

**Committee Report
Planning Committee on 29 March, 2006**

Item No.
Case No.

1/02
06/0013

RECEIVED: 6 January, 2006

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 76 & 78, Draycott Avenue, Harrow, HA3

PROPOSAL: Retention of a three-storey block, comprising 10 self-contained flats, a bin enclosure and 10 car-parking spaces

APPLICANT: Castle Properties (N. L.) Ltd

CONTACT: W J Macleod Architect

PLAN NO'S: 06/3031/1, 06/3031/2, 06/3031/3, 06/3031/4, 04/2303/8 Rev D

RECOMMENDATION

Refuse planning permission.

EXISTING

The subject site previously contained a pair of two-storey semi-detached residential dwellinghouses situated on the west side of Draycott Avenue at its junction with The Ridgeway. Planning Consent was issued in January 2005 (our ref: 03/2774) for the demolition of 2 dwellinghouses and erection of a three-storey block, comprising 10 self-contained flats, a bin enclosure and 10 car-parking spaces. However, the development was not constructed in accordance with the approved drawings. The applicants have applied for planning permission to retain the buildings while undertaking several minor alterations. The previous buildings were not listed. The site is not within a Conservation Area.

PROPOSAL

Retention of a three-storey block, comprising 10 self-contained flats, a bin enclosure and 10 car-parking spaces.

HISTORY

Initial planning and building regulations applications:

03/2774 – Demolition of 2 dwellinghouses and erection of a three-storey block, comprising 10 self-contained flats, a bin enclosure and 10 car-parking spaces, **Granted**.

BA/04/3069 – Erection of residential development comprising 10 No self-contained flats (**Building Regulations**)

DM/04/3124 – Demolition of 76 & 78 Draycott Avenue (**Building Regulations**)

Enforcement investigation for the commencement of works prior to the approval of details:

E/05/0235 – The breach of conditions of planning permission 03/2774 dated 04/02/05 (**Enforcement**)

Details pursuant applications

05/0911 – Details pursuant to condition no 3(a)(external surfaces of the building), 3(b) (hard landscaping) and 3(c) (boundary treatment) of full planning permission reference 03/2774 dated 4 February, 2005, for demolition of 2 dwellinghouses and erection of a three-storey block, comprising 10 self-contained flats a bin enclosure and 10 car parking spaces, **Granted**

05/1039 – Details Pursuant to condition 4 (Landscaping) of Full Planning Permission reference 03/2774 dated 4 February, 2005, for demolition of 2 dwellinghouses and erection of a three-storey block, comprising 10 self-contained flats, a bin enclosure and 10 car-parking spaces, **Granted**

Enforcement investigation for the erection of a block of flats that is not in accordance with the approved plans:

E/05/0775 – The erection of a 3 storey building comprising of 10 self-contained flats.

POLICY CONSIDERATIONS

Adopted Unitary Development Plan 2004

STR13 – Environmentally sensitive forms of development will be sought.

STR14 - New development will be expected to make a positive contribution to improving the quality of the urban environment in Brent by being designed with proper consideration of key urban design principles relating to: townscape (local context and character) urban structure (space and movement), urban clarity and safety, the public realm (landscape and streetscape), architectural quality and sustainability.

STR18 - A minimum of 9,600 additional dwelling units (including conversions and change of use) shall be provided, subject to the maintenance of a quality environment, between 1997 and 2016.

STR19 - New housing development should be located on sites which reduce the need for travel and preference given to the development of previously used urban land.

BE2 Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces, materials and townscape features that contribute favourably to the area's character and not cause harm to the character and/or appearance of an area or have an unacceptable visual impact on Conservation Areas.

BE3 Proposal should the regard for the existing urban grain, development pattern and density in the layout of development site.

BE4 Access for disabled people

BE6 A high standard of landscape design is required as an integral element of development schemes.

BE7 A high quality of design and materials will be required for the street environment.

BE9 Creative and high-quality design solutions specific to 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 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.

BE12 Proposals should embody sustainable design principles, commensurate with the scale and type of development and should take into account the principles of sustainable design and construction and pollution control.

H1 A net additional of at least 9,650 additional dwelling units shall be provided between 1997 and 2016 subject to suitable locations the maintenance of a quality environment.

H12 Residential site layout to reinforce/create an attractive/distinctive identity appropriate to its locality, housing facing streets, appropriate level of parking, avoids excessive ground coverage and private and public landscaped areas appropriate to the character of area and needs of prospective residents.

- H14 The appropriate density should be determined by achieving an appropriate urban design, make efficient use of land and meet the amenity needs of potential residential, with regards to context and nature of the proposal, constraints and opportunities of the site and type of housing proposed.
- H16 Frontage redevelopments within existing residential areas must make an equal or greater contribution to the character and quality of the streetscene.
- TRN23 Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.

Brent Supplementary Planning Guidance

SPG17 *Design Guide for New Developments*

Sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy, outlook, daylight and sunlight of adjoining occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

SPG19 *Sustainable Design, Construction & Pollution Control*

Seeks to ensure that the principles of sustainable, construction and pollution control are embodied within the development process, and provides practical guidance as to how this may be achieved.

The above policies and guidance seeks to ensure that development should not significantly affect the amenities of the occupiers of the neighbouring properties and should be in keeping with the design, scale and character of the surrounding area.

CONSULTATION

Public

Initial consultation period (**6 January to 28 January 2006**)

49 local residents were consulted.

A site notice was erected on 7 January 2006.

Letters of objection were received from the residents of 65, 86 and 96 Draycott Avenue, 11 The Ridgeway, 32 and 34 Aston Avenue and 17 Windermere Court noting some or all of the following issues:

- Increased noise disturbance due to increased traffic along Draycott Avenue and the junction with The Ridgeway and through reflection from the new building.
- Increased levels of traffic and parking within an already congested street and area. This has implications for traffic and pedestrian safety and accidents have been noted in the immediate vicinity.
- Loss of light, privacy and outlook.
- Development not in keeping with the character of area, giving the impression of town cramming and overdevelopment of the site.
- Development sits forward of the building line.
- Development results in the loss of the two back gardens and is accordingly detrimental to the appearance of the area.
- Development is only two streets away from the Northwick Circle Conservation Area and significantly changes the character of the road and visual amenity of the area.
- Impact on already stressed local services such as schools and doctors surgeries.
- Concerns regarding capacity of services such as sewers, drains and fresh water supplies.
- Objection to the retrospective nature of the planning application which, if granted, would give the impression that developers can get away with variations to the approved plans;
- Surprise and dismay that the development was permitted to become so far advanced before the Planning Service became aware of the breach.

Internal

Transportation cannot support the proposal as the development does not meet the Council's standards for parking, layout, pedestrian access and visibility. In the case of the approval of planning permission, S106 developer contributions will remain to be required for improvement of the non-car mode of access to the site. A total contribution of £10,500 will be required, being higher than that required for the previous scheme due to the inclusion of a three-bedroom unit.

Landscape Design: The wide rear path and path leading from the parking area to flat 4 reduces an already small area of external amenity space.

Urban Design: The prominence of this site requires that any scheme should be of the highest possible quality. This proposal does not satisfy this and suffers from a lack of articulation, incoherent and inharmonious composition within the elevations and roof planes and lack of definition within the entrance features.

External

No external comments received.

REMARKS

The applicants seek planning permission to retain this block of flats with minor alterations to its appearance of the development. The majority of the application seeks permission for the structure as built. The current development is considered on its own merits, but has been compared to the previously approved scheme where such comparison provides precedence for elements of this development.

The following alterations have been proposed:

- Brackets within the two bay windows situated on the corner of Draycott Avenue and The Ridgeway.
- Tile hanging above the entrance within the Draycott Avenue elevation to provide some visual articulation.
- The installation of a solid, lockable timber door to the bin store. A key for this door would be provided to Street Care.
- The applicants have also indicated that they do not object to decreasing the width of the rear access path if this is required to increase the size of the external amenity space. However, they note that the current width of the path is required to provide disabled access to the flats.

Residential density

This application increases the density from that previously approved by 1 habitable room through the provision of a “study” and kitchen that exceeds a floor area of 13 m² within one of the second floor flats. The “study” has been considered as a single bedroom for the purpose of this application as it is suitably sized to be used as one (2.55 m x 4.95 m). The total number of habitable rooms is therefore 32. The site area has been estimated to be 0.1132 hectares and the longest road frontage to measure 44 m. The resulting residential density increases from 222 habitable rooms per hectare (hr/ha) from the previously approved scheme to 229 hr/ha for the current scheme. The site has good access to public transport and has a PTAL rating of 4. The residential density falls just below the range specified within SPG17 (240 – 450 hr/ha) and within the range specified within Table 4B.1 of the London Plan (200-300 hr/ha). The calculated density exaggerates the development potential due to the large return frontage of the site. The potential density for the site is also bound by the ability to provide a building for which the massing, height and design is in accordance with the surrounding area and while the levels of external amenity space and parking within the site meet or exceed the Council's minimum requirements.

Siting

A number of comments have been made with regard to the siting of the building, forward of the adjacent building line. The main front wall of the building adjacent to No. 80 Draycott Avenue is situated in approximately the same location as that of the approved development. The depth of the bay adjacent to No. 80 has increased and is accordingly 0.3 m closer to the front boundary than that approved. However, the overall size of this bay is lower than that of the approved bay. The set-forward from the building line of the adjoining dwelling is accordingly considered acceptable.

The siting of the majority of the building footprint is not significantly different from that previously approved and is accordingly considered acceptable. The three-storey bay within the Northern elevation (The Ridgeway) is an exception to this and is discussed later in this report.

Massing

The eaves height of the building within the Eastern (Draycott Avenue) and Northern (The Ridgeway) is similar to that of the approved scheme while the ridge height has been reduced through the use of a lower gradient roof. The overall mass of the building has accordingly been reduced from that previously approved.

The eaves height within the western wall of the building, adjacent to 80 Draycott Avenue has increased in

height from that previously approved. This wall does not project further rearward of the rear wall of No. 80. However, it results in a significant increase in the height of the rear wall of the building, immediately adjacent to the adjoining two-storey dwellinghouse at No. 80. While the ridge height has not increased from that previously approved, it reads as a significantly larger building due to this increase in eaves height and as such, has an overbearing appearance.

Design

Summary

When assessing the design, massing and appearance of the building, it is important to consider its context. The surrounding area is characterised by two-storey semi-detached and detached dwellings. Public transport accessibility has driven the pressure for higher density housing in this locality. When considering applications for such higher density developments within what is currently a low density suburban area, it is important to ensure that such development compliments the character and appearance of the surrounding area. Larger flatted developments should accordingly demonstrate sufficient articulation to ensure that they reflect the rhythm of development within the surrounding area. The subject building lacks sufficient articulation in all elevations, thus increasing its perceived mass to the detriment of the architectural character in the locality.

Eastern Elevation

The applicants have proposed to hang tiles within the Eastern (Draycott Avenue) elevation, above the entrance. While this use of different materials will break up this face of the building to some degree, this articulation is inadequately reflected within the roof of the building. The resulting roof reads as a large, monosyllabic plane.

Western Elevation

Similarly, the western elevation that faces the external amenity space adjacent to No. 80 Draycott Avenue constitutes a large wall with very limited articulation, increasing the perceived bulk of the building. While this is not visible from the road, this entrance will be commonly and frequently used by the future occupants of the building and is also highly visible from the rear gardens of the adjoining dwellings. It is accordingly important to ensure that an adequate standard of design is achieved within the rear elevations of new buildings.

Roof slope

The slope of the roof reduces the total mass of the building in comparison to that previously approved. However, it reflects that of a two-storey dwellinghouse rather than a three-storey flatted development and accordingly is not in keeping with the character and appearance of the building.

Bay windows within Northern and Eastern elevations

Four bays have been included within the frontages of the building. The close proximity of the two bays situated adjacent to the intersection of Draycott Avenue and The Ridgeway gives a cramped and cluttered appearance within the road frontage. The western of these two bays is also set a minimum of 1.75 m from the boundary with The Ridgeway. This is a small set-back for a three-storey feature which accordingly has an overbearing effect on the adjacent pavement. The applicants have proposed to install brackets within these two bays. The inclusion of these features is welcomed as they are important design features of the local architectural vocabulary.

The bay adjacent to No. 80 Draycott Avenue is of considerably different design to the other three. While the varied use of features and detailing was an important aspect of the Arts and Crafts movement, such features were typically replicated in other buildings throughout the surrounding area. The design and appearance of this bay and the use of several configurations of bays within the building frontage is not typical of the locality, creating an incoherency in the design and appearance of the subject building.

This incoherency is also reflected in the ad hoc use of window head details. Additionally, the uPVC windows are not considered to be in keeping with the character and appearance of the building or surrounding area. The use of uPVC is also inconsistent with the sustainable design principles detailed within Policy BE12 of the Brent UDP 2004 and Supplementary Planning Guidance No. 19.

The mock Tudor features within the gables of the bays do not reflect those of the surrounding area which typically have closer spacing to that of the subject building. Such features provide an important link to the surrounding architecture.

Bay windows within the Southern elevation

The development includes two projecting bay feature within the Southern elevation of the building. The

western bay differs in appearance from those within the Northern and Eastern elevations of the building. However, the siting of this bay is such that this is not detrimental to the character and appearance of the building. The eastern bay contains two blank faces and small windows within an angled wall. While such design reduces the privacy impact caused by the proximity to the rear access path, the design and appearance of this bay is not in keeping with the character of the building or surrounding area.

Flat size and internal layout

The flats are generously sized and exceed the minimum floor areas specified within SPG17. Some kitchens do not have external windows while others have windows that are situated less than 5 m from the side boundary and accordingly would be required to have obscured glazing. All such kitchens have large openings into an adjoining lounge, therefore the lack of light and/or outlook from these kitchens is not considered to be a significant issue.

The internal stacking is not ideal as the lounge of the 3 bedroom unit on the second floor is directly above the bedroom of a second floor flat. However, this matter is addressed within Building Regulations and the use of the lounge is not likely to result in unduly detrimental disturbance of the second floor bedroom.

External Amenity Space Provision

The proposal includes a 172 m² area of external space to the rear of the property. However, this area includes the main access path from the car park to the rear door of the building. Additionally, the area between this path and the building could not be used without disturbing the residents of the adjoining flats. The remaining area of usable external amenity space, situated to the south of the path, has an area of 108 m². There is no direct access from the flats to the garden space between the building and the adjacent highways. Accordingly, it is unlikely that these areas will be used as external amenity space. The external amenity space requirement, as specified within SPG17, has increased by 30 m² from that of the previous approval to a total of 230 m² due to the inclusion of a three bedroom family unit. The previous approval also included direct access to the front garden areas which increased the amount of external amenity space for the adjoining flats. While these areas were adjacent to the road, it is likely that they would have been used as amenity space due to the direct access from the ground floor flats and presence of hedging along the boundary. The applicants have indicated that the direct access to these gardens was removed for security reasons. While this reason is valid and the Council does not oppose the removal of these doors in principle, this should have been accompanied by the provision of usable external amenity space elsewhere within the site so that the development meets or exceeds the minimum standard. The applicants have also indicated that they do not object to reducing the width of the rear access path in order to gain additional usable amenity space. However, this would not come close to satisfying the 112 m² deficit. The proposed development accordingly suffers from a significant deficit in the provision of external amenity space and as such, constitutes an inadequate standard of residential accommodation.

Landscaping and means of enclosure

The agent has indicated within the letter dated 10 March that the landscaping and boundary treatment for the site has been approved as part of the previous scheme. However, the existing railing on the Draycott Avenue and The Ridgeway boundaries exceeds the 1.2 m height that was specified within details application ref: 05/0911. The previous details application accordingly did not grant permission for the existing railings.

This application has been assessed on the submitted drawings, within which the applicants have proposed the construction of a 750 mm brick wall along this boundary. Such a brick wall is acceptable. However, elevations have not been provided of the wall. Had the recommendation been for the approval of planning permission, a condition could be attached requiring detailed elevations of this wall together with samples of the brick.

The landscaping scheme as approved through application 05/1039 is considered to remain appropriate for the site despite the changes to the appearance of the building as the footprint has not altered significantly.

Refuse storage

The applicants have proposed to install a security door within the existing bin store. This would be sufficient to ensure that the bin store does not compromise the security and safety of local residents and users of the footpath providing the door has an automatic closing mechanism. Streetcare have confirmed that the use of a locking door is acceptable providing they are provided with the key to that door.

Transportation

As specified within the density section, the site has good access to public transport and attracts a PTAL rating of 4.

The footpath within the Ridgeway that adjoins the subject site is used frequently due to the presence of a pedestrian overbridge at the end of this cul-de-sac. The vehicle entrance does not comply with the visibility splays as defined within SPG 3 and as such is likely to compromise the safety of pedestrians and other users of the footpath.

The application includes the provision of 10 off-street parking spaces and a 4.5 m x 3 m cycle parking area. The layout of the parking area is such that three of the parking spaces would require the driver to reverse approximately 22 m to exit the site. This does not differ significantly from the previous approval for which 2 spaces were similarly located. However, this exacerbates the issues relating to the non-compliance with the visibility splays and will accordingly compromise the safety of footpath users.

The proposal does not include a separate pedestrian access through the rear parking area. However, such a separate access was not considered necessary within the previous application. Given the small size and open nature of the parking area, the provision of a shared, paved surface is unlikely to compromise the safety of pedestrians within the site.

The proposed cycle storage area is not sufficiently sized to provide secure, weatherproof storage for 10 cycles. It is also significantly smaller than that previously approved.

The application includes a sliding gate at the entrance to the parking area. The location of this gate is such that it would require vehicles that are entering the site to block the footpath, detrimental to pedestrian safety.

Several local residents have noted the already high levels of traffic congestion within Draycott Avenue and have objected to the increase in congestion that would be associated with the provision of 10 additional flats. The principle of these flats has been established through the previous grant of planning permission. The increase of 1 habitable room is not likely to result in a significant increase in the traffic generation for the site.

If this application was recommendation for approval, the Section 106 developer contributions for non-car modes of transport would be greater than that of the previous scheme due to the inclusion of a three-bedroom unit. The sum payable would be £1,000 for each of the 2 bedroom units and £1,500 for the three bedroom unit. The total sum being £10,500.

It would appear that the Section 106 contributions for the previously approved scheme have not been paid to the Council.

Pressure on local services and facilities (doctors, education, drainage, sewerage, water supply)

The increase of 1 habitable room from the previously approved scheme will not lead to a significant increase in the pressure on local services.

Summary

The subject development suffers from a number of issues of non-compliance with Brent Council Policy and Policy Guidance. The suggested alterations to the as-built development do not satisfactorily address these issues and the scheme remains unacceptable.

The development suffers from the inadequate provision of usable external amenity space, an inadequately sized cycle storage area, an inappropriate massing within the Western wall adjacent to No. 80 Draycott Avenue due to the excessive eaves height, the overbearing effect on the pavement caused by the three-storey gable that is situated within close proximity to the pavement. The design of the development is considered inappropriate for the locality due to a number of factors which include:

- the lack of articulation within the Eastern (Draycott Avenue) roof plane and the western elevation adjacent to No. 80 Draycott Avenue;
- the cluttered appearance created by the proximity of the two three-storey bays adjacent to the intersection of Draycott Avenue and The Ridgeway;
- the roof slope of the building that is inappropriate for a building of this scale and design;
- the design of one bay window within the southern elevation that is not in keeping with the character of the building;
- the inappropriate design of the bay window within the Eastern elevation, adjacent to No. 80 Draycott Avenue;
- the inappropriate detailing of the mock Tudor features within the gables of the bays that front Draycott Avenue and The Ridgeway;
- the use of uPVC windows, detrimental to the character and appearance of the building and

- inconsistent with the Council's sustainability policies and guidance; and
- the ad hoc, incoherent use of window head details.

The development is also likely to lead to pedestrian safety issues due to the failure to comply with the SPG3 visibility splays adjacent to a busy footpath which is exacerbated by the requirement for the users of three parking spaces to reverse approximately 22 m to exit the site. Additionally, the siting of the gates to the car park is such that vehicles entering the site would need to block the footpath.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The subject development constitutes an unacceptable form of development, detracting from the character and appearance of the locality and the streetscene in this prominent location. The development does not exhibit sufficient articulation to reflect the pattern and rhythm of development within the locality. It includes a number of features, design elements and materials that are incongruous with the character of the building and/or the surrounding area and accordingly contributes to an incoherent design that does not complement the locality. The development also has an overbearing effect on the pavement of The Ridgeway due to the inadequate set back of a three-storey bay while the excessive height and lack of articulation within the Western elevation adjacent to the rear wall of No. 80 Draycott Avenue constitutes a significant increase in height and bulk immediately adjacent to the neighbouring two-storey building. This would be contrary to policies BE2, BE9 and H16 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17: "Design Guide for New Development".
- (2) The development provides an inadequate standard of residential accommodation due to the insufficient provision of external amenity space and the inadequate provision of cycle-storage. This is contrary to policy H12 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17: "Design Guide for New Development".
- (3) The development, by reason of the siting of the high wall and height of the bin store adjacent to the footpath of The Ridgeway, does not comply with the visibility splays as defined with SPG 3 and is accordingly likely to lead to conditions that are prejudicial to the safety of pedestrians on the adjoining footpath. This is exacerbated by the inability of the users of three parking spaces to enter and exit the site in a forward direction combined with the excessive reversing distance required for these spaces. The siting of the proposed sliding gate is such that the ingress of vehicles is also likely to result in blockage of the pavement. This is contrary to policy TRN15 of the Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 3: "Forming an Access onto a Road".
- (4) The proposed use of uPVC within the windows is considered an inappropriate, unsustainable material that would be contrary to policy STR13 and BE12 of the Unitary Development Plan 2004 and the provisions of Supplementary Planning Guidance 19 'Sustainable Design, Construction and Pollution Control'.

INFORMATIVES:

None Specified

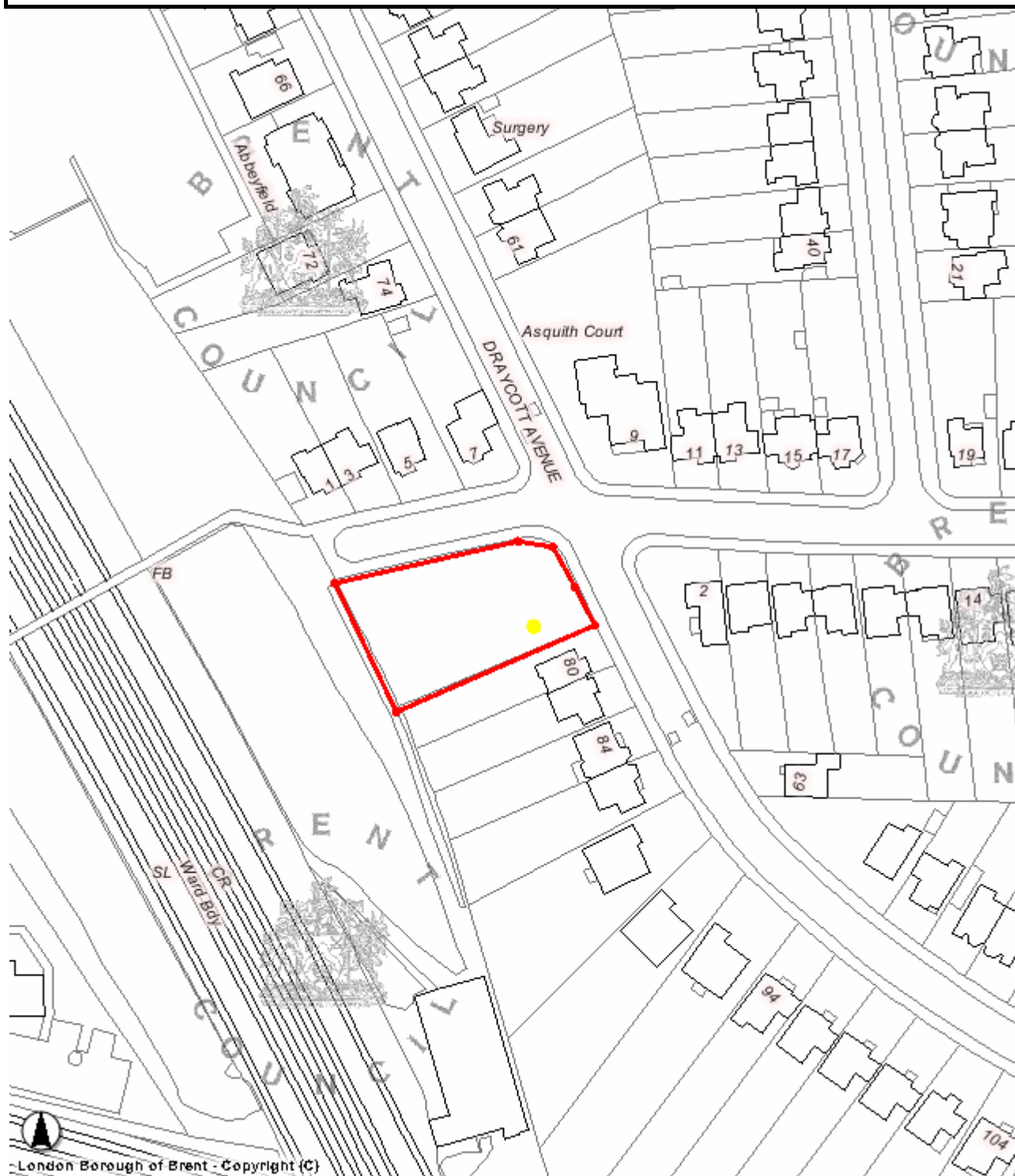
Any person wishing to inspect the above papers should contact David Glover, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



Planning Committee Map

Site address: 76 & 78, Draycott Avenue, Harrow, HA3

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