

**Committee Report
Planning Committee on 30 November,
2005**

**Item No.
Case No.**

**1/06
05/2672**

RECEIVED: 13 September, 2005

WARD: Barnhill

PLANNING AREA:

LOCATION: 5 & 7, Chalkhill Road, Wembley, HA9

PROPOSAL: Demolition of existing buildings and redevelopment of 2 and 3 storey block comprising of 3 x 3 bedroom flat and 10 x 2 bedroom self contained flats as amended by plans received on 16 November 2005 and accompanied by sustainability checklist received on 11 October 2005 and design statement received 13th September 2005

APPLICANT: Castle Properties (North London Ltd)

CONTACT: Dearle & Henderson

PLAN NO'S: C4676/51 Revision D, C4676/52 Revision D, C4676/51 Revision D, C4676/53 Revision D, C4676/54 Revision C, C4676/55 Revision C

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental Services to agree the exact terms thereof on advice from the Borough Solicitor

SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Contribution of £56,370 for education based on the net yield per child taking into consideration of the existing dwellings and the proposed 10x2-bed units and 3x3bed units
- Contribution of £14,500 for improvements of non car mode of access to site including walkability, cycleways, improvements to bus shelters and traffic calming measures based on a contribution of £1,000 per 2 bed unit and £1,500 per 3 bed units.
- Contribution of £5000 for implementation of air quality action plan and monitoring air quality.
- Contribution of £5000 for the improvement for off site landscaping and environmental improvements within the vicinity of the site.

EXISTING

The application site includes two sites at Nos 5 and 7 Chalkhill Road located at the northern end of the Chalkhill Road . It comprises two detached dwellinghouses. Immediately adjoining the site at No 3, it has recently been redeveloped by way of the demolition of a detached property and the erection of 2 x two storey semi detached dwellinghouses. The street is predominately characterised by large detached properties.

PROPOSAL

The proposal is to demolish the existing dwellinghouses at Nos 5 and 7 Chalkhill Road to erect a 2 to 3 storey block of flats comprising 10x2 bedroom and 3x3 bedroom units with associated off-street car parking spaces, cycle storage, refuse storage and landscaping works.

HISTORY

There are no relevant planning histories for the combined sites. Although no 7 previously had planning permission to demolish the existing bungalow and erect a two storey detached residential dwellinghouse in 1994 the works were never implemented.

The adjacent site at No 3 had planning permission for the demolition of the existing property and erection of 2 pairs of two-storey semi-detached houses in 2004. The works are nearly complete.

POLICY CONSIDERATIONS

STR11 - The quality and character of the Borough's built and natural environment will be protected and enhanced, and proposals which would have a harmful effect on the environment or amenities of the borough will be refused.

STR14 - New development will be expected to make a positive contribution to improving the quality of the urban environment of Brent, by being designed with proper consideration of urban design principles relating to townscape, urban structure, the public realm, and architectural quality and sustainability.

BE2 - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character and improvement or variety within an area of poor or uniform character by creating a new area of distinctive quality on suitable sites. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

BE3 - Proposals should have regard for the existing urban grain, development patterns and density and should be designed that spaces between and around buildings should be functional and attractive to their users, layout defined by pedestrian circulation, particular emphasis on prominent corner sites, entrance points and creating vistas, respect the form of the street by building to the established line of frontages, unless there is clear urban design justification. Development layouts should also make explicit the movement framework by prioritising movement by foot, cycle and public transport, minimise traffic conflicts between vehicles, pedestrians and cyclists by ensuring clear delineation of routes and unencumbered entrances and circulation and integrate the proposed development with public transport and car parking facilities.

BE5 - Development should be understandable, free from physical hazards and to reduce opportunities for crime, with a clear relationship between existing and proposed urban features outside and within the site. Public, semi-private and private spaces are clearly defined in terms of use and control, informal surveillance of public and semi-private spaces through the positioning of fenestration, entrances etc., front elevations should address the street with, where possible, habitable rooms and entrances, with private areas to the rear and significant areas of blank wall and parking should be avoided on back edge of pavement locations, entrances should be overlooked by development with good lighting and visible from the street, rear gardens should not adjoin public space, parking spaces are provided within view and if not made safe in other ways and are not normally accessible via rear gardens of residential properties and accessways are through or adjoining a site are overlooked by development, provided with good lighting, set away from cover, provide clear sightlines and not run next to rear gardens.

BE6 - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, the retention of existing trees, shrubs and hedgerows particularly where they form part of the character of the area, new planting of an appropriate species, size, density of planting with semi-mature or advanced nursery stock, new integrally designed structural landscaping on appropriate larger sites, boundary treatment (fencing, railings) which complement the development and enhance the streetscene, screening of access roads and obtrusive development from neighbouring residential properties.

BE7 - High quality of design and materials required for the street environment. In existing residential areas, the excessive infilling of space between buildings and between buildings and the road will be resisted.

BE9 - New buildings should have an appropriate design solution specific to the site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design and landscape characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

BE11- Proposals for higher densities than prevalent in the surrounding area will be encouraged in appropriate locations, including town centre locations with good and very good public transport accessibility, with a mix of compatible land uses. Particular attention will be given to the design of intensive and mixed-use developments, which should achieve a satisfactory relationship between the individual units and uses in terms of layout, stacking, the adjoining areas between them and protection of amenity of adjoining and proposed residents. Residential accommodation should be functionally independent of commercial and business uses and should be separately accessed at street level.

BE15 - Particular regard will be had to the design and attractiveness of development proposals within the vicinity of and visible from Transport Corridors which are priorities for townscape and public realm enhancement where opportunities arise, including Harrow Road

H1 - Seeks to increase the supply of housing.

H10 - New residential accommodation should be self contained unless it is designed to meet the known requirements of a named institution and suitable management arrangements are secured as part of the planning application.

H11 - Housing will be promoted on previously developed land.

H12 - The layout and design of residential development should reinforce or create an attractive and distinctive identity, appropriate to its locality and creating a sense of place, providing appropriate levels of parking and of quality landscaping commensurate with the local availability of open space and of the prospective occupants.

H14 - Residential density shall be determined primarily by appropriate urban design, and shall also have regard to the context and nature of the proposal, the constraints and opportunities of the site and the type of housing proposed.

TRN3 - Proposals that cause or worsen an unacceptable environmental impact from traffic will be refused, including where car generation is greater than the parking to be provided on site in accordance with the standards and any resulting on-street parking would cause unacceptable traffic management problems, the development would not be easily and safely accessible to pedestrians and/or cyclists, additional traffic would have unacceptable consequences for access/convenience of pedestrians and/or cyclists, it produces unacceptable road safety problems, the capacity of the highway network is unable to cope with additional traffic without producing unacceptable congestion especially through traffic, there is a significant increase in the number/length of journeys made by private car.

TRN4 - Where transport impact is unacceptable, various measures will be sought at the applicants expense to try to mitigate the effects, including public transport improvements, on street parking controls or restrictions, improved pedestrian and cycle facilities, traffic calming, road safety and highway improvements, management measures to reduce car usage.

TRN10 - New development should have safe walking routes which are overlooked, convenient and attractive, within the site and surrounding facilities and areas. These should normally be along streets, or where not practical or desirable overlooked pedestrian routes

TRN23 - Parking for residential development should be in accordance with the maximum standards. Their

application may be varied depending on the level of public transport accessibility and the contribution the development would make to reducing the use of the private car, but should not be below the minimum operational level, including required disabled parking.

TRN35 - Access to parking areas and public transport for disabled persons and others with mobility difficulties. Designated parking spaces set aside for the exclusive use by disabled permit holders.

PS14 - 1 car parking space for 1 bedroom units and 1.6 car parking spaces per unit applies for 3 bedroom units

PS16 - 1 cycle parking space per residential unit required.

Brent Supplementary Planning Guidance:

Supplementary Planning Guidance 17: *Design Guide for New Development* provides detailed design guidance for new development and seeks to improve the standard of architectural and urban design in Brent.

SUSTAINABILITY ASSESSMENT

The sustainability checklist accompanying the application has been improved to achieve a development that would now result in a development with a "very positive" score. To achieve this, the proposed development would be utilising appropriate environmentally sound materials with its suitable treatment of remaining undeveloped areas with adequate landscaping and hedges. With regard to the material to be used, a condition is proposed for the materials to be submitted and approved by the Local Planning Authority to ensure that indicated and suitable materials are used.

CONSULTATION

Public consultation was carried out from 26th of September to 31st of October 2005. A total of 5 objections from the residents at No 11 Chalkhill Road, 1 The Drive, 1 Forty Lane, English Martyrs Church on Chalkhill Road and PHD chartered town planners representing the owners of No 3 Chalkhill Road. A petition was also received with 16 signatures from the residents surrounding the development.

An objection from Councillor Jim O'Sullivan was also received during the consultation period.

Thames Water did not raise any objections to the proposal.

The Council's internal units, transportation, landscape, environmental health and urban design were consulted and did not raise any objections.

REMARKS

Introduction and context

The proposal will result in the demolition of two detached dwellinghouses, a bungalow and a two storey detached dwellinghouse, for the erection of 13 residential units comprising of 10x2 bedrooms and 3x3bedrooms.

Chalkhill Road comprises two storey detached dwellinghouses, being remnants of the original Metroland estate, in the streetscene of the northern side of the street leading to Blackbird Hill. To the southern side, there are 1970s housing which are part of the low-rise Chalkhill development which are greater in density. The southern end part of this street forms the new Chalkhill redevelopment.

Immediately across the street from the application site, is the English Martyrs Church and its hall. The street in front of No 7 Chalkhill divides into two, one providing a through road to Blackbird Hill and the other running parallel with the application sites and the adjacent Nos 3 and 1 Chalkhill Road and is a no through road.

Design

The proposal is of an unashamed contemporary form of design with a combination of asymmetrical mono-pitched and flat roofs which break up the bulk, scale and height of the building. The front facade incorporates column like features dividing the facade into four elements. This articulates the front facade which helps to maintain the domestic scale that is prevalent in the vicinity.

The northern elevation of the building is three storeys in height and reduces to two storeys to the south. The

overall height however does not exceed the height of the neighbouring properties at ridge level. The height of the building from the rear gardens of the adjacent properties, No3 and No9 would be within the 45degree from a 2m height at the garden edges as stated in the SPG 17.

The rear component of the building is set in from the side boundaries by 5m and greater which reduces the impact to the neighbouring properties at Nos 3 and 9 Chalkhill Road. To the front, the building is set in 1.5m from the southern side boundary and 5.5m from the northern side boundary. This would assist the proposal to provide sufficient gaps between the subject site and the adjacent dwellinghouses maintaining the open gap between the detached and semi-detached properties within the area.

The main front entrance is recessed, leading to an internal courtyard, an atrium area and access to the residential flats. There is a void above the atrium area where it will allow natural lighting through the unique circular openings on the ceiling of the top floor roof which provides interesting elements to the building. More importantly, through the natural lighting there would not be any requirement of lighting internal corridors during daylight, conserving energy when its not required. This circular openings are also introduced to the rear elevation for the continuation of this design element.

Residential accommodation

The proposed units all exceed the minimum dwelling size requirements as stated in the SPG 17. The guidance states a minimum standard for;

- 2 bedroom (3 people) require 55sq.m
- 2 bedroom (4 people) require 65sq.m
- 3 bedroom (5/6 people) require 80sq.m

	Unit No	Unit Type	Dwelling size (sq.m)
Ground Floor	1	2 Bed (4 people)	69
	2	2 Bed (3 people)	60
	3	3 Bed (4 people)	80
	4	2 Bed (4 people)	69
	5	3 Bed (4 people)	80
First Floor	6	2 Bed (4 people)	69
	7	2 Bed (3 people)	60
	8	2 Bed (4 people)	67
	9	2 Bed (4 people)	69
	10	2 Bed (4 people)	66
Second Floor	11	2 Bed (3 people)	60
	12	2 Bed (4 people)	67
	13	3 Bed (5 people)	90

There are habitable room windows on the side flank walls though the majority of them are secondary windows to that habitable room. These windows will have obscured glazing and some are 5m set in from the side boundary there for the primary function of these windows are to allow natural light into the room. There will be no privacy and overlooking from these windows. Further to the rear there is two sole habitable room windows to a bedroom to Flats 4, 5, 9, 10 and 13 on the side flank walls. These windows are angled to minimise any direct view into the neighbouring properties and achieves a distance of 7m to 10m from the side boundary which meets minimum 5m SPG 17 guideline. There is also a primary habitable room window to a bedroom on the northern elevation, but as it is located on the ground floor and is set in 6m from the side boundary, it is considered that there is no significant overlooking and privacy issues arising from this window. Nonetheless, the minimum separation distance in accordance with the SPG 17 guideline is achieved.

Given that the window sizes are modest and is a secondary source of daylight and outlook, the proposed window location is not considered to have significant impact in terms of privacy. Moreover, these windows are proposed to have obscure glazing.

There are combination of suitable sized balconies and balconies which add features and articulation to the building facade. The second floor 3 bedroom flat benefits from a large terraced area to the rear. The proposed terrace is not considered to have significant overlooking impact to the property adjoining at the rear as the distance is approximately 42m. With regards to its relationship to the dwellinghouse at No 9, there will be minimal impact in terms of direct overlooking and privacy due to 1.8m high parapet wall on the side elevation with suitable landscaping treatment. Other balconies at the rear of the building have 1.8m high

privacy screening and is set in 5m and more from the side boundary. There will be no direct overlooking impact from these balconies to No 3 Chalkhill Road.

The overall design of the proposal, whilst taking on the contemporary form, is considered to contribute to the streetscene through its visual interest and at the same time keeping a domestic scale with the surrounding built form. The design elements together with the facade treatments enhances the overall appearance of the development whilst breaking down the scale and bulk complementing the surrounding streetscene.

Transportation

The proposed development provides 13 parking spaces on site, three spaces in the forecourt including a disabled space and 10 spaces at the rear with one space within a garage. The access is to the north of the application site with adequate landscape buffers on either side of the vehicular access.

The maximum parking requirement for the new dwellings will be 1.2 spaces for the two bedroom units and 1.6 spaces for the 3 bedroom units. The total maximum requirement being 16.8 spaces on site. The proposal represents 1 space per unit and therefore is considered to be appropriate. The proposal also includes the provision of 13 cycle storage, refuse and recycling provision which is in accordance with the standard outlined in the UDP 2004.

Landscape

The proposal includes substantial landscaping area to the front and the rear garden to be retained as part of the communal amenity space for the future occupiers. Your officers from the Landscape unit have commented that the site does not benefit from any valuable trees and therefore, the redevelopment would allow significant enhancement of the onsite landscaping. Further details is required to be submitted as part of the proposed conditions and such details will include for sufficient landscape buffers and plant species. The financial contribution of £5,000 towards off site improvements will also further improve the local amenities.

Remarks on objections

- Overdevelopment - the proposed 13 residential flats is within the density range of the density matrix in the London Plan and that of Council's SPG 17. The Public Transportation Accessibility Level (PTAL) for the application site has a moderate (3-2) PTAL and the site comprises of 1972.3sq.m. Therefore, the suitable density in accordance with the London Plan and SPG 17 is 200-250hr/ha (50-110units/ha) and 150-350hr/ha, respectively. The proposed density is 67units per hectare or 218hr/ha.
- design out of character - The proposed design as outlined above is contemporary with asymmetrical and flat roofs. It is considered that the proposed scale and the design elements incorporated into the scheme would provide visual interest to the streetscene and the area in general. The proposed design is recognised to be of scale and bulk that fits in with the surrounding.
- onstreet parking and congestion - the proposal provides sufficient onsite parking and therefore is not considered to significantly increase the demand for onstreet parking or congestion.
- Loss of privacy - The location of windows and the balconies are at location where there are sufficient distance between window to window (50m +) to the properties abutting at the rear and that is in accordance with the SPG 17 guidelines. There are also suitable privacy screening on balconies to limit direct overlooking to the adjacent neighbouring properties.
- Environment - The concerns of loss of existing trees and 'ecological environmental loss' have been raised. Your officers in the Landscape unit have stated that the majority of the existing trees on site have little value as there are poor fruit tree specimen. Through the redevelopment of the site, the landscaping will be improved onsite with appropriate species allowing for suitable amenity space for the future residential occupiers and enhancement of the current landscape conditions.
- Increased noise from the proposed car park - the proposed car park for 10 spaces is located at the rear of the site abutting the boundary to the property at 1 Forty Lane. The submitted plans show the parking area abutting the boundary fence however a landscape condition which is proposed will include suitable landscape buffer between the boundaries which will visually and acoustically reduce the impact to the neighbouring properties. Moreover, the distance between the location of the car park and the dwellinghouse at No 1 Forty Lane is approximately 25m and therefore, the impact would not be significant.
- Security - The Crime Prevention Officers at the Kilburn Police were consulted and did not raise any objections with regards to the layout and design and considered that the scheme generally meets the secured by design principles.

In summary, the proposal is in accordance with the policies in the UDP and the guideline SPG 17 as

expanded upon this report and is deemed acceptable that it will provide further housing stock within the borough.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent's Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17
Council's Supplementary Planning Guidance 19

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

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

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

- (2) Details of materials for all external work including samples, shall be submitted to and approved by the Local Planning Authority before any work is commenced.

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

- (3) The development hereby approved shall be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted therewith, prior to occupation of the building(s).

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities by any work remaining incomplete.

- (4) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved by the Local Planning Authority prior to the commencement of any demolition/construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development, in writing, with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained

(b) proposed front side and rear walls and fences indicating materials and heights (front boundary wall at the access point shall not be greater than 850m high which would allow visibility splay)

(c) screen planting and landscape buffers along the site's boundaries (including the perimeter of the car parking spaces at the rear and the forecourt)

(d) adequate physical separation, such as protective walls and fencing between landscaped and paved areas

(e) existing contours and any proposed alteration such as earth mounding

- (f) areas of hard landscape works and proposed materials
- (h) details of the proposed arrangements for the maintenance of the landscape works.
- (i) Layout of the rear garden space for a suitable communal outdoor amenity space which may include landscaped features, seating areas etc.

Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.

- (5) A tree survey, including the trees adjacent to application site is to be submitted and approved in writing by the Local Planning Authority prior to commencement of any works on site.

Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.

- (6) The garage hereby approved shall be used solely for the housing of private motor vehicles in connection with the proposed units. No business or industry shall be carried out therein, nor shall the garage be adapted or used for additional living accommodation or be sold, let, or occupied separately from the dwelling(s).

Reason: To ensure that the proposed development does not prejudice the free-flow of traffic or harm the amenities of the locality by the introduction of commercial or uses which would be a source of nuisance to neighbouring occupiers by reason of noise, unsightly appearance or the loss of off-street vehicle accommodation.

- (7) Notwithstanding hereby approved plans further details (elevation and floor plans) for the garage and the cycle storage shall be approved in writing by the Local Planning Authority prior to commencement of any work and thereafter implemented in accordance with the approval. The cycle storage shall be for the provision of 13 bikes.

Reason: To ensure that the development is satisfactory in terms of its design and which allows for adequate provision.

- (8) Notwithstanding the hereby approved plans, further details of the proposed bin enclosure shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of any works and thereafter shall be constructed in accordance with the approval prior to the occupation of the premises and be so maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory appearance and standard of amenity.

- (9) All parking spaces, turning areas, access roads and footways shall be constructed and permanently marked out prior to commencement of use of any part of the approved development, or upon further application within such longer period as may be approved by the Local Planning Authority in accordance with the approved plans such being that the parking spaces shall be constructed with minimum dimensions 2.4m x 4.8m and the disabled space shall be constructed with minimum 3.3m width.

Reason:

To ensure that the proposed development does not prejudice the free flow of traffic, or the conditions of general safety within the site and along the neighbouring highway.

- (10) Notwithstanding the hereby approved plans, further details showing the vehicular access between the site's boundary and the building foot print being 3.1m in width with landscape buffer along the boundary and the building line and 4.1 in front and rear of the building.

Reason: To ensure the proposed development provide adequate level of amenity to the residential occupiers and adequate provision of access.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Unitary Development Plan 2004
Supplementary Planning Guidance 17
Supplementary Planning Guidance 19
Letters of objections
A petition

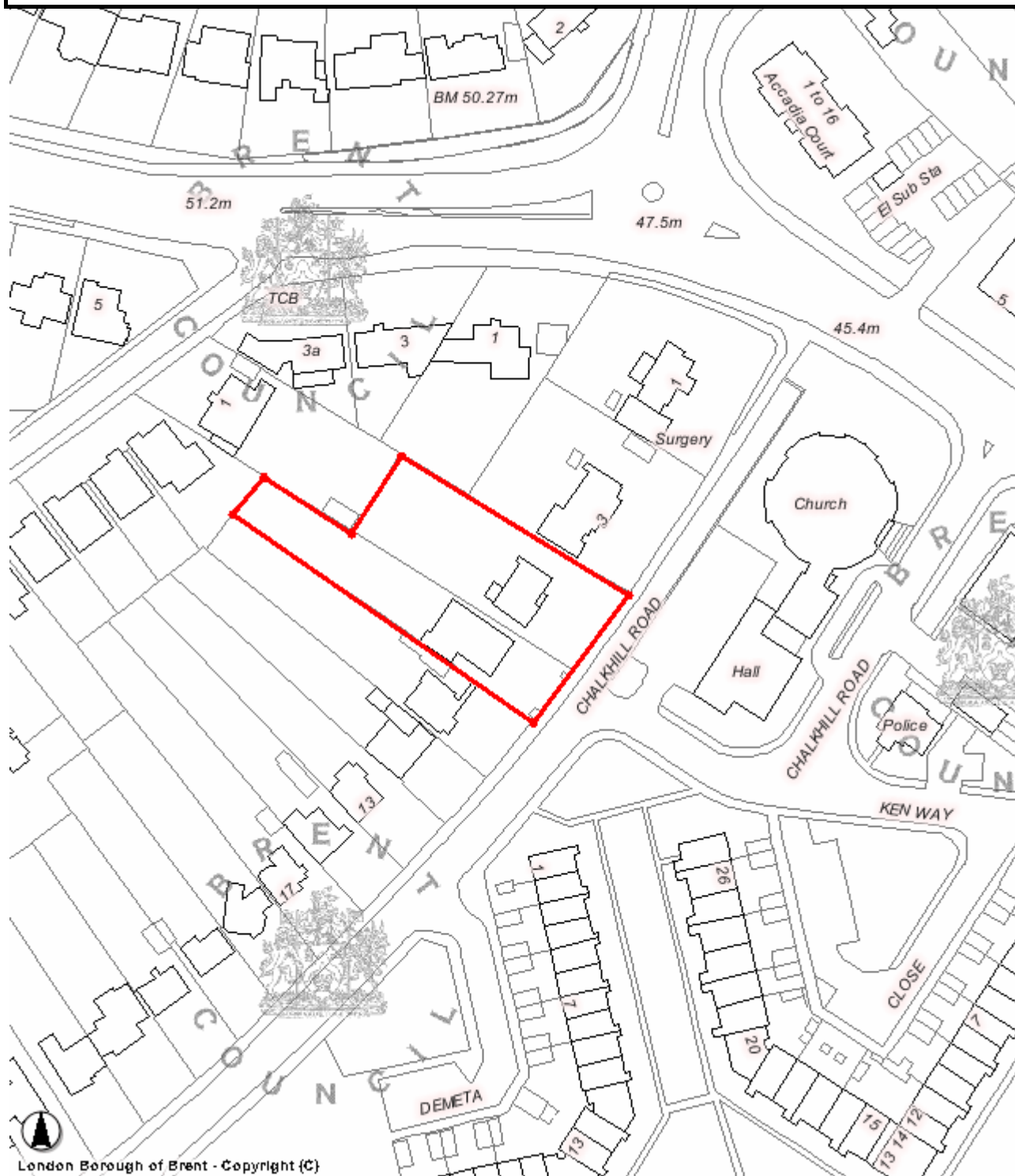
Any person wishing to inspect the above papers should contact Jane Jin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: 5 & 7, Chalkhill Road, Wembley, HA9

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