



Planning Committee

Wednesday 29 July 2015 at 7.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Marquis (Chair)

Agha

S Choudhary

Colacicco

Ezeajughi

Mahmood

Maurice

M Patel

Substitute Members

Councillors:

Chohan, A Choudry, Hoda-Benn, Hylton, Khan
and W Mitchell Murray

For further information contact: Joe Kwateng, Democratic Services Officer
020 8937 1354, joe.kwateng@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:
democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 6.00pm in Boardrooms 7 and 8

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the meeting held on 2 July 2015 (to follow) Extract of Planning Code of Practice DEFERRED APPLICATIONS		
3. 24-51 inc. John Barker Court, 12-14 Brondesbury Park, Kilburn NW6 7BW (Ref. 15/1539)	Brondesbury Park	5 - 20
4. All Flats, Jubilee Heights, Shoot-up-Hill, London NW2 3UQ (Ref. 15/0064)	Mapesbury	21 - 40
NORTHERN AREA		
5. Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA (Ref. 15/2083)	Preston	41 - 58
SOUTHERN AREA		
6. Garages rear of 32, Crownhill Road, London (Ref. 14/4241)	Harlesden	59 - 78
7. 62 The Avenue, London, NW6 7NP (Ref. 14/3892)	Brondesbury Park	79 - 98
8. Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London	Queens Park	99 - 122
.		
9. 1 Thanet Lodge, Mapesbury Road, London, NW2 4JA (Ref. 15/1205)	Brondesbury Park	123 - 142
10. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.		

Site Visit - 25 July 2015

SITE VISITS – SATURDAY 25 JULY 2015

Members are reminded that the coach leaves the Civic Centre at **9.30am**

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
14/4241	Garages rear of 32, Crownhill Road, London NW10	06	Harlesden	9:45	59 - 78
14/3892	62 The Avenue, London, NW6 7NP	07	Brondesbury Park	10:15	79 -98
15/1820	Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London	08	Queen's Park	10:30	99 -122
15/2083	Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA	05	Preston	11:30	41 - 58

Date of the next meeting: Wednesday 26 August 2015

The site visits for that meeting will take place the preceding Saturday **{DATE}** at 9.30am when the coach leaves the Civic Centre.



Please remember to switch your mobile phone to silent during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

EXTRACT OF THE PLANNING CODE OF PRACTICE

Purpose of this Code

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

Accountability and Interests

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
 - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
 - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
 - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

Meetings of the Planning Committee

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.

25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.

29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

29 July, 2015

15/1539

SITE INFORMATION

RECEIVED: 1 May, 2015

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

PROPOSAL: Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

APPLICANT: London Borough of Brent

CONTACT:

PLAN NO'S: See condition 2

SITE MAP



Planning Committee Map

Site address: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

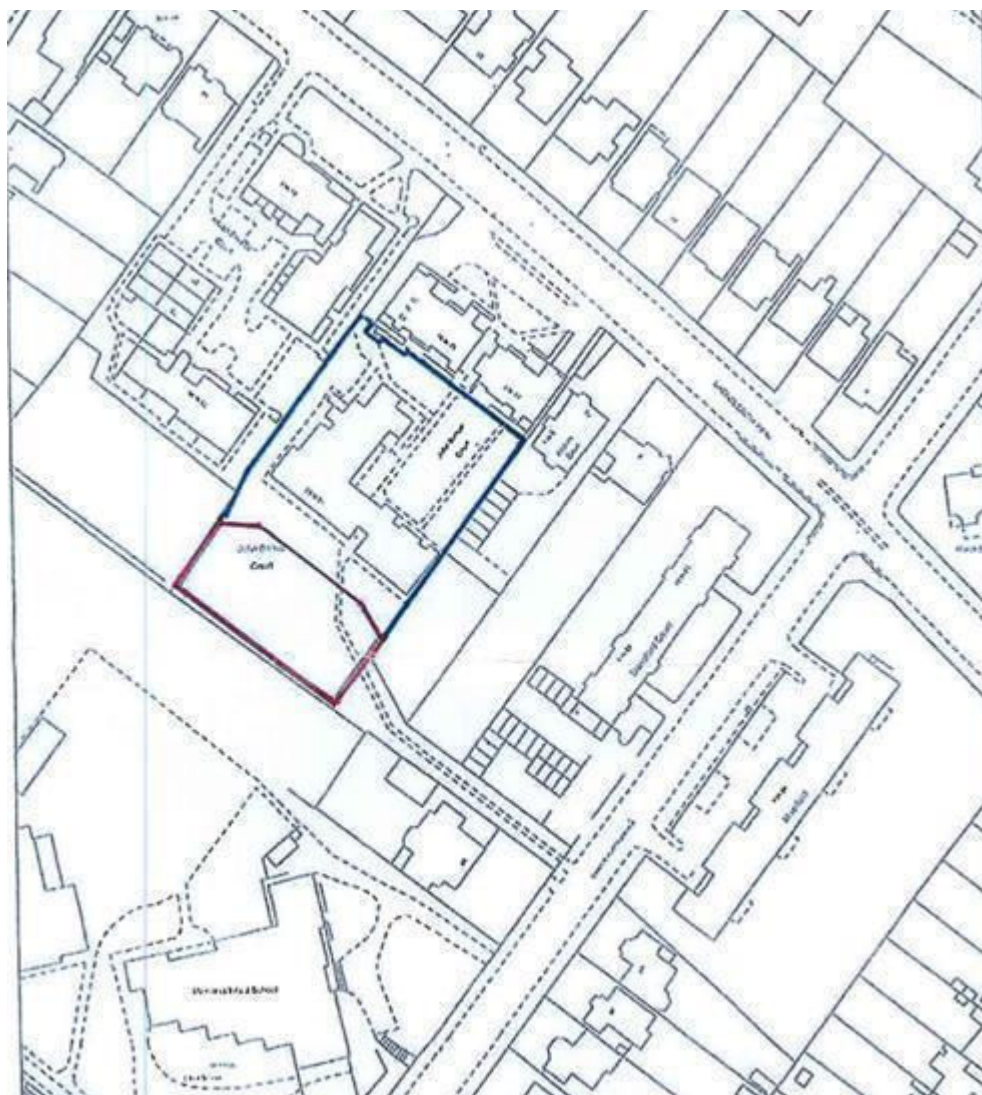
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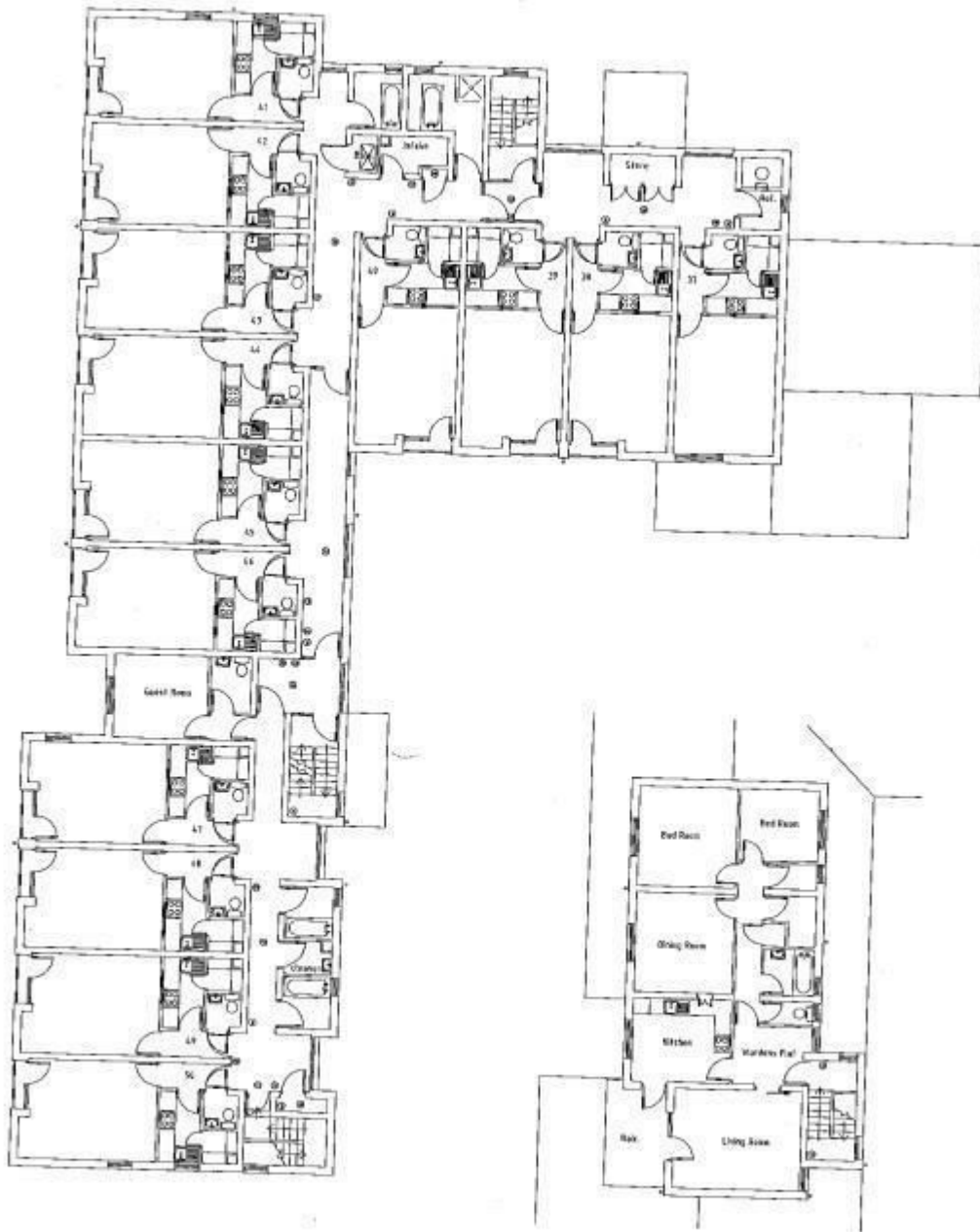
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

Site Location Plan



Ground floor plan



FIRST FLOOR PLAN

SECOND FLOOR PLAN

INTRODUCTION

Members resolved to grant the application which was discussed thoroughly at planning committee on Thursday 2nd July 2015 following a site visit on 27th June 2015.

Following this, upon investigating a concern raised by a neighbouring resident regarding consultation, officers unfortunately identified that 1-19 Alan Preece Court had not been sent consultation letters.

Immediate neighbours including 20-37 Alan Preece Court, which are the properties situated towards the rear of the plot, were consulted in the original consultation exercise on 5th May and the consultation area was expanded to include 112 addresses on 11th May. Regrettably officers did not identify at this point that the front block of Alan Preece Court was not included in the original consultation list.

To ensure all neighbouring residents have an opportunity to comment on the proposal and have their comments taken into account officers hand delivered letters to 1-19 Alan Preece Court on Tuesday 7th July giving a full 21 day consultation period to the 27th July.

One objection had been received from 1-19 Alan Preece Court in advance of the original committee meeting and to date a total of 5 objections have been received from this block. A number of representations have come in from other addresses leading to 49 objections and 2 in support.

Concerns raised include the following:

- The site is inappropriate for a homeless hostel with elderly people and children nearby
- The sites are currently very safe and friendly while temporary homeless residents could create hostility, crime, noise, traffic and parking issues
- No guarantee that this is a temporary facility
- The short periods that people would stay for means they won't be able to integrate with the local community
- Increase in the number of people at the site
- CCTV will go up to monitor anti social behaviour
- Parking and traffic issues due to the additional residents, staff etc
- Improper consultation was carried out

Member's will be updated in a supplementary report regarding any further representations which are received.

Additional correspondence has been received from Cllr Shaw with the following points:

- A material planning consideration submitted by a resident was omitted from the report
- Query the details on savings stated by the applicant in the previous committee meeting
- Enviro chem test report should be made available for health and safety reasons

Officer's have reviewed the objection letter referred to and are satisfied that all material considerations have been discussed in the body of the report but for completeness are included within the following table.

As set out in the main report officer's have discussed the application in detail with the Met Police's Designing Out Crime Officer, the points made and discussed are summarised below:

The entrance block of the subject site is not immediately visible leading to a recommendation of signage to prevent confusion, details of this have been required by condition. Another recommendation was that lighting should be reviewed to the undercroft entrance through the site, officers understand that at the previous committee it was agreed that access to the rear block would instead be directed around the side of the building so that new residents aren't directed near to existing resident's ground floor windows however a condition is recommended to ensure appropriate lighting to the undercroft.

The low boundary wall of existing resident's rear terraces were pointed out as an area which could be utilised for seating and as this is private property this would not be appropriate, the boundary is also near to ground floor windows. While the suggestion was that the boundary treatments should be raised in height this is beyond the scope of the application. Appropriate and clear management is key to ensuring future residents use the site in an appropriate way and understand the site boundaries. Officers have further discussed the appropriateness of defining the boundary of the amenity space of the rear block which will encourage future residents not to use the space around the frontage block and assist with the management of the site. Our recommendation is that signage be used to define the amenity space for the hostel and the signage state detail about the management of the area.

The Designing Out Crime Officer recommended a fence as a physical way of defining the boundary. A fence in this location would be permitted development and would therefore not require planning permission however officers remain of the opinion that a condition for signage will suitably define the ownership and appropriate use of the space and assist with the successful management of the use.

Within the subject block ground floor 3 units have front patio doors which do not have a private curtilage and lead onto the front amenity space. In the interest of the security and safety of future ground floor residents a recommendation to add boundary treatments has been made. Financial implications and time constraints on the use of the site prevent the introduction of physical alterations however the arrangement is an existing situation and officers are minded that the approach to the site which will include a sensitive letting policy and 24 hour on site management and CCTV will create a situation where residential amenity is protected. Future residents should also be advised that they must use the main entrance to the site adjacent to the office.

The Designing Out Crime Officer noted on site that there were some needles within the site, this situation may be attributed to it having been vacant for the last few months and not easily viewable from the street. In

addition an external stairwell leading to meter rooms to the rear of the front block are unprotected as the doors including a fire exit gate are insecure.

Consideration of comments received

Issue	Officers Comments
The site is inappropriate for a homeless hostel with elderly people and children nearby	Para's 9-10 & 14-15
The sites are currently very safe and friendly while temporary homeless residents could create hostility, crime, noise, traffic and parking issues	The experience of Knowles House is very different to this assumption where no associated problems have been reported. The same tried and tested management operator will be permanently on hand to prevent any issues.
No guarantee that this will be a temporary facility	The building is owned by another party, LSH, who intend to redevelop it and are only making it available for a short period of time. In addition to this a condition will limit the permission to 1 year, the length of the use is likely to be much less.
The short periods that people will stay means they won't integrate with the local community	The site is proposed for households who have become homeless this will include young families and a residential environment with good management in place is appropriate.
Increase in the number of people at the site	There is no increase proposed in the number of units, full occupation of all rooms could result in an increase in the number of people at the site however this in itself is not a concern as the necessary refuse storage and management arrangements will be in place to accommodate the use
CCTV will go up to monitor anti social behaviour	Para 10 confirms that CCTV will be installed. CCTV acts to deter anti social behaviour and improve people's confidence in the safety of spaces. However if anti social behaviour did occur it would be viewed and recorded on CCTV and addressed as appropriate.
Parking and traffic issues due to the additional residents, staff etc.	Para 18 considers the parking standard for the proposed use confirming that there would be no increase in demand anticipated.
Improper consultation was carried out	Officers have set out above the consultation which was carried out, it is confirmed that regrettably in the initial consultation some neighbouring properties were omitted and this has now been rectified.
BHP did not carry out initial consultation	Officers are not aware of any pre-application consultation undertaken by the applicant as this is not a statutory requirement. However full planning application consultations have now been undertaken.
Seeking a 12 month permission does not make sense as the site is required back by LSH	Para's 3 and 12-13 set out the timescales involved in the use of the site and factors which affect it.
Is there an increase in units from 26 to 28?	Para 4
Bathroom and boiler facilities need replacement as the earlier residents were advised	Para's 1-2, 6-7 Officers understand the that the facilities require replacement in the long term which LSH have decided against and instead seek to redevelop the site. This does not mean that the building is unfit in the short term and full safety checks will be undertaken prior to occupation.
No financial details are provided to substantiate savings	Para's 11-12 The use of the site even for a short time would represent a significant saving in terms of the cost of private B&B accommodation which otherwise the council would have

	no option put to homeless families in to
Harm to amenity	Para's 15-17

RECOMMENDATIONS

Approval, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

See description above

B) EXISTING

The subject site consists of the block accommodating 24-51 John Barker Court. The building which has been vacant since February was used as sheltered accommodation for elderly people.

The site is to the rear of 1-23 John Barker Court on the north western side of Brondesbury Park NW6. The site is not within a conservation area nor is it a listed building.

The surrounding context of the site includes residential blocks and houses as well as 2 schools and a wooded area to the rear who's trees are protected and it is identified as a site of importance for nature conservation.

D) SUMMARY OF KEY ISSUES

E) MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Residential institutions					
Sui generis					

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Sheltered Housing û Social Rented)	26									26
EXISTING (Bedsits/Studios û Social Rented)										
EXISTING (Flats û Key Worker)	1									1
PROPOSED (Sheltered Housing û Social Rented)										
PROPOSED (Bedsits/Studios û Social Rented)	27									27
PROPOSED (Flats û Key Worker)										

RELEVANT SITE HISTORY

02/1809 Granted
Installation of replacement UPVC windows, doors and screens

CONSULTATIONS

Consultation letters were sent to neighbours on 5th May 2015, subsequently the consultation area was

expanded and additional neighbours were also consulted on 11th May 2015, in total 85 neighbouring properties were consulted by letter. 44 representations have been received including 2 in support and 40 in objection, comments made include the following:

- London has 6500 people sleeping rough on its streets which is a travesty in a developed country
- The provision of a home for vulnerable people is one of the most empowering elements towards self sustainability
- John Barker provides a beautiful quiet retreat to help integrate people back into housing and the community
- Offer to donate time and support to the initiative
- Applaud the Supreme Court's ruling upholding the legal duty of the council to provide accommodation for the homeless but object to this application in this location.
- The location is not suitable, it is enclosed and secluded.
- To access the flats they are expected to walk through the common areas where vulnerable and elderly residents live.
- Noise and disturbance is likely to be much greater than before.
- The hostel will introduce into this established community a transient group of people and with it an increase in crime
- A bail hostel is located nearby on the junction of Brondesbury Park and Christchurch Avenue, this location on a busy junction can be easily monitored by Police and passers by.
- Residents in the hostel may be in extremely difficult life circumstances which is often sadly linked to particular social behaviour
- Concern for the safety and security of the schools and a college practically next door and lots of families with young children nearby who will be at risk
- The large nearby elderly community feel very much ill at ease with the likely outcome of challenging social behaviour on their doorstep
- No formalised separation between the front block and the rear block proposed as a hostel.
- Existing residents at ground floor and with windows close to the pedestrian route are concerned for their safety.
- Concern regarding antisocial behaviour including vandalism, drugs and alcohol, break-ins, robbery etc. which it is proven will rise when a hostel is introduced.
- The transient population will have little care or responsibility to the area and it will bring fear and unrest to neighbours
- The original tenants were rehomed against their will using the excuse that the flats did not have adequate bathroom facilities, why should homeless people be expected to use flats that also have inadequate bathroom facilities.
- Previous tenants were told the boiler system was beyond economical repair and would create an increased risk for the control of Legionella; the application effectively moves homeless people out of accommodation where their health and safety is not at risk into accommodation where there is a significant risk.
- Why move tenants out who have been there for over 20 years in order to accommodate the homeless on a temporary basis?
- The proposal is meant to be temporary for one year, what is to say it will not continue for many more years.
- There are 2 hostels in the area (Willesden Lane and Salusbury Road) where apparently there are a great deal of problems
- There is already a concentration of social and affordable housing in proximity to John Barker Court.
- Residents of 1-23 John Barker Court were not consulted prior to the application.
- The submission suggests that LSH are planning to demolish the building and redevelop and want to start the redevelopment in August/September subject to approval, this only allows 2-3 months so a planning application for 1 year does not make sense.
- The application states that John Barker Court is a 26 unit scheme but 28 units will be provided which would increase the concentration.
- BHP has just removed asbestos from 1-23 John Barker Court to take forward the installation of independent heating and hot water per unit quoting £5500 per unit and 3 person days effort, the stated saving of £75000 over 5 months doesn't factor in this cost or work time. Its use will cost more than bed and breakfast.
- There is no more space for car parking and emergency access might get blocked.

Objections have been received from Brondesbury Park Ward Councillors Cllr Shaw, Cllr Davidson and Cllr Warren:

- The change of use will result in more antisocial behaviour

- There will be a significant increase in noise
- The location, especially is closeness to two schools, is inappropriate
- The use is incompatible with the front block where vulnerable residents including elderly and children live
- Risks for environment including rubbish, pollution, noise, parking problems.
- Physical infrastructure - the application only suggests light refurbishment and no independent heating
- Increase strain on parking
- Residents of John Barker Court should have been consulted prior to the application
- There is no evidence of a local link to the ward for the new tenants
- Antisocial behaviour in the enclosed courtyard will distress residents
- The savings should be removed from the application as they are misleading
- The submission states that there will be 28 units while the existing is 26

Statutory Consultation

Highways Officers - no objection:

- The use as sheltered elderly persons' housing is permitted between 0.1 and 0.5 spaces per flat depending on the level of care provided. In this instance it is assumed the care is reasonably minimal and therefore up to 14 spaces would be permitted.
- The parking standard for hostels allows just one space per 16 rooms and on this basis the standard is 1-2 spaces.
- No changes are proposed to the parking or access.
- Car ownership amongst homeless families is likely to be very low and there is no concern regarding overspill in this lightly parked area.

Met Police Crime Prevention Officer - recommendation provided regarding management and in particular signage to direct people to the entrance to the block

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings are required.

Accordingly, the policies contained within the adopted SPG's, London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals.

London Plan 2011 (FALP)

3.8: Housing Need - Borough should identify the range of needs taking account of housing requirements including supported housing needs

3.14: Existing Housing Stock - promote efficient use of the existing stock reducing the number of vacant dwellings

London Borough of Brent LDF Core Strategy 2010

CP21 A Balanced Housing Stock

DETAILED CONSIDERATIONS

Background

1. The existing sheltered housing scheme is owned by London Strategic Housing (LSH). The arrangement and facilities in the existing building are dated and it has been deemed unviable to bring the current building up to modern standards. As such the former residents of the scheme have recently been decanted into other suitable accommodation and LSH intend to redevelop the site with a new scheme of affordable housing for over-50's.

2. The layout of the units shows that they currently have kitchens facilities and a WC while other bathroom

facilities are shared. The site also has a dated heating system which LSH have decided is beyond economical repair for continued long term use. The former BHP units at the front of the site, 1-23 John Barker Court, have been or are in the process of being disconnected from the communal supply and replaced with individual heating systems within each flat.

3. While preparation for a planning application is underway the vacant site has been offered free of charge to the Council on a temporary basis to be utilised as accommodation for homeless people. Sheltered accommodation is Use Class C2 while the proposed temporary accommodation is Sui Generis which means that planning permission for a change of use is required.

Proposal

4. John Barker Court will be used as a resource to house households who have become homeless. The vast majority of these households will be families, it is envisaged that only a small number of single households will be housed at the site. The proposal will provide 26 double rooms, with shared facilities, communal kitchens and bathrooms. There would be between 12 and 18 households at any one time depending on the family sizes and the number of rooms they would need.

5. The aim would be for households to not need to remain in the scheme for more than 6 weeks moving on into settled accommodation or '2nd stage temporary accommodation'.

6. LSH have decided that the site cannot be suitably modernised for permanent accommodation for over 50's because of the cost of replacing the heating system and the structural changes that would be required to provide suitably sized self contained accommodation which is now desired. However this does not mean that it is unfit or unsafe for residential use.

7. The proposal involves the building being lightly refurbished with no external structural changes. Essential work will be undertaken to ensure that the building is safe and fit for purpose as temporary accommodation which will include, for example, the boiler being commissioned by a Gas Safe Qualified Engineer and the site not occupied until a Gas Safety Certificate is issued.

8. The site also benefits from communal amenity space specifically for the rear block which is a significant benefit not available in many other sites for temporary accommodation.

9. Importantly, the proposal also includes a management arrangement with Altwood who currently and successfully manage Knowles House which is another temporary accommodation scheme on Longstone Avenue with 48 rooms. Knowles House has been well refurbished from former C2 accommodation and runs successfully with no detrimental impacts on neighbouring amenity having been reported. The experience of operating Knowles House will inform the management of John Barker Court.

10. The management of the site will include the guarantee that the scheme will have 24 hours a day 7 days a week staffing and CCTV will also be incorporated for additional security. The building would provide a secure residential environment for households who have become homeless and will be managed so as to ensure the use operates without causing disturbance to neighbouring residents. Upkeep of the site will be undertaken by the maintenance team who will carry out a litter pick daily.

Housing Need

11. Brent has experienced a dramatic increase in the number of homeless approaches to the Council since 2010. While Brent is one of the leading authorities in using new powers to discharge its housing duty by making private sector offers to applicants it is still required to accommodate people in emergency accommodation when they first apply as homeless and their case is assessed. A significant gap between the demand for and supply of emergency accommodation has developed in London resulting in increasing costs and reliance on emergency accommodation outside of London in some cases.

12. The site represents a good quality and cost effective option for the Council to use for the accommodation of households while the Council assesses the household's statutory homeless application (1st stage temporary accommodation). The application statement was prepared some time in advance of the application being submitted and the applicant's have been advised that the site could be required to be returned to the site owner at the end of October which will mean it could be available for 3 or so months. While the site is available for a very limited amount of time even if only used for a matter of months the Council's accommodation officers have identified that its use would result in significant savings. The estimate is that the use of the site for 5 months would result in a £75,000 saving so a period of 3 months

could save approx. £45,000. The costs of CCTV and management arrangements have been within these considerations.

13. The application was submitted for a temporary period of 1 year. If the application process for the redevelopment takes longer than anticipated the site may be available for slightly longer than the 3 months though it is unlikely to increase significantly, however in order to enable the maximum savings officers suggest maintaining the 1 year condition. If at the end of the period it was intended to extend the use (notwithstanding the fact that the applicants have indicated that there is no intention to do this) it would be necessary to submit a new planning application to be considered at that time taking into account anything that might have happened in the intervening period.

14. As the proposal is for a temporary use the loss of accommodation for older people does not require detailed consideration, officer's are assured that a planning application for the redevelopment of the site for over-50's accommodation will be forthcoming. The proposal for temporary homeless accommodation is tailored to meet a specific housing need in the borough and as such is in compliance with policy CP21.

Residential Amenity

15. The site is in a residential area and represents an appropriate and compatible use. Access to the site is gained via the route through the opening in the ground floor of the frontage building which clearly defines a residential character and no changes are proposed to this. The site is in an attractive green setting and would provide a good quality environment for occupiers.

16. Neighbouring residents have expressed concern about the impact of the use on their amenity as set out above in the consultation section. Many residents stated that they acknowledged the great need for homeless accommodation and the pressure for housing in the borough but felt the location was inappropriate. The proposed use will result in a very similar number of people occupying the building and no additional flats are proposed to be created.

17. Objectors suggest that a residential area close to schools should not be selected as a site for temporary accommodation however many of the future occupiers are likely to be young families who have lost their previous accommodation and the residential location would be entirely appropriate. While the concerns of residents are understood the proposed management arrangement will be permanently in place to deter any behaviour which may cause a nuisance to neighbouring residents and in the event that any anti social behaviour were to occur the management arrangement would be available to address it. The applicant has confirmed that only sensitive lets will be made to John Barker Court and any clients with a history of anti-social behaviour will not be referred to the scheme.

Transport

18. The impacts of the development on transport have been considered by the council's Highways officer as set out above. The parking standard associated with a hostel use is very low at only 1 per 16 rooms and therefore no overspill parking or increased demand for parking on site would be anticipated.

Consideration of Representations

19. The following table sets out to address the summarised issues raised in the submitted representations.

Issue	Officers Comments
The secluded location is not suitable and will put neighbouring residents and schools at risk	Para's 9-10 & 14-15
The bail hostel location on busy junction which can be easily viewed is a more appropriate location	The site is proposed for households who have become homeless this will include young families and a residential environment with good management in place is appropriate
The accommodation was vacated as it was said to be inadequate so should not now be used for homeless people	Para's 1-3 & 6-7
The hostel will introduce a transient group of people and with it an increase in crime, anti social behaviour, drugs etc.	The experience of Knowles House is very different to this assumption where no associated problems have been reported.

	The same tried and tested management operator will be permanently on hand to prevent any issues.
No formalised separation between the front block and the rear block proposed as a hostel.	The frontage block is largely private through right to buy and the rear including the communal area is in separate ownership, it is the case that there is no formal separation.
The work required will take considerable time and cost so the temporary use of the site will not be cost saving	Para's 6-7 & 12 It is not proposed that the heating system be replaced prior to the site's redevelopment, thorough checks and light refurbishment will ensure the building is safe and fit for purpose.
How can it be guaranteed that the use will not continue	The building is owned by another party, LSH, who intend to redevelop it and are only making it available for a short period of time. In addition to this a condition will limit the permission to 1 year, the length of the use is likely to be much less.
Environmental problems - rubbish, pollution, noise and parking	Refuse storage and collection will function as it has done as on site management will be able to move bins as required. There is no increase in the parking standard for the proposed use. The age groups housed in the building may result in more general activity creating general noise however noise disturbance would not be permitted by the management.
The submission states there are 26 existing units and 28 are proposed which would result in an increase in concentration	Para 4.
Value of homes will be affected by the proposal	While this isn't a material planning consideration it should be noted that the use is temporary for only a matter of months.

Conclusion

20. The building will provide a secure residential environment for households who have become homeless and have submitted statutory homeless applications to the council and a management arrangement will be permanently in place to ensure that the use operates without any conflict with existing residents and other surrounding uses. The use will be temporary, for no more than a year, while the owner of the site seeks permission for its redevelopment for permanent over-50's accommodation.



Brent

DECISION NOTICE – APPROVAL

=====

Application No: 15/1539

To: Mr Zaheer Iqbal
London Borough of Brent
Civic Centre
Engineers Way
Ha9 0fj

I refer to your application dated 10/04/2015 proposing the following:
Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

and accompanied by plans or documents listed here:

See condition 2

at 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

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

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
Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs

- 1 This permission shall be for a limited period of 1 year only, expiring on 2nd July 2016 when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) the use hereby approved shall be discontinued..

Reason: The proposed use is considered to be acceptable only on a temporary basis to accommodate an existing and exceptional need for accommodation of this type in accordance with Policy CP21 of the London Borough of Brent LDF Core Strategy 2011.

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

OS Map
00147_1_01

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

- 3 The development is granted on the basis that the pedestrian access route on the site to be used by all future residents of the development is set down in any licence, lease or agreement, and that all residents are duly informed of these arrangements by the applicants or the management company.

Reason: In the interests of residential amenity.

- 4 Further details of the siting and appearance of directional signage to be erected on the site in order to direct people to the main entrance of the building shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation of the building. Once approved the signage must be installed, as approved, and permanently maintained for the lifetime of the use."

Reason: In order to allow the Local Authority to exercise proper control; over the development in the interests of amenity."

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

COMMITTEE REPORT

Planning Committee on 29 July, 2015
Item No
Case Number **15/0064**

SITE INFORMATION

RECEIVED: 8 January, 2015

WARD: Mapesbury

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: All Flats at Jubilee Heights, Shoot Up Hill, London, NW2 3UQ

PROPOSAL: Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers with access from Exeter Road

APPLICANT: Abbeymews Ltd

CONTACT: David Lock Associates

PLAN NO'S: See condition 2

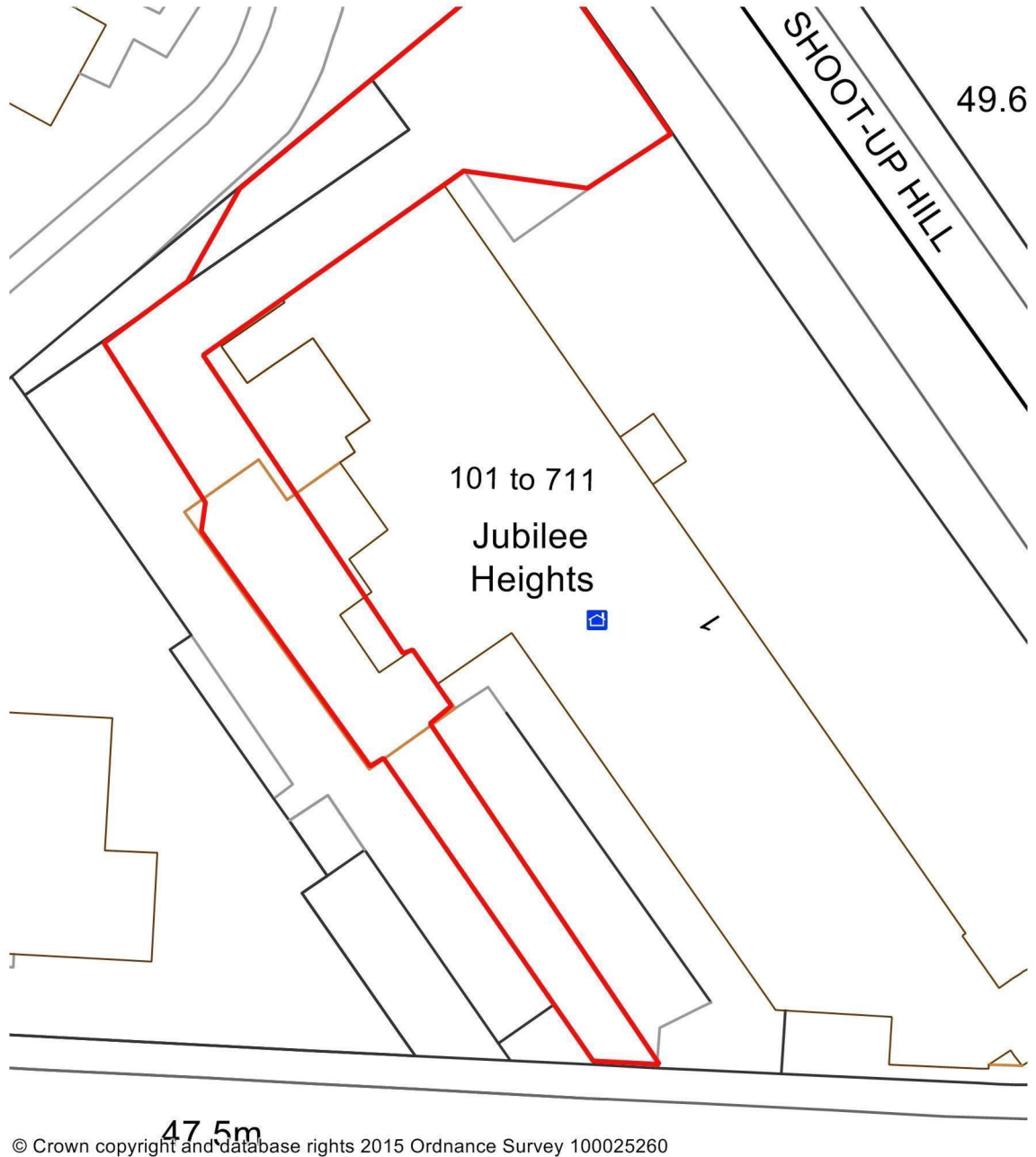
SITE MAP



Planning Committee Map

Site address: All Flats at Jubilee Heights, Shoot Up Hill, London, NW2 3UQ

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This map is indicative only.

SELECTED SITE PLANS
SELECTED SITE PLANS

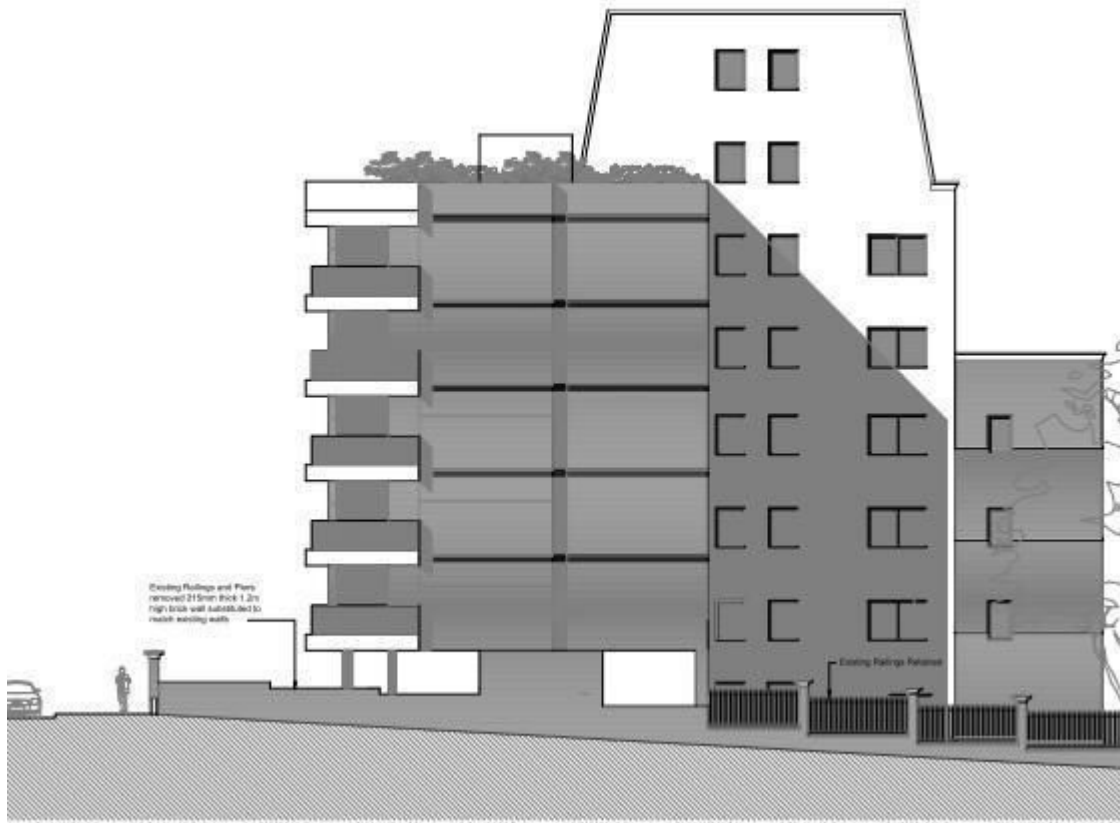
Site plan



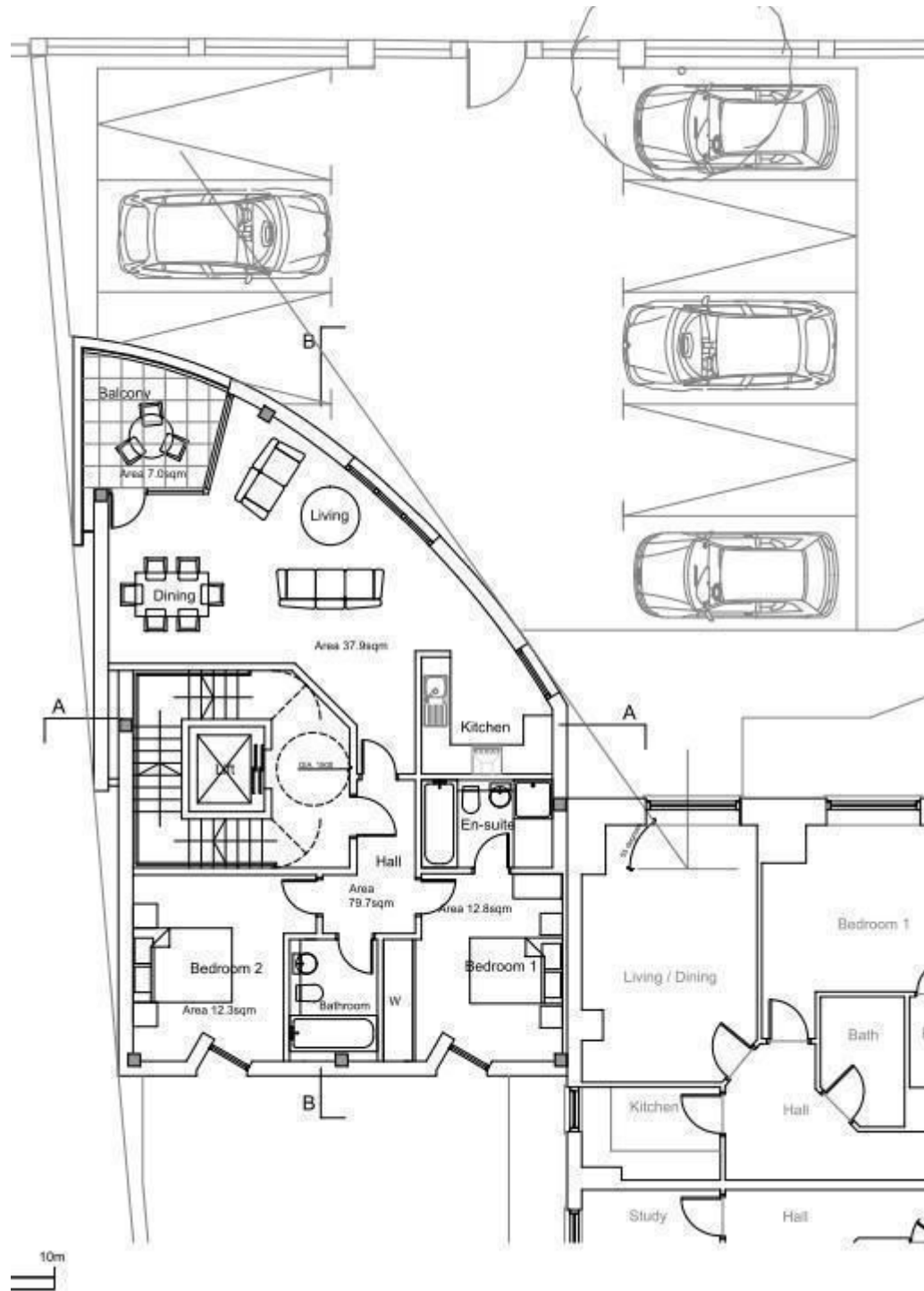
Shoot Up Hill Elevation



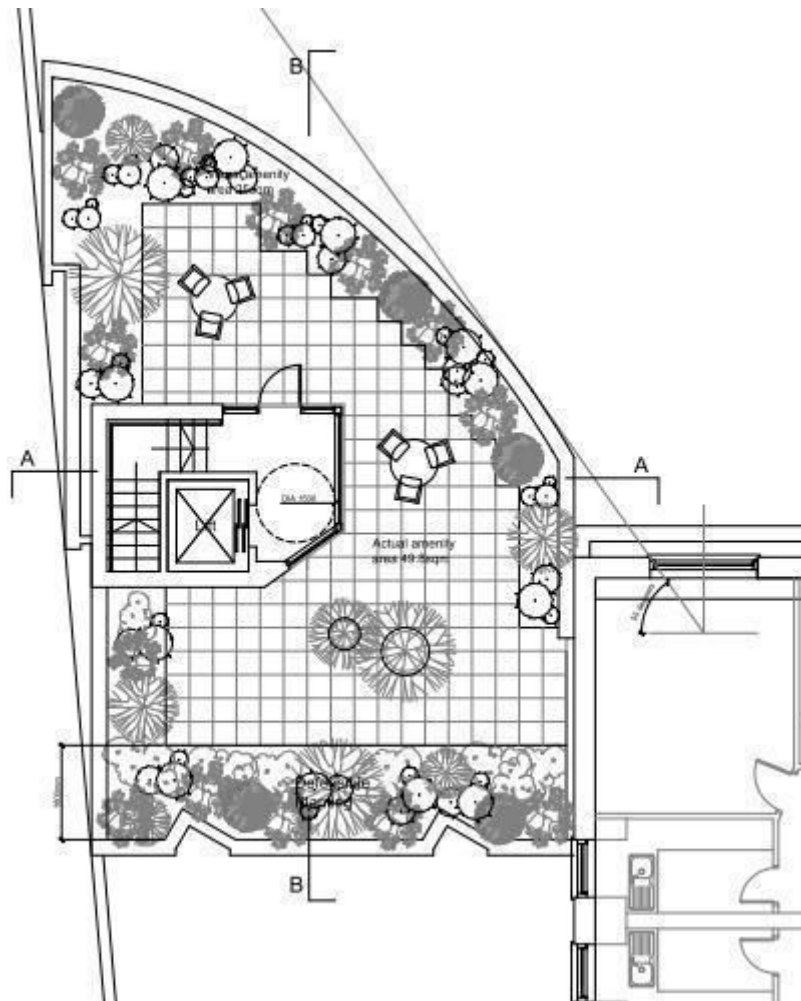
North Elevation



Typical floor plan



Roof terrace plan



INTRODUCTION

At the Planning Committee on 2nd July 2015 Councillors resolved to refuse planning permission and raised concern about the development covered by the two issues below. If the Planning Committee is still minded to refuse consent then they are invited to comment on the possible reasons for refusal outlined below. Members are reminded that a previous similar scheme on the site was refused, but only on the basis of absence of affordable housing. For the avoidance of doubt, this decision was determined under Officers Delegated Powers.

Since the Planning Committee meeting the applicants have requested confirmation of the reasons for refusal and whether, or not, any amendments could be produced to overcome these. They have also indicated that it is likely that they would submit an appeal in the event that the planning application was refused.

Concern about massing, design and the implications of another phase of development on an increasingly cramped site.

In terms of design, the report considers these issues under "Relevant Planning History" which refers specifically to the appeal decision on the southern end of the site, as well as under "Design, scale and massing" within the "Remarks" section. In terms of the appeal decision this related to a prominent corner site near to Kilburn Station whereas this proposal in-fills the remaining gap to the north, creating a long frontage as far as the side boundary with the adjoining site at Watling Gardens. Furthermore, the proposed building would be higher than that considered, and built out, at the opposite end of Jubilee Heights. If Members are minded to refuse on this ground then the following is a possible reason for refusal:

The development, by reason of its prominence, siting and height, as well as the relationship with the already extended building, would be detrimental to the character of the existing building impacting on the sense of spaciousness around the site which defines its setting in the streetscene and would result in a cramped form of development detracting from the visual amenities of the wider area. As a result, the proposal is contrary to policies BE2, BE3 and BE9 of Brent's UDP 2004, as well as SPG17: Design Guide for New Development.

Concern that implications of reducing access at the same time as increasing the population density of the development.

Transportation Officers have reconfirmed that they are strongly supportive of the principle of reducing vehicular access points on the A5 and consider that the development can be serviced from one access point in safety and servicing terms. However, in view of the fact that there is an existing access point they may not wish to support a refusal on this ground alone. Members did, however, raise concerns about the proposed on site arrangements:

The application has failed to demonstrate that the development would provide the appropriate space and management arrangements for servicing/bins etc and arrangements would be likely to lead to an overspill of bins into the access route detrimental to the freeflow and safety of vehicular and pedestrian safety, in addition the storage of bins for collection adjacent to a residential entrance would lead to the deterioration of the quality of the residential environment through the incremental development of the site, contrary to policies TRN34 and SPG17: Design Guide for New Development.

RECOMMENDATIONS

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer., subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

See description above

B) EXISTING

The subject site is an eight-storey residential block which has been converted and extended over the past 19 years from its original function as offices. It is located on the corner of Shoot Up Hill and Exeter Road adjacent to Kilburn Underground Railway Station. Shoot Up Hill forms the borough boundary with London Borough of Camden to the east.

The building contains 96 residential units (including the recent conversion of the ground floor from offices to residential flats, the erection of a 6 storey extension and a 5 storey extension attached to the south side of the building, divided as follows: 15 x 1-bed, 71 x 2-bed, 10 x 3-bed.

The surrounding uses are predominantly residential although to the south there is a short section of Secondary Shopping Frontage. The property is not a listed building, although its curtilage abuts the Mapesbury Conservation Area.

The application site as defined by the red line is limited to the access route through the site, the area where the extension is proposed and the open car parking area in front. The area where the extension is proposed consists of an access road, car parking and a strip of landscaping and the applicant owns the freehold of this.

It is understood that during the timescale of the current application residents have purchased the freehold of the wider site. While the concern of residents regarding the previous development within the site are obviously understood, any issues with the previous freeholder cannot be considered as relevant to the consideration of this application which needs to be determined on its individual planning merits.

C) AMENDMENTS SINCE SUBMISSION

The proposal has not been amended since its submission however Officers have sought and received further information to better explain and understand the proposal. This specifically includes additional visual information about the form of the proposal and additional detail setting out the parking and access

arrangements within the wider site.

E) MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
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Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats ú Market)										
PROPOSED (Flats ú Market)		5								5

RELEVANT SITE HISTORY

08/1728 Granted

Erection of a six-storey rear extension to provide an additional 6 two-bedroom flats to the existing block of flats, and subject to a Deed of Agreement dated 2nd December 2008 under Section 106 of the Town and Country Planning Act 1990, as amended

09/0755 Granted

Erection of a part six- and part seven-storey rear extension to provide an additional 6 two-bedroom flats to the existing block of flats (revised version of scheme previously approved under ref. 08/1728), subject to a Deed of Agreement dated 23/03/2010 under Section 106 of the Town and Country Planning Act 1990 (as amended)

10/1566 Granted

Erection of a 5-storey building, comprising 5 self-contained flats with roof garden, attached to southern elevation of Jubilee Heights, and provision of 20 additional cycle spaces

11/1307 Allowed at appeal

Erection of a 5-storey building, comprising 5 self-contained flats with roof garden, attached to southern elevation of Jubilee Heights

This is located at the opposite end of Jubilee Heights from the application proposal.

Planning Inspector comments: *I consider that the size, design and siting of the proposed development would be acceptable. Bearing in mind the location of the development, which is adjacent to the Jubilee Line station and is well served by bus routes, I do not consider that additional parking facilities are necessary at the site.*

13/0377 Granted

Variation of condition 2 (development to be carried out in accordance with approved plans) to allow minor-material amendment comprising:

- provision of 1 x 2 bedroom and 4 x 3 bedroom flats (instead of 5 x 2 bedroom flats)

of full planning permission 11/1307 approved under appeal dated 27/02/12 for erection of a 5-storey building, comprising 5 self-contained flats with roof garden, attached to southern elevation of Jubilee Heights, subject to a Deed of Variation dated 20th June 2013 under Section 106 of the Town and Country Planning Act 1990, as amended

The following 2 cases relate to the proposal which is the subject of the current application:

13/3351 Refused 4th March 2014

Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building (revised description)

Reason for refusal: *In the absence of a recognised affordable housing toolkit, the proposed development does not provide sufficient affordable housing on site or make satisfactory provision to compensate off site, contrary to Policies 3A.9, 3A.10, 3A.11 of the London Plan 2008, policies CP2 and CP21 of Brent's adopted Core Strategy 2010*

14/1950 Withdrawn 19th January 2015

Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers

The application was withdrawn pending a Unilateral Agreement to cover an affordable housing contribution.

CONSULTATIONS

Neighbouring residents were consulted and 33 objections have been received, as well as a petition with 79 signatories.

The reasons for objection are set out below:

- Leaseholders feel so strongly about their estate that they are trying to purchase the freehold. The solicitor acting on their behalf discovered that the land to which the application pertains was transferred to a subsidiary in 2010 and sold to a third party in 2014. The footprint of the building would result in the loss of 11 parking spaces currently designated to specific leaseholders. Leaseholders were not consulted or informed.
- The removal of the emergency access from Shoot Up Hill means no vehicular access will be possible. In addition the current unimpeded access around the jubilee heights building would be compromised as the plan includes the creation of a parking space that juts out. The entrance gate recently couldn't be opened for 30 minutes.
- The design will lead to an unrelenting mass on the streetscene when combined with the existing block. It is incongruous in its architectural approach. The curvature jars with the main building and requires the removal of trees exacerbating the damage to the street scene.
- The proposal will destroy the graceful symmetry of the original building
- The existing character is one of tall buildings set back from the road with appropriate space around the perimeter which would be lost with the proposal.
- The D&A statement suggests there is a problem with the design of the current building that the new building will resolve which is not the case.
- The site is in an area of open space deficiency and the area of amenity space provided is below that required.
- Kitchen opposite will fail BRE guidance, as they are already below guidelines this is dismissed by the applicant but it should be all the more reason to protect the levels.
- The proposal indicates the removal of trees and vegetation which would have adverse implications for air quality.
- Noise generated by the roof terrace may result in noise disturbance for neighbours.
- Refuse storage - where would the bins be placed on 'day of collection'. The end result would be likely to be littering of the area due to inaccessibility of the bins.
- The proposal will remove parking spaces without providing additional parking for the new dwellings. The development will remove 11 spaces from the 128 available for 136 leaseholders, leaving 117 spaces.
- The new residents will not be authorised to use the communal facilities but it will be impossible to prevent them accessing communal gardens and they may also gain access to the gym and pool.
- Potential impact on the stability of the existing structure from excavation work
- The proposal will result in overlooking and a loss of privacy.
- The southern extension has failed to sell half of the units over 6 months demonstrating the type of housing is not suitable.
- The estate has been overdeveloped
- The rubbish shoot which served the whole building was removed to enable the freeholder to turn the bin area into an apartment and residents have to enter the bin area used by 100 flats.
- Residents have not been provided with access to the roof terrace on the southern extension as was agreed.
- Impact on the cohesiveness of the community of the estate
- Disturbance and disruption from the development

- Additional vehicles driving through the estate causing more noise, dirt pollution, damage and wear and tear.

Watling Gardens Management Board

- Jubilee Heights is already highly developed
- It will cause a reduction in privacy to Watling residents
- Reduction in vegetation and planted areas
- Increased demand for parking

Internal

Highways - No objection. Recommendation that vehicular access be increased in width and further detail of cycle storage and refuse storage required.

Affordable Housing Officer - A contribution is required because of the incremental nature of the development of the site. Given the scale of the development the provision of a cash in lieu contribution is acceptable, the contribution is also reasonable and greater than secured for the previous extension.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings are required.

Accordingly, the policies contained within the adopted SPG's, London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals.

The London Plan

3.12: Negotiation Affordable Housing on Individual Private Residential and Mixed Use Schemes - the maximum reasonable amount of affordable housing should be sought. Negotiations should take into account individual circumstances such as phasing. In exceptional cases it may be provided off site or a cash in lieu contribution provided.

3.13: Affordable Housing Thresholds - on sites with a capacity to provide 10 or more homes.

Core Strategy

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The relevant policies for this application include:

CP2: Population and Housing Growth - The borough will aim to achieve the London Plan target that 50% of new homes should be affordable.

CP18: Protection and Enhancement of Open Space, Sports and Biodiversity: Support will be given to the enhancement and management of open space for recreational, sporting and amenity use and the improvement of both open space and the built environment for biodiversity and nature conservation. New or improved provision (including improved access) will be sought in areas of deficiency and where additional pressure on open space and outdoor play facilities would be created.

CP21: A Balanced Housing Stock - A balanced housing stock should be provided to meet known needs and to ensure that new housing appropriate contributes towards the wide range of borough household needs including an appropriate range and mix of self contained accommodation types and sizes.

Brent's UDP 2004

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary

Development Plan (UDP), which was formally adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include: The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The relevant policies for this application include:

BE2: Townscape: Local Context & Character - Proposals shall be designed with regard to their local context, making a positive contribution to the character of the area.

BE3: Urban Structure: Space & Movement - Proposals should have regard to the existing urban grain, development patterns and density in the layout of development sites, and should be designed to ensure that particular emphasis is placed on prominent corner sites, entrance points, and creating vistas and public areas; and respecting the form of the street by responding to established lines of frontage, unless there is a clear urban design or planning justification.

BE6: Public Realm: Landscape Design - A high standard of landscape design is required as an integral element to development schemes including an adequately landscaped frontage and boundary treatments which complement the development and enhance the streetscene.

BE9: Architectural Quality - Extensions and alterations to existing buildings shall be designed to:- (a) be of a scale, massing and height that is appropriate to their setting, civic function and/or townscape location; (b) have attractive front elevations which have a direct relationship with the street at ground level, with well proportioned windows, and habitable rooms and entrances on the frontage, wherever possible; (c) be laid out to ensure that buildings and spaces are of a scale, design and relationship to each other, which promotes the amenity of users, providing a satisfactory level of sunlighting, daylighting, privacy and outlook for existing and proposed residents; and (d) employ materials of high quality and durability, that are compatible or complementary colour and texture, to the surrounding area.

EP2: Noise & Vibration - Noise sensitive development will not be permitted where users would suffer noise levels above acceptable levels, and if this cannot be acceptably attenuated.

H12: Residential Quality - Layout Considerations - Residential developments should have a site layout which reinforces or creates an attractive and distinctive identity, appropriate to its locality creating a clear sense of place, have housing facing on to streets; have an appropriate level of car parking and cycle parking; and avoid an excessive coverage or hard landscaping and have an amount and quality of open landscaped area appropriate to the character of the area, and local availability of open space, and needs of prospective residents.

H13: Residential Density - New residential development shall make an efficient use of land and meet the amenity needs of potential residents. Higher densities are supported in areas of good or very good public transport accessibility. The density of a site shall also have regard to the context and nature of the proposal, constraints and opportunities of the site and the type of housing proposed.

CF6: School Places - Contributions to build new school classrooms and associated facilities will be required where new housing development would worsen or create a shortage of school places.

TRN2: Public Transport Integration - Development proposal should benefit and not harm the operation of the public transport network.

TRN3: Environmental Impact of Traffic- Proposals should not cause or worsen an unacceptable environmental impact from traffic.

TRN11: The London Cycle Network - Developments should comply with the plan's minimum cycle parking standards (PS16), with cycle parking situated in a convenient, secure and, where appropriate, sheltered location.

TRN23: Parking Standards - Residential Developments - "Car free" housing developments may be permitted in areas with good or very good public transport accessibility.

Supplementary Planning Guidance

SPG5 "Altering and Extending Your Home"

DETAILED CONSIDERATIONS

Introduction

1. This application seeks planning permission for 6-storey extension to be attached to the north of Jubilee Heights located at the front of the building facing Shoot Up Hill. The extension will accommodate 5 x 2-bedroom flats.

Background

2. A five storey extension of a similar design has been constructed on the southern end of Jubilee Heights on the front corner of Shoot Up Hill and Exeter Road. This extension was allowed on appeal and reference to this will be made later on within this report.

3. In an earlier iteration of the scheme submitted in 2013 originally 5 x three bedroom units were proposed within an extension that overhung the boundary with Watling Gardens. Concerns were raised with the building over sailing the boundary with Watling Gardens. In design terms it was considered to result in a poor and awkward relationship between the two sites with poor detailing to the ground floor and undercroft area. The extension was considered to appear overbearing when viewed from Watling Gardens and would also reduce the sense of openness of the site when viewed from Watling Gardens and Shoot Up Hill.

4. In response to the above concerns, the size of the extension was reduced so that the whole extension sat within the ownership of the application site and did not overhang the boundary. This in turn reduced the mix of units from three bedroom units to two bedroom units. This application was, as indicated above, refused for the sole reason of the insufficient contribution towards affordable housing which is discussed further below. The application as currently proposed is discussed below.

Design, Scale and Massing

5. Council guidance SPG17 and policy BE9 of the UDP 2004 state that proposals should be of a scale, massing and height that are appropriate to its setting.

6. An elevation has been provided by the applicant which shows the full Shoot Up Hill elevation including the southern extension. The northern extension takes on board the horizontal rhythm seen within the existing building, the glazing also takes on board the proportions of the glazing within the main building. A similar approach was taken with the southern extension. It is considered that full details of external materials should be conditioned as part of any forthcoming planning consent however they would be expected to match the materials used in the southern extension.

7. The ground floor will have a central undercroft to allow access to the car parking spaces within the front of the site. Whilst the floor of the first floor is lower to the main building this is considered to assist in allowing the extension to read as a subservient addition. The extension is to be built up to the boundary with Watling Gardens at ground floor level acting as the boundary wall. The extension will be higher than the southern extension however, the additional height is considered appropriate in this location given that it is between Jubilee Heights and Watling Gardens which are both taller buildings and the ground level rises to Watling Gardens. It is also noted that while the proposal is similar to the southern extension it is not identical but as the context is different at this end of the site this is considered to be appropriate. The extension is a contemporary interpretation of the architectural style of the original building and, particularly having regard to the existing extension, is considered to sit comfortably in the site.

8. The proposal does result in the removal of some softlandscaping and a tree. Objectors are concerned about the projection of the extension up to the boundary and the loss of greenery. It is the case that the tree to be removed and the landscaping are not of significant value as identified in the tree survey and this is considered in more detail below. In principle the area proposed to be developed is currently primarily a vehicular route and parking area rather than a green buffer around the site. The prominent trees are in the site frontage and in the neighbouring site and also in the street.

Landscaping

9. While one tree of minimal value will be removed a category A tree and 3 category B trees in the adjacent site and in the site frontage are to be retained. A replacement within the application site is required by condition for the lost category U tree. In order to protect the trees adjacent to the proposed development a condition requires a *detailed arboricultural method statement and tree protection plan*.

10. The development will require some significant pruning of the category B T2 which is in the adjacent site as well as on going maintenance so that the tree does not result in a nuisance to future occupiers, while officer and the applicants consultant are of the opinion that this can be successfully undertaken a condition is recommended to require a full set of details of the work including the pruning of the tree and work near its roots.

11. There is scope for additional softlandscaping particularly to accommodate a replacement tree within the frontage car park.

Affordable Housing Provision

12. There has been incremental development of the site in the form of conversions and extensions that has seen the development of 19 flats since 2007. Affordable housing planning policy requirements apply to development opportunities which would normally provide capacity for 10 or more homes and this threshold has clearly been breached if the phased development of the site is viewed as a whole. The proposal for the erection of another 5 flats on the Jubilee Heights site is therefore subject to affordable housing planning policy requirements. In line with planning policy, the Council will seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes, having regard to a number of factors including development viability. The strategic borough target is that 50% of new homes should be affordable.

13. Affordable housing is normally required on-site. Only in exceptional circumstances may off-site affordable housing or a cash in lieu sum ring fenced for the delivery of off-site affordable housing be provided. For a number of practical reasons officers are minded to accept a cash in lieu sum on this site. The development is a small block of 5 flats with a single core, for management practicalities and to maintain low service charges for affordable units, registered providers recommend strongly against sharing cores with private units therefore an RP would be unwilling to manage one or two units within the development. Given the small scale of this development officers are of the opinion that a cash in lieu sum can provide a valuable contribution towards the delivery of affordable housing elsewhere in the borough.

14. Under the 2013 submission an offer of £90,000 was made by the applicant. Officers considered that this was unsatisfactory and instead sought and agreed £250,000 based on consideration of the cost of delivering affordable housing and the borough target that 50% of new homes should be affordable. The current application is recommended for approval alongside the applicant's drafted legal agreement securing the £250,000 affordable housing contribution. It should be noted that a contribution of £100,000 was accepted towards the off-site provision of affordable housing from the development at the south of the site which also proposed 5 units.

15. The contribution of £250,000 towards affordable housing is considered essential by officers and will be ring fenced for the provision of off-site affordable housing. A viability assessment has not been provided however the proposal is in line with the previous recommendations made in earlier applications and based upon practical assessment of the cost of providing affordable housing. The proposal is considered to be in compliance with policies 3.12 and 3.13 of the London Plan 2011, policies CP2 and CP21 of Brent's adopted Core Strategy 2010.

Residential Quality for Future Residents

Mix of Units

16. This application proposes 5 x two-bedroom self contained flats. The mix of units is broadly considered acceptable for the site. Residents have advised that a number of flats in the southern extension have remained vacant for a significant time post completion and suggest this demonstrates that the proposed type of accommodation is unsuitable for the area. Officers do not have any factual information regarding how the properties were advertised or at what price however Brent has a high housing target set by the London Plan and 5 x 2-bed units which meet the Housing SPG requirements are supported in principle.

Unit sizes

17. The London Plan sets out the minimum internal floor space standards for residential units. These standards require two bedroom 4 person flats to have a minimum floor area of 70sqm. The proposed units have a gross internal area of 75sqm which exceeds the minimum requirements set out within the London Plan. In addition the size of the living/dining/kitchen area and bedrooms exceed the minimum requirement as set out in the Housing SPG. These are set out below:

- Living/Kitchen/Dining - 37.9sqm (Housing SPG requires 27sqm)
- Bedroom 1 - 112.8sqm (Housing SPG requires 12sqm)
- Bedroom 2 - 12sqm (Housing SPG requires 12sqm)

Access arrangements

18. The new flats will have their own entrance with no direct access from the main building of Jubilee Heights. The entrance for the new flats is on the ground floor accessed from the communal pathway. This communal pathway already exists and provides access to the car parking spaces to the front of the site.

Outlook and light

19. All of the units have dual aspect. To ensure that the bedrooms have improved levels of light whilst maintaining adequate levels of privacy for existing flats within Jubilee Heights and Watling Gardens it is recommended that the rear elevation includes some obscured glazing. This could be conditioned as part of any forthcoming planning consent.

Privacy

20. The existing flats will not directly overlook the new extension. The nearest habitable room windows within No. 13 to 56 Watling Gardens is over 20m away. Privacy levels of the new extension are considered acceptable.

External amenity space

21. SPG17 requires 20sqm of external amenity space for 2 bedroom units. All five units are provided with a balcony of 7sqm and they also have access to a communal roof garden which is approx. 75sqm (with 25sqm dedicated to softlandscaping and 49.8sqm as usable space). The total provision of approx. 110sqm which exceeds the minimum requirements as outlined in SPG17 for the new flats.

Impact on the existing residents within Jubilee Heights

Impact of the extension upon habitable room windows within the existing building of Jubilee Heights and neighbouring flats within Watling Gardens

22. A daylight, sunlight and overshadowing assessment has been undertaken. It considers the impact of the extension upon existing flats within Jubilee Heights and surrounding developments. In terms of existing flats within Jubilee Heights the nearest windows serve small galley kitchens to existing flats 103 to 703. These flats have dual aspect with the kitchen window facing Watling Gardens and the other windows facing Shoot Up Hill. The report advises that these kitchens already experience Average Daylight Factor (ADF) below the recommended BRE guidelines, and that the reduction in daylight that will occur will not have a material effect on the use of the galley kitchens. The report goes on to say that the removal of trees along the northern boundary will improve outlook from the galley kitchens at lower levels. A sunlight assessment has not been undertaken for the existing flats and amenity space in Jubilee Heights as windows are either within 90 degrees of due north or positioned to the south of the extension. The Daylight, Sunlight and overshadowing assessment has considered the impact of the extension upon Nos, 1-8 and 13-56 Watling Garden. This advises that two windows will experience reductions in daylight and sunlight beyond the BRE guidelines but these windows are set back from the main elevation under balconies. In accordance with BRE guidelines further tests were carried out discounting the effects of the balconies which concluded that the reduction in daylight and sunlight will be within BRE guidelines. The plans submitted with the application also show the height of the extension sitting within a line drawn at 30 degrees from the nearest habitable room window within 13 to 56 Watling Gardens (located at first floor level), complying with SPG17. The drawing shows the lift shaft in its previously proposed location however this does not raise concerns as the structure is less than 3.5m in width meaning its impact will be minimal. It should be noted that a Daylight, Sunlight and Overshadowing Assessment was considered by the Inspector as part of the appeal for the southern extension, whereby the Inspector took into account this document as a material consideration when assessing the impact of the southern extension upon the amenities of existing flats within Jubilee Heights and

the communal external amenity space.

Impact of the extension upon the existing communal amenity space

23. It is recognised within the original planning application from 1994 that the site has a shortfall in external amenity space. It is also apparent through reviewing the planning history of the site that the Council has expressed concern about the intensification of use of the external amenity space as a result of increased population on the site, particularly as the site is within an Area of Open Space Deficiency. This matter was considered as part of the appeal for the southern block which was sited on part of the external amenity space. The Inspector took the view that the southern extension would not significantly affect the quality of the existing amenity space from Shoot Up Hill that would remain and that the extension would provide sufficient amenity space for the occupiers within the southern extension.

24. In this case, the northern extension will be sited over an area of hardstanding that is used as car parking. It will not result in the loss of communal amenity space and would not impact upon the functioning of the communal amenity space as it is located to the north. The new flats will have their own balcony and communal roof garden which meets SPG17 requirements. As such, the proposed northern extension is not considered to adversely impact upon the communal amenity space for Jubilee Heights.

25. The landscaped area to the front of Jubilee Heights (fronting Shoot Up Hill) which was developed as part of the 2007 application is considered to be of high amenity value that makes an important contribution to the overall provision of external amenity space on the site, particularly as it is fairly well screened from the road.

Highway Considerations

26. The subject site is located in an area with good access to public transport and is located within a Controlled Parking Zone. Exeter Road is not defined as being heavily parked. The site has on-site parking at both ground and basement level.

27. The plans proposed show a total of 131 car parking spaces on site including the ground and basement car parks to Jubilee Heights and Cedar Lodge. A significant level of concern has been expressed by existing occupiers regarding the loss of parking and the impact this will have on residents. The agent has provided additional clarification regarding the number of spaces and their allocation. Ground floor flats 3 and 4 in the converted business centre do not qualify for parking, as set out in their leases therefore on a 1:1 unit to parking ratio there is an existing demand for 124 parking spaces. Taking the 5 proposed flats into account there is a need for 129 spaces and as the proposal provides 131 on the wider site the need is met on site.

28. Information has been provided to demonstrate that on site spaces have already been allocated to the 5 flats in the southern extension and the applicant states that they own spaces 45-49 which would be available for the flats proposed here.

29. Given the good access to public transport in this location the parking standard for the flats is less than 1 space per unit. For Jubilee Heights Highways officers states that the parking allowance would become 73.2 spaces while there are 96 available. Also the most up to date and reliable data which is the 2011 Census suggests that average car ownership is 0.62 cars per flat meaning that there is an overprovision of parking on the site.

30. There have been disagreements between the applicant and the existing residents regarding the allocation of spaces and objectors have stated that their allocated parking spaces are lost as part of the development. In planning terms as set out above the exceeds the parking allowance for an area with such good public transport. Nevertheless due to the extent of concern expressed by residents officers have sought to ascertain that across the site there will be a space available to each flat and are able to confirm that the parking capacity of the site meets a ratio of 1:1 spaces to units.

31. While residents are understandably upset by the lack of communication from the applicant the proposal must be considered on its planning merits and it is apparent that there is sufficient parking capacity.

32. Adjacent to the entrance to the new flats a separate cycle store and bin store are proposed. The cycle store has capacity for 5 bikes, 1 per unit, which achieves the required standard. The bin store has an acceptable capacity but is in an inaccessible location given its distance from the point within the site that refuse vehicles can reach. A waste management plan has been submitted which states that the bins will be placed at the collection point before 6am on the relevant collection days and that this will be the responsibility of the applicant or their agent. The collection point is detailed on the proposed site plan. This arrangement

would be acceptable however a condition is recommended to seek additional information regarding the management of this and to ensure that bins are always stored in the designated store apart from on the collection day.

33. The vehicular access from Shoot Up Hill which is located directly in front of the proposed extension is proposed to be removed. Residents have expressed concern about this and are of the opinion that it is essential that there are 2 accesses into the site. When visiting the site officers have noted that this gate is padlocked shut and is therefore not available as an emergency vehicular route. Highways officers have reconfirmed that they are supportive of the removal of the vehicular route as Shoot Up Hill is a major London Distributor Road and it is generally a benefit in road safety and traffic flow terms to reduce the number of access points. It is however recommended that the vehicular access from Exeter Road be widened to at least 4.8m to provide sufficient width for 2 vehicles to pass one another.

34. The Shoot Up Hill entrance will be replaced with a pedestrian gate which is acceptable. Fire access requirements can be catered for without bringing the vehicle onto the site.

Noise and Vibration

35. Given the proximity of the proximity to the building to the train line Environment Health officers have suggested noise and vibration testing should be undertaken. However it is noted that this was not sought by the inspector on the southern extension which is much closer to the train line and 2 roads, in this instance for consistency further detail is not sought.

Neighbour comments

Issue	Officers Comments
The removal of the Shoot Up Hill entrance would remove emergency access	Para 33
The design is incongruous in its siting and size, its would be harmful to the existing building.	Para's 5-8
The proposal provides insufficient amenity space	Para 21
The proposal is harmful to existing amenity in terms of light, outlook and privacy	Para's 23-24
Impact on air quality from the removal of trees	Para's 9-11
Noise generated from roof terrace may disturb existing residents	The roof terrace arrangement is very similar to the allowed by the Planning Inspector at the southern end of the site. Softlandscaping is proposed around the periphery setting any activity towards the centre of the terrace and away from neighbouring windows.
Where would bins be stored on the day of collection	Para 32
Loss of parking spaces for existing leaseholders	Para's 26-31
Impact on the structural stability of the existing building	The development would need to comply with building regulations which would ensure it is carried out correctly and safely. An informative is recommended advising that a Party Wall agreement would be required.
The southern extension failed to sell half of its units in 6 months of marketing showing that the type of accommodation is not suitable in the area	Para 16
The estate is overdeveloped	The acceptable density of a development should be led by whether an acceptable design is achieved and whether a good level of amenity can be achieved without harming existing residents. The proposal does not result in the loss of existing amenity space.
The development will result in further disruption and disturbance	While it is understood that work can be disruptive for residents this is not a reason upon which planning

	permission can be withheld. Officers recommend a condition requiring the developer to sign up to the considerate constructors scheme.
The proposal will impact on the community and cohesiveness of the estate as the application site is in separate ownership and residents won't contribute to the upkeep of the site or pay for access to facilities	Officers understand that issues of service charge and using communal facilities need to be worked out between owners however again it is an issue beyond the remit of the planning system. The proposal provides a good level of amenity for future occupiers.
Additional vehicles driving through the estate causing more noise, dirt pollution, damage and wear and tear.	The proposal won't create additional parking.
Previous applications removed the rubbish shoot to the communal store	It is understood that residents are unhappy with the bin store arrangement which was altered as part of a previous development. However the proposal doesn't affect the communal store. Para 32
Residents have not been provided with access to the roof terrace of the southern extension as was agreed	Again, this does not affect the current application however officers will explore the situation.

Conclusion

36. In conclusion, officers are understanding of residents concerns such as additional building works and activity within the site and impact on parking. It is clearly the case however that in planning terms, and subject to a number of conditions, the proposal is acceptable. The previous application for the same design was refused only for its insufficient affordable housing contribution. The requested contribution has now been agreed to and as such the proposal is recommended for approval.

S106 DETAILS

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

1. Payment of the Council's legal and other professional costs on completion of the deed in (i) preparing and completing the agreement and (ii) monitoring its performance;
2. Notification of material start 28 days prior to commencement; and
3. Off-site affordable housing contribution of £250,000 to be paid within 7 days of the commencement of the first beneficial occupation of a unit on the undertaking land.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£126,754.25** of which £107,807.14 is Brent CIL and £18,947.11 is Mayoral CIL.

CIL DETAILS

This application is liable to pay **£126,754.25*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 468 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	468	0	468	£200.00	£35.15	£107,807.14	£18,947.11

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	258	
Total chargeable amount	£107,807.14	£18,947.11

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

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

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

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

29 July, 2015

15/2083

SITE INFORMATION

RECEIVED: 18 May, 2015

WARD: Preston

PLANNING AREA: Wembley Consultative Forum

LOCATION: Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

PROPOSAL: Variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year on 31 July 2017 of application ref: 14/3670 dated 13 November 2014 for variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year in July 2015 of planning permission ref: 13/1975 dated 18 November 2013 for Retention of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space.

APPLICANT: Brent Council

CONTACT: LUC

PLAN NO'S: Refer to Condition 1

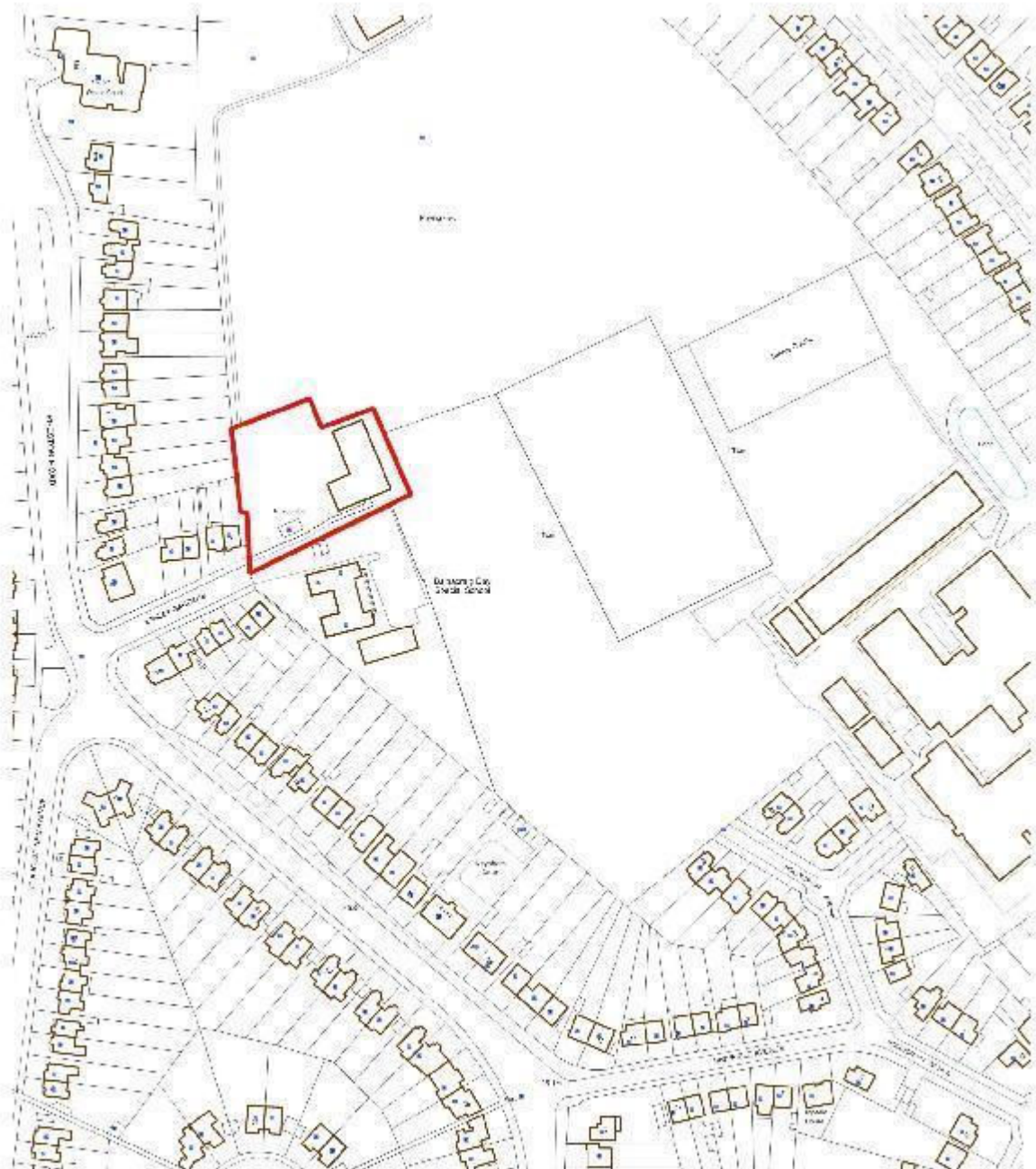
SITE MAP



Planning Committee Map

Site address: Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

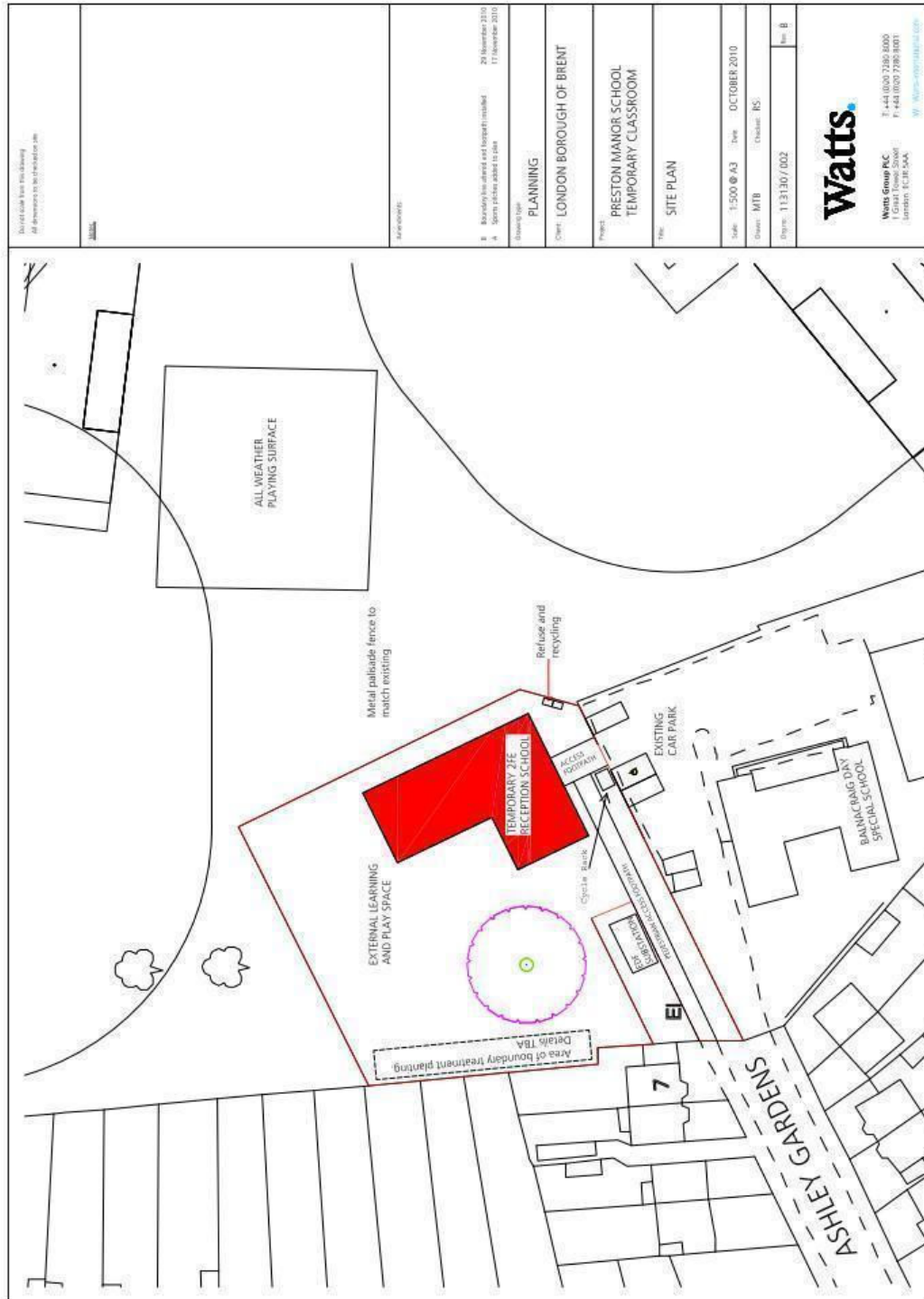
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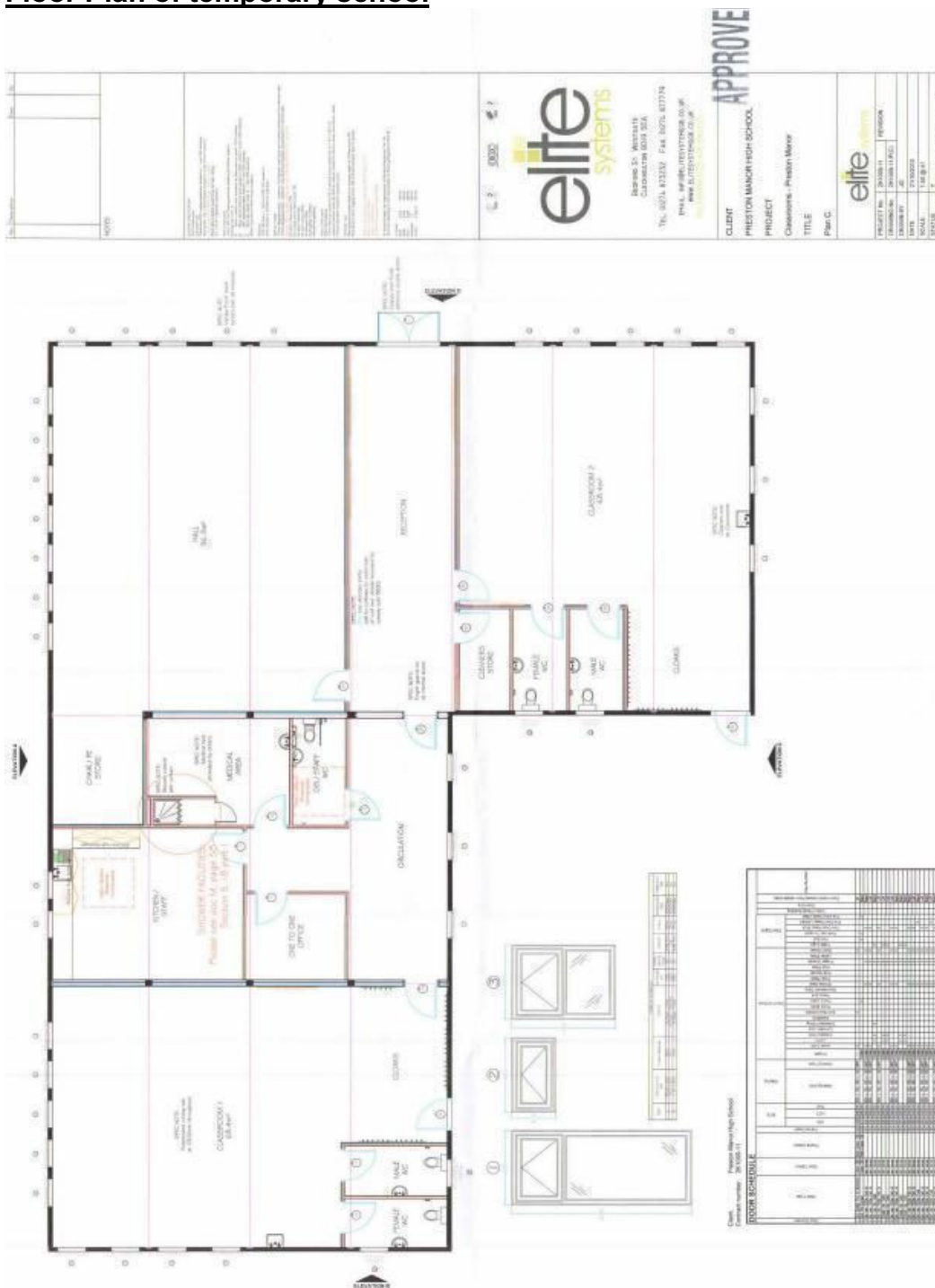
This map is indicative only.

SELECTED SITE PLANS

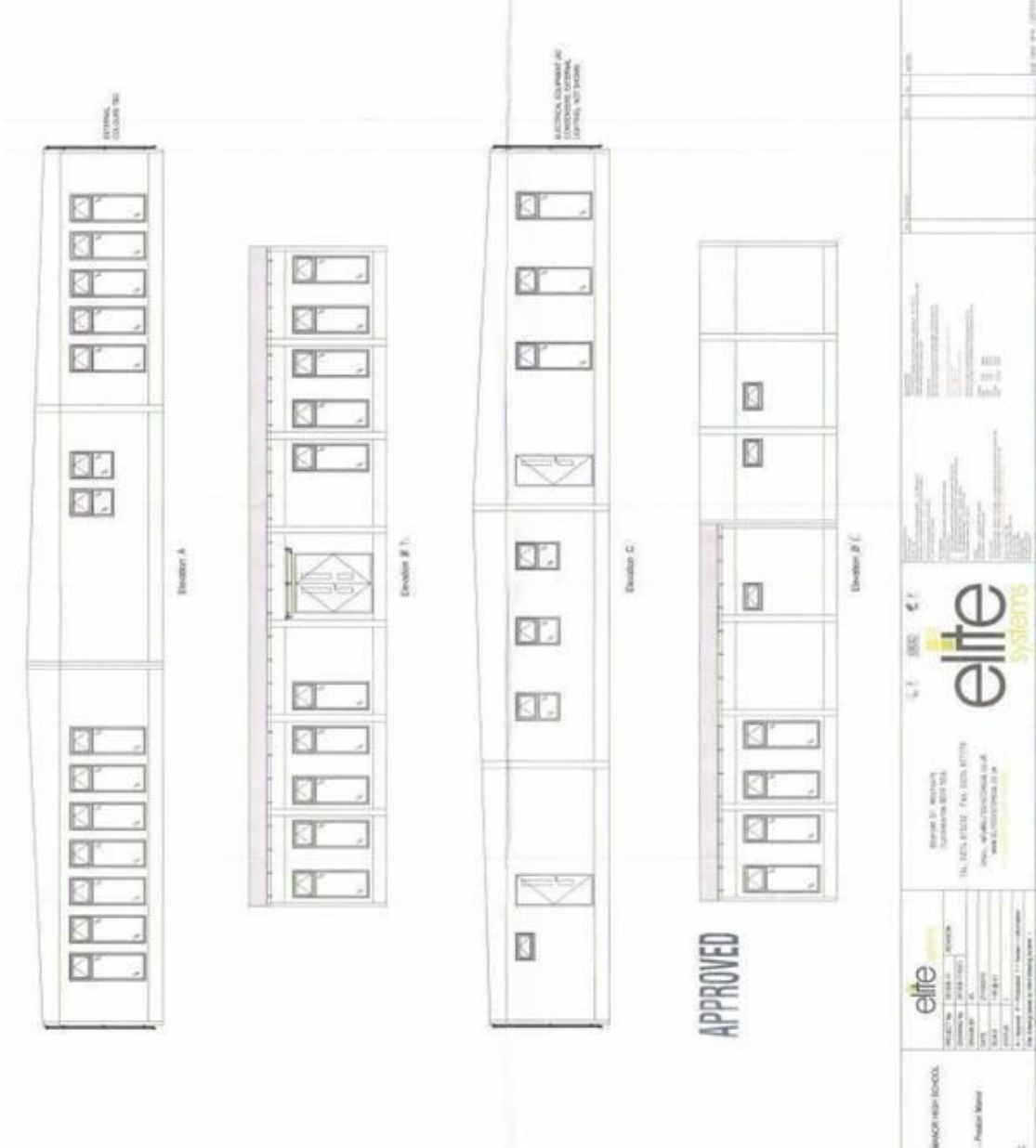
Site Layout Plan showing the relationship to the car park at Balnacraig Day Centre (now Ashley College)



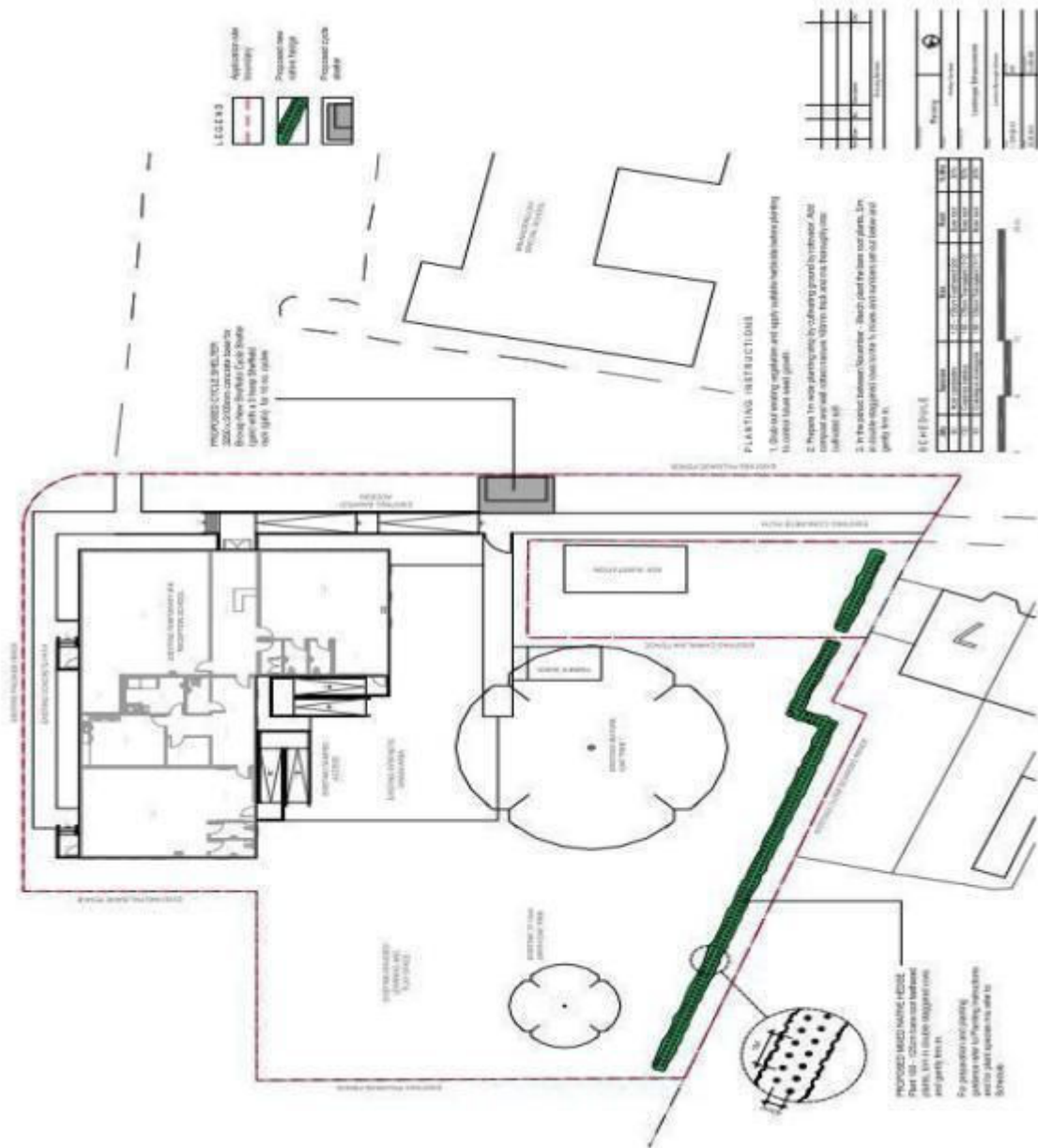
Floor Plan of temporary school



Elevations of temporary school



Details of approved landscape enhancements and cycle parking from application ref: 15/2243



RECOMMENDATIONS

Grant Consent subject to conditions as set out after paragraph 27 of this report, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

Variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year on 31 July 2017 of application ref: 14/3670 dated 13 November 2014.

B) EXISTING

The site comprises approximately 2900 square metres of the existing school grounds of Preston Manor High School. The site is adjacent to Ashley Gardens, a short residential cul-de-sac that also provides access to Ashley College. This building formally accommodated Brent Adult and Community Education Service (BACEs) and a children's nursery. It is now in use by Ashley College, which is a Pupil Referral Centre. The site is to the north of Ashley College, and borders the back gardens of dwellings facing Ashley Gardens and Preston Road. The site also adjoins an existing electricity substation, which is to remain. Within the site is a large oak tree, which is to be retained. Access to the site is via Ashley Gardens. The site is not situated within a conservation area.

Temporary permission was granted in December 2010 for a temporary primary school. This was installed in 2011.

D) SUMMARY OF KEY ISSUES

Land Use and Nature of Application: This application seeks to continue the use of the temporary classroom building for a further two year period (up to the end of the academic year 2016/2017). This is an existing school site and the principle is considered acceptable. Furthermore no objections have been raised by Sport England to the continued temporary use of the classrooms on playing fields subject to them being remove and land restored once the school ceases to operate.

Impact on neighbouring amenity: The building, as a result of its siting and layout within the school site in compliance with SPG17 guidance, will not adversely impact on the amenity of neighbouring occupiers. No objections have been raised by officers in Environmental Health in respect of noise and disturbance.

Transportation matters: The conditions attached to the previous application secured three car park spaces in the adjoining Balnacraig Day Centre car park for pick up and drop off. This arrangement will continue. A Travel Plan has been approved as part of the conditions attached to the previous application and will continue to operate for the next two year period. Six cycle parking spaces will also be provided before the new academic year commences (September 2015).

RELEVANT SITE HISTORY

15/2243: Details pursuant to condition 9 (Landscape Enhancements) of application ref: 14/3670 dated 13 November 2014 - Granted, 09/07/2015.

15/2084: Details pursuant to condition 10 (Travel Plan) of application ref: 14/3670 dated 13 November 2014 - Granted, 29/06/2015.

14/3670: Variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year in July 2015 of planning permission ref: 13/1975 - Granted, 13 November 2014.

13/1975: Retention of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space - Granted, 18 November 2013.

11/0722: Details pursuant to conditions 5 (cycle storage); 8 (parking layout/ pedestrian access/ drop-off

point); 13 (boundary treatments) of planning permission 10/2738 - Granted, 06/07/2011.

10/2738: Full Planning Permission sought for the erection of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space - Granted, 17/12/2010.

CONSULTATIONS

Consultation Period: 08/06/2015 - 29/06/2015

320 neighbours consulted - three objections received on the following points:

- Continuous applications to extend the timescales of the temporary building will make it permanent and contrary to the original decision.
- Previous conditions attached to temporary consents not being complied with, such as Travel Plan, cycle parking, car park management and landscaping enhancements
- No evidence that highway works secured as part of original consent have been implemented.
- Noise and disturbance from children in garden during school times
- Area can not cope with the stream of parents in both Preston Road and Carlton Avenue East.
- Parents blocking adjoining residential property driveways during pick ups and drop offs
- Delivery vehicles blocking driveways
- Dust to neighbouring cars

Internal consultation

Preston Ward Councillors - no comments received.

Transportation - Subject to conditions requiring: (i) approval of further details of off-street parking facilities for staff parking and the safe setting down and collection of children; (ii) the provision of adequate bicycle parking within the site; and (iii) implementation of the School Travel Plan dated May 2015 submitted with parallel application 15/2084, there would no objections on transportation grounds to this temporary proposal.

Environmental Health - No objections raised.

Landscape - No objections to continued use of the temporary classrooms. Note that applicant will need to extend maintenance of the new hedge until 2017, it may need initial cutting/trimming before then, depending on speed of establishment and amount of watering carried out in first year.

External consultation

Sport England - Sport England commented on the original planning application and confirmed that subject to all buildings, all hard standing areas and any temporary boundary treatments being removed from the site, and the playing field grass being made good across the site, that Sport England raised no objection.

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of particular relevance to the determination of the current application

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Further Alterations to the London Plan 2015

The London Borough of Brent LDF Core Strategy 2010

CP18 – Protection and Enhancement of Open Space, Sports and Biodiversity

CP23 – Protection of existing and provision of new Community and Cultural Facilities

The London Borough of Brent Unitary Development 2004 ('saved' policies)

H22 – Protection of Residential amenity

TRN3 – Environmental Impact of Traffic

TRN4 – Measures to make Transport Impact acceptable

TRN11 – The London Cycle Network

TRN22 – Parking standards- non-residential developments

TRN34 – Servicing in New development

TRN35 – Transport access for disabled people and others with mobility difficulties

CF2- Location of small scale Community Facilities

CF10 – Development within school grounds

Supplementary Planning Guidance

SPG17 - Design Guide for New Development

SPG12 – Access for disabled people, designing for accessibility

DETAILED CONSIDERATIONS

Introduction

1. A temporary school comprising a single storey modular building incorporating two classrooms, an assembly hall, staff room, medical area and ancillary office and storage space, located within the grounds of Preston Manor High School and accessed from Ashley Gardens was approved by Planning Committee in December 2010. It was required to provide teaching for two primary school classes (60 places) for a period of up to two years or until the new permanent primary school located on the opposite side of Preston Manor High's grounds (approved under planning reference 10/3203 in March 2011) was complete; whichever occurred first.
2. The new permanent school (Preston Manor Lower School) began admitting pupils in September 2011, at which time the temporary building should have been removed. Whilst the temporary building was not removed, it did cease operating.
3. The Council then applied in July 2013 to re-open the building as a primary school for up to 60 children until the end of the current academic year. Planning permission was granted on 18 November 2013 to allow the temporary primary school to operate until 13 November 2014 (LPA Ref: 13/1975). A further temporary consent was granted on 13 November 2014 to allow the school to continue to operate until 12 November 2015 (LPA Ref: 14/3670).
4. The latest consent was required to meet the ongoing demand for primary school places within the

Borough. This consent served as a satellite school to Byron Court Primary School and does not have any connection to Preston Manor Lower School.

Purpose of seeking an extension

5. The Council is proposing to retain the temporary school until the end of the academic year in July 2017. It will continue to provide up to 60 primary school places as a satellite for Byron Court Primary School, housing two of its infant classes. The School has a school lead and class teachers which report back to Byron Court.

6. This application is provided with a supporting statement that sets out the reasons why the extension of temporary planning consent is being applied for. It advises that the Council is under significant pressure to ensure it maintains a sufficient supply of primary school places to meet the demands of the Borough.

7. To enable the Council to meet this demand in the long term, the Council is currently preparing a planning application to expand Byron Court Primary School from a 3-form entry to 5-form entry, increasing its permanent capacity on site by 420 pupils to 1050 pupils. If planning permission is granted to expand Byron Court Primary School, the pupils at this temporary site would be located to Byron Court Primary School.

8. The proposed scheme at Byron Court is not expected to be ready for occupation until September 2016 (subject to planning permission being granted). To ensure that the Council has sufficient primary school places during construction at Byron Court, this application is seeking to extend the planning permission for the temporary school at Ashley Gardens for use for a further two academic years up to July 2017. The application includes for one contingency year (September 2016 to July 2017) which may be required if the new facilities at Byron Court are not ready for occupation by the start of the 2016/2017 academic year (September 2016).

Transport

Highway improvements

9. The original consent required a financial contribution of £25,000 to be paid to the Council's Transportation Unit to undertake highway safety improvements in Preston Road close to the junction with Ashley Gardens. Officers in Transportation have advised that plans have been prepared in relation to the proposed highway improvement works, which include converting the existing traffic islands in Preston Road near to Ashley Gardens to pedestrian islands. These works were required to provide better crossing facilities for pedestrians, particularly the less mobile such as the elderly, the disabled and pushchair users to cross the road safely. In addition, anti-skid has provided to the Preston Road/Ashley Gardens junction to increase vehicle grip as they navigate the bend at this junction in unfavourable weather conditions.

10. Your officers are seeking confirmation from the Transportation Unit on when these are works are scheduled to be carried out, and this will be reported in a supplementary report.

Travel Plan

11. The original consent required an amended Travel Plan to be submitted to and approved by the Local Planning Authority. A Travel Plan has since been submitted and approved on in June 2015 (LPA Ref: 15/2084).

12. Survey data provided on existing travel patterns to and from the school by pupils and staff has been provided in the Travel Plan. This indicates that over 50% of the 37 pupils currently attending the school are brought to the site by car, with 40% travelling by bus/rail and just 6% by walking/cycling. Staff results showed 33% arriving by car, with about 70% by public transport. These results show that there is considerable scope to reduce car use amongst pupils in particular.

13. The Travel Plan sets out a range of measures (travel skills training, walk to school promotions, scooter bike pools, road safety training, park and stride initiatives, car sharing, bicycle and public transport season ticket loans, provision of travel information etc.) to be implemented by a named Travel Plan Co-ordinator for the school over the forthcoming two years of the school's operation, with the aim of reducing single-occupancy car use amongst pupils from the surveyed proportion of 50% down to 35% by April 2017. The aim for staff travel is to retain existing modal splits, with 33% travelling by car. Progress towards these targets will be monitored in April 2016 through a repeat of the baseline survey.

Car Parking

Document Imaged

*DocRepF
Ref: 15/2083 Page 4 of 18*

14. In terms of car parking, space was originally agreed to be provided for three cars within the adjoining Balnacraig Day Centre (now known as Ashley College) for parents to use to set down and pick up children. Officers in Transportation have advised that the failure to retain this off-street parking facility will be likely to cause safety concerns if parents' are instead left to set down and collect children from Ashley Gardens, with parking and turning space being very restricted in the street. The school confirmed that three car parking spaces are still provided within the car park of Ashley College for use of parents of the temporary school to use for parent pick up and drop off. They have advised that the gate to gain access to the site will be open during School hours allowing parents to drop off and pick up their children from the off street parking area. It is recommended that the site access arrangements are conditioned with reference to the approved car park layout under reference 11/0722.

Servicing

15. The school receives one delivery a day which delivers the school meals for the pupils which are prepared at Byron Court Primary School. An agreement will be reached with Ashley College to gain access to their car park to allow the delivery vehicle to park close to the School building. It is recommended that a condition is secured to require details of servicing arrangements and use of the car park within Ashley College.

Cycle Parking

16. Details of a covered bicycle stand for up to 6 bikes was approved but never implemented. They also formed part of the landscape enhancement works submitted in pursuant to condition 15/2243. It is recommended that a condition is secured requiring the cycle stands to be installed prior to first occupation of the new academic school year (2015/2016).

Landscaping

17. As part of the original permission for the temporary school the applicants agreed to plant a new English Oak tree with a 12-14cm girth, with appropriate protection and a mixed hornbeam, beech and dogwood hedge. This planting was carried out but is struggling to establish itself.

18. Subsequent landscape enhancements have been approved in pursuant to condition 9 of the current temporary consent (LPA Ref: 15/2243). This will include a new hedge row along the boundary with the No. 7 Ashley Gardens. The new hedgerow will be planted during the next planting season (November - March).

Impact on sport provision

19. As part of the permanent primary school development, the following agreed improvements to sports provision required by Sport England, have been implemented:

- a) resurfaced football pitches,
- b) a new national level hockey pitch,
- c) a new multi used games area
- d) a new sports hall
- a) an upgraded community cricket pitch.

20. Both the secondary and primary schools are making good use of these new sports facilities and they are also available for use by the general community.

21. The application for an extension to planning permission does not affect the school's existing/new playing facilities. At the moment, the school does not have any plans to create further sports areas in the remainder of the fields; hence the land where the temporary school is located remains surplus.

22. A large proportion of the temporary provision is an existing grass area which will be used by the primary children to play, hence supporting the additional use of playing fields for its intended purpose. The temporary building will be removed after the proposed extension period comes to an end and the land underneath reinstated to grass. No objections have been raised to this current application by Sport England subject to the land being reinstated to grass once the temporary consent expires.

Neighbouring Amenity

23. The building complies with SPG17 in terms of the building massing in relation to neighbouring gardens. It

is closest to properties fronting Ashley Gardens and Preston Road. The original approval required the planting of a hedge along the boundary between the school and neighbouring gardens. As discussed above this hedge was planted but on recent examination by the Council's Landscape officer has found to be struggling to become established. As suggested above, work should be carried out to enhance the existing landscaping if the building is to be retained.

24. As with the original consent any external lighting will be restricted by condition to ensure that there is no light back-spill into the residential gardens in accordance with Policy BE8.

Noise

25. The original application included a noise assessment. This demonstrated that proposed noise levels arising from the temporary accommodation would result in noise levels 5-25dB below the prevailing background noise levels with the windows open, and with the windows shut would be even lower, and at least 10dB below the background noise level. This would not result in noise nuisance to adjoining residences.

26. The neighbouring properties are already adjacent to the school field and will experience some level of external noise from the existing High School. Furthermore the temporary school is unlikely to generate a sufficiently high level of noise to cause nuisance, and will wish to maintain a good relationship with adjoining properties, and so would react to any complaint. In any case this could be monitored by the Council's Environmental Health team, which has powers to enforce reasonable noise levels should this become a problem. They have commented that no noise complaints were received in relation to the temporary school while it was in use, other than when an alarm went off at the school. As with the original consent a condition is proposed that will restrict any noise-generating equipment such as air conditioning in order to avoid machinery noise nuisance to neighbouring dwellings.

Response to objections raised

Point of objection	Response
Continuous applications to extend the timescales of the temporary building will make it permanent and contrary to the original decision.	This application does not seek to retain the building on a permanent basis. The reasons why it is proposed for a further two year period are set out within paragraphs 5 to 8 of this report
Previous conditions attached to temporary consents not being complied with, such as Travel Plan, cycling parking, car park management and landscaping enhancements	The previous conditions relating to the Travel Plan, cycle parking and landscape enhancements have been approved. Please refer to paragraphs 11 to 18 of this report.
No evidence that highway works secured as part of original consent have been implemented.	This matter has been discussed in paragraph 9 to 10 of this report.
Noise and disturbance from children in garden during school times	Noise and disturbance have been discussed in paragraphs 25 and 26 of this report.
Area can not cope with the stream of parents in both Preston Road and Carlton Avenue East.	The school is small scale in terms of its operation (up to 60 pupils). A Travel Plan has been produced which seeks to reduce trips by car and a car park management plan has been conditioned.
Parents blocking adjoining residential property driveways during pick ups and drop offs, together with delivery vehicles	As per comments above.
Dust to neighbouring cars from wood cutting	It is unclear where the wood cutting is from. Nevertheless, the use of the site for school would not result in a detrimental impact on the neighbouring environment in terms of dust

Conclusion

27. The continued use of the temporary classroom accommodation at Ashley Gardens will provide much needed primary school accommodation to allow the Council to fulfil its statutory educational requirements.

Subject to the conditions set out at the end of this report and subject to a commitment to carry out the pedestrian safety improvement works discussed above officers recommend approval for the application to retain the building until the end of the academic year (July 2017).



Brent

DECISION NOTICE – APPROVAL

Application No: 15/2083

To: Mr Grantham
LUC
43 Chalton Street
London
NW1 1JD

I refer to your application dated 18/05/2015 proposing the following:

Variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year on 31 July 2017 of of application ref: 14/3670 dated 13 November 2014 for variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year in July 2015 of planning permission ref: 13/1975 dated 18 November 2013 for Retention of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space.

and accompanied by plans or documents listed here:

Refer to Condition 1

at Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework
Planning Policy Statement – A sporting future for the playing fields of England
Brent Unitary Development Plan 2004
Brent Core Strategy 2010
SPG17 - Design Guide for New Development
SPG12 – Access for disabled people, designing for accessibility

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

Statement of Need prepared by LUC, 11 May 2015

Please refer to 14/3670 for the following:

113130/001RevB
113130/002RevB

Supporting Statement

Please refer to 13/1975 for the following:

2K1009-11/P(C) plan
2K1009-11/E(C) elevations
2K1009-11/RP
Letters from Watts dated 26/11/10
Elite Systems samples

Arboricultural Method & Materials Statement - Sept 2010
Design & Access Statement
Temporary Accommodation Noise Assessment
Preston Manor Temporary Reception School Travel Plan
Preston Manor Temporary School Transport Statement

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

- 2 No more than 60 children shall be present on the site at the same time unless the Local Planning Authority agrees in writing to an increase.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties or harm the local highway network.

- 3 This permission shall be for a limited period expiring on 31 July 2017. Thereafter all buildings, all hard standing areas and any temporary boundary treatments shall be removed from the site, and the playing field grass shall be made good across the site, in the positions that it is currently, with the additional soft landscaping planting unless otherwise agreed in writing by the Local Planning Authority.

Reason: The building is temporary in nature only and would be contrary to design, highway and playing field protection policies and therefore could not be supported on a permanent basis

- 4 Prior to the re-occupation of the temporary school for the new academic year 2015/2016, the

cycle parking details approved under planning reference 11/0722 and 15/2243 shall be installed. The cycle parking shall thereafter be retained throughout the lifetime of the use of the temporary building, and removed once the temporary school ceases to operate.

Reason: To ensure the adequate provision of cycle-parking to promote the use of non-car modes of access to the site.

- 5 No external lights shall be erected unless otherwise agreed in writing by the Local Planning Authority through the submission of details, which shall then only be implemented in accordance with the approved details.

Reason: In order to safeguard local residential amenities.

- 6 No new plant machinery and equipment (including air conditioning systems) associated with the proposed development shall be installed externally on the building without the prior written approval of the Local Planning Authority. Details of the equipment and the expected noise levels to be generated, shall be submitted to and agreed in writing by the Local Planning Authority prior to installation, unless agreed otherwise in writing by the Local Planning Authority, and thereafter shall be installed in accordance with the approved details and maintained in accordance with the relevant manufacturer's guidance.

The noise level from this plant together with any associated ducting, shall be maintained at a level 10 dB (A) or greater below the measured background-noise level at the nearest noise-sensitive premises. The method of assessment should be carried out in accordance with BS4142:1997 "Rating industrial noise affecting mixed residential and industrial areas".

Should the predicted noise levels exceed those specified in this condition, a scheme of insulation works to mitigate the noise shall be submitted to and approved in writing by the Local Planning Authority and shall then be fully implemented.

Reason: In order to ensure adequate insulation and noise mitigation measures and to safeguard the amenities of adjoining occupiers and future occupiers.

- 7 Any development on site including the removal of temporary buildings/ paths/ hard surfacing and/or demolition shall comply with the measures set out within the approved Arboricultural Statement. This includes provision for supervision of tree protection by a suitably qualified and experienced arboricultural consultant.

Reason: To ensure retention and protection of the sizeable oak trees on the site in the interests of amenity.

- 8 Prior to the re-occupation of the temporary school the site layout details including car parking, drop off provision and pedestrian access approved under planning reference 11/0722 together with further details of access arrangements to the parking spaces for parents during drop off and pick up times together with access to the car park for servicing vehicles during school times shall be submitted to and approved in writing by the Local Planning Authority, and thereafter installed in accordance with the agreed details unless the Council agree in writing to an alternative arrangement.

Reason: To ensure the development does not prejudice the free-flow of traffic or the conditions of general safety within the site or the adjoining public highway.

- 9 The enhancement to the landscaping as approved as part of application ref: 15/2243 shall be implemented within 6 months of the date of this decision or in accordance with a programme agreed in writing by the Local Planning Authority. Any existing boundary treatment shall not be uprooted or removed except where in accordance with the approved plan and shall be protected from building operations during the course of development. Any permanent planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To safeguard the character of the area and the reasonable residential amenities of

local residents.

- 10 The temporary school shall operate in accordance with the Travel Plan approved as part of application ref: 15/2084, throughout the lifetime of the operation of the school.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

29 July, 2015

14/4241

SITE INFORMATION

RECEIVED: 30 October, 2014

WARD: Harlesden

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Garages rear of 32, Crownhill Road, London

PROPOSAL: Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)

APPLICANT: The New Model School Company Ltd. & Mr J.Griffin

CONTACT: Christopher Wickham Associates

PLAN NO'S: See Condition 2.

SITE MAP



Planning Committee Map

Site address: Garages rear of 32, Crownhill Road, London

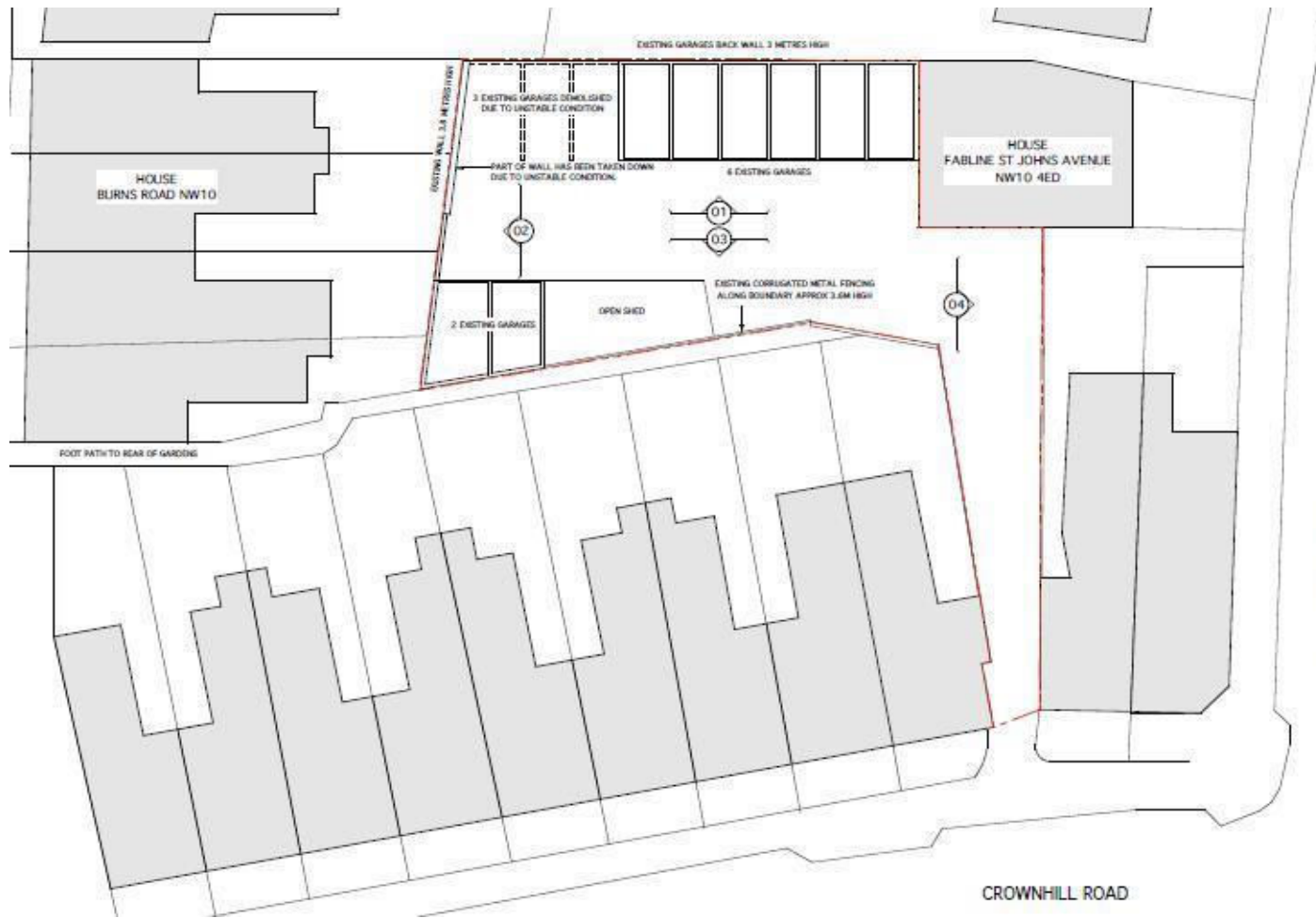
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

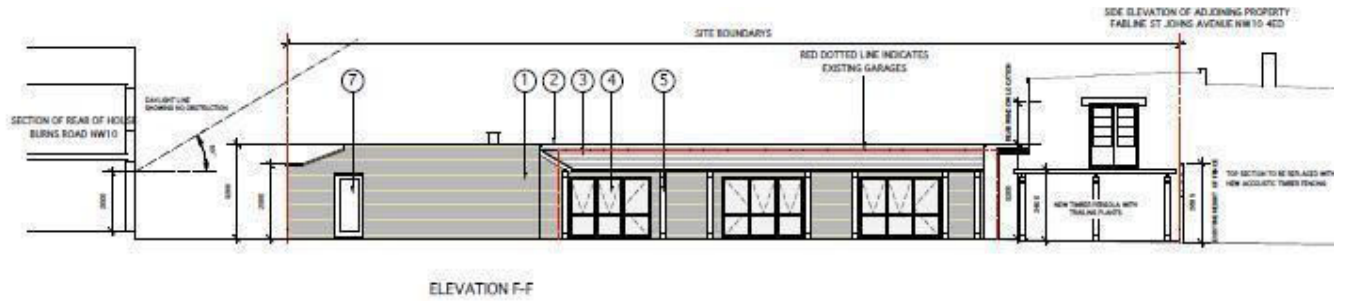
Existing Site Plan



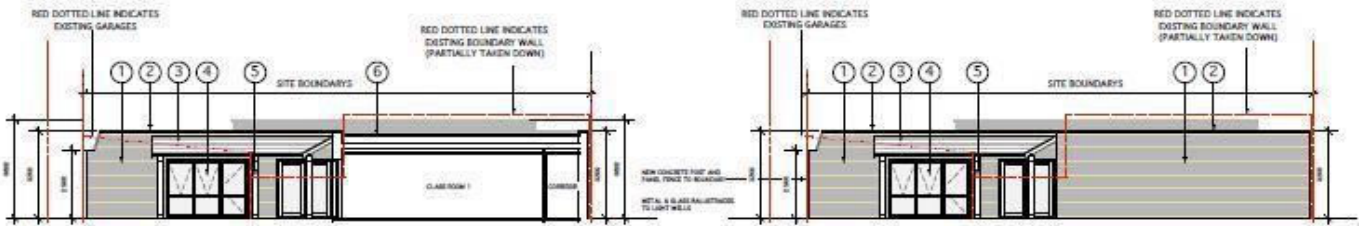
Proposed Site Plan



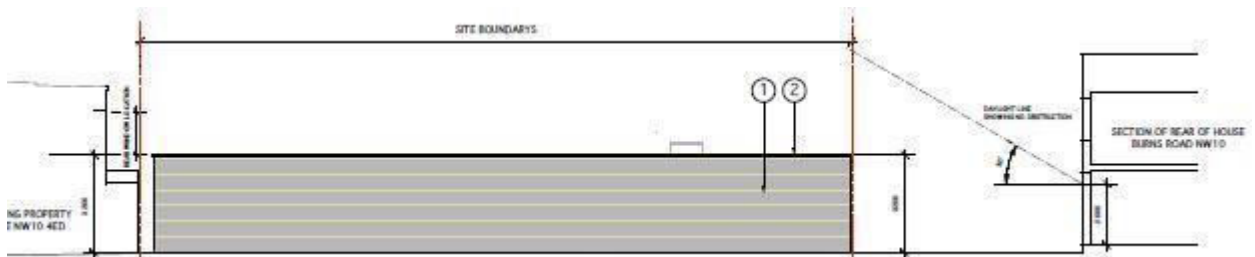
Proposed Elevations



ELEVATION F-F

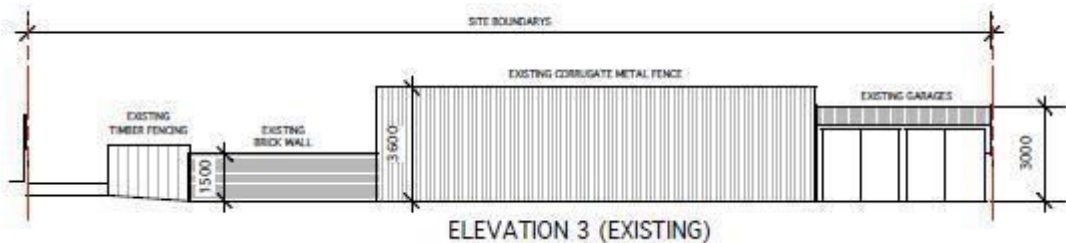
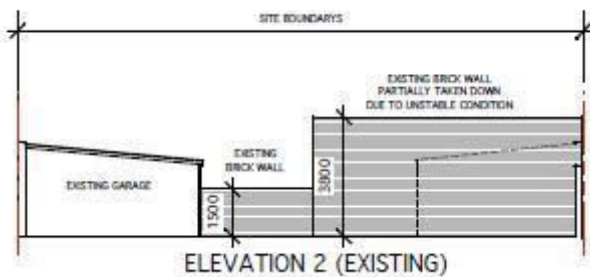
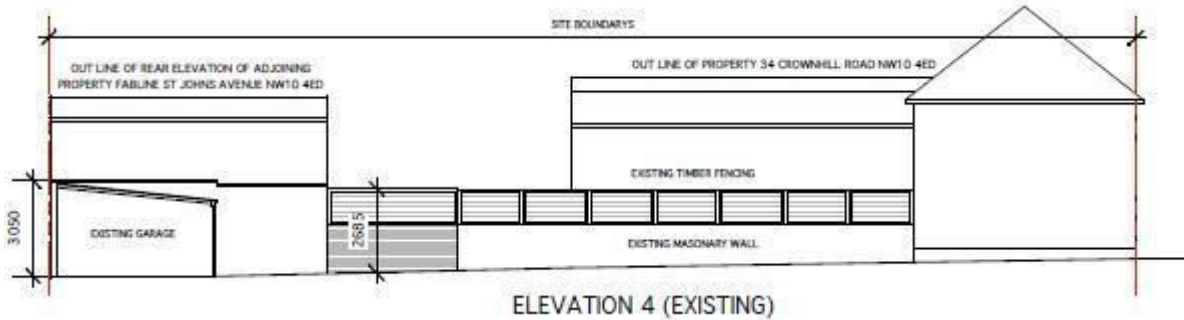
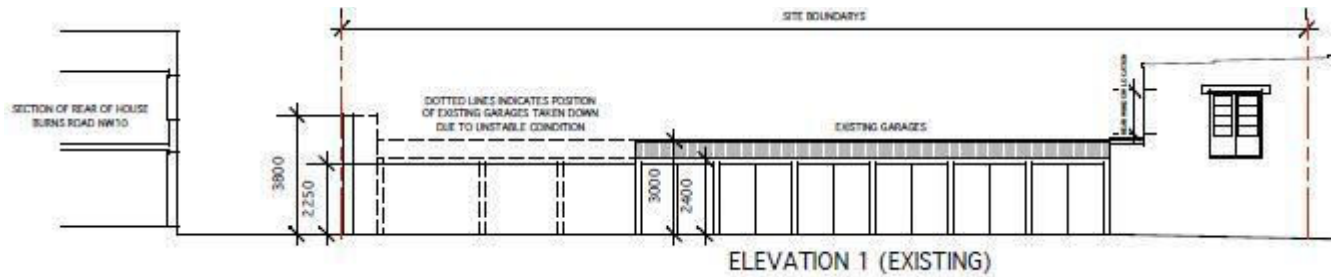


ELEVATION C-C



ELEVATION D-D

Existing Elevations



RECOMMENDATIONS

GRANT planning permission, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

The proposal is for the demolition of existing garages and erection of a single storey building to provide an annexe school building with four classrooms to the nearby Maple Walk School with associated play area, waiting shelter, cycle storage, new fencing and landscaping.

B) EXISTING

The proposal site is a piece of land occupied by garage structures and hardstanding accessed via Crownhill Road in Harlesden. The site is bounded on all sides by the rear gardens of residential properties on Crownhill Road, St John's Avenue and Burn's Road. The surrounding area is predominately residential in nature and

characterised by terraced dwellings. The proposal site is not within a Conservation Area and the proposal would not affect the setting of any listed buildings.

C) AMENDMENTS SINCE SUBMISSION

The originally submitted proposal was for a larger, part two storey building with a lower ground floor level and capacity of 88 pupils. Amended plans have been received which reduce the height and scale of the building and removed the lower ground floor level. The capacity of the proposed annexe has been reduced to 72. Acoustic fencing is also identified on the proposed plans to boundaries with adjoining neighbours and soft landscaping introduced. The proposal has been assessed based on these plans.

D) SUMMARY OF KEY ISSUES

The key planning considerations in this case are as follows:

- Principle of Development – The loss of the storage (B8) use and redevelopment to provide a school annexe is considered acceptable in principle
- Impact on Neighbouring Amenity – Subject to conditions, the proposal is considered to form an acceptable relationship with neighbouring occupiers in terms of noise disturbance, loss of light, overlooking and overbearing impacts
- Transportation Impact – The proposal is considered acceptable in transportation terms subject to the submission of an updated Travel Plan
- Contamination – Potential contamination in the soil can be adequately addressed by condition
- Impact on Character – The proposal is considered to result in a visually acceptable development which has an acceptable impact on the character of the area

RELEVANT SITE HISTORY

There is no relevant planning history relating to the site itself but the following relates to the nearby Maple Walk School:

Reference No	Proposal	Decision
08/2168	Demolition of single-storey sports & social club and erection of a part single-storey, part two-storey school building, formation of games pitch and 3 car-parking spaces, cycle storage and associated hard and soft landscaping and subject to a Deed of Agreement dated 12th February 2009 under Section 106 of the Town and Country Planning Act 1990, as amended	Granted

CONSULTATIONS

Statutory neighbour consultation period (21 days) started on 04/11/2014, in total 40 properties were consulted. To date six representations have been received objecting to the proposal plus a petition with 70 signatures. One objection has also been received from Ward Councillor Bobby Thomas. The grounds for objection are summarised below;-

Objection raised	Response
The surrounding area is already congested with limited parking due to the number of schools in the area. The proposal would worsen the situation	See paragraphs 23-35
Many of the pupils will be driven to school and are from outside of the area	See paragraph 31
The proposal would cause noise disturbance and loss of amenity	See paragraphs 6-22

The site is constrained and the size, bulk, mass and scale of the development is inappropriate and incongruous for the site	See paragraph 36
The existing Maple Walk School has no sewerage connection and have a septic tank which requires emptying which causes smells	It is not clear whether the proposal would include connection to sewers however adequate sewerage arrangements would be a requirement of Building Regulations
The proposal should incorporate the shared access to the rear of dwellings on Crownhill Road to allow for an extra pedestrian access, fire escape and allow connection of the site to sewers	The access path is not within the red line on the submitted Location Plan and does not form part of the proposal
Proposed building would be out-of-character with the surrounding Victorian development	See paragraph 36
The proposal should be considered a new stand-alone school	The proposal would act as an annexe to the main school nearby with functions such as PE lessons and assemblies taking place in the existing main school building
The scale of the development would require an Environmental Impact Assessment	The proposal is not in a 'sensitive area' and is not considered to result in significant effects on the environment as defined by the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and is not considered to warrant an Environmental Impact Assessment
The use of the site should be considered 'sui generis' and not B8 use	Officers do not accept that the site is used for the storage of minerals and is satisfied that the use is best described as B8. In any case this is not considered crucial in determining this application

Neighbours were re-consulted for 21 days on 09/06/2015 with amended plans which reduced the scale of the proposal. Two further objections were received reiterating their objection which are summarised above.

CONSULTEES:

Transportation: 'There are no objections on transportation grounds to this proposal, subject to conditions requiring: (i) the submission and approval of an updated School Travel Plan to incorporate the proposed school annex extension; and (ii) removal of the existing vehicular crossover to the site and reinstatement to footway with guard railings and a review of the need for School Keep Clear markings along the site frontage to be undertaken at the applicant's expense prior to occupation of the development.'

Environmental Health: Concerns initially raised regarding noise disturbance. Amended plans introduced acoustic fencing to the boundaries and reduced the number of pupils. Recommend attaching conditions securing noise mitigation measures and contaminated land conditions.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012):

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces planning

Policy Guidance and Planning Policy Statements with immediate effect. This includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant.

Section 7 – Requiring Good Design

Section 8 – Promoting Healthy Communities

The London Plan (2011):

Policy 3.18 – Education Facilities

Policy 6.3 – Assessing effects of development on transport capacity

Policy 7.4 – Local character

Policy 7.6 – Architecture

Policy 7.15 – Reducing noise and enhancing soundscapes

Core Strategy (2010):

CP17 – Protecting and Enhancing the Suburban Character of Brent

Brent's UDP (2004):

BE2 – Townscape: Local Context and Character

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

CF8 – School Extensions

EP2 – Noise and Vibrations

EP6 – Contaminated Land

TRN3 – Environmental Impact of Traffic

TRN22 – Parking Standards – non-residential developments

Supplementary Planning Guidance:

SPG17 – Design Guide for New Development

DETAILED CONSIDERATIONS

Introduction:

1. The proposal relates to a piece of land located to the rear of residential dwellings on Burn's Road, St Johns Avenue and Crownhill Road. There is a vehicular access to the site from Crownhill Road. The site is currently occupied by hardstanding and garages and has been used in the past for storage (B8 Use). Maple Walk School is an independent primary school located on a similar 'backland' site approximately 55m to the north-east which is accessed from Crownhill Road. The school was permitted under application ref: 08/2168 and is operated by The New Model School Company which is not-for-profit.
2. The proposal is to demolish the existing structures on the site in order to erect a single storey 'L-shaped' building containing four classrooms as an annexe to the main school. The building would have four classrooms with a capacity of 18 pupils each meaning there would be no more than 72 pupils and 4 members of staff using the proposed annexe at any one time. The annexe is intended for use by the upper years of the school (Years 5 and 6 ages 9-11). In addition to the four classrooms are ancillary rooms such as stores, bathrooms and a staff room. The classrooms would look out onto a courtyard area. Bin and cycle storage would be accommodated on the access path to the site and there would be no vehicular access to the site. In terms of how the school would operate, the annexe would open to pupils from 8am with school day ending at 3:45pm and after school clubs ending and the last pupils leaving by 5pm. Pupils would attend the main school building for both PE lessons and assemblies three times a week. No canteen facilities would be provided and the applicant has indicated that pupils would have packed lunches.

Principle of Development:

3. The proposal would involve the expansion of an existing Primary School. Paragraph 72 of the NPPF (2012) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. The NPPF states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education and that they should:
 - give great weight to the need to create, expand or alter schools; and
 - work with schools promoters to identify and resolve key planning issues before applications are submitted.

4. London Plan (2011) policy 3.18 is supportive of the development of new schools and the expansion of existing schools and states that:

“Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes...In particular, proposals for new schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.”

5. The site is currently occupied by garages and partially demolished garages and the site is used for storage and open storage (B8 use). Saved UDP (2004) policy EMP9 seeks to protect local employment sites except where the use has unacceptable environmental impact or there is no effective demand for the premises. In the case of the proposal site there are no employees based on the site itself and appears to be only used for storage. The site is not considered ideal for a B8 use given its relatively close proximity to residential neighbours on all boundaries and the relatively narrow vehicular access to the site of 2.5m which is inappropriate for servicing arrangements and the vehicles entrance itself is bounded on both sides by the flank walls of two dwellings. In this instance, considering the positive policy support for the expansion of schools, the proposal is considered an acceptable use on the site in principle subject to the material planning considerations set out in this report.

Impact on Neighbours:

6. The site is bounded on all sides by residential dwellings with the side boundary of No.1a St John's Road forming the northern boundary of the site, the rear gardens of neighbours on Burn's Road about the western boundary of the site and the rear gardens of dwellings on Crownhill Road about the site to the south. 'Fabline' on St John's Road is a two storey dwelling which has its rear and side elevation directly abutting the site. Neighbours typically have relatively shallow rear gardens and the impact on neighbours resulting from the proposed building and use compared to the existing situation need to be considered:

Neighbours on Crownhill Road:

7. No.32 and No.34 Crownhill Road are positioned adjacent to the access to the site and have existing wooden side boundary fences and rear boundary wall with the site of varying heights. The proposal includes the erection of a 2m high acoustic fence on the side boundaries of these neighbours and 2.5m high acoustic fencing on the rear boundary of No.32.
8. No's 24-30 have rear gardens which abut the site and the boundary is formed by corrugated metal fencing approximately 3m high and a shared access path to the rear of these properties around 1m in width. The boundaries of the site with No.28 and No.30 would be a 2.5m high acoustic fence and the proposed building would be positioned between 13m-15m from the rear elevations of neighbours at No.28-32 and the proposed rear boundary fence would be positioned between 7.3m and 8.6m from the rear elevations of these neighbours which is considered acceptable. Soft landscaping is proposed on the boundaries with these neighbours and further details of this can be secured by condition.
9. Part of the proposed building would abut the boundary of No.24-26 and would have a maximum height of 3.2m on the boundary. There are existing garages in the same position 3m in height and bearing in mind the separation distance of between 7.8m and 9.4m, the proposal would comfortably pass the 30° test as set out in SPG17 and is considered acceptable.
10. Considering the points discussed above, the proposal is not considered to form an unacceptable overbearing or loss of light impact on neighbours on Crownhill Road.

Neighbours on St Johns Avenue:

11. The side boundary of No.1a St John's Avenue forms the majority of the northern boundary of the site. The largest structure on the site is a garage block which is positioned on the boundary with this neighbour with a depth of 15.2m and height of 3m. Further garages previously existed beyond these but have been partially demolished for safety reasons. The proposed annexe building would be in the same position as the existing garages and would extend the full depth of the side boundary with No.1a with a maximum height of 3.2m. Compared to the existing situation, an increase in height of 0.2m is considered marginal and it is borne in mind that the dwelling at No.1a is orientated slightly away from the proposal site with a rear garden larger than most surrounding gardens tapering from approximately 11m to 9m in width. Coupled with the introduction of a green roof on the proposed building, the proposal is not considered to have an unacceptable loss of light or overbearing impact on this neighbour compared to

the existing situation.

12. 'Fabline' on St Johns Avenue is a two storey dwelling which was converted from light industrial use under permission 12/2662. The dwelling has its rear side boundary on in close proximity to the site boundary and features first floor side and rear windows looking out onto the site. The dwelling features no ground floor windows however ground floor habitable rooms are served by rooflights in the flat roof of a single storey element on the rear elevation.
13. Officers have visited this neighbour and it is evident that the first floor of the dwelling contains an open-plan kitchen and living area with rear-facing windows and side-facing French doors looking out onto the site.
14. The rear-facing windows currently look out onto the roof of the garage block to the rear which is currently approximately 5.3m in width and the proposed building would be 9m in width. The outlook of these windows would inevitably change as the size of the building and plot coverage would increase. However bearing in mind the proposed green roof of the building, and the open-plan and dual aspect nature of the first floor accommodation of this neighbour, the proposal is not considered to result in an unacceptable impact on the quality of the outlook of this neighbour compared to the existing situation. Concern has also been raised about potential noise disturbance from the proposed use to the ground floor habitable rooms of 'Fabline' due to the close proximity of the external walls to the site. The amended proposal have moved the proposed electricity sub-station and bike store away from these walls and measures to prevent direct contact of pupils with the external wall can be incorporated into the landscaping condition.
15. The side-facing French doors overlook the access road to the site which would act as the pedestrian access to the site. A pergola with climbing plants is proposed over part of this access which is considered sufficient to avoid undue overlooking into the dwelling from pedestrians entering the site. It is also borne in mind that the original permission for the dwelling (12/2662) required these doors to be obscurely glazed and fixed shut.
16. The proposed building would be positioned 0.5m from the single storey rear element of this neighbour and 0.2m higher than this element which means lighting to the ground floor habitable rooms served by rooflights would not be unduly affected by the proposal.

Neighbours on Burn's Road:

17. Neighbours at No.2-8 Burn's Road back onto the site with rear gardens with minimum depths ranging from 4.9m deep to 6.4m deep. The proposed building would be positioned on the boundary at the end of these gardens with a maximum height of 3.2m. The building would have a reduced height of 2.5m on the boundaries with the neighbours with the shallowest gardens at No.2 and No.4 Burn's Road. The existing boundary comprises a garage structure 3m high and a partially demolished wall which was 3.8m high. Overall the proposal would pass the 30° test with these neighbours and the proposal is not considered to result in an unacceptable loss of light or overbearing impact compared to the existing situation.
18. Overall the proposed building would be single storey with a relatively low profile and a maximum height of 3.2m which is comparable with existing structures on the site. It is acknowledged that there would be an uplift in the scale of development on the site however this is not considered to result in an unacceptable neighbour impact as discussed above. The proposed green roof of the building is considered to soften the appearance of the building when viewed from neighbouring occupiers. All window openings would face the courtyard area within the site and due to the single storey nature of the building, the proposal is not considered to result in an undue overlooking impact.
19. In terms of noise disturbance, it is acknowledged that school uses can generate noise during breaks and when school starts and finishes. The proposal is for the annex to open to pupils from 8am and the school day ending at 3:45pm and after school clubs ending and the last pupils leaving by 5pm. Throughout the day there will be four breaks of no more than 30minutes each. Acoustic fencing and landscaping is proposed for the boundaries with external areas. Pupils at the annexe would walk to the main school building three times a week for both PE lessons and assemblies. Whilst it is acknowledged that there would be inherent noise impacts resulting from the proposed use, these would be confined to the daytime on weekdays and in term time only. It is also borne in mind that the existing B8 use is unrestricted and has the potential to generate noisy activities at all hours for example. The hours of use of the school can be restricted by condition to ensure that the site is not used in the evenings or weekends.
20. Environmental Health have requested that conditions are attached relating to noise insulation for the building, acoustic details of any plant equipment and details of a Method of Construction Statement for

the construction stage of the development.

21. It is acknowledged that the site is relatively constrained with neighbours in relatively close proximity. The contractors carrying out the development can be required to be part of the Considerate Constructors Scheme by condition and a detailed Method of Construction Statement can be secured by condition detailing how the impacts on neighbours would be mitigated.
22. Overall the proposal is not considered to result in an unacceptable noise disturbance impact which would warrant refusal of the application.

Transportation Impact:

23. The existing school is attended by 204 pupils and has a capacity of 242. The proposed annexe would have capacity for 72 pupils which would increase the capacity of the school by around 30% which is considered significant. The resulting transportation impact therefore needs to be carefully considered.
24. The site lies within Controlled Parking Zone (CPZ) which operates between 8am-6.30pm Mondays to Saturdays. On-street parking in the area is generally restricted to residents' permit holders only during those times, but parking close to the site is further constrained by zig-zag markings for a zebra crossing to the east, 'School Keep Clear' markings for the Convent of Jesus & Mary College nearby, double yellow lines across the site access and at the junction with St. John's Avenue and a kerb build-out to the west.
25. Crownhill Road is not listed in Appendix TRN3 of the Brent UDP (2004) as a 'heavily parked street', but nearby residential side roads, including St. John's Avenue and Burns Road, are. The public transport accessibility to the site is good (PTAL 4).
- 26.
27. Parking standards for schools are set out in policy PS16 of the Brent UDP (2004) which allows up to one space per five staff, plus 20% for visitors parking with a minimum of one space. The proposed annexe is identified as employing four staff and so the maximum parking standard is considered to be two spaces. No off-street parking is proposed which means the standard would be complied with. Standard PS12 also requires consideration to be given to the impact of vehicles parking at the start and finish of school sessions on traffic flow, highway safety and residential amenity.
28. The existing School operates a Travel Plan which has been awarded 'Gold' status for three consecutive years which is the highest accreditation under Transport for London's STARS accreditation scheme which recognises the efforts of schools in promoting sustainable travel and colleagues in Brent's Transportation Unit regard Maple Walk School as being one of the most proactive in the borough in promoting non-car travel. The school does this by discouraging parents from arriving by car at the school gates, promoting car pooling and operating a 'walking bus' whereby pupils are dropped off nearby in Longstone Avenue and are walked to the school in groups.
29. The applicant has provided the results of a Travel Plan Survey for 2013/2014 which suggests that 72% of pupils reached school by non-car means. Of those who arrived by car, 17.5% parked and walked, 5.5% shared cars with others and 5.5% arrived by car alone.
30. The applicant provided a Transport Assessment and Parking Survey covering one weekday which found that there was sufficient capacity for on-street parking in the area. The Transport Assessment predicted that the original proposal (with a capacity of 88 pupils) would generate 25 additional car trips a day, 15 of which would be 'park and walk' trips and a further 5 being in shared cars on existing trips, leaving 5 additional trips to the school itself. Overall the Transport Assessment found that the proposed annexe would have an acceptable transportation impact when viewed in the context of the operation of the existing Travel Plan.
31. Additionally the applicant has provided details of the current catchment of 194 of the 204 pupils at the school. Out of 194 pupils 166 reside in Brent which equates to 86%. Officers determine that the majority of these pupils live within a two mile radius of the school which suggests that it is realistic that pupils arrive predominately by non-car modes. Clarification has been sought as to the remaining 10 pupils not included in the catchment information, in any case this number of pupils would not change the overall percentage figure significantly.
32. Officers requested additional Parking Surveys covering an entire week which were carried out by the applicant and submitted. The additional parking surveys were consistent with the previously submitted survey in showing an acceptable level of parking availability in the area. It subsequently came to Officers' attention however that parents may have been alerted to the operation of the parking surveys and

advised to not park in the surveyed streets which would distort the findings of the survey. The school maintains however that it is their policy to discourage parents from arriving at the school by car.

33. Whilst the integrity of the additional parking surveys can be called into question, it should be borne in mind that the school already operates a good quality Travel Plan and 86% of pupils live within Brent and most of these within two miles of the school. The Council's Transportation Unit has been consulted and raised no objection to the original proposal (which was for a larger annexe with a capacity of 88 pupils) and visited the site themselves on at least two occasions during the morning 'school run' period. Officers in Transportation have been made aware of the situation regarding the additional parking standards and reiterate that they do not object to the proposal subject to the Travel Plan being updated.
34. The site has an existing vehicle crossover with a relatively narrow entrance of 2.5m in width. It is intended that vehicles would not have access to the site with the access serving pedestrians only. The Transportation Unit therefore require the existing crossover to be re-instated as a footpath and recommend that railings are erected outside the site entrance in the interests of pupil safety. This can be secured by condition. As discussed earlier in the report, as the building would act as an annexe to the main school building there would inevitably be movements of pupils between the two sites, the entrances of which are approximately 100m away from each other and separated by St John's Avenue. The immediate area already features traffic calming measures including raised table and tactile paving and the Transportation Unit are satisfied that these arrangements are acceptable in terms of safety. Storage for 12 bicycles and 10 scooters would be provided which would exceed minimum standards and is considered acceptable. Bin storage is identified on the access path and collection would be arranged with a private contractor as is the case with the existing school site.
35. Considering the points discussed above and subject to conditions, the proposal is considered to have an acceptable transportation impact.

Design:

36. The proposed building would be single storey and would not be prominent in the street scene due to its position to the rear of existing dwellings. The proposed building would be finished in brickwork with aluminium windows and a green roof would be provided. Details of proposed materials and details of hard and soft landscaping can be secured by condition. A flat roofed building of the size proposed is considered appropriate for the site and the proposal is considered a visually acceptable building which has an acceptable impact on the character of the area.

Contamination:

37. Due to the historic use and storage of materials on the site, there is potential for contamination of the soil. Officers in Environmental Health therefore recommend conditions are attached to ensure adequate investigation and remediation of any contamination.

Conclusion:

38. Overall and subject to conditions, the proposal is considered an acceptable form of development in principle which would expand primary school provision and have an acceptable impact in terms of visual and neighbouring amenity and in terms of transportation. The proposal therefore accords with policies in the Brent Unitary Development Plan (2004), Core Strategy (2010), London Plan (2011) and the NPPF (2012) and is recommended for approval.

CIL DETAILS

The proposed development would not be liable to pay Community Infrastructure Liability (CIL) contributions as there is a nil charge for education facilities under both the Mayoral and Brent charging schedule.



Brent

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 14/4241

To: Mr Christopher Wickham
Christopher Wickham Associates
35 High Street
Highgate
London
N6 5JT

I refer to your application dated 24/10/2014 proposing the following:
Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)
and accompanied by plans or documents listed here:
See Condition 2.
at Garages rear of 32, Crownhill Road, London

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

1 Overall and subject to conditions, the proposal is considered an acceptable form of development in principle which would expand primary school provision and have an acceptable impact in terms of visual and neighbouring amenity and in terms of transportation. The proposal therefore accords with policies in the Brent Unitary Development Plan (2004), Core Strategy (2010), London Plan (2011) and the NPPF (2012).

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

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

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

A-101

A-01 Rev.A

A-02 Rev.C

A-04 Rev.C

A-05 Rev.C

Planning, Design and Access Statement dated October 2014 from Christopher Wickham Associates

Transport Assessment from Paul Mew Associates dated October 2014

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

3 No development shall be carried out until what time as the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy

4 The boundary treatments identified on the approved plans listed in this notice shall be erected on site prior to the first occupation of the development hereby approved and thereafter retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity.

5 Notwithstanding the provisions of Class M, Part 7, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement, addition or structure other than those approved by this permission, shall be constructed on the site unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an overdevelopment of the site and in the interests of neighbouring amenity.

6 The school annexe hereby approved shall not be open to pupils before 8am or after 5pm Mondays-Fridays and shall not be open to pupils at all on Saturdays or Sundays.

Reason: In the interests of neighbouring amenity.

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

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

- 8 Prior to the first occupation of the development hereby approved, an updated Travel Plan incorporating the school annexe hereby approved, shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full.

Reason: To ensure the annexe is incorporated into the existing Travel Plan and to ensure the development is acceptable in transportation terms

- 9 Prior to the commencement of the development hereby approved, a detailed Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority outlining measures that will be taken to mitigate dust, noise and other environmental impacts of the development. Development shall thereafter take place in accordance with the agreed details.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance

- 10 A scheme of sound insulation measures shall be submitted to the Local Planning Authority and approved in writing prior to the first occupation of the development hereby approved. The insulation shall be designed so that noise from the premises shall be at least 10 dB(A) below the measured background noise level at the nearest noise sensitive premises. The approved measures shall thereafter be implemented in full prior to the first occupation of the development hereby approved.

Reason: In the interests of neighbouring amenity.

- 11 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. It should be assumed that each item of plant incurs a +5dB(A) penalty to account for tonal qualities, unless it can be demonstrated that tonal qualities do not apply. An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: In the interests of neighbouring amenity.

- 12 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

- 13 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full prior to commencement of building works on site. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use prior to the first occupation of the development hereby approved unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 14 The development hereby approved shall have a green roof as indicated by the approved plans. Prior to the commencement of occupation of the proposed unit, details of the green roof layout, construction and planting shall be submitted to the Local Planning Authority. Such details/considerations will include:
- Biodiversity based with extensive substrate base (depth 80-150mm);
 - Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage) and details of maintenance.

Development shall thereafter be carried out and maintained in accordance with the agreed details.

Reason: In the interests of visual and neighbouring amenity.

- 15 A hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. All detailed works shall be carried out as approved prior to the occupation of the building hereby approved. Such details shall include:
- (i) details of soft landscaping including the planting of trees, shrubs and climbing plants and species and pot sizes/spacing
 - (ii) details of materials to be used in areas of hard surfacing

Any trees or plants planted in accordance with the approved landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

- 16 Prior to the first occupation of the development hereby approved, the existing dropped kerb serving the site shall be removed and the kerb and footpath reinstated and safety railings provided at the cost of the developer and to the satisfaction of Transportation Section at Brent Council, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 You are advised that that construction and demolition work is controlled by the Council under Section 60 and 61 of the Control of Pollution Act 1974, and the British Standard Codes of practice 5228:1997 Parts 1 to 4. In particular, building work that is audible at the boundary of the site shall only be carried out between the following hours:

Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all

- 3 The removal of a crossover fronting Crownhill Road including the reinstatement of the public footpath shall be carried out by the Council as the Local Highway Authority at the applicant's expense. Such application should be made to the Council Highway Consultancy. The grant of planning permission, whether by the Local Planning Authority or on appeal does not indicate that consent will be given under the Highways Act.

Any person wishing to inspect the above papers should contact David Raper, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5368

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

29 July, 2015

14/3892

SITE INFORMATION

RECEIVED: 6 October, 2014

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 62 The Avenue, London, NW6 7NP

PROPOSAL: Erection of a rear dormer window with Juliet balcony and conversion of the property into 3 self-contained flats comprising 1 x 1bed and 2 x 3bed, erection of a rear timber fence and gate to form a private rear amenity space; rear cycle parking and associated forecourt landscaping with car parking spaces and a timber bin enclosure

APPLICANT: H & I Investments Limited

CONTACT: FC Architects

PLAN NO'S: See Condition 2

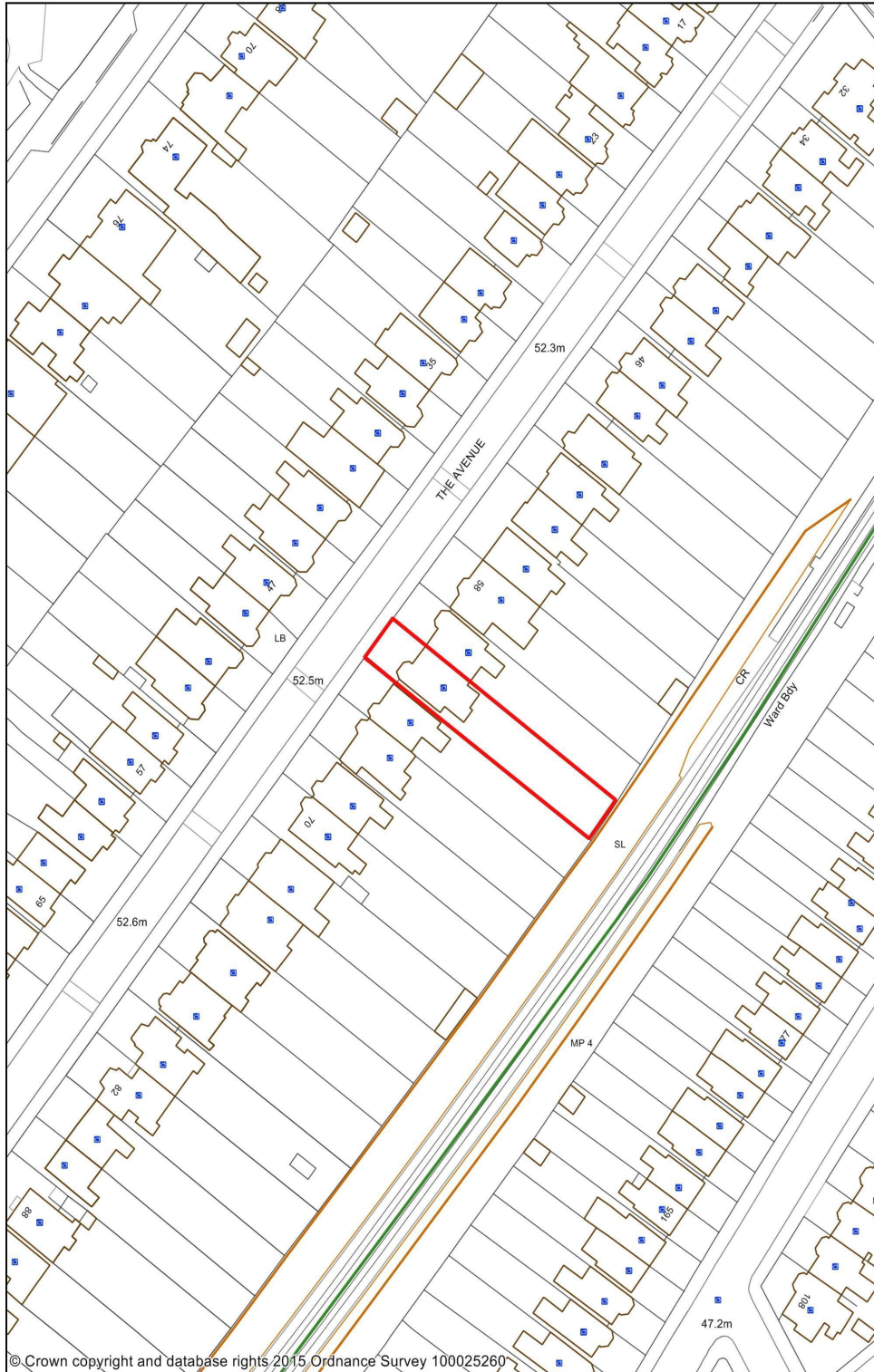
SITE MAP



Planning Committee Map

Site address: 62 The Avenue, London, NW6 7NP

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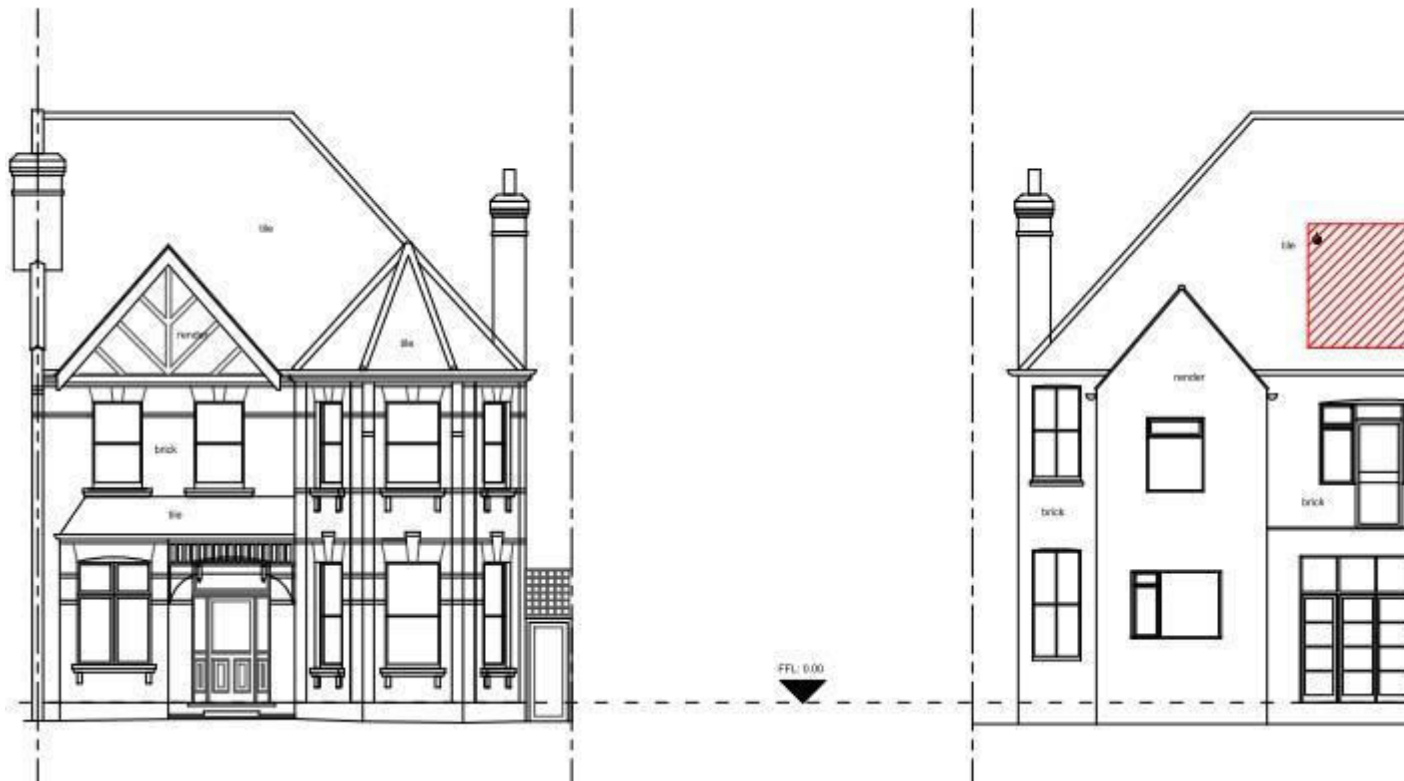
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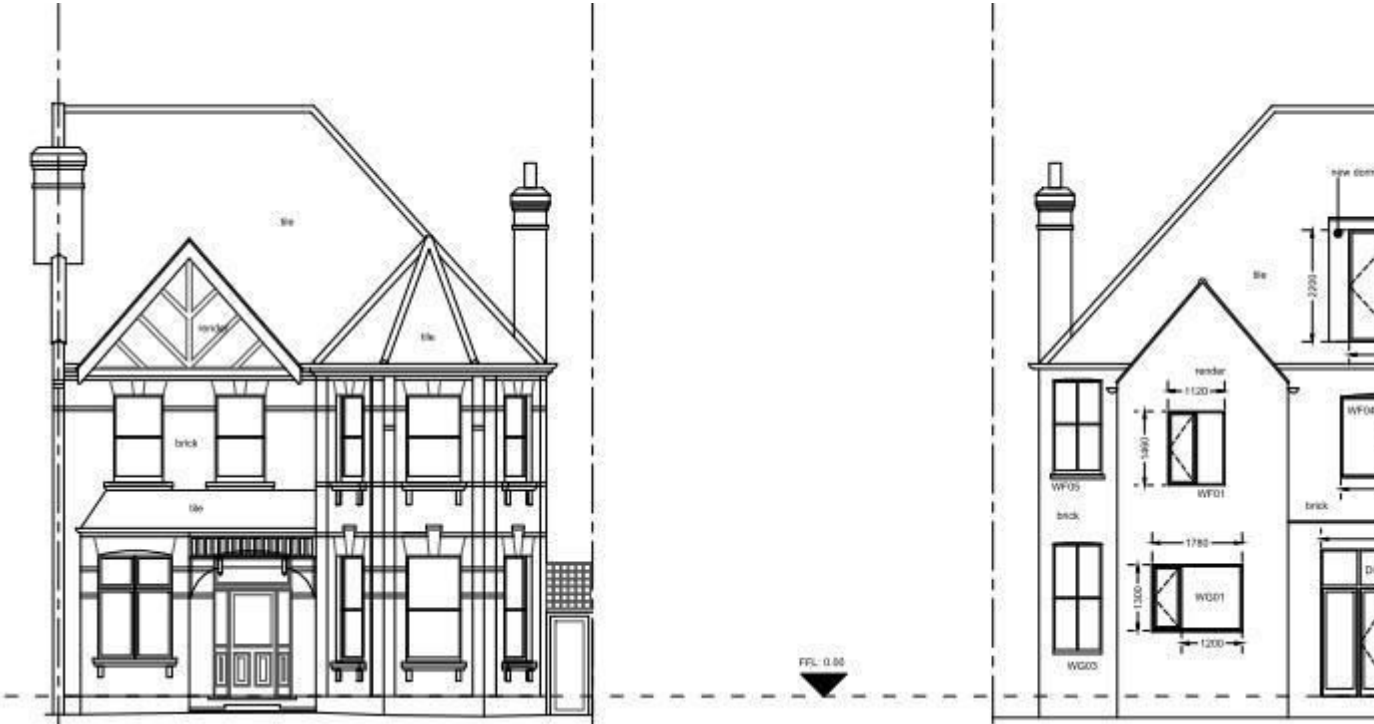


This map is indicative only.

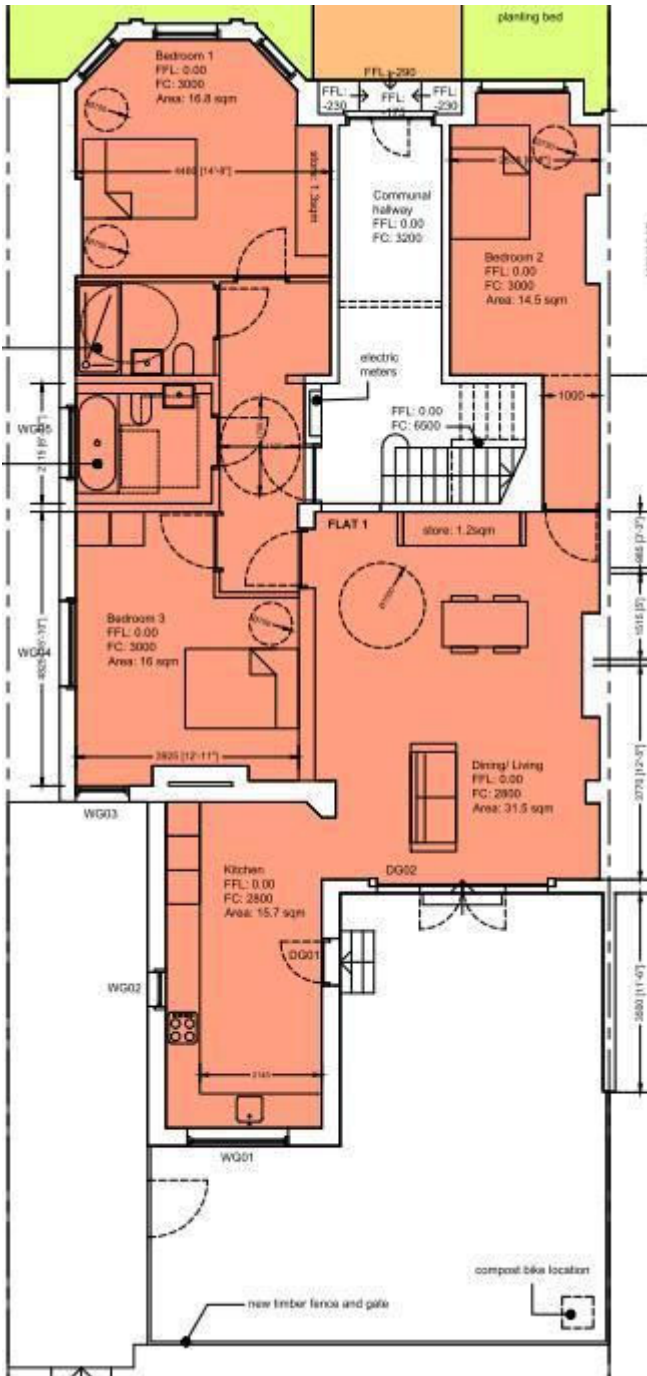
SELECTED SITE PLANS
SELECTED SITE PLANS
Existing front & rear elevations



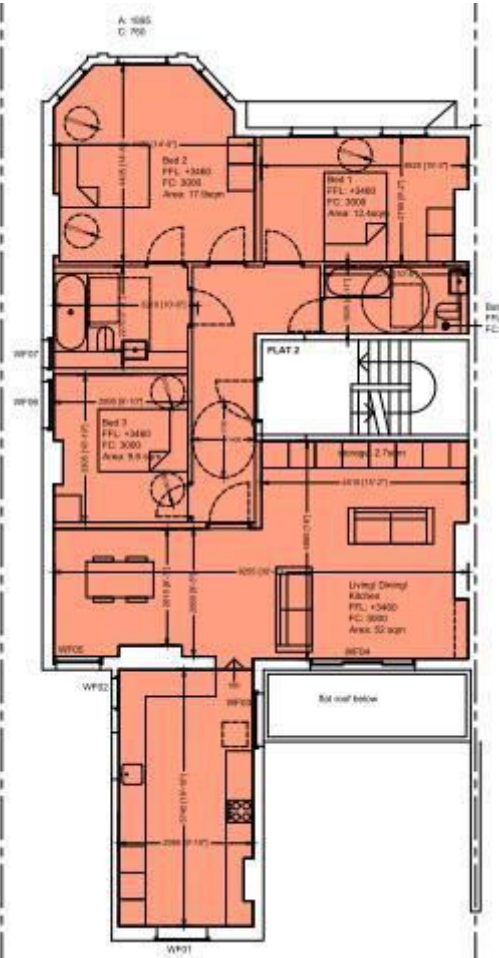
Proposed front & rear elevations



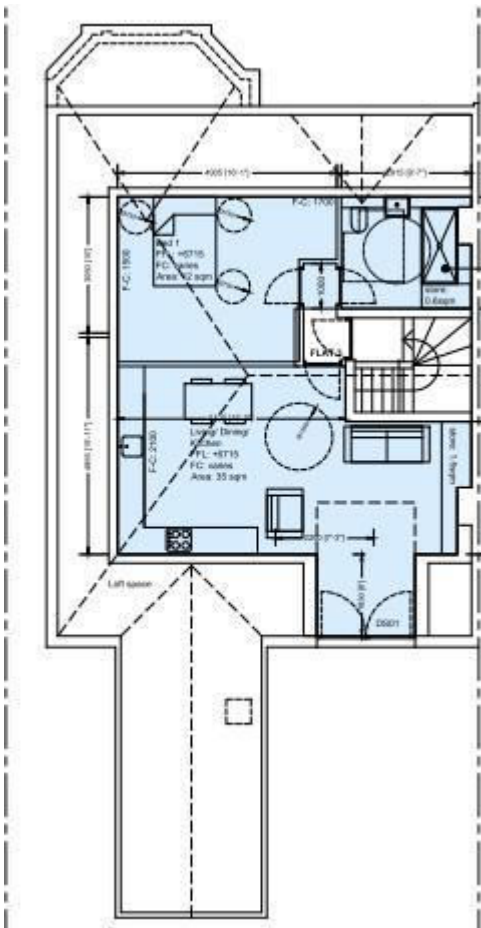
Proposed ground floor plan: Flat 1 - 115sqm GIA



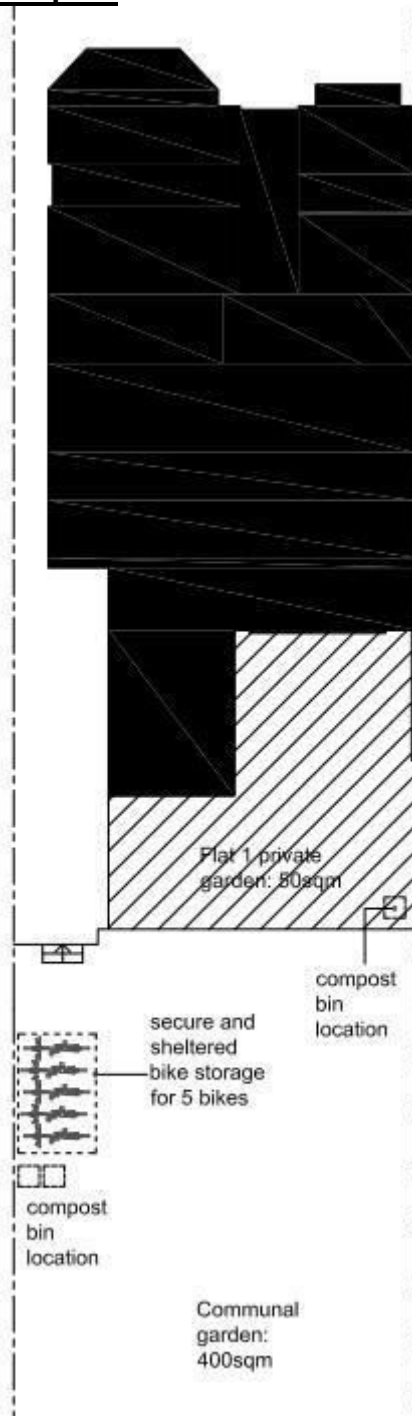
Proposed first floor plan - Flat 2 - 117sqm, GIA



Proposed loft plan - Flat 3 - 58sqm, GIA



Site plan



RECOMMENDATIONS

Approval, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

Erection of a rear dormer window with Juliet balcony and conversion of the property into 3 self-contained flats comprising 1 x 1bed and 2 x 3bed, erection of a rear timber fence and gate to form a private rear amenity space; rear cycle parking and associated forecourt landscaping with car parking spaces and a timber bin enclosure

B) EXISTING

Two storey semi detached dwellinghouse located on The Avenue NW6. The area is predominantly residential in character. The site is not within a conservation area nor is it a listed building.

Existing situation: . The application building is empty and appears to be in need of refurbishment. There is no significant change in ground level to the forecourt which currently contains a mature front boundary hedge

and an area of grass. The rear of the property is characterised with a 2 storey gable end outrigger that is present on neighbouring properties of similar design, and a 1st floor balcony area to the main rear wall of the property. The rear balcony is considered to be an original feature since there is a flank 'balustrade' wall with the adjoining site and other neighbouring properties appear to have this feature. There is a single storey lean-to infill between the outrigger and main rear wall of the property. The original brick work at the back of the property has been rendered and roof tiles changed. A small change in ground level to the rear of the site is present.

Neighbouring properties:

60 The Avenue. is the adjoining semi and lies to the east of the application site. This property is subdivided into 4 units with the benefit of planning permission 85/0943. The 1st floor rear balcony and door on this property has been removed.

64 The Avenue: lies to the west of the application site. This property remains a single family dwellinghouse and has a change significant change in rear garden level towards the back end of the garden. This property is of a slightly different design to the application site, but has a 2 storey outrigger and 1st floor balcony area to the rear.

C) AMENDMENTS SINCE SUBMISSION

During the course of the application the following amendments were requested:

- *Reduction in the number of flats proposed:* A reduction in the number of units was requested from 4 to 3 for reasons of the site being unable to accommodate that number of units including the 4 parking spaces required.

Forecourt landscaping: Increased planting in association with 2 parking spaces.

D) SUMMARY OF KEY ISSUES

Sub-division of the existing: The existing property is registered as 2 flats although submitted plans do not show this. The proposal will now provide 3 flats with conversion of the loft space and erection of a rear dormer window. The ground floor will provide a 3 bedroom unit, the 1st floor will provide a 3 bedroom unit and the attic a 1 bed unit.

The ground floor 3 bed flat will have its own private rear garden area to the immediate rear of the property, whilst the other 2 flats will have shared access to the remaining area of rear garden via the existing side passage to the property. The existing lean-to infill structure is to be demolished.

Rear dormer window: The proposed rear dormer will comply with design principles set out in SPG5. Its width will be approx. 2.8m which is less than half the width of the original rear roof plane (7.2m) and is proportional to the glazing layout below. The front face of the dormer will be mainly glazed in the form of doors to a Juliet balcony.

Parking: Now that the scheme has been reduced to 3 flats, a comfortable parking arrangement to the forecourt can be provided with associated landscaping and bin storage in compliance with adopted guidance.

E) MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	286		286	326	326

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Houses)				1						1

RELEVANT SITE HISTORY

No relevant planning history

CONSULTATIONS

Dated: 17 Oct 2014

Neighbours/Representees:

1. The Owner / Occupier, 43 The Avenue, London, NW6 7NR
2. The Owner / Occupier, 45 The Avenue, London, NW6 7NR
3. The Owner / Occupier, 47 The Avenue, London, NW6 7NR
4. The Owner / Occupier, 49 The Avenue, London, NW6 7NR
5. The Owner / Occupier, 49A The Avenue, London, NW6 7NR
6. The Owner / Occupier, 58 The Avenue, London, NW6 7NP
7. The Owner / Occupier, 60A The Avenue, London, NW6 7NP
8. The Owner / Occupier, 60B The Avenue, London, NW6 7NP
9. The Owner / Occupier, 60C The Avenue, London, NW6 7NP
10. The Owner / Occupier, 60D The Avenue, London, NW6 7NP
11. The Owner / Occupier, 62A The Avenue, London, NW6 7NP
12. The Owner / Occupier, 62B The Avenue, London, NW6 7NP
13. The Owner / Occupier, 64 The Avenue, London, NW6 7NP
14. The Owner / Occupier, 66 The Avenue, London, NW6 7NP

Four objections received.

Comments	Officers Response
<ul style="list-style-type: none"> • Four units is too intensive a use for the site. the site is capable of providing 2x3bedroom units together with the single flat in the attic. • Proposal is an over development of the site. 	<ul style="list-style-type: none"> • The proposal has been amended to provided 3 flats because of the sites inability to provide the required parking
<ul style="list-style-type: none"> • Flat conversion is not in line with character of street 	<ul style="list-style-type: none"> • There will be no extension to the frontage of the property that will indicate sub-division. Additionally, a planning condition requesting further details for planting to the forecourt and retention of the existing front boundary hedge will be attached to the decision notice. This will help to retain a good appearance to the property frontage and streetscene.
<ul style="list-style-type: none"> • Current landlords have shown no interest in updating the property whilst the previous tenant occupied it. As such, it is likely that the new development will be poorly maintained. As such, planning conditions should be used to ensure the development is of quality and well maintained to make a proper contribution to the streetscene 	<ul style="list-style-type: none"> • Forecourt planning will be required with retention of the existing front boundary hedge. Further planning conditions will be added to ensure quality insulation/sound proofing will be present within the conversion. • Maintenance of the property after conversion is a matter that falls within civil law; as such it can not be controlled through planning legislation
<ul style="list-style-type: none"> • Request that planning conditions be used to control building noise during weekends. 	<ul style="list-style-type: none"> • Building developments do create noise, dust and can be a general nuisance to neighbouring occupiers. There are specific times at which building works can take place which is set under s60 of the Control of Pollution Act 1974 and the

	<p><i>British Standard Codes of practice 5228:1997 Parts 1 to 4 .</i></p> <ul style="list-style-type: none"> The Planning Decision Notice will set these times out for the applicant to abide with. Additionally, the applicant will need to join the Considerate Constructors Scheme to ensure neighbouring amenity is protected as far as possible from building works.
<ul style="list-style-type: none"> Inadequate parking provision. There is a restriction for on-street parking will make the road more overcrowded and very busy 	<ul style="list-style-type: none"> With reduction of the number of units with the scheme, only 2 off-street parking spaces are required leaving the need for only 1 on-street parking space which already exists to the front of the property. This complies with council policies for residential parking in areas of low public transport accessibility.

POLICY CONSIDERATIONS

National policy guidance

National Planning Policy Framework 2012 : This sets out 12 core planning principles, of which the following are relevant. Planning should:

- be genuinely plan-led, empowering local people to shape their surroundings;
- proactively drive and support sustainable economic development to deliver the homes, infrastructure and thriving local places.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for this and future generations;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Regional policy guidance

The Further Alterations to the London Plan 2015 .

The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London. London boroughs' local plans need to be in general conformity with the London Plan, and its policies guide decisions on planning applications.

Chapter 3 - London's People

- Policy 3.2: Improving Health and addressing Health Inequalities
- Policy 3.3: Increasing Housing Supply
- Policy 3.5: Quality and Design of Housing Development
- Policy 3.9: Mixed and Balanced Communities

Chapter 4 - London's Economy

Chapter 6 - London's Transport

- Policy 6.3: Assessing Effects of Development on Transport Capacity
- Policy 6.5: Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9: Cycling
- Policy 6.13: Parking

Chapter 7 - London's Living Places and Spaces

- Policy 7.2: An Inclusive Environment
- Policy 7.4: Local Character
- Policy 7.5: Public Realm
- Policy 7.6: Architecture
- Policy 7.15: Reducing Noise and Enhancing Soundscapes
- Policy 7.19: Biodiversity and Access to Nature

Chapter 8 - Implementation, Monitoring and Review

- Policy 8.3: Community Infrastructure Levy

Local policy guidance

Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The relevant policies for this application include:

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP21: A Balanced Housing Stock

Brent's Unitary Development Plan 2004

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary Development Plan (UDP), which was formally adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

Built Environment

- BE2: Townscape - Local Context & Character
- BE3: Urban Structure - Space & Movement
- BE5: Urban Clarity & Safety
- BE6: Public Realm - Landscape Design
- BE7: Public Realm - Streetscape
- BE9: Architectural Quality
- BE11: Intensive and Mixed Use Developments
- BE12: Sustainable Design Principles

Housing

- H17: Flat conversions
- H18: quality of flat conversions
- H12: Residential Quality - Layout Considerations
- H13: Residential Density

Transport

- TRN3: Environmental Impact of Traffic
- TRN4: Measures to make Transport Impact Acceptable
- TRN10: Walkable Environments
- TRN11: The London Cycle Network
- TRN23: Parking Standards - Residential Developments

DETAILED CONSIDERATIONS

Conversion to 3 flats

1. *Principle:* The conversion of the existing house into 3 units with a rear dormer window extension is considered acceptable because the original GIA of the property is greater than 110sqm and because a 3 bedroom family sized unit with access to a private rear garden space will be re-provided in line with the council's Core Strategy(2010) policy CP21, UDP(2004) policy H17 and standards set out in SPG17.

Obviously the provision of two 3 bed units will make a contribution, albeit a small one, to meeting the housing needs within the Borough.

2. *Scale of proposal:* The existing property is a large dwellinghouse which can comfortably be sub-divided into 3 flats without significant extensions. The previous scheme of 4 units could not be supported because it was considered to propose an over-intensive use of the site. Overall, the scale of the proposal will satisfy transportation and built environment policies.

Table 1: Size & mix of flats

Unit	Location	Capacity	Proposed GIA	Outdoor amenity
Flat 1	Ground floor	3b6p	115sqm (LHSPG.95sqm)	Yes, private 50sqm
Flat 2	1st floor	3b6p	117sqm (LHSPG.95sm)	Yes, communal, 400sqm
Flat 3 (<i>labelled as flat '4' on plan</i>)	Loft	1b2p	58sqm (LHSPG.50sqm)	Yes, communal, 400sqm

Standard of accommodation

3. *Space standards and mix:* Table 1 sets out the space standards for the proposed 3 flats (NB. flat 3 is labelled as flat 4 on plan). The proposed mix of units is acceptable with provision of x2 family sized units, one of which will have direct access to its own private rear garden comprising 50sqm (SPG17). All units will be greater than the essential space standards set out by the London Housing SPG (2012) which is welcome. Flats 2 & 3 will have access to the remaining garden area which amounts to approximately 400sqm. Occupiers of Flat 1 will also have access to this communal garden for use of the cycle parking. Overall, the space standards of all 3 flats is very good.
4. *Living Conditions:* The entire property is to be refurbished and as such compliance with building regulations will be necessary. In relation to stacking, part of the rear open plan dining/lounge area of flat 2 will be above a bedroom of flat 1. This is the only stacking concern with the scheme, but it is likely to be made acceptable by building regulations; but a planning condition will be added to the decision notice to ensure noise standards are complied with. Overall, the proposed living condition are considered acceptable.

Impact to Neighbouring Amenity

5. *Sub-division:* The proposed conversion itself is considered unlikely to have a significant impact to the amenity of occupiers at neighbouring sites because the majority of the development will be internal to the principal building. The number of people living at the new development will inevitably be greater than that of a single family; but given the existing property is able to provide 3 units that meet regional policy requirements for internal floorspace with minimal further extension, the proposal is not considered to be an overdevelopment of the site that would have a detrimental impact to neighbouring occupiers by way of noise, traffic or over-intensive use.
6. *Rear dormer with Juliet balcony:* The insertion of a rear dormer to the rear roof plane is considered acceptable and unlikely to affect neighbouring privacy by way of overlooking because this element will not have any outside platform on which a person can stand and overlook neighbouring properties. In relation to visual amenity, the dimensions of the rear dormer will comply with principles set out in SPG5. As such, the rear dormer is considered unlikely to be visually discordant within the rear roof plane and its Juliet balcony feature unlikely to have a significant impact to neighbouring amenity.

Visual Impacts

7. *Frontage:* The proposed development is considered unlikely to have a significant impact to the overall streetscene because there are no extensions to the front of the property.
8. *Forecourt:* The forecourt is to contain at least 50% soft landscaping with retention of the existing front boundary hedge. Plans indicate the coverage of planting but details of plants will be requested by a condition to the decision notice. This is acceptable and the planning agents have been sent example forecourt layouts as to the level of detail required.
9. *Bins:* Brent's Waste & Recycling Storage guidance for residential properties has recently changed; and requires that each household have a bin capacity of 120L for residual & recycling types of waste collection; and a caddy for food waste. As such, the required bin capacity should be 3x120L for recycling (blue bin); 3x120L residual waste (grey bin) and 3xcaddies for food waste for the whole development.

Shared bins are welcome because it will help reduce clutter within the forecourt. As such, this requirement will be set as a condition for further details of the forecourt layout including that of the bin enclosure; as well as the requirement to place a sign on the bin enclosure setting out how waste should be sorted for disposal in the separate bin types. In relation to garden waste, the council charges an annual tariff per household for collection of garden waste which occupiers of the scheme can choose to enter into. In order to ensure occupiers have a means of disposing of garden waste without using the grey bins, compost bins will be placed in the rear gardens as shown on plan. Insertion of the compost bins will be set as a condition.

Transportation & parking

10. *Car parking*: The site is within an area that has a low public transport accessibility level (PTAL); where connectivity and direction of travel is limited without the use of a private vehicle. Given the low PTAL, the site can not be car-free with residents prevented from applying for car parking permits and as such the full parking standard is applicable i.e. 3 parking spaces. After detailed discussions with the agent, it was agreed that only 2 parking spaces within the forecourt was achievable with the need to provide 50% soft landscaping. One on-street parking space is allowed to the frontage of the site and is unlikely to be affected with the need to widen the crossover to 4.2m. Plans have indicated a forecourt parking arrangement, but notwithstanding this plan, further details for the forecourt with parking arrangement will be requested by condition to include a footpath which the current plan does not accommodate.
11. *Cycle parking*: Plans indicate shared secure cycle parking will be provided to the rear of the property with 5 spaces. Access to the communal garden is provided by the existing side passage. This complies with PS16 and is acceptable.

Conclusion

The principle of converting the existing property into 3 flats is considered acceptable as it would provide 2 family sized units compliant with Core Strategy policy CP21, design principles in Brent's UDP(2004), residential standards set out in the London Housing SPG(2012) and Brent's SPG17. As such, approval with conditions is recommended.

CIL DETAILS

This application is liable to pay **£10,205.71*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 324 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	324	286	38	£200.00	£35.00	£8,685.71	£1,520.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	£8,685.71	£1,520.00

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 14/3892

To: Mr Peter Chiu
FC Architects
20 Camomile Drive
Weaving
Maidstone
Kent
ME145FL

I refer to your application dated 06/10/2014 proposing the following:
Erection of a rear dormer window with Juliet balcony and conversion of the property into 3 self-contained flats comprising 1 x 1bed and 2 x 3bed, erection of a rear timber fence and gate to form a private rear amenity space; rear cycle parking and associated forecourt landscaping with car parking spaces and a timber bin enclosure
and accompanied by plans or documents listed here:
See Condition 2
at 62 The Avenue, London, NW6 7NP

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home

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
Housing: in terms of protecting residential amenities and guiding new development

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

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

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

AL(0)001 Rev C;
AL(0)002;
AL(1) Rev P;
AL(1) 002 Rev C;
AL(1) 003 F.

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

- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

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

- 4 All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Time	Area	Maximum noise level
Daytime Noise 07.00 - 23.00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23.00-0700	Bedrooms	30 dB LAeq (8hr) 45 dB LAmax

A test shall be carried out prior to the discharge of this condition to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To obtain required sound insulation and prevent noise nuisance

- 5 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 6 Composting bins shall be installed in the private and communal rear garden area.

Reason: To ensure occupiers can maintain their outdoor amenity areas and have adequate means for disposal of garden waste in the absence of collection by the local authority.

- 7 The existing vehicular crossover for 62 The Avenue shall be increased to a 4.2m wide to accommodate two off street parking spaces within the area of hardstanding shown on drawing no:AL(1)003 F. The works shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Highway Authority, with the works carried out and completed in accordance with these approved details prior to occupation of the flats hereby approved.

Reason: In the interests of highway conditions within the vicinity of the site.

- 8 The proposed partition fence to form the private rear garden shall comprise timber fencing no higher than 1.5m in height.

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

- 9 Notwithstanding the plans hereby approved, details of the front garden layout shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the occupation of the premises. Such details shall include:

- (i) planting of the front garden area with shrubs and/or trees;
- (ii) retention of the existing front boundary hedge;
- (iii) a defined footpath to the front door;
- (iv) provision of front garden wall or other form of boundary treatment across the whole frontage other than the crossover access point;
- (v) car parking space for 2 cars, the defined points of access and the surfacing materials to be used;
- (vi) waste and recycling storage facilities for 3 flats in accordance with council residential waste policy.

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

Where shared bins facilities are required the owner shall place a notice on the bin enclosure stating that waste should be sorted and disposed of in the appropriate bin type.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 You are advised that construction and demolition work is controlled by the Council under *Section 60 and 61 of the Control of Pollution Act 1974*, and the *British Standard Codes of practice 5228:1997 Parts 1 to 4*. In particular, building work that is audible at the boundary of

the site shall only be carried out between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

- 3 Widening of the existing vehicular crossover to no. 62 the Avenue NW6 shall be carried out by the Local Highway Authority at the applicant's expense prior to occupation of the proposed development. The applicant is advised to telephone The Highways unit on 0208937 5121 or email transportation@brent.gov.uk

- 4 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

Any person wishing to inspect the above papers should contact Harini Boteju, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5015

COMMITTEE REPORT

Planning Committee on 29 July, 2015
Item No 06
Case Number 15/1820

SITE INFORMATION

RECEIVED: 14 May, 2015

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London

PROPOSAL: Demolition of existing garages and community centre and the erection of a four storey building comprising 14 self-contained flats (3x1bed, 9x2bed and 2x3bed), new community centre (Use class D1) and a sub-station with associated car and cycle parking spaces, bin stores and landscaping

APPLICANT: Brent Housing Partnership

CONTACT: PRP Architects

PLAN NO'S: See condition 2

SITE MAP



Planning Committee Map

Site address: Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London

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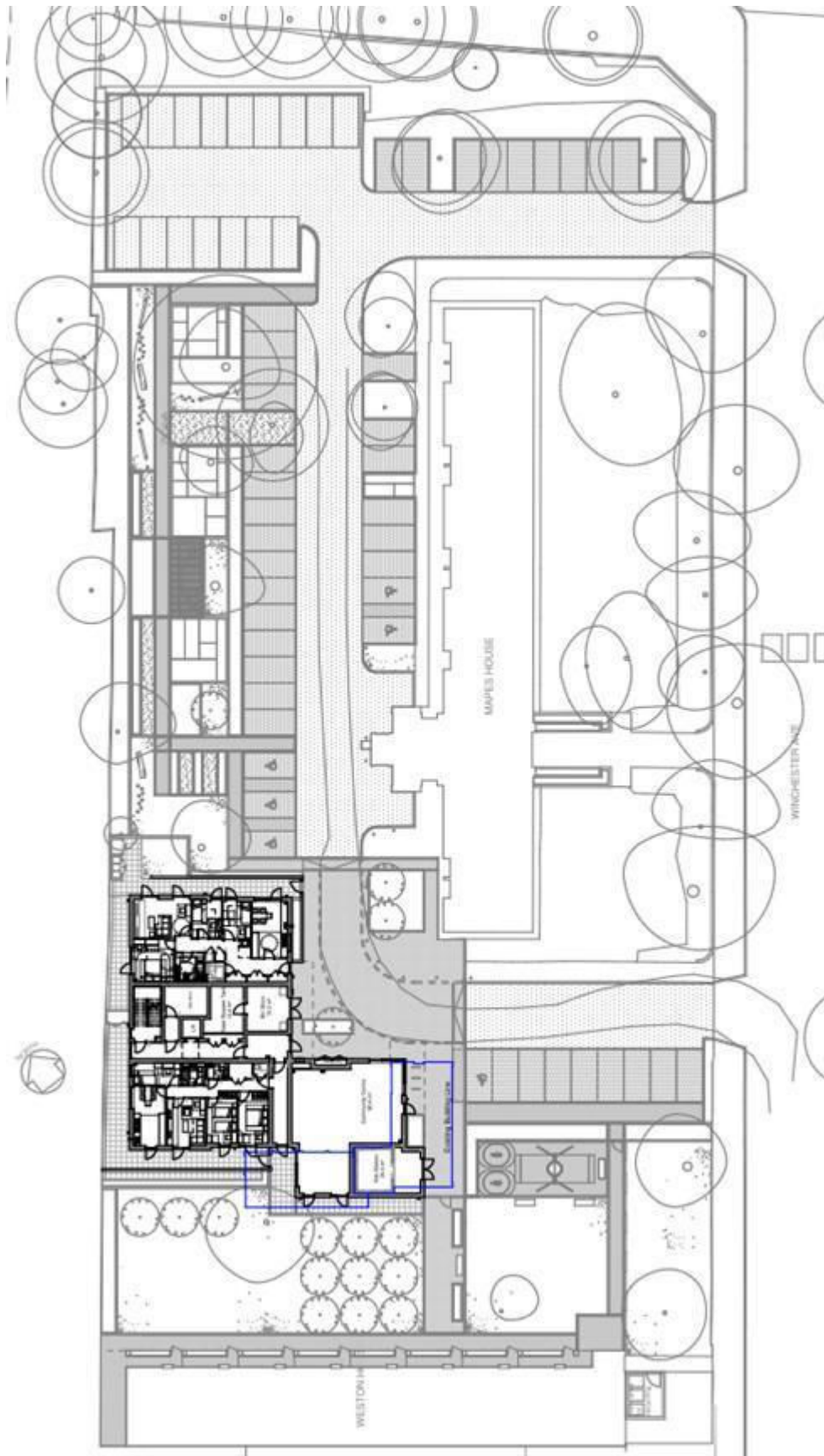
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

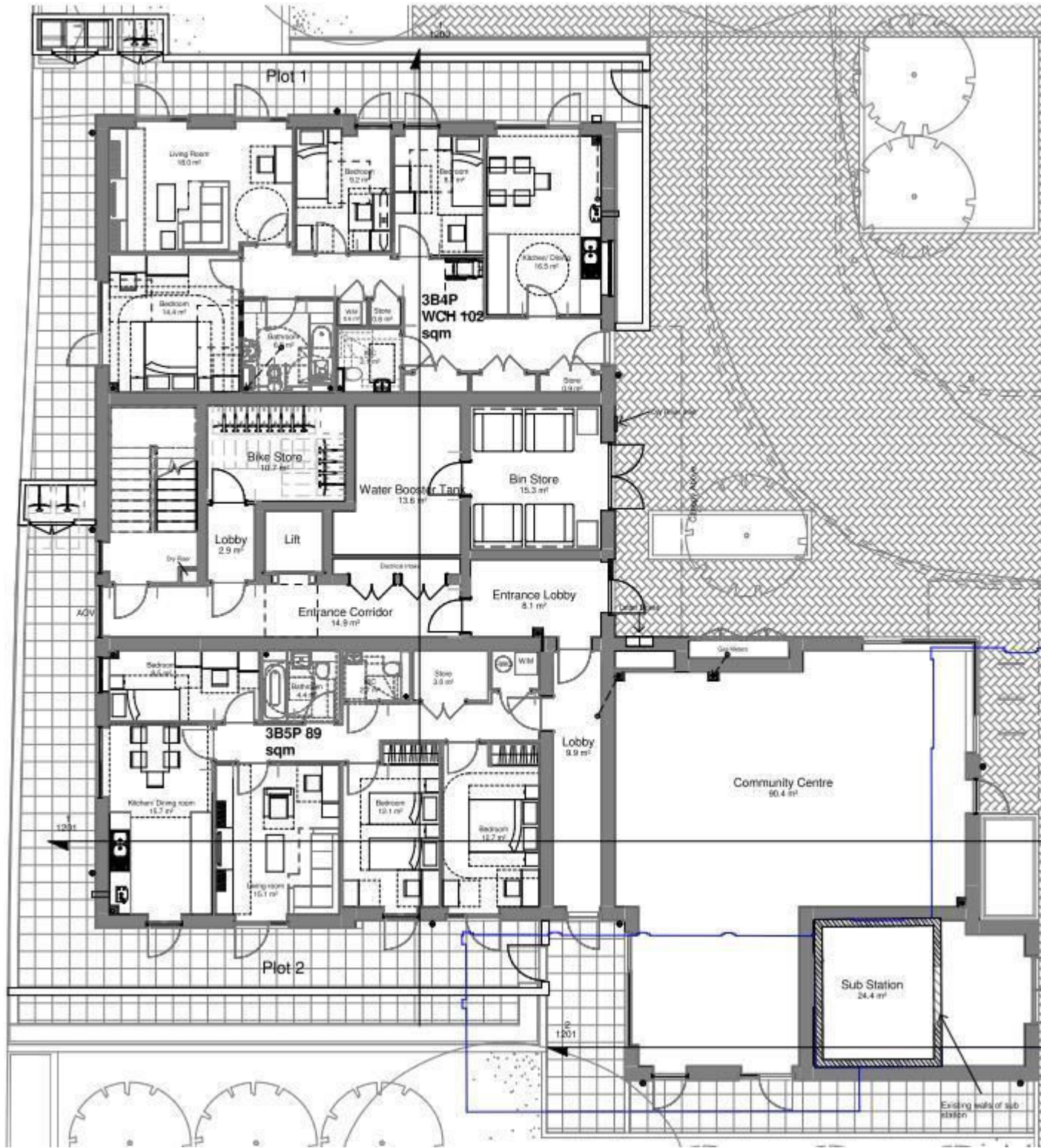




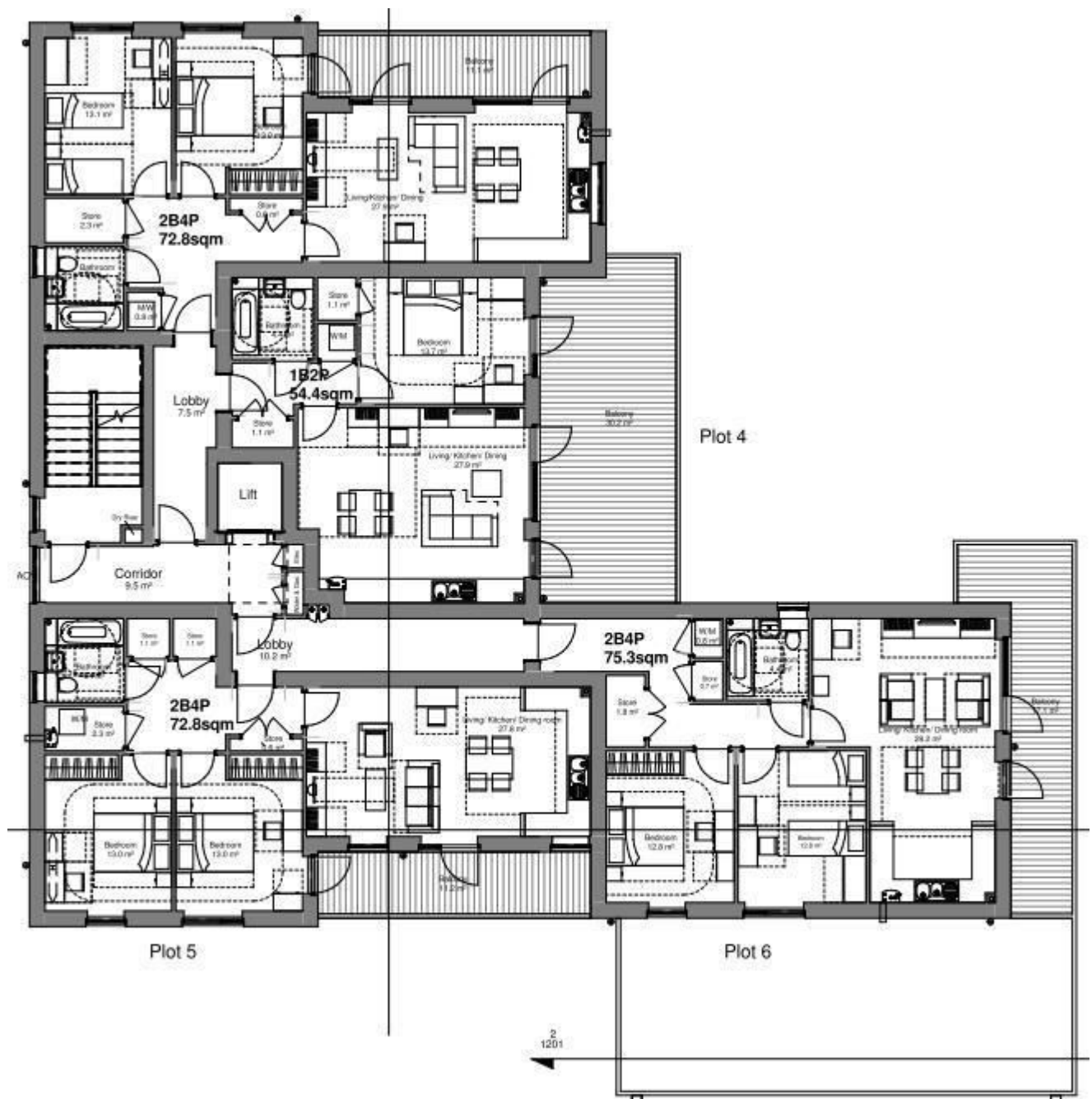
Proposed Site Plan



Proposed Ground Floor



Proposed First Floor



RECOMMENDATIONS

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services., subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

See description above

B) EXISTING

The subject site is on the northern side of Winchester Avenue on the estate containing Weston House and Mapes House, it is bordered by the train line to the north which is identified as part of a Grade I Site of Importance for Nature Conservation.

The area where the development is proposed consists of garages and outdoor parking spaces, as well as a sub station, a small community centre used by the residents association and part of a grassed area.

The site is not within a conservation area nor does it contain a listed building.

D) SUMMARY OF KEY ISSUES

E) MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	52		52	37.7	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats ú Market)										
PROPOSED (Flats ú Market)	3	9	2							14

RELEVANT SITE HISTORY

No relevant planning history.

CONSULTATIONS

Neighbour consultation

157 letters were sent to neighbouring occupiers on the estate and surrounding the site. A press notice was published and site notices were put up at the site.

8 objections have been received including 3 from Weston House, 3 from Mapes House and 1 from Winchester Avenue. The following concerns were raised:

- The site will be too congested
- Designs haven't been revised to take neighbours concerns into account following the drop-in sessions
- The development is in the communal area
- The development was not mentioned in neighbours' leases
- The proposal reduces the open space which was planned for reasonable segregation and will affect quality of life. The area will be decreased while additional units are added.
- The proposal takes away parking area
- If the building is approved existing tenants should have the option to live there.
- The proposal will block views, light and fresh air
- The proposal will harm neighbouring privacy
- Additional noise and disturbance
- Inadequate parking for current residents which in the evenings sometimes overflows onto the street

- Parking spaces will be further away than existing which will be inconvenient, particularly for people with restricted mobility
- Weston House will be more disconnected from parking spaces.
- Increased density will increase pressure on the wider community in terms of schools, doctors, garage collection, parking etc.
- Increased congestion with additional cars entering the site which will impact on pedestrian access.
- The development should be at the other end of the site which would not impact on residential amenity, feasibility of this wasn't considered.

Prior to the application being submitted to the council a letter was received from 'Residents of Mapes House' and referring to a petition. Brent Housing Partnership have shared a letter with the planning service which does have a petition attached with 48 names. It needs to be noted that, being submitted prior to the application and prior to statutory consultation, it cannot be assumed that the individuals on the petition were objecting to the scheme that was subsequently submitted. The lead names on the petition have not commented independently on the planning application following formal consultation being undertaken however their names have been added to the list to ensure they are notified of the planning committee. In any event the comments made in the letter include:

- Residents have not been properly consulted
- The residents association does not represent the majority and the community hall is used selectively
- Agree that more housing is needed but the council has a lot of other land
- Overcrowding and creating more problems on the estate cannot be the way forward
- The project is not helpful to the quality of life of residents
- Impact on light and privacy to Mapes House
- The building would be within 7m of our property

Statutory consultees

Tree officer - further information required

Landscaping - no objections to scheme

Highways - recommendations including disabled parking, street lighting, improvements to site access from Winchester Avenue.

BHP Consultation

BHP held consultation on the estate prior to finalising proposals for the development. As set out in the Design & Access Statement an initial meeting was held with the Five Ways Tenants Association Committee on 22nd January 2015 at the existing community centre on the site. Following this meeting a leaflet was sent out to all residents on the estate informing them of the proposals and providing contact details in order to give feedback. This led to a second meeting being held on 25th February with the Tenants Association and other residents of the estate who had concerns or questions. Key concerns were regarding parking and the balance between usable amenity space and sufficient parking. Positive comments were received regarding upgrading the community centre and suggestions were made regarding the uses of the open space.

A final consultation/drop-in session was held on 25th March on the site. Boards were displayed showing the proposals.

POLICY CONSIDERATIONS

National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The development plan for the purpose of S38 (6) The Planning & Compulsory Purchase Act 2004 is the Brent Unitary Development Plan 2004, Core Strategy 2010 and the London Plan 2011. Within those documents the following list of policies are considered to be the most pertinent to the application:

London Plan 2011

Policy 3.5

Quality and Design of Housing Developments

Brent Core Strategy 2010

- CP 2 Population and housing growth
Sets out the appropriate level of growth across the borough, including the number of new homes and proportion of affordable housing sought
- CP 17 Protecting and enhancing the suburban character of Brent
Balances the regeneration and growth agenda promoted in the Core Strategy, to ensure existing assets (e.g. heritage buildings and conservation areas) are protected and enhanced. Protects the character of suburban housing and garden spaces from out-of-scale buildings.
- CP 21 A balanced housing stock
Seeks to maintain and provide a balanced dwelling stock to accommodate the wide range of Brent households by: ensuring appropriate range of dwellings and mix; defining family accommodation as units capable of providing three or more bedrooms; requiring new dwellings be 100% Lifetime Homes and 10% wheelchair accessible; contributes to non-self contained accommodation and care & support housing where needed.

Brent UDP 2004

- 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.
- 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.
- H11 Housing will be promoted on previously developed urban land which the plan does not protect for other uses.
- 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.
- H13 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.
- TRN23 Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.
- PS14 Parking standards for residential uses

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 and light of adjoining occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

DETAILED CONSIDERATIONS

Background

1 Brent Housing Partnership (BHP) has been looking at ways in which it can increase its stock of affordable housing across the Borough. A survey of BHP properties and estates has led to the identification of a number of infill opportunities to contribute to increasing the BHP housing stock.

Principle

2 The site on which the development is proposed is situated between Mapes House and Weston House. Winchester Avenue and its surrounding area is residential in character and there are no other conflicting land uses, as such the introduction of the proposed residential units is appropriate in terms of the character and use.

Design, Layout & Impact on Street Scene

Layout

3 The proposal envisages a 4-storey block containing 14 flats. The site is on the northwest side of Winchester Avenue, Mapes House, which is a 9-storey block, fronts Winchester Avenue with a soft landscaped set back of about 16m from the pavement. Weston House which is at the southern end of the site is a 4-storey block perpendicular to the road, its front elevation faces northeast and is approximately 40m from the closest elevation of Mapes House.

4 The space in front of Weston House consists largely of hard standing for car parking and garages and soft landscaping. The footprint of the ground floor of the proposed building which includes a replacement community space and the substation is 480sqm.

5 The proposed development is located 20m from the front elevation of Weston House and over 27m back from the site boundary of Winchester Avenue. From the front elevation of the community centre to the rear elevation of the residential units the development would be 25m in depth and at the rear it is 23m in width.

6 The development is to the southwest of the southern elevation of Mapes House. It will not be located to the immediate rear of the frontage building and only 4m of the new building will be behind this building. The proposed and existing elevations are proposed to be 13m apart.

7 The area between the proposed development and Mapes House is proposed to be treated as a shared surface. The area will be surfaced in silver-grey concrete block paving laid in a herringbone pattern raised above the level of the adjoining lengths of tarmac road. This is welcomed as a traffic calming device that will also improve the setting of the new block. At officer request soft landscaping has also been added around the building including a tree within the corner of the building to create a green vista, the landscaping scheme is discussed in more detail below.

Design

8 The design of the elevations is simple and in keeping with the estate. The elevations are proposed to be brick other than the recessed parts which provide for balconies which will be white render. Simple fenestration is proposed which is mostly full height and obscure glazing and aluminium balconies are proposed centrally on each elevation.

9 The proposed building has a flat roof as the existing blocks do and the lift overrun and solar panels would be largely accommodated behind the parapet wall.

10 The proposed community use is at ground floor in the part of the building closest to the site entrance. It is proposed to have a projecting fascia which will allow for signage. Its side elevation will also be clad in the same material as the fascia and this part of the building will also accommodate the substation.

Streetscene

11 The estate does not have a strong street frontage as the front elevation of Weston House does not face

the street and the frontage of Mapes House is to a large extent screened by trees. The vehicular route into the site and to Weston House is considered to be poor in terms of its general design and legibility. The view at this entrance leads towards the rear parking spaces and the train line.

12 The proposed development would be located directly opposite the entrance to the site. It is designed to have clearly defined entrances and to enhance the overall legibility of the site. Its set back from the public highways means that its direct impact on the streetscene would be limited but the layout of the block along with the landscaping and parking proposals would result in a improved arrangement and relationship with the streetscene.

Unit mix

13 The proposed mix of units is 2 x 3 bed, 9 x 2 beds and 3 x 1 beds.

14 Brent's adopted Core Strategy seeks for 25% of new units to be family sized which means 3 beds or more. In this instance the proposal is for 14% which does not comply with the policy. Officers however are minded to not consider this proposal in isolation but within the context of the development planned by BHP across the borough.

15 BHP's programme of infill developments could result in 100 units delivered under the Affordable Housing Programme 2015-18 and 46 of the proposed units are for family size accommodation, meaning that in total 46% of the proposed units would be family accommodation significantly exceeding the 25% target. in this situation Officers feel that it would be possible to accept the proposed mix.

Quality of Accommodation

16 The units have a clearly identifiable entrance in the front elevation which is visible from the street. All units meet and exceed the Mayor's Housing SPG in terms of internal floor area.

Unit	Beds	Size (sqm)	SPG standard (sqm)
1	3b4p (wheelchair unit)	102	74
2	3b5p	89	86
3	2b4p	72.8	70
4	1b2p	54.4	50
5	2b4p	72.8	70
6	2b4p	75.3	70
7	2b4p	72.8	70
8	1b2p	54.4	50
9	2b4p	72.8	70
10	2b4p	75.3	70
11	2b4p	72.8	70
12	1b2p	54.4	50
13	2b4p	72.8	70
14	2b4p	75.3	70

17 All units have private amenity space of varying sizes. The ground floor units have a patio area which wraps around the side and rear. The units have approximately 50sqm of available space which to either side will border communal amenity space, however to the rear of the building the amenity space will be between the block and a close boarded fence abutting the embankment of the railway. The quality of the latter area is considered to be limited but remains usable.

18 The units at upper floors all have private balconies the smallest of which are 11.2sqm (6 units) which is just over half of the 20sqm requirement of SPG17, two units each have balconies of 12.5sqm and 13.4sqm, and individual units have 17.1sqm and 30.2sqm. In total the amenity space provided to the upper floor units is 74sqm short of SPG17 requirements however this guidance document advises that an under provision of amenity can be mitigated through the provision of increased internal space. The upper floor units exceed the Mayor's internal space standards by 45.9sqm resulting in a total shortfall of only 28.1sqm.

19 Officers are of the opinion that the proposal provides a good quality of accommodation and while falling slightly short quantitatively in terms of amenity space each unit has a good quality private space and will have

access to the improved communal amenity space across the estate. The communal amenity space is discussed in more detail below.

20 All but 3 units are dual aspect and these units face southeast so will not suffer from limited light. The ground floor units are the only units which have habitable room windows facing towards the train line. In both cases one of the three bedrooms has its only window into the strip of private amenity space which borders the train line embankment screened by a fence. The units otherwise have a good quality of outlook towards private and communal amenity space.

21 A noise and vibration study has been submitted and acoustic specifications of the various elevations have been recommended to ensure that ambient noise levels within habitable rooms comply with the requirements of BS8233:2014. The vibration measurements indicated that vibration levels from the railway line were minimal and no additional treatment would be required.

Impact on neighbouring amenity

Weston House

22 The siting of the development has been proposed ensuring a 20m separation distance between the front elevation of Weston House and the new units. This is the distance recommended in SPG17 to protect privacy between rear elevations across private rear gardens. There can be more flexibility between front elevations which are not generally as private and the separation distance is often established by an existing road width. However it is considered appropriate and good practise to achieve this separation in this instance. The units in Weston house benefit from outlook to the rear and the lower floors of this block have private gardens of approximately 14m in depth.

23 Weston House is orientated northeast and southwest with the windows facing southwest unaffected by the development. Only windows within 90 degrees of due south are assessed for sunlight. The assessment has considered the vertical sky component (VSC) and daylight distribution (DD) and found that all rooms will meet the BRE guidelines.

Mapes House

24 One vertical row of fenestration on the rear (northwest facing) elevation of Mapes House faces towards the edge of the proposed building, as it overlaps with the footprint of the proposed building by 4m. This fenestration consists of an entrance door and a bathroom on alternate floors and as such these are not windows which would be sensitive to the development however the relationship has been considered further.

25 The layout of the proposed development has been detailed to prevent any directly facing windows and the windows which are in the part of the proposed building facing Mapes House are all to kitchens. The proposal will not be detrimental to privacy of existing residents.

26 The narrow southwest elevation of Mapes House does not overlap with the footprint of the building. Closest to the application site there is a vertical row of small windows which are assumed to be habitable and balconies further along from this. These all currently face on to the entrance road and parking spaces. The main front elevation of the proposal begins about 3m further into the site than the rear elevation of Mapes House and the buildings are separated from one another by the vehicular and pedestrian route through the site. The proposal will maintain the privacy and outlook of existing residents.

27 The daylight and sunlight report has established that vertical sky component (VSC) and daylight distribution (DD) are acceptably within BRE guidelines. For Mapes house the impact on sunlight has also been assessed and found to be acceptable.

Other

28 The closest properties to the northwest on The Avenue, across the railway, and on Winchester Avenue have also been assessed and all results fall within the BRE guidelines. The rear garden boundaries of The Avenue are 34m away across the railway line and the properties are themselves are over 60m away. The properties on the opposite side of Winchester Avenue are over 40m away to the south.

Landscaping & communal amenity

29 The existing estate provides a good balance of hard and soft landscaping which is communally accessible

across the site. There are numerous mature trees which are of significant value if not individually then collectively. It is however the case that much of the soft landscaped areas have been neglected and are certainly under utilised. In order to ensure that there is adequate parking provision within the site as set out below a quantitative reduction in softlandscaping across the site has been unavoidable however it has been limited to a reduction from 3444sqm to 3138sqm.

30 The areas affected include the area to the north of Mapes House, the depth of this area will reduce to allow for the addition of a row of perpendicular bays, the existing trees will be retained between bays. The most significant area of softlandscaping is to the west of Mapes House and there are currently parallel bays alongside this, to accommodate additional parking the bays will become perpendicular, this area will also reduce from the southern end where the footprint of the development will encroach. A gain in softlandscaping is however proposed in front of Weston House adjacent to the proposed development and between Weston House and Mapes House, the existing parking area close to the site frontage will be replaced with softlandscaping including play space.

31 In order to mitigate the loss of area some significant improvements to the value of the communal amenity spaces are proposed, the soft landscaping at present is predominantly turf with some trees of varying quality presenting limited opportunities for play. In the area in front of Weston House which will increase in size the proposal envisages turfed areas, a fruit tree orchard and a play space with a soft surface. The area to the rear of the site with the existing poplar trees is proposed to accommodate planters for food growing, informal play items for young children and new formal planting beds. The area to the north and east of Mapes House will be retained as informal soft landscaping.

32 Officers consider the site wide landscaping proposals to be of good quality, it will introduce variety to enable residents with different interests to make more use of the available space including play, food growing and other informal recreation.

Trees

33 A detailed tree survey was undertaken regarding the area where the building is proposed and officers accept the recommendations regarding the removal of 3 trees, across the site particularly with the addition of the orchard there will be an increase in the number of trees. Officers have recommended that T12 which is to the rear of Mapes House at its southern corner be removed as this appears to have been quite significantly damaged by a car or lawn mower and its replacement can be mirrored across the shared surface in the inner corner of the new development.

34 Officers are unsure regarding the likelihood of the survival of T4 with the removal of the wall that it is adjacent to and condition that it be replaced if it is damaged or unlikely to survive within 5 years of the development.

35 Further detail is required regarding the poplar trees which run up the west of the site. The parking bays and softlandscaping work are proposed around their roots and it is essential that their root system is protected. The landscaping plan which around the bases of the trees will be required to take the results into account.

36 At the northern end of the site where a new row of perpendicular parking is proposed further details will be required to protect the adjacent trees here as well.

37 All information regarding tree protection will be required prior to the commencement of any works on site.

Highways

Parking Capacity

38 There are 46 parking spaces which operate on a first come first served basis within the site and 4 garages serving 79 residential units. BHP however found that the garages were not actually in use for parking purposes. Therefore the existing parking space to unit ratio is 0.58.

39 The proposed development would provide 61 spaces for 93 units which is a ratio of 0.65, slightly increasing the parking provision per unit and adding 15 available and usable spaces to the site.

40 The PTAL for the site is 3 to 4, the score of 4 is achieved at the site frontage. The parking standards are set out in PS14 of the UDP, however being proposed as affordable units and also on the edge of PTAL 4 the

standards would not be considered to fully apply, PS14 would set a maximum standard of 17 spaces for the 14 units but officers would consider this scale of provision excessive and in general affordable units are expected to result in only 50% of the full parking standard.

41 Census data for the local output area from 2011 has been examined, which shows a total of 69 cars owned by residents of the 150 flats in this immediate area; the vast majority of which are under Brent's freehold ownership. This gives an average car ownership rate of 0.46 cars/household. Results of a detailed overnight car parking survey have also been submitted within a Parking Report for the application, which show 40 and 44 cars parked overnight within the site on two separate nights that were surveyed. Brent's own overnight parking survey which was updated borough wide in 2013 showed only 2 cars parked on-street along the length of the road between the 2 site accessed indicating the existing development generates very little over spill at present.

42 The proposed parking layout results in 15 new spaces for 14 new units which significantly exceeds the general ratio of car ownership in the area and officers are satisfied from the results of the council's own on-street parking survey, the census data on car ownership and information submitted with the application that the proposal satisfactorily accommodates the additional demand that the proposal will produce without impacting upon the ability of existing residents to park.

Layout & Accessibility

43 Additional and relocated spaces are to be aligned along the existing access road perpendicular to the carriageway, 6m is indicated to enable manoeuvring into and out of spaces which is appropriate.

44 6 disabled parking spaces have been proposed meeting the 10% standard and improving the accessibility compared to the current situation.

45 The layout does result in a dispersion of parking spaces towards the northern end of the site which may result in some occupiers having further to walk than they sometime do at present. However if residents have mobility problems they will be able to park in their closest designated wheelchair accessible space which is not an existing facility.

Other

46 Standard PS16 requires the provision of at least one secure bicycle parking space per flat. Two external lockers with capacity for two bicycles each are proposed for the larger 3-bedroom flats at ground floor level, whilst an internal storeroom with capacity for 12 bicycles is proposed for the upper floor flats. This proposed level of provision meets standards.

47 Bin storage for four Eurobins and two wheeled bins is proposed at the front of the building, allowing straightforward collection of refuse from the existing loop road. A separate bin store is proposed for one of the ground floor flats for convenience, within 15m of the loop road to satisfy collection requirements. Fire access will also be available around the existing loop road, so service and emergency vehicle access will be adequately catered for.

Community Use

48 The site currently contains a self contained building accommodating a room utilised by the residents association for meetings and community events. The existing space measures approximately 60sqm on the site plan and is proposed to be replaced with a 90sqm space within the ground floor of the new building.

49 The applicant has confirmed that decisions regarding its use, including whether it can be hired out, will be taken by the residents association as is the case at present. A condition could be attached regarding hours of use however officers understand that the space is largely used by the residents association and it is therefore assumed that it would be used sensitively.

SINC

50 The adjacent railway and its embankments are of value for their nature conservation importance in the borough. The proposal does not encroach upon this but is adjacent to the area and as such any impacts as well as potential for improvement needs to be considered. The wider SINC is known as 'Silverlink Metro between Brondesbury and Willesden Junction' which describes the distance it covers as it also acts as a wildlife corridor.

51 The most recent survey undertaken described the area immediately adjacent to the site as scattered scrub suggesting that previous growth may have cleared by network rail in the recent past. Beyond the site to the northeast the train line sidings consist of semi-natural woodland. Access was not gained for a full inspection but there are records attached to this SINC of numerous species of birds and the habitat potentially supports reptiles, invertebrates and foraging bats though there are no records of bats.

52 As the proposal does not physically disrupt the SINC an ecological assessment has not been undertaken however officers are of the opinion that further consideration needs to be given to the potential impact of light spillage from the site onto the railway embankment as this would affect bats' behaviour. A condition is recommended to address this. In addition the applicant is required to install bird and bat boxes in appropriate locations.

Conclusions

53 Overall the proposal is considered to result in a good quality of accommodation which will have an attractive appearance in the street and within the site will not be detrimental to neighbouring amenity. The proposal increases the parking capacity of the site, providing a greater ratio of parking spaces per unit than required based on the surrounding levels of car ownership and parking and proposes significant landscaping improvements to mitigate the reduction in the area of communal amenity. The development would provide the borough with 14 affordable housing units.

Neighbour comments

Neighbour comments	Response
The development is in the communal area and takes away open space	The new development is predominantly on existing hard surfacing, though the development does result in the quantitative loss of communal amenity space. This is mitigated through the rearrangement and improvement of the space - para's 29-32
The proposal will impact on views, light, air and privacy	Para's 22-27 demonstrate that neighbouring amenity will not be unacceptably affected in terms of light and privacy. Views from existing windows will alter but non designated views cannot be protected, outlook however has been considered and good levels of outlook will be maintain in all cases. A condition is recommended to ensure construction is carried out in a way to minimise impact on air quality.
There will be additional noise and disturbance	A condition is recommended requiring constructors to sign up to the considerate constructors scheme
Loss of parking and increase pressure on parking	Para's 38-42
Accessibility of parking spaces	Para's 45-46
Increase in cars entering the site and impact on pedestrian access	Highways officers have recommended a condition to require improvements to the footway paving at the site entrances and the proposed layout seeks to improve the legibility and pedestrian routes in the site. Para 11-12
Increase pressure on schools, doctors etc.	Each borough is required to achieve high housing targets set by the Mayor and to plan for additional infrastructure to accommodate the additional population.
The development should be at the other end of the site which would not impact on existing residents	As set out in the report above the relationship between the proposal and existing occupiers is acceptable, another part of the site could offer scope for a different development but the applicant has identified the subject site as offering the best potential for the development and to enable wider improvements to the estate.
The design hasn't been amended to	The D&A summarises neighbours concerns related

take neighbours concerns from the drop in sessions into account	primarily to amenity and parking, para's 29-32 and 38-45 cover this issues in detail.
The development was not in resident's leases and existing tenants should be given the option to live in the new flats	Lease and tenancy issues are not material considerations for the planning application. BHP will be responsible for allocating the flats as appropriate to the waiting list.
Residents have not been properly consulted	This comment was made prior to the planning application being submitted and full planning consultation has now been undertaken as described above.
The residents association does not represent the majority	All neighbours have been consulted
More housing is needed but the council has other land	BHP has a programme of 100 new units which will only address a small part of the council's need for housing
The building will be within 7m of our property (Mapes House)	Para's 6-7 and 24-27 describe the relationship between the proposed building and Mapes House, at its very closest point there is a separation of 13m.

SUSTAINABILITY ASSESSMENT

While officers are no longer able to require the implementation of Code for Sustainable Homes, the proposal is designed to achieve Code Level 4 which is the level that Brent has applied to its growth areas.

The development involves measures to reduce carbon emissions in line with the Mayor's hierarchy. The applicant has cited site constraints as the reason that a communal heating system cannot be accommodated, other essential requirements at ground floor including cycle and refuse storage do not leave available floor area for communal plant. Instead boilers with the highest efficiencies are proposed. The proposal includes sufficient 'be lean' and 'be green' measures to achieve the required carbon reduction of 35% above 2013 Building regulations levels.

The sustainability checklist has been submitted and gives a result of 50% which is the target for major developments. It is the case that the checklist is often easier for very large scale developments to achieve a good score on than smaller scale schemes such as this site. While officers are of the opinion that there are some inaccuracies in the completed checklist the achievement of Code Level 4 and the sustainability measures included are considered to result in a sustainable development.

S106 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
- Achievement of 35% reduction in carbon emissions beyond the 2013 Building regulations target
- S278 agreement to undertake work to the Winchester Avenue accesses including improved surfacing, dropped kerbs, tactile paving.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

CIL DETAILS

The proposal as a residential development would be CIL liable however the application will be able to apply for Social Housing Relief.

This application is liable to pay **£274,831.48*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.
Total amount of floorspace on completion (G): 1107 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	1017	0	1017	£200.00	£35.15	£232,457.14	£40,854.34
Non-residential institutions	90	52	38	£35.00	£0.00	£1,520.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	£233,977.14	£40,854.34

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

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

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



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 15/1820

To: Mr Stephen Martin
PRP Architects
10 Lindsey Street
Smithfield
London
EC1A 9HP

I refer to your application dated 28/04/2015 proposing the following:
Demolition of existing garages and community centre and the erection of a four storey building comprising 14 self-contained flats (3x1bed, 9x2bed and 2x3bed), new community centre (Use class D1) and a sub-station with associated car and cycle parking spaces, bin stores and landscaping and accompanied by plans or documents listed here:
See condition 2
at Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

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
Housing: in terms of protecting residential amenities and guiding new development

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

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

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

AA5211/2001
AA5211/2003 B
AA5211/2004 A
AA5211/2006
AA5211/2007
AL5270-2000 B
AL5270-2001 A
AL5270-2002 A
57033-01
57033-02
Design & Access Statement

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

- 3 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 4 Activities within the community building and its attached garden shall only be permitted between 0800 - 2230 hours Sundays to Thursdays and 0800 - 2330 hours Fridays and Saturdays, with the premises cleared within 30 minutes after these times.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties.

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

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

locality.

- 6 Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building is occupied. Such details shall include:-

(a) details of appropriate locations for bird and bat boxes

(b) a review of potential light spillage from the development towards the train line with consideration of its impact on the wildlife corridor and appropriate mitigation measures;

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Time	Area	Maximum Noise Level
Daytime Noise 07:00 – 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

A test shall be carried out prior to the discharge of this condition to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To obtain required sound insulation and prevent noise nuisance

7

- 8 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 9 An arboricultural method statement and tree protection plan in accordance with BS5837:2012 shall be submitted to and approved in writing by the LPA prior to commencement of any work on site and the development shall be implemented in accordance with the approved details. The AMS should deal with the removal of hard surfacing within the RPA of all affected trees when drawn as a symmetrical circle as well as new landscaping proposed around the base of trees. tree protection plan will be required across the site. Any trees that are damaged or die within 5 years of the completion of the development shall be replaced.

Reason: To ensure that trees are not damaged during building works.

- 10 All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed during the first available planting season following completion of the development hereby approved.

Such scheme shall also indicate:-

- (i) Proposed walls and fencing, indicating materials and heights.
- (ii) Hardsurfacing materials and detail to demonstrate SUDS
- (iii) Details of any proposed play facilities
- (iv) Details of any proposed seating
- (v) Screen planting between the development and the western boundary.

(vi) How the arboricultural method statement and tree protection plan (required by condition) has been taken into account in the proposed landscaping scheme

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 11 Details of lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development, for communal areas within the site.

The approved details shall be fully implemented.

Reason: In the interests of safety, amenity and convenience.

- 12 Details of the proposed recycling store for Weston House, including the exact location and external height and appearance, shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to commencement of the use hereby approved.

Reason: To ensure that the proposed development acceptably relates to the streetscene with good quality materials and landscaping and is accessible for collection.

- 13 Details of a communal satellite system shall be submitted to and approved in writing by the Local Planning Authority and installed in accordance with the agreed details prior to the occupation of the building. No individual satellite dishes shall be attached to the building.

Reason: To ensure that such additions do not harm the visual amenity of the area.

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

29 July, 2015

15/1205

SITE INFORMATION

RECEIVED: 23 March, 2015

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 1 Thanet Lodge, Mapesbury Road, London, NW2 4JA

PROPOSAL: Erection of a 2 storey 4x bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road (amendment to approved application ref: 14/3463 to include a basement level)

APPLICANT: Java Properties International

CONTACT: Michael Burroughs Associates

PLAN NO'S: See Condition 2.

SITE MAP



Planning Committee Map

Site address: 1 Thanet Lodge, Mapesbury Road, London, NW2 4JA

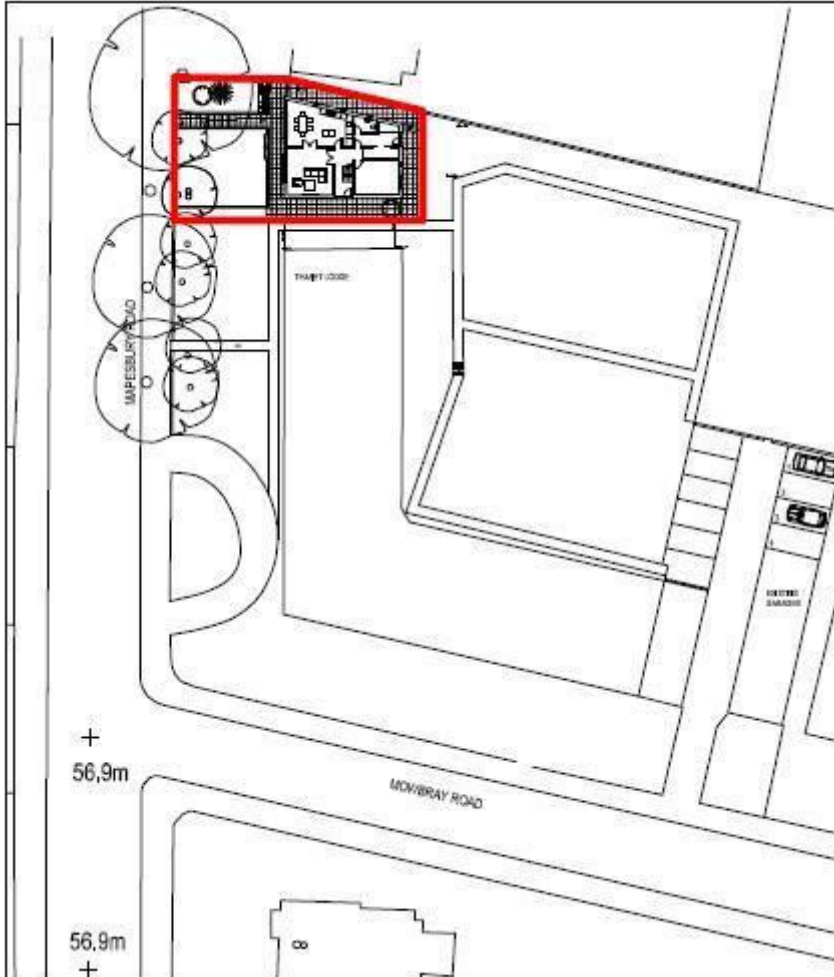
© Crown copyright and database rights 2011 Ordnance Survey 100025260



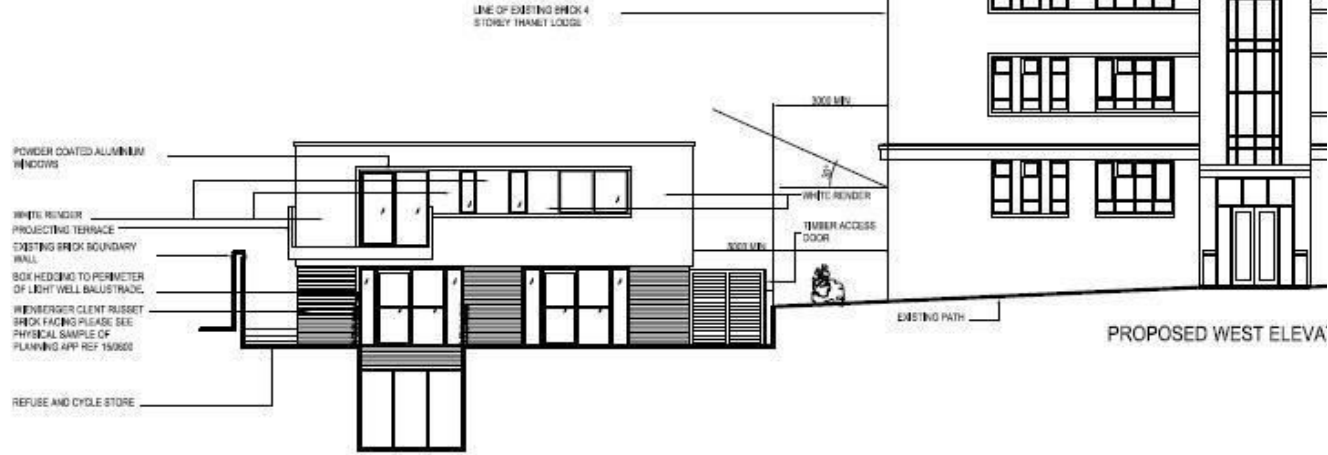
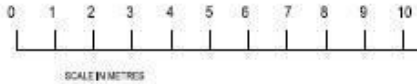
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

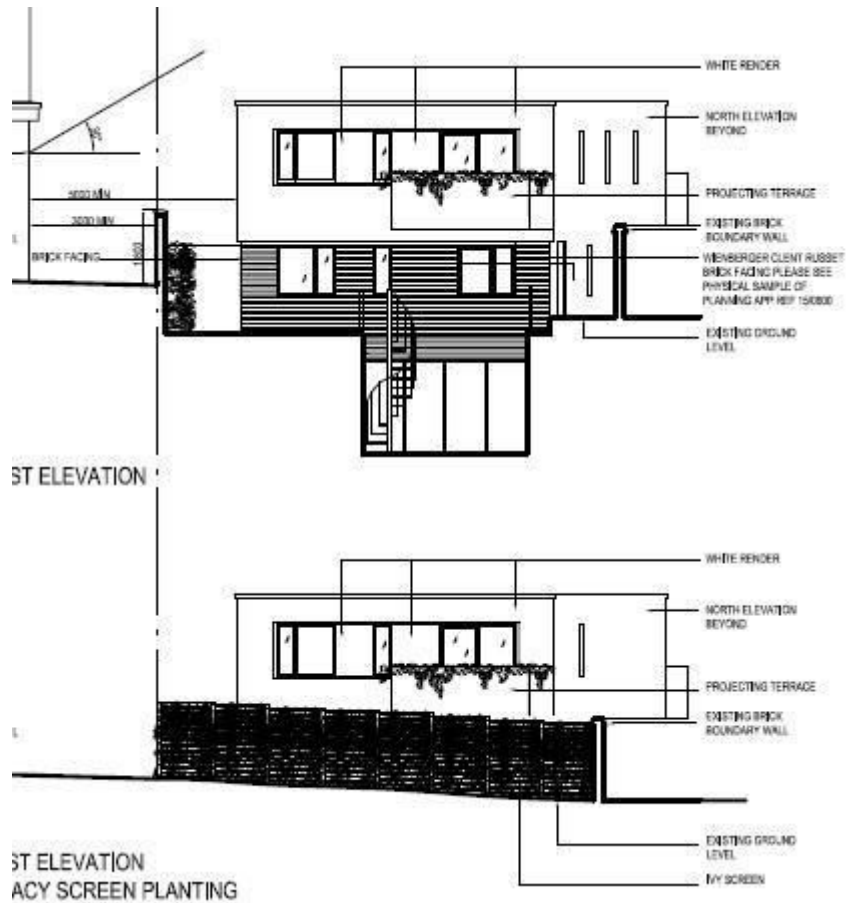
Proposed Site Plan



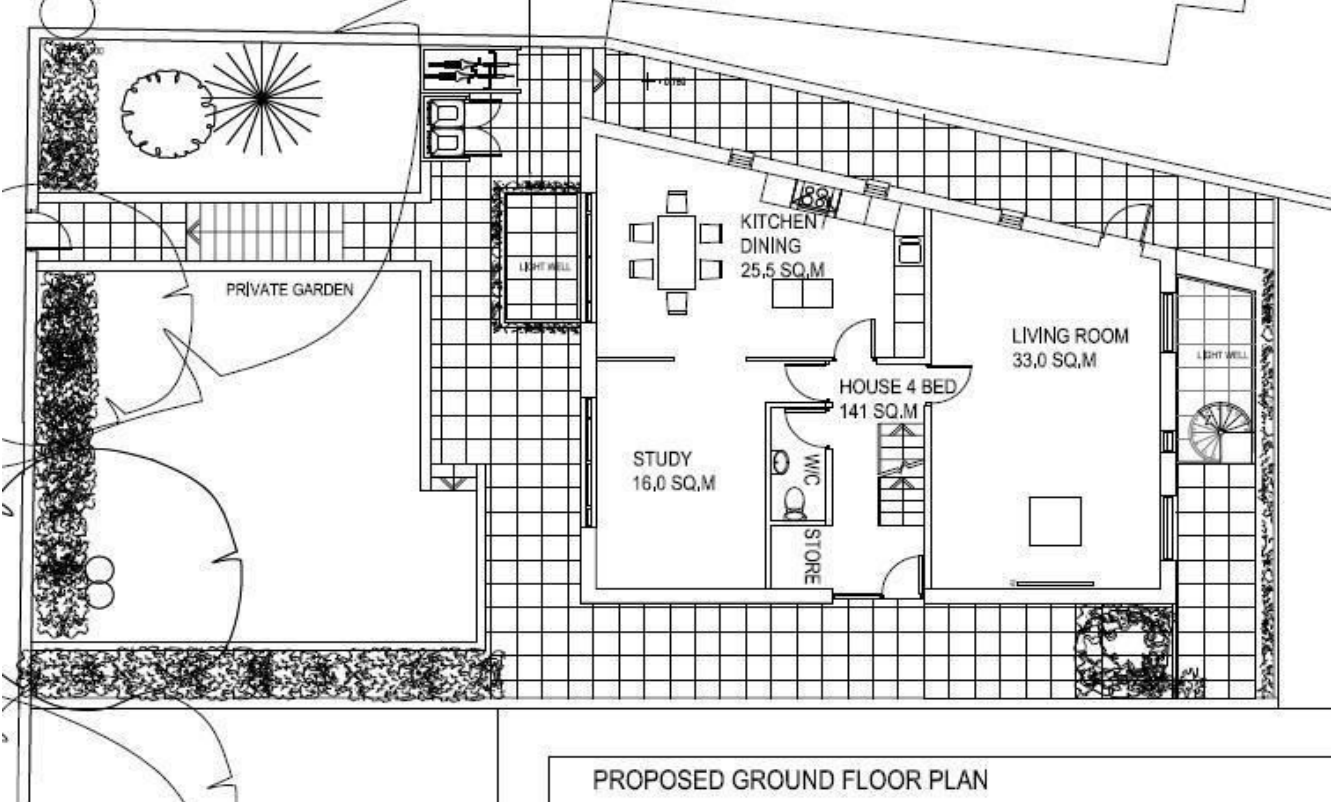
Proposed Front (west) Elevation



Proposed Rear (East) Elevations

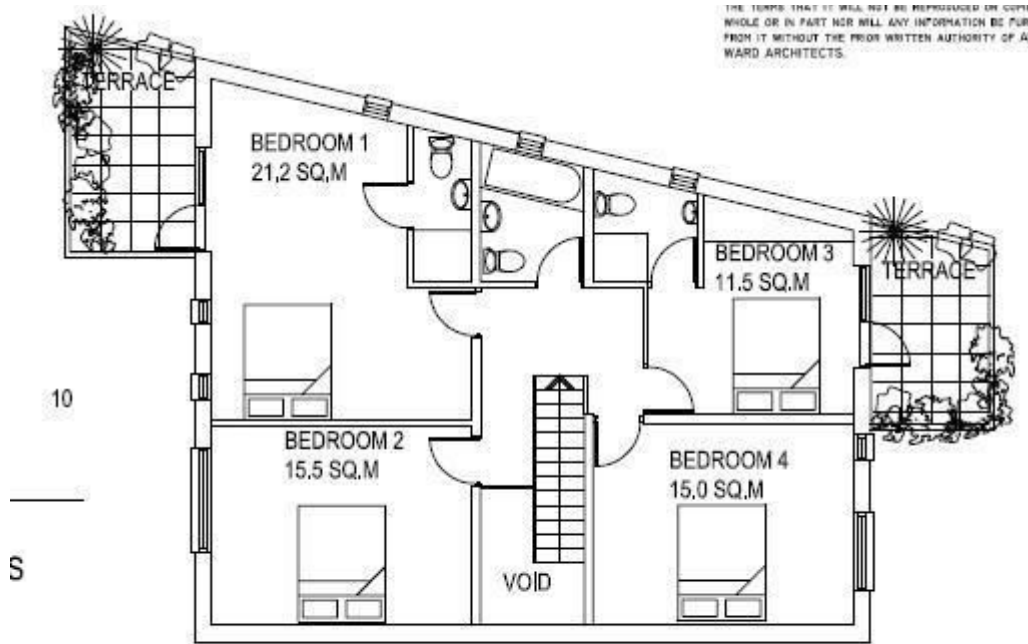


Proposed Ground Floor Plan



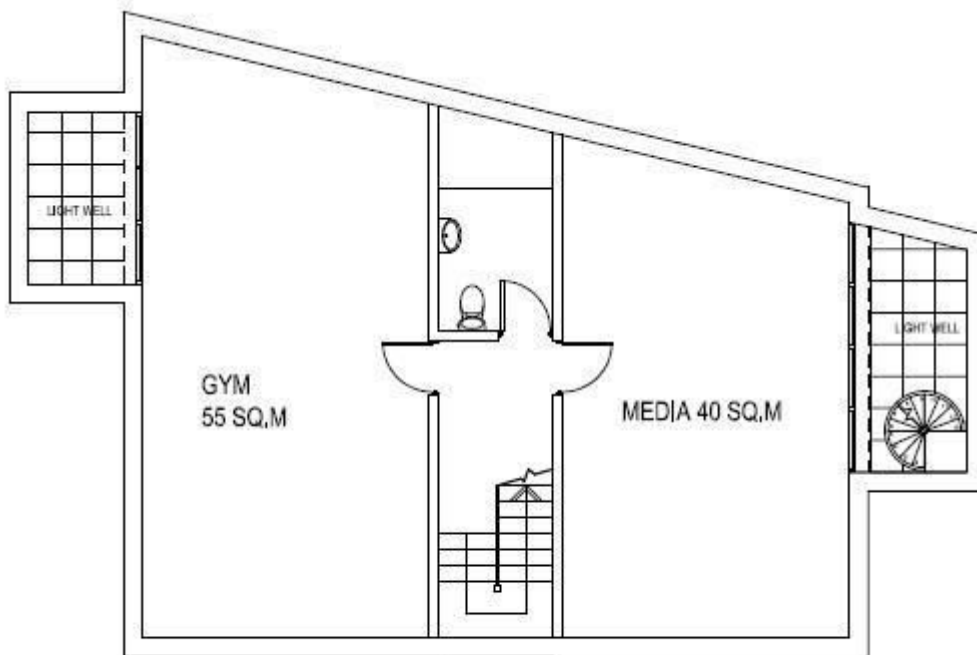
PROPOSED GROUND FLOOR PLAN

Proposed First Floor Plan



PROPOSED FIRST FLOOR PLAN

Proposed Basement Level Plan



PROPOSED BASEMENT FLOOR PLAN

RECOMMENDATIONS

GRANT planning permission, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

The proposal is for the erection of a 2 storey 4x bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road. The proposal is an amendment to a previously approved application ref: 14/3463 to include a basement level and front and rear lightwells.

B) EXISTING

The proposal site is a piece of land which forms part of a communal garden that services a four storey mid-twentieth century apartment complex (Thanet Lodge) to the south of the site. The site is located on Mapesbury Road and the property is located within the Brondesbury Conservation Area.

The existing apartment complex (Thanet Lodge) consists of 40x self-contained 1x/2x bed flats, including the 4x 2xbed flats at fourth floor level approved in 2003 and completed in 2006.

C) AMENDMENTS SINCE SUBMISSION

Amended plans were received on 12/06/2015 and 15/07/2015 which made the following amendments to the proposal:

- size of the front lightwell reduced
- the spiral staircase from the front lightwell removed
- the front lightwell is now finished in a grille flush with ground level opposed to glass balustrades

D) SUMMARY OF KEY ISSUES

The key planning considerations in this case are as follows:

- Impact on Character – The proposal is considered to result in a visually acceptable development which has an acceptable impact on the character of the area and preserves the special Character of the Conservation Area
- Impact on Neighbouring Amenity – The proposal is considered to form an acceptable relationship with neighbouring occupiers
- Standard of Accommodation – The proposal is considered to achieve an acceptable size and standard of accommodation for future occupiers
- Transportation Impact – The proposal is considered acceptable in transportation terms subject to the development being 'car-free'
- Impact on Trees – Subject to conditions the proposal is considered to have an acceptable impact on nearby retained trees and replacement trees can be secured by condition for those to be felled

RELEVANT SITE HISTORY

The property has an extensive site history, however of particular relevance in the assessment of this case in the dismissed appeal for the erection of three flats (1x Two Bed and 2 x One Beds) to the North of Thanet Lodge (Ref No: **12/2813**). The Local Authority refused the application for the following reasons:

1. *The proposed development would, by reason of its height, size and siting, be detrimental to the amenities of adjoining occupiers, by reason of loss of light, loss of outlook from, and the creation of an overbearing impact on, the existing property. The proposal would be contrary to policies BE9 and H16 of the adopted Brent Unitary Development Plan 2004 and Supplementary Planning Guidance SPG17: "Design Guide for New Development."*
2. *The proposed development, by virtue of a lack of external amenity space will be contrary to*

3. *In the absence of a legal agreement to control the matter, the development would result in additional pressure on parking demand and transport infrastructure, without a "car-free" agreement or any contribution to sustainable transport improvements in the area, an increased pressure for the use of existing open space, public sports facilities and education infrastructure, without any contribution to assist in their delivery and enhancement respectively. As a result, the proposal is contrary to policies STR19, TRN, TRN23, OS7 and CF6 of the adopted London Borough of Brent Unitary Development Plan 2004 and Supplementary Planning Document: "S106 Planning Obligations".*

Although the appeal was dismissed, the Inspector did not support the Council on all its objections. It was only dismissed on two particular aspects, these were:

- Loss to neighbouring amenity at Thanet Lodge
- Absence of a 'Car free' development

A further application was subsequently submitted (**13/3902**) that dealt with the remaining issues. The applicants appealed against non-determination of this application meaning that the Council were unable to make a decision on it. However, at the September 2013 Planning Committee Members resolved that they would have granted consent for the proposal had they been in a position to do so.

The appeal was withdrawn by the applicant and a new planning application submitted (**14/3463**) which was the same proposal which was considered acceptable by the Planning Committee under 13/3902. On this basis the proposal was approved subject to conditions.

The current proposal is similar to the one previously approved under 14/3463 except for the inclusion of a basement level under the footprint of the proposed dwelling and front and rear lightwells.

CONSULTATIONS

Statutory neighbour consultation period (21 days) started on 10/04/2015, in total 89 properties were consulted. To date 10 representations have been received objecting to the proposal. In addition to this Ward Councillor Shaw raises objection to the proposal. The grounds for objection are summarised below:-

Objection raised	Response
Proposal would be out of character with the areas and would not 'preserve or enhance' the character of the Conservation Area	See paragraphs 1-3
The proposed spiral staircase would be out of character with the area	The front spiral staircase is no longer proposed
Brent should take the approach of other London Boroughs and not permit lightwells where they are not characteristic of the street scene	There is no specific guidance on basements for this Conservation Area so your Officers have assessed the proposal against the general policies listed in the 'policy considerations' section of this report. Officers are satisfied that the proposal is visually acceptable as set out in paragraphs 1-3
Proposal would impact on the amenities of neighbours in Thanet Lodge	see paragraphs 4-8
The separate accesses to the basement via spiral staircases would lend the property well to sub-division into flats	The front spiral staircase has since been removed from the plans and any sub-division would require a further planning application which would be assessed based on its own merits

Conditions attached to applications 13/3902 and 14/3463 were discussed with the Thanet Lodge Residents Association. Certain conditions were agreed with residents and were incorporated into planning applications 13/3902 and 14/3463. All such conditions should apply to the current planning application.	All conditions attached to permission 14/3463 have recommended to be attached to this permission where they are still relevant. Some conditions requiring submission of details such as tree protection measures and a Method of Construction Statement are no longer relevant as the applicant has provided such information with the application. Compliance with the submitted information has been secured by conditions where appropriate.
The use of the basement could cause noise disturbance and vibrations and proposed lightwells would cause glare and light pollution	See paragraph 7
Proposal could affect the structural stability of Thanet Lodge	See paragraphs 17-18
Construction of the proposal could damage the communal garden	The submitted Method of Construction Statement states that vehicular access during construction will be by Mapesbury Road only and a hoarding erected on the eastern and southern boundaries with the communal garden
Construction of the proposal would impact on neighbouring amenity in terms of noise and dust.	See paragraphs 17-18
Proposal would result in the loss of trees which are characteristic of the area	See paragraphs 9-10

A Site Notice was displayed on 23/04/2015 as the site is within a Conservation Area.

CONSULTEES:

Transportation: No objection subject to 'car-free' development and revised bin storage location.

Tree Officer: Submitted tree protection information sufficient to support the application. Tree protection measures should be inspected by Tree Officer prior to commencement of works.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012):

Section 7 – Requiring Good Design

Section 12 – Conserving and Enhancing the Historic Environment

The London Plan (2011):

Policy 3.5 – Quality and Design of Housing Developments

Policy 7.8 – Heritage Assets and Archaeology

Housing Supplementary Planning Guidance (2012)

Core Strategy (2010):

CP17 – Protecting and Enhancing the Suburban Character of Brent

CP21 – A Balanced Housing Stock

Brent's UDP (2004):

BE2 – Townscape: Local Context and Character

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

BE25 – Development in Conservation Areas

TRN23 – Parking Standards – Residential Developments

Supplementary Planning Guidance:

SPG17 – Design Guide for New Development

DETAILED CONSIDERATIONS

Impact on Character:

1. The proposal is for a two storey, flat-roofed dwelling with a basement level. The building would have a width of approximately 10m on the frontage facing Mapesbury Road and a maximum height of 5.5m. Due to the change in levels between the site and Mapesbury Road, the building would have a relatively low profile and modest in height compared to its neighbours either side at Thanet Lodge to the south, which is a four storey block of flats, and the derelict two storey house to the north. The dwelling would be finished in white render at first floor level and brickwork at ground floor level. The flat roof design and arrangement of windows gives a modern appearance which is not in itself something the Council would object to. A dwelling of the same design was previously considered acceptable under application ref: 14/3463 and the same design was considered acceptable by the Planning Inspector in determining 12/2813. In deciding the appeal the Inspector noted that:

'The principle of housing on the site is clearly acceptable and I consider that the design accords with the relevant local (UDP) and national planning policy requirements (NPPF) in relation to the delivery and provision of a wide quality homes. I also consider that the proposal would preserve the character and appearance of the Brondesbury Conservation Area...'

2. The current proposal differs from previous proposals in that it includes a basement level and front and rear lightwells. There is no in-principle objection to basement developments in the Brondesbury Conservation Area providing any externally visible feature such as lightwells are visually acceptable and appropriately sized and positioned. The front lightwell would be 1.4m deep and 2.6m wide and positioned below a front window opening. The scale of the lightwell is considered proportionate to the host building and not unduly prominent in the street scene due to its 9.5m set-back from Mapesbury Road and the lower position of the lightwell relative to the highway. The lightwell would be finished in a grille flush with the ground level and indicative landscaping is shown around the lightwell which further reduces its prominence. The proposed lightwell to the rear is larger and features a spiral staircase down to the basement however this would not be easily appreciable from the highway and is considered a proportionate feature of the dwelling.
3. Details of the proposed materials can be secured by condition. Considering the points discussed above and considering the similar proposals previously approved on the site, the proposal is considered to constitute a visually acceptable form of development which preserves the special character of the surrounding Conservation Area.

Impact on Neighbours:

4. The neighbours nearest to the proposal site are those in flats on the lower levels of Thanet Lodge to the south and No.12a Mapesbury Road to the north. Although No.12a is currently derelict, the future use and residential occupation of the site should be considered.
5. The north-facing elevation of Thanet Lodge features window openings serving flats on the lower floors of the building. The proposed building would be positioned 5m from the nearest windows at Thanet Lodge which is the minimum recommended separation distance between habitable room windows and boundaries as set out in SPG17 'Design Guide for New Developments'. The proposed development sits below a 30° angle plotted from the lowest window in Thanet Lodge facing the site and so the proposal comfortably passes the 30° test as set out in SPG17. Previous proposals were considered to have an acceptable impact on the amenities of neighbours on this basis and the proposal in this instance is not considered to result in an unacceptable loss of light or overbearing impact on neighbours.
6. All north-facing windows facing towards No.12a serve as secondary windows and bathroom windows and can be required to be obscurely glazed and fixed shut by condition in order to preserve the amenities of

this neighbour. The proposal features no first floor windows facing towards Thanet Lodge.

7. The use of the basement as a gym and media room as identified on the proposed plans is considered unlikely to result in an undue impact on neighbouring amenity in terms of noise and vibrations due to the domestic scale of use of the proposed dwelling and its detached nature from neighbours. For the same reasons the proposed lightwells are considered unlikely to result in an unacceptable impact on neighbouring amenity in terms of glare.
8. The proposal would have the same relationship with neighbours as the previously approved scheme and on balance, the proposal is not considered to result in an unacceptable impact on neighbours in terms of loss of light, overlooking and overbearing impacts.

Trees and Landscaping:

9. The proposal site currently features trees, some of which would be removed as part of the proposal. No objection has previously been raised on Arboricultural grounds to the proposal on the basis that tree protection measures and tree re-planting were secured by condition. The applicant has submitted a Tree Survey and Arboricultural Method Statement detailing the removal of three trees and measures to protect retained trees during construction. The Council's Tree Officer has reviewed these details and considers them acceptable providing a condition is attached to ensure that the tree protection measures are inspected by the Tree Officer prior to commencement of construction on site. This, along with at least a 1:1 replacement of the trees to be removed can be secured by condition
10. Indicative Landscaping is shown on the plans in the form of a boundary hedge to the western and southern boundaries to the frontage of the site and soft landscaping in the front garden area and around the proposed front lightwell, A condition requiring a detailed landscaping scheme, including a 1:1 replacement of trees which are to be removed, can be attached. Overall and subject to conditions the tree and landscaping proposals for the site are considered acceptable and would preserve the special character of the Conservation Area.

Living Conditions:

11. The London Plan (2011) and its Housing SPG (2012) set out minimum standards for different types of accommodation. The minimum London Plan standard of a four bedroom house housing six people is 107m². The floor area of the proposed dwelling is 266m² and 180m² excluding the basement level. As with the previously approved schemes, the overall size of the accommodation is considered acceptable and would exceed the requirements of the London Plan.
12. Habitable rooms would have outlooks to the front and rear with side-facing windows serving non-habitable rooms or as secondary windows. The accommodation in the basement would be a gym and media room and not therefore habitable rooms. In any case both rooms would be served by lightwells and considering the overall size and quality of the accommodation of the proposed dwelling discussed above, the accommodation in the basement is considered acceptable.
13. The proposed dwelling would have amenity space in the form of terraces to the side and rear of the property plus a soft landscaped front garden area of approximately 84m². The dwelling would also have access to the large communal garden area of Thanet Lodge to the rear of the site. As with the previously approved scheme, considering the above in combination with the generous internal space of the dwelling, the proposal is considered acceptable in terms of amenity space provision.

Transportation Impact:

14. The site would not benefit from a vehicular access and no off-street parking is proposed. The site has good access to public transport (PTAL rating 4) and the area is covered by a Controlled Parking Zone (CPZ). Appendix TRN1 of Brent's Unitary Development Plan (2004) sets out parking standards for different types of residential accommodation.
15. The parking standard for the proposed dwelling is 1.2 spaces. The 40x existing flats at the site can be permitted up to 28 car spaces under the same PS14 standards. The proposed dwelling would increase the maximum standard for the site as a whole to 29.2 car spaces, which is deemed significant.
16. The previously approved application for a four bedroom dwelling was considered acceptable in transportation terms on the basis that the proposal would be a 'car-free' development where residents are not eligible for a residents' parking permit. The Council's Transportation Unit has been consulted and do not object providing the development is 'car-free' and providing the bin storage location is revised. Details of revised bin storage arrangements can be secured by condition. Subject to conditions, the

proposal is therefore considered acceptable in transportation terms.

Method of Construction:

17. The previously approved application was approved with a condition requiring submission of a Method of Construction Statement. The applicant has submitted a Method of Construction Statement with this application detailing how deliveries, access and storage of materials would operate on the site and the erection of a hoarding around the site for the duration of the construction stage and wheel washing arrangements on site for example. The submitted details are the same as those approved under discharge of conditions application 15/0600 and the Council's Transportation Unit has reviewed the submitted Method of Construction Statement and finds it acceptable. Compliance with the submitted details can be secured by condition.

18. Concern has been raised regarding the potential implications of the proposed development on the structural stability of Thanet Lodge. Although not normally a material planning consideration, the applicant has submitted a Method Statement detailing the proposed build methodology for the development. Overall, the applicant has shown consideration to the construction and building process of the basement in relation to neighbouring amenity and build methodology and the proposed development would be required to comply with Building Regulations and the Party Wall Act where applicable. This should give sufficient comfort for neighbours in terms of concerns surrounding structural stability.

Conclusion:

19. Considering the points discussed above and bearing in mind the recent approval of application ref:14/3463, the proposed dwelling is considered an acceptable form of development which, subject to conditions, would have an acceptable impact on the amenities of neighbours, trees and the character of the area and in transportation terms. The proposal is considered to preserve the special character of the Conservation Area. The proposal would therefore comply with saved UDP (2004) polices BE2, BE7, BE9, BE25 and TRN23, Core Strategy (2010) policy CP17, SPG17, The London Plan (2011) and the NPPF (2012) and is recommended for approval.

CIL DETAILS

This application is liable to pay **£71,485.60*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.
 Total amount of floorspace on completion (G): 266 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	266	0	266	£200.00	£35.15	£60,800.00	£10,685.60

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	£60,800.00	£10,685.60

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

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

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



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====
Application No: 15/1205

To: Mrs Emma McBurney
Michael Burroughs Associates
33 Shore Road
Holywood
Down
N. Ireland
BT18 9HX

I refer to your application dated 21/03/2015 proposing the following:
Erection of a 2 storey 4x bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road (amendment to approved application ref: 14/3463 to include a basement level)

and accompanied by plans or documents listed here:
See Condition 2.
at 1 Thanet Lodge, Mapesbury Road, London, NW2 4JA

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is considered an acceptable form of development which, subject to conditions, would have an acceptable impact on the amenities of neighbours, trees and the character of the area and in transportation terms. The proposal is considered to preserve the special character of the Conservation Area. The proposal would therefore comply with saved UDP (2004) polices BE2, BE7, BE9, BE25 and TRN23, Core Strategy (2010) policy CP17, SPG17, The London Plan (2011) and the NPPF (2012).

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

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

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

1213/L.24
1213/L.26
1213/TP.40
1213/TP.41 P1
1213/TP.42 P1
1213/TP.43 P2
1213/TP.44 A
1213/TP.45 A
1213/TP.46 A
1213/TP.47 A
1213/TP.48 P6
Design and Access Statement from Michael Burroughs Associates dated March 2015
Tree Survey and Arboricultural Method Statement from Trettec dated October 2014
Method of Construction Statement from Goddard Consulting LLP dated February 2015
Basement Method Statement from Martin Redston Associates dated 12/03/2015

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

- 3 The development hereby approved shall be carried out in strict accordance with the tree protection details set out in the 'Tree Survey and Arboricultural Method Statement' from Trettec dated October 2014, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained trees give and will continue to give to the amenity of the area.

- 4 No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted

at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained trees give and will continue to give to the amenity of the area.

- 5 No development shall be carried out until what time as the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 6 All glazing located on the Northern Elevation of the new house, shall be obscured glazed, fixed closed and permanently maintained as such, unless agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity

- 7 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

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

- 8 The development hereby approved shall be carried out in accordance with the details in the submitted Method of Construction Statement from Goddard Consulting LLP dated February 2015 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity.

- 9 Details of materials for all external work, including samples, shall be made available for the Local Planning Authority to consider, and approve, before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- 10 A detailed hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. All detailed works shall be carried out as approved prior to the occupation of any of the units hereby approved. Such details shall include:

- (i) details of soft landscaping including the planting of trees, shrubs and hedges and species and pot sizes/spacing
- (ii) any trees to be felled replaced with suitable trees with a minimum ratio of 1:1
- (iii) details of materials to be used in areas of hard surfacing

- (iv) details of boundary treatments
- (v) details of bin and cycle storage arrangements

Any trees or plants planted in accordance with the approved landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

- 11 The development hereby approved shall have a green roof. Prior to the commencement of occupation of the proposed unit, details of the green roof layout, construction and planting will be submitted to the Local Planning Authority. Such details/considerations will include:
- Biodiversity based with extensive substrate base (depth 80-150mm);
 - Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

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

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 You are advised that that construction and demolition work is controlled by the Council under Section 60 and 61 of the Control of Pollution Act 1974, and the British Standard Codes of practice 5228:1997 Parts 1 to 4. In particular, building work that is audible at the boundary of the site shall only be carried out between the following hours:
- Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all
- 3 The application has demonstrated that appropriate consideration in terms of build methodology in relation to the basement has been undertaken by the qualified Engineer in accordance with the Councils Good practice guidance for basement construction. The Council has used its best endeavours to determine this application on the basis of the information available to it, however the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

Any person wishing to inspect the above papers should contact David Raper, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5368

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