



## Planning Committee

**Wednesday 18 November 2015 at 7.00 pm**

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

### Membership:

#### Members

Councillors:

Marquis (Chair)  
Agha (Vice-Chair)  
S Choudhary  
Colacicco  
Ezeajughi  
Mahmood  
Maurice  
M Patel

#### Substitute Members

Councillors:

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

Councillors

Colwill and Kansagra

**For further information contact:** Joe Kwateng, Democratic Services Officer  
020 8937 1354, [joe.kwateng@brent.gov.uk](mailto: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](http://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 previous meeting		1 - 12
<b>Extract of Planning Code of Practice</b>		
<b>APPLICATIONS DEFERRED FROM THE PREVIOUS MEETING</b>		
3. 33A Wrentham Avenue, London NW6 (Ref. 15/3316)	Queens Park	17 - 40
<b>NORTHERN AREA</b>		
4. Kingsbury High School and Roe Green Park, Princes Avenue, London, NW9 9JR (Ref. 15/1508)	Queensbury	41 - 56
<b>SOUTHERN AREA</b>		
5. 40 Donaldson Road, London, NW6 6NG (Ref. 14/1494)	Kilburn	57 - 72
6. 42A-D and 43A-C St Julians Road, London, NW6 7LB (Ref. 15/3316)	Kilburn	73 - 98
7. 40D St Julians Road, London, NW6 7LB (Ref. 5/3315)	Kilburn	99 - 122
8. 75 Okehampton Road, London, NW10 3EN (Ref. 15/3570)	Queens Park	123-138
9. Knowles House, 51 Longstone Avenue, London, NW10 3UN (Ref. 15/3702)	Kensal Green	139-150
10. Land on site of former Craven Park Health Centre, Knatchbull Road, London NW10 (Ref. 15/0822)	Stonebridge	151-174
11. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.		

Site Visit - 14 November 2015

## SITE VISITS – SATURDAY 14 NOVEMBER 2015

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

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
15/1508	Kingsbury High School and Roe Green Park, Princes Avenue, London, NW9 9JR	3	Queensbury	9:45	41 - 56
15/3315	40D St Julians Road, London NW6 7LB	7	Kilburn	10:15	99 - 122
15/3316	42A-D and 43A-C St Julians Road, London, NW6 7LB	6	Kilburn	10:15	73 - 98
15/3570	75 Okehampton Road, London, NW10 3EN	8	Queen's Park	10.30	123 - 138
15/3702	Knowles House, 51 Longstone Avenue, London, NW10 3UN	9	Kensal Green	10.50	139 -150
15/0822	Land on site of former Craven Park Health Centre, Knatchbull Road, London	10	Stonebridge	11:30	151 - 170

**Date of the next meeting: Wednesday 16 December 2015**

The site visits for that meeting will take place the preceding Saturday 12 December 2015 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.

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE Thursday 22 October 2015 at 7.00 pm

PRESENT: Councillor Marquis (Chair), Councillor Agha (Vice-Chair) and Councillors S Choudhary, Colacicco, Ezeajughi, Mahmood, Maurice and M Patel

Also present: Councillors Colwill, Dixon, McLennan, W Mitchell Murray, Pavey, Perrin, Southwood and Stopp.

#### 1. **Declarations of personal and prejudicial interests**

3. Ark Elvin Academy, Cecil Avenue Wembley (Ref. 15/3161)  
Chetan Patel sent emails to all members dated 5, 11, 20, 21 (x3) relating to correspondence with Planning Officers, the Legal Monitoring Officer, Highways Department Councillor Butt (Leader of the Council) and the Local Ombudsman regarding the alleged breach of the public right of way (PROW) and concerns about construction access.  
  
John Joseph Collery sent an email to all members dated 13 October 2015 regarding the alleged breach of the public right of way.  
  
Vimal Chavda sent an email to all members dated 21 October 2015 regarding the alleged breach of the public right of way.
7. 33A Wrentham Avenue NW10 3HS (Ref. 15/3094)  
Michael Woodman-Smith (architect) and Leah Clarke (applicant) sent emails to all members on the 21 and 22 October 2015 respectively with further representations, enclosing additional plans and letters of support from neighbours.
9. Car Park Ainsworth Close (Ref. 15/3218)  
Councillor Mahmood declared a prejudicial interest and indicated that he would leave the meeting and would not take part of the discussion or voting during consideration of the application.  
  
Councillor Mili Patel declared a prejudicial interest as a member of the Board of Trustees of Brent Housing Partnership (BHP) and indicated that she would leave the meeting room and not take part in the discussion or voting during consideration of the application.
10. Former Kensal Rise Branch Library (Ref. 15/3819)  
Margaret Bailey (Chair of Trustee, Friends of Kensal Rise Branch Library) sent a letter in support to all members dated 20 October 2015.

Councillor Choudhary declared a prejudicial interest and indicated that he would leave the meeting room and not take part in the discussion or voting during consideration of the application.

**2. Minutes of the previous meeting - 24 September 2015**

RESOLVED:-

that the minutes of the previous meeting held 24 September 2015 be approved as an accurate record of the meeting.

**3. Ark Elvin Academy, Cecil Avenue, Wembley, HA9 7DU (Ref. 15/3161)**

PROPOSAL:

Demolition of existing buildings on site and erection of replacement building to accommodate a three storey 9FE secondary school for 1750 pupils (1350 11-16 year old and 400 post 16) with associated car parking, servicing and circulation space, Multi Use Games Area, All Weather Pitch, games areas and other hard and soft landscaping, together with the diversion of Public Right of Way (PROW) No.87

RECOMMENDATION: Grant planning permission subject to conditions as set out in the draft Decision Notice and amended conditions 2, 10, 11 and 18 as detailed in the supplementary report.

Rachel Murrell (Area Planning Manager) outlined the proposal and referenced the supplementary report. Members heard that the use of Brent House or the existing access from the High Road was not considered appropriate for the main construction access route. Brent House was a separate site under different ownership and the High Road was deemed to be unsuitable due to health and safety reasons given its proximity to the existing school building. She continued that Jesmond Avenue had been selected as the preferred route of construction access as it had a direct access from Harrow Road, its closer proximity to the North Circular Road, loss of fewer on-street parking and the ability to enable the school to operate during construction without risk to pupils. Members heard that a car park within the site to compensate for the loss of on-street parking would be difficult to manage and as such was not considered appropriate.

The Area Planning Manager reported that legal advice had confirmed that assessment of claims to the use of the school grounds as a public right of way could not be carried out by the Planning Committee and must instead be dealt with by a separate process by the Transportation Department. The advice also confirmed that there was no impediment to the Planning Committee considering and determining the application. She drew members' attention to condition 22(a)(iii) regarding boundary fencing during construction, updated plans to reflect the changes to the site layout and amended conditions 2, 10, 11 and 18 as detailed in the supplementary report.

Chetan Patel (resident objector) stated that the application which would remove the current open space would be contrary to Brent's open space policy and the relevant Unitary Development Plan (UDP) policies. He continued that there had been no consultation with residents on the proposed yellow lines, the proposed construction route and that car parking spaces had not been properly assessed.

He added that the design statement for the application was inadequate. He challenged officers' reasons for selecting Jesmond Avenue as the preferred construction access route adding that had officers opted for Cecil Avenue, only 3 houses would have been affected as opposed to 170 houses in Jesmond Avenue. He also stated that the application would remove public access to open space that residents had been using for at least 20 years

Ronak Patel (resident, objector), speaking in a similar vein referred to lack of consultation regarding the yellow lines, anti-social behaviour and light pollution from the MUGA pitches. He added that with heavy vehicles passing through Jesmond Avenue during the construction period, the impact in terms of noise nuisance, spillage and damage road infrastructure would be severe. He queried who would be responsible for monitoring the construction traffic. He also raised concerns about light pollution and queried whether the entrance points to the field from Jesmond Avenue would remain open once the construction was complete.

Raphael Moss, (Headteacher, Elsley Primary School) speaking in support stated that the application would offer good quality sporting facilities for his pupils and help develop the community. He added the upgrading of the fence would allay his concerns over children safety and anti-social behaviour.

Amanda Whelan (Executive Headteacher, St Joseph Junior and Infants' School) speaking in support of the application stated that the health and safety safeguarding concerns had been addressed in the report and subject to the erection of robust quality fencing, the school was fully supportive of the proposed academy.

In accordance with the provisions of the Planning Code of Practice, Councillor W Mitchell-Murray (ward member) stated that she had been approached by residents. Councillor Mitchell-Murray spoke in support of the application adding that the new school was needed but raised concern about the lack of respect shown to residents. She also expressed safeguarding concerns for the children and stated she continue to engage with residents regarding the parking issue and with the academy on measures to limit light pollution to the residents of Jesmond Avenue..

In accordance with the provisions of the Planning Code of Practice, Councillor Stopp (ward member) declared that he had been approached by residents. Councillor Stopp stated that a precedent was set when the Committee refused the application for the Welsh School in King Edwards VII Park due to its detrimental impact on residents' access to green spaces, a reason which could be applied to the current application. He also expressed concerns about the lack of consultation with residents and the loss of public access to the open space. Councillor Stopp urged deferral of the application to enable proper consultation with residents to take place.

Vaughan Burnard on behalf of the applicant stated that a grant of £26m, which had been secured from Central Government for the proposed academy, could be withdrawn if the application was refused. He added that the proposal would provide a good standard of environment and education for the community including children from local primary schools. He continued that the assertions made by some of the residents were unfounded.

Patricia Bramwell (legal representative) stated that as part of the consultation process a number of letters had been received by the Council regarding the claimed use of the school grounds as a public right of way and that the Council was unaware of the precise nature of the claim as the representations received were not clear, but in any event, any such claim would be dealt with by way of a separate process by the Transportation Department. She advised that members could determine the application if they considered that they had all the relevant planning information they required.

In the ensuing discussion, members raised questions about alleged inadequate consultation, control of dust and dirt during construction, light pollution from the pitches and the enforcement of the yellow line restrictions. Officers were also requested to comment on the access arrangements via Jesmond Avenue and the possibility of maintaining the front of the site permanently for use as green space and no other use.

John Fletcher (Development Control Transportation Officer) reiterated that for reasons outlined in the report including health and safety, Jesmond Avenue was considered to be appropriate for access to the site during construction. He added that there would be further consultation with residents on the yellow lines and that control of construction traffic would be set out in the Construction Management Plan. Rachel Murrell advised members that conditions had been imposed to ensure that there would be no significant light spillage or pollution from the pitches and that Sport England were satisfied with the conditions imposed for the floodlit all weather pitches within the application. Stephen Weeks (Head of Planning) advised members that it was inappropriate to condition the front of the site for use as green space only as a local policy had been adopted that identified the site for a mixed use development to meet wider regeneration objectives.

In her closing remarks, the Chair noted that conditions had been recommended that would allay many of the concerns expressed by residents and mitigate potential adverse impact including safeguarding and light pollution. She also noted that the claims to the use of the grounds as a public right of way was not, on legal advice, an issue for the Committee to consider. She suggested that in future schemes the Education Funding Agency (EFA) should consider providing sufficient funding to achieve BREEAM excellent standard for the scheme at the outset. She referenced the report and suggested an additional condition should be included (as per para 65 of the report) for signage and landscaping at the High Road entrance. Condition 21 should also be updated to ensure the maintenance of external plant equipment to ensure it meets required noise levels. These were put to the Committee and declared carried. A request was made for a condition to require the applicant to restore the road surface on Jesmond Avenue at the end of the construction. Stephen Weeks (Head of Planning) stated that such a condition would not be necessary as the Transportation team had confirmed that the condition of the road surface would be recorded prior to the start of construction work and it would be again assessed at the end of the works. The applicant would be responsible for any remedial works.

**DECISION:** Planning permission granted as recommended subject to an additional condition for signage at the High Road entrance and updated condition 21 for the monitoring of external plant following installation.



#### **4. 25 Brookfield Crescent, Harrow, HA3 0UT (Ref. 15/1569)**

##### **PROPOSAL:**

Demolition of existing dwelling house and associated buildings and erection of 3 two storey dwelling houses (2 x 2bed and 1 x 3bed) with associated car parking spaces, bin stores, amenity space and landscaping (revised description)

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice and an additional condition in relation to foul water drainage as set out in the supplementary report.

Rachel Murrell (Area Planning Manager) outlined the scheme and with reference to the supplementary report, drew members' attention to the matters raised during the site visit. The officers' responses addressed claims about the use of the site as a builders' yard, highways considerations of the scheme, overdevelopment of the site, boundary treatment and removal of trees from the site. She added that as the site was partly within a flood risk area a flood risk assessment had been submitted and a condition had been secured requesting details of permeable paving for the hardstanding. She continued that as details of foul water drainage would need to be agreed with the sewerage undertaker, an additional condition requesting further details of foul water drainage as set out in the supplementary report was recommended.

In respect of additional letters of objection from Councillors Colwill and Kansagra on the grounds of over-development and loss the uniformity of the houses on the road, Rachel Murrell advised that having regard to the previous appeal decision, the proposal was not considered to be an overdevelopment of the site and that the sitting of the new houses and their relationship to the streetscene was considered to be acceptable.

Dipak Radia (objector) stated that the current application failed to address the issues for which it was previously refused. He continued that the application went against Brent policy of building on garden space, it would be out of character with the houses on the road and an over-development of the site. He stated that it would also adversely impact on parking as well as lead to loss of privacy, overlooking to properties in Cranleigh Gardens and as highlighted by the officer, flooding and sewerage problems.

In accordance with the provisions of the Planning Code of Practice, Councillor Colwill (ward member) declared that he had been approached by residents. Councillor Colwill reiterated his concerns about over-development of the site, loss of views, adverse traffic impact and increased flood risk in Brookfield Crescent. Councillor Maurice echoed similar views.

Rachel Murrell in responding to the above issues stated that the Planning Inspectors decision is material to the assessment of the application. The decision accepted the principle of development on the site and the reduction in the number of units from 4 to 3 had sought to address concerns regarding the impact on the character of the area. John Fletcher (Highways) and Patricia Bramwell (legal adviser) spoke in concurrence. Patricia Bramwell, confirmed that the Inspector's Decision was a material consideration in the determination of the application.

DECISION: Planning permission granted as recommended.

**5. Flat 1-6 INC, 9 Regent Street, London, NW10 5LG (Ref. 15/2200)**

**PROPOSAL:**

Construction of a new floor to existing four storey mixed used building to provide two additional self-contained flats (2x 1bed) "CAR FREE DEVELOPMENT".

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) outlined the scheme and with reference to the supplementary report responded to the queries raised at the site visit. Members heard that a Construction Method Statement would be required by condition and that the applicant would also be required to sign up to the Considerate Constructors Scheme prior to works being undertaken. The Method Statement would to mitigate, as far as possible, levels of disturbance. He continued that the separation distance to Harrow Road was sufficient to prevent potential overlooking and adverse streetscene. The Area Planning manager drew members' attention to the "car free development" which would limit the impact of the proposal on highway conditions in the area.

Christopher Alley speaking on behalf of Kensal Triangle Residents' Association (KTRA) reiterated the concerns set out in the main report and added that the open aspect of the development and the levels of disturbance during construction had not been addressed.

In accordance with the provisions of the Planning Code of Practice, Councillor Southwood (ward member) declared that she had been approached by residents. Councillor Southwood raised objections to the scheme on the grounds of excessive height, loss of privacy, overlooking and an increase in the level of congestion and pressure on parking facilities, albeit a "car free development". She added that the proposal could set a precedent for similar undesirable developments to the detriment of the area.

Jonathan Ellis (applicant's agent) informed members that the concerns expressed would be addressed via conditions including the Construction Method Statement which required the applicant to sign up to the Considerate Constructors Scheme prior to works being undertaken. He added that overlooking had been minimised through separation distance to the nearest garden and additional planting had been proposed. The agent undertook to engage with residents on further concerns that they may have during construction. In response to a member's question, Jonathan Ellis stated that a residential change in use of the ground floor was not likely to be acceptable because it would be difficult to provide an acceptable quality of residential environment for future residents and moreover, the layout was not conducive to this use.

DECISION: Planning permission granted as recommended.

**6. 15 Brondesbury Villas, London, NW6 6AH (Ref. 15/2809)**

**PROPOSAL:**

Proposed conversion of property from two 2x bedroom flats to a single 4x bedroom dwelling house plus erection of single storey rear extension following demolition of existing single storey rear extension, erection of glazed side extension and re-location of access door at second storey level, replacement of UPVC windows with timber windows, alterations to existing outbuilding including insertion of bi-fold doors and replacement of roof with glazed roof and removal of front canopy structure (amended plans and description)

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) introduced the scheme and referenced the supplementary report. He informed members that the applicant had provided updated existing rear and side elevations showing that there would be no increased impact on neighbours, in response to concerns expressed by the occupants of Nos. 13 and 17 Brondesbury Villas.

Whist welcoming the application, members agreed to an additional condition to restrict the use of the roof of the extension as an outside terrace.

**DECISION:** Granted planning permission as recommended and an additional condition restricting the use of the roof of the extension as an outside terrace.

**7. 33A Wrentham Avenue, London, NW10 3HS (Ref.15/3094)**

**PROPOSAL:**

Proposed erection of single storey rear and side extension and separate access to ground floor flat

**RECOMMENDATION:** Refuse planning permission for reasons as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) outlined the scheme and referenced the supplementary report in terms of the applicant's view that precedents existed at 62 and 64 Wrentham Avenue to justify the development and also referred to a letter of a neighbour's support and a response from the applicant's agent on officer's report which had been circulated to all members of the Committee. Andy Bates concluded that the proposal which would incorporate a wrap around extension would relate unacceptably to the existing building in design terms, size and bulk and urged members for refusal.

Leah Clarke (applicant) informed members that the rear extension proposed would extend the full width of the house and together with its size, bulk and siting accorded with the provisions of SPG5. She continued that the proposal in terms of its detailed design, especially within main frontages, prominent elevations and roofs, would conform with the DMP7 (Brent's Heritage Assets) The applicant added that the fundamental reason for the application was the need to provide an adequate combined area for the kitchen, dining and living area, and a new entrance in the side extension that would open directly into the new

living / dining area. She advised members that the proposals, which incorporated a creative and appropriate design solution specific to the site's shape, size, location, would have no impact on the public realm streetscape. Michael Woodman-Smith (applicant's architect) was in attendance and responded to members' queries.

In bringing the discussions to an end the Chair clarified the application and reiterated the concerns outlined by officers and for which the recommendation for refusal had been made.

Members voted however to be minded to grant planning permission contrary to officers' recommendation for refusal and requested the Head of Planning to submit a further report to the next meeting setting out conditions for approval.

Voting on the recommendation for refusal was recorded as follows:

FOR:	Councillor Marquis	(1)
AGAINST:	Councillors Choudhary, Colacicco, Maurice and Patel	(4)
ABSTENTIONS:	Councillors Agha, Mahmood and Ezeajughi	(3)

DECISION: Minded to grant planning permission contrary to officers' recommendation for refusal.

**8. 143 & 145 Brondesbury Park, Brondesbury, London, NW2 5JL (15/2382)**

**PROPOSAL:**

Demolition of existing synagogue and erection of a new three storey synagogue with basement level with ancillary prayer hall, youth room, community hall and nursery.

RECOMMENDATION: 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 Head of Legal Services, subject to the conditions as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) outlined the scheme and with reference to the supplementary report, clarified the height of the proposed development and its relationship with the adjacent building. He added that the proposal would not impact on highways conditions in the vicinity as the CPZ for the area operated from 10.00am - 3.00pm and that the area to the front of the site would not be used for parking. He however added an additional condition requiring a Travel Plan to encourage sustainable transport modes.

DECISION: Granted planning permission as recommended and an additional condition requiring details of Travel Plan.

## **9. Car Park, Ainsworth Close, Neasden, London (Ref. 15/3218)**

### **PROPOSAL:**

Erection of three 2 storey terraced dwelling houses (1 x 2bed and 2 x 3bed) including formation of off street parking, bin and cycle stores and associated hard and soft landscaping.

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) outlined the scheme and with reference to the supplementary report responded to concerns raised at the site visit. Members heard that there would be no direct conflict with adopted guidance due to the separation distance between windows in the existing and proposed flank wall and the angle of the buildings. He continued that the cycle stores and bin stores were located so as to be easily accessible and would not impact on the scope for soft landscaping, requirement under condition 3. He advised that the spread of tree roots was not be envisaged to create neighbourly difficulties.

Members heard that Thames Water had considered the scheme and, whilst they did not raise objection to the proposal, suggested conditions to ensure that the development did not adversely impact on drainage as clarified in the main report. Andy Bates informed members that the parking standard attributable to the proposal did not anticipate overspill parking from the site and that the car park had been historically underused. He continued that although there had been some instances of anti social behaviour on the estate requiring wardens to be called out, the proposal should not give rise to anti social behaviour and should establish an active character in a currently poorly overlooked space.

John McConalogue objected to the proposed development on the grounds of overlooking, over-shadowing and loss of car parking facilities. He considered that the revisions made by the applicant were minor involving changes to a single bedroom and failed to address residents' concerns.

Kim Darby echoing similar sentiments added that due to the narrow width of Ainsworth Close, the proposed development would result in an adverse traffic impact. She continued that the removal of trees would directly affect the foundations of nearby properties.

In accordance with the provisions of the Planning Code of Practice, Councillor Dixon declared that she had been approached by, and had attended drop in sessions with residents. Councillor Dixon informed members that the applicant had made satisfactory revisions that addressed concerns previously expressed and which rendered the scheme fit for purpose. She continued that the proposal enabled Brent to respond to the housing needs of its residents and urged members to agree to the recommendation for approval.

Daniel Pan (applicant's architect) stated that revisions had been made to the scheme which addressed concerns raised by objectors. He added that working in partnership with the Council's Tree Officer, measures had been put in place to reduce visual impact and enhance the streetscene. He continued that although the

scheme complied with parking standards, the applicant would continue to engage with residents on any possible introduction of CPZ. In response to a member's enquiry about parking survey, Daniel Pan stated that an independent survey was commissioned by the applicant and passed on to the Council's Highways officers who raised no concerns about the application on highways grounds. This view was concurred by John Fletcher (Development Control Highways Officer).

The Chair enquired as to whether the applicant had considered the impact of 2 instead of 3 dwelling units, whether an increase in service charges was likely and stressed the importance of improved resident engagement for such infill schemes in light of the comments made by residents about the parking survey. Tom Bremner for the applicant, Brent Housing Partnership (BHP) responded that having 3 units would in addition to providing an extra dwelling unit, enhance surveillance and assist in security. He continued that BHP was investing in the estate including general outlook and fire safety with no impact on service charges to residents.

DECISION: Planning permission granted subject to conditions as recommended.

**10. Former Kensal Rise Branch Library, Bathurst Gardens, London, NW10 5JA (Ref. 15/3819)**

**PROPOSAL:**

Variation of condition 5 (cycle parking and refuse recycling storage) to allow the location of cycle parking and refuse stores at ground floor level, of full planning permission reference 14/0846 dated 11/11/2014 for Conversion of the existing vacant building to provide 5 residential units (2 x studios, 1 x 1 bed duplex flat and 2 x 2 bed duplex flats) on part ground and upper floors and 186m<sup>2</sup> community space (Use Class D1) on the ground floor. Single storey ground floor extension to west elevation, provision of roof extension and communal residential roof terrace fronting onto Bathurst Gardens and creation of basement for bin/cycle store. Provision of new entrance door on Bathurst Gardens serving D1 space, with associated cycle parking and landscaping to Bathurst Gardens and College Road. Erection of temporary site hoarding to protect site for period of vacancy, and subject to a deed of agreement dated 05 November 2014 under section 106 of the Town and Country Planning Act 1990, as amended.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) outlined the scheme and referenced the supplementary report. Members heard that Margaret Bailey (Chair of Friends of Kensal Rise Library) and Councillors Denselow and Southwood had expressed their support for the scheme. He added that additional details addressed the concerns about size of bin stores as well as their usability and arrangements for collection by waste operatives. Andy Bates continued that Officers in the Councils Waste Management Service had confirmed that they raised no objection to the details.

DECISION: Planning permission granted as recommended.

## 11. Any Other Urgent Business

*Andy Bates*

Members were informed that this was the last meeting for Andy Bates (Area Planning Manager) as he would be leaving the employment of Brent Council for a new post at London Borough of Enfield. Members were unanimous in thanking Andy Bates for his long and helpful service, wishing him every success in his new post.

*Rachel Murrell*

Members were informed that this was the last meeting for Rachel Murrell (Area Planning Manager) prior to the start of her maternity leave. Members were unanimous in expressing their best wishes to Rachel.

The meeting closed at 10.29 pm

COUNCILLOR MARQUIS  
Chair

Please note:

That at 9.15pm, the meeting was adjourned for 5 minutes.

That at 10.00pm, members voted to disapply the guillotine procedure so as to be able to consider all applications on the night.

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## **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 18 November, 2015  
Item No 03  
Case Number 15/3094

## SITE INFORMATION

**RECEIVED:** 15 July, 2015

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 33A Wrentham Avenue, London, NW10 3HS

**PROPOSAL:** Proposed erection of single storey rear and side extension and separate access to ground floor flat

**APPLICANT:** Ms Clarke

**CONTACT:** Atelier Woodman

**PLAN NO'S:** D205 Proposed Ground Floor Plan  
D206 Proposed Rear Elevation  
D206 Proposed Section  
D209 Proposed Flank Elevation  
D201 Location Plan  
D208 Existing and Proposed Section  
Design and Access Statement

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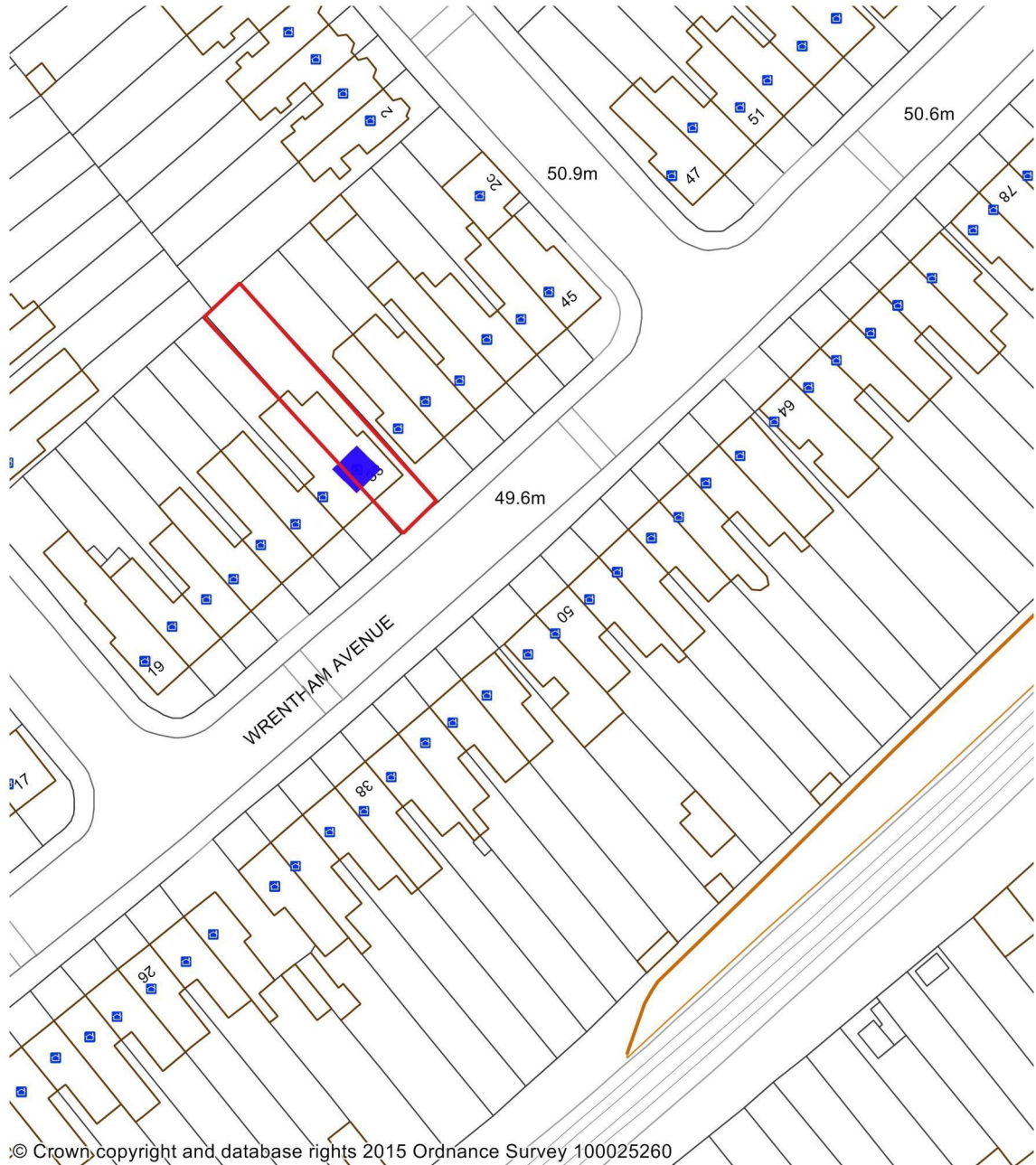
# SITE MAP



## Planning Committee Map

Site address: 33A Wrentham Avenue, London, NW10 3HS

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This map is indicative only.

## INTRODUCTION

The application is reported to Planning Committee under the provisions of Clause 24 of the Planning Code of Practice following the resolution at the previous meeting of the Planning Committee on 22nd October 2015 of 'minded to grant' consent for the Proposed erection of single storey rear and side extension and separate access to ground floor flat.

This report discusses the implications of the committee's resolution, maintains the original recommendation to refuse, but sets out the planning conditions that should be attached should the Planning Committee confirm their intention to grant planning permission. A copy of the reports that went to the 22nd October Planning Committee are attached as APPENDIX 1.

At the 22nd October Planning Committee, Members indicated that they were minded to grant planning permission contrary to officers recommendation for refusal because:

- Members understood the concerns relating to design and the proposals relationship to the neighbouring property, however in this instance felt that this was not a sufficient refusal reason. Therefore, Councillors are minded are grant the application.

The view of Officers is still to refuse the application. The reasons for this are below

- The proposal incorporates a wrap around extension which relates unacceptably to the existing building in design terms.
- The size, bulk and siting of the proposed extension would have an adverse impact on residential amenity.
- The proposed rear extension projects 4.2m, 1.2m past the recommended extension depth meaning there is a total of 10m of blank facade 0.82m away from the neighbouring boundary.

Officers have taken a balanced decision that the proposal is of a scale and bulk that would have a detrimental impact on the neighbouring property. There are no extenuating circumstances that warrant a different stance in this instance like some other approved applications.

In addition, it is felt that any future applications of this nature will be difficult to refuse if Members decide to grant this application.

### **Suggested conditions in the event that approval is granted:**

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

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

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

D205, D206, D207, D208, D209, Design and Access Statement

Reason: In the interests of proper planning.

3. All new external work shall be carried out with the materials stated in the Design and Access Statement and approved plans.

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

**Recommendation : Remains refusal, for the reasons set out in the original report. However if the Planning Committee resolves to grant planning permission, the conditions and Informative set out in this report are recommended.**

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







**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – REFUSAL**

Application No: 15/3094

To: Mr Woodman-Smith  
Atelier Woodman  
40 Canynge Square  
Clifton  
Bristol  
BS8 3LB

I refer to your application dated 15/07/2015 proposing the following:  
Proposed erection of single storey rear and side extension and separate access to ground floor flat

and accompanied by plans or documents listed here:

- D205 Proposed Ground Floor Plan
- D206 Proposed Rear Elevation
- D206 Proposed Section
- D209 Proposed Flank Elevation
- D201 Location Plan
- D208 Existing and Proposed Section
- Design and Access Statement

at 33A Wrentham Avenue, London, NW10 3HS

The Council of the London Borough of Brent, the Local Planning Authority, hereby REFUSE permission for the reasons set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Note**

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.

DnStdR

PROACTIVE WORKING STATEMENT

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service.

REASONS

- 1 The proposed development, which incorporates a 'wrap around extension', by reason of its excessive size, appearance, mass and siting close to the boundary of number 35 Wrentham Avenue, would have a detrimental impact on the visual amenity, and outlook of, neighbouring residents. Furthermore, the proposed overall bulk of the extension, its roof form and the materials relate poorly to the existing building and the surrounding area which is within one of the Council's Areas of Distinctive Residential Character (ADRC). As a result, it is contrary to Council policies BE2, BE7 BE9 and BE29 of the adopted Unitary Development Plan 2004, Core Strategy Policy CP17, and Brent's SPG5 on 'Altering and extending your home'.

Any person wishing to inspect the above papers should contact Robert Reeds, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6726

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## **BACKGROUND REPORTS**

- (i) Main report to Committee – 2015-10-22**
- (ii) Supplementary report to Committee –  
2015-10-22**

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# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

22 October, 2015  
07  
**15/3094**

## SITE INFORMATION

**RECEIVED:** 15 July, 2015

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 33A Wrentham Avenue, London, NW10 3HS

**PROPOSAL:** Proposed erection of single storey rear and side extension and separate access to ground floor flat

**APPLICANT:** Ms Clarke

**CONTACT:** Atelier Woodman

**PLAN NO'S:** D205 Proposed Ground Floor Plan  
D206 Proposed Rear Elevation  
D206 Proposed Section  
D209 Proposed Flank Elevation  
D201 Location Plan  
D208 Existing and Proposed Section  
Design and Access Statement

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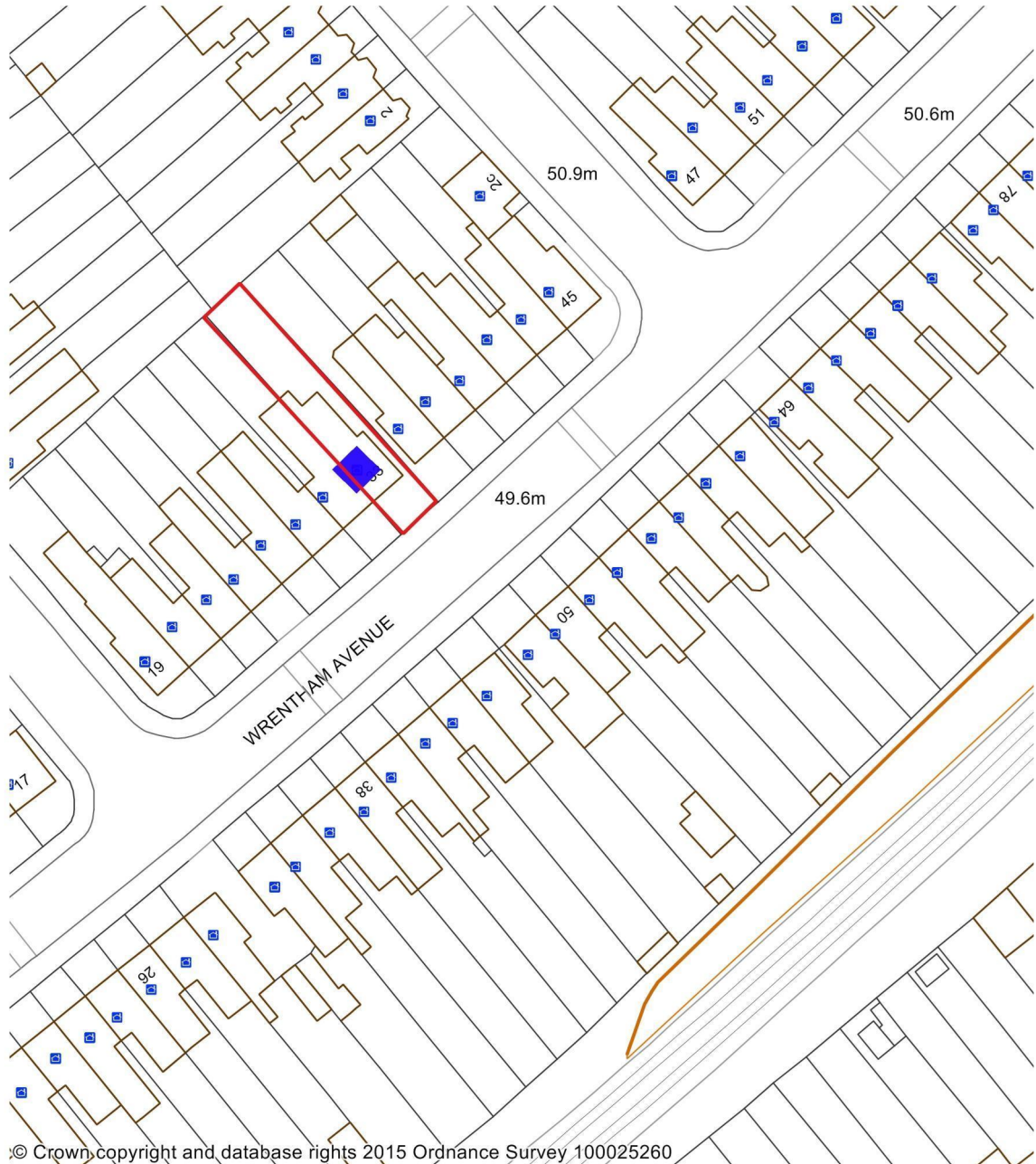
# SITE MAP



## Planning Committee Map

Site address: 33A Wrentham Avenue, London, NW10 3HS

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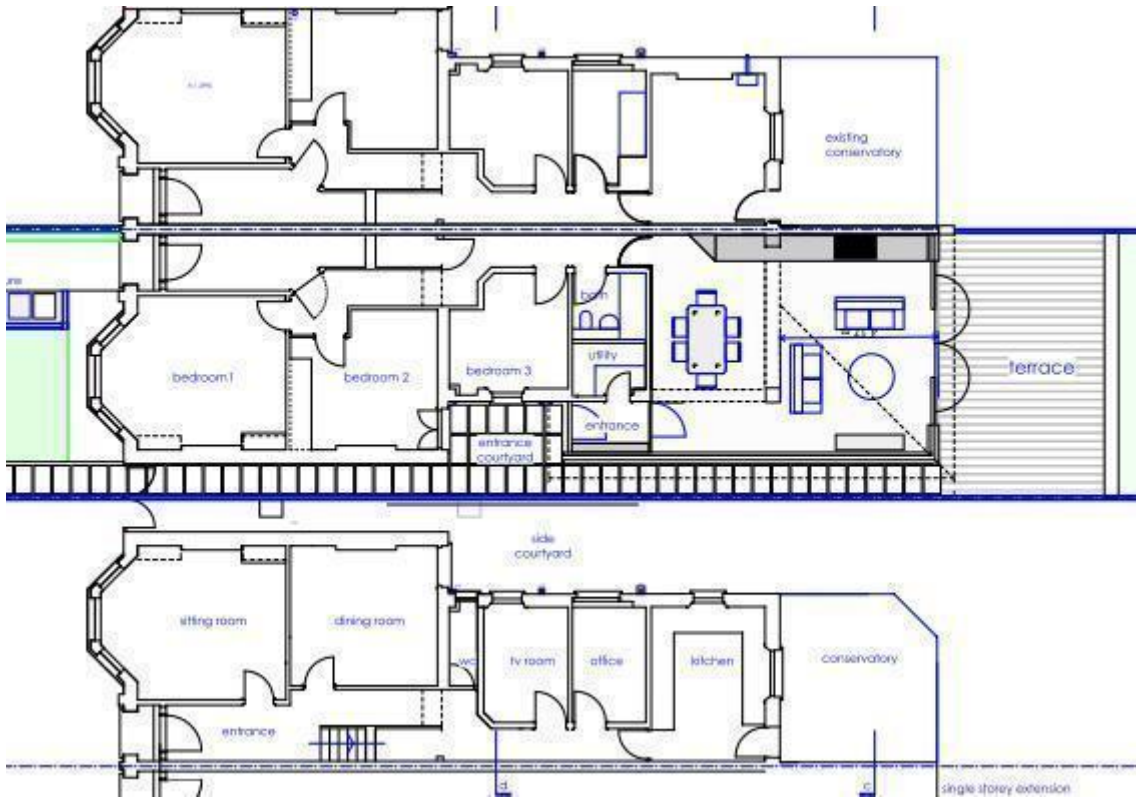
This map is indicative only.



# SELECTED SITE PLANS

## SELECTED SITE PLANS





35

33

31



photomontage of proposed scheme from the rear garden of number 35, looking towards the rear of No 33 (above)

## RECOMMENDATIONS

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

### A) PROPOSAL

As described.

### B) EXISTING

33a is a ground floor flat which does not have any external alterations. This property is not in a Conservation Area and is not a listed building. The property is, however, within one of the Council's Areas of Distinctive Residential Character (ADRC). The property is split into three self contained flats.

## C) AMENDMENTS SINCE SUBMISSION

### D) SUMMARY OF KEY ISSUES

This proposal conflicts with the guidance set out in SPG5.

- The proposal incorporates a wrap around extension which relates unacceptably to the existing building in design terms,
- The size, bulk and siting of the proposed extension would have an adverse impact on residential amenity

### RELEVANT SITE HISTORY

15/1343- Erection of single storey rear and single storey side extension to ground floor flat- *Granted*.  
- *This scheme is very similar however did not incorporate a 'wrap around'.*

15/3285- Proposed erection of replacement garden shed to rear for ground floor flat- *Granted*

1982- Conversion of single dwelling house into 3 x self contained flats

*There is no other recent or relevant planning history.*

### CONSULTATIONS

Neighbourhood consultee letters were dispatched on 22/07/2015. To date, there have been no responses.

This application has been called in by Councillor Denselow, Councillor Hector and Councillor Southwood.

### POLICY CONSIDERATIONS

#### National Planning Policy Framework (2012)

All development has a presumption in favour of sustainable development. Brent's planning policies are found to be compliant with the NPPF

#### Local Policy

For the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the statutory development plan for the area is the Unitary Development Plan (UDP), which was formally adopted in 2004, and the Core Strategy, adopted in 2010.

#### *Core Strategy 2010*

**CP17** - Protecting and Enhancing the Suburban Character of Brent

#### *Brent UDP Saved Policies 2004*

**BE2** - Townscape: Local context & Character

**BE7** – Public Realm: Street scene

**BE9** – Architectural Quality

**BE29** - Area of Distinctive Residential Character.

#### *Brent Supplementary Planning Guidance (SPG)*

**SPG 5** – Altering and extending your home

The above policies seek to ensure that development: does not significantly affect the amenities of neighbouring properties; should be in keeping with the design, scale and character of the existing dwelling; preserve or enhance the character and appearance of the existing dwelling and the surrounding area.

## DETAILED CONSIDERATIONS

### 1. Principle

1.1 Alterations and extensions to residential properties are generally considered acceptable provided that there is no detrimental impact on the amenity of neighbouring residents, and that they are in keeping with the character and appearance of the property and its surroundings. The reasons for this proposal is to create a 3 bedroom ground floor flat and increase the floor area of the unit. Whilst three bedroom flats are supported in principle (Core Strategy CP21) this cannot come at the expense of the amenity of neighbours and the character of the area.

### 2. Impact on Residential Amenity:

2.1. From the site visit, rear extensions are a common feature of the properties in the immediate vicinity of 33a Wrentham Avenue. It is acknowledged that the Council usually only accepts 3m rear extensions, however because of the depth of existing rear extensions adjacent to the proposed, it is considered that a deeper extension could be acceptable in this instance.

2.2- The Councils adopted guidance SPG5 resists extensions within the side return of terrace dwellinghouses owing to the overbearing impact they can have in already quite confined areas. The site is also located within one of the Council's ADRC's which provides further policy guidance steering all development towards high quality design.

2.3- The proposed side return would progress past the outrigger by approximately 4.2m. This section would run parallel to the boundary of 35 Wrentham Avenue at a distance of 0.84m, which is considered to be very close and would have an overbearing impact on views from both the rear amenity space and the conservatory. The conservatory of 35 Wrentham Avenue is 3.36m away, which for the size and bulk of the proposal would have a detrimental impact on the amenity of the neighbouring occupants. The previously approved scheme had the 4.2m extension which did not extend past the side wall of the outrigger and was 5.1m away, which is a considerably greater distance and therefore acceptable. This will be expanded upon in the following section.

### 3- Impact on the Character and Appearance of the Area

*To analyse this section in detail, the extension has been split into three parts- Side Infill Extension, Rear Extension and the "Wrap Around".*

#### 3.1 Side infill extension

3.1.1 As in the section above, although the Council's SPG no. 5 resists extensions within the side return, the Council has modified this approach over time and developed the following set of parameters to ensure such extensions maintain a height and mass that is not overbearing to neighbouring owners or occupiers, while also allowing for the enlargement of a home.

- The side/infill extension should terminate at the rear elevation of the outrigger
- The side/infill extension should have a height no greater than 2m at the eaves and 3m where it adjoins the flank of the outrigger, measured from the adjoining neighbours external ground level. Any part of the extension on the boundary must not exceed this parameter.
- All guttering must be kept within the site curtilage.
- Any glazing on the roof of the extensions that fall within 3m of the rear elevation of the building must be specified on the plans as being obscure glazed and non opening.
- Materials should be in keeping with those in the existing dwellinghouse, in particular the wall material should use brick that matches the existing building.

3.1.2 In this case, the proposal extends past the rear elevation of the outrigger- the majority of the side infill

proposal is acceptable. The eaves height of the side infill extension is at 2.45m however at the neighbouring boundary it is 2m, therefore considered acceptable.

### *3.2 Rear extension*

3.2.1- The Council's Supplementary Planning Guidance (SPG) no. 5 is applied to full planning applications for household extensions and represents a test of whether proposed extensions and alterations will have an unduly detrimental impact on the amenities of the adjoining occupiers. As this SPG was adopted following public consultation, it represents the views of local people regarding the size of extensions that are typically considered to be acceptable within the London Borough of Brent.

3.2.2- The proposed extends 4.22m beyond the rear elevation of the outrigger which is significantly greater than SPG5 guidance allows for however as neighbouring dwellings have extensions which project further than 3m, this is acceptable to bring them into line.

3.2.3- The height of the rear extension is 3.57m (ridge) and 2.27m (eaves) which brings the average height of the roof to just under 3m. This is considered acceptable.

3.2.4- A rooflight is included, as well as a door on the side elevation.

### *3.3- Wrap Around*

3.3.1- .In their separate elements (rear extension and side return as per application 15/1343), the proposals would be acceptable. However, the wrap around is a concern as it significantly increases the mass of the extension when viewed from the neighbouring garden and rear rooms.

3.3.2- According to SPG5, to protect neighbouring amenity, any additions or alterations must be subservient to the host property which this application fails to do. The rear extension extends past the outrigger of the property and the side return extends past the original house. It has been considered that the rectangular element of this proposal (5.25sqm) which is subject to the 'infill' would have a detrimental effect on the neighbouring property in terms of its appearance and impact on the neighbouring amenity.

3.3.3-The boundary to the neighbouring property is set away by 840mm however this does not militate against the perceived size and mass of the extension and the impact this would have. The proposal seeks to create a new entrance to the flat which will enable light to access the existing windows whilst not being detrimental to the amenity of the character of the property.

## **4- Design**

4.1- The proposal, as well as being detrimental to neighbouring amenity, has a poor relationship with the host building. The roof, and the way this connects via the wrap around to the outrigger and side return, does not create good consistency in design.

4.2- The proposed materials are painted rendered masonry walls which is at odds with the host building. A previous permission had a condition stating that materials should be the same as the existing. The large expanses of glass are considered acceptable, as are the steel windows and doors.

4.3- Whilst it is not necessary in every instance for an extension to match the existing building in terms of materials and design, in this case, it reinforces the concerns over the poor relationship between the proposal, neighbouring amenity and the general character of the area.

# DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### DECISION NOTICE – REFUSAL

Application No: 15/3094

To: Mr Woodman-Smith  
Atelier Woodman  
40 Canynge Square  
Clifton  
Bristol  
BS8 3LB

I refer to your application dated 15/07/2015 proposing the following:  
Proposed erection of single storey rear and side extension and separate access to ground floor flat

and accompanied by plans or documents listed here:

- D205 Proposed Ground Floor Plan
- D206 Proposed Rear Elevation
- D206 Proposed Section
- D209 Proposed Flank Elevation
- D201 Location Plan
- D208 Existing and Proposed Section
- Design and Access Statement

at 33A Wrentham Avenue, London, NW10 3HS

The Council of the London Borough of Brent, the Local Planning Authority, hereby REFUSE permission for the reasons set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

#### Note

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.

DnStdR

PROACTIVE WORKING STATEMENT

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service.

REASONS

- 1 The proposed development, which incorporates a 'wrap around extension', by reason of its excessive size, appearance, mass and siting close to the boundary of number 35 Wrentham Avenue, would have a detrimental impact on the visual amenity, and outlook of, neighbouring residents. Furthermore, the proposed overall bulk of the extension, its roof form and the materials relate poorly to the existing building and the surrounding area which is within one of the Council's Areas of Distinctive Residential Character (ADRC). As a result, it is contrary to Council policies BE2, BE7 BE9 and BE29 of the adopted Unitary Development Plan 2004, Core Strategy Policy CP17, and Brent's SPG5 on 'Altering and extending your home'.



## **MEMBERS CALL IN PROCEDURE**

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

### **Name of Councillor**

Councillor Southwood

### **Date and Reason for Request**

04/09/2015

No reason given for call in request

### **Details of any representations received**

None given.

### **Name of Councillor**

Councillor Denselow

### **Date and Reason for Request**

04/09/2015

No reason given for call in request

### **Details of any representations received**

None given.

### **Name of Councillor**

Councillor Hector

### **Date and Reason for Request**

03/09/2015

No reason given for call in request

### **Details of any representations received**

None given.

Any person wishing to inspect the above papers should contact Robert Reeds, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6726

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## Agenda Item 07

### Supplementary Information Planning Committee on 22 October, 2015

Case No. 15/3094

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Location	33A Wrentham Avenue, London, NW10 3HS
Description	Proposed erection of single storey rear and side extension and separate access to ground floor flat

#### Agenda Page Number: 115

At the site visit the length of the side return was sought. The distance has been calculated as 9.95m in length.

The applicant has reiterated that they believe there are other material precedents in the area, such as at 64 and 62 Wrentham Avenue, which justify this development. A letter of support has also been submitted by 35 Wrentham Avenue. In addition, the agent has submitted a response to the Committee Report which has been forwarded to Members.

#### Recommendation: Remains refusal

DocSuppF

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## COMMITTEE REPORT

Planning Committee on  
Item No

18 November, 2015

Case Number

15/1508

## SITE INFORMATION

**RECEIVED:** 5 May, 2015

**WARD:** Queensbury

**PLANNING AREA:** Kingsbury & Kenton Consultative Forum

**LOCATION:** Kingsbury High School and Roe Green Park, Princes Avenue, London, NW9 9JR

**PROPOSAL:** Installation of 2.2m wide pedestrian path from Bacon Lane to Kingsbury High School, partly through Roe Green Park and partly Kingsbury High School grounds, removal (in part) of existing hedge and erection of metal gates, new lighting and CCTV column, and installation x 2 bollards together with removal of existing gates fronting Bacon Lane and their replacement with fencing and hedge (as amended).

**APPLICANT:** Kingsbury High School

**CONTACT:** Capital PCC Ltd

**PLAN NO'S:** (See Condition 2)

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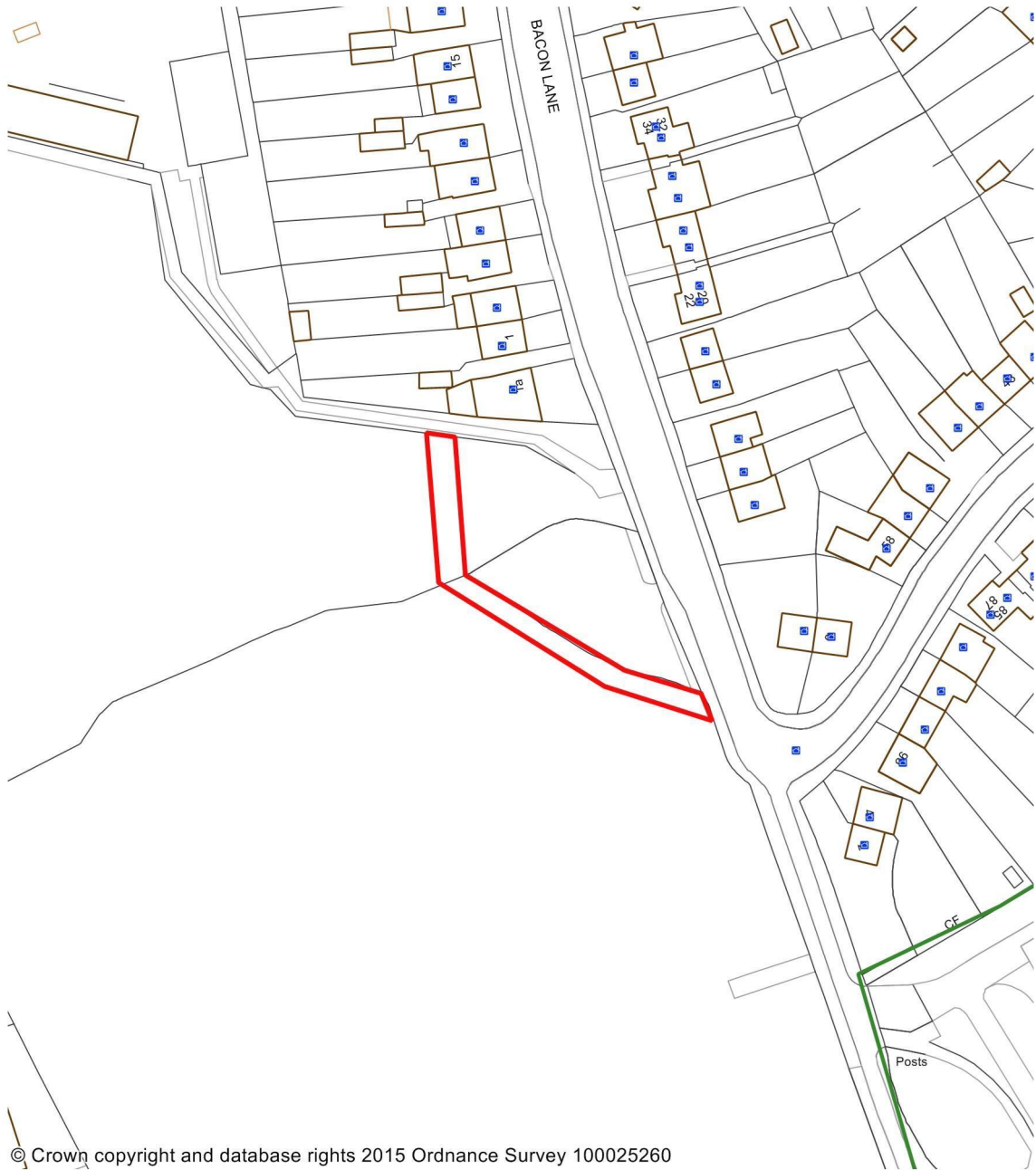
# SITE MAP



## Planning Committee Map

Site address: Kingsbury High School and Roe Green Park, Princes Avenue, London, NW9 9JR

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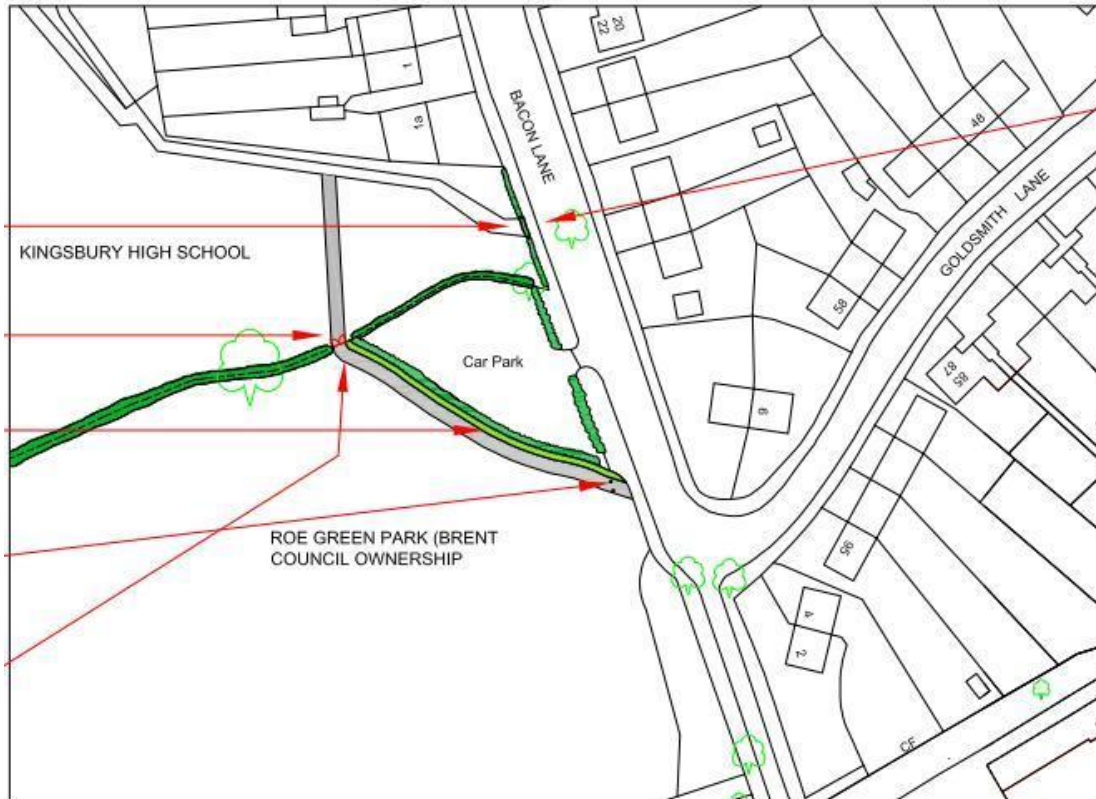


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This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## Site Plan

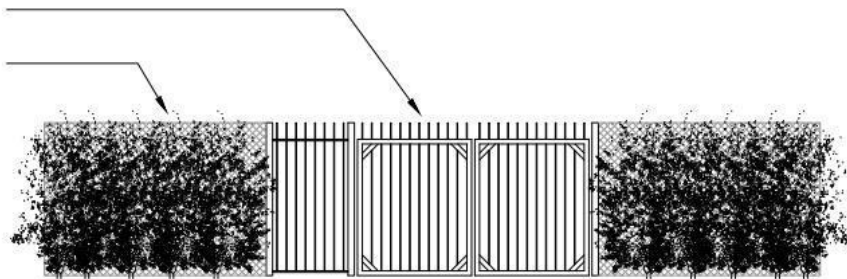


### Elevation – Existing gate to Bacon Lane to be removed

Existing green powder coated metal entrance gates. Approx. 2.4m high

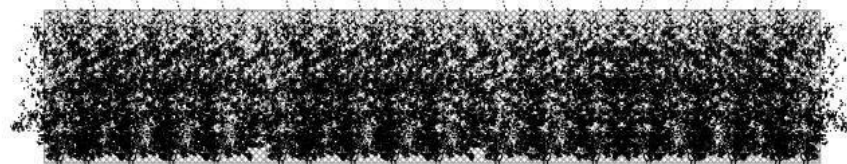
Existing metal chain link fence and bushes

**EXISTING**  
ELEVATION A  
SCALE 1:40



Remove and infill existing gates with new metal chain link fence and bushes to match existing

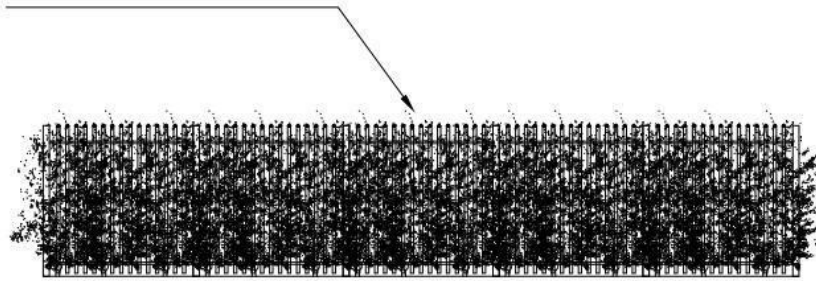
**PROPOSED**  
ELEVATION A  
SCALE 1:40



### Elevation – New gate to Roe Green Park

Existing metal fencing and bushes

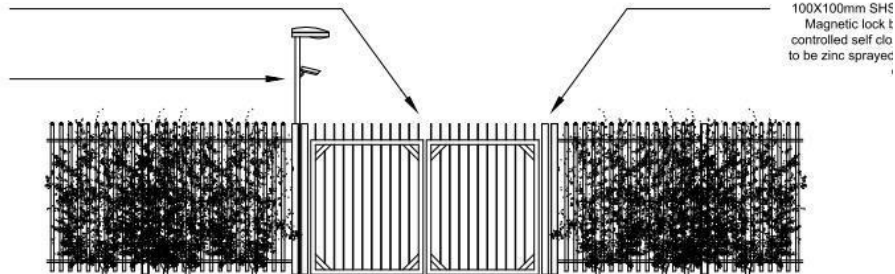
EXISTING  
ELEVATION B  
SCALE 1:40



Remove existing fencing and bushes and install new green powder coated metal gates to match existing fencing style, 2.4m high

New 4m high lighting column with CCTV security camera. All to be positioned within the school site and maintained by the school

EXISTING  
ELEVATION B  
SCALE 1:40



## RECOMMENDATIONS

**Approve (subject to conditions)**, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

Installation of 2.2m wide pedestrian path from Bacon Lane to Kingsbury High School, partly through Roe Green Park and partly Kingsbury High School grounds, removal (in part) of existing hedge and erection of gates, new lighting and CCTV column, and x 2 bollards together with removal of existing gates fronting Bacon Lane and their replacement with fencing and hedge (as amended).

### B) EXISTING

The application site is partly within Roe Green Park public and partly within the school grounds of the Kingsbury High School, Princes Avenue site. The land comprises of public open space (Roe Green Park) and private land within the school site, currently laid as lawn. There is an existing mature hedgerow running east-west that separates the public park and the school site, and a car park associated with the use of the park immediately adjacent to the east. This site is to the east of but not within the Roe Green Village Conservation Area.

### C) AMENDMENTS SINCE SUBMISSION

Since submission the scheme has been amended resulting in:-

1. Reduction in width of the path from 3m to 2.2m. This reduces the impact on the park land, and is consistent with the width of the existing path within the school grounds.
2. The southern section of proposed path being re-aligned to maintain a 1m gap from the edge of path to the existing hedge. This is to ensure that construction works do not damage or undermine the hedge, and a 1m wide grass strip is to be left in between.

### D) SUMMARY OF KEY ISSUES

The key issues for consideration are:-

1. Visual impact on existing open space.
2. Impact on ecology and landscaping.
3. Student safety and school's need for this.
4. Transportation considerations.

## RELEVANT SITE HISTORY



No relevant planning history.

## CONSULTATIONS

Statutory neighbour consultation period 05/05/15 to 26/05/15.

Site notice(s) displayed on 13/05/15

Press notice advertised on 21/05/15

Three objections have been received, including an objection from the Roe Green Village Residents Association (RGVRA) although they acknowledge the demand placed on the existing footpath at times when students are moving between the two sites, stating "the ability of the pavements to handle these movements is simply overwhelmed"

Summary of objections	Response
The proposed path will not address the traffic problems associated with the school.	The path is seen by the school as a solution to provide a safer walking route and to ease the demand and pressure placed on the existing pavement by students moving between the sites. It is not proposed as a means of reducing school traffic.
Proposed lighting will adversely affect bats and nesting owls at Roe Green Park.	This has been fully considered in an ecology report submitted - see paragraphs 20-25
This will have a negative impact on the visual amenities of the park and the adjacent Conservation Area.	The path is sited along the eastern edge where it will have the least visual impact, and will maintain the appearance of existing paths in Roe Green Park. Given the scale of the works involved it is not considered this would impact on the adjacent Conservation Area.
Loss of existing park land and green space.	The space will form a part of a park and it is not unusual for parks to be used by pedestrians to provide a shorter route. The proposal results in additional hard surfacing and additional footfall within the park. However, the amount of park space associated with this is minimal. The path does not effect existing sports pitches, and wider improvements will be secured in the form of new tree planting to balance the small amount of park space to be lost.
Would encourage more litter within the park.	There is no evidence that the two would be directly linked. There would also be no justification with regard to planning policy or guidance to resist the provision of a path in a park directly because of the risk of additional litter associated with users of that path.
There has been no consultation with the Roe Green Village Conservation Area.	The RGVRA indicate that the proposals were discussed with them prior to submission. The association was consulted on the planning application, and responded to this.
The proposed path would not be de-iced during winter and this would be a safety hazard to users.	This would not be any different to the treatment of existing paths in the Borough's parks.
The existing footpath along Bacon Lane is sufficient.	The school has a different view, and have concerns related to pupil safety due to inability of the existing footpath

| to cope with peak demand. |

Two general comments have been received. One refers to the inaccuracy of an artists impression drawing of the proposed path. This matter has since been clarified and the inaccurate image was withdrawn by the applicant.

One representation of support has been received, this would encourage the installation of a longer path to physically link the two Kingsbury High School sites.

#### STATUTORY CONSULTTEES

##### *Transportation;-*

No transportation objections raised (see Remarks section below for further discussion).

##### *Regulatory Services;-*

No objections raised.

##### *Principal Tree Officer & Landscape Design;-*

No objection subject to conditions being secured to safeguard the existing mature Oak, west of the site and the planting of three new trees. Such matters can be adequately addressed through condition.

##### *Culture Service (Strategy Officer);-*

No objection raised to the principle of the path (on Parks/Council land). The bat and bird survey appear to have been undertaken to an appropriate standard. It was suggested that the path should be set away by 1 - 1.5m away from the existing hedge. New tree planting is welcomed, it has been suggested that an appropriate location for the planting of new trees is to the west of the site along the line of the existing hedge.

##### *Sport and Parks;-*

Have confirmed they do not raise any objection.

##### *Roe Green Village Residents Association;-*

An objection has been raised. It is considered that the route and length of the pathway will not be adequate in terms of alleviating the pressure of students walking on Bacon Lane pavement when travelling between the two school sites, and that this is not an appropriate solution.

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework 2012**

Paragraphs 74, 75, 109, 117, 118 and 119

### **London Plan -Further Alterations 2015**

7.18 - Protecting Open Space

7.19 - Biodiversity & Access to Nature

7.21 - Trees & Woodlands

### **Brent Core Strategy 2010**

Policy CP18 - Protecting and Enhancing Open Space, Sports & Biodiversity

### **Brent UDP 2004 (saved policies)**

BE2 - Local Context

BE5 - Urban Clarity & Safety

BE6 - Public Realm: Landscape Design

BE8 - Lighting & Light Pollution

TRN10 - Walkable Environments

OS13 - Development on sites of Borough Grade II & Local Nature Conservation Importance

OS15 - Species Protection

## **DETAILED CONSIDERATIONS**

### **Context;-**

1. Roe Green Park is an area of public open space. Adjacent to this park, to the north and to the south-east are two separate Kingsbury High School sites. One of the sites is towards the southern end of Bacon

Lane while the northern most school site has a frontage onto Princes Avenue. The boundaries for the two school sites are approximately 140m apart, with Roe Green Park situated in between. The Roe Green Village Conservation Area (RGVCA) is to the east of the application site affecting properties on Bacon Lane, but the proposed application site is outside of this designated area.

2. The southern part of the application site (Roe Green Park) is within a wider designated Site of Importance for Nature Conservation - Grade II (SINC).

**Requirement for proposal;-**

3. The current arrangement with the school being split across two sites means students and staff have to walk between the two sites throughout the school day. Currently the only way this can be done is for students to leave both sites and walk along the relatively narrow footpath along Bacon Lane. Due to the narrow footpath along here and the numbers of students using this at times this often results in students walking in the road which is a safety hazard. It can also contribute to a build up of traffic at peak start and finish times for the school.
4. The school believes that by installing the new pathway as proposed this will provide a safer means of pedestrian access for students travelling between Kingsbury High School's Bacon Lane and Princes Avenue site's. It will allow a more direct pedestrian route that will take students away from the narrow pavement along Bacon Lane and alleviate the pressure on the relatively narrow stretch of pavement at peak times. The proposed route is better in terms of student safety.
5. The proposal will comprise of the following;-
  - Removal of existing school entrance gates onto Bacon Lane and replacement of this with fencing and bushes/planting to match existing.
  - Installation of 2.2m wide pedestrian path extending from Bacon Lane to Kingsbury High School (Princes Avenue site), with two bollards at the southern end of the path to restrict vehicle access.
  - Installation of new metal school entrance gates (2.4m high) where the new path meets the boundary between the school site and Roe Green Park. This will result in partial removal of existing hedge, for a length of some 4m.
  - Installation of new lighting column (4m high) and CCTV camera, both to be within the school site. These are required for student safety reasons.
6. The school has agreed an access license with the Council to route part of the new path through Roe Green Park.

**Planning Policy;-**

7. Core Strategy policy CP18 seeks to protect open space from inappropriate development and preserve this for the benefit, enjoyment, health and well being of Brent's residents, visitors and wildlife. 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.
8. Inappropriate development is considered to be any development which is harmful to the use or purpose as open space. In this case the proposal, which involves the laying of a new path inside the park and a lighting column just outside of the park, within school grounds would not be seen as development harmful to the use or purpose as open space. The path is sensitively sited along one edge of the park, set against the backdrop of a car parking area and is not considered to be intrusive. It will not effect any existing sport pitch provision, nor will it be visually harmful as it will have the same look and appearance as existing paths within Roe Green Park.
9. Securing new trees as part of this development is an opportunity for new wildlife habitat creation and increases the green infrastructure, which is welcomed through policy CP18.
10. UDP saved policy OS13 has a presumption against development on sites of Borough (Grade II) Nature Conservation Importance, unless it is demonstrated there will be no adverse effect on nature conservation or that compensatory provision for wildlife is made.
11. Policy OS15 has a presumption against development which would have an adverse impact on protected species.
12. The proposed path does not involve development on existing sports pitches due to its location on the

eastern edge of the park, which also meant this does not result in the loss of openness of this public open space.

**Design;-**

13. The path will be laid as black tarmac which is in keeping with the finish found to existing paths throughout the park, and has been agreed with the Council's Parks Services. The southern section of proposed path has been re-positioned and is now separated from the existing hedge to the north-east by a distance of 1m. This 1m gap was provided to help to ensure that the existing mature hedge which defines the edges of the existing car park will not be undermined by construction works associated with the path .
14. The proposed gates are to be metal and finished in green paint. The appearance of these will be acceptable in this location.
15. A new 4m high lighting and cctv column will be aluminium with a powder coated finish. This will be sited within the school grounds.

**Impact on landscape and ecology;-**

16. No existing trees will be removed as a result of the proposed works. There is a mature Oak to the west of the proposed works area which because of its proximity needs to be given due consideration. The Principal Tree Officer has confirmed from a tree perspective there are no overriding concerns providing a tree survey, tree protection plan and arboricultural method statement in accordance with BS5837:2012 are secured through condition. These further submissions should be carried out with consideration for this adjacent Oak tree to the immediate west of the proposed path. Following a survey, if it is found that proposed works would be within the RPA of the retained Oak tree, a full construction methodology should be required, and the recommendation is that a no dig cellular confinement system is considered for appropriate sections of the path.
  17. The works will require the removal in part of a section of existing hedgerow in order to install the proposed gates and lighting column. This does result in the removal of some 4m of the hedge. However at the same time it should be noted that a new replacement section of hedge, some 5m wide is being proposed along the eastern edge of the site. This will front onto Bacon Lane and will be in place of the existing gates that are proposed to be removed and reinstated with fencing and new vegetation to match what exists either side.
- of
18. New tree planting is also to be secured. The applicants have confirmed agreement in principle to the planting of three new trees. These are envisaged as Common Oak trees (*Quercus robur*) with a 18-20cm girth and planted at intervals along the path. This planting will be secured through a landscape condition.
  19. The southern part of the site in Roe Green Park is a designated Site of Importance for Nature Conservation - Grade II. An ecology assessment was commissioned by the school, and this details the findings of bat surveys and bird nesting assessment (August 2015).

*Bat survey*

20. A bat activity survey, roost assessment of trees and bat emergence and re-entry survey of the Oak tree were carried out. This survey was commissioned to confirm the presence or absence of bat activity around the proposed path and gate and also to determine if roosting was occurring within trees adjacent to the works area.
21. The methodology involved a data search for records of bats within 2km of the site. For the survey two survey visits were made to site. Both of these were dusk surveys and carried out during an optimal time of year for bat activity surveying (May to August). The bat roost survey identified that the existing mature Oak had significant roost potential, so a bat roost survey was carried out on this tree.
22. The results of the data search found records of roosts within 2km of the site. The bat activity surveys found that bats were foraging along the hedges surveyed, and around the proposed works area. Foraging activity was recorded over much of the survey time on both the 11 August and 26th August. The bat roosting assessment considered the adjacent mature Oak, as it was deemed to have significant roost potential. The survey found no evidence of bats roosting in this tree adjacent to the proposed lighting column, and in the emergence survey no bats were seen emerging. On the dawn re-entry survey no bat activity was seen or detected.
23. In conclusion the survey showed that bats are using the hedge as a foraging and commuting route. As the existing proposals involve the lighting only being used between October and March and most bats are

mainly active between May and September, then lighting will only be required to be on during times when bat activity is minimal. As the species currently using the hedge area are species which is less likely to be severely impacted by lighting then the overall effect of adding the lighting as proposed is considered to be minimal. The works will involve the removal of small section of hedge (some 4m. in length) and bats using the area are likely to fly over and around the Oak tree anyway, so the partial loss of habitat is not considered to impact on this foraging route. Furthermore, when viewed in the context of the proposal to infill a section of hedge along the eastern boundary, which is to be some 5m in length and the planting of three new mature trees there is to be an increase in habitat.

24. The recommendations of the ecology report are to:-

- Use lighting only between 15:00 and 19:00, between 1 October and 31 March.
- Use downward directed lighting
- Use sodium, white or warm LED or lighting with low or no UV light.

25. These recommendations are to be necessary to ensure minimal impact on the bat population and make the development acceptable, and are to be secured through planning conditions.

#### *Bird nesting assessment*

26. The methodology for this involved an assessment of existing trees nearby and hedges were also checked for birds nests. This was carried out in September 2015, so unfortunately outside of main nesting season (1 March to 31 July). No nests were observed, but as this check was made outside of the main nesting season then the only way this could be done was by a visual check. It is possible therefore that some nests may be hidden by dense vegetation.

27. The report advises that lighting is unlikely to impact on any birds as it will only be on outside of the main nesting season for birds.

28. The only possible impact identified was that a small section of hedge and the existing Oak tree become less attractive for nesting birds due to the removal in part of the existing hedge, and the increased human disturbance in this area from users of the path. Again this must be balanced against the fact that a new section of hedge, and three new trees are to be planted. The report also advises that as a further compensatory measure bird boxes for nesting could be added to existing trees or hedges in the vicinity. This could be secured through planning condition.

29. As a precaution the report advises that should the hedge removal be required between 1 March and 31 August (main bird nesting season) then the area to be removed should be surveyed for nesting birds shortly before removal. Should nests be found within 4m of the works area then works within 4m of the nest will need to be delayed until such time that chicks have fledged the nest.

#### **Lighting:-**

30. There is currently no lighting within a 40m radius of the proposed lighting column location. The chosen location is approximately 50m outside of the designated Roe Green Conservation Area, as such is not considered to adversely effect this designated area. The closest dwelling is approximately 40m away, so it is not considered this would have a negative impact on residential amenity.

31. In order to minimise any impact the proposed lighting column will be only 4m high, much lower than a typical street light column. The single lamp will be directed downwards to minimise light spill and potential impact on the surrounding area. The lamp will be 150w and only used during the winter months of October through to March, and between the hours of 15:00 and 19:00. The lighting will be controlled to ensure that it is not on outside of these times, and it is recommended that a condition be attached to ensure this.

32. The lighting is required for safety and surveillance, and it is not considered that the introduction of a single lighting column would have an adverse effect on the visual amenity associated with this park, or the amenity of residents around the edges of the park. Regulatory Services officers (Environmental Health) have given confirmation that this lighting column does not present any issues from a nuisance perspective. Considering that Roe Green Park already contains column lighting in places it is considered that this one additional lighting column will not look out of place.

33. The ecology survey has given consideration to the potential impact of this lighting on bats and birds. The report advises that metal halide, mercury and broad spectrum lighting with high UV value should not be used. Instead sodium, white or warm white LED, or lighting with low or no UV light should be used. The school has confirmed that the lighting will conform with this recommendation, in any event a condition is

proposed to restrict the type of lighting that can be used here in order to minimise the impact on local ecology.

**Transportation;-**

**34.** New pedestrian gates are proposed at the school boundary hedge. The length of the footpath within the school boundary is not public footpath and so does not require formal stopping up or diversion. Reducing the length of road that children would walk beside should improve pupil safety. The path alongside Roe Green Park is on land owned by Brent. The lighting column is supported from a transportation service perspective and should benefit pupil safety. In principal, the proposal is welcomed.

**Conclusion;-**

**35.** On balance the proposal (as amended) is considered to be acceptable when assessed against open space and nature conservation policies. Due to its siting along the eastern edge of Roe Green Park the proposed path is not considered to be visually intrusive, the loss of park space will be minimal, this will not effect any existing sports pitch and the single lighting column will not look out of place amongst other lighting columns within Roe Green Park. The school's need for the path is a reasonable one and the fact that it will provide a more legible and safer pedestrian route between the two school sites is welcomed. Subject to conditions to safeguard an existing mature Oak, the existing mature hedgerows, to secure the planting of new trees, to restrict the times when the lighting can be used (October - March) and to agree revised details of the width of proposed gate opening the proposal can be supported.



**Brent**

DECISION NOTICE – APPROVAL

=====  
Application No: 15/1508

To: Luke Vivian  
Capital PCC Ltd  
Nicon House  
45 Silver Street  
Enfield  
London  
EN1 3EF

I refer to your application dated 09/04/2015 proposing the following:  
Installation of 2.2m wide pedestrian path from Bacon Lane to Kingsbury High School, partly through Roe Green Park and partly Kingsbury High School grounds, removal (in part) of existing hedge and erection of metal gates, new lighting and CCTV column, and installation x 2 bollards together with removal of existing gates fronting Bacon Lane and their replacement with fencing and hedge (as amended).  
and accompanied by plans or documents listed here:  
(See Condition 2)  
at Kingsbury High School and Roe Green Park, Princes Avenue, London, NW9 9JR

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 2012  
London Plan (consolidated with alterations 2015)  
Brent Core Strategy 2010  
Brent Unitary Development Plan 2004

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

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation  
Transport: in terms of sustainability, safety and servicing needs

- 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):

Drg 01 revC  
Drg 02

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

- 3 Two bird nest boxes shall be provided within the existing mature hedge areas near to the path hereby approved. The installation of the nesting boxes shall be undertaken prior to completion of the approved development.

Reason: In the interest of wildlife preservation

- 4 The proposal removal of hedging shall not take place between 1 March and 31 August (main bird nesting season) unless a survey for nesting birds has been undertaken of the all areas of hedging within 4 m of the hedge proposed to be removed, and that survey shall be undertaken immediately prior to the removal work being programmed to be undertaken. The removal of hedging shall not take place within 4 metres of any active nests that are identified within the survey until the chicks have fledged the nest(s).

Reason: In the interest of wildlife preservation and ecology.

- 5 Prior to commencement of works hereby approved, a tree survey on T1 Oak in accordance with BS5837:2012 in order to establish the extent of the tree's RPA shall be submitted to and approved in writing by the Local Planning Authority. Should the new footpath or works connected with the installation of the new footpath impact on the RPA of T1 Oak, a full Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. If the footpath should encroach on an area greater than 20% of the trees simple RPA, the applicant shall provide details of a no dig solution within the Tree Protection Plan. The approved details shall be implemented in full.



Reason- To ensure the safe and healthy retention of key landscape features such as trees and hedges within a public park.

- 6 Prior to commencement of works hereby approved, a plan showing the location of protective fencing set at a minimum distance of 1 - 1.5 metres from the face of the hedge in proximity to the proposed footpath and a detailed method statement setting out the construction methodology and confirming that the fence will be kept in place until all works are complete shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full for the duration of construction.

Reason- To ensure the safe and healthy retention of key landscape features such as trees and hedges within a public park.

- 7 Prior to commencement of works hereby approved, details demonstrating the planting of 3 no. Common Oak (*Quercus robur*) with a stem girth of 18-20 cm girth, including the location of these trees shall be submitted to and approved in writing by the Local Planning Authority. A tree pit detail should also be provided showing method of staking, irrigation, mulching and protection from strimmer/ grass cutting damage. Tree pits shall also include a section of root barrier or deflector on the side of the tree pit nearest the new footpath. A watering schedule shall also be included that will ensure the healthy and long term establishment of the trees.

The approved details shall be implemented in full prior to the completion of the works hereby approved.

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 an attractive and ecologically sound landscape is enhanced and maintained for the benefit of Wildlife and the general public.

- 8 Prior to commencement of works hereby approved, a plan showing replacement or new section of hedging along the eastern frontage to Bacon Lane shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the type, no. and size of hedging plants along with a maintenance schedule to ensure healthy and long term establishment.

The approved planting shall be carried out prior to the completion of the works hereby approved.

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 an attractive and ecologically sound landscape is enhanced and maintained for the benefit of Wildlife and the general public.

- 9 The lighting hereby approved shall only be in use during the following times;-

- Between 15:00 and 19:00 hours from 1 October through to 31 March.

Furthermore only sodium, white or warm white LED, or lighting with low/no UV light shall be used and the lighting shall be downward directed, unless otherwise approved in writing by the Local Planning Authority.

Reason: To preserve the ecological value of the area.

- 10 Notwithstanding the plans hereby approved and prior to installation on site revised details of the proposed gate shall be submitted to and approved in writing by the Local Planning Authority,

such details shall confirm a reduced width gate no greater than 3m wide. The development shall be fully implemented in accordance with these approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason; To minimise the loss of existing mature hedge.

#### INFORMATIVES

- 1 Heras type fencing can be kept in place by using rubber elephants feet rather than the more stringent braced method espoused in 5837.

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

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## COMMITTEE REPORT

Planning Committee on  
Item No

18 November, 2015

Case Number

14/1494

## SITE INFORMATION

**RECEIVED:** 27 July, 2015

**WARD:** Kilburn

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 40 Donaldson Road, London, NW6 6NG

**PROPOSAL:** Demolition of rear garage and change of use of the ground floor from launderette (sui generis use) to a 2 bedroom self-contained flat with proposed entrance off Lonsdale Road and associated external alterations to include replacement of shopfront with brickwork and windows, new windows and doors to the side and rear, front garden landscaping with new boundary wall and new boundary wall with gate to the side

**APPLICANT:** Mr Taghi Oraee

**CONTACT:** Direct Planning Limited

**PLAN NO'S:** See Condition 2.

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# SITE MAP



## Planning Committee Map

Site address: 40 Donaldson Road, London, NW6 6NG

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This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## Existing Front Elevation



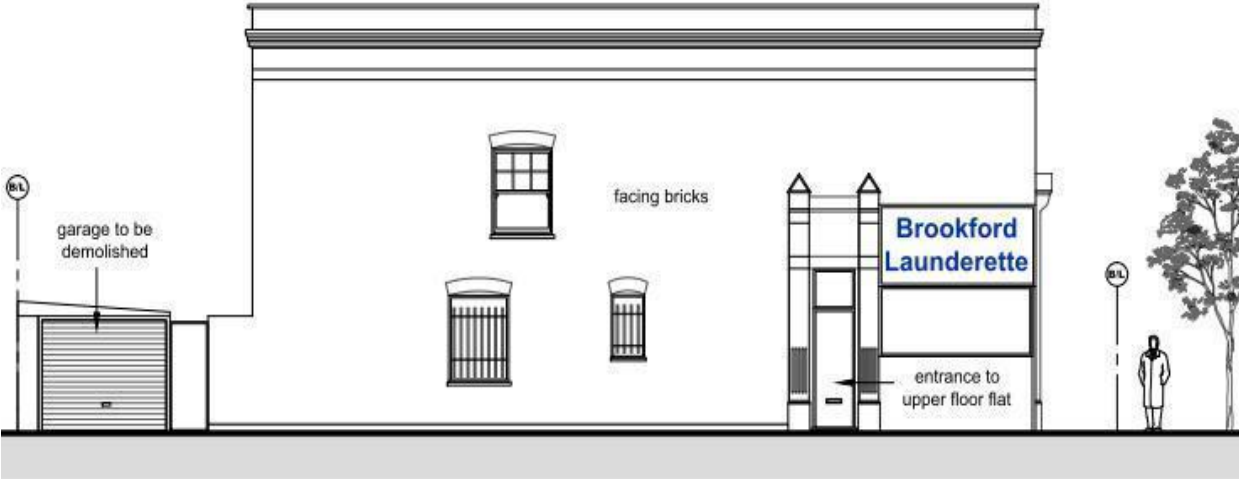
Existing Front Elevation

## Proposed Front Elevation



Proposed Front Elevation

**Existing Side Elevation**

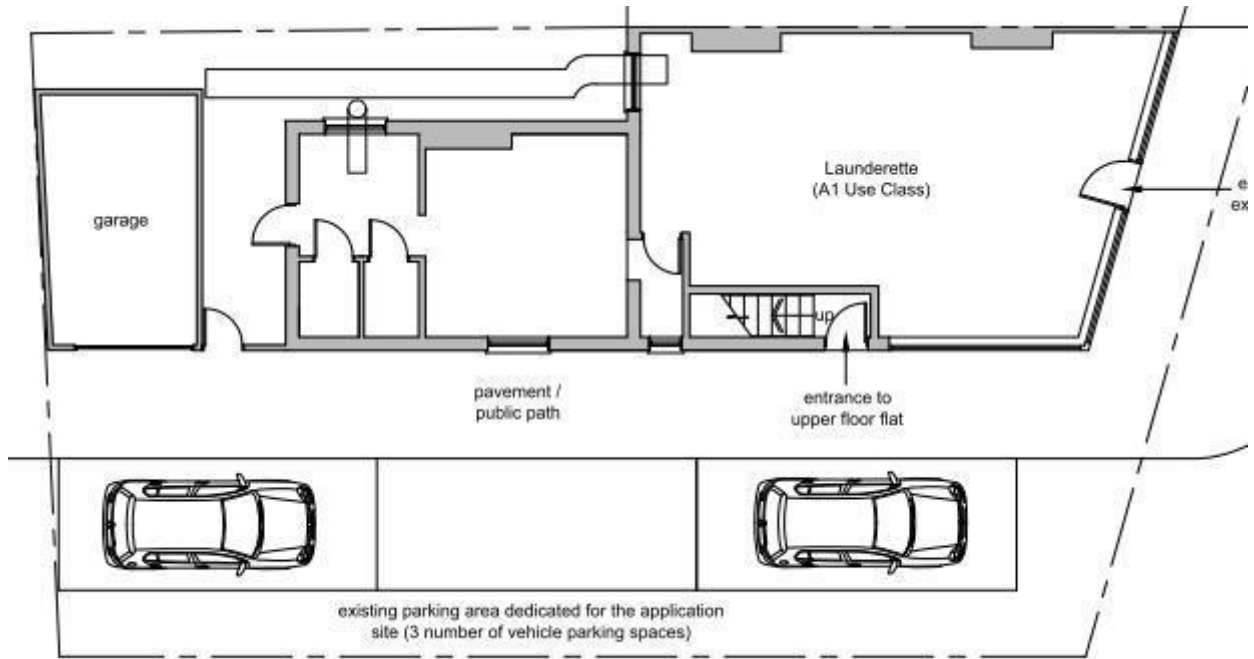


**Proposed Side Elevation**

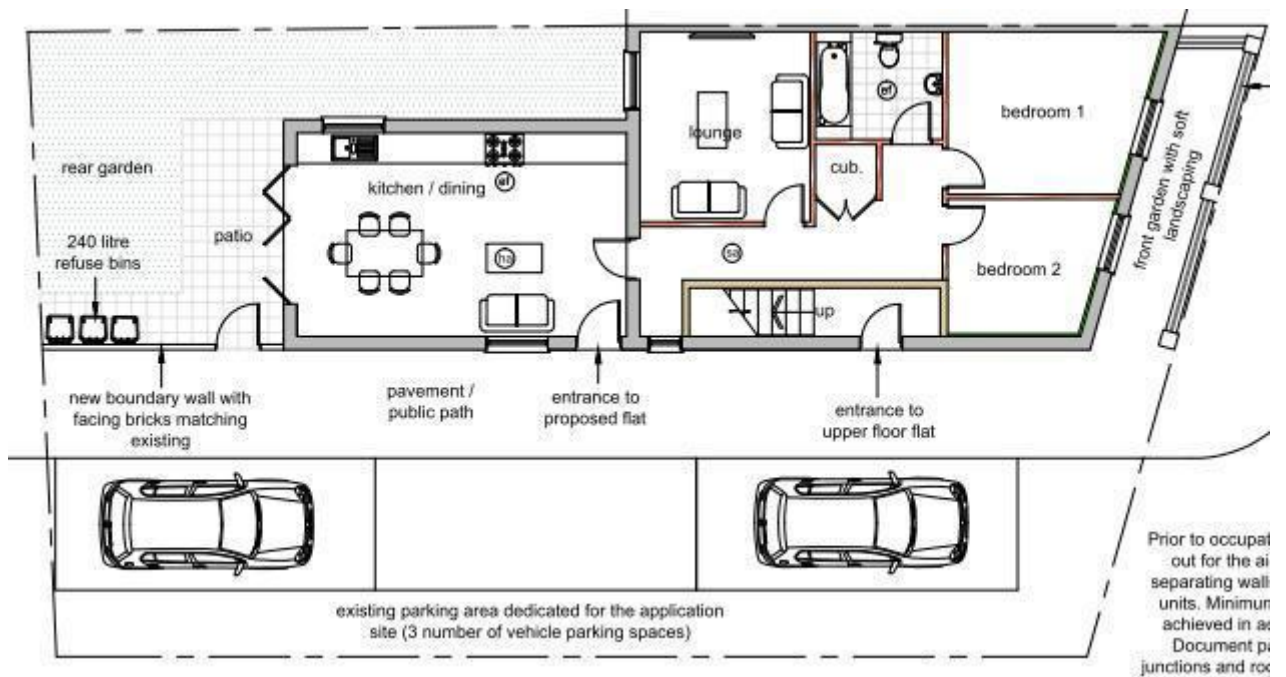




## Existing Floor Plan



## Proposed Floor Plan



## RECOMMENDATIONS

GRANT planning permission

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

### A) PROPOSAL

The proposal is for the demolition of a rear garage and the change of use of the ground floor from launderette (sui generis use) to a 2 bedroom self-contained flat with proposed entrance off Lonsdale Road and associated external alterations to include replacement of shopfront with brickwork and windows, new

windows and doors to the side and rear, front garden landscaping with new boundary wall and new boundary wall with gate to the side

## **B) EXISTING**

The proposal relates to a launderette located on the ground floor of a two storey-end-of-terrace Victorian building located on the corner of Lonsdale Road and Donaldson Road. The property is finished in brickwork with a modern shopfront design on both the front and side elevations and a single garage is located to the rear of the property accessed from Lonsdale Road. Donaldson Road is characterised predominately by terraced residential properties. The immediate neighbour at No.42 is a newsagents (A1 use) and Lonsdale Road is characterised by a variety of commercial uses. The host property is not listed nor is it within a Conservation Area or a designated shopping frontage.

## **D) SUMMARY OF KEY ISSUES**

The key planning considerations in this case are as follows:

- Principle of Change of Use – The proposal is considered an acceptable change of use in principle
- Standard of Accommodation – The proposed flat is considered to achieve an acceptable residential environment for future occupiers
- Impact on Character – The proposal is considered have an acceptable impact on the character of the host building and surrounding area
- Impact on Neighbouring Amenity – The proposal is considered to form an acceptable relationship with neighbouring occupiers
- Transportation Impact – The proposal is considered acceptable in transportation terms

## **RELEVANT SITE HISTORY**

12/3309 – Demolition of garage and erection of single storey rear extension to facilitate change of use of rear of laundrette to self-contained 1-bed flat, creation of recessed front entrance facing Lonsdale Road, in flank elevation of 40 Donaldson Road, with 1.1m high galvanised black wrought iron gated security fence with straight bar railings, and re-routing of existing extractor ducts – **Refused** 21/03/13 for the following reasons:

1. *The proposed residential unit, within a constrained plot, would provide a poor quality of natural light and outlook, the outside space would be restricted in terms of quantity and quality given its proximity to the highway, and as such the unit would fail to provide an acceptable quality of accommodation detrimental to the amenity of future occupants contrary to policy BE9 and H18 of Brent's UDP and SPG17.*
2. *The ground floor residential interface with Lonsdale Road, specifically the recessed defensible front garden space, owing to its residential orientation and cantilever in the building flank elevation, is not in keeping with the established commercial character of Lonsdale Road which is comprised of flush front elevations with garages with well preserved fenestration. As such it does not comply with saved Townscape policies in Brents 2004 Unitary Development Plan BE2 and BE9 Architectural quality.*
3. *In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure, without a contribution to sustainable transport improvements in the area, an increased pressure for the use of existing open space in an area of open space deficiency, without contributions to enhance open space, an increased pressure for public sports facilities, without any contribution to the provision of sports facilities, and an increased pressure on education infrastructure, without any contribution to educational improvements. As a result, the proposal is contrary to policies TRN4, TRN23 and OS7 of the adopted London Borough of Brent Unitary Development Plan 2004, CP18 of Brent's Core Strategy and Supplementary Planning Document: "S106 Planning Obligations".*

12/0118 - Demolition of garage and erection of single storey rear extension to facilitate change of use of rear of laundrette to self-contained studio flat, installation of front door fronting Lonsdale Road, new upvc windows and doors in flank wall of opposite elevation and removal of existing external extractor ducts – **Refused** on 13/03/2012 for the following reasons and appeal subsequently dismissed on appeal on 06/11/2012 (appeal ref: APP/T5150/A/12/2175365):

1. *The proposed residential unit, within a constrained plot, is limited in size and would provide a poor quality of natural light and outlook, the amenity space would be restricted in terms of quantity and quality dominated by high structures and as such the unit would fail to provide an acceptable quality of accommodation detrimental to the amenity of future occupants contrary to policy BE9 and H18 of Brent's UDP and SPG17.*
2. *By reason of the limited distance between the windows of the proposed unit and the existing first floor flat, the proposal would be detrimental to the privacy of neighbouring occupiers contrary to policy BE9 of Brent's UDP 2004 and SPG17.*
3. *The proposed studio flat would generate additional parking demand, while losing an existing garage, the proposed private bays would be marked in a space which is already used for parking and there is no proposed mechanism to regulate the proposed arrangement with the likely result that the additional parking demand created would be prejudicial to pedestrian and highway safety contrary to policies TRN24 and PS14 of Brent's Unitary Development Plan 2004.*
4. *In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure, without a contribution to sustainable transport improvements in the area, an increased pressure for the use of existing open space in an area of open space deficiency, without contributions to enhance open space, an increased pressure for public sports facilities, without any contribution to the provision of sports facilities, and an increased pressure on education infrastructure, without any contribution to educational improvements. As a result, the proposal is contrary to policies TRN4, TRN23 and OS7 of the adopted London Borough of Brent Unitary Development Plan 2004, CP18 of Brent's Core Strategy and Supplementary Planning Document: "S106 Planning Obligations".*

11/2068 - Demolition of garage and erection of single storey rear extension to facilitate change of use of rear of laundrette to self-contained 1-bed flat, installation of front door fronting Lonsdale Road, new upvc windows and doors in flank wall of opposite elevation and re-routing of existing extractor ducts - **Refused** for the following reasons:

1. *The proposed residential unit, within a constrained plot, is limited in size and would provide a poor quality of natural light and outlook, the amenity space would be restricted in terms of quantity and quality dominated by high structures and ducts and as such the unit would fail to provide an acceptable quality of accommodation detrimental to the amenity of future occupants contrary to policy BE9 and H18 of Brent's UDP and SPG17.*
2. *By reason of the limited distance between the windows of the proposed unit and the existing first floor flat, the proposal would be detrimental to the privacy of neighbouring occupiers contrary to policy BE9 of Brent's UDP 2004 and SPG17.*
3. *In the absence of detail about noise, vibration and fumes from the proposed extractor duct equipment the proposal could result in unacceptable levels of noise, vibration and fumes, harmful to existing and future residential neighbours contrary to policy EP2 of Brent's UDP 2004.*
4. *The loss of the existing garage in addition to the proposed new dwelling, would lead to an increase in unsafe and/or illegal car parking contrary to Policies TRN3, TRN23 and TRN24 of Brent's UDP 2004.*
5. *In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure, without a contribution to sustainable transport improvements in the area, an increased pressure for the use of existing open space in an area of open space deficiency, without contributions to enhance open space, an increased pressure for public sports facilities, without any contribution to the provision of sports facilities, and an increased pressure on education infrastructure, without any contribution to educational improvements. As a result, the proposal is contrary to policies TRN4, TRN23 and OS7 of the adopted London Borough of Brent Unitary Development Plan 2004, CP18 of Brent's Core Strategy and Supplementary Planning Document: "S106 Planning Obligations".*

## CONSULTATIONS

Statutory neighbour consultation period (21 days) started on 19/05/2014 The application was made

subsequently invalid and once re-validated neighbours were re-consulted on 03/08/2015 for a period of 21 days. In total, 12 representations have been received objecting to the proposal and the concerns raised are summarised below:

<b>Objection raised</b>	<b>Response</b>
Proposal would result in the loss of a community facility and useful service to local residents	See paragraphs 2-8
Proposal would impact detrimentally on parking	See paragraphs 16-18
Construction works would cause disruption to neighbours and local businesses	See paragraph 15
Proposal would be unsightly	See paragraphs 13-14
Proposal should have a separate front door to the existing first floor flat	See paragraph 15  Officer note: the first floor flat would retain its separate access
An objection has been received from an individual who rents the garage for storage in relation to their business which is proposed to be demolished objecting to its demolition	This is considered a civil matter and would not warrant refusal of the proposal

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework (2012):**

Section 7 – Requiring Good Design

Section 8 – Promoting Healthy Communities

### **Technical Housing Standards – Nationally Described Space Standard (2015)**

#### **The London Plan (2011):**

Policy 3.1 – Ensuring Equal Life Chances for All

Policy 3.5 – Quality and Design of Housing Developments

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

H17 – Flat Conversions

H18 – The Quality of Flat Conversions

H19 – Flat Conversions – Access and Parking

SH17 – Isolated Shop Units

SH18 – Other Shopping Parades

TRN3 – Environmental Impact of Traffic

TRN23 – Parking Standards – Residential Developments

#### **Supplementary Planning Guidance:**

SPG17 – Design Guide for New Developments

## DETAILED CONSIDERATIONS

### **Background:**

1. As outlined in the planning history section of this report, there have been several applications in the past to sub-divide the ground floor unit to create a new dwelling, all of which have been refused and one dismissed at appeal. These proposals however involved the retention of the existing launderette use and the formation of a flat to the rear of the property. These proposals were considered to result in a cramped development with a poor quality outlook to the proposed flats for example. The current proposal relates to the change of use of the entire ground floor which gives more opportunity to achieve outlook to the dwelling.

### **Principle of Development:**

2. The proposal relates to a launderette located on the corner of Lonsdale Road and Donaldson Road. The launderette is positioned adjacent to a convenience store (A1 use) but is not within a shopping frontage or shopping parade as defined by the Brent UDP (2004). Concerns have been raised in representations regarding the loss of the launderette and the valuable function it offers to the community. Although the use class of the launderette is 'sui generis' and not specifically protected by policy, officers appreciate this level of concern and recognise that the launderette provides a useful service to the local community.
3. The unit can be considered an 'isolated shop unit' as defined by policy SH17 of the Brent UDP (2004). This policy states that:

*Change of use of isolated shop units to non-retail use will not be permitted if there are no other protected retail frontages within 400 metres. Where an isolated shop has been vacant for over a year appropriate alternative uses will be permitted. In considering applications for such uses, particular regard will be paid to the possible effect on the amenity of adjoining residential properties.*

4. In this case the launderette is positioned approximately 250m from the Queens Park Primary Shopping Frontage on Salusbury Road. The proposed change of use can therefore be considered compliant with policy SH17.
5. Policy SH18 applies to shops in parades outside of designated shopping parades and is considered relevant. This policy states that:

*In shopping parades outside the primary and secondary areas and protected local parades identified in Appendix SH1, change of use to appropriate alternative use will be permitted. Priorities for alternative use are set out in Policy STR1.*

*A more flexible approach towards development standards will be applied, subject to maintenance of a quality residential environment (Policy H18).*

6. Residential use is considered acceptable in principle in this location and as discussed in this report, the unit would achieve an acceptable quality of residential accommodation.
7. Officers consider that the ability of the local community to meet its day-to-day needs is a material planning consideration and both the NPPF (2012) paragraph 70 and London Plan (2011) policy 3.1 state local planning authorities should guard against the loss of facilities where this would reduce the community's ability to meet its day-to-day needs. As discussed above, the Salusbury Road Primary Shopping Frontage is located approximately 250m from the site which would be considered sufficient in meeting the wider day-to-day needs of the community although it does not include a launderette. However, at least four other launderettes exist in the area, three of which are within half a mile of the site and all are within a designated shopping frontage as outlined below:
  - No.14 Willesden Lane - 650m away in designated Secondary Shopping Frontage
  - No 59 Kilburn High Road - 650m away in designated Secondary Shopping Frontage
  - No.299 Kilburn Lane - 800m away in designated Local Centre
  - No.345 Kilburn High Road - 1.3km away in designated Secondary Shopping Frontage
8. Overall the proposed change of use is considered compliant with policy and acceptable in principle subject to the material planning considerations detailed below.

### **Standard of Accommodation:**

9. Previous proposals to create a dwelling on the site have been refused although the concerns related to

the poor quality of creating a dwelling with the launderette retained in terms of very limited outdoor space and a poor quality outlook with habitable room windows fronting directly onto the highway. The current proposal relates to the entire ground floor level of the unit and would remove the existing launderette use. The proposal is to remove the existing shopfronts and insert brickwork and conventional windows on the front elevation, to insert a side-facing window on the side elevation and demolish an existing garage to the rear to create an enlarged outdoor space.

10. The proposed two bedroom unit would have a floor area of 78m<sup>2</sup>. This exceeds the London Plan (2011) and National Housing Standards (2015) minimum requirement of 70m<sup>2</sup> for a flat of this size. The property features a 1.6m deep section of hardstanding to the frontage of the site which is within the ownership of the applicant. The proposal is to erect a boundary wall and railings to the front boundary of the site which would provide an area of defensible space and would preserve the amenity and privacy of the 2x proposed windows in the front elevation which would serve the two bedrooms. This arrangement exists at No.44 Donaldson Road which has also been converted from a shop unit to residential use. These windows are therefore considered to achieve an acceptable quality of amenity and outlook. The lounge and kitchen/diner would feature rear-facing windows which would look out onto the amenity space of the unit which is considered acceptable. The proposal includes the insertion of a side-facing window directly abutting the adjacent pavement which would serve the kitchen/dining room. Although the outlook from this window would be limited, this would act as a secondary window to the abovementioned rear-facing window. The remaining proposed side-facing window would serve a hallway.
11. The proposal includes a relatively limited rear courtyard area and single garage. The proposal is to demolish the garage in order to provide an enlarged amenity space for the flat. This would be approximately 42m<sup>2</sup> in area which is considered acceptable and contributes to the overall quality of accommodation. The existing ducting to the rear which serves the launderette would also be removed.
12. The current proposal is considered to have overcome the previous reasons for refusal concerning the standard of accommodation of the unit. Overall the proposed flat is considered to achieve an acceptable size and standard of accommodation with reasonable quality of outlooks to habitable rooms and access to private amenity space.

***Impact on Character:***

13. The proposal relates to a prominent corner site comprising an end-of-terrace two storey Victorian property. The proposal is to replace the existing shopfronts with matching brickwork and two windows on the front elevation. The existing shopfronts are modern and their removal is considered acceptable in principle providing the resulting appearance of the development is acceptable. No.44 Donaldson Road nearby was permitted a change of use from a shop to a residential unit under 99/2689; this has been done successfully with appropriate materials and window sizes/proportions utilised. The proposed plans mirror what has been achieved at No.44 with two equally sized sash style windows with decorative stone surrounds to align and match with original first floor windows above. On the side elevation two existing window openings which are currently blocked-up would be replaced with timber sash windows and a new entrance would be created on this elevation with an arched soldier course above. The garage to the rear would be demolished and replaced with a brick boundary wall which is considered appropriate. The low-level brick boundary wall and railings to the frontage would reflect the existing arrangement at No.44 and of dwellings in the surrounding area. Further details of boundary treatments and landscaping enhancements can be secured by condition.
14. Overall the proposed development is considered to respect the character of the host building and the surrounding area. Details such as the choice of materials and the depth of window reveals for example would be important in achieving an acceptable overall quality of development. Further details can therefore be secured by condition.

***Impact on Neighbours:***

15. Donaldson Road is predominately residential in nature and the first floor contains a self-contained flat. Access to the first floor would be retained unaltered as part of the proposal. The proposed additional window openings would be at ground level and do not raise any undue overlooking concerns and the proposal would not include any extensions to the property. The proposed use is likely to generate less activity and noise compared to the existing commercial use. The impact of the amenity of neighbours during construction works is not considered so harmful as to warrant refusal and would be temporary in nature. Overall the proposal is considered to have an acceptable impact on the amenity of neighbours.

***Transportation Impact:***

16. The proposal site is positioned on the corner of Lonsdale Road and Donaldson Road which is listed as a

'heavily parked street' in Brent's UDP (2004). Lonsdale Road is privately owned and managed and so falls outside Council parking controls. The site has moderate access to public transport services (PTAL 3).

17. Previous proposals were refused partly due to their transportation impact. These proposals however included the addition of a residential unit as well as the retention of the launderette. Parking standards for the existing and proposed uses are set out in sections PS7 and PS14 respectively of appendix TRN2 of the Brent UDP (2004). The proposal would marginally increase the parking standard for the site from 1space to 1.2spaces however the servicing requirement for the existing use would be removed. An off street parking space would be lost through the demolition of the existing garage although the proposed plans show space for 3x cars to the side of the property on Lonsdale Road. This area is within the demise of the property and would be sufficient to provide for the parking requirements of the new unit. In any case, parking on Lonsdale Road is privately managed. It should also be borne in mind that in deciding the appeal against Brent's refusal of application ref: 12/0118 the Inspector felt that the proposal for a new dwelling in addition to the launderette would have an acceptable transportation impact given the parking adjacent to the unit on Lonsdale Road. The dwelling would have access from the amenity space onto Lonsdale Road which provides opportunity for adequate cycle and bin storage.
18. Brent's Transportation Unit has been consulted and raise no objection to the proposal on the basis of the above. Overall the proposal is considered to have an acceptable transportation impact compared to the existing situation.

**Conclusion:**

19. Overall the proposed change of use is considered acceptable in principle and is considered to achieve an acceptable standard of accommodation for future occupiers, an acceptable impact on the character of the host building and surrounding area and on the amenities of neighbours and is considered acceptable in transportation terms. The proposal is therefore considered to comply with saved UDP (2004) policies BE2, BE7, BE9, H17, H18, H19, SH17, SH18 and TRN3, Core Strategy (2010) policies CP17 and CP21, SPG17 'Design Guide for New Developments', The London Plan (2011) and the NPPF (2012) and is recommended for approval.



**Brent**

DECISION NOTICE – APPROVAL

=====  
Application No: 14/1494

To: Mr Eralp Semi  
Direct Planning Limited  
95-97 Riverbank House  
High Street  
Orpington  
Kent  
BR5 3NH

I refer to your application dated 17/04/2014 proposing the following:  
Demolition of rear garage and change of use of the ground floor from launderette (sui generis use) to a 2 bedroom self-contained flat with proposed entrance off Lonsdale Road and associated external alterations to include replacement of shopfront with brickwork and windows, new windows and doors to the side and rear, front garden landscaping with new boundary wall and new boundary wall with gate to the side and accompanied by plans or documents listed here:  
See Condition 2.  
at 40 Donaldson Road, London, NW6 6NG

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 change of use is considered acceptable in principle and is considered to achieve an acceptable standard of accommodation for future occupiers, an acceptable impact on the character of the host building and surrounding area and on the amenities of neighbours and is considered acceptable in transportation terms. The proposal is therefore considered to comply with saved UDP (2004) policies BE2, BE7, BE9, H17, H18, H19, SH17, SH18 and TRN3, Core Strategy (2010) policies CP17 and CP21, SPG17 'Design Guide for New Developments', 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):  
  
DP/2157/ES – 1  
DP/2157/ES – 2  
DP/2157/ES – 3  
DP/2157/ES – 4  
DP/2157/ES – 5  
Unnumbered plan showing a Location Plan  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 Prior to the first occupation of the dwelling hereby approved, the existing garage and ducting shall be removed from the site in their entirety.  
  
Reason: In the interests of the amenity of future occupants of the dwelling.
  
- 4 Prior to the application of any external materials, details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details.  
  
Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.
  
- 5 A detailed soft landscaping scheme for the front and rear garden areas 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 first occupation of the development. Such details shall include:
  - (i) Soft landscaping details for the amenity space and frontage of the property
  - (ii) The materials to be used in any areas of hard surfacing
  - (iii) Details of boundary treatments including materials
  - (iv) Details of cycle and bin storage  
Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

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

- 6 Prior to the installation of the windows hereby approved, further details of the windows including detailed section drawings at 1:50 scale and details of window reveals, shall be submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details.

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](http://www.communities.gov.uk)

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

18 November, 2015

Case Number

15/3316

## SITE INFORMATION

**RECEIVED:** 3 August, 2015

**WARD:** Kilburn

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 42A-D and 43A-C St Julians Road, London, NW6 7LB

**PROPOSAL:** Proposed erection of mansard roofs with two front dormer windows and two rear dormer windows with inset balconies, to create two third floor flats (1x1bed) with front refuse storage to front of properties

**APPLICANT:** Genesis Housing Association

**CONTACT:** Nicholas Taylor + Associates

**PLAN NO'S:** See condition 2

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## SITE MAP



### Planning Committee Map

Site address: 42A-D and 43A-C St Julians Road, London, NW6 7LB

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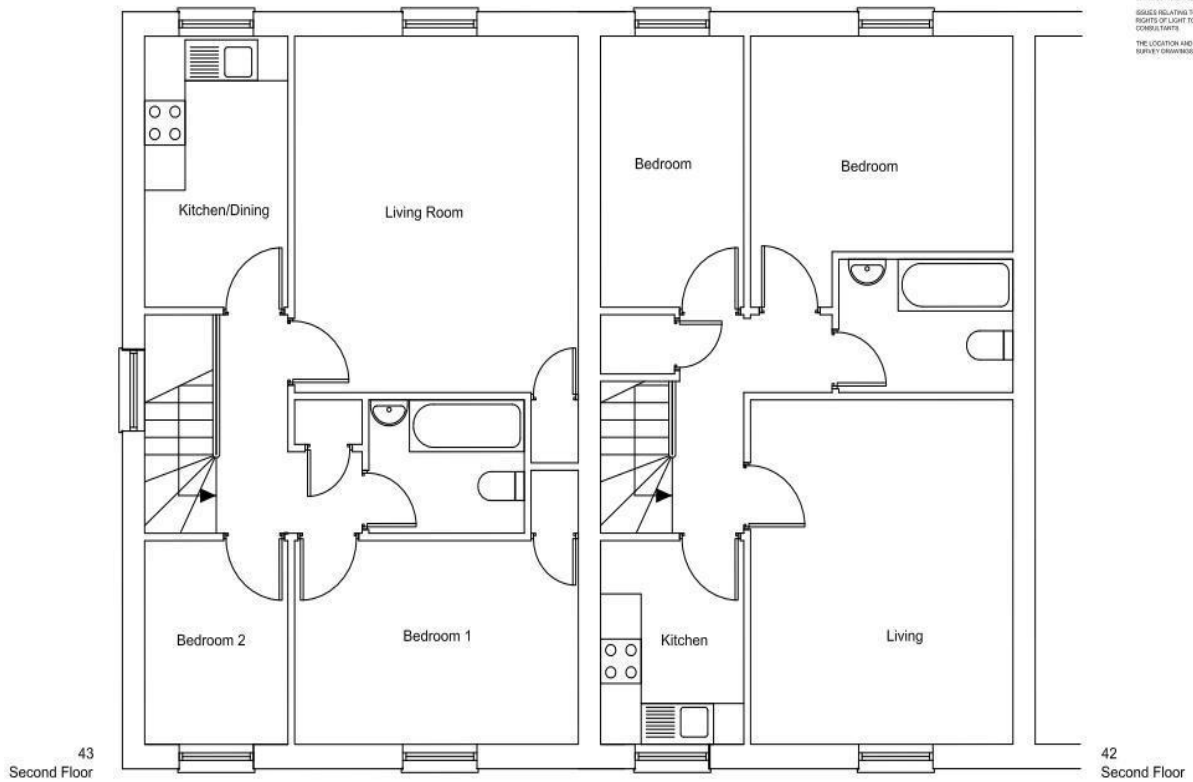
This map is indicative only.

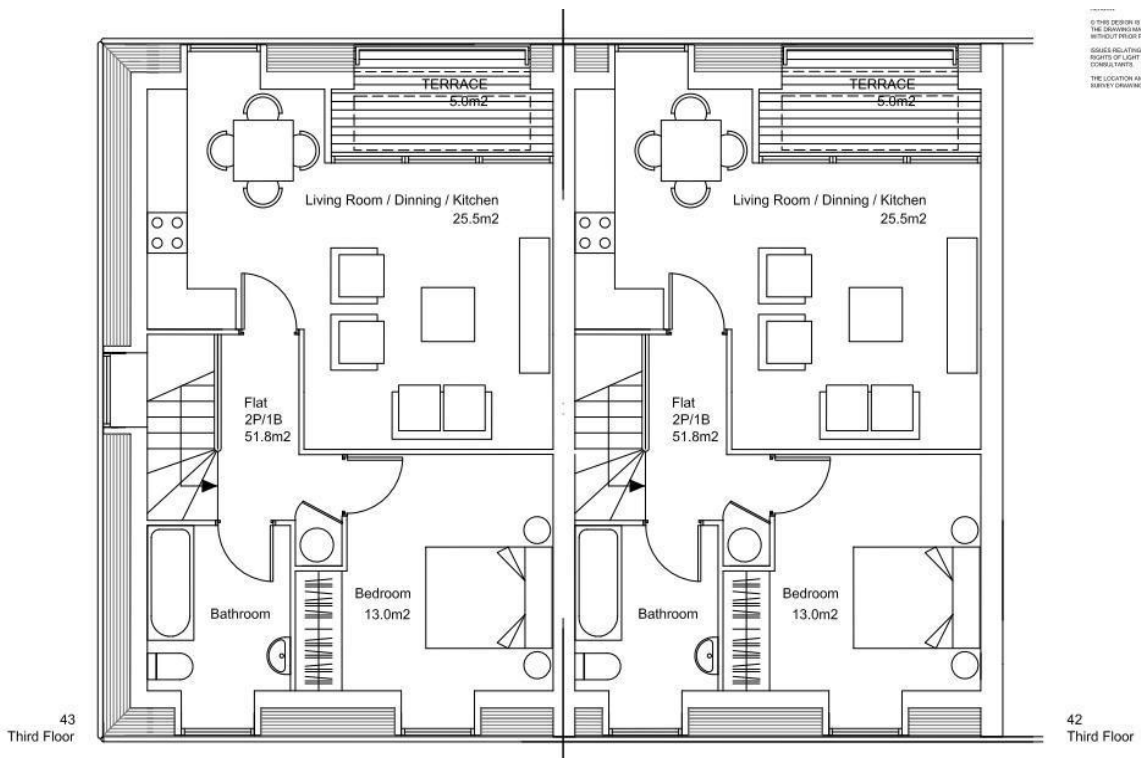
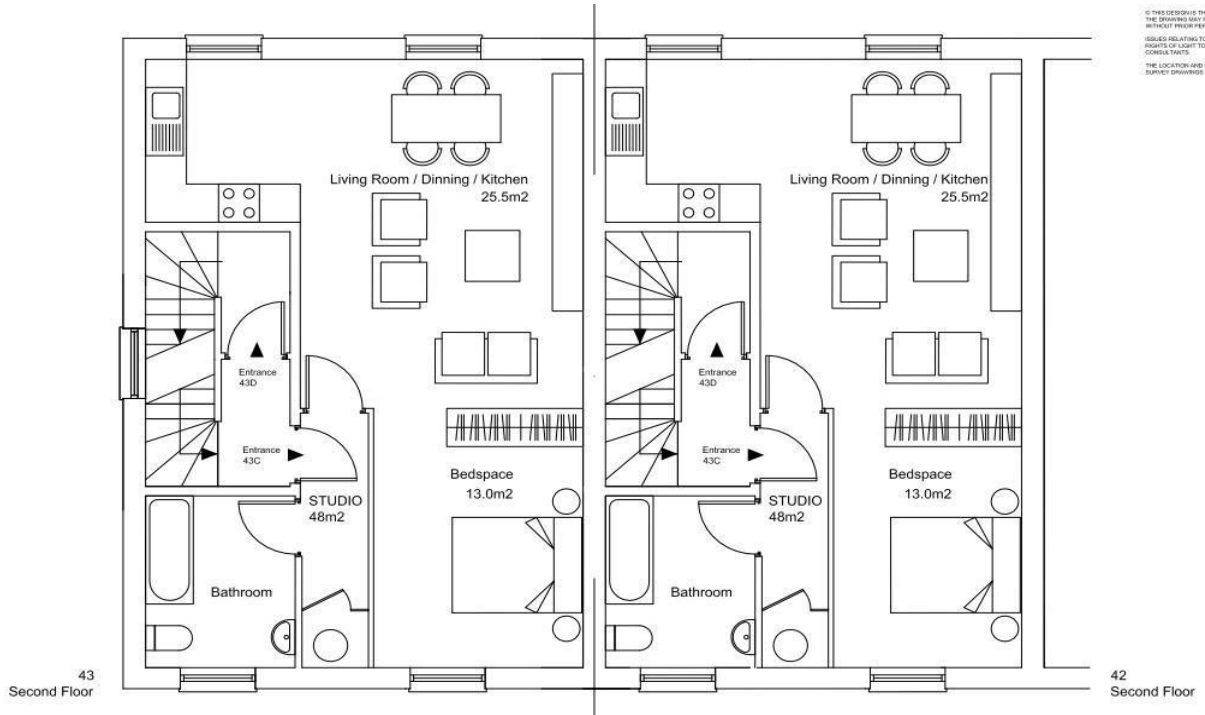
# SELECTED SITE PLANS

## SELECTED SITE PLANS



SCALE : 1:1250 @ A3









Planning permission for mansard sought simultaneously



Planning permission for mansard sought simultaneously

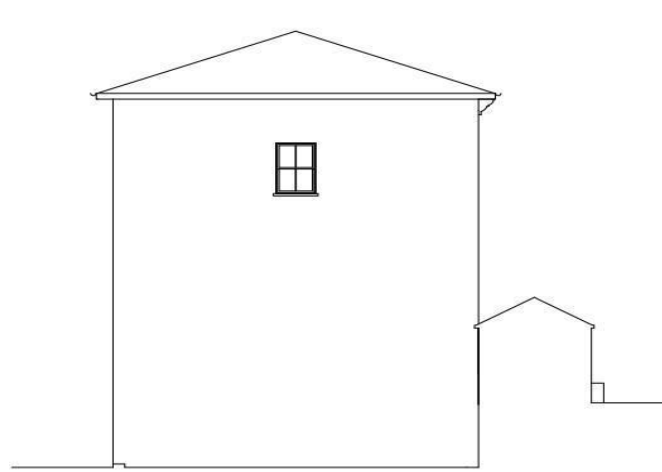


Planning permission for mansard sought simultaneously

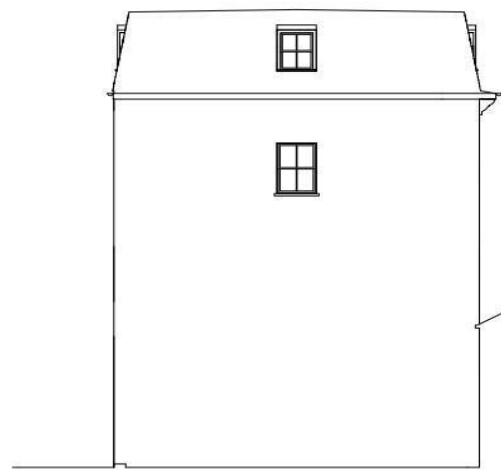


Planning permission for mansard sought simultaneously

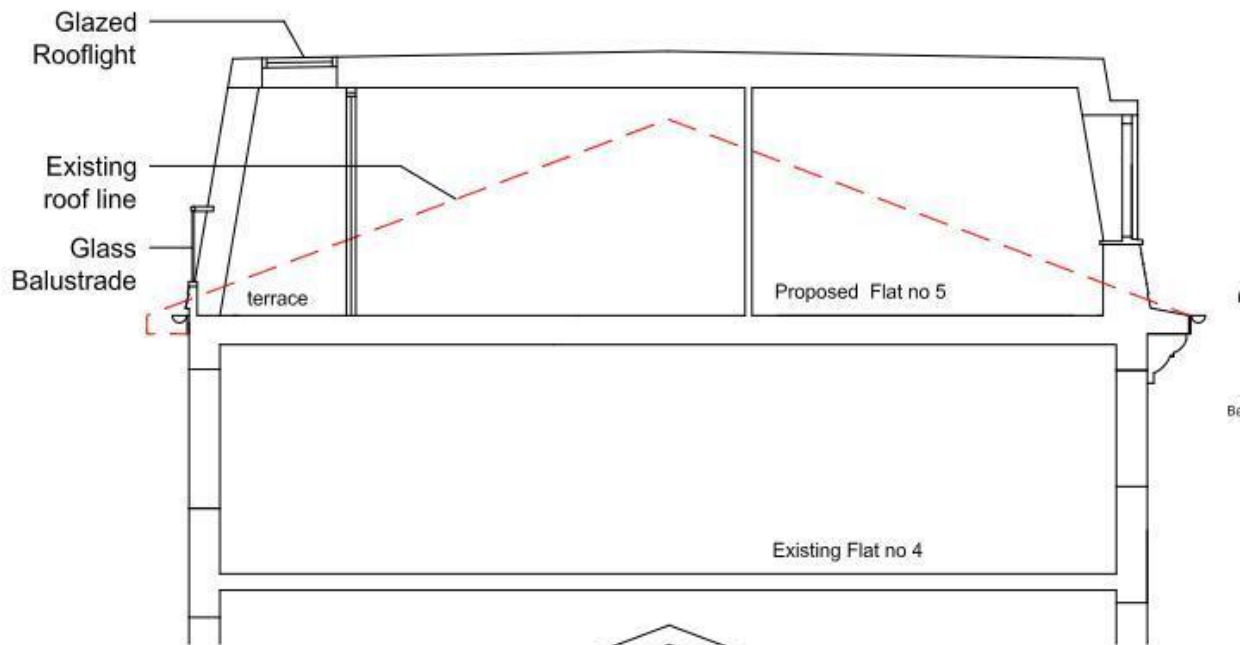
ISSUES IN  
PROJECTS OF  
CONSULT  
THE LOCAL  
SERVICES



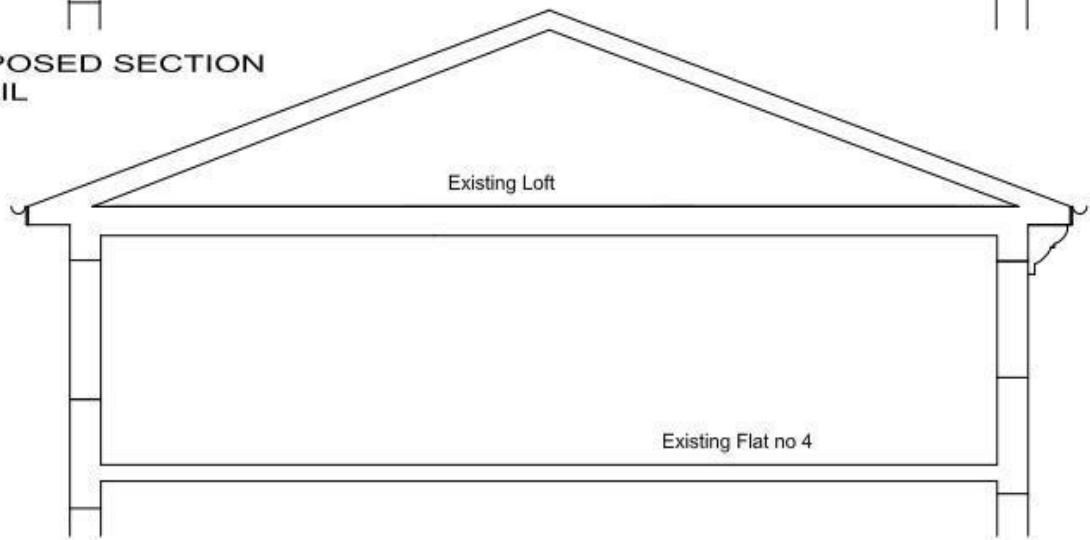
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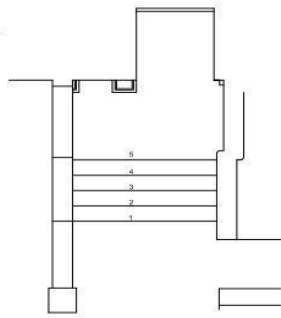
PROPOSED SIDE ELEVATION - NO. 43



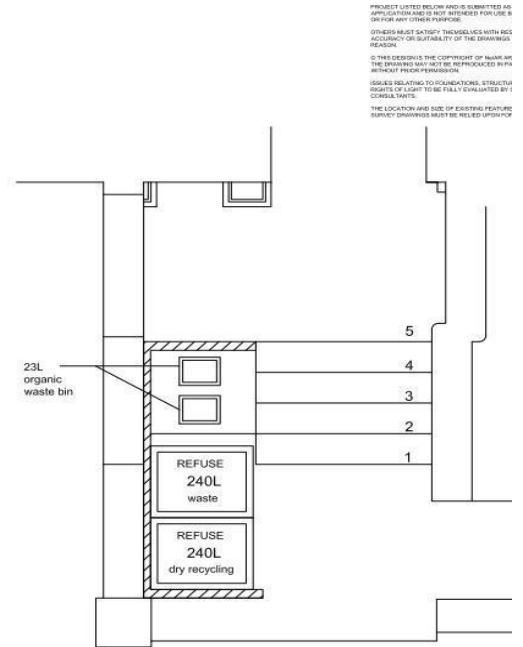
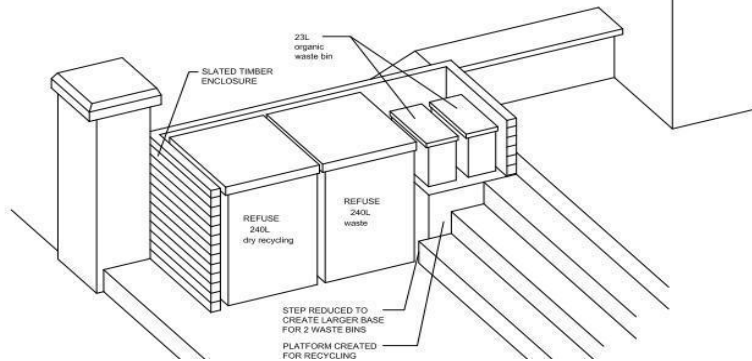
**PROPOSED SECTION  
DETAIL**



**EXISTING SECTION  
DETAIL**

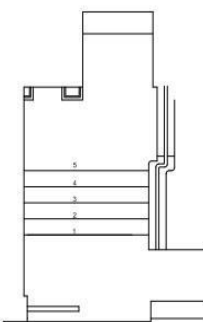


Existing refuse area 1:50 - Bins scattered freely at the entrance area

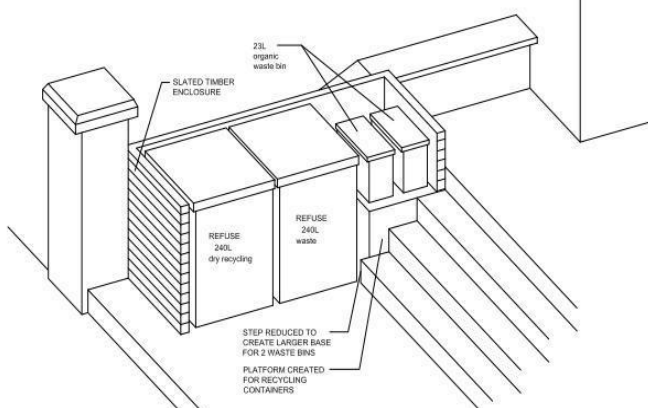


Refuse area plan 1:25

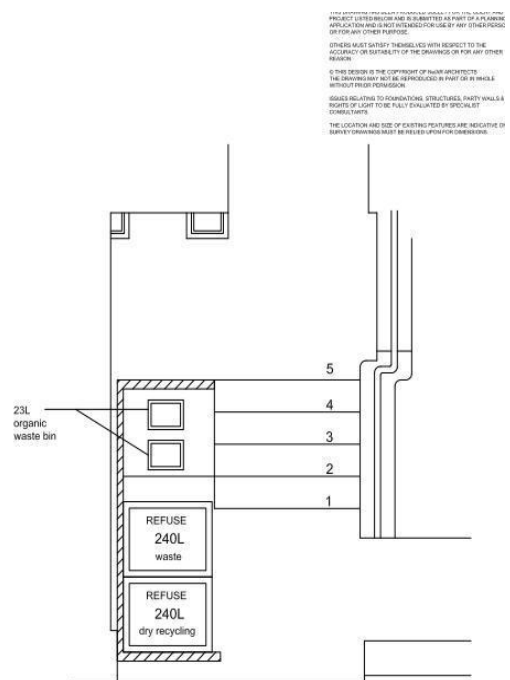
PROJECT LISTED BELOW AND IS SUBMITTED AS APPLICATION AND IS NOT BEING FORWARDED TO ANY OTHER PARTY.  
OTHERS MUST SATISFY THEMSELVES WITH ACCURACY OR SUITABILITY OF THE DRAWINGS REASON.  
THIS DESIGN IS THE PROPERTY OF HMM ARCHITECTS. THE DRAWINGS MAY NOT BE REPRODUCED IN WHOLE OR PART WITHOUT PRIOR PERMISSION.  
ISSUES RELATED TO OPERATIONAL, STRUCTURAL, RIGHTS OF LIGHT TO BE FULLY EVALUATED BY CONSULTANTS.  
THE LOCATION AND SIZE OF EXISTING FEATURE SURVEY DRAWINGS MUST BE REVERSED UPON FOR



Existing refuse area 1:50 - Bins scattered freely at the entrance area



Refuse area sketch



Refuse area plan 1:25



PROJECT LISTED BELOW AND IS SUBMITTED AS APPLICATION AND IS NOT BEING FORWARDED TO ANY OTHER PARTY.  
OTHERS MUST SATISFY THEMSELVES WITH ACCURACY OR SUITABILITY OF THE DRAWINGS REASON.  
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ISSUES RELATED TO OPERATIONAL, STRUCTURAL, RIGHTS OF LIGHT TO BE FULLY EVALUATED BY CONSULTANTS.  
THE LOCATION AND SIZE OF EXISTING FEATURE SURVEY DRAWINGS MUST BE REVERSED UPON FOR

43 St. Julian's Road













## **RECOMMENDATIONS**

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

### **A) PROPOSAL**

Proposed erection of mansard roofs with two front dormer windows and two rear dormer windows with inset balconies, to create two third floor flats (1x1bed) with front refuse storage to front of properties

### **B) EXISTING**

The application site concerns Nos. 42 and 43 St Julians Road which consist of two three storey buildings with basements. No 42 is a mid terraced property and consists of four self contained flats whilst No. 43 is an end of terrace property and consists of three self contained flats. The application site is not located within a conservation area nor does any part contain a listed building.

### **C) AMENDMENTS SINCE SUBMISSION**

### **D) SUMMARY OF KEY ISSUES**

The key issues are as follows:

1. The impact of the proposed terrace on neighbouring properties
2. The impact of the proposal on refuse
3. The impact of the proposal on transport (this is negated due to the proposal being 'car-free')

## **RELEVANT SITE HISTORY**

### **10/2289 – GTD**

Erection of front and rear mansard roof, with 2 dormer windows at front and 2 at rear, to create 1 two-bedroom flat at third-floor level of each property, with associated refuse-storage area to front of flats and subject to a Deed of Agreement dated 07/04/11 under Section 106 of the Town and Country Planning Act 1990, as amended

### **09/1592 – DIS**

Erection of front and rear mansard roof extension with 2 front and 2 rear dormer windows to each property to create 2 x two bedroom self contained flats.

### **08/3380 – REF**

Front and rear mansard roof extension with 2 front and 2 rear dormer windows to each property to create 2 self-contained, two-bedroom flats.

### **07/2795 – REF**

Front and rear mansard roof extension with 2 x front and 2 x rear dormer windows to each property to create 2 x self-contained, two-bedroom flats.

### **01/1471 – GTD**

Joining basement flat 42a to basement of flat 43a to form a single dwelling

## CONSULTATIONS

Consultation period: 14/08/2015 – 04/09/2015

Fifty neighbouring properties were consulted. To date one representation has been received which raised the following points:

Objection	Response
Refuse storage	See paragraph 10 and 18
Impact on parking	See paragraph 16
Damage during construction phase	See paragraph 11
Structural problems	See paragraph 11
Overlooking/loss of privacy	See paragraph 9

## POLICY CONSIDERATIONS

### NPPF 2012

#### London Plan 2015

3.5 Quality and Design of Housing Developments

#### Core Strategy 2010

CP21 A Balanced Housing Stock

#### UDP 2004

BE2 Townscape: Local Context & Character  
BE3 Urban Structure: Space & Movement  
BE6 Public Realm: Landscape Design  
BE7 Public Realm: Streetscape  
BE9 Architectural Quality  
H12 Residential Quality – Layout Considerations  
TRN3 Environmental Impact of Traffic  
TRN11 The London Cycle Network  
TRN23 Parking Standards – Residential Developments  
TRN24 On-street Parking  
PS14 Residential Development  
PS16 Cycle Parking Standards

#### Supplementary Planning Guidance

SPG17: 'Design Guide for New Development'  
Mayor of London's Housing SPG

## DETAILED CONSIDERATIONS

### Introduction

1. Application 15/3316 proposes the erection of a mansard roof with front and rear dormers and inset rear balconies to create two one-bedroom flats at third floor level with associated refuse-storage area by the front entrance for both 42 and 43 St Julians Road. As explained in the 'History' section of this report permission was granted for the erection of two mansard roof extensions under application 10/2289. Prior to the granting of permission for application 10/2289 permission was refused for a similar application under application 09/1592 and subsequently dismissed at appeal. Although the Council refused the application on design grounds, the standard of accommodation, the impact on parking and the absence of a legal agreement to control parking the Planning Inspectorate found that the application was acceptable on design grounds and was visually appropriate due to the number of similar developments on St Julians Road. The Council need to take account of the Inspectors views with regard to design and as the current application is based on the

design of the previously approved application the Council is once again led by the findings of the Inspector.

#### Site layout and access

2. Currently the buildings consists of four self contained flats in No.42 set out over basement, ground, first and second floor levels and three self contained flats in No. 43 set out over ground, first and second floor levels. The current application proposes the addition of a fourth and fifth self contained flat on the third floor consisting of a one bedroomed unit with living/kitchen area, bedroom, bathroom and terrace to provide amenity space. The proposed flats will be accessed via the existing front doorway at ground floor level with the existing stairs continuing from the second floor. This will result in a reduction of space for the existing second floor flat which will be converted from a two bed unit to a 48 sqm studio flat.

#### Design, scale and massing

3. As mentioned in the introduction section of this report the Council previously found that the proposed roof extension submitted under application 09/1592 would have resulted in an incongruous addition that would appear visually obtrusive and unsympathetic to the scale, design and appearance of the property and its surroundings. However during the course of the appeal the Inspector found the proposal to be visually appropriate when compared to similar developments on St Julians Road and went on to find the rear views of the property to be limited by the extant buildings in Priory Park Road, Aldershot Road and Opel Mews. The Inspector therefore concluded that there would be no harm to the original building or the character of the area and two mansard roof extensions were approved under planning application 10/2304.

4. The current application replicates the design of the application that was previously approved. Therefore once again whilst officers might have disagreed with the Inspectors findings at the time, consideration must be given to the Inspectors views. As such, officers consider that it would be difficult to object to the roof alterations in principle. The proposal will see an increase in height of 0.7 metres from the existing roof however the width will be slightly reduced when viewed from the side elevation. During discussions with the applicant a parapet wall has been agreed on the front elevation of each building which will help to reduce the visual impact of the proposal by providing a break between the roof addition and the third floor.

#### Standard of accommodation

5. Policy 3.5 of the London Plan (2015) of the London Plan sets out the minimum internal space standards that are appropriate for new developments in order to provide a satisfactory standard of accommodation for future occupants. The application proposes the addition of two one bed units with Gross Internal Areas (GIA) of 51.8 sqm which slightly exceeds the minimum GIA of 50 sqm.

6. The Mayor of London's Housing SPG contains guidance with regard to the standard of accommodation that new development should provide. With regard to private amenity space a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings. The application has proposed 5 sqm terraces for each flat that will be accessed from the living/kitchen area in both units which complies with this standard.

7. The bedroom and kitchen/living room areas are of generous sizes and exceed the minimum size standard as contain in the Housing SPG. With regard to outlook and access to natural light the living/kitchen areas are well served by the roof terraces and windows and the bedrooms are also served by the dormer windows. National Housing Standards require rooms to have headroom of 2.5 metres in 75% of the room. The proposed flats will have headroom heights of 2.35 metres however due to the proposed flat exceeding the minimum GIA and the inclusion of private amenity space this is acceptable in this case. With regard to stacking the layout of the proposed unit at third floor level has been set out to match that of the proposed studio flat at second floor level.

8. The proposal will involve the loss of two one bedroomed units at second floor level and see them replaced with 48 sqm studio flats. Policy 3.5 of the London Plan (2015) of the London Plan states that a studio flat with separate shower room or bathroom must have a minimum GIA of 39 sqm. The second floor studio flats will exceed this standard and will have good access to natural light from the existing windows. The lack of

amenity space can be offset by the increased GIA and due to the fact that the existing flats do not have access to any amenity space. The proposed studio flats at second floor level are therefore deemed to be acceptable.

#### Impact on neighbouring amenity

9. Residential units are located on all floors of the application site and on either side in the adjoining buildings. There are also residential units located to the rear in Opal Mews and Aldershot Road. Concerns have been raised by a number of neighbouring residents regarding the issue of overlooking and loss of privacy from the balcony. However the proposed terrace would be flush with the rear elevation of the building and as such residents would be restricted from overlooking.

10. Concerns have been raised about the impact on refuse storage. However the proposal will see the introduction of a communal refuse storage that will improve the current situation where refuse is stored in wheelie bins on the street.

11. Although concerns have been raised about structural damage and damage during the construction phase, unfortunately this is not a planning consideration that can be taken into account and is controlled by other legislation. In the event that permission is granted conditions can be attached requiring the applicant to sign up to the Considerate Contractors Scheme whilst a Construction Method Statement will also be required.

#### Transport Considerations

12. Car parking allowances for the combined buildings are currently 5.4 spaces due to the presence of seven flats. The proposal to provide two one-bedroom flats at third floor level would increase the parking standard by 1.4 spaces to 6.8 spaces. This is considered to be a significant increase and no off-street parking space is available to meet this increase in standard.

13. In cases where the residential parking standard cannot be met within the site, Policy TRN23 requires the impact on on-street parking to be considered, with on-street parking permitted to be counted towards meeting demand where the site fronts a local access road that is not heavily parked and has sufficient width to accommodate unobstructive parking. In this case St. Julian's Road is already noted as being heavily parked at night and is unable to safely accommodate additional parking from this building.

14. To address this, the applicant proposes a S106 'car-free' Agreement to remove the right of future residents of the new flat to on-street parking permits in the area. This is consistent with Policy TRN23, which does allow 'car-free' developments in exceptional cases, where the site is located within a CPZ and has good access to public transport services.

15. Concerns were expressed at the time of the previous consent regarding the practical enforceability of a 'car-free' agreement that applies to only one flat within the building, with problems having arisen in other cases where buildings contain a mixture of flats that are and are not eligible for permits. This continues to be the Council's approach to proposals of this kind, however these concerns were not considered to be so significant by the Planning Inspector at the time of the appeal so as to justify the dismissal of the appeal and a new third-floor two-bedroom flat at third floor level was subsequently granted.

16. The parking permit system has been transferred to an online system, which means this issue can be more easily dealt with provided the affected flats can still be readily identified and there are no unauthorised changes to the layout of the units within the building. Only the third floor of the building will be affected by the proposed agreement which will make it easier to identify the future address of the affected flat. As such, in light of the previous permission, this proposal can be accepted subject to a new S106 'car-free' Agreement. Concerns have been raised by an objector about the potential impact on car parking in the area however the applicant has proposed making the additional units 'car free' which is deemed as being acceptable.

17. Standard PS16 requires at least one secure cycle parking space per flat, where practical. However, there is no realistic scope to meet this requirement within the frontage of the site. As not all units would have access to the rear garden this requirement can therefore be waived.



## Refuse

18. As previously mentioned, currently the refuse storage situation sees wheelie bins stored on the footpath which is not ideal in terms of safety as it blocks pedestrians. The proposal will see the construction of a designated bin storage area capable of storing two 240L bins for dry recycling and refuse and two 23L organic waste bins for each building. Concerns have been raised about refuse storage by neighbouring residents and the proposal should see an improvement in how the bins are stored by providing residents with a designated area where bins can be placed after collection. This will also help to improve highway safety for pedestrians.

## Conclusion

19. Taking into consideration the history of the site and the previous decision of the Planning Inspectorate regarding the design of the proposal the addition of mansard roofs would be acceptable in this case.

20. The proposed roof extensions will provide two additional units that are of an acceptable standard in terms of the standard of accommodation they would provide and comply with the necessary policies and guidance as contained in the London Plan (2015). The proposal will provide appropriate additions to the existing buildings that meet parking standards and the new floor areas will be liable to CIL.

## CIL DETAILS

This application is liable to pay **£36,433.55\*** 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): 134 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	134		134	£200.00	£35.15	£30,987.50	£5,446.05
			0	£0.00	£0.00	£0.00	£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)	259	
<b>Total chargeable amount</b>	<b>£30,987.50</b>	<b>£5,446.05</b>

\*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**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====  
Application No: 15/3316

To: Taylor  
Nicholas Taylor + Associates  
31  
Windmill Street  
London  
W1T 2JN

I refer to your application dated 03/08/2015 proposing the following:  
Proposed erection of mansard roofs with two front dormer windows and two rear dormer windows with inset balconies, to create two third floor flats (1x1bed) with front refuse storage to front of properties

and accompanied by plans or documents listed here:  
See condition 2  
at 42A-D and 43A-C St Julians Road, London, NW6 7LB

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  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Transport: in terms of sustainability, safety and servicing needs
  
- 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):  
0315/SJR/001  
0315/SJR/100  
0315/SJR/101  
0315/SJR/110  
0315/SJR/111  
0315/SJR/112  
0315/SJR/200  
0315/SJR/201  
0315/SJR/202  
0315/SJR/210  
0315/SJR/211 Proposed Rear Elevation  
0315/SJR/211 Proposed Side Elevation  
0315/SJR/212  
0315/SJR/310  
0315/SJR/410

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

- 3 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.

- 4 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.

- 5 Prior to the commencement of works, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority detailing measures that will be taken to control dust, noise and other environmental impacts of the development and the routing and timing of construction vehicles and the approved details shall thereafter be implemented.

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

- 6 No development shall take place before a scheme for adequate sound insulation to walls and/or floors between units in separate occupation hereby approved has been submitted in addition to building regulations and approved in writing by the Local Planning Authority. Thereafter none of the flats shall be occupied until the approved scheme has been fully implemented.

Reason: In the interests of residential amenity

## 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](http://www.communities.gov.uk)

Any person wishing to inspect the above papers should contact Barry Henn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5232

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## COMMITTEE REPORT

Planning Committee on  
Item No

18 November, 2015

Case Number

15/3315

## SITE INFORMATION

**RECEIVED:** 3 August, 2015

**WARD:** Kilburn

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 40D St Julians Road, London, NW6 7LB

**PROPOSAL:** Erection of mansard roof with front and rear dormers and inset rear balcony, to create a single one-bedroom flat at third floor level, with associated refuse-storage area by the front entrance.

**APPLICANT:** Genesis Housing Association

**CONTACT:** Nicholas Taylor + Associates

**PLAN NO'S:** See condition 2

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## SITE MAP



### Planning Committee Map

Site address: 40D St Julians Road, London, NW6 7LB

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This map is indicative only.

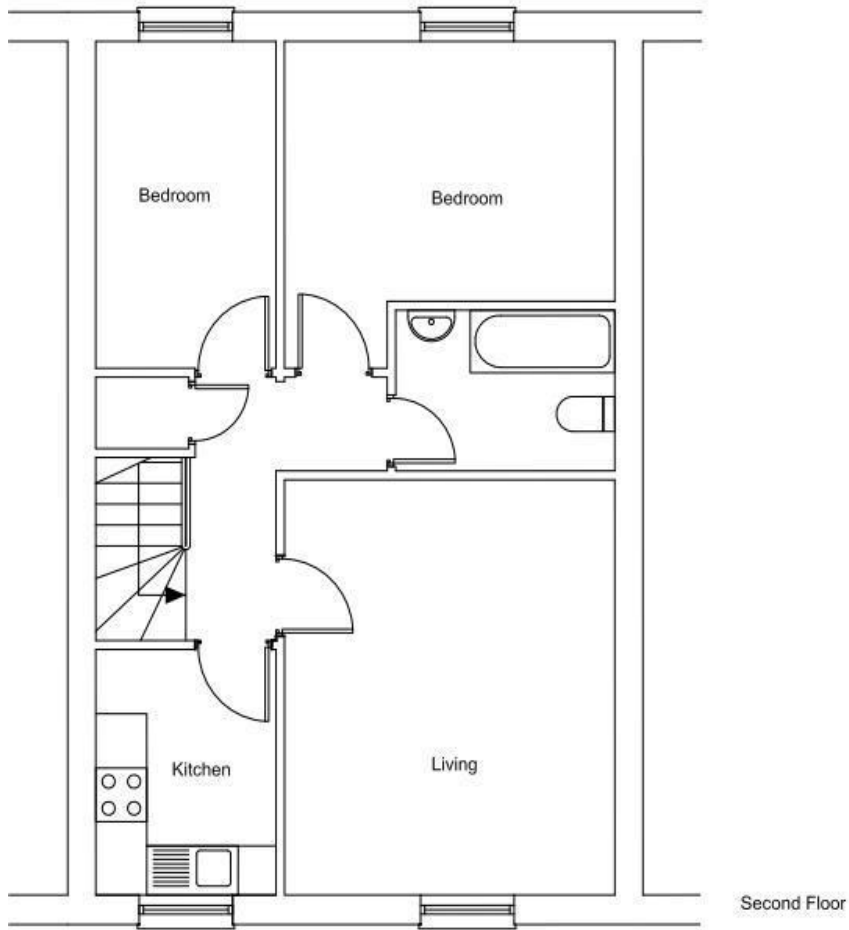


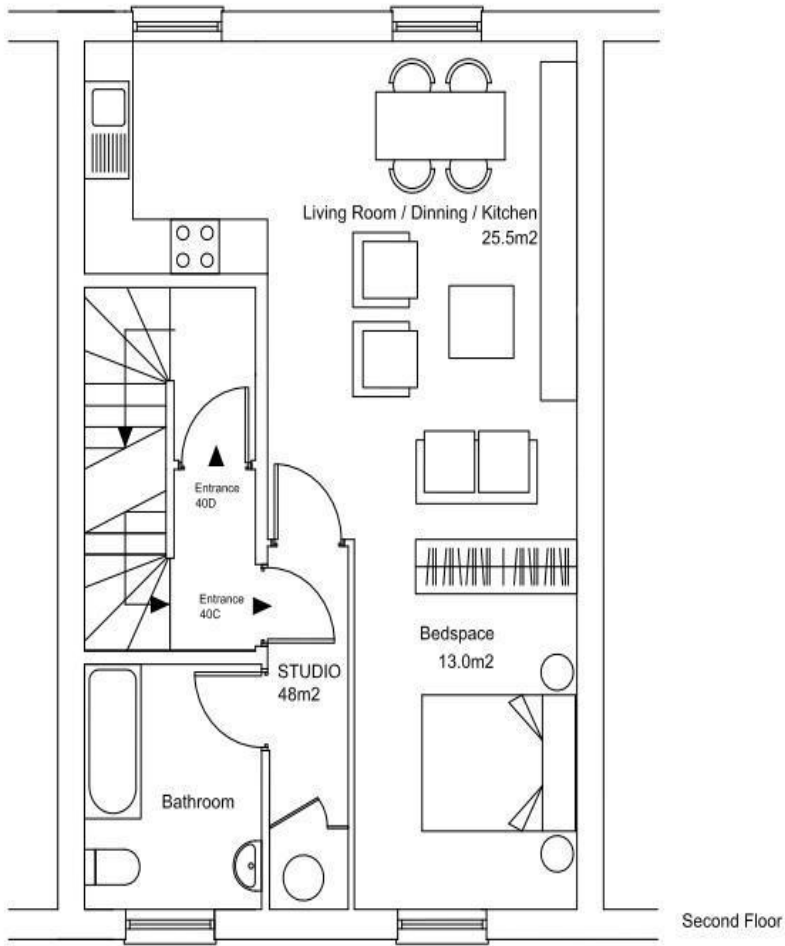
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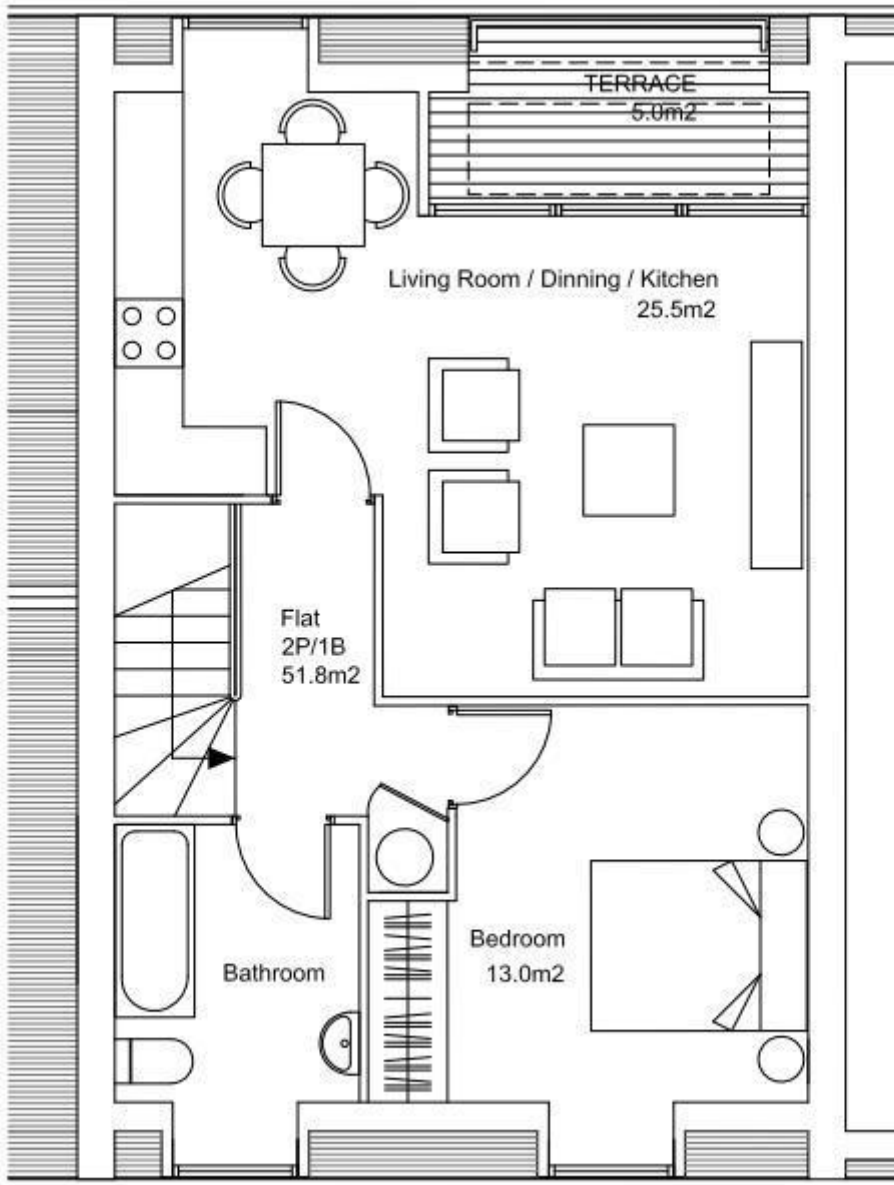


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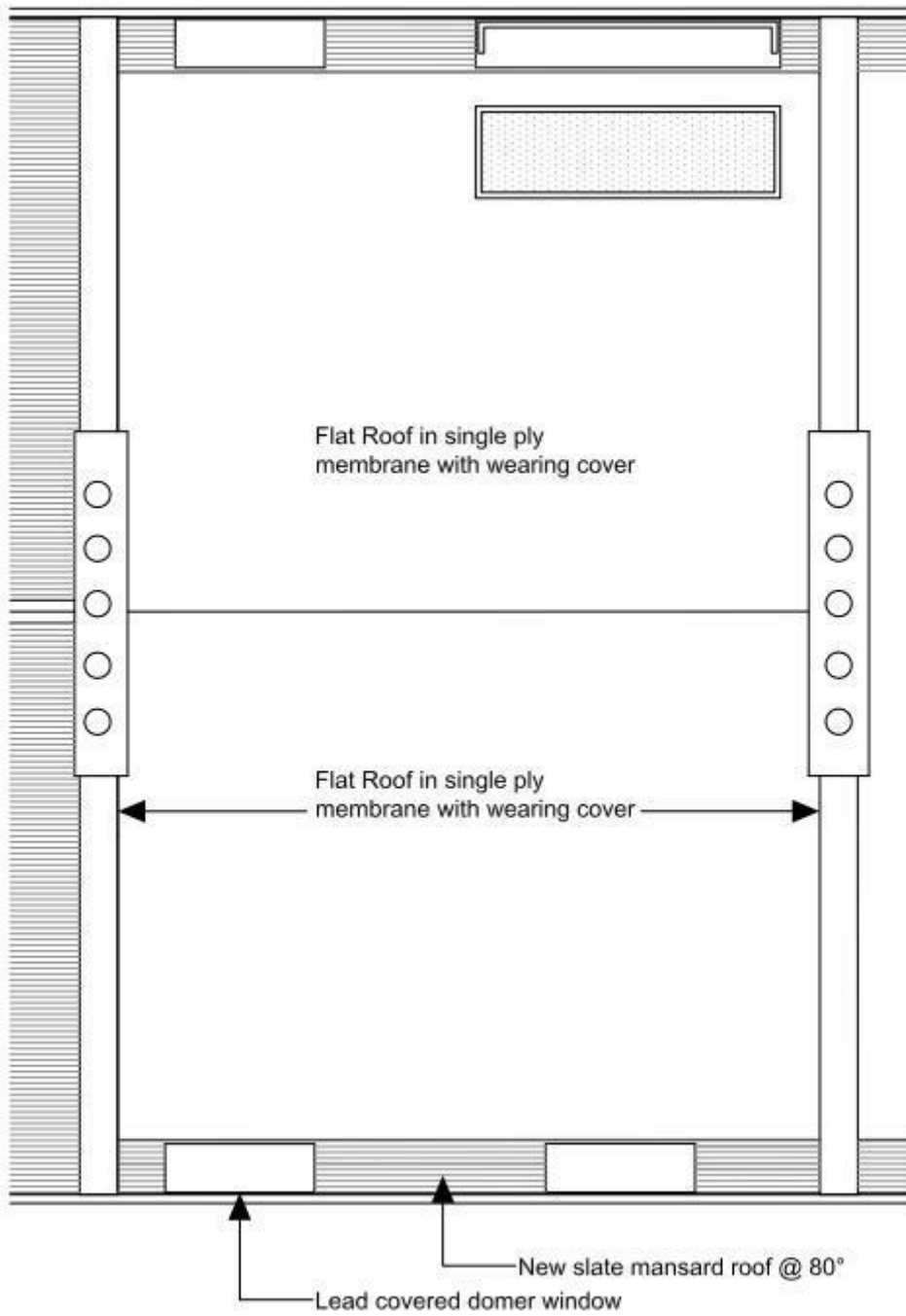






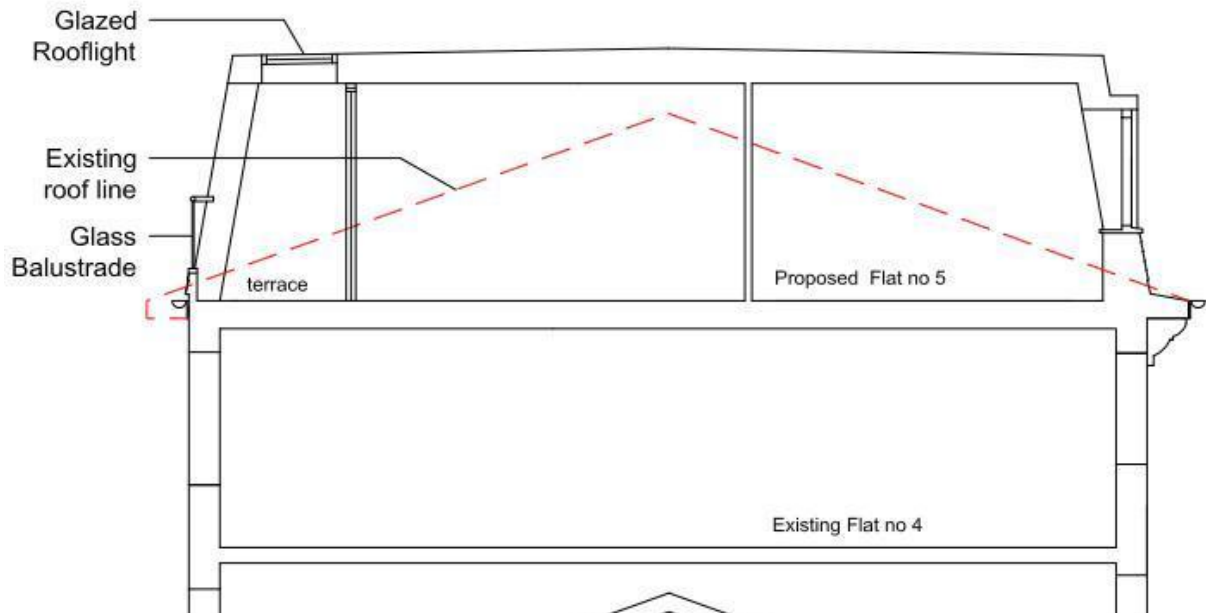


Third Floor

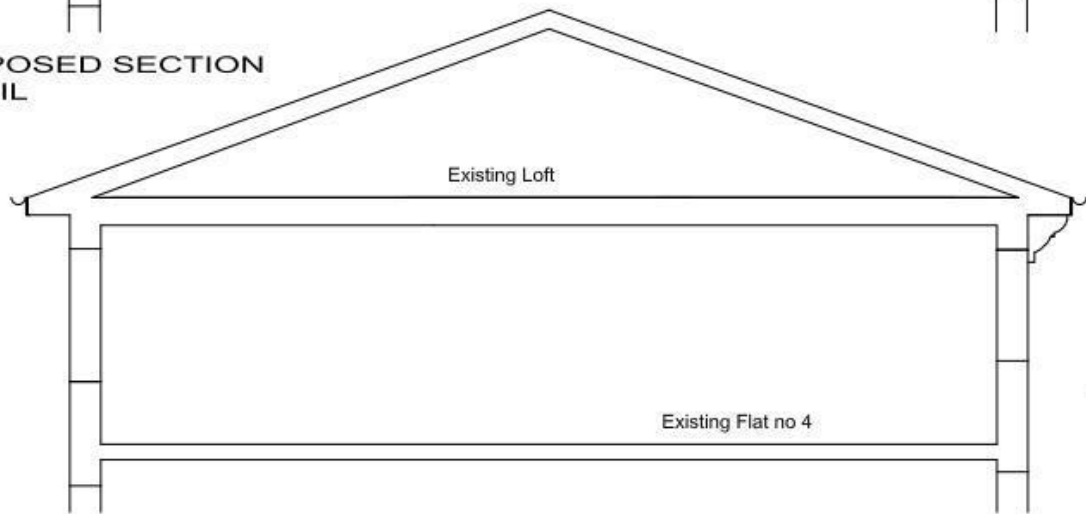






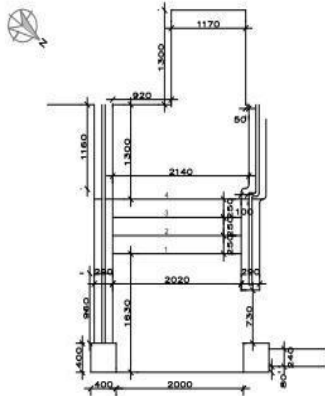


**PROPOSED SECTION  
DETAIL**

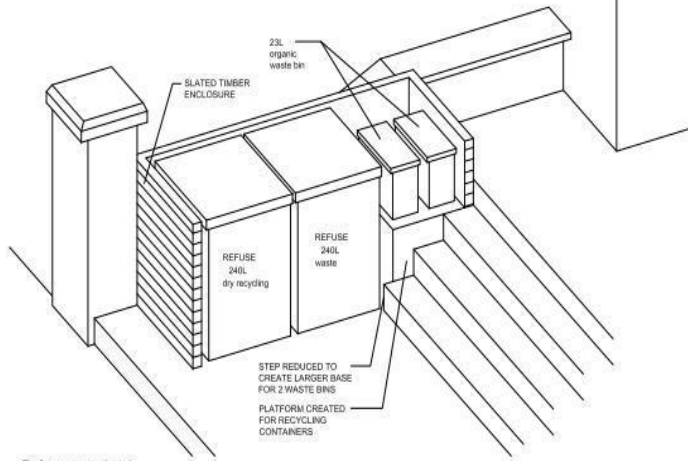


**EXISTING SECTION  
DETAIL**





Existing refuse area 1:50 - Bins scattered freely at the entrance area



Refuse area sketch

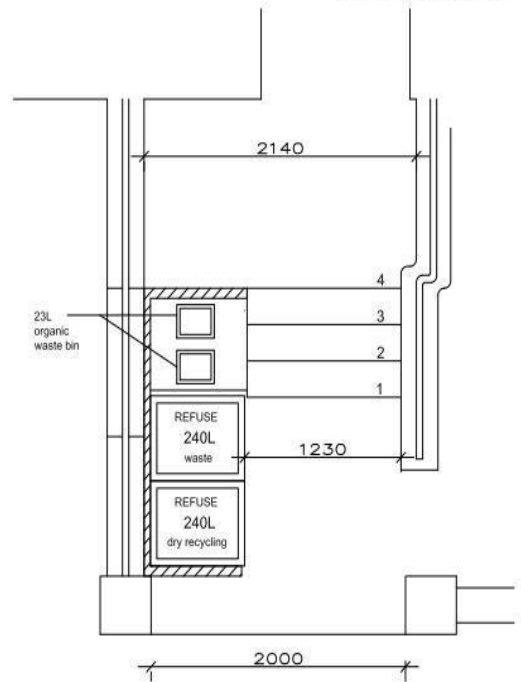
THIS DRAWING HAS BEEN PREPARED SOLELY FOR THE CLIENT AND PROJECT'S INTENT. NO LIABILITY IS ASSUMED FOR ANY UNLAWFUL APPLICATION AND IS NOT INTENDED FOR USE BY ANY OTHER PERSON OR FOR ANY OTHER PURPOSE.

OWNERS MUST VERIFY DIMENSIONS WITH RESPECT TO THE ACCURACY OR SUFFICIENCY OF THE DRAWINGS OR FOR ANY OTHER REASON.

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ISSUES RELATING TO FOUNDATIONS, STRUCTURES, PARTY WALLS & RIGHTS OF LIGHT TO BE FULLY EVALUATED BY SPECIALIST CONSULTANTS.

THE LOCATION AND SIZE OF EXISTING FEATURES ARE INDICATIVE ONLY. SURVEY DIMENSIONS MUST BE RELIED UPON FOR DIMENSIONS.



Refuse area plan 1:25







## **RECOMMENDATIONS**

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

### **A) PROPOSAL**

Erection of mansard roof with front and rear dormers and inset rear balcony, to create a single one-bedroom flat at third floor level, with associated refuse-storage area by the front entrance.

### **B) EXISTING**

The application site, occupied by a three storey mid terrace property that consists of four self-contained flats, is located on the western side of St. Julian's Road. The application site is not located within a conservation area nor does any part contain a listed building.

## **C) AMENDMENTS SINCE SUBMISSION**

### **D) SUMMARY OF KEY ISSUES**

The key issues are as follows:

1. The impact of the proposed terrace on neighbouring properties
2. The impact of the proposal on refuse
3. The impact of the proposal on transport (this is negated due to the proposal being 'car-free')

## **RELEVANT SITE HISTORY**

**10/2304 – GTD**

Erection of front and rear mansard roof, with 2 dormer windows at front and 2 at rear, to create 1 two-bedroom flat at third-floor level, with associated refuse-storage area to front of flats and subject to a Deed of Agreement dated 07/04/11 under Section 106 of the Town and Country Planning Act 1990, as amended

### 09/1454 – DIS

Erection of front and rear mansard roof, with 2 dormer windows at front and 2 at rear, to create 1 two-bedroom flat at third-floor level, with associated refuse-storage area to front of flats

### 08/3394 – REF

Front and rear mansard roof with 2 dormer windows to rear and 2 to front to create 1 self contained flat at roof level

### 07/2776 – REF

Front and rear mansard-roof extension with 2 front and 2 rear dormer windows to create 1 self-contained, two-bedroom flat

## CONSULTATIONS

Consultation period: 13/08/2015 – 03/09/2015

One-hundred and sixteen neighbouring properties were consulted. To date four representations have been received which has raised the following concerns:

Objection	Response
Refuse storage	See paragraph 10 and 18
Impact on parking	See paragraph 16
Damage during construction phase	See paragraph 11
Structural problems	See paragraph 11
Overlooking/loss of privacy	See paragraph 9

## POLICY CONSIDERATIONS

### NPPF 2012

#### London Plan 2015

3.5 Quality and Design of Housing Developments

#### Core Strategy 2010

CP21 A Balanced Housing Stock

#### UDP 2004

BE2 Townscape: Local Context & Character  
BE3 Urban Structure: Space & Movement  
BE6 Public Realm: Landscape Design  
BE7 Public Realm: Streetscape  
BE9 Architectural Quality  
H12 Residential Quality – Layout Considerations  
TRN3 Environmental Impact of Traffic  
TRN11 The London Cycle Network  
TRN23 Parking Standards – Residential Developments  
TRN24 On-street Parking

### **Supplementary Planning Guidance**

SPG17: 'Design Guide for New Development'  
Mayor of London's Housing SPG

## **DETAILED CONSIDERATIONS**

### Introduction

1. Application 15/3315 proposes the erection of a mansard roof with front and rear dormers and inset rear balcony, to create a single one-bedroom flat at third floor level with associated refuse-storage area by the front entrance. As explained in the 'History' section of this report permission was granted for the erection of a mansard roof under application 10/2304. Prior to the granting of permission for application 10/2304 permission was refused for a similar application under application 09/1454 and subsequently dismissed at appeal. Although the Council refused the application on design grounds, the standard of accommodation, the impact on parking and the absence of a legal agreement to control parking the Planning Inspectorate found that the application was acceptable on design grounds and was visually appropriate due to the number of similar developments on St Julians Road. The Council need to take account of the Inspectors views with regard to design and as the current application is based on the design of the previously approved application the Council is once again led by the findings of the Inspector.

### Site layout and access

2. Currently the building consists of four self contained flats set out over basement, ground, first and second floor levels. The current application proposes the addition of a fifth self contained flat on the third floor consisting of a one bedroomed unit with living/kitchen area, bedroom, bathroom and terrace to provide amenity space. The proposed flat will be accessed via the existing front doorway at ground floor level with the existing stairs continuing from the second floor. This will result in a reduction of space for the existing second floor flat which will be converted from a two bed unit to a 48 sqm studio flat.

### Design, scale and massing

3. As mentioned in the introduction the Council previously found that the proposed roof extension submitted under application 09/1454 would have resulted in an incongruous addition that would appear visually obtrusive and unsympathetic to the scale, design and appearance of the property and its surroundings. However during the course of the appeal the Inspector found the proposal to be visually appropriate when compared to similar developments on St Julians Road and went on to find the rear views of the property to be limited by the extant buildings in Priory Park Road, Aldershot Road and Opel Mews. The Inspector therefore concluded that there would be no harm to the original building or the Character of the area and a mansard roof was approved under planning application 10/2304.

4. The current application replicates the design of the application that was approved. Therefore once again whilst officers might have disagreed with the Inspectors findings at the time, consideration must be given to the Inspectors views. As such, officers consider that it would be difficult to object to the roof alterations in principle. The proposal will see an increase in height of 0.7 metres from the existing roof however the width will be slightly reduced when viewed from the side elevation. During discussions with the applicant a parapet wall has been agreed on the front elevation of the building which will help to reduce the visual impact of the proposal by providing a break between the roof addition and the third floor.

### Standard of accommodation

5. Policy 3.5 of the London Plan (2015) of the London Plan sets out the minimum internal space standards that are appropriate for new developments in order to provide a satisfactory standard of accommodation for future occupants. The application proposes the addition of a one bed unit with a Gross Internal Area (GIA) of 51.8 sqm which slightly exceeds the minimum GIA of 50 sqm.

6. The Mayor of London's Housing SPG contains guidance with regard to the standard of accommodation

that new development should provide. With regard to private amenity space a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings. The application has proposed a 5 sqm terrace that will be accessed from the living/kitchen area which complies with this standard.

7. The bedroom and kitchen/living room areas are of generous sizes and exceed the minimum size standard as contain in the Housing SPG. With regard to outlook and access to natural light the living/kitchen area is well served by the roof terrace and a window and the bedroom is also served by the dormer window. National Housing Standards require rooms to have headroom of 2.5 metres in 75% of the room. The proposed flat will have headroom of 2.35 metres however due to the proposed flat exceeding the minimum GIA and the inclusion of private amenity space this is acceptable. With regard to stacking the layout of the proposed unit at third floor level has been set out to match that of the proposed studio flat at second floor level.

8. The proposal will involve the loss of a two bedroomed unit at second floor level and see it replaced with a 48 sqm studio flat. Policy 3.5 of the London Plan (2015) of the London Plan states that a studio flat with separate shower room or bathroom must have a minimum GIA of 39 sqm. The second floor flat will exceed this standard and will have good access to natural light from the existing windows. The lack of amenity space can be offset by the increased GIA and due to the fact that the existing flat does not have access to any amenity space. The proposed studio flat is therefore deemed to be acceptable.

#### Impact on neighbouring amenity

9. Residential units are located on all floors of the application site and on either side in the adjoining buildings. There are also residential units located to the rear in Opal Mews and Aldershot Road. Concerns have been raised by a number of neighbouring residents regarding the issue of overlooking and loss of privacy from the balcony. However the proposed terrace would be flush with the rear elevation of the building and as such residents would be restricted from overlooking.

10. Concerns have been raised about the impact on refuse storage. However the proposal will see the introduction of a communal refuse storage that will improve the current situation where refuse is stored in wheelie bins on the street.

11. Although concerns have been raised about structural damage and damage during the construction phase, unfortunately this is not a planning consideration that can be taken into account and is controlled by other legislation. In the event that permission is granted conditions can be attached requiring the applicant to sign up to the Considerate Contractors Scheme whilst a Construction Method Statement will also be required.

#### Transport Considerations

12. Car parking allowances for the building is currently 2.8 spaces due to the presence of four flats. The proposal to provide an additional one-bedroom flat at third floor level would increase the parking standard by 0.7 spaces to 3.5 spaces. This is considered to be a significant increase and no off-street parking space is available to meet this increase in standard.

13. In cases where the residential parking standard cannot be met within the site, Policy TRN23 requires the impact on on-street parking to be considered, with on-street parking permitted to be counted towards meeting demand where the site fronts a local access road that is not heavily parked and has sufficient width to accommodate unobstructive parking. In this case though, St. Julian's Road is already noted as being heavily parked at night, so is unable to safely accommodate additional parking from this building.

14. To address this, the applicant proposes a S106 'car-free' Agreement to remove the right of future residents of the new flat to on-street parking permits in the area. This is consistent with Policy TRN23, which does allow 'car-free' developments in exceptional cases, where the site is located within a CPZ and has good access to public transport services.

15. Concerns were expressed at the time of the previous consent regarding the practical enforceability of a 'car-free' agreement that applies to only one flat within the building, with problems having arisen in other cases where buildings contain a mixture of flats that are and are not eligible for permits. This continues to be

the Council's approach to proposals of this kind, however these concerns were not considered to be so significant by the Planning Inspector at the time of the previous appeal so as to justify the dismissal of the appeal and a new third-floor two-bedroom flat at third floor level was subsequently granted.

16. The parking permit system has been transferred to an online system, which means this issue can be more easily dealt with provided the affected flats can still be readily identified and there are no unauthorised changes to the layout of the units within the building. Only the third floor of the building will be affected by the proposed agreement which will make it easier to identify the future address of the affected flat. As such, in light of the previous permission, this proposal can be accepted subject to a new S106 'car-free' Agreement. Concerns have been raised by an objector about the potential impact on car parking in the area however the applicant has proposed making the additional unit 'car free' which is deemed as being acceptable.

17. Standard PS16 requires at least one secure cycle parking space per flat, where practical. However, there is no realistic scope to meet this requirement within the frontage of the site, whilst not all units would have access to the rear garden therefore this requirement can be waived.

### Refuse storage

18. As previously mentioned, currently the refuse storage situation sees wheelie bins stored on the pavement which is not ideal in terms of safety. The proposal will see the construction of a designated bin storage area capable of storing two 240L bins for dry recycling and refuse. Concerns have been raised about refuse storage by neighbouring residents and the proposal should see an improvement in how the bins are stored by providing residents with a designated area where bins can be placed after collection. This will also help to improve highway safety for pedestrians.

### Conclusion

19. Taking into consideration the history of the site and the previous decision of the Planning Inspectorate regarding the design of the proposal the addition of a mansard roof would be acceptable in this case.

20. The proposed additional storey will provide an additional unit that is of an acceptable standard in terms of the standard of accommodation it would provide and complies with the necessary policies and guidance as contained in the London Plan (2015). The proposal will provide an appropriate addition to the existing building that meets parking standards and the new floor area will be liable to CIL.

## CIL DETAILS

This application is liable to pay **£17,020.45\*** 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): 62.6 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	62.6		62.6	£200.00	£35.15	£14,476.25	£2,544.20
			0	£0.00	£0.00	£0.00	£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)	259	
<b>Total chargeable amount</b>	<b>£14,476.25</b>	<b>£2,544.20</b>

\*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**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

=====

Application No: 15/3315

To: Mr Kavanagh  
Nicholas Taylor + Associates  
31  
Windmill Street  
London  
W1T 2JN

I refer to your application dated 03/08/2015 proposing the following:  
Erection of mansard roof with front and rear dormers and inset rear balcony, to create a single one-bedroom flat at third floor level, with associated refuse-storage area by the front entrance.  
and accompanied by plans or documents listed here:  
See condition 2  
at 40D St Julians Road, London, NW6 7LB

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  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Transport: in terms of sustainability, safety and servicing needs
  
- 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):  
0315/SJR/001  
0315/SJR/100  
0315/SJR/101  
0315/SJR/110  
0315/SJR/111  
0315/SJR/112  
0315/SJR/200  
0315/SJR/201  
0315/SJR/202  
0315/SJR/210  
0315/SJR/211  
0315/SJR/212  
0315/SJR/310  
0315/SJR/410  
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 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.

- 4 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.

- 5 Prior to the commencement of works, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority detailing measures that will be taken to control dust, noise and other environmental impacts of the development and the routing and timing of construction vehicles and the approved details shall thereafter be implemented.

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

- 6 No development shall take place before a scheme for adequate sound insulation to walls and/or floors between units in separate occupation hereby approved has been submitted in addition to building regulations and approved in writing by the Local Planning Authority. Thereafter none of the flats shall be occupied until the approved scheme has been fully implemented.

Reason: In the interests of residential amenity

## 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](http://www.communities.gov.uk)

Any person wishing to inspect the above papers should contact Barry Henn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5232

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## COMMITTEE REPORT

Planning Committee on  
Item No

18 November, 2015

Case Number

15/3570

## SITE INFORMATION

**RECEIVED:** 17 August, 2015

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 75 Okehampton Road, London, NW10 3EN

**PROPOSAL:** Excavation of a basement level with front and rear lightwells, erection of single storey side infill and rear extension, two storey side extension, addition of hipped roof to existing two storey side extension, rear dormer window with Juliet balcony, insertion of 2x front rooflights, insertion of glazing into front gable and conversion of garage into habitable accommodation (amended plans and description)

**APPLICANT:** Mr Raymond

**CONTACT:** spaceAgent Architects Ltd.

**PLAN NO'S:** See Condition 2.

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# SITE MAP



## Planning Committee Map

Site address: 75 Okehampton Road, London, NW10 3EN

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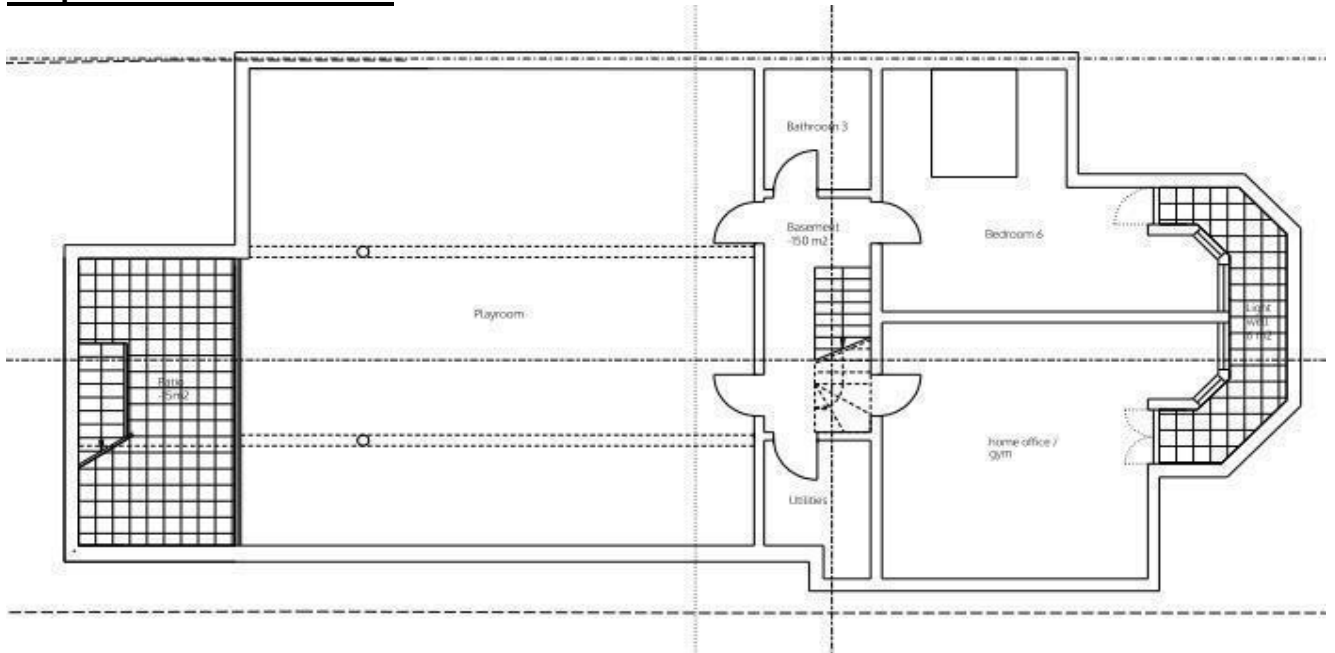


This map is indicative only.

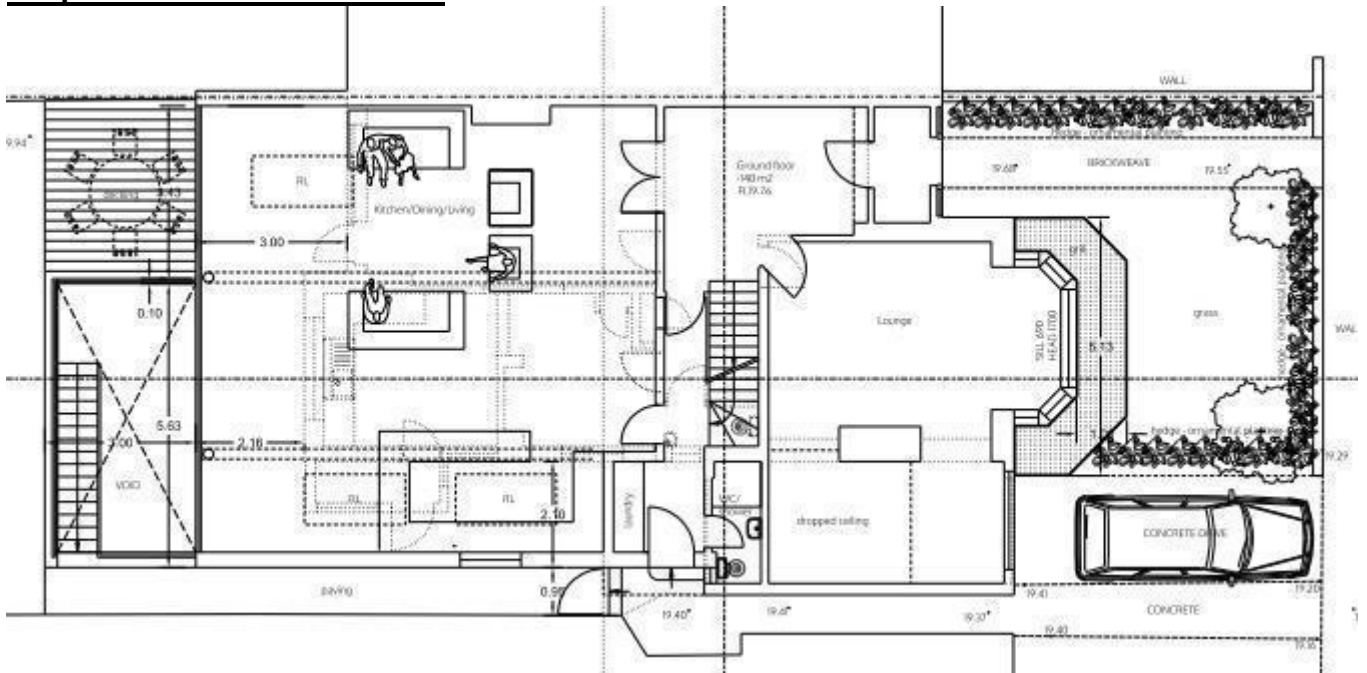


# SELECTED SITE PLANS SELECTED SITE PLANS

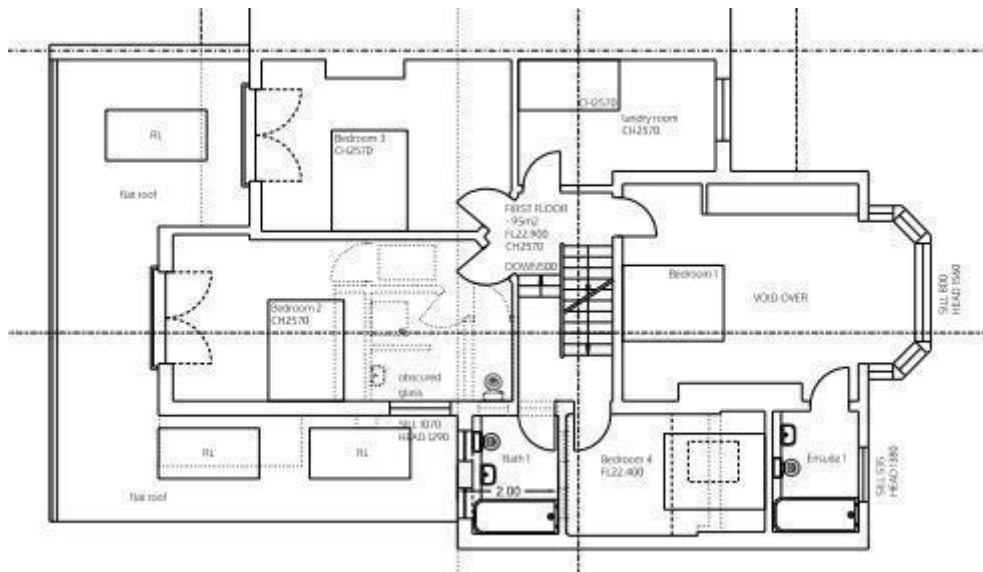
## Proposed Basement Plan



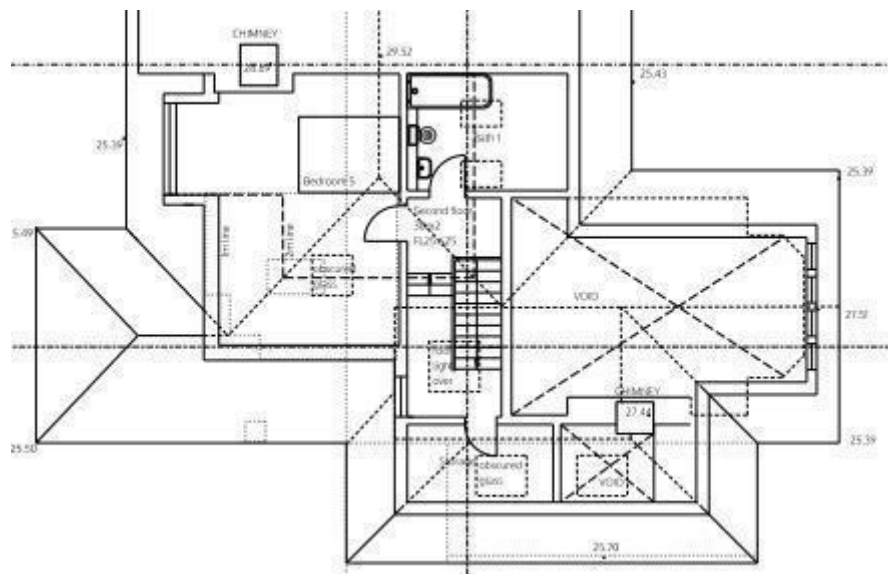
## Proposed Ground Floor Plan



## Proposed First Floor Plan



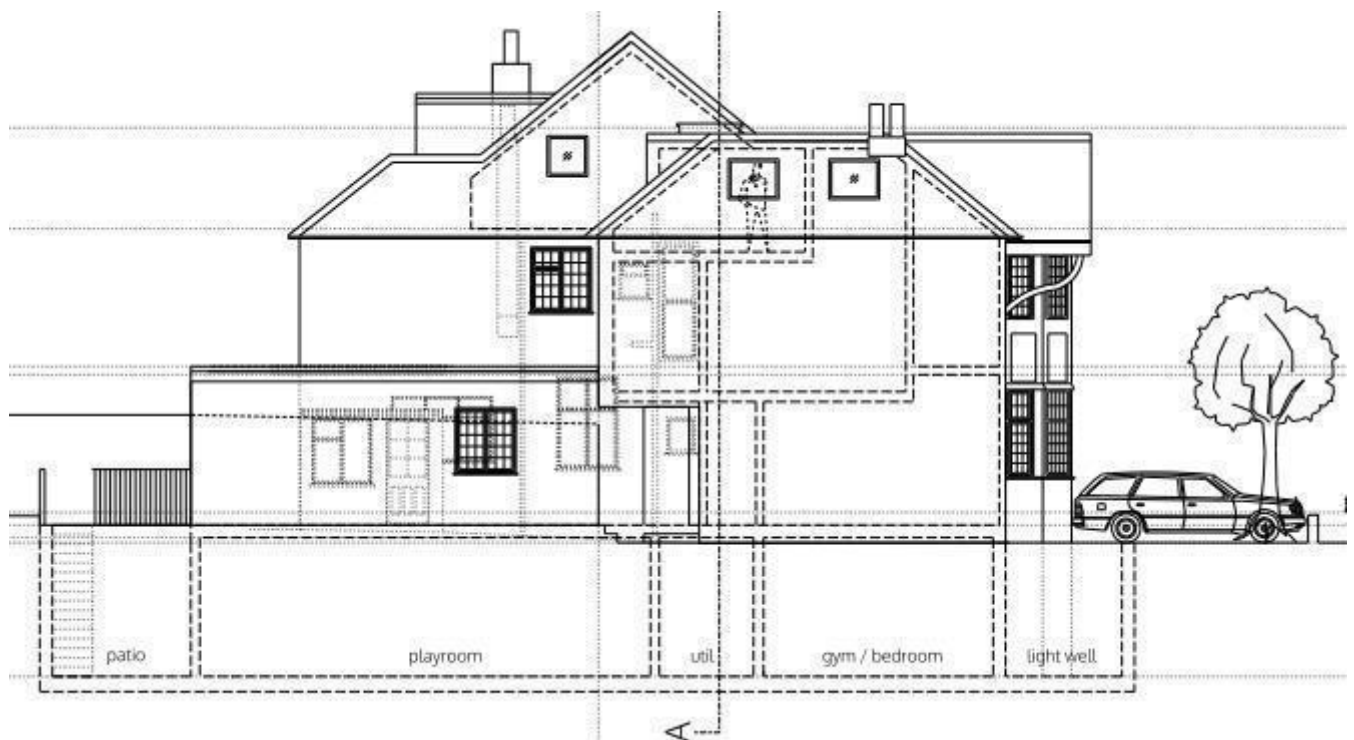
## Proposed Second Floor Plan



**Proposed Front and Rear Elevations**



## Proposed Side Elevation



## **RECOMMENDATIONS**

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

### **A) PROPOSAL**

The proposal is for the excavation of a basement level with front and rear lightwells, erection of single storey side infill and rear extension, two storey side extension, addition of hipped roof to existing two storey side extension, rear dormer window with Juliet balcony, insertion of 2x front rooflights, insertion of glazing into front gable and conversion of garage into habitable accommodation (amended plans and description).

### **B) EXISTING**

The host dwelling is a large semi-detached property dating from the inter-war period with a traditional character. Okehampton Road is characterised by similar pairs of semi-detached dwellings and older, terraced Victorian properties. The site backs onto the grounds of the Queens Park Community School. The proposal site is not within a Conservation Area or Area of Distinctive Residential Character.

### **C) AMENDMENTS SINCE SUBMISSION**

Revised plans were received on 26/10/2015 which made the following amendments:

- The size and shape of the front lightwell has been reduced
- The design of the roof extensions has been amended
- The number of front rooflights has been reduced
- Glazing elements have been introduced to the front gable of the dwelling

Neighbours were re-consulted for 14days on the amended plans.

Further revised plans were received on 03/11/2015 which made the following amendments:

- The size of the rear lightwell has been reduced
- The design of the rear dormer has been amended
- Retention of landscaping to the frontage has been identified on the plans

Neighbours were not formally re-consulted on these revised plans given the reduced scale of the proposal and reduced neighbour impact. However a further representation was received in response to these most recent plans, again reiterating their objection which is considered below.

## 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 host dwelling
- Impact on Neighbouring Amenity – The proposal is considered to form an acceptable relationship with neighbouring occupiers

## RELEVANT SITE HISTORY

None.

## CONSULTATIONS

Statutory neighbour consultation period (21 days) started on 02/09/2015 in total 12x properties were consulted.

3x representations received objecting to the proposal plus objections from Ward Councillors Nerva, Southwood and Denselow. The representations raised the following concerns.

Objection raised	Response
Proposed basement would be out of scale with the house	See paragraph 5
Proposed extensions would cause loss of light and outlook	See paragraphs 8-10
The resulting house would feature 9x bedrooms; concerned of an overdevelopment of the property and the potential use of the property as a HMO	See paragraph 7
Proposal would increase the demand for on-street parking. Additional parking on the frontage could be a highway safety risk	See paragraph 14
Proposal would be an overdevelopment of the site and extensions would be disproportionate	See paragraphs 1-4
Basement could cause structural damage and risk the structural stability of my property	See paragraphs 11-13
The construction stage of the development would cause disruption to neighbours	See paragraphs 11-13
The proposal would impact on the mature tree in the rear garden	See paragraph 15

In addition to the above, neighbours were re-consulted on the first set of revised plans for 14 days. This period expires on 09/11/2015 and to date 3x additional representations have been received reiterating their objection to the proposal. Any additional comments received will be reported to the Committee by supplementary report.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (2012):

Section 7 – Requiring Good Design

### 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

## **DETAILED CONSIDERATIONS**

### ***Impact on Character:***

#### **Extensions:**

- 1.** The host property benefits has an existing two storey flat-roofed side extension. There is no planning record for this addition and it appears to be historic. The proposal includes the addition of a hipped roof to the existing flat roof and for the erection of a 2m deep two storey extension to the rear of the existing structure. The hipped roof addition would remain subservient to the roof of the main dwelling with a roof pitch and eaves level which match that of the main dwelling. The roof addition is considered to have an acceptable impact on the character of the host dwelling and would be preferable in visual amenity terms compared to the existing flat-roofed structure. The two storey rear extension would be relatively modest in depth at 2m and is considered to integrate satisfactorily with the host dwelling.
- 2.** The proposal also includes the erection of single storey side and rear extensions. These would not project beyond more than 3m from the principal rear elevation in accordance with SPG5 and are considered sufficiently subservient and proportionate additions to the host dwelling.
- 3.** The proposed rear dormer window would be less than half the width of the original rear roof slope and sufficiently set-down from the ridge and set-back from the eaves in accordance with SPG5. The dormer is considered to sit comfortably on the rear roof slope and is considered a visually acceptable addition to the host property.
- 4.** Glazing is identified on the existing front gable between the original vertical timber detailing. This alteration could otherwise be carried out under 'permitted development rights' but in any case is considered a visually acceptable alteration to the front elevation which would retain the original timber detailing of the property. Two front rooflights are proposed which are relatively modest in size and comply with the guidance in SPG5.

#### **Basement:**

- 5.** The proposed basement level would be positioned under the (extended) footprint of the dwelling with a 3m wide lightwell to the rear. The front lightwell would be 1m in width and would follow the profile of the bay window above and would be finished in a flush metal grille. The front lightwell is not therefore considered unduly prominent on the front elevation or in the street scene. Whilst it is acknowledged that basements are not common in the surrounding area, this does not necessarily make the proposal unacceptable from a visual amenity perspective on its own and the proposal must be considered based on its own merits. The basement and lightwells are similar to recently approved basement proposals in the Queens Park Conservation Area. The externally visible features of the basement are not considered to cause undue harm to the character of the host property or surrounding area.
- 6.** The frontage would remain predominately soft landscaped with space retained for one vehicle in accordance with UDP (2004) policy BE7. Further details of planting can be secured by condition.

#### **Use of Property:**

- 7.** The proposal would expand the accommodation in the property; the proposed floor plans show six bedrooms with a further two rooms that could potentially be used as bedrooms. This is not in itself considered harmful and the proposed basement and extensions are considered acceptable on the basis that they would be ancillary to the use of the property as a single family dwellinghouse. If the basement is occupied separately or the property used as a House of Multiple Occupation with more than six residents then this would require planning permission in its own right and enforcement action could be taken if a breach were to occur.

### ***Impact on Neighbours:***

#### **Extensions:**

8. The attached neighbour is located to the east of the property; the single storey rear extension would have a depth of 3m and a height of 3m on the boundary with this neighbour in accordance with SPG5. The two storey side and roof extensions would not be visible from this neighbour. The rear dormer window would be visible from this neighbour but would be contained within the roof slope and is not considered to raise any undue loss of light or overbearing concerns. Any views from the front rooflights and rear dormer would be typical of a residential area and the proposal is considered acceptable in terms of overlooking. A condition can be attached to ensure the flat roof of the rear extension is not used as a roof terrace. The extensions are therefore considered to form an acceptable relationship with this neighbour in terms of loss of light, overlooking and overbearing impacts.
9. The neighbour at No.73 is located to the west and its principal two storey side elevation is positioned approximately 6m from that of the host dwelling. This neighbour benefits from a single storey side extension with a glazed roof serving an open plan kitchen and dining area. The proposed two storey extension would be positioned 0.7m from the single storey side extension of No.73 and would be visible from the room it serves by virtue of the glazed roof. This room however has its primary source of outlook from a rear-facing kitchen window and patio doors. The two storey extension would be relatively modest in size at 2m in depth and is not considered to result in an unacceptable loss of light or overbearing impact on this room when considering the windows on the rear elevation and large glazed roof serving this room.
10. This neighbour also features a first floor side-facing window serving a single aspect habitable room facing towards the proposal site. The proposed two storey extension would be 2m in depth and located approximately 3.8m opposite this window, the extension would not however be located opposite the entire width of the window. The separation to the extension means the proposal would pass the 30° test as set out in SPG17 and it is borne in mind that the extension would be viewed against the profile of the larger host dwelling behind with a hipped roof form. The single storey side and rear extension would have a separation distance of 1m to the boundary with No.73 and with a maximum height of 3.1m, is not considered to have an unacceptable loss of light or overbearing impact on this neighbour. The proposal does include side-facing rooflights however these can be required to be obscurely glazed with restricted opening by condition.

**Basement:**

11. Officers recognise that basement excavations can impact on neighbouring amenity during construction through dust, noise and vibrations. Officers also appreciate the concerns surrounding the impact of basement excavations on structural and soil stability for example. Brent's approach to such development proposals is to seek to minimise these impacts and applicants are expected to provide a Construction Method Statement as required by Brent's 'Basements Practice Guide'.
12. The applicant has provided a Construction Method Statement which details how the potential impacts of the proposal during construction will be mitigated and details of build methodology. This includes for example establishing hoarding around the site and precautions in terms of soil stability and structural stability of neighbours. Nuisance during construction is managed separately by Environmental Health and there are accepted hours of construction for construction sites which should be adhered to. The applicant can be reminded of these in the form of an informative. Furthermore a condition can be attached requiring the contractor to be a member of the Considerate Constructors Scheme.
13. Overall, the applicant has shown consideration to the construction and building process of the basement in relation to neighbouring amenity and as such is considered unlikely to have a significant impact to the amenity of adjoining neighbours.

**Impact on Parking:**

14. The parking standard for the property as defined in Appendix TRN1 of the Brent UDP (2004) would remain the same as existing (2x spaces). The proposed plans show the conversion of the existing garage; this would however otherwise be 'permitted development' and could be done without planning permission. In any case, Okehampton Road is no longer listed as a 'heavily parked street' and there is an on-street parking bays in the immediate area. In combination with the retained off street parking space to the frontage, this is considered sufficient in terms of parking provision. The proposal is therefore considered acceptable in terms of parking.

**Impact on Trees:**

15. There is a mature Oak tree towards the back of the rear garden. The Council's Tree Officer has

requested that protective fencing is erected in the rear garden to prevent any construction activities taking place within the rooting area of the tree. These details can be secured by condition.

**Conclusion:**

- 16.** Considering the points discussed above and subject to conditions, the proposed basement and extensions are considered to have an acceptable impact on the character of the host dwelling and surrounding area and the amenities of neighbours. The proposal therefore accords with saved UDP (2004) policies BE2, BE7, BE9, Core Strategy (2010) policy CP17, SPG5 'Altering and Extending Your Home', SPG17 'Design Guide for New Development' and the NPPF (2012) and is recommended for approval.





**Brent**

DECISION NOTICE – APPROVAL

=====  
Application No: 15/3570

To: Mr Hamm  
spaceAgent Architects Ltd.  
52 Great Eastern Street  
London  
EC2A 3EP

I refer to your application dated 17/08/2015 proposing the following:  
Excavation of a basement level with front and rear lightwells, erection of single storey side infill and rear extension, two storey side extension, addition of hipped roof to existing two storey side extension, rear dormer window with Juliet balcony, insertion of 2x front rooflights, insertion of glazing into front gable and conversion of garage into habitable accommodation (amended plans and description)  
and accompanied by plans or documents listed here:  
See Condition 2.  
at 75 Okehampton Road, London, NW10 3EN

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 basement and extensions are considered to have an acceptable impact on the character of the host dwelling and surrounding area and the amenities of neighbours. The proposal therefore accords with saved UDP (2004) policies BE2, BE7, BE9, Core Strategy (2010) policy CP17, SPG5 'Altering and Extending Your Home', SPG17 'Design Guide for New Development' 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):  
  
OKE\_E02  
OKE\_E03  
OKE\_E04  
OKE\_E05  
OKE\_E06  
OKE\_E07  
OKE\_E08  
OKE\_P01k  
OKE\_P02k  
OKE\_P03k  
OKE\_P04k  
OKE\_P05k  
OKE\_P06k  
OKE\_P07k  
OKE\_P08k  
Unnumbered plan showing a Location Plan  
Construction Method Statement  
  
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 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.
  
- 5 The basement and extensions hereby approved shall only be used for purposes incidental to the use of No.75 Okehampton Road as a single family dwellinghouse and shall not be used as separate residential accommodation at any time.  
  
Reason: To ensure the development is not subject to unregulated intensification of use.

- 6 Notwithstanding any indication otherwise given by the approved plans, the side-facing rooflights hereby approved shall be obscurely glazed and non-opening unless the parts of the windows which can be opened are positioned more than 1.7m above the floor level of the room in which the windows are installed. Once installed the windows shall be permanently retained in this condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity.

- 7 Notwithstanding any indication otherwise given on the approved plans, the flat roof of the single storey rear extension hereby approved shall not at any time be used as a balcony, roof terrace or sitting-out area of any kind without the further granting of planning permission by the Local Planning Authority for that use.

Reason: To preserve the amenities of neighbouring occupiers.

- 8 A detailed soft landscaping scheme for the front garden area 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 first occupation of the development. Such details shall include:

- (i) Further details of soft landscaping of the frontage with shrubs/trees/hedges including specie, pot sizes and spacing
- (ii) details of materials of any additional hard surfacing

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

Reason: To ensure a satisfactory standard of appearance and setting for the development

- 9 Prior to the excavation of the basement hereby approved, details of protective fencing to protect the mature tree to the rear of the site shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be retained in accordance with the agreed details for the construction stage of the development hereby approved.

Reason: In order to protect mature trees on the site.

## 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](http://www.communities.gov.uk)
- 2 The applicant is 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.

## MEMBERS CALL IN PROCEDURE

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

### **Name of Councillor**

Cllr Denselow

### **Date and Reason for Request**

25th September 2015 - Objects due to concerns regarding the impact of construction and long terms effects of basement development

### **Details of any representations received**

Contacted by local residents

### **Name of Councillor**

Cllr Nerva

### **Date and Reason for Request**

22nd September 2015 - Objects on the grounds of excessive size and overdevelopment.

### **Details of any representations received**

Contacted by local residents

### **Name of Councillor**

Cllr Southwood

### **Date and Reason for Request**

22nd September 2015 - Objects on grounds of excessive size and overdevelopment and concerns regarding basement development

### **Details of any representations received**

None stated

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

18 November, 2015

Case Number

15/3702

## SITE INFORMATION

**RECEIVED:** 26 August, 2015

**WARD:** Kensal Green

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Knowles House, 51 Longstone Avenue, London, NW10 3UN

**PROPOSAL:** Continued use of the building as a hostel providing bed and breakfast accommodation (Use Class Sui Generis) for a temporary period of 2 years and 6 months

**APPLICANT:** Brent Council

**CONTACT:**

**PLAN NO'S:** See condition 2

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# SITE MAP



## Planning Committee Map

Site address: Knowles House, 51 Longstone Avenue, London, NW10 3UN

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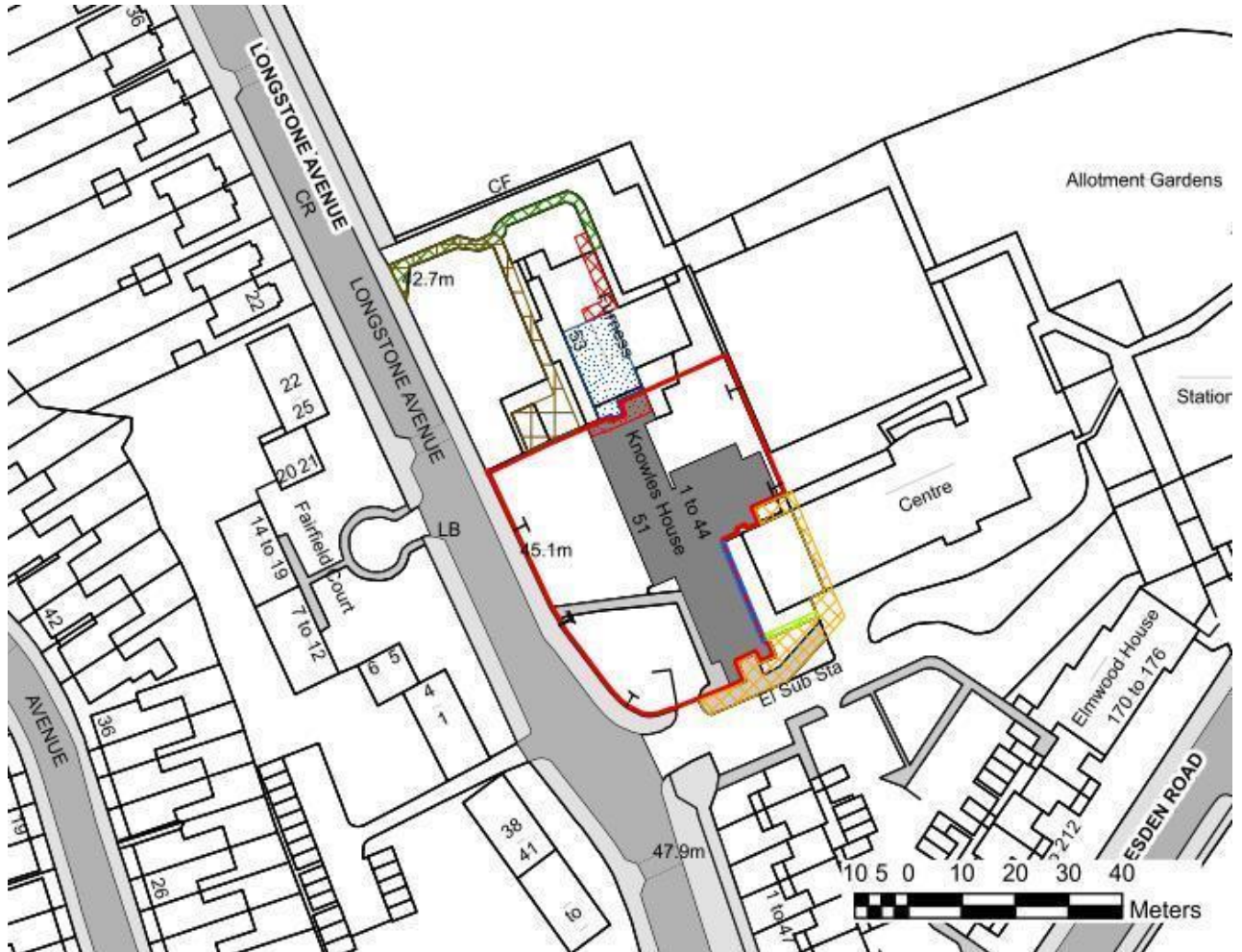


This map is indicative only.



# SELECTED SITE PLANS SELECTED SITE PLANS

## Site Location Plan



# Ground Floor Plan



Site Area: 1726.0  
 Gross External Area: 1611.1  
 Total Room Area: 1497.2  
 Net Internal Area: 982.8

## RECOMMENDATIONS

**Approval** for 2 years and 6 months, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

See description above

### B) EXISTING

The existing property is a three storey building which was constructed as a purpose built nursing home in the 1970s. It is located on the east side of Longstone Avenue and includes a garden area and car park. It is not a listed building nor is it within a Conservation Area.

### D) SUMMARY OF KEY ISSUES

- The proposal is to meet an identified need to accommodate newly homeless families which Brent has a duty to house.
- No complaints have been received by the hostel management, the Local Authority or the Police in relation to the residents of the hostel in the 2 years that it has been operating.

### 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)
Sui generis	1611	1611			

#### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
-------------	------	------	------	------	------	------	------	------	-----	-------

## RELEVANT SITE HISTORY

13/1344 Granted on 11/10/2013

Change of use from care home (Use Class C2) to a hostel providing bed and breakfast accommodation (Use Class Sui Generis) for a temporary period of 2 years.

93/1692 Granted 01/01/1994

Full planning permission sought for the erection of single storey rear extension to Knowles House to provide senior citizens day centre.

LP56264866 Granted 08/11/1968.

Outline application for erection of neighbourhood centre comprising old peoples home, day nursery, flats and maisonettes, old peoples flat lets, social centre with central kitchen and ambulance station.

## CONSULTATIONS

143 properties were sent consultation letters and a site notice was put up at the site. In response a resident has submitted a petition against the proposal with 17 signatures, one objection has been submitted individually (also on the petition) and one comment in support of the proposal has been received.

The objection includes:

- There have been groups of young men talking loudly at night near neighbouring homes
- Evidence of drug use

- The hostel should be moved out of a residential zone

The petition states

- The level of ASB has increased since the opening of the hostel
- There have been several reported crimes in the last 12 months while there were none reported in previous years
- Intimidation of residents
- Littering of communal area making residents lives a misery

The comment in support states:

- The use has in no way been problematic - happy for it to continue to be used as temporary accommodation.

Detailed information from the management of the hostel and the police.uk crime maps have been reviewed and are discussed in the main report.

## POLICY CONSIDERATIONS

### London Plan - Further Alterations

**3.8 - Housing Choice** - Taking account of housing requirements identified at regional, sub-regional and local levels, boroughs should work with the Mayor and local communities to identify the range of needs likely to arise within their areas and ensure that other supported housing needs are identified authoritatively and co-ordinated action is taken to address this in the LDF and other relevant plans and strategies.

**3.14 - Existing Housing** - Loss of housing should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floor space (this policy includes loss of hostels and accommodation that meets an identified need). The loss of housing to short term provision should also be resisted.

### Core Strategy 2010

**CP21 - A Balance Housing Stock** - the plan seeks to maintain and provide a balanced housing stock in Brent by protecting existing accommodation that meets known needs and by ensuring that new housing appropriately contributes towards the wide range of borough household needs including:

- Non self-contained accommodation to meet identified needs.

### UDP 2004

**H6 - Protection of Existing Affordable Housing (inc HMOs)**

**H10 - Containment of Dwellings**

**H12 - Residential Quality - Layout Considerations**

**H13 - Residential Density**

**TRN3 - Environmental Impact of Traffic**

**TRN4 - Measures to Make Transport Impact Acceptable**

**TRN 11 - The London Cycle Network**

**TRN23 - Parking Standards**

### Non-planning Guidelines

**Housing Strategy 2009-2014 - Shaping the Future of Housing in Brent.**

## DETAILED CONSIDERATIONS

### Principle

1 The main policy relating to the principle of the continued hostel use of this accommodation is set out in CP21 of Brent's Core Strategy 2010. This policy seeks to maintain and provide a balanced dwelling stock to accommodate the wide range of Brent Households by, amongst other criteria, ensuring an appropriate range and mix of dwellings, including an appropriate non-self-contained accommodation, to meet the diversity of identified needs in the borough.

2 The use has operated for 2 years but prior to this the most recent use was as an elderly persons home which closed in 2011. The property was de-commissioned following a Council Executive decision because

the building was not fit for the purpose of providing permanent accommodation for elderly people, particularly due to the fact that the majority of rooms do not have private bathroom facilities and also share kitchens. This accommodation was re-provided in association with Housing Associations at the time.

3 Prior to the occupation of the use following the granting of the temporary permission the agent appointed to manage the scheme has refurbished the building without undertaking any remodelling of the internal or external structure. The arrangement provides 48 units for use as temporary accommodation, mainly single occupancy but also including some double, triple and quad rooms with a maximum occupancy of about 70 people at any one time.

4 Whilst the Council now has powers to discharge its homeless duty by making a private sector offer to applicants there has always been a requirement for interim emergency accommodation to meet some needs. In addition, the number of private sector properties procured for homelessness prevention has fallen by approximately 70% in the past few years making this step of the process more difficult. There is currently an average of 300 households each month living in bed and breakfast accommodation which demonstrates the significant need for affordable temporary accommodation. The property is used to accommodate newly accepted homeless households whilst 2nd stage temporary accommodation or settled accommodation is secured with an aim of this generally being for not more than a 6 week period.

5 Knowles House generally represents better accommodation than much of which is available in the private sector. It has therefore accommodated a large number of family sized households while they wait for permanent housing as it can accommodate 2-4 person households and has appropriate amenities for families. The site has been well used with a near 100% occupancy and it is apparent that the need for the use remains.

6 The proposal seeks to extend the permission until March 2016 in line with the proposed extension of the management contract.

7 In terms of principle and need the proposal is in accordance with Policy CP21 of Brent's Core Strategy 2010 and much needed to assist in meeting Brent's responsibility to accommodate of homeless families.

#### **Amenity of neighbouring occupiers**

8 The surrounding character is largely residential although the Roundwood Youth Club is to the rear and Roundwood Park just to the north.

9 There are residential properties to the west and south on Longstone Avenue and to the southeast on Harlesden Road. There are no extensions proposed to the building and as such there is no physical impact on the amenity of neighbouring residents in terms of daylight, sunlight, privacy and outlook.

10 One objection and one petition have been received against the proposal and one neighbour has written in supporting the use. The comments made by neighbours in objection to the use, which are set out in detail in the consultation section above, relate to noise, littering and general anti social behaviour. Conversely, a neighbour has written in support of the application having experienced no problems during its 2 years.

11 The latter comment reflects the applicants view on the management arrangements for the hostel over the last 2 years. The management of the hostel have received no complaints regarding the behaviour of residents and there have been no other issues from Local Authority inspectors, local residents or the Police.

12 The management arrangement includes a CCTV and entry/exit system which the agents indicate can be monitored remotely. There will continue to be 24 hour on-site management cover and the ability to respond to any complaints if they arise. External lighting security of the perimeter of the building is also included.

13 Many of the residents placed in Knowles House are families with young children and the Director of Altwood, the management company, advises that they do not often have partners in the property.

14 Neighbours to date do not appear to have reported any incidents to Altwood, the Council or the Police making it very difficult to establish who has been involved. BHP have been asked to review the management position in terms of the properties to the south.

15 If reports were to be made and it was understood that residents of the hostel were affecting neighbours with anti social behaviour (ASB) the management would be able to respond appropriately and it is suggested that a condition be included referring to the scope for tenancy arrangements to be terminated if this were

found to be the case.

16 The petition suggests that crime reports have increased in the last 12 months. The hostel has been operating for 2 years but officers have also looked at the police crime maps of both ASB and general crime in the ward and the figures show a year on year decrease.

Reports from August	All crime	ASB
2015	133	44
2014	140	45
2013	156	54
2012	207	77
2011	212	85

17 The maps do not show an increase in crime in the immediate vicinity of application site either so the comment that reports of crime has increased is unsubstantiated.

18 Altwood report that some issues of damage experienced by the hostel, have been connected, by CCTV, to Roundwood Youth Centre. Officers do not have any formal information regarding this but have enquired with the police.

### Transportation

19 The application site is located on the eastern side of Longstone Avenue, a local access road which is not defined as being heavily parked. The site lies within CPZ "HW" which operates 08:00 – 18:30 Monday to Saturday, and has moderate accessibility with a PTAL rating of level 3. No tube or rail stations are within 960m walk of the site, but seven bus routes are available within 640m of the site.

20 Parking standards for care homes and hostels both fall under standard PS13 of the UDP-2004. This standard allows up to 1 car space per 10 bedrooms for care homes and 1 car space per 16 bedrooms for hostels, plus one space per five staff.

21 In the earlier application highways officers recommended that 6 parking spaces be marked out including a wheelchair accessible space, and this has been implemented to the front of the building with access off a private road off Longstone Avenue. Cycle stands have also been installed. No objections have been raised relating to this provision which indicates that it is meeting needs.

### Conclusion

22 The proposed temporary use of the premises as a hostel is considered to be in accordance with the relevant planning policies as set out above. Accordingly approval is recommended subject to the conditions set out below. The applicants have sought a further temporary period and this will allow the position to be reviewed.

### Neighbours comments

Neighbour comment	Officer response
There have been groups of young men talking loudly at night near neighbouring houses	Para's 11-18
Evidence of drug use	Para's 11-18
The hostel should be moved out of a residential zone	The use utilises an otherwise vacant building as set out in para 2. The site is occupied, in the majority of cases, by families with children and a residential area is appropriate.
The level of ASB has increased since the opening of the hostel	Para's 11, 14, 16-18

There have been several reported crimes in the last 12 months while there were none reported in previous years	Para's 11, 14, 16-18
Intimidation of residents	Para's 11-18
Littering of communal area making residents lives a misery	Para's 11, 14, 16-18

# DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### DECISION NOTICE – APPROVAL

Application No: 15/3702

To: Denish Patel  
Brent Council  
Brent Civic Centre  
Engineers Way  
Wembley  
HA9 0FJ

I refer to your application dated 26/08/2015 proposing the following:  
Continued use of the building as a hostel providing bed and breakfast accommodation (Use Class Sui Generis) for a temporary period of 2 years and 6 months  
and accompanied by plans or documents listed here:  
See condition 2  
at Knowles House, 51 Longstone Avenue, London, NW10 3UN

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

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

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, expiring on 31st March 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):

Site Plan

Ground Floor Plan

First Floor Plan

Second Floor Plan

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

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 18 November, 2015  
Item No 10  
Case Number 15/0822

## SITE INFORMATION

**RECEIVED:** 26 February, 2015

**WARD:** Stonebridge

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Land on site of former Craven Park Health Centre, Knatchbull Road, London

**PROPOSAL:** Construction of two buildings ranging from 4 to 6 storeys high providing 109 residential units (4xstudio, 60x1-bed, 44x2 bed, 1x3 bed) together with community space (Class D1/D2), private and communal amenity space, new areas of public realm, basement and on-street car parking, vehicle and pedestrian access, landscaping and ancillary development at Stonebridge Site 27, Stonebridge, London.

**APPLICANT:** The Hyde Group

**CONTACT:** Terence O'Rourke Limited

**PLAN NO'S:** See condition 2

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# SITE MAP



## Planning Committee Map

Site address: Land on site of former Craven Park Health Centre, Knatchbull Road, London

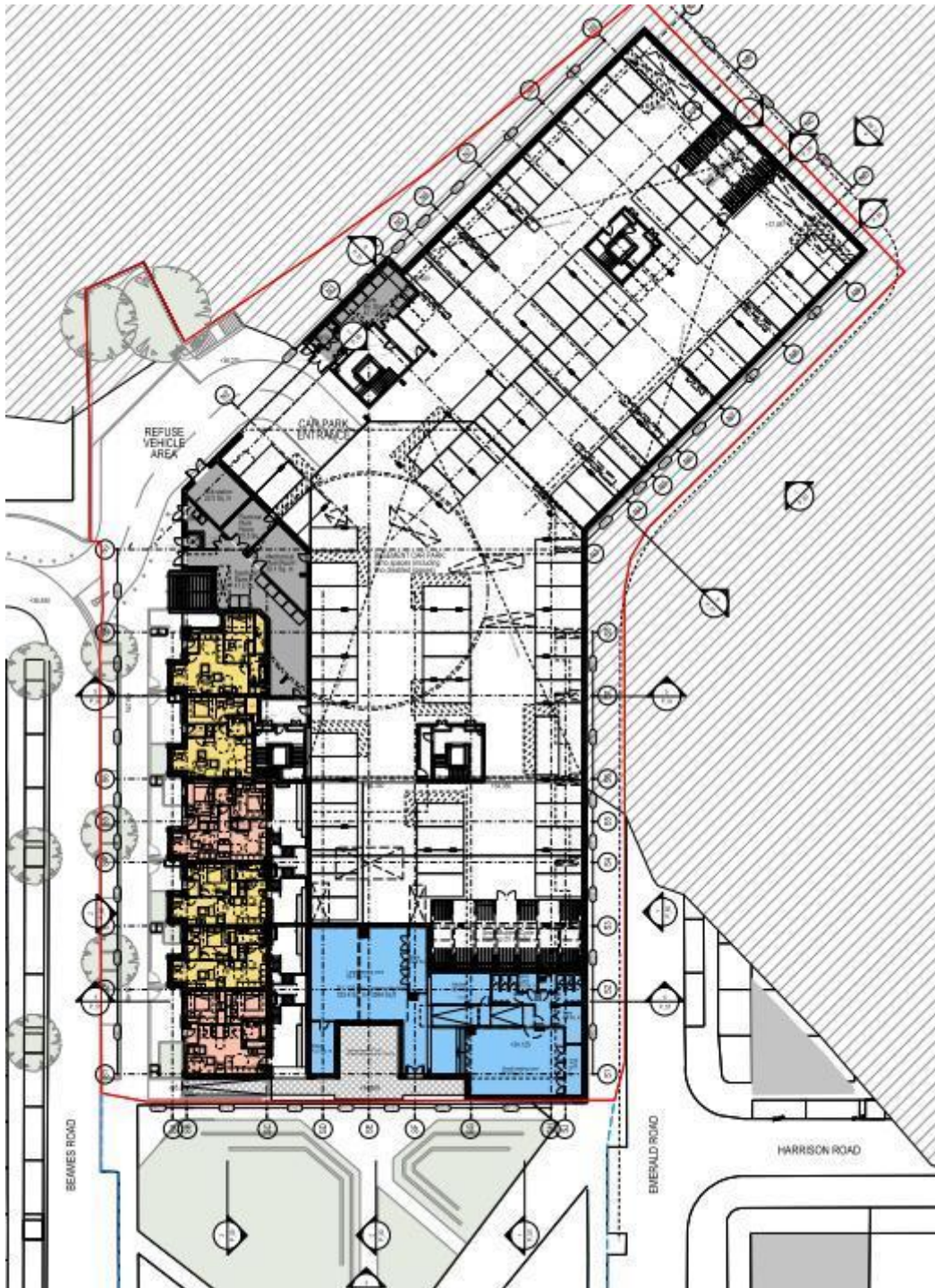
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This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## Level 0/Basement Car Park



**Street Level Site Plan**



**Street Elevation**



**Emerald Road Elevation**



### **Beames Road Elevation**



## **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 and Procurement., subject to the conditions set out in the Draft Decision Notice.

### **A) PROPOSAL**

See description above.

### **B) EXISTING**

The site falls within the area previously designated as the Stonebridge Regeneration Area and the buildings that were previously on site were demolished some time ago as a part of this regeneration scheme.

The site is bordered by Knatchbull Road to the north, Emerald Road to the east and Beames Road to the west.

The ground level drops from the north to the south and the east to the west of the site.

### **C) AMENDMENTS SINCE SUBMISSION**

The front elevation (Knatchbull Road) has been reduced by one storey.

Improvements are proposed to the park in the form of children's play equipment.

### **D) SUMMARY OF KEY ISSUES**

A number of key issues are considered key to the proposal:



- 20% affordable housing is proposed as shared ownership, whilst below the policy recommendation the amount is supported by a viability report and the specific tenures proposed are supportive of the aim to diversify the housing supply in Stonebridge.
- The site has a shortfall in amenity space across the private and communal spaces, to mitigate this the applicant will agree improvements of the northern end of the park adding landscaping and child play equipment, officers consider this to be satisfactory.

## 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	0		0	0	
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 )										
EXISTING ( Bedsits/Studios & Market )										
PROPOSED ( Flats ú Market )	64	44	1							105
PROPOSED ( Bedsits/Studios & Market )	4									4

## RELEVANT SITE HISTORY

### 97/0131 – Granted 4 September 1997

Comprehensive redevelopment of the entire site with the provision of a new road network, approximately 1,604 residential units in 2-, 3- and 4-storey blocks, new open space, shops and community facilities.

Planning permission was granted in September 1997 for the redevelopment of the Stonebridge Estate on both the North and South sides of Hillside. The permission allows for the erection of approximately 1604 houses and flats in buildings that are 2, 3 and 4 storeys high. It also looked to provide replacement shops fronting Hillside and community facilities and open space. The outline permission envisaged replacement of the Stonebridge tower blocks with low-rise developments within a more traditional street layout with better connectivity between dwellings and the adjoining streets, good levels of natural surveillance of public spaces and adequate levels of parking. It sought to diversify the tenure of homes by introducing a proportion of private dwellings (up to 25 %).

All of the tower blocks have now been demolished and all but a handful of sites have been delivered. The development has won a number of awards which highlight the success of the regeneration process.

The London Plan now expects higher densities of housing than those set out within the 1997 Outline Planning

Consent which only allowed up to 247 Habitable Rooms per Hectare. Following an increasing pressure to build to higher densities to achieve the housing targets set out in the London Plan, a Concluding Statement was taken to committee in 2007. This set out the new approach where sites were to come forward as full applications and would be likely to be of a greater scale than set out in the masterplan as well as potentially including an increased proportion of private housing. This is set out in more detail below.

## CONSULTATIONS

The application was publicised by site notice and press notice in March 2015 and letters were sent to approximately 600 neighbouring residents.

2 objections and 1 comment have been received raising the following points:

- Traffic impacts
- Supportive of redevelopment and smaller units but concerned that they will become occupied by families returning to the former density problem
- Underground parking have been experienced in the area before and have been crime ridden
- The proposal will overlook neighbouring property resulting in a loss of privacy and the peaceful enjoyment of our home as cited in the Human Rights Act.
- The view for neighbours will be a 4 or more storey building which will be visually overbearing and intrusive.
- Inappropriate design and out of keeping with the area.
- The Housing Action Trust agreed with residents that developments would not exceed 4 storeys.
- Parking will impact on neighbouring residents.
- Some residents on Emerald Road suffer already suffer a lack of privacy following the extension of Bernard Shaw House.

### Statutory Consultees

No comments have been received from Ward Councillors.

Highways - Revisions recommended which have been addressed

Environmental Health - Conditions recommended

## POLICY CONSIDERATIONS

### NATIONAL

National Planning Policy Framework

### REGIONAL

The London Plan - Further Alterations

The revised London Plan was adopted in July 2011 and sets out an integrated social, economic and environmental framework for the future development of London. Relevant Policies include:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.11 Affording Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.3 Assessing Effects of Development on Transport Capacity

- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality

Supplementary Planning Guidance – Sustainable Design and Construction (May 2006)

Supplementary Planning Guidance – Accessible London: Achieving an Inclusive Environment (April 2004)

Supplementary Planning Guidance – Housing (2012)

Supplementary Planning Guidance – Shaping Neighbourhoods: Play and Informal Recreation (2012)

## **LOCAL**

### **Brent Local Development Framework Core Strategy 2010**

- CP 1 Spatial Development Strategy
- CP2 Population and Housing Growth
- CP5 Placemaking
- CP6 Design and Density in Placemaking
- CP15 Infrastructure to Support Development
- CP17 Protecting and Enhancing the Suburban Character of Brent
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19 Brent Strategic Climate Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock

### **Brent Unitary Development Plan 2004**

#### Policies

- BE2 Local Context & Character
- BE3 Urban Structure: Space & Movement
- BE4 Access for disabled people
- BE5 Urban clarity and safety
- BE6 Landscape design
- BE7 Streetscene
- BE8 Lighting and light pollution
- BE9 Architectural Quality
- BE12 Sustainable design principles
- EP3 Local air quality management
- EP6 Contaminated land
- EP12 Flood protection
- EP15 Infrastructure
- H12 Residential Quality – Layout Considerations
- H13 Residential Density
- H14 Minimum Residential Density
- TRN2 Public transport integration
- TRN3 Environmental Impact of Traffic
- TRN4 Measures to make transport impact acceptable
- TRN9 Bus Priority
- TRN10 Walkable environments
- TRN11 The London Cycle Network
- TRN15 Forming an access to a road
- TRN23 Parking Standards – Residential Developments
- TRN34 Servicing in new developments
- TRN35 Transport access for disabled people & others with mobility difficulties
- Appendix TRN2 Parking and Servicing Standards

#### Brent Council Supplementary Planning Guidance and Documents

- SPG3 Forming an access to a road
- SPG12 Access for disabled people
- SPG17 Design Guide for New Development
- SPG19 Sustainable design, construction and pollution control

## DETAILED CONSIDERATIONS

1 This application seeks approval for the construction of two new buildings within land that previously formed a part of the wider Stonebridge Regeneration Area developed with the associated Outline Planning Consent. This application proposes a 4 to 6-storey building in 2 blocks and bordering Knatchbull Road to the north and the park to the south where a community use is proposed at ground floor fronting the open park area.

### General principle of development

#### Affordable Housing

2 Stonebridge was an estate of medium and high rise blocks built in the 1960s and 70s and characterised by a concentration of deprivation. Stonebridge Housing Action Trust (HAT) was established in 1994 as the vehicle to regenerate the then 1,775 Council properties on the estate. Planning permission for comprehensive regeneration of the estate including approximately 1604 new homes, with a minimum 75% affordable housing, was granted in 1997. In time it became clear there was insufficient grant for Stonebridge HAT to deliver their build programme. Brent Council therefore appointed Hyde Housing Association in 2003 as preferred successor to Stonebridge HAT. Hyde set up Hillside Housing Trust in 2004 as a subsidiary to manage the estate. After a successful ballot in 2007, 70% of the new and refurbished homes on Stonebridge transferred to Hillside and 30% transferred to Brent Council to be managed on their behalf by Hillside.

3 Hyde took on the outstanding development obligations and liabilities from the HAT. Hyde's Finance Director confirms that liabilities were estimated to total a maximum of £38m at the time and that liabilities total £32.7m today. These historic costs of the estate regeneration include items like demolition, decant costs, site preparation, repairs and capitalised interest on these amounts. Hyde apportioned these costs to the planned and delivered floor space of new development on Stonebridge Estate. They note that this apportionment passed an external audit in 2013/14. As reported to Executive in 2006, the main asset from which additional income may be generated on the Stonebridge Estate is the residual land available after completing the three phases of social housing for existing Stonebridge tenants – that is the four residual sites : 10, 22/24, 27 and 29/30. As preferred bidder Hyde, through Hillside, were asked to complete the HAT development obligations in return for the residual land at an agreed valuation of £36m. Hyde would then develop the residual land for private and shared ownership housing, simultaneously meeting the HAT statutory obligation to diversify tenure on the estate, and balancing the books.

4 1509 new homes have been delivered on the Stonebridge Estate between 1998 and 2015. 87% are social and affordable rent, 7% intermediate and 6% private housing. Residual Sites 10 and 22/24 were granted planning permission (12/3026 and 13/1250) in 2013 and Hyde completed the schemes this year. In both cases the Planning Committee approved wholly private schemes on the basis that the 1997 consent allowed for up to 25% private housing, that number had not been exceeded, and in recognition of the objective to diversify the tenure and mix of new housing across Stonebridge. No s106 affordable housing planning obligations were therefore required. However, in reality, Hyde have actually delivered private (c35%), intermediate (c25%) and affordable rent housing (c40%) on the two sites, with GLA grant funding the affordable housing elements of the schemes.

5 The principle of the provision of private homes on the Stonebridge Estate in planning terms was approved within the 1997 outline consent, the 2007 and 2012 consents and most recently the 2013 consents for wholly private housing on the residual sites 10 and 22/24. The 1997 consent allowed up to 25% of the homes to be delivered within Stonebridge to be provided as private to diversify the tenure of homes within Stonebridge. The "Conclusory Statement" to the Stonebridge Masterplan which was endorsed by the Planning Committee in 2007 set out that this proportion may be increased to 33% to further diversify tenure and deliver sustainable mixed communities and that densities may be higher to reflect current policy requirements, but that this would need to come forward in separate new planning applications rather than Reserved Matters applications pursuant to the original Outline Consent.

6 Under legal agreements between Hillside and Stonebridge HAT, and in particular the "Hillside 2 Agreement" signed 2006, Hyde state that any surplus generated from development on the Stonebridge Estate must be split as follows:

- 20% to Hyde and ring-fenced for affordable housing
- 40% to Hillside Housing Trust for management and maintenance of the Stonebridge Estate
- 40% to the successor to the Stonebridge HAT i.e. DCLG

Hyde have said that it is “unlikely” they will make a profit and it is more likely they will seek recourse under the agreement for the GLA and DCLG, as successors to the HAT, for to a claim for monies to plug a development shortfall. It is however an important point to note that Hyde cannot profit out of development of the Stonebridge Estate.

7 At the time of the submission the applicant sought a similar permission to that set out above and which did not secure a particular proportion of affordable housing. Whilst in the previous case a good amount of affordable housing was in any event delivered, officer’s are aware that the policy context and delivery of affordable housing has become more challenging and the possibility of 0% affordable housing being secured has been pursued in some detail and length in view of the wider thrust to maximise affordable housing delivery. As such this proposal was challenged. It is now proposed that 20% of the development will be delivered as shared ownership. The Applicant has submitted a Viability Assessment Report alongside their application to support the level of planning obligations proposed, which has been independently assessed by the Council’s appointed assessor.

8 Notwithstanding the differences in a number of the assumptions adopted by the Applicant’s consultant and the Council’s reviewer, both parties conclude that the proposed development would normally struggle to viably deliver affordable housing in addition to the Community Infrastructure Levy payments required. However, the Applicant has a wider interest in the area given their long term and ongoing involvement in the regeneration of Stonebridge, and they may therefore be able to adopt assumptions outside of those adopted by the wider market. In this instance the Applicant is prepared to offer to provide a maximum of 20% of the proposed units as Affordable Housing (Intermediate tenure - Shared Ownership) in line with their charitable objectives on an ‘ex gratia’ basis. The Council’s appointed assessor has confirmed that, in this particular case, 20% shared ownership represents the maximum reasonable amount of affordable housing the scheme can viably bear.

### **Mix**

9 With regard to the mix of units, the proposal includes primarily 1- and 2-bedroom flats. While family units are normally required for major developments, the proposed mix is considered to be acceptable in this instance due to the very high proportion of family homes that Hyde/Hillside Housing have previously delivered in this area.

10 There has been an agreed aim to diversify both the tenure and mix of housing to ensure that the redevelopment of Stonebridge results in a mixed and balanced community. There are therefore very specific circumstances that result in this proposal being considered acceptable which would not apply to isolated development elsewhere in the borough.

11 The mix is also appropriate to the provision of shared ownership housing as experience has shown that larger shared ownership units are much less affordable.

### **Layout**

12 The layout responds to the surrounding context with a strong street frontage on Knatchbull Road and at the southern end has a slightly set back elevation overlooking the park, providing surveillance. The arrangement of the 2 blocks also responds to the existing urban grain with a pedestrian route running between the 2 blocks in line with Beames Road.

13 Parking is proposed at basement level and therefore does not impact on the streetscene.

### **Design and massing**

14 On Knatchbull Road the closest building is St Michael’s Church which has a prominent position at the road junction. The open space on the eastern side of Knatchbull Road leaves an un-enclosed streetscene, the strong frontage proposed on the application site will help define the street and will enhance its character and distinctiveness.

15 The building is 6-storeys on Knatchbull Road which, while taller than the neighbouring buildings, is not uncharacteristic of the newer developments in Stonebridge, including Thornberry Court which is on the Knatchbull Road and Craven Park junction. The Church will remain the prominent building due to its distinctive roof shape and corner position, while the streetscene elevation shows that the proposed development will step up by about a storey beyond the church’s maximum height.

16 The front elevation has the appearance of 3 vertical sections with the central part recessed which successfully breaks up the bulk of the building. In the central section, from the second to the fourth floors, winter gardens style balconies are proposed which appear as an architectural feature distinct from the brick work, of which the building otherwise consists.

17 Beyond this elevation the proposal varies between 4 and 5-storeys, generally stepping down towards the park but also taking the ground level drop into account. At the southern end the block fronting the park is horseshoe shaped and the raised amenity deck will be open to the park minimising the amount of building which directly fronts the park.

18 The side elevations are successfully treated with vertical rhythms of 2 and 3-storey bay type elements, balconies and window reveals which add interest. There is a generous break in the centre of the development resulting in the appearance of 2 blocks creating a pedestrian route. This central pedestrian route is designed as the 'circus', a circular space enclosed by the curved building elevations and private front curtilages fronting the new public realm.

## **Materials**

19 The quality of material is critical to the success of the building. The overall approach to the materials is considered to be acceptable being largely comprised of brick, with glazed balconies and elements of cladding adjacent to windows. Details of architectural elements and materials will be required by condition.

20 The central cut out area between the 2 blocks is proposed to be clad in green tiles which will result in a impressive appearance which will be glimpsed by passers by or enjoyed is using the route through the site.

## **Public Realm**

21 The new pedestrian route connects Beames Road to Emerald Road via a route through the circular area formed by the curved frontages of blocks to the north and south.. The ground level difference is significant resulting in stairs being needed at the western end. To ensure that this route is accessible to wheelchair users a lift has been designed into the building adjacent to the stairs.

## **Landscaping**

22 The footprint of the building within the site provides limited scope for significant soft landscaping, the principle areas are the communal amenity space in the southern block, planters between the communal and private spaces in the central circus area and the private front gardens which flank the site. Within the communal spaces the arrangement provides an appropriate balance of soft landscaping and usable space. The arrangement for soft landscaping in the front gardens however is somewhat haphazard. It is considered important that on both sides of the development the front gardens include a good amount of soft landscaping which provides a setting for the building and a condition is recommended to include hedging behind the front boundary treatments and to maximise the proportion of soft landscaping beyond that.

23 A detailed landscaping plan will also be required by condition.

## **Community Use**

24 The applicant wishes to include a community space within this development and has identified the southern end of the site and a space which is part basement level and part ground floor level due to the ground level changes across the site. The applicant has argued that this space would be difficult to utilise as residential.

25 The applicant hopes that this space will prove to be appropriate for an existing church group on site 29/30 enabling them to be relocated. While this is useful to know to understand why the proposal includes a community space the acceptability of the loss of the use outside of this site is not considered here.

26 Officers have been concerned about the reliance of the proposed use on the park as well as the potential noise disturbance that could arise for future residents. Further detail of the appearance of the community space will be required, particularly including the gates and signage.

27 Officers have also felt that it is important, given the proximity of the community use to residential properties and amenity spaces, to ensure that the applicant is aware that the use will need to be appropriately

managed to prevent disturbance. A number of conditions have been drafted to be included in a management plan, to include noise, behaviour etc, officers are minded that some more specific points should be included particularly in relation to potential gathering within the courtyard area. A condition is recommended to require a management plan to mitigate and potential sources of conflict between the proposed uses.

## **Quality of Accommodation**

### **Internal floorspace and accessibility**

28 The proposed units meet or exceed the standards for internal floorspace that are set out within the London Plan. 10 % of the units have been designed to be wheelchair accessible and all units will be built to Lifetime Homes standards.

### **Light, outlook and privacy**

29 The orientation of the block and layout across the site ensures that units are dual aspect, while in some cases light or outlook may be somewhat limited to one side due to the dual aspect arrangement all units will benefit from good outlook and light.

30 A separation distance of 19.7m across the southern courtyard is achieved ensuring that occupiers have a good level of privacy. Greater separation is achieved across the circus.

### **External amenity space and play space**

31 The proposal incorporates private balconies, terraces and front gardens for units and communal space in the form of the central area in the southern block and roof terraces in the northern block. It also incorporates some child play space within the site. However the proposal does not quite achieve an average of 20sqm per unit across the development and officers have therefore had to look for mitigation measures.

32 The recommended solution is for the applicant to make improvements to the park to the south to improve its usability. The park currently remains partially in the applicant's ownership meaning that they can easily carry out the works to enhance landscaping and to install children's play equipment. An agreement will also be made for the funding of the maintenance of the enhanced area for the next 15 years.

33 The location of the community use at ground floor at the southern end of the site fronting the park results in some additional landscaping alterations also being required to the park. These ensure that the ground level between the site and the park is consistent. Details of the work will be required but the land is within the applicants ownership and can therefore be carried out by them.

## **Neighbouring Amenity**

34 A daylight/sunlight report has been submitted assessing the impact on neighbouring residential properties. As the site is vacant, the former blocks having been demolished, the impact is beyond the recommended difference that BRE guidelines set out. The block which previously existed on site would have had a very different impact in terms of light compared to the vacant site and for an urban area the openness of the existing site is unrealistic as a comparison.

In any event the proposal has been assessed against the existing situation. Compared to the vacant site there are numerous windows that would experience reductions in the various measurements of light beyond the BRE recommendations, however in the vast majority of cases the amount of light which would be received is still good and within the recommended BRE figures. This demonstrates the impracticality of assessing against the vacant site.

35 When compared to the previous building, 269 of the relevant 271 apertures show full compliance with the Vertical Sky Component daylight methodology, the 2 which fall short of this threshold do so only marginally. 153 apertures have been assessed with regard to sunlight and 151 satisfy the BRE guidelines, again the 2 which fall short do so only marginally.

## **Transportation**

36 The submitted drawing details a total of 92 basement off-street parking spaces, 7 spaces on Beames Road and 12 on Emerald Road as parallel bays. Resulting in a total of 111 spaces.

37 The site is located on the edge of a CPZ where public transport is good and the full allowance of parking as set out in PS14 could be applied. The 93 spaces for 109 (1 and 2 bed) units is considered to be close enough to the maximum allowance to minimise concerns regarding overspill from the site.

38 The proposed community use would also be permitted 1-2 further parking spaces, but no parking is proposed to be allocated to this use given that most visitors will be local residents. The Transport Assessment includes surveys of a similar nearby existing facility (Harlesden Christian Centre), showing just two cars parked at any time on a Friday evening and up to 16 on a Sunday morning (given its religious use), thus confirming that the number of cars associated with this use would be likely to be low.

39 9 of the 93 basement spaces are wheelchair accessible meeting the 10% requirement. While electric vehicle charging points aren't identified the transport assessment confirms 10% will be provided, a further 30% will be provided with ducting to allow conversion. 115 cycle parking spaces are proposed exceeding the requirement.

40 Details of cycle parking for the community use will be required by condition.

41 Highways officers have reviewed the bin store capacity and advise that while the layout of bins shown is slightly below standards there is capacity for 1-2 additional Eurobins. For refuse collection an amendment has been required removing 5 on street parallel parking bays to provide space for the vehicle and this is now acceptable. The carry distance to the bin store within the southern block is considerably beyond the recommended 30m carry distance in some cases however this measurement does not need to be strictly controlled by planning. The essential measurement is the distance between the store and the bin collection vehicle and this is acceptable.

42 The impact of the proposal on the number of vehicular movements in the vicinity has been considered in detail. With traffic predicted to disperse relatively evenly through three separate junctions into/out of the Stonebridge estate, the number of additional trips generated through any particular junction would be minimal (< 5% increase). As such, there is not considered to be any need to undertake any junction capacity analysis in the area, particularly as the number of flats originally located on this site (187) considerably exceeded the number now proposed.

43 The scale of the proposal is such that a Residential Travel Plan is required. To this end, a Residential Travel Plan has been submitted with the application, setting out a range of measures including promotion of walking, cycling and public transport use, management of car parking and promotion of car sharing and Car Clubs, to be overseen by a Travel Plan Co-ordinator. The main aim will be to reduce the proportion of trips by car to and from the site to 14% after five years, with progress towards this target to be measures through surveys undertaken every two years

### **Air Quality**

44 The proposal is accompanied by an Air Quality Assessment which examines the potential impact of the development and the impacts of existing air quality on future residents. It identifies the need for dust management and mechanical ventilation for units fronting Knatchbull Road between first and second floors. Appropriate conditions are recommended.

### **Noise**

45 The applicant has submitted a noise assessment which examines the potential impact of noise on the proposed homes. It highlights the potential impacts of noise for some future residents and recommends mitigation measures. Your officers accordingly recommend that a condition is attached regarding the noise mitigation measures and the noise levels to be achieved.

### **Contamination**

46 Previous soil investigations within the Stonebridge Estate have found soil contamination that required remediation. Given that the end use of the development is sensitive (residential), a soil investigation condition is recommended.

### **Summary**

47 Your officers consider that the scheme is acceptable and recommend that planning permission is granted subject to conditions and a Section 106 agreement.



## Neighbour Comments

Neighbour comments	Officer Response
Traffic impacts	Para's 42-43
Supportive of smaller units but concerned that they will become occupied by families returning to the former density problem	Para's 9-11
Underground parking have been experienced in the area before and have been crime ridden	A condition is recommended regarding the management of security in the car park
The proposal will overlook neighbouring property resulting in a loss of privacy and the peaceful enjoyment of our home as cited in the Human Rights Act. The view for neighbours will be a 4 or more storey building which will be visually overbearing and intrusive. Some residents on Emerald Road suffer already suffer a lack of privacy following the extension of Bernard Shaw House.	The development is separated from all neighbouring properties by Beames Road and Emerald Road and does not face the rear windows of any neighbours.
Inappropriate design and out of keeping with the area	Para's 12-18
The Housing Action Trust agreed with residents that developments would not exceed 4 storeys.	Background information set out in Planning History also Para 5

## SUSTAINABILITY ASSESSMENT

This application is accompanied by a Sustainability and Energy Statement and a Code for Sustainable Homes Pre-Assessment summary report which confirm that the proposal will achieve a Code level of 4 and that the scheme will achieve a 36.5% reduction in CO2 emissions from 2013 Building Regulations TER (equivalent to 40% from 2010).

The site is not situated within a designated Growth Area and as such, the proposal goes beyond the minimum requirement of Code Level 3 as set out within the LDF Core Strategy. The carbon reduction target is 35% which the proposal achieves.

In terms of how the reduction is planned the proposal achieves quite a low proportion through 'lean' and 'clean' (passive design and supply) measures at 6.5%. Connection to an existing network is ruled out on the basis that the nearest CHP is at a distance of 5km in Kilburn with barriers in between. The Mayor's Energy Hierarchy recommend consideration of communal heating but this is ruled out on 2 grounds:

- i) Higher heat loss leading to a lower carbon performance contrary to SAP results
- ii) Higher cost (capital and maintenance)

The submission contends that the level of heat loss that is experienced within site-wide heat networks is far greater than the standard SAP calculations account for, stating that they have a 54% efficiency rate rather than the default 95%, and that individual gas boilers would slightly outperform a communal system.

Officers are aware that the GLA do not necessarily agree with this view and officers have queried this approach given the nationally recognised methodology. However given the size of the scheme there is considered to be some merit in the applicant's argument in relation to cost for future residents. The proposal targets Code Level 4 and achieves the required CO2 reduction. It has also been agreed that Ultra Low NOx boilers will be used in the scheme.

## 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
- The improvement of the northern end of the park to specifically include landscaping and play equipment etc., the details to be agreed with Parks and the LPA in advance

- A commuted sum for the maintenance of the play equipment for a period of 15 years, the amount to be agreed and paid prior to a certain trigger (installation of the equipment which is to be installed before occupation of 50% of the units), index linked from the date of agreeing the amount to date of payment.
- A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to the piling of foundations for the development hereby approved. Unless otherwise agreed in writing, this shall demonstrate:
  - a. How the scheme will achieve the CO2 reduction of at least 35% below 2013 Building Regulations Target Emission Rate;
- If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required:
  - a. the submission and approval in writing by the Local Planning Authority of measures to remedy the omission; or, if this is not feasible,
  - b. the submission and approval in writing by the Local Planning Authority of acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough.
- The Residential Travel Plan, scoring a PASS on TfL's ATTrBuTE programme, shall be implemented in accordance, monitored and reviewed in accordance with the submitted details.
- A S38/S278 Agreement in relation to the construction of the proposed footways and parking bays and the planting of street trees along the Beames Road and Emerald Road site frontages and resurfacing of the footway along the Knatchbull Road site frontage, in general accordance with drawing 164-L01

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 **£3,306,266.22\*** 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): 12587 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
Non-residential institutions	334	0	334	£35.00	£0.00	£13,360.00	£0.00
Dwelling houses	12253	0	12253	£200.00	£35.15	£2,800,685.71	£492,220.51

BCIS figure for year in which the charging schedule took effect (lc)	224	224
BCIS figure for year in which the planning permission was granted (lp)	256	
<b>Total chargeable amount</b>	<b>£2,814,045.71</b>	<b>£492,220.51</b>

\*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**

DECISION NOTICE – APPROVAL

Application No: 15/0822

To: Mr Paul Rogers  
Terence O'Rourke Limited  
Terence O'Rourke Limited  
Everdene House  
Deansleigh Road  
Bournemouth, Dorset  
BH7 7DU

I refer to your application dated 26/02/2015 proposing the following:  
Construction of two buildings ranging from 4 to 6 storeys high providing 109 residential units (4xstudio, 60x1-bed, 44x2 bed, 1x3 bed) together with community space (Class D1/D2), private and communal amenity space, new areas of public realm, basement and on-street car parking, vehicle and pedestrian access, landscaping and ancillary development at Stonebridge Site 27, Stonebridge, London.  
and accompanied by plans or documents listed here:  
See condition 2  
at Land on site of former Craven Park Health Centre, Knatchbull 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 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  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation  
Transport: in terms of sustainability, safety and servicing needs  
Community Facilities: in terms of meeting the demand for community services

- 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):

STB27\_P\_01 Site Location Plan  
STB27\_P\_05 B STREET LEVEL SITE PLAN  
STB27\_P\_10 B LEVEL 0 FLOOR PLAN  
STB27\_P\_11 A LEVEL 1 FLOOR PLAN  
STB27\_P\_12 LEVEL 2 FLOOR PLAN  
STB27\_P\_13 LEVEL 3&4 FLOOR PLAN  
STB27\_P\_14 A LEVEL 5-7 FLOOR PLAN  
STB27\_P\_30 A 3D VISUALISATION  
STB27\_P\_31 A 3D VISUALISATION  
STB27\_P\_32 DRAFT7 3D VISUALISATION  
STB27\_P\_33 A 3D VISUALISATION  
STB27\_P\_34 A 3D VISUALISATION  
STB27\_P\_35 3D VISUALISATION  
STB27\_P\_50 A LONG SITE SECTIONS  
STB27\_P\_51 A SHORT SITE SECTIONS  
STB27\_P\_60 B BUILDING ELEVATIONS  
STB27\_P\_61 A STREET ELEVATIONS  
STB27\_P\_65 DETAILED ELEVATION  
STB27\_P\_66 DETAILED ELEVATION  
STB27\_P\_67 DETAILED ELEVATION

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

- 3 Prior to the occupation of the residential units, details of all domestic boilers to be installed shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the rated emissions of Oxides of Nitrogen (NO<sub>x</sub>) do not exceed 20 mg/kWh, or other such level as is agreed in writing by the Local Planning Authority. The approved details shall be implemented.

Reason: To protect local air quality.

- 4 Prior to the commencement of the use of any part of the approved development the following shall be constructed and permanently marked out in accordance with:-

- basement car parking spaces including the provision of at least 10 active and 30 passive electric vehicle charging points
- servicing bay for refuse collection vehicles

Thereafter they shall be retained and used solely for the specified purposes in connection with the development hereby approved and shall not be obstructed or used for any other purpose/s.

Reason: To ensure a satisfactory design and access to service the development and to enable vehicles using the site to stand clear of the highway so that the proposed development does not prejudice the free-flow of traffic or the conditions of general safety within the site and / or along the neighbouring highways and in the interests of pedestrian safety.

- 5 In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, a communal television system/satellite dish shall be provided. The equipment shall be located so as to have the least impact on the external appearance of the development.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 6 Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before construction is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include large scale drawings of:-

- (a) Winter garden balconies fronting Knatchbull Road
- (b) Window reveals
- (c) Balconies

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

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

- 7 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before construction 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 Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and the fencing, walls, gateways and means of enclosure shall thereafter be retained at the height and position as approved.

Reason: in the interests of the visual amenity and character of the locality.

- 9 All areas shown on the plan and such other areas as may be shown on the approved plans at all levels of the development including roof terraces 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 prior to occupation of the building.

(i) Landscaping in the circus shall specifically include a well sized native tree.

(ii) Each street level front garden shall include a planting bed with a hedge immediately behind the front boundary treatment. In addition to this the proportion of softlandscaping in each front garden shall be maximised.

(iii) Details of the proposed arrangements for maintenance of all communal landscaping.

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.

- 10 A management plan for the community use shall be submitted to and approved in writing prior to the occupation of the community space. Following this all occupiers of the community facility shall be required to comply with the approved details as part of their lease agreements.

Reason: In the interest of the amenity of residential occupiers.

- 11 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. The development shall be carried out in accordance with the approved details.

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

- 12 Details of the mechanical air ventilation system including plans detailing the location of the air intake vent, for the properties on the groundfloor, first floor and second floor facing Knatchbull Road, shall be provided to the Local Planning Authority for approval and the development implemented in accordance with the approved details.

Reason: To ensure that residents in these properties have acceptable air quality

- 13 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:

<b>Time</b>	<b>Area</b>	<b>Maximum noise level</b>
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)

Tests 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

- 14 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 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to the Local Planning Authority in writing for approval. The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: To protect acceptable local noise levels, in accordance with Brent Policy EP2

- 15 Details of the provision of appropriate cycle storage for the community facility shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Thereafter the community facility shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

- 16 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

- 17 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. 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 (unless the Planning Authority has previously confirmed that no remediation measures are required).

(n.b. The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.)

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

- 18 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(s) are occupied. Such details shall include:-

- access arrangements for the disabled lift to the Circus at both levels and detail of lighting

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

- 19 Details of all signage on the building including identification of the community use, shall be submitted to and approved in writing by the LPA prior to the occupation of the building and implemented in accordance with the approved details.

Reason: In order to ensure a legible development

- 20 Prior to occupation of the residential development hereby approved, confirmation from the Building Control body shall be submitted to the local planning authority to demonstrate that the development has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development.

- 21 Prior to occupation of the residential development hereby approved, confirmation from the Building Control body shall be submitted to the local planning authority to demonstrate that a minimum provision of 10% of the residential units shall meet Building Regulation Requirement M4 (3) Schedule 1 to Building Regulations 2010 'wheelchair user dwellings' and all residential units shall meet Building Regulation requirement M4 (2) Schedule 1 to Building Regulations 2010 'accessible and adaptable dwellings'.



Reason: In order to ensure an accessible development.

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