have tall chimneys and special abatement equipment, to minimise concentrations downwind and the chances of a plume reaching the ground. Thus, buildings do not tend to create pollution exceedance hotspots, but contribute substantially to the urban background pollution concentrations. To address this issue, all planning development should comply with London Plan Policy 7.14 (a-e). A minimum benchmark requirement is the provision and installation of Ultra Low NOx boilers with maximum NOx Emissions of under 0.040 g/kWh in addition to enhanced fabric insulation in exceedance of Building Regulations Part L 2010. A condition is recommended requiring the developer to install this type of boiler.

4.35 The demolition and construction works have the potential to create dust and air quality issues. These impacts should be assessed through an Air Quality Dust Management Plan (AQDMP) to be submitted in accordance with the Mayor's SPG 'The Control of Dust and Emissions during Construction and Demolition' (July 2014) and appropriate air quality mitigation measures implemented for nearby residential receptors both on-site and off-site of the development. A condition has been attached with regards to this matter.

COMMUNITY INFRASTRUCTURE LEVY

4.36 Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London wide Mayoral CIL the development according to the figures provided in the applicant's mayor CIL form is estimated to be liable for a £28,400 payment. This would contribute towards the funding of Crossrail. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3 (Community Infrastructure Levy).

4.37 The borough's own community infrastructure levy came into effect on 1st September 2015. The site is located in the 'North' charging zone. The rate for this zone for the creation of residential floorspace is £100/sq.m. The proposed development is estimated to be liable for a payment of approximately £56,800 under the borough's CIL. This payment would go towards infrastructure projects and needs including health, education, community safety, leisure and parks, waste and street enforcement, community investment, economic development, libraries, environmental health, drainage and flooding, basic transport infrastructure and public realm improvement.

LEGAL AGREEMENT

4.38 A legal agreement under Section 16 of the Greater London Council General Powers Act 1974 (GLCGPA 1974) is required to restrict the right of the future owners/occupiers of the development to obtain parking permits to park on the public highway.

4.39 An agreement under Section 278 of the Highways Act (1980) is required to allow works to the public highway, including repositioning of parking bays on Letchford Gardens and the reinstatement of the existing crossover on Kenmont Gardens.

PRE-COMMENCEMENT CONDITIONS

4.40 Pre-commencement conditions with respect to the following matters are recommended:

- Air Quality Dust Management Plan
- Demolition and Construction Logistics Plan
- Land Contamination.

4.31 The Town and Country Planning (Pre-commencement conditions) Regulations 2018 require the local authority to obtain the agreement of the applicant to all pre-commencement conditions prior to determining the application. The applicant has confirmed that they agree to all of the recommended pre-commencement conditions.

5.0 CONCLUSION

5.1 Officers consider that the proposed development would be appropriate in terms of land use, design and scale, and that it would not cause demonstrable harm to the amenities of neighbouring residents. The principle of the use in this residential area is considered to be in accordance with land use policies and the development would make efficient use of this previously developed site, by optimising the residential density within a well-designed scheme that is in keeping with the character and appearance of the street scene and the surrounding area. The development would not have a detrimental impact on the highway network or local parking conditions. Other matters including flood risk and contaminated land matters are also considered to be acceptable.

6.0 RECOMMENDATION

6.1 That the Committee resolve that the Strategic Director of Growth and Place be authorised to determine the application and grant permission upon the completion of satisfactory legal agreements securing the heads of terms contained within this report and subject to conditions.

6.2 To authorise that the Strategic Director of Growth and Place in consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor modifications to the proposed conditions and heads of terms or any subsequent minor changes arising out of the detailed negotiations with the applicant which may necessitate the modification, variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.