



Planning Committee

Wednesday 18 January 2017 at 7.00 pm

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

Membership:

Members

Councillors:

Marquis (Chair)
Agha (Vice-Chair)
Hylton
Long
Maurice
Moher
J Mitchell Murray
Pitruzzella

Substitute Members

Councillors:

A Choudry, Colacicco, Daly, Ezeajughi, Hoda-Benn, Kabir, Khan and Naheerathan

Councillors

Colwill and Kansagra

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

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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 personal and prejudicial interests and discloseable pecuniary interests in any matter to be considered at this meeting.		
2. Minutes of the previous meeting		1 - 8
PART 1 - DEVELOPMENT PRESENTATIONS		
3. Stonebridge Pre-Application (Ref. 16/495 and 16/496)	Stonebridge	11 - 22
PART 2 - APPLICATIONS FOR DECISION		
4. 750 - 756 Harrow Road, London NW10 (Ref. 16/4565)	Queens Park	27 - 62
5. 91D - F Mora Road, London NW2 6TB	Mapesbury	63 - 80
6. Roseland Care Home, 57 Draycott Avenue, Harrow HA3 0BL	Kenton	81 - 96
7. 30 Beaumont Avenue, Wembley, HA0 3BZ (Ref. 16/4273)	Sudbury	97 - 114
8. 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.		

Date of the next meeting: Wednesday 1 February 2017



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.



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 14 December 2016 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Agha (Vice-Chair), Hylton, Kabir (substitute for Councillor Pitruzzella), Long, J Mitchell Murray, Moher and Maurice

ALSO PRESENT: Councillor Bhagwanji Chohan

Apologies for absence were received from Councillor Pitruzzella

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

15 Littleton Road, Harrow, HA1 3SY (Ref. 16/0852)

Councillor J Mitchell Murray declared a prejudicial interest having made a complaint about the application, withdrew from the meeting room during consideration of the application and thus took no part in the discussion and voting.

Land next to Wembley Arena Square, Engineers Way, Wembley (Ref. 16/4506)

Councillor Marquis declared a prejudicial interest, withdrew from the meeting room during consideration of the application and thus took no part in the discussion and voting.

Cottrell House, Wembley Hill Road, Wembley, HA9 8DL (Ref. 16/1698)

Councillor Marquis declared a prejudicial interest, withdrew from the meeting room during consideration of the application and thus took no part in the discussion and voting.

The following approaches, having been notified to the Monitoring Officer in advance of the meeting, were recorded:

15 Littleton Road, Harrow, HA1 3SY (Ref. 16/0852)

All members received an email from Councillor Perrin.

Councillor Marquis received an email from Mr B Wagjani

Amex House, North End Road, Wembley, HA9 0UU (Ref. 16/1404)

All members received an email from Martin Hughes on behalf of Anthology Wembley Park.

Ealing Road Library, Ealing Road, Wembley (Ref. 16/4257)

Councillor Marquis was copied into an email.

111-115 Salusbury Rd, London NW6 (Ref. 16/3731)

All members received an email from Raj Mandair on behalf of Allenby Investment Holdings.

Warranty House and Garden Centre, Dudden Hill Lane, London, NW10 1DD (Ref. 16/4010)

Councillor Marquis received an email and an attachment.

All members re-affirmed that they would consider the applications with an open mind.

2. Minutes of the previous meeting held on 16 November 2016

RESOLVED:-

that the minutes of the previous meeting held on 16 November 2016 be approved as an accurate record of the meeting.

3. 15 Littleton Road, Harrow, HA1 3SY (Ref. 16/0852)

PROPOSAL: Demolition of the existing residential house and replacement with a new build detached house with basement accommodation and ancillary matters. (Re-consultation as application was made invalid due to site location not being clearly defined.)

RECOMMENDATION: To grant planning permission and delegated authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report.

David Glover introduced the scheme and answered members questions. He referenced the supplementary report highlighting the comment by Cllr Perrin about the level of the road outside the subject site and the possibility of surface water to overflow into the gardens of Nos. 13 & 17. He continued that although the Brent Lead Local Flood Authority (LLFA) saw no clear evidence of surface water flooding, as a precautionary measure, they recommended a condition to be attached requiring the provision of a "conveyance system" to divert water at the rear of the property from both sides.

Members discussed the application during which they expressed concerns about incidence of flooding to the basement and asked that an informative in those terms be added.

DECISION: Granted planning permission as recommended and an additional condition to address the measures suggested by The Brent Lead Local Flood Authority (LLFA) as set out in the supplementary report.

(Voting was recorded as follows: For 7 Against 0)

4. Amex House, North End Road, Wembley, HA9 0UU (Ref. 16/1404)

PROPOSAL: Redevelopment of the former Amex House site and erection of one 4 to 8 storey building and one 13 storey building comprising 195 residential units (79 x 1bed, 91 x 2bed and 25 x 3bed) with associated car parking space, landscaping,

plant room and energy centre, sub-station, landscaping, amenity space and part naturalisation of Wealdstone Brook.

RECOMMENDATION: To GRANT planning permission subject to any direction by the London Mayor pursuant to the Mayor of London Order, any direction by the Secretary of State pursuant to the Consultation Direction and the prior completion of a legal agreement to secure the planning obligations set out in the report.

David Glover (Deputy Area Planning Manager) introduced the scheme and answered members' questions. With reference to the supplementary report, he informed members that the proposed development blended within the streetscene with appropriate relationship to the surrounding buildings and spaces. He added that the proposal would not result in a significant effect on the protected views to the Stadium. In respect of the proximity to brook and pollution within the brook, he explained that whilst some pollution may exist, the extent of any pollution was not usual for an urban stream in London and the Council's Environmental Health officers had not raised any concern regarding any potential pollutants that may be within flood waters.

Neil Sams, applicant's agent addressed the Committee and answered members' questions.

Members then discussed the application and noting the comments on contamination, flooding and the review mechanism for the affordable workspace, added an additional condition and an amendment to the section 106 legal agreement as set out in the decision below.

DECISION: Granted planning permission as recommended with additional conditions to cover risk of contamination associated with flooding of the brook and an amendment to the Section 106 Heads of terms to include the provision of affordable workspace within the review mechanism.

(Voting was recorded as follows: For 6 Against 1 Abstention 1)

5. 103 Crummock Gardens, London, NW9 0DH (Ref. 16/2922)

PROPOSAL: Demolition of existing detached garage and erection of a two-storey, 3-bedroom detached dwellinghouse, with associated hard and soft landscaping, provision for off-street parking to the rear and sub-division of existing garden space.

RECOMMENDATION: To grant planning permission and delegated authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report.

David Glover (Deputy Area Planning manager) introduced the application.

In endorsing the officer's recommendation for approval, members added an informative advising the applicant to inform the Council's Highways prior to commencement of works so that any damage to public realm can be restored.

DECISION: Granted planning permission as recommended.

(Voting was recorded as follows: For 8 Against 0)

6. Land next to Wembley Arena Square, Engineers Way, Wembley (Ref. 16/4506)

PROPOSAL: Reserved matters in relation to Plot W03 pursuant to outline planning permission 03/3200. The proposal is for the erection of a part 9 storey and part 14 storey building providing 340 residential units and 1,879 sqm of retail floorspace. 12 car parking spaces are provided on site, four of which will be accessible, together with two loading and servicing bays for the residential and retail uses respectively. The proposal also includes cycle parking, landscaping and amenity space at ground level and roof top.

The application has been submitted pursuant to conditions 2 i-vi (siting, design, external appearance, access and landscaping), 6 ii, iii, iv and v (infrastructure), 26 (open space), 30 (tree removal), 60 (disabled access), 61 (underground parking), 63 (sunlight/daylight) and 64 (wind tunnel testing)

RECOMMENDATION: To GRANT planning permission subject to any direction by the London Mayor pursuant to the Mayor of London Order, any direction by the Secretary of State pursuant to the Consultation Direction and delegate authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

David Glover (Deputy Area Planning Manager) introduced the scheme and answered members' questions. Members heard that the design matters, height and location had been approved and that the reserved matters complied with the outline consent. He clarified that the proposal would not provide onsite affordable housing units as 35% of affordable homes had already been offered in Forum and Quadrant Houses.

Paula Carney the applicant's agent and Chris Culling the scheme's architect addressed the Committee and answered members' questions.

DECISION: Granted planning permission as recommended.

(Voting was recorded as follows: For 6 Against 0 Abstention 1)

7. Ealing Road Library, Ealing Road, Wembley (Ref.16/4257)

PROPOSAL: Landscaping to library forecourt with addition of café (A3) and community and enterprise hub (B1/D1) modular units. Alteration to existing public highway including provision of additional footway, stopping up of part footway, and

alteration to existing highway access and replacement of windows and doors in library street facade. Gate to frontage.

RECOMMENDATION: To grant planning permission and delegated authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report.

David Glover (Deputy Area Planning Manager) introduced the scheme, answered members' questions and, referencing the supplementary report, responded to additional concerns expressed by neighbours.

Mark Smith (applicant's agent) addressed the committee and answered members' questions.

In the ensuing discussions, members expressed views about the parking arrangement and access and in order to address these, added an amendment to condition 8 in the main report to also refer to the parking arrangements for operators of markets/events.

DECISION: Granted planning permission as recommended subject to amendments to condition 8 to refer to the parking arrangements for operators of markets/events.

(Voting was recorded as follows: For 7 Against 1 Abstention 0)

8. Cottrell House, Wembley Hill Road, Wembley, HA9 8DL (Ref. 16/1698)

PROPOSAL: Demolition of the existing mixed use building and erection of a part 6, 8 and 10 storey building comprising 55 residential units, with 2 commercial units (Use class A1) located over ground and mezzanine floors fronting Wembley Hill Road, and associated car and cycle parking spaces, bin stores, landscaping and amenity space.

RECOMMENDATION: To GRANT planning permission subject to any direction by the London Mayor pursuant to the Mayor of London Order, any direction by the Secretary of State pursuant to the Consultation Direction and the prior completion of a legal agreement to secure the planning obligations set out in the report and grant delegated authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report.

David Glover (Deputy Area Planning Manager) introduced the scheme and answered members' questions. With reference to the supplementary report, he clarified the reasons for amendments to some conditions as follows; removal of condition 14 as a result of acceptable additional information on piling disturbance; additional condition for Construction Method Statement on the recommendation of the Council's Environmental Health Enforcement Officer; amendment to condition 2 to reflect the revision numbers for two drawings; and the removal of Section 106 Heads of Terms (h) on the retention of the architects for the scheme.

Members discussed the application and endorsed the amendments as set out by the Officer.

DECISION: Granted planning permission as recommended subject to amended conditions as set out in the supplementary report; removal of condition 4 and Section 106 legal agreement heads of terms (h), amendment to condition 2 and an additional condition for a Construction Method Statement.

(Voting was recorded as follows: For 5 Against 1 Abstention 1)

9. 111-115 Salusbury Rd, London NW6 (Ref.16/3731)

PROPOSAL: Erection of a fourth and fifth storey over existing three-storey office building to create 8 self-contained flats (comprising 6 No. 2-bedroom flats and 2 No. 3-bedroom) with associated new street level entrance to the front and secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear.

RECOMMENDATION: To grant planning permission and delegated authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report.

Damian Manhertz (Deputy Area Planning Manager) introduced the application and answered members' questions, particularly on the use of zinc materials.

DECISION: Granted planning permission as recommended.

(Voting was recorded as follows: For 8 Against 0 Abstention 0)

10. Warranty House and Garden Centre, Dudden Hill Lane, London, NW10 1DD (Ref. 16/4010)

PROPOSAL: Proposed demolition of all existing buildings and construction of part five / part six / part seven / part eight / part nine storey buildings comprising 136 residential units (Use Class C3, comprising of 42 x 1 bed, 56 x 2 bed and 38 x 3 bed flats) and community/retail floorspace (Use Classes D1/A1/A3); related lower ground car park comprising 44 car parking spaces; cycle parking, vehicular access; footways; landscaping; plant and associated works.

RECOMMENDATION: To GRANT planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out in the report and grant delegated authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report.

Damian Manhertz (Deputy Area Planning Manager) introduced the report and answered members' questions. In reference to the supplementary report, he clarified the relationship of block A to front of the site and the footpath, the

mechanism to secure continued D1 use on site, the allocation of resident's parking spaces and the results of the discussions with the NHS.

Messrs Sam Hine, Michael Lynas (applicant's agents) and Assaf Laznik (applicant) addressed the Committee and answered members' questions.

In endorsing the officer's recommendation for approval members added an informative advising the applicant to inform the Council's Highways prior to commencement of works so that any damage to public realm can be restored.

DECISION: Granted planning permission as recommended.

(Voting was recorded as follows: For 8 Against 0 Abstention 0)

11. Draft Basement Supplementary Planning Document

This report set out the rationale for consultation on a draft Brent Basement Supplementary Planning Document (SPD). The report also provided a high level summary of the content of the document and clarity on what are planning matters and which matters are the remit of other legislation/statutory functions.

Adrian Harding (DM Manager) informed members that the report, which set out the up to date planning guidance on how the Council would deal with basements applications, was in response to residents' concerns about adverse impacts of basement developments. He added that although residential basement developments can be permitted development, where planning permission was required, this SPD would be a material consideration in determining planning applications. He sought members' approval to recommend to the Cabinet to consult on the draft SPD for a 6 weeks public consultation during January and February 2017 with anticipated adoption in Spring 2017.

RESOLVED:

That Planning Committee recommend to Cabinet that the draft Basement SPD in Appendix 1 be agreed for public consultation.

12. Any Other Urgent Business

None.

The meeting closed at 10.15 pm

S MARQUIS
Chair

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PART 1 DEVELOPMENT PRESENTATIONS

Introduction

1. This part of the agenda is for the committee to receive presentations on proposed developments, particularly when they are at the pre-application stage.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Advice to Members

4. These proposed developments are being reported to committee to enable Members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage (unless otherwise stated in the individual report) and any comments made are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
5. Members of the committee will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Council's Constitution). Failure to do so may mean that the Councillor will not be able to participate in the meeting when any subsequent application is considered.

Further information

6. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

Public speaking

7. The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

Recommendation

8. The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The reports are presented as background information.

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PRE-APPLICATION REPORT TO COMMITTEE

Planning Committee on 18 January 2017
Item No
Case Number 16/0495/PRE and 16/0496/PRE (both sites are linked)

SITE INFORMATION

RECEIVED: 2016

WARD: Stonebridge

LOCATION: Hillside open space and Milton Avenue (Site 1) and Stonebridge Primary School annexe, Twybridge Way (Site 2)

SCHEME: The Reserved Matters for the development of Hillside open space and Milton Avenue pursuant to the outline application reference 16/0077.

Proposed construction of an apartment block part 4 and part 6-storey's comprising 51 residential units (15x 1bed, 25x 2bed and 11x 3bed flats) and 246sqm of commercial floorspace (Use class A3), car parking at ground floor and on-street within the proposed reconfiguration of Shakespeare Avenue, with associated external amenity space, hard and soft landscaping, and the construction 22 x 3-storey townhouses at Milton Avenue.

And

The Reserved Matters for the development of Stonebridge Primary School annexe, Twybridge Way pursuant to outline application reference 16/0073.

Proposed construction of 14 x houses up to 3-storeys in height (Use class C3), one apartment block comprising 13 residential units (4 x 1bed and 9x 2bed) up to 5-storeys in height (Use class C3) and one apartment block comprising 28x 1bed flats up to 5-storeys in height for NAIL accommodation with an element of care (use class C3b) and a new one-way access loop road and on-street parking bays, with associated external amenity space, hard and soft landscaping.

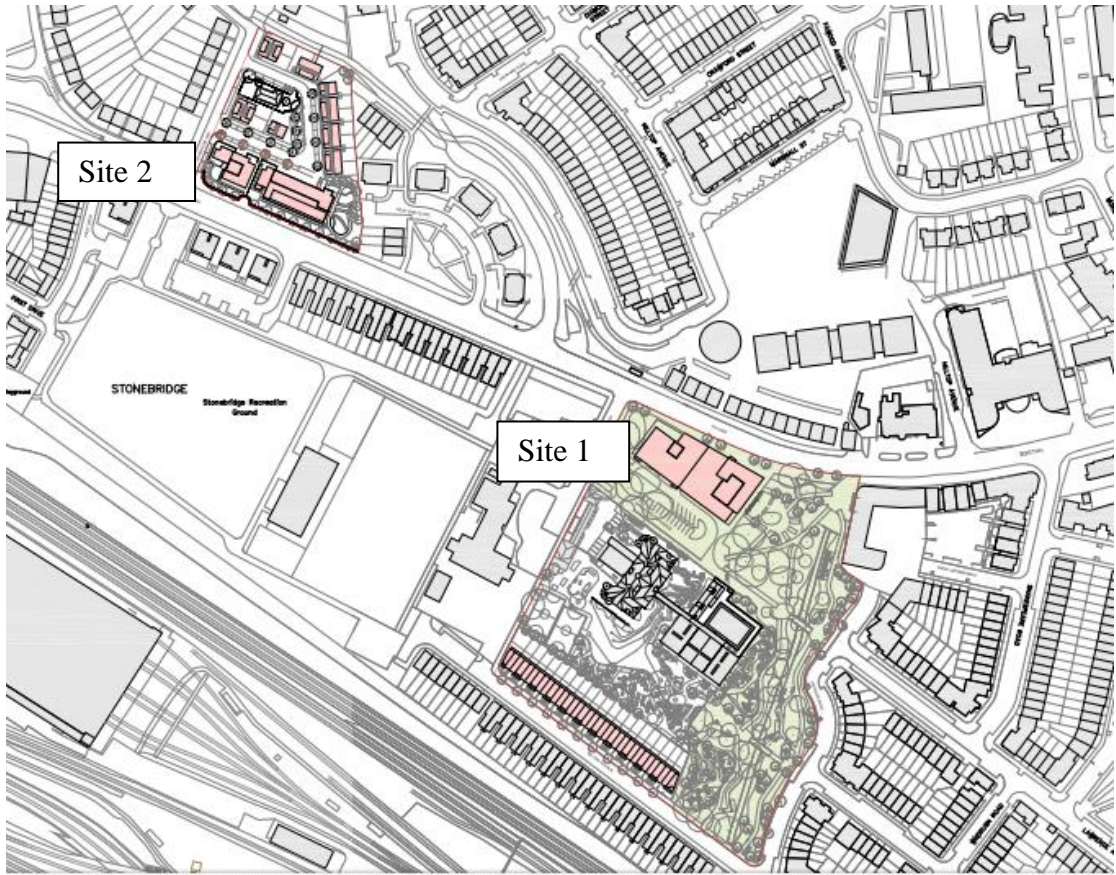
APPLICANT: London Borough of Brent

CONTACT: JLL

PLAN NO'S: n/a

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION No plans as this is a pre-application item. Members will view a presentation at Committee.

SITE MAP
This map is indicative only



DEVELOPMENT DETAILS

Ref: **16/0495/PRE and 16/0496/PRE (both sites are linked)**

Location: Hillside open space and Milton Avenue (Site 1) and Stonebridge Primary School annexe, Twybridge Way (Site 2)

Ward: Stonebridge

Description: The Reserved Matters for the development of Hillside open space and Milton Avenue pursuant to the outline application reference 16/0077.

Proposed construction of an apartment block part 4 and part 6-storey's comprising 51 residential units (15x 1bed, 25x 2bed and 11x 3bed flats) and 246sqm of commercial floorspace (Use class A3), car parking at ground floor and on-street within the proposed reconfiguration of Shakespeare Avenue, with associated external amenity space, hard and soft landscaping, and the construction 22 x 3-storey townhouses at Milton Avenue. (Site 1)

And

The Reserved Matters for the development of Stonebridge Primary School annexe, Twybridge Way pursuant to outline application reference 16/0073.

Proposed construction of 14 x houses up to 3-storeys in height (Use class C3), one apartment block comprising 13 residential units (4 x 1bed and 9x 2bed) up to 5-storeys in height (Use class C3) and one apartment block comprising 28x 1bed flats up to 5-storeys in height for NAIL accommodation with an element of care (use class C3b) and a new one-way access loop road and on-street parking bays, with associated external amenity space, hard and soft landscaping. (Site 2)

Applicant: London Borough of Brent

Agent: JLL

Case Officer: Gary Murphy (South Area Team)

BACKGROUND

1. This pre-application submission for Reserved Matters is being presented to enable Members of the committee to view it before any subsequent applications are submitted and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent revised application and the comments received as a result of consultation, publicity and notification.
2. This is the first time the detailed designs shown within this submission have been presented to Members. Where reference is made in the report to 'Site 1' this relates to the outline part of the Hybrid planning application 16/0077 for which the Planning Committee resolved to grant planning consent on 11 May 2016. Where reference is made to 'Site 2' this relates to the outline planning application 16/0073 for which the Planning Committee resolved to grant planning consent on 11 May 2016. On both of these outline consents all matters were reserved.

PROPOSAL and LOCATION

Proposal

3. The applications will seek approval of all of the Reserved Matters in relation to Site 1 and Site 2, namely matters relating to Appearance, Access, Landscaping, Layout and Scale.
4. Both the outline consents secured a number of parameters for each site, including the heights of buildings and the maximum number of residential units.

Proposed uses (SITE 1)

5. Site 1 development proposes the provision of 51 flats situated within a part 4 and part 6-storey building located on Hillside open space, and 246sqm of commercial floorspace (Use Class A3) at ground floor, as well as ground floor car parking.
6. The construction of a terrace of 22 x 3bed townhouses is proposed on Milton Avenue.

Proposed residential mix

7. On Hillside it is proposed to provide:
 - 15 x 1bed
 - 25 x 2bed
 - 11 x 3bed (total 51)

On Milton Avenue it is proposed to provide:
-22 x 3bed houses

Car parking

8. Internal ground floor parking is proposed within the Hillside building, a total of 22 spaces (including 5 disabled bays), and up to 88 cycle parking spaces. On-street bays are proposed within the proposed access road, there are 22 of these (including 4 disabled bays). The on-street bays will also be used for parent drop-off and pick up at Stonebridge School at permitted times only (subject to waiting restrictions).
9. For Milton Avenue housing parking will be on-street, with cycle parking provided per dwelling.

Proposed uses (SITE 2)

10. Site 2 development on Twybridge Way proposes 14 houses, one apartment block fronting Hillside, of 5 storeys comprising 13 units (Use Class C3) and an apartment block fronting Hillside of 5 storeys to provide NAIL accommodation with an element of care, comprising of 28 x 1bed units.

Proposed residential mix

11. It is proposed to provide:
 - 14 x houses, comprising of 10 x 3bed and 4 x 4bed in either two or three storey form.
 - 4 x 1-bed flats
 - 9 x 2bed flats
 - 28 x 1bed flats, specifically for NAIL accommodation (Use Class C3b)

Car parking

12. On-street car parking parallel to new 'loop' access road to accommodate 28 spaces, with associated cycle parking. This level of parking is in line with the outline consent.

Site and Surroundings

13. Site 1 development is located in part on the southern side of Hillside and comprises existing open space. To the east of the site is the remainder of Hillside open space, which is to be enhanced under the original planning permission, and south of the site is Shakespeare Avenue and the Grade II Listed Stonebridge School. To the west of the site are Wesley Road and Our Lady of Lourdes Catholic Primary School. The remaining element of Site 1 development (i.e. the 22 x terraced houses) is located along the northern side of Milton Avenue, which is immediately south of the Stonebridge School site.
14. Site 2 development is on a corner plot at the junction of Hillside and Twybridge Way. The site contains the Former Day Care Centre building, currently in use as Stonebridge Primary School annexe (proposed for demolition). It also comprises 'The Cottage' which is a residential property within the centre of the site. This detached building is to remain and does not form part of the application site. There are two-storey residential properties to the west on Twybridge Way, and four-storey flatted blocks and two-storey housing to the east along West End Close. A canal feeder channel runs along the northern site boundary.
15. Neither site is within a Conservation Area, or designated growth area.

Planning History

16. The relevant planning application reference numbers are 16/0077 (Site 1) and 16/0073 (Site 2).

CONSULTATION

17. As this proposal will seek the approval of Reserved Matters, pre-application consultation has not yet been undertaken. In accordance with the National Planning Policy Framework and Brent's Statement of Community Involvement the developer is required to engage with the local community whilst developing their proposals for the site, as part of the pre-application process. The applicants are proposing to carry out local consultation prior to submission of any Reserved Matters applications, and this will take the form of Ward Councillor briefings and a flyer drop to local addresses (approx. 2000 addresses). It should also be noted that the outline planning applications were subject to significant pre-application consultation with the community, and internal and external consultation (involving 972 addresses).
18. The proposals to date have been subject to internal consultation with the Councils Planning department, Transport officer, Urban Design officer, Landscape officer, Principal Tree officer and Conservation and Heritage officer.
19. The following will be consulted regarding any subsequent planning application:

Consultee:-
(Internal)

- Ward Councillors for Stonebridge (Brent)
- Transportation (Brent)
- Environmental Health (Brent)
- Landscape Design (Brent)
- Heritage & Conservation officer (Brent)
- Tree Officer (Brent)
- Housing (Brent)
- Urban Design Officer (Brent)
- Flood/drainage engineer (Brent)

(External)

- Secure by Design Officer (Met Police)
- Thames Water – tbc
- All existing properties and addresses within at least 100m of the application site.

(N.B. This is not a final list and is subject to further review/change should any formal planning application be submitted)

POLICY CONTEXT

20. The National Planning Policy Framework (NPPF) 2012. At the heart of the NPPF is a presumption in favour of sustainable development. Building a strong, competitive economy is of the core principles of the NPPF and paragraph's 21 and 22 are of relevance.
21. London Plan consolidated with alterations since 2011 (March 2016)
22. Mayor's Housing SPG
23. Development Management Policies, London Borough of Brent (2016) – adopted 21 November 2016
(N.B this has superseded the Brent Unitary Development Plan 2004 which was the relevant Development Plan at the time of determining the original outline applications)
24. London Borough of Brent LDF Core Strategy 2010
25. Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)

MATERIAL PLANNING CONSIDERATIONS

26. As stated above the proposals will seek the approval of Reserved Matters for Site 1 and Site 2 concurrently. As such, the principle of development has been supported, and many of the considerations have already been considered and approved through the outline planning consents 16/0073 and 16/0077.
27. The main issues raised by the Reserved Matters details that the Committee should be aware of at this stage are:
 - Siting and height of Hillside building (Site 1)
 - Vehicle access to Hillside building, parking and impact on trees (Site 1)
 - Design and layout (applicable to all sites)
 - Quality of residential accommodation (applicable to all sites)
 - Affordable Housing (applicable to all sites)
 - Proposed future revisions to NAIL accommodation building (Site 2/Twybridge Way)

Issue 1

Siting and height of Hillside building (Site 1)

28. The outline consent (16/0077) permits a building up to 6-storey's high, and up to a maximum 4m per storey. The proposed building is part 4 and part 6-storey's high, increasing in height towards Wesley Road. This is within the parameters set within the original outline consent.
29. The proposed building is rectangular in plan form and is sited with a landscaped set back from both Hillside and Wesley Road, which is in accordance with the original outline consent.

30. In the approval of the outline consent Members sought the imposition of a condition (number 41) requiring further details to be submitted and approved requiring the Hillside building to be sited and designed so as to maximise views to, and preserve and enhance the setting of the Grade II Listed Stonebridge School building to the south.
31. In response to this condition the building has been designed as two separate blocks above ground floor level. The 'break' in the centre of the building of between 12m and 16.4m wide has been purposely designed so as to create views from Hillside of the Listed school building behind. The existing dense tree coverage on Hillside open space largely obscures views of the Listed school building from Hillside, so in this respect the removal of some trees and the construction of a building of this design will enhance views to the Listed building. The 'break' also reduces the overall mass and bulk of the proposed building, which is welcomed. On balance it is considered the design response to the condition is a well considered one and this will maximise views to the Listed building from Hillside. It is considered this 'break' in the building and the provision of two separately articulated residential elements will result in better design.
32. This approach is supported by the Councils Heritage and Conservation Officer. Any subsequent application will need to be supported by a views assessment from chosen locations on Hillside in order to fully understand the impact on the setting of the Listed building.

Issue 2

Access, parking and impact on trees, Hillside building (Site 1)

33. When granting outline consent (16/0077) all matters were reserved, including Access. Therefore any details shown in relation to vehicle access on the approved plans were only treated as indicative. Approval of the outline consent did not give approval for the road layout indicated, nor does the approval of outline consent suggest that this road layout is acceptable in principle. In fact, Condition 1 of the outline consent specifically says that the Reserved Matters shall be designed to reflect the requirement to explore the opportunity to provide a revised means of access to the Hillside building, so that access is not gained through the open space.
34. Officers were unable to support the 'loop' road that was indicated at outline stage as it was considered that the construction of a new road in this form and layout that would connect Hillside with Shakespeare Avenue would unacceptably harm the amenity value of the open space by virtue of the road cutting through the open space. It was considered this layout would create a barrier between the new building and the adjacent open space. In urban design and placemaking terms this form of access is not seen to be desirable.
35. Since the grant of outline consent the applicants have considered different Access options with a view to addressing the requirements of Condition 1. An option is proposed that would see the introduction of a loop turning head to the rear (south side) of the Hillside building. This would be a new one way road accessed off Wesley Road and linked to Shakespeare Avenue. It would provide access to the ground floor in-curtilage parking for the Hillside building, and service vehicles, and it would provide access to proposed school drop-off spaces within the newly re-configured shared surface.
36. In placemaking terms this option is preferred. It has the least impact on the adjacent open space and is more discreet due to its location to the rear of the Hillside building.
37. The Councils Transportation officer is supportive of this layout in principle, subject to further detailed testing being undertaken to confirm dimensions of footways and

carriageways, and tracking of vehicles in order demonstrate that this works for cars and larger servicing and emergency vehicles.

38. Proposed parking – It is proposed that 22 spaces will be provided on-site (including 5 disabled bays), and a further 22 as on-street within the new loop road layout. The maximum parking standard for the proposed residential units is 56.5 spaces, this is based on adopted standards set out in policy DMP 12 (1 and 2-bed units = 1 space and 3-bed units = 1.5 spaces). As such there is some reliance on the on-street bays. The overall maximum standard has however slightly reduced from the now superseded UDP standards which were applied when the outline consents were granted. The UDP standards attracted a maximum parking standard of 62 spaces, (30 on-site spaces proposed) and this has reduced to 56.5 spaces (22 on-site spaces proposed).
39. It is proposed that a proportion of the on-street bays be made subject to max 20 minute waiting restrictions, to allow for school drop-off and pick-up use only between 8-9am and 3-4pm weekdays. This is considered a necessary restriction so that resident's ability to use these spaces is not prejudiced outside of these times. In principle the Councils Transportation Officer would support this approach. This is also subject to the provision of a minimum 2m wide footway to the northern edge of the loop road, tracking of the loop road to demonstrate this can accommodate refuse, servicing and emergency vehicles (particularly at the point of entry close to the location of disabled bays), re-arrangement of the echelon parking bays to face in the other direction, and confirmation of the proportion of affordable housing to be provided.
40. The Councils Principal Tree Officer has expressed support in principle for the proposed access as it is understood that the proposed road layout will allow for the retention of four existing category A trees. This is welcomed due to the positive contribution these make in visual amenity terms. These are shown to be located within a central strip of landscaping that is being retained. This however would be subject to the submission and approval of further details in the form of an Arboricultural Impact Assessment (AIA), Tree Protection and Method Statement, as well as construction details within the Root Protection Area (RPA) to demonstrate that the trees will not be unduly harmed by works within, or close to the RPA.
41. Further landscaping details will need to be submitted to demonstrate what the strategy is for the treatment of this new road. It is important that this makes a positive contribution to the public realm as it will affect the setting of the new building, as well as the Listed school building. High quality materials will be required, soft landscaping where feasible and a layout that promotes pedestrian priority as this space is likely to experience heavy pedestrian footfall with parents dropping off, and picking up children from the school.

Issue 3 Design and layout

Hillside - Site 1

42. London Plan policy 3.5 promotes quality in the design of housing developments.
43. London Plan Policy 7.6 on 'Architecture' states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is regarded as being particularly important for tall buildings.
44. Brent DMP policy DMP 1 says that materials, detailing and design should provide high levels of amenity that complement the locality, and conserve and enhance the significance of heritage assets and their settings.

45. Brent DMP policy DMP 7 says that proposals affecting heritage assets should sustain and enhance the significance of the heritage asset, its curtilage and setting, respecting and reinforcing the streetscene, frontages, views and vistas.
46. At ground floor a proportion of the floorplate is to be occupied by parking, but this is now wrapped on three sides by active uses in the form of residential units, entrances and the commercial unit fronting Hillside. This is an improvement on the layout indicated at outline stage which envisaged ground floor parking and a commercial unit. The proposed arrangement and mix of uses will now help to activate three sides of the building, which is welcomed in both urban design and Secure by Design terms.
47. Four residential units are now located at ground level which will activate three of the facades. The applicants will need to demonstrate what form of curtilage is proposed for this building, and further demonstrate how defensible space for ground floor units can be achieved.
48. The articulation and expression of the ground floor has improved, however it is still considered to be a weak element of the design. This will need further consideration in order to make the residential entrances more legible, and to treat the façade of the commercial unit appropriately. It is not clear from the details submitted what materials this will be treated in, and it is important that this is differentiated in some way through the use of materials.
49. The primary facing material is brick, and a light coloured brick is proposed to tie in with the new development directly opposite. Feature copper bronze cladding is proposed, and this is also picked up with the balcony treatment. This feature cladding should also apply to the lift overrun projection to give greater visual interest, and this should be confirmed. Fully inset and half recessed/projecting balconies are used which is welcomed. The building facades have depth to them as a result of staggered and projecting elements, which combined with the varying heights help to achieve a good degree of articulation.
50. The forward projecting part of the building that will be visible from Hillside (to the west) would benefit from some further articulation and greater visual interest. Also, the use of polycarbonate as a means of treating the edge of the roof terraces is not considered acceptable, this is a poor choice of material. These elements should be addressed prior to any subsequent submissions.
51. Officers consider that there are elements of the design that still require further consideration to ensure the final design is of high quality, and that it makes a positive contribution to the streetscene.

Milton Avenue – Site 1

52. A terrace has been designed with front gables to pick up on the rhythms evident in the Victorian terrace directly opposite on Milton Avenue. The proposal is a modern interpretation of this terrace. Relief to break up the front gables is proposed in the form of flat roof sections, and these have been articulated with narrow slit openings. Officers are not convinced that this intervention is successful and this treatment (including the roof) will require further consideration before plans are finalised.
53. The treatment of the front gardens is considered to be overly defensive, and this should be reconsidered to ensure it contributes positively to the streetscene.
54. Further detailing of the entrances and parapets is required, and previous suggestions to use concrete have not been taken on board. This should also be re-visited before the designs are finalised.

Twybridge Way – Site 2

55. The corner block of flats is proposed to have a similar materials palette to the Hillside building. Light coloured brick will be utilised, with feature bronze cladding. Depth to the facades is proposed with the use of recessed openings and projecting window surrounds. The articulation to parts of the building is considered to be weak though. The corner, where the building fronts Twybridge Way is prominent and does need more interest, currently it appears overly defensive with an expanse of brick fronting onto the street. The façade fronting Hillside, which rises to four storeys needs to be further articulated, and the amenity space on this corner should be better defined. The approach to window openings should also be reconsidered, the current arrangement illustrates a reliance on small openings, however this does not maximise the opportunity to articulate the Hillside elevation.
56. A series of detached and semi-detached houses are proposed behind the frontage blocks. These will front the loop road. Houses will be a mix of two and three storeys. The designs illustrated suggest a contemporary approach is sought, however the architecture is not considered to be successful as shown. The roof design is confusing as this is seeking to incorporate a pitched element, with a flat roof element that gives the appearance of a front dormer window. Officers consider that this needs further consideration.
57. The scale of the townhouses will comply with the 45 degree test, as set out in Supplementary Planning Guidance 17 'Design Guide for New Development'. The depth of the rear gardens (approx. 7.5m) fails to achieve the 10m normally sought, in the interests of outlook and neighbouring privacy. This shortfall does have the potential to result in overlooking of adjoining gardens to properties on West End Close (which themselves have relatively shallow depth gardens). As a result the treatment of the rear elevation of the four houses that adjoin neighbouring gardens will need careful consideration and an appropriate design response that minimises opportunities for overlooking from habitable room windows incorporated. This is necessary to support the proposed relationship.

Issue 4

Quality of accommodation

58. All residential units will be compliant with London Plan space standards, and the Part M2 criteria in relation to accessible and adaptable housing, expressed in the nationally prescribed optional housing standards.
59. All units will benefit from private amenity space in the form of ground floor areas, balconies and terraces. The housing on Milton Avenue (Site 1) and Twybridge Way (Site 2) will be afforded 50sqm private gardens. Communal courtyards and roof terraces are proposed to supplement the private space, and communal space will serve both flatted buildings on Site 2. The NAIL accommodation will have a communal garden designed with the resident group specifically in mind. The exact quantum of amenity space will need to be confirmed at submission stage, with policy DMP 19 in mind, which seeks 20sqm per flat, and 50sqm per family unit (3+ bedrooms).
60. It is relevant that the proposed Hillside building will be directly adjacent to the existing Hillside open space. This is to be given an improvement as a result of planning approval 16/0077, which will see a new children's playground, outdoor gym equipment and other landscaping and public realm improvements. The Twybridge Way units will also be opposite existing open space on Hillside.
61. All residential units will benefit from a good level of outlook, with the number of dual aspect units maximised. It is noted that there will be a small proportion (x8) of single aspect, largely north facing units in the NAIL accommodation block.
62. The split block proposed layout for the Hillside building results in a separation of between 12m and 16.4m across the courtyard. Ordinarily a minimum separation of

20m would be required, where there are directly facing windows in order to safeguard privacy and to minimise overlooking (as set out in Supplementary Planning Guidance 17). In this case the flats within the respective blocks have been arranged so that there are no directly facing habitable windows looking across the courtyard. As such there are no opportunities for direct overlooking or loss of privacy, so this relationship can be supported.

63. Policy CP21 of Brent's Core Strategy 2010 seeks for 25% of units to be family sized (three bedrooms or more). The proposal achieves 37% family sized units, so is policy compliant.

Issue 5

Affordable housing

64. London Plan policy 3.12 requires borough's to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
65. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough will be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.
66. London Plan policy 3.12 says that the maximum reasonable amount of affordable housing should be sought when negotiating on schemes and that negotiation on sites should take account of their individual circumstances including development viability.
67. The current proposal is to deliver a minimum level of 35% affordable housing across both sites. This would be subject to a viability appraisal still, but if a minimum of 35% affordable housing is achieved across both sites then this would be in accordance with both of the outline consents, 16/0077 (Site 1) and 16/0073 (Site 2). These consents are linked to one another through conditions, in particular the condition stating that a Financial Viability Assessment (FVA) shall be submitted with any Reserved Matters application containing residential floorspace. This FVA shall demonstrate the maximum reasonable proportion of affordable housing across both Site 1 and Site 2, which shall not be less than 35%, but which may include affordable housing over and above the minimum 35%, and provision of off-site affordable housing within the land subject of both applications in order to deliver a combined minimum of 35% across both sites.
68. The position will be tested at application stage when a detailed FVA has been provided.

Issue 6

Future revisions to NAIL accommodation, Twybridge Way (Site 2)

69. Outline permission allows up to 28 units of NAIL accommodation, which stands for New Accommodation for Independent Living. This accommodation is aimed at vulnerable adults living in self-contained accommodation with an element of on site care provided.
70. Brent Adult Social Care (ASC), who will be the client group for the NAIL accommodation wish to pursue a separate full planning application to allow an increase in the number of NAIL units from a maximum of 28, to 40. As this change to

increase the number of units cannot be accommodated within the parameters of the outline consent it is envisaged that a separate full application for this building alone will be submitted, in parallel with the submission of Reserved Matters.

71. By seeking to increase the number of NAIL units on site no changes to the footprint or size of the building are required. Internally the units are to be arranged as smaller one bedroom units in order to deliver the desired number. This would be subject to demonstrating compliance with minimum residential space standards.
72. In order to satisfy Core Strategy CP21 any subsequent application should be supported by a statement from ASC that confirms how this uplift and re-arrangement of units meets an identified housing need.
73. Any change to the NAIL accommodation will also have to be accounted for when submitting the FVA, in order to ensure that the maximum reasonable amount of affordable housing is being proposed.

OTHER CONSIDERATIONS

74. A detailed energy/sustainability strategy would need to be submitted as part of any subsequent Reserved Matters or full application to demonstrate compliance with the Mayor's strategy of Be Lean, Be Clean, Be Green, as well as London plan policies relating to reduction carbon emissions and renewable energy, in accordance with London Plan policy 5.2.

PLANNING OBLIGATIONS

75. As the Council is the applicant then a s106 agreement cannot be entered into. Conditions attached to the outline consents capture requirements for affordable housing, energy/sustainability, highway works, and travel plans.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

76. This would be development that is liable for Mayoral and Brent CIL. The level of liability that this would attract will be confirmed at a later stage when the precise quantum and form of proposed development is known.

CONCLUSIONS

77. Members should note the above development is still in the pre-application stage and that additional work remains to be carried out prior to the submission of any subsequent planning application.

PART 2 APPLICATIONS FOR DECISION

Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Brent comprises the following documents:
 - London Plan March 2016
 - Brent Core Strategy 2010
 - Brent Site Specific Allocations 2011
 - West London Waste Plan 2015
 - Wembley Action Area Plan 2015
 - Sudbury Town Neighbourhood Plan 2015
 - Saved 2004 Unitary Development Plan Policies 2014
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that

adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
 - **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

Provision of infrastructure

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail. Similarly, Brent Council's CIL is also payable. These would be paid on the commencement of the development.
13. Brent Council's CIL provides an income stream to the Council to fund (either in whole or in part) the provision, improvement, replacement, operation or maintenance of the following types of new and existing infrastructure:
 - public realm infrastructure, including town centre improvement projects and street trees;
 - roads and other transport facilities;
 - schools and other educational facilities;
 - parks, open space, and sporting and recreational facilities;
 - community & cultural infrastructure;
 - medical facilities;
 - renewable energy and sustainability infrastructure; and
 - flood defences,
14. except unless the need for specific infrastructure contributions is identified in the Section 106 Planning Obligations Supplementary Planning Document or where section 106 arrangements will continue to apply if the infrastructure is required to make the development acceptable in planning terms.
15. Full details are in the Regulation 123 List is available from the Council's website: www.brent.gov.uk.

16. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

Further information

17. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

Public speaking

18. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.

Recommendation

19. The Committee to take any decisions recommended in the attached report(s).

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 January, 2017

16/4565

SITE INFORMATION

RECEIVED: 19 October, 2016

WARD: Queens Park

PLANNING AREA: Brent Connects Kilburn

LOCATION: 750 - 756 Harrow Road, London, NW10 5LE

PROPOSAL: Demolition of the existing buildings on site and redevelopment for a mixed use development comprising two buildings of 5 storey (plus basement) and 2 storeys, to provide 17 residential (Class C3) units and 461sqm (GIA) of commercial (Class B1) floor space over ground and basement levels. Ancillary residential space is provided at ground and basement levels, and includes residents' amenity space, cycle and refuse stores, and enclosed plant. A separate commercial refuse store and cycle store are provided at ground floor level.

APPLICANT: Vabel 750-756 HR LLP

CONTACT: Rolfe Judd Planning

PLAN NO'S: See condition 2

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_130796

[When viewing this as an Hard Copy](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/4565" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

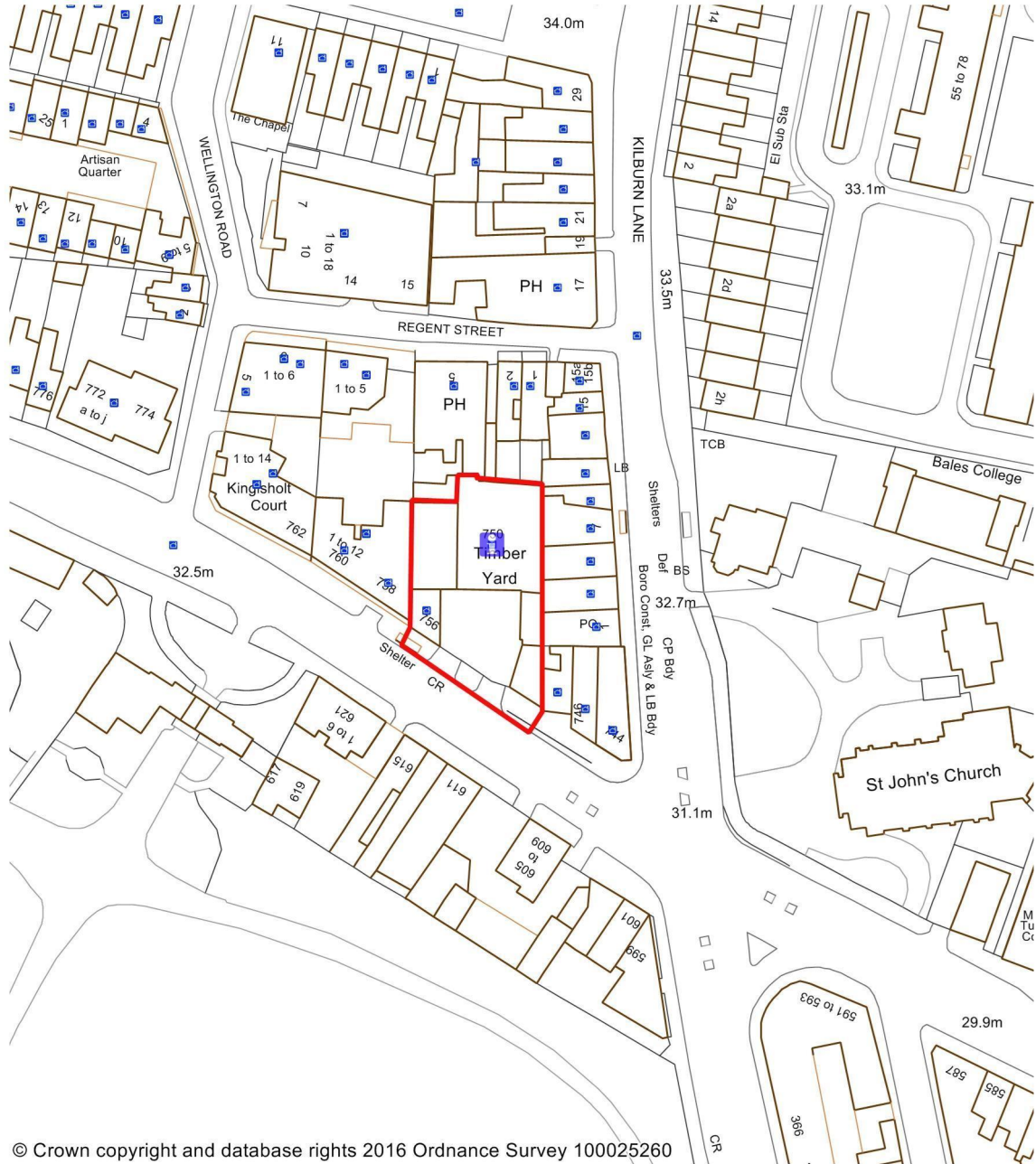
SITE MAP



Planning Committee Map

Site address: 750 - 756 Harrow Road, London, NW10 5LE

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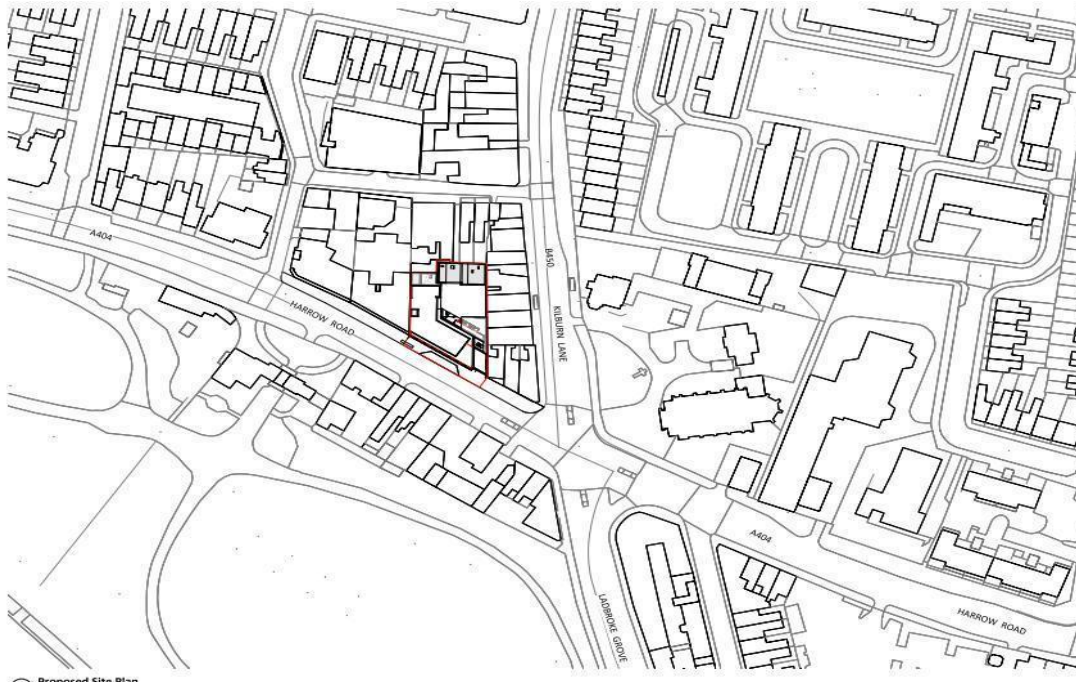


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This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

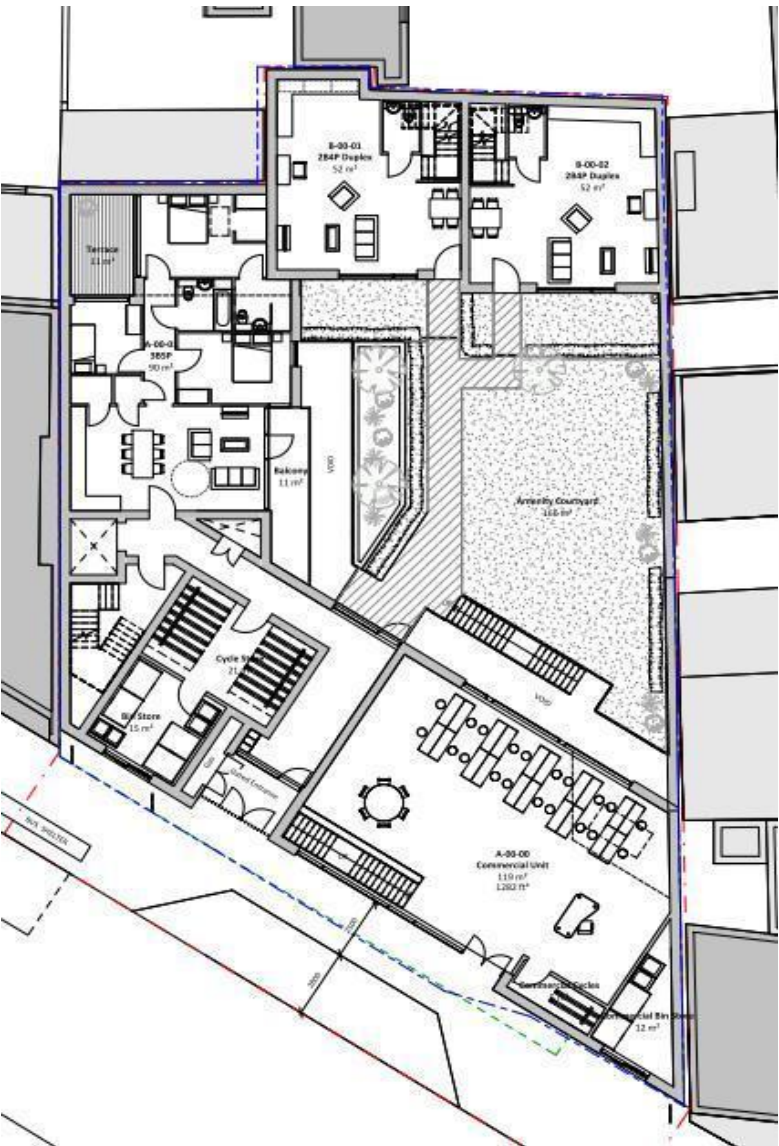
Site Location Plan



Basement Proposed



Ground Floor proposed



First floor proposed



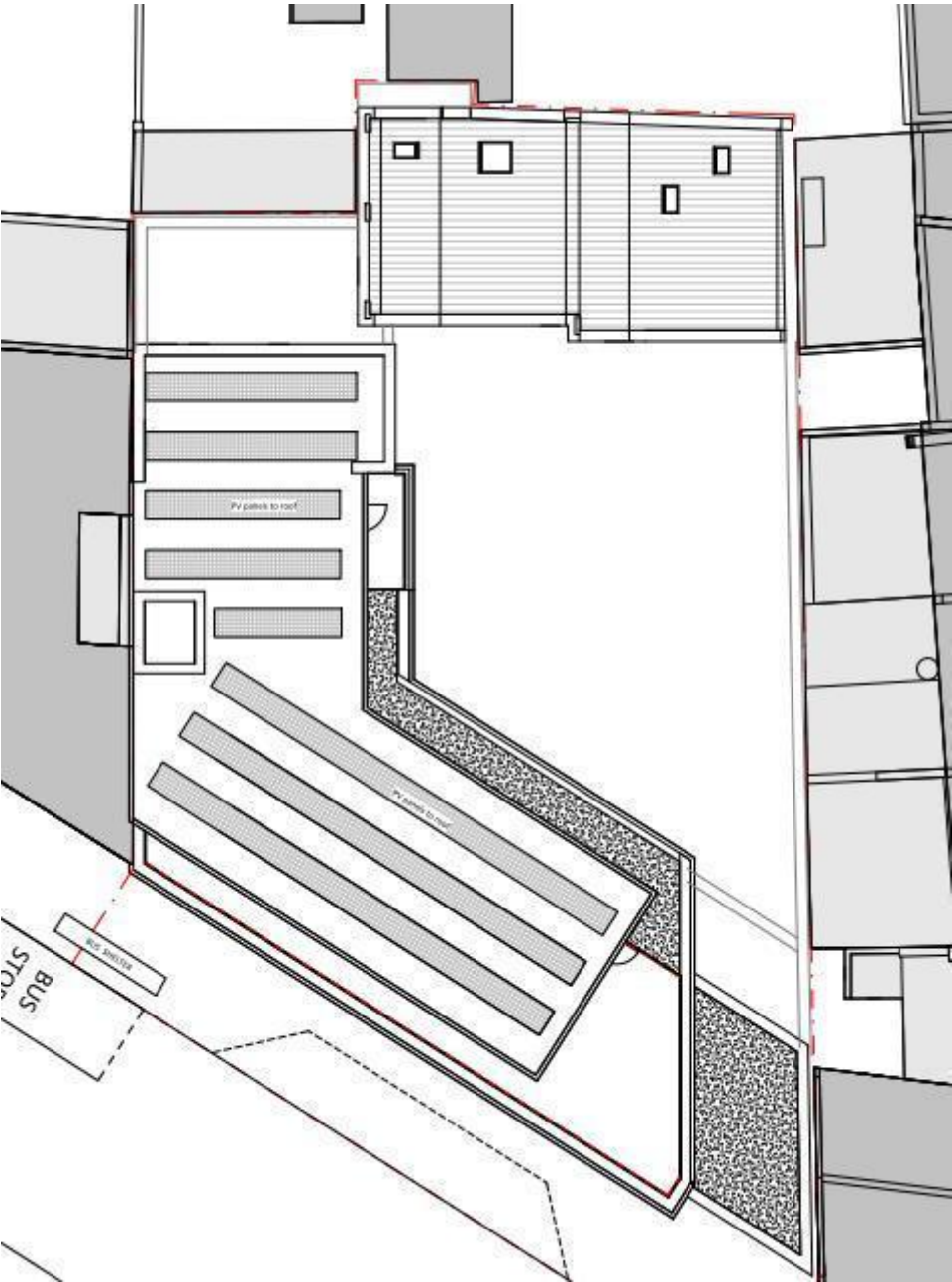
Second floor proposed



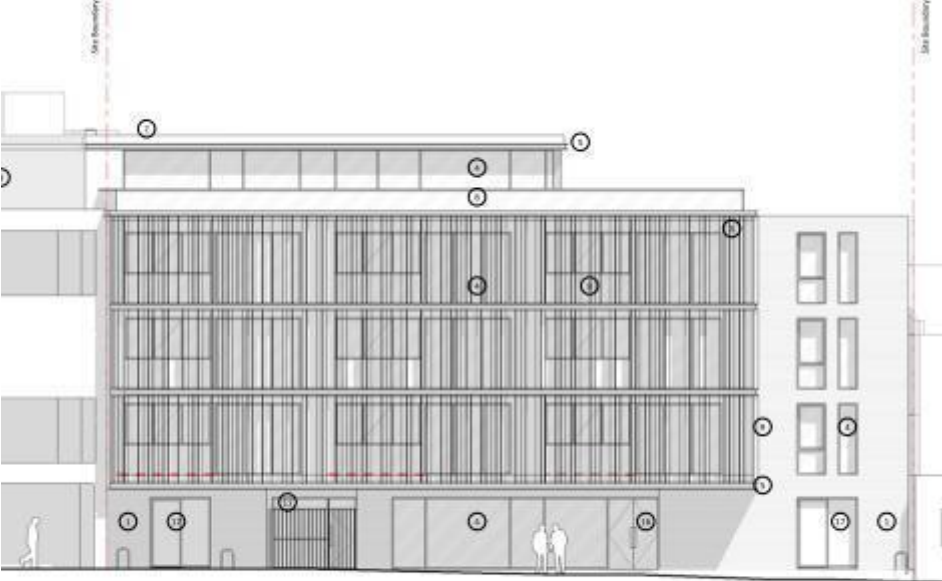
Fourth floor proposed



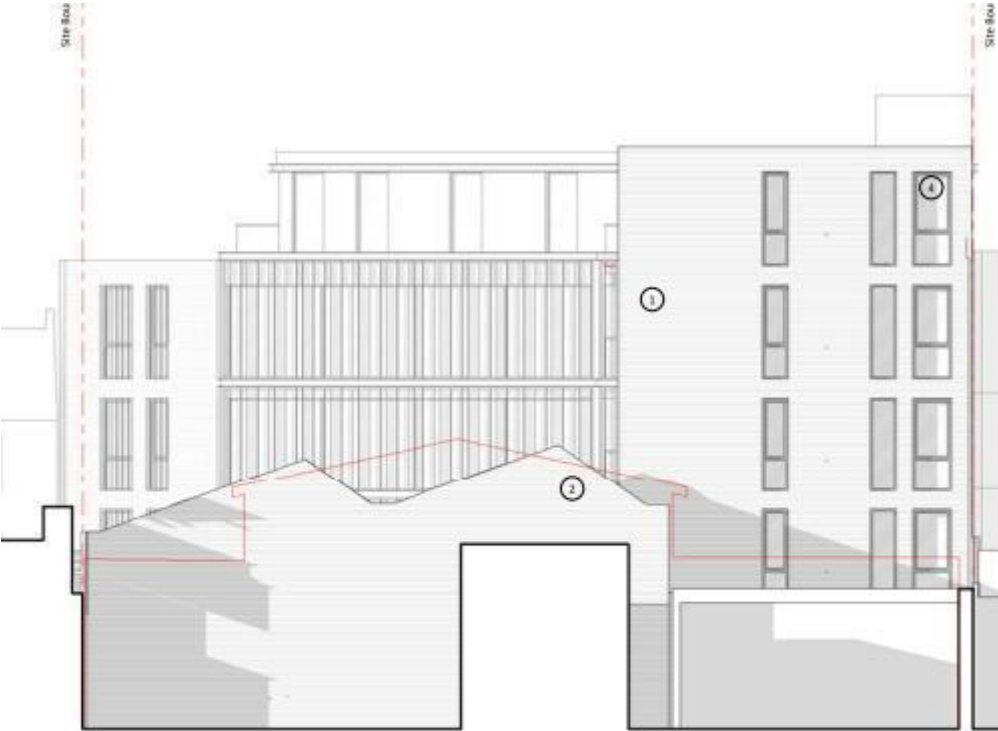
Roof Plan



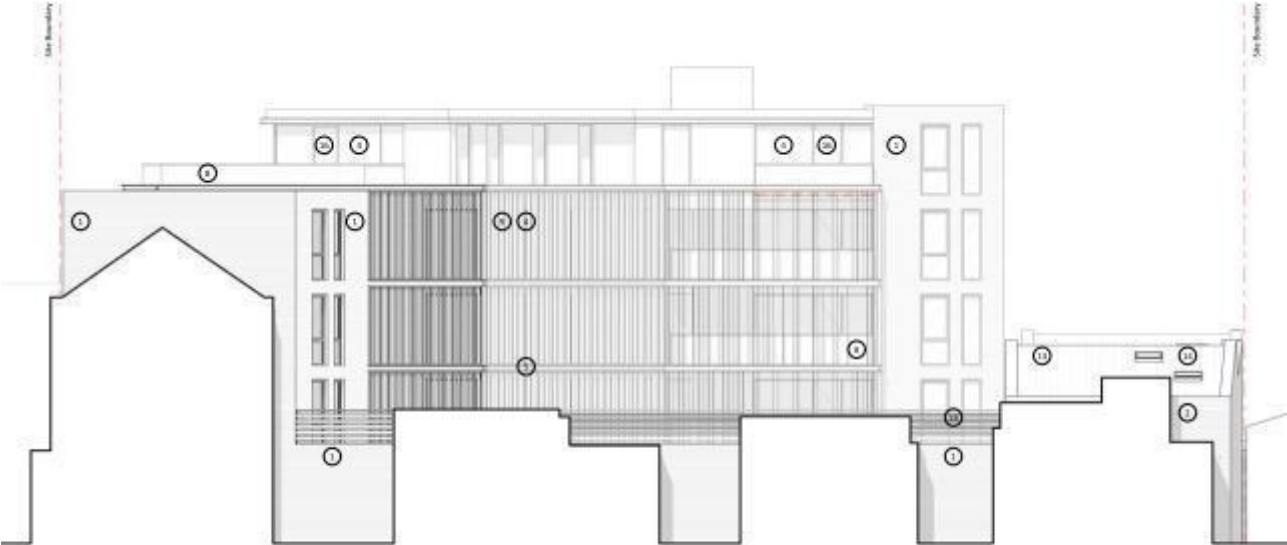
Front Elevation (Harrow Road)



Rear Elevation (from Regent Street)



Side Elevation (east from Kilburn Lane)



Courtyard Elevation - Mews buildings



RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- a) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- b) Notice of commencement within 28 days of a material operation.
- c) Post implementation viability review mechanism whereby a re-appraisal shall be carried out upon the sale of 50% of the dwellings or 6 months prior to practical completion of the development, whichever event is earliest. The re-appraisal shall examine actual values and costs to be provided by the developer on an open book basis, but maintain land acquisition costs at £2.3 million, developer profit at 19% of GDV, professional fees at 12% of construction costs, and finance costs at 6.75%, in order to calculate any development surplus. Half of any surplus shall be paid to the Council as an Off-Site Affordable Housing Contribution ring-fenced for the delivery or enablement of affordable housing elsewhere in the borough, with any such Contribution capped at a sum commensurate with the delivery of 50% affordable housing on site.
- d) The undertaking of works in the public highway through S38/S278 of the Highways Act 1980 to include: widening of the public highway and construction of a 2.8m wide loading bay on the existing footway with a 2.5m footway to the rear along the site frontage, including removal of existing footway crossovers to the site and associated amendments to Traffic Regulation Orders, together with all associated works to statutory undertakers' equipment in the highway and ancillary and accommodation works, to the satisfaction of the Local Highway Authority, prior to occupation of the development.
- e) Energy Strategy – standard obligation to achieve 35% reduction on Building Reg 2013 target

emissions rates or pay carbon offset contribution

- f) Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions (and informatives) to secure the following matters:

Conditions:

1. Standard 3 year permission
2. Approved plan numbers / documents
3. Materials
4. Landscaping
5. Construction & Environmental Management Plan
6. Internal noise levels
7. Plant noise levels
8. Water efficiency
9. Cycle provision
10. Drainage works SUDS
11. Extract ventilation details
12. Site investigation
13. Contamination verification report
14. Air Quality
15. Car free

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That, if by 18 July 2017 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

A) PROPOSAL

The application proposes the demolition of the existing buildings on site and redevelopment for a mixed use development comprising of two buildings consisting of a 5 storey (plus basement) and 2 storey building, to provide 17 residential (Class C3) units and 461sqm (GIA) of commercial (Class B1) floor space over ground and basement levels. Ancillary residential space is provided at ground and basement levels, and includes residents' amenity space, cycle and refuse stores, and enclosed plant. A separate commercial refuse store and cycle store are provided at ground floor level.

B) EXISTING

The site is located on the northern side of Harrow Road, close to the intersection with Ladbroke Grove. The site is a local employment site; most recently used in relation to digital processing but is currently untenanted. The former offices (Class B1a) on the upper floor of the main building and a section of the ground floor have been changed to residential uses under the prior approval route. The ground floor flat consists of a one bed roomed unit with a gross internal area (GIA) of approximately 30 sqm which is considerably undersized when applying minimum size standards where a one bed roomed flat is required to be 50 sqm. The unit is located on the eastern side of the site with single aspect windows overlooking the existing forecourt area. The other flat is located on the first floor of the central building in the site. This unit consists of a two bed flat with a GIA of approximately sqm which is again undersized when applying minimum size standards. Although there are windows located on the side elevation the first floor flat have relatively poor levels of outlook as the windows are quite small as they were not designed for residential purposes when originally constructed. The buildings on site currently range from one to three storeys in height. A gated vehicular access to the site is

provided to the existing car park and is located centrally along the Harrow Road frontage. Two apartment blocks are located immediately to the west of the site with heights of four and five storeys respectively. The buildings located to the east of the site on Kilburn Lane generally consist of shops at ground floor with some residential uses above and have heights of two to three storeys. The buildings to the north of the site on Regent Street consists of single storey dwellings and a restaurant/pub and four storey apartment buildings that are more recent additions.

C) AMENDMENTS SINCE SUBMISSION

Minor amendments to the bedroom windows of the first, second and third floor flats have been submitted to overcome concerns with overlooking and poor outlook.

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

- a) The principle of the development regarding the loss of employment land and the residential units proposed.
- b) The level of affordable housing proposed.
- c) The design and scale of the proposal in terms of its impact on the existing townscape.
- d) The impact of the development on neighbouring amenity.
- e) The quality of the proposed residential accommodation.
- f) The transport impacts of the proposal including parking and access.

RELEVANT SITE HISTORY

15/2653 – REF

Demolition of the existing buildings and erection of two buildings of 5 and 2 storeys in height with a basement level, to provide a mixed development comprising 17 residential units (2x3 bed, 9x2 bed, 6x1 bed) and 499sqm (GEA) of flexible commercial (Class B1, Class A3 or Class D1) floor space over ground and basement level with associated cycle parking, refuse stores, amenity space, enclosed plant and reinstate footway to the front (car free development)

14/4143 - GTD

Prior approval for change of use from office (Use Class B1) to residential (Use Class C3) to provide one self-contained two bedroom flat (first floor)

1/4144 - GTD

Prior approval for change of use from office (Use Class B1) to residential (Use Class C3) (ground floor office)

05/2965 – GTD

Conversion of first and second floor to flat (frontage building at western side of site)

03/3286 – GTD

Single-storey infill extension between two buildings east of site

00/2797 – GTD

Change of use from timber yard/workshop/storage, ancillary offices, two retail units to photographic studio and processing with retention of offices and two retail units and alterations to the shopfronts

CHANGE OF USE FROM BUILDERS YARD TO PUBLIC HOUSE (USE CLASS A3) WITH ANCILLARY OFF-LICENCE AND SEA-FOOD SHOP. (AMPLIFIED BY PLANS RECEIVED ON 30 MARCH 1994).

EREC OF 2/STOREY BLDG FOR WORKSHOP/ STORAGE

CONSULTATIONS

Consultation period: 25/10/2016 – 15/11/2016

127 neighbouring properties were consulted. To date six representations have been received that raised the following concerns:

Objection	Response or paragraph in report
Parking	The proposal will be car-free. Further comments with regard to parking can be found in paragraph 7.1
Loss of light	See paragraph
Loss of privacy	See paragraph
Length of time of building works	Whilst it is acknowledged that there will be disturbance during construction this is covered by Environmental legislation and is not a material planning consideration in this case.
Overdevelopment of the site	See section 4
Projection of front aspect of the building to the rear and impact on neighbouring property	See paragraph 5.3.3
Increase in height of boundary on eastern side	See paragraph 5.3
Increase in height and massing	See paragraph 4.3
Impact of height from mews building	See paragraph 5.3.2 and section 5.4
Loss of outlook from Kilburn Lane	See paragraph 5.3
The development would be out of proportion with the surrounding area.	See paragraph 4.3

Ward Councillors notified - one objection was received that has raised concerns about parking. This will be addressed in paragraph 7.1 of the report.

Site notice erected – 27/10/2016

Press notice issued – 03/11/2016

Kensal Triangle Residents Association – no objections

Internal Consultation

Transport & Highways – no objections

Environmental Health – no objections

Planning Policy – no objections

Affordable Housing Development – no objections

POLICY CONSIDERATIONS

NPPF 2012

London Plan consolidated with alterations since 2011 (March 2016)

3.5 Quality and Design of Housing Developments

3.10 Definition of Affordable Housing

3.11 Affordable Housing Targets

3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

3.13 Affordable Housing Thresholds

5.2 Minimising carbon dioxide emissions

5.3 Sustainable Design and Construction

Core Strategy 2012

CP 1 Spatial Development Strategy

CP2 Population and Housing Growth

CP17 Protecting and Enhancing the Suburban Character of Brent

CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures

CP21 A Balanced Housing Stock

Development Management Policies 2016

DMP1 Development Management General Policy

DMP2 Supporting Strong Centres

DMP 11 Forming an Access on to a Road

DMP 12 Parking

DMP 14 Employment Sites

DMP 15 Affordable Housing

DMP 18 Dwelling Size and Residential Outbuildings

DMP 19 Residential Amenity Space

Supplementary Planning Guidance

DETAILED CONSIDERATIONS

1. Background and Context

1.1 Application 15/2653 for the demolition of the existing buildings and erection of two buildings of 5 and 2 storeys in height with a basement level, to provide a mixed development comprising 17 residential units (2x3 bed, 9x2 bed, 6x1 bed) and 499sqm (GEA) of flexible commercial (Class B1, Class A3 or Class D1) floor space over ground and basement level with associated cycle parking, refuse stores, amenity space, enclosed plant and reinstate footway to the front (car free development) was refused for the following reasons:

1. *The proposal has failed to demonstrate the adequate replacement of existing employment floorspace or that the continued use of the site for employment purposes is unviable and in the absence of such evidence it would result in the unacceptable loss of a Local Employment Site contrary to saved policy EMP9 of Brent's UDP 2004, the Employment Land Demand study, policy 4.4 of the London Plan 2015 (Further Alterations) and the NPPF.*
2. *In the absence of any revised affordable housing offer or development appraisal from the applicant, the proposal fails to set out any specific affordable housing offer or justification thereof, and as such fails to demonstrate that the maximum reasonable amount of affordable housing will be achieved failing to comply with policy CP2 of Brent's Core Strategy and 3.12 and 3.13 of The London Plan 2015 (Further Alterations).*
3. *By reason of its bulk, massing, height and proximity to the site boundaries, habitable room windows and neighbouring amenity space, the proposal has failed to respond to the constraints of the site, and would have a detrimental impact on existing residential amenity, particularly in terms of light and outlook, contrary to policy BE9 of Brent's UDP 2004 and SPG17 Design Guide for New Development.*
4. *The proposed high density and the constrained nature of the site results in a compromised quality of accommodation for future occupiers, including restricted privacy, outlook, light, unit size and amenity space. The communal amenity space is insufficient in size, will receive limited sunlight and has minimal scope for soft landscaping of any significance making its value for recreation and visual amenity limited, contrary to policy BE6 and BE9 of Brent's UDP 2004, SPG17 Design Guide for New Development, the London Plan 2015 (Further Alterations) and the London Housing SPG.*
5. *By reason of the insufficient width of the proposed servicing bay and footpath, the proposal would result in an obstruction of the public highway to the detriment of the free and safe flow of traffic and pedestrians and contrary to policies BE3, TRN3 and TRN34 of the adopted UDP 2004.*

1.2 Application 15/2653 was subsequently appealed to the Planning Inspectorate and is currently the subject of a hearing due to take place in February of this year. The main differences between the previously refused scheme and the current application will be outlined in the relevant sections of this report. Your officers hold the key considerations to be the following:

- Principle
- Affordable Housing
- Design and Scale
- Impact on neighbouring amenity
- Standard of accommodation

- Parking and Access

2. Principle

2.1 In the previously refused scheme officers had concerns with the loss of existing employment floorspace. The applicant failed to provide evidence that the continued use of the site was unviable for employment use or demonstrate that sufficient marketing activity had taken place with an advertising period of only six months from March 2014. The information submitted in support of the application also only related to the shortcomings of the existing building and did not consider the redevelopment of the site for employment uses. As such the proposal was deemed to be contrary to saved UDP (2004) policy EMP9, the Employment Land Demand study, policy 4.4 of the London Plan 2015 (Further Alterations) and the NPPF.

2.2 At the time of the assessment of the application the Development Management Policies (DMP) were in draft form and therefore could not be given significant weight due to the stage of consideration they were at. However since the application was refused the DMP has been fully adopted and policy EMP9 has been superseded by DMP14. Your officers have therefore assessed the proposal against the recently adopted DMP and specifically in terms of the overall principle, DMP14.

2.3 The applicant has submitted revised information to address the reason for refusal from the previous scheme that includes an Employment Land Study and a Design Document to compare the existing and proposed employment space. DMP14 seeks provision of the maximum amount of existing floorspace type where non-employment uses are proposed. The existing floorspace was previously used as a photographic studio (B1a). The proposed use is B1 which your officers considered could reasonably anticipate to be used by a variety of B1 type uses, such as office/studio or potentially small scale production/manufacturing. DMP 14 seeks to maximise the provision of employment space that is viable from a financial perspective.

2.4 With regard to the proposed mix of residential units the application proposes six one bedroomed units, nine two bedroomed units and two three bedroomed or family sized units. Policy CP21 of Brent's Core Strategy 2010 seeks 25% of units in residential developments of ten units or more to be family sized (three bedrooms or more). The proposal only achieves 12% family sized units, so is not policy compliant however your officers have given weight to the fact that overall the proposal will remove two substandard units that were converted under prior approval. One of the flats is located at ground floor level and is only 30 sqm which is smaller than the minimum size required for a studio flat. It also has no private amenity space and limited outlook over the existing forecourt/car park area. The first floor flat is a two bedroomed unit and is only 60 sqm which is again below the required space standard for a two bedroom flat. This unit does not have access to any amenity space and outlook is quite restricted due to the small mature of the windows. The proposed residential units all have access to private amenity space and exceed minimum space standards. As such your officers consider that although the proposed mix is not policy compliant that there are significant planning merits to the proposal and that in this case it can be considered acceptable.

2.5 Your officers have assessed the proposed change of use and residential accommodation in terms of its planning merits. The site has already lost designated employment space from the conversion of the buildings to residential use under prior approval. The proposal would see the basement and ground floor converted to a combined area of 461 sqm of dedicated employment space. This is a considerable amount more than the 381 sqm currently provided and would be built to a much higher specification. Therefore your officers have given considerable weight to the fact that the proposal would have a higher chance of occupation and would contribute to improving the Borough's economic potential. Your officers have also given significant weight to the fact that the proposal would provide an additional 17 units to the Borough's housing stock and would make a more efficient use of a site that is currently being used for substandard residential accommodation. The overall appearance of the site would also be improved significantly in what is considered to be a heavily trafficked and principal route through the Borough.

2.5 Taking these factors into consideration your officers consider that the proposal has a number of critical wider benefits to the Borough and therefore the proposal is acceptable in principle subject to the other relevant material planning considerations set out in this report.

3. Affordable Housing

3.1 London Plan Policies 3.11A, 3.11B and 3.12 require boroughs to maximise affordable housing provision, set an overall target in Local Plans for the amount of affordable housing provision needed over the plan period, and seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. Brent's Core Strategy Policy CP2 identifies capacity for at least 22,000 homes over the local plan period 2007-2026 and sets a target that 50% of new homes should be affordable. Developers are required to provide development appraisals to demonstrate that each scheme maximises affordable housing output.

3.2 The recently adopted Development Management Policies policy DMP15 – Affordable Housing is also relevant in this case as the applicant has proposed no affordable housing within the current scheme. In the previously refused scheme the applicant originally proposed 19 units including 2 intermediate affordable housing units, with a financial viability assessment submitted in support of the proposal. The scheme was however reduced to 17 units a week before the decision was made in order to address planning and design considerations. Brent is required to evaluate affordable housing appraisals rigorously. BPS Chartered Surveyors were appointed to undertake an independent assessment of the submitted appraisal. BPS disputed the assumed benchmark land or site value and the build costs and concluded that the proposed scheme could reasonably and viably deliver additional affordable housing obligations beyond the proposed 2 affordable intermediate housing units. When the scheme quantum was reduced from 19 to 17 units, the applicant did not submit a revised development appraisal to reflect the reduction in the number of units proposed. As such officers found that the application failed to set out any specific affordable housing offer or justification thereof, which formed a reason for refusal.

3.3 In preparing for their appeal on the refused scheme, and as part of the new application under consideration, the applicant appointed DS2 to refresh their financial viability assessment. BPS Chartered Surveyors again undertook an independent assessment on behalf of the Council. Whilst BPS has disputed a number of assumptions, they do accept that reducing the scheme to 17 units has made it currently unviable to deliver affordable housing obligations. One major factor in this case is that the relatively high benchmark land value of £2.1-2.5m which can be applied to the site due to the existing uses on the site (which include existing residential units) is now spread across fewer units on what is a smaller scheme. BPS does however identify uncertainties with regard to sales values and build costs and recommend that a post implementation viability review is included in the s106 agreement. DMP 15 also requires that appropriate provisions to re-appraise viability be sought on major sites where the proportion of affordable housing agreed is significantly below 50%.

3.4 Officers have therefore agreed a post implementation s106 review mechanism with the applicant, which will re-appraise scheme viability 6 months prior to practical completion against an agreed benchmark land value of £2.3m and profit margin of 19%. Actual achieved scheme revenues and costs will be reviewed, and half of any surplus would be taken as deferred affordable housing planning obligations in the form of a commuted sum ring-fenced for affordable housing to be delivered elsewhere in the borough, capped at a level commensurate with the delivery of 50% affordable housing onsite. Subject to agreement of such s106 review mechanism, Officers recommend that the scheme proposes the maximum reasonable amount of affordable housing in line with planning policy in this case only.

4. Design and Scale

4.1 The scale of the development is considered to be appropriate when the character and context of the surrounding area is taken into account. The area is characterised by a number of tall buildings located to the immediate west and also to the north and north-west of the site. These buildings vary in height from four to six storeys with the building located directly to the west, Kingsholt Court which fronts Harrow Road, being the tallest. The buildings stretching from the corner of Kilburn Lane to Harrow Road have a height of three storeys. The scale of the proposed building at the front of the site will be four storeys adjacent to No.748 Harrow Road, rising to five storeys in total. Your officers consider that the height of four storeys, rising to five, will offer a good degree of transition in terms of the overall scale of the development that will sit comfortably within the street scene. When taking into account the relatively high roof of the row of three storey terraced

properties the proposed increase in height to four storeys will appear as only half a storey higher.

4.2 With regard to the overall design approach taken the applicant has proposed a London stock and white brick with metal louvres as the primary materials on the front elevation. Your officers consider that the choice of materials will offer a good contrast to the mostly rendered building to the west of the site and the more traditional brick buildings to the east and north along Kilburn Lane. Your officers' recommend that a condition be attached requiring further details of the proposed materials to be submitted prior to above ground construction works taking place.

4.3 Concerns have been raised by objectors about the scale and massing of the proposal however when the context of the surrounding area is taken into consideration and the varying scale of buildings, the proposal would be level if not lower in height than the existing neighbouring buildings to the west. The area is characterised by buildings of various heights which has changed the context and character of this area through contemporary design and infill development and this proposal would not materially harm this character.

5. Impact on neighbouring amenity

5.1 In the previously refused application officers found that the proposal only partially complied with the guidance in SPG17 with regard to the relationship between the proposed and existing buildings. This was specifically the case with regard to No.748 Harrow Road and Nos.1 and 3 Kilburn Lane. Since the application was refused the applicant has engaged with the Planning Department in order to reduce the impact on neighbouring residential properties and significantly revised the proposal. Residential properties are found to the east, west and north of the site in the form of Abercorn Place that fronts Harrow Road, the two/three storey properties on Harrow Road/Kilburn Lane and the single storey properties on Regent Street.

5.2 Properties to the west

5.2.1 Your officers have considered the impact of the proposal on the residential properties to the west of the site fronting Harrow Road known as Abercorn Place. Abercorn Place has an existing height of four storeys and the rear building line of the proposed development will finish level with the rear building line of the neighbouring building and not extend past the existing roof terrace. Consideration has also been given to the windows located in the side elevation in a small cut out of the building that is currently visible. The approved plans for this development show that although there are windows contained in this cut out they either serve non habitable rooms such as bathrooms or were approved as obscure glazed secondary windows for kitchen/living rooms with the primary windows overlooking rather Regent Street or Harrow Road. Your officers therefore consider that there would not be a material impact on the amenity of the existing residents in this specific location.

5.3 Properties to the east

5.3.1 The properties to the east of the site consist of 748 Harrow Road and 1 to 15 Kilburn Lane. During the site visit it was noted that there are habitable windows located in the rear of these properties. The existing building on the eastern side of the application site consists of a long single storey building that extends from the front to the rear of the site and is sited directly adjacent to rear of the plots of the properties on Harrow Road and Kilburn Lane. This structure has a width of approximately 4 metres where it adjoins with the existing two storey building that is located in the centre of the site. The proposal would see the complete removal of the existing single storey structure currently located adjacent to the eastern site boundary and the rear of the properties on Kilburn Lane with the exception of the two storey mews buildings located on the northern side of the site. The removal of the single storey structure is due to the inclusion of the communal residential courtyard area at ground floor level. The western side of the site is proposed to be developed to incorporate a five storey residential building with habitable windows looking to the east. Your officers have therefore considered what the potential impact from overlooking and loss of privacy to the rear of the properties on Kilburn Lane. The rear of the building line of the properties of Kilburn Lane is slightly angled in a north-west to south-east direction due to the orientation of Kilburn Lane. With regard to the distance between directly facing habitable room windows SPG17 states that there should be a minimum separation of 20 metres. Your officers have applied this guidance to the proposal and specifically the relationship between the

west of the site and the existing properties to the east and found that there is a separation distance of 20 metres between habitable room windows and 19 metres between the existing windows and the edge of the proposed balcony. Your officers have also given consideration to the increased mass and scale of the development and the potential impact that this would have on the properties on Kilburn Lane. SPG17 contains clear guidance with regard to the size and scale of development in terms of its impact on habitable rooms and also private amenity space/gardens and states that the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window and where proposed development adjoins amenity space/garden areas the height should be set below a line of 45 degrees, again measured from a height of 2 metres. The applicant has submitted detailed drawings that have applied the 30 and 45 degree lines to the neighbouring properties and the new development. The two storey mews development to the rear of the site would be located directly on the rear boundary of Nos.7 and 9 Kilburn Lane and would increase the height on the boundary by 1.6 metres for a length of 8 metres. The pitch of the proposed roof would be angled away from the boundary of No.7 and 9 which can be clearly seen on drawing P2-103 which shows compliance with both the 30 and 45 degree line. Drawing P2-104 also shows that the proposed building on the western side of the site also complies with the 30 and 45 degree line. As such your officers consider that this aspect of the proposal would not materially harm the amenity of the residents of Nos.7 and 9 Kilburn Lane.

5.3.2 The siting of the two storey mews building would not be located adjacent to the rear of Nos.1, 3 and 5 Kilburn Lane and therefore would not materially harm the amenity of these residents. However your officers have given consideration to the increase in height on the western side of the site. The 30 and 45 degree lines have been applied to both Nos.3 and 5 Kilburn Lane and show that the proposed five storey building would comply. However in the case of No.1 Kilburn Lane although the increased height slightly fails the 30 degree line taken from the rear habitable room window it is not considered that this would materially harm the amenity of these residents. Louvre screens are also proposed on the walkway areas to the front doors of the flats on the 1st, 2nd and 3rd floors to prevent overlooking to the rear of the properties on Kilburn Lane.

5.3.3 No 748 Harrow Road contains a veterinary surgery at ground floor level however there is a residential unit located in the upper floors with windows on the rear elevation overlooking the application site. A small projection with a window is located approximately 1 metre from the site boundary however this window contains frosted glass and contains a bathroom so is not considered to be habitable. Adjacent to the projection and set at a right angle there is a window that serves a kitchen that is set back from the boundary by 3.4 metres that directly overlooks the application site. Your officers acknowledge that there is a clear conflict here when applying the 30 degree rule. However consideration has been given to the size and use of the kitchen in the context of the residential property. The kitchen has an area of 5.25 sqm and therefore officers consider that realistically this could not be considered as a habitable room that people are going to use other than in the preparation of food. The primary living areas of the property are contained on the eastern side of the property and overlook Harrow Road and Kilburn Lane offering outlook and access to light. The proposed development would not affect the windows of the primary living areas and as such your officers consider that there would not be a material impact on the amenity of the residents of this property due to the size and nature of the kitchen. The resident of this property has raised concerns about the potential loss of light. In response to this the applicant has conducted a daylight/sunlight assessment of the proposal in relation to the windows of this property. The results have found that eight out of the nine habitable room windows are BRE compliant with the one transgression being the kitchen window previously discussed. However the siting of the window at a right angle to the main part of the building already partially restricts access to light. With regard to sunlight as the building is orientated in a slight southerly direction it has been assessed in terms of the BRE guidelines. The results have found that the window already receives low levels of sunlight in the existing situation due to its siting.

5.4 Properties to the north

5.4.1 Your officers have also given consideration to the potential impact that the proposal could have on the amenity of the residents to the north of the site on Regent Street. The back gardens of Nos.1 and 2 Regent Street back on to the site. The existing two storey building has a height of 3.85 metres and is located directly on the shared boundary. The proposed mews building will also be located directly on the shared boundary but will have a staggered pitched roof with a height of 2.6 metres rising to 3.55 metres, and then reducing to 3

metres and increasing back up to 3.8 metres. When viewed from the rear of No.1 Regent Street there would be a slight increase in mass on the left hand side of the building with the height increasing by an average of 0.675 metres due to the pitch of the roof. However the middle of the building would actually decrease in height from 3.85 metres to 3 metres. Whilst your officers acknowledge that there would be a slight failure of the 30 degree rule when viewed from the rear of No.1 Regent Street overall there would be an average reduction in height. When viewed from the rear of No.2 Regent Street there would be an increase in height of only 0.2 metres in comparison to the existing building. The pitch of the proposed roof would also significantly reduce the massing of the centre of the existing building and be an improvement on the current situation. As such your officers consider that there would not be material harm to the amenity of either of these properties.

5.5 Environmental Health officers have assessed the proposal in terms of any potential impacts on neighbouring residents. The applicant has submitted an Air Quality Neutral Calculation and Air Quality Assessment that Environmental Health officers have assessed and are in agreement with in terms of the methodology used and conclusions. Officers have however recommended that a condition be attached to any approval requiring the boiler unit to meet or improve upon the emissions standards and technical details contained in the Air Quality Neutral Calculation and Air Quality Assessment to ensure that standards are maintained. Due to the sites historic industrial use and the age of the building to be demolished officers have recommended that an informative be attached reminding the applicant of their duties under the Control of Asbestos Regulations. In addition to this conditions concerning site investigations and remediation and verification area also recommended to ensure the safe development and secure occupancy of the site.

6. Standard of accommodation

6.1 The application proposes creating 17 units consisting of 2 x 3 beds, 9 x 2 beds and 6 x 1 beds; details of which can be found in the table below:

Unit	Type	Location	Size (sqm)	Technical Housing Standards size (sqm)	Private amenity space
A-00-01	3B5P	Ground Floor	90	86	22
B-00-01	2B4P	GF/1st	101	70	12
B-00-02	2B3P	GF/1st	104	70	15
A-01-01	2B3P	1st	67	61	11
A-01-02	1B2P	1st	55	50	5
A-01-03	1B2P	1st	55	50	5
A-01-04	2B3P	1st	65	61	6
A-02-01	2B3P	2nd	67	61	11
A-02-02	1B2P	2nd	55	50	5
A-02-03	1B2P	2nd	55	50	5
A-02-04	2B3P	2nd	65	61	6
A-03-01	2B3P	3rd	67	61	11
A-03-02	1B2P	3rd	55	50	5
A-03-03	1B2P	3rd	55	50	5
A-03-04	2B3P	3rd	65	61	6
A-04-01	2B3P	4th	68	61	7
A-04-02	3B6P	4th	109	95	48

With regard to the size of the units all of the units exceed the minimum size required as per Brent policy DMP18 and London Plan policy 3.5. Unit B-00-02 is marked as a 2B4P but could only be considered as a 2B3P due to the inclusion of a single sized bedroom. However its size at 104 sqm which significantly exceeds the minimum size required for a 2B4P unit and so could easily accommodate another double bedroom to bring it up to a 2B4P unit.

6.2 DMP policy DMP19 is the relevant policy with regard to residential amenity space and states that normally

residential development is expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats). The ground floor flat would have a combination of an enclosed terrace and terrace to the front of the property giving a total area of 22 sqm. This falls quite significantly below the required amount of 50sqm for a family sized unit at ground floor level. However your officers have given consideration to the fact that the residents will have access to the communal space at ground floor level and also to the fact that overall the proposal will remove substandard accommodation from the site in the form of the two units converted under prior approval. As previously discussed the large building in the centre of the site has been converted to two residential units under prior approval neither of which have access to any amenity space. As such your officers consider that although the proposal does not fully meet the required amount of private amenity space it would be a considerable improvement on the current substandard accommodation.

6.3 The amenity courtyard has been identified on the submitted plans as 166sqm, however this utilises a void area adjacent to the terrace of the 3B5P unit which would reduce the amount of communal space to 150 sqm. The 3B6P unit located at 4th floor level has a terrace with an area of 48 sqm which is 2 metres short of the 50 sqm required and is considered to be acceptable. The remaining flats have a mixture of 5, 6, 7 and 11 sqm balconies. When the amount of communal space is divided up between the 16 flats it would leave residents with approximately 9 sqm of space each. This would take the majority of the 2B3P units up to the required amount of 20 sqm however the 1B2P units would be left below the required amount. However officers have given consideration to the fact that the 1B2P units have approximately 5 to 6 sqm of additional internal space on top of the minimum size standard that is required. Taking this into consideration your officers consider that the combination of the balconies, communal space and additional internal space over the minimum standard required would on balance be acceptable in terms of the amount of amenity space provided.

6.4 With regard to outlook and access to natural light the units on the ground floor would be served by single aspect windows overlooking the courtyard area. Unit A-00-01 which is the 3B5P unit would have two bedrooms that overlook the rear terrace area with distances of 2.4 metres and 4 metres respectively. This is considered to be a poor level of outlook; however officers have given weight to the fact that the two bedrooms are not the primary living area, with residents likely to spend more time in the living area where there are good levels of outlook. Your officers have also given weight to the fact that site is located in a dense, urban area where the built up nature of the site and surrounding area is likely to have an impact on the levels of outlook. Officers also raised concerns with the level of outlook and access to natural light that would be afforded to the single bedrooms on the eastern side of the site, namely units A-01-04, A-02-04 and A-03-04, due to the fact that the bedrooms were served by frosted glass windows. However in response to this the applicant has revised these three bedrooms so that they now have clear glass and also provided louvre screens to ensure privacy is maintained.

7. Parking and Access

7.1 No parking spaces are proposed for either the residential or employment uses. Given the sites location within a Controlled Parking Zone (CPZ) and the PTAL level of 6a this is considered to be acceptable subject to a car free agreement to ensure that overspill parking is minimised, to be secured by condition for the building. An internal storage area has been indicated on the ground floor of the building to accommodate 28 bicycles for the flats within a double-height system, with a further small store for four bicycles shown attached to the office unit. These stores provide adequate secure and covered spaces to satisfy requirements.

7.2 Refuse storage for the flats and for the commercial unit is shown within the building at the front of the site, allowing easy collection from Harrow Road in accordance with the maximum refuse carrying distance for flats of 10m. Sliding doors are indicated, so as not to open outwards over the public highway.

7.3 Appendix 2 of the DMP requires the office to be serviced by 8m rigid Lorries, whilst the residential flats will also require occasional large deliveries of furniture or white goods. The removal of the service yard from the existing site means that there would no longer be any off-street location where service vehicles can stand clear of the highway when unloading. To address this issue, the applicant has proposed the construction of a 2.8m wide, 9.5m long loading bay within the existing footway (enlarged from the lay-by in the previously refused application 15/2653). In order to retain suitable pedestrian access along the street, the ground floor

and basement of the building are now to be set back 1.1m from the existing site boundary, allowing the footway to be widened so as to retain a 2.5m width behind the loading area. Tracking has been provided to demonstrate that the lay-by is accessible to 8m box vans, even when a bus is standing at the bus stop immediately west of the lay-by. A pedestrian survey has also been undertaken to establish the width of footway required to maintain reasonable comfort levels and this demonstrates that a 2.5m width would be sufficient to provide the maximum (A / A+) level of comfort. As such, your officers consider that the proposed design of the lay-by is acceptable in principle.

7.4 As a result of these works a lamp column will need to be re-sited to accommodate the lay-by and detailed lighting assessments will need to be undertaken to ensure street lighting is not compromised. This will be further assessed as part of any detailed highway works submission and associated Safety Audit. The surfacing treatment of the lay-by should also maintain a flush kerb with the footway to the rear, such that it still feels like part of the pedestrian footway when not being used for loading. The existing redundant crossovers will also need to be reinstated to footway as part of any footway works. Any loading bay that is created will also require existing waiting restrictions along this length of Harrow Road to be amended to allow loading to take place at appropriate times. The construction of the loading bay, adoption of the increased footway width and associated changes to the waiting restrictions will need to be undertaken through an Agreement under Sections 38 and 278 of the Highways Act 1980. These works are to be carried out at the applicant's expense and will be secured by a planning obligation within a S106 legal agreement as they are required to make the application acceptable in planning terms. The building is also proposed to oversail the widened footway at upper floor level, providing an acceptable minimum clearance of 2.7m. This will require a licence under S177 of the Highways Act 1980 and therefore your officers recommend that an informative is added to remind the applicant of this obligation and also of the need to repair any damage to the highway.

7.5 A Construction Management Plan (CMP) has been submitted for the development, broadly setting out principles for how the works will be managed over the course of the construction period. The CMP contains details of the proposed working hours which accord with standard working hours for the Borough and information regarding deliveries and loading including details of banksmen to assist vehicles and wheel wash facilities to prevent the accumulation of mud and debris on the highway.

7.6 Further consideration will need to be given to how deliveries will be managed to the site in the latter stages of development which may include footway closures and temporary loading bays and also to the proposed hoardings that will be used to secure the site. These works will need to be finalised with the Highway Authority and your officers therefore recommend an informative reminding the applicant of the need to liaise with the Highway Authority to secure the necessary licences and notices for these works. In addition to this an informative is recommended reminding the applicant that any closure of the footway to accommodate scaffolding, hoardings or a delivery bay will require licensing by Brent Council's Environment & Protection service and may also require a temporary Traffic Management Order.

8. Sustainability Assessment

8.1 London Plan policy 5.2 seeks to minimise carbon emissions through the 'Be lean, Be Clean and Be Green' energy hierarchy. All major developments submitted on or after the 1st of October 2016 are required to be Zero Carbon over the 2013 Building Regulations Target Emission Rates. In addition to this London Plan policy 5.3 requires development to achieve the highest standards of sustainable design. Brent Core Strategy policy CP19 requires all development to contribute towards achieving sustainable development and states that major proposals (10 or more dwellings and 1,000m² of floorspace) are expected to meet sustainability targets. Those for residential no longer apply following the Government's withdrawal of the Code for Sustainable Homes however the non-residential target of BREEAM Excellent is expected. The application is supported by an Energy Strategy Report and Sustainability Statement which outlines the strategy to reduce the buildings energy consumption and measures that are to be implemented to achieve the targets.

8.2 In terms of sustainability the report does not contain information on the expected BREEAM rating that the proposal will achieve. A rating of Excellent is normally sought; however the floorspace of the non-residential part of the proposal does not meet the major threshold as set out in Core Strategy policy CP19. Taken together with the residential aspect, the proposal is considered to be a major development due to the number of residential units proposed. However these are no longer triggers for sustainability targets and it would be unreasonable to use those as a means of triggering sustainability targets on non-residential floorspace that

itself does not trigger sustainability targets. Therefore no sustainability targets are required for this development.

8.3 The Energy Strategy Report proposes Be Lean measures through passive design features, the use of energy efficiency measures in order to supply energy efficiently (Be Clean), and low and zero carbon technologies (Be Green) in order to achieve the required carbon emission reductions target. Before deciding upon the aforementioned strategy a number of renewable technologies were investigated for their feasibility on site, including solar thermal collectors, solar photovoltaic panels (PV), CHP, Biomass Heating, wind turbines, Ground Source Heat Pumps and Air Source Heat Pumps. For a number of practical and feasibility reasons CHP, Biomass Heating, wind turbines, Ground Source Heat Pumps and Air Source Heat Pumps have all been discounted. However Solar PV panels could be installed to contribute to the electricity demand of the building. The strategy will achieve a 22.2% improvement in CO2 emissions over Part L 2013 through 'Be Lean, Be Clean, Be Green' measures. London Plan policy 5.2 requires residential developments to be zero carbon and that non-domestic buildings are as per building regulations requirements. Taking this into consideration the proposal would fail to achieve zero carbon however policy 5.2 does state that this shortfall can be provided through a cash in lieu contribution and will be included as part of the s106 agreement to secure the delivery of carbon dioxide savings elsewhere.

9. Conclusion

9.1 Your officers have assessed the proposed change of use and residential accommodation in terms of its planning merits and the material planning considerations set out in this report. The proposal would see the basement and ground floor converted to a combined area of 461 sqm of dedicated employment space that would have a higher chance of occupation and would contribute to improving the Borough's economic potential. Your officers have also given significant weight to the fact that the proposal would provide an additional 17 units to the Borough's housing stock and would make a more efficient use of a site that is currently being used for substandard residential accommodation. Whilst it is acknowledged that there are concerns from neighbouring residential properties the applicant has sought to work with the Local Planning Authority and had reduced the mass of the buildings since the previously refused scheme. Taking these reductions into account your officers are of the opinion that there would not be a material impact on the amenity of neighbouring residents. Taking these factors into consideration the application is recommended for approval subject to suitable conditions and a S106 agreement.

S106 DETAILS

A legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) is required to secure a number of planning obligations that are most appropriate to secure as obligations rather than as planning conditions. See 'Recommendation' section for further details.

CIL DETAILS

This application is liable to pay **£325,343.76*** 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): 707 sq. m.

Total amount of floorspace on completion (G): 2052 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	1591		1042.83382 066277	£200.00	£35.15	£253,259.64	£44,510.38
General business use	461		302.166179 337232	£40.00	£35.15	£14,676.64	£12,897.10

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 (lp)	272	
Total chargeable amount	£267,936.28	£57,407.48

*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: 16/4565

To: Planning
Rolfe Judd Planning
Old Church Court
Claylands Road
London
SW8 1NZ

I refer to your application dated 18/10/2016 proposing the following:
Demolition of the existing buildings on site and redevelopment for a mixed use development comprising two buildings of 5 storey (plus basement) and 2 storeys, to provide 17 residential (Class C3) units and 461sqm (GIA) of commercial (Class B1) floor space over ground and basement levels. Ancillary residential space is provided at ground and basement levels, and includes residents' amenity space, cycle and refuse stores, and enclosed plant. A separate commercial refuse store and cycle store are provided at ground floor level.
and accompanied by plans or documents listed here:
See condition 2
at 750 - 756 Harrow Road, London, NW10 5LE

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:

Alice Lester
Head of Planning, Transport and Licensing

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:-

Central Government Guidance

Council's Supplementary Planning Guidance/Documents 17 'Design Guide for New Development' (2002), Supplementary Planning Document – s106 Planning Obligations

Development Management Policies, London Borough of Brent (2016) – adopted 21 November 2016

- 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):

E0-100 P2

E1-100 P2

E1-101 P2

E1-110 P2

E3-101 P2

E3-102 P2

P0-001 P6

P1-099 P6

P1-100 P6

P1-101 P7

P1-102 P7

P1-103 P7

P1-104 P6

P1-105 P6

P2-101 P6

P2-102 P7

P2-103 P6

P2-104 P6

P2-105 P6

P2-106 P6

P2-107 P6

P2-108 P6

P2-109 P6

P2-110 P6

P3-101 P6

P3-102 P6

P3-103 P7

P3-104 P7

P3-111 P7

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

3	Time	Area	Maximum Noise Level
	Daytime Noise 07:00 – 23:00	Living rooms and bedroom Outdoor Amenity	35 dB LAeq (16hr) 55 dB LAeq (1hr)
	Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr) 45 dB LAmax

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

A test shall be carried out prior to the discharge of this condition to show that the required 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

- 4 Any plant together with any associated ancillary equipment shall be installed 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 5dB(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 and approved in writing by the Local Planning Authority. The plant shall thereafter be installed prior to the first use of the building to which the plant relates and maintained in accordance with the approved details for the lifetime of the Development

Reason: To protect acceptable local noise levels.

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

- cycle parking numbers as approved

Thereafter the approved parking shall be retained and used solely for the specified purposes in connection with the Development hereby approved for the lifetime of the Development and shall not be obstructed or used for any other purpose/s unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate cycle parking provision in accordance with adopted standards.

- 6 The boiler unit installed shall meet or improve upon the emissions standards and technical details described in the Air Quality Impact Assessment (RPS Air Quality Neutral Calculation JAP8476 dated 13th October 2016). Prior to the occupation of the development the applicant shall provide details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met, and shall maintain the unit thereafter in such a way as to ensure that these standards continue to be met.

Reason: To protect local air quality

- 7 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within any existing or future Controlled Parking Zone (CPZ) operating in the locality within which the development is

situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

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

- 8 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or shall meet easily accessible/adaptable standards (Building Regulations M4(2)) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable facilities for disabled users, in accordance with the London Plan policy 4.5.

- 9 Before any above ground construction work (excluding demolition) is commenced, details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

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

- 10 Before any above ground construction work (excluding demolition) is commenced a detailed scheme for the hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping works shall be fully completed prior to occupation of the building(s) or within 12 (twelve) weeks of the commencement of the next planting season. Such a scheme shall include, but is not limited to:-

(a) Details of proposed walls, fencing and other means of enclosure indicating materials and heights

(b) Details for all new tree planting across the site, with all new trees planted at a minimum girth of 12-14cm,

(c) Details of adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(d) Details of existing contours and any proposed alteration to ground levels such as earth mounding;

(e) Details of any balustrade/balcony treatment

(f) Details of areas of hard landscape works and proposed materials

(g) Details of the proposed arrangements for the maintenance of the landscape works.

(h) Details for the provision for outside seating / benches

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 positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development, 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, ensure that it enhances the visual amenity of the area and to protect trees in the immediate environment and to retain a mature tree cover around the site and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 11 Prior to the commencement of the Development, including any preparatory works or demolition works, a detailed Construction and Environmental Management Plan 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 fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: Owing to the fact the site is within an Air Quality Management Area and to safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 12 Prior to first occupation of the development hereby approved, confirmation from the Building Control body shall be submitted to the Local Planning Authority to demonstrate that the relevant building 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.

- 13 Prior to the commencement of relevant drainage works full details of a drainage strategy detailing any on and/or off site drainage works which shall include but is not limited to a scheme of drainage measures for all areas of hard surface within the development, showing those areas to be treated by means of hard landscape works to utilise a sustainable urban drainage system (SUDS) to reduce run-off rates, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development and shall be retained for the lifetime of the Development.

Reason: To ensure the development meets the requirements of London Plan Policy 5.13 Sustainable Drainage.

- 14 Any extract ventilation fan, together with any associated ducting shall be installed so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any extraction plant together with any associated ducting, shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to the Local Planning Authority in writing for approval. The extraction system shall thereafter be installed prior to the first operation of the A3 use to which the extraction system relates and maintained in accordance with the approved details for the lifetime of the Development

Reason: To safeguard the amenity of the neighbours from the transmission of noise from any future A3 use on site.

- 15 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works, 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.

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

- 16 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works on any Phase. Prior to the occupation of the development a verification report shall be submitted to and approved in writing by the Local Planning Authority, demonstrating that remediation has been carried out in accordance with the approved remediation scheme and the land within the development is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 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
- 3 Given the age of the building(s) to be demolished it is possible that asbestos may be present. Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Environmental Health Officer should be contacted.
- 4 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 5 (a) Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of any piling works in advance of such works.

(b) Thames Water advise that they will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

(c) The applicant is advised that a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
- 6 The applicant is advised to notify the Council's Highways Service of the intention to

commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.

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
Case Number

18 January, 2017

16/4054

SITE INFORMATION

RECEIVED: 16 September, 2016

WARD: Mapesbury

PLANNING AREA: Brent Connects Kilburn

LOCATION: 91D-F INC, Mora Road, London, NW2 6TB

PROPOSAL: Erection of a part two and part three storey building providing 3 self-contained flats (2 x 1bed and 1 x 3bed) with associated car and cycle parking space, bin stores, landscaping and amenity space

APPLICANT: Carfrey Developments Ltd

CONTACT: Planning Co-operative

PLAN NO'S: Received 7/11/16: MRC/02 revB; MRC/03 revB; MRC/04 revB; MRC/05 revB; MRC/06 revB; MRC/07 revB; MRC/08 revB; MRC/09 revB; MRC/10 revB; site access plan; Received 29/12/16: MRC/11 REVB; further information via email: 4/1/2016

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_130237

[When viewing this as an Hard Copy .](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/4054" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

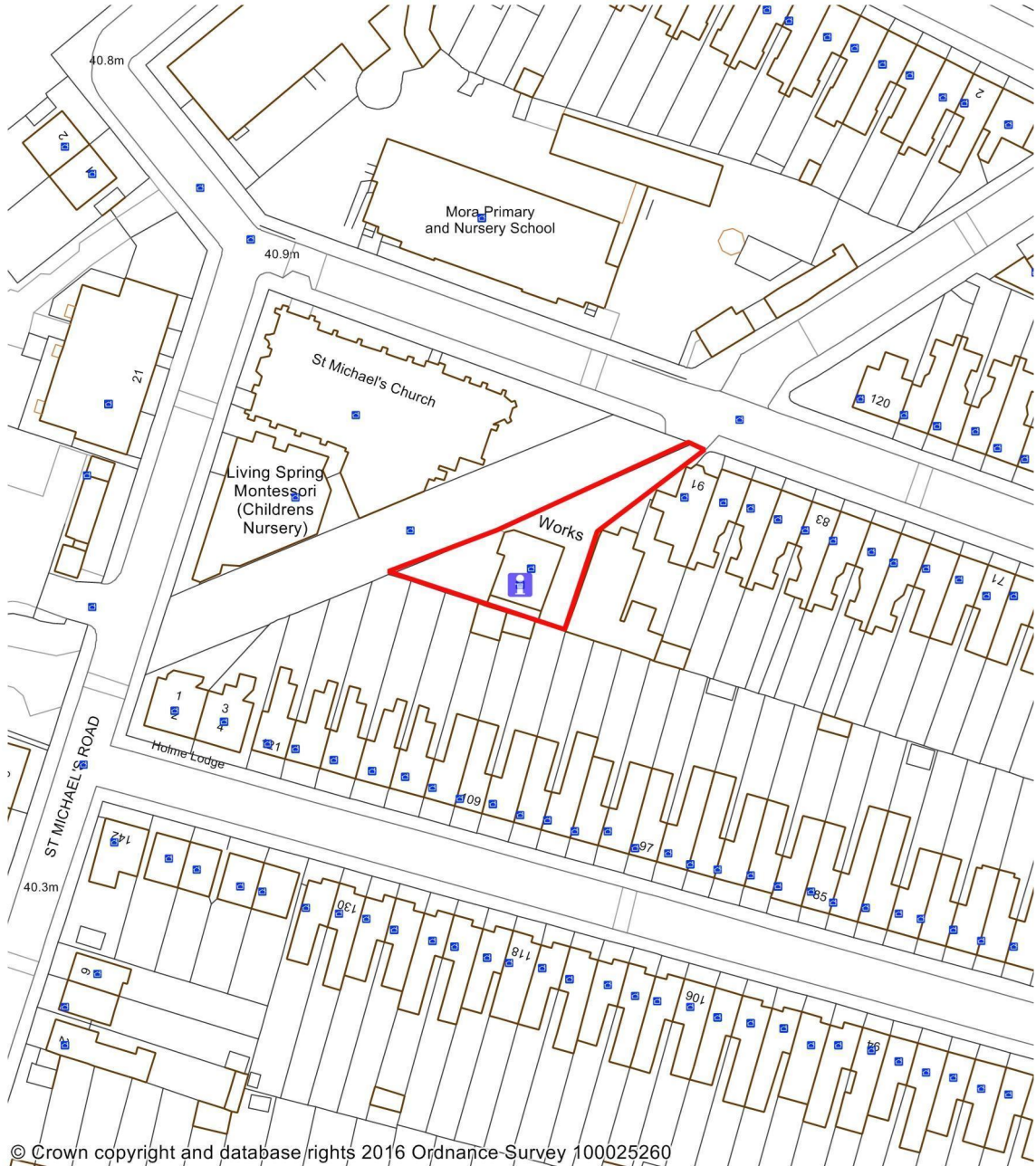
SITE MAP



Planning Committee Map

Site address: 91D-F INC, Mora Road, London, NW2 6TB

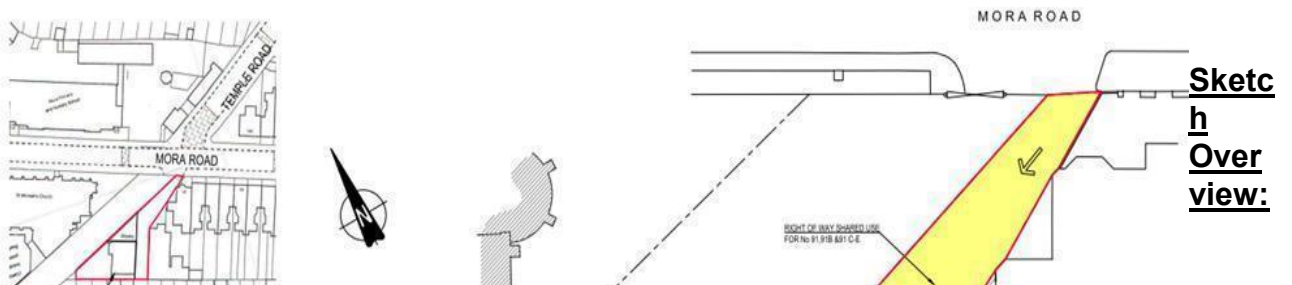
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

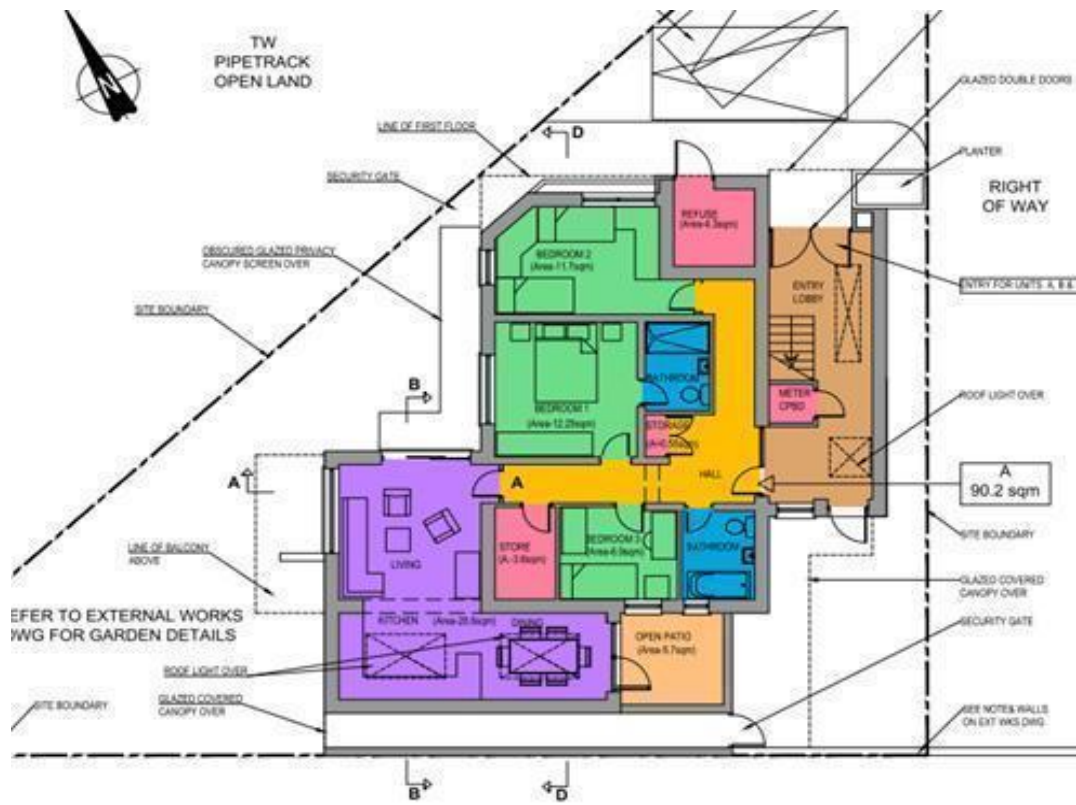
SELECTED SITE PLANS SELECTED SITE PLANS

Site Plan: .

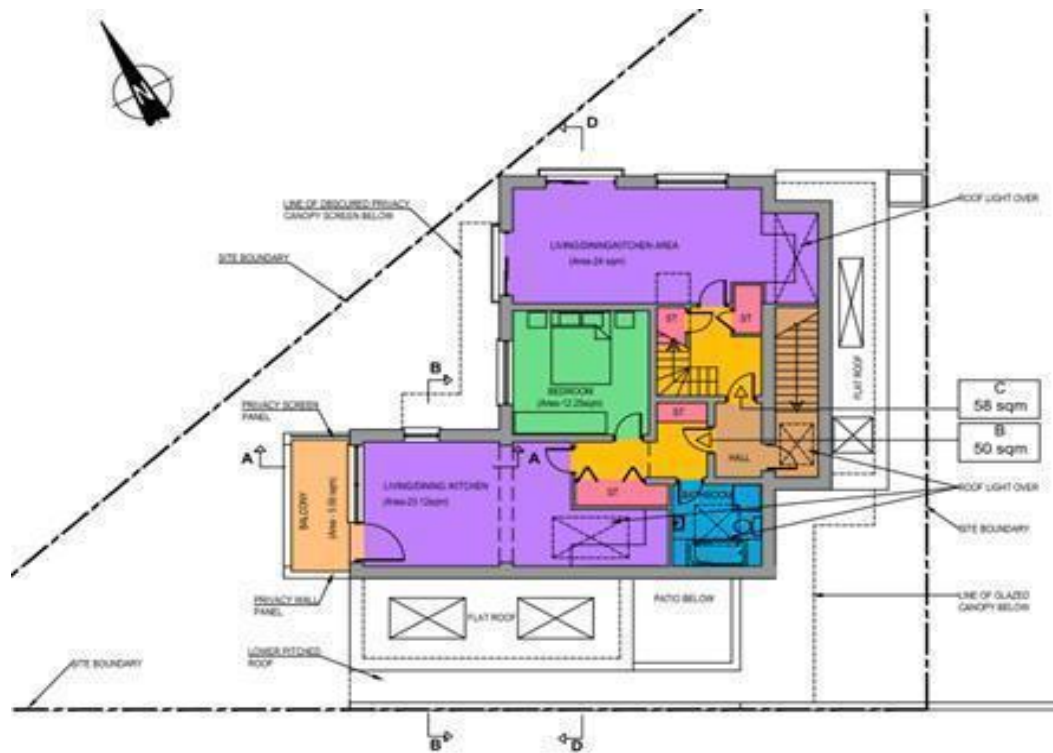


ELEVATIONS TO BE ADDED FOLLOWING REVISION

Ground Floor Plan (to be revised): .



First Floor Plan:



Second Floor Plan:

1. Time
2. Built as per the approved drawings
3. Details of all facing Materials, to include doors, fenestration, balconies and screening
4. Further details of Landscaping, Lighting and boundaries
5. Cycle parking (secure and covered)
6. Vehicular access (crossover width)
7. No right to secure residents parking permit
8. Further details of Refuse
9. Any other planning conditions considered necessary by the Head of Planning

Informatives:

1. Party Wall
2. Building near boundary
3. Repair of damaged highway at applicant's expense
4. Any other informatives considered necessary by the Head of Planning

And that the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

A) PROPOSAL

Synopsis:

Construction of a three storey building comprising 1x 3-bed flat and 2x 1-bed flat, in the land known as 91C-E Mora Road, accessed from Mora Road, with associated vehicular crossover, cycle parking spaces, bin stores, landscaping and amenity space and use of one shared car parking space.

Details:

-Ground floor three-bedroom flat with private garden ('Flat A'): 90.2m²

-1st floor 1-bedroom flat with access to shared garden ('Flat B'): 50m²

- 1st and 2nd floor flat with access to shared garden (this flat to have living/kitchen/dining area to first floor, and bedroom and bathroom to second floor). ('Flat C'): 58m²

The plans below demonstrate how the flats are to be laid out, particularly how the first floor is to be split between flats B and C:

Landscaping is to consist of a larger decked area and smaller grassed area for flat A, and a communal garden split equally between grassed space and decking for sharing for flats B and C. Trees and shrubs are to be planted.

Both flats B and C are to have their balconies overlooking the TW open land and St Michael's church.

The first floor would be set in 2.65 from the boundary adjacent to the rear gardens of Ivy Road and the second floor housing the bedroom, bathroom and balcony of Flat B is set in further, 5.4m from the southern extent facing the rear gardens of the Ivy Rd properties

An internal refuse and recycling storage area of 4m² has been included, and cycle parking to the south side of the property. One communal parking bay is allowed for on the plans.

B) EXISTING

The site is a triangular brownfield site, of area 172m². It is enclosed by a strip of Thames Water (TW) open land covering a main water main, to the north; the rear garden boundaries of nos. 117 to 109 Ivy Rd, to the south, and a shared access with 91B Mora Road to the east. The area is primarily residential, is not a conservation area, and is covered by a controlled parking zone which is in operation Monday-Saturday, 10am to 9pm.

Beyond the Thames water open land, which has a width of 12m, is St Michael's Church, a Grade II listed building. Beyond the shared access road, which is between 4m and 7m wide, is a 2-storey office building, 91B Mora Road.

The site was previously occupied by an office building, which was demolished in the last 2-3 years. At the time of writing the site is cleared and fenced ready for works to commence.

C) AMENDMENTS SINCE SUBMISSION

Since initial submission the applicants have amended aspects of design and lighting. Further amendments are agreed but to be received with respect to design (further amendment) and distribution of space to ground floor flat.

D) SUMMARY OF KEY ISSUES

- Previous use of site for commercial purposes
- Effect on setting of Grade II listed building adjacent
- Constraints of site access and size
- Impact of parking on locality

RELEVANT SITE HISTORY

04/4082: Erection of first floor extension and part single-storey and part two-storey extension to existing commercial building. Refused, 30/8/2006

07/0185: First floor extension, single storey and 2-storey side extension to non-residential building, installation of new front door and merging of existing sub-units into one office. Refused, 28/10/2008.

08/1039: Erection of first-floor extension and part 2-storey extension to existing building. Granted, 8/10/2008.

Enforcement History: E/12/0712. Under previous ownership the building on the site (now demolished) was subject to enforcement action with respect to unauthorised use as residential accommodation.

CONSULTATIONS

Initial neighbour consultation letters were dispatched on 4/10/16, to 26 neighbours and nearby residents. Three Ward Councillors were consulted.

Following objections which are summarised below, revised plans were submitted. A re-consultation was sent to 30 neighbours and nearby residents on the 7/11/2016. Following this no further comments were received on planning matters.

In addition the applicants held a public consultation meeting, on 25/10/16 from 4.30pm to 8.30pm, at the Progress Centre, Cricklewood. A summary on file sent by the agents states that 12 people attended.

The table below lists the objections received, and where they are responded to within the report.

Objection	Instances	Referred to in para.
Development will cause pressure on parking and congestion	2	5
Overlooking	5	4.2, 4.3, 4.6, 4.8

Concern that flat roofspace could be used as terraces/balconies	2	4.8
Rendered finish not in keeping /design out of character	4	2.4
Stairwell windows will cause light pollution	1	4.6
Flood lighting will cause light pollution	2	4.7
Building will spoil view from rear (of Ivy Rd property)	1	Heritage comments, & 2
Access road is not wide enough to allow fire engines in	1	Highways comments/5 .3
Drainage/ flooding concern	1	4.7
Height will cause overshadowing	3	4.4, 4.5, 4.9

Your officers have also received objections from a planning consultant relating to the ownership of the site and certification. The Applicant has submitted a Certificate B, and have provided a Notice under article 13 of the Development Management Procedure Orders (2015). Officers are satisfied that the Authority's obligation in this respect has been discharged.

Internal Consultees

Heritage Comments:

The Heritage Officer acknowledged the significance of the Church of St Michael, being in the 'Late Decorated Style', designed in 1908 by John Samuel Alder and built 1909-10. Noted are its Limestone and Bath stone and a red-tiled roof.

Comments were that the development would not be excessively bulky or high and would preserve the setting of the church, being visible only to upper floors of nearby buildings. The conclusion was that the proposal is acceptable in principle. It would have limited detrimental impact on the setting or views of the church, and that with some amendments to the details and /or materials secured by condition, the proposal meets NPPF core principles of high quality of design, good standard of amenity and conserving heritage assets.

Highways Comments:

The transport survey submitted with the application was acknowledged, however it was noted that an optimistic measure of 5m per vehicle had been employed. The PTAL level of 3 generates a requirement for the maximum 3.5 spaces, however this can be mitigated by conditioning the development as car-free, which is confirmed as enforceable.

It is confirmed that access for fire service vehicles is sufficient; however further details should be obtained for cycle parking, refuse collection and pedestrian access. Highways suggested that cycle parking for the ground floor flat could be accommodated within that property's private garden.

Policy Comments:

In view of the particular constraints of the site- small footprint, proximity to residential development, and shared access, the site could be argued to be unviable for commercial purposes. On balance the benefits of the proposed development outweigh the precepts of DMP 14 by virtue of the productive use of the vacant site, creating additional dwellings and removing the potential conflict of a commercial use in a residential area.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012):

Section 7: Requiring Good Design

The London Plan (2011):

Policy 3.5: Quality and Design of Housing Developments

Policy 5.3: Sustainable Design and Construction

Brent Core Strategy 2010:

CP5: Placemaking

CP6: Design and Density in Place Shaping

CP17- Protecting and Enhancing the Suburban Character of Brent.

CP21: A Balanced Housing Stock

Brent Development Management Plan (2016):

DMP1: Development Management General Policy

DMP9B: Onsite water management and surface water attenuation

DMP12: Parking

DMP14: Employment Sites

DMP 18: Dwelling size and residential outbuildings

DMP19: Residential Amenity Space

Supplementary Planning Guidance:

SPG17: Design Guide for New Development (2001)

Sustainable Design and Construction Supplementary Planning Guidance, GLA

Waste Planning Guidance

DETAILED CONSIDERATIONS

Key considerations

The main issues of relevance in regard to this application are:

1. Principle of the development;
2. Design, impact on street scene and locality;
3. Quality of accommodation;
4. Impacts on neighbouring amenity;
5. Refuse and storage;
6. Car parking provision, access and highway safety; and

1. Principle of development

1.1. Mora Road, Ivy Road and the surrounding area is residential in nature and as such the introduction of the proposed residential unit is acceptable in terms of the character and use.

The proposal would see the creation of three additional dwellings, one of which would be a three bedroom dwelling which would contribute towards the borough's need for family sized housing in line with policy CP21. Your officers give this element of the application significant weight.

1.2. Policy CP17 of Brent's Core Strategy seeks to prevent the infilling of plots with 'out-of-scale buildings' that do not respect the settings of existing dwellings, however this proposal is considered to be acceptable within the scale of the surrounding buildings, not all of which are residential two storey houses. Although it has been commented that the area is predominantly two storey, the Mora Rd Primary School opposite it three stories high, and the proposal would be subservient to the nearby Grade 2 listed church both in terms of height and position, being located 14m away from the church across the Thames Water open land. The

proposed building would also be beneath the ridge height of the nearby two storey office building.

1.3. Additionally, for a residential development to be acceptable on this site, Policy DMP 14 (Employment Sites) would need to be satisfied. The site is not designated Employment Land however in the past has been used as office accommodation. It is considered that the objective of DMP1 (General Policy) in supporting development in line with the NPPF, which supports a presumption in favour of sustainable development, carries greater weight than the retention of land for commercial purposes at this location. Policy Officer comments support this view.

1.4. Your officers consider that the proposal for one, three-bedroom flat and two x one-bedroom flats is acceptable, subject to further detailed assessment.

2. Design, impact on street scene and locality

2.1. The area in the vicinity of the application site is characterised mainly by earlier 20th century houses. Their design is relatively simple and they comprise a mixture of two-storey, semi-detached and terraced properties. The properties are set back from their adjacent streets with small gardens/driveways to the front and larger gardens to the rear. The topology of the site is generally level.

2.2. Your officers consider that the site under consideration offers little in terms of quality amenity space or accessibility, being a brownfield site which previously held a dilapidated commercial building, now demolished. It is a small triangle of scrubland, bordered by back gardens (20m long to nearest habitable rooms), and an existing 2-storey commercial building of minimal individuality which appears to have been built around 1950-60. There is, in your officers' view, little meaningful loss of view or outlook over this building or the scrubland which is the subject of this proposal, to the nearby residents bordering the site. In summary officers consider that the proposal would be a good use of the space and an improvement of the land.

2.4. The architectural approach of the proposed building is modern and reflects the character of the area in terms of its height, the pitched and grey roof and by the use of a red facing brick to the majority of the elevations. Some revisions have been secured through the consultation process reflecting objectors' comments and design team feedback; the replacement of rendered surfaces with brick, alignment of windows and the agreement to securing of design details by condition.

2.5 The building would not be a pastiche copy of the surrounding houses or school however would carry materials to echo those surrounding buildings. Paragraph 2.5 of DMP 1 states that modern interpretations of existing styles or architecture can add interest to a quality area, and reproduction of existing styles can be not only unnecessary but also undesirable, detracting from the original quality and 'otherness' of period architecture and preventing the authentic evolution of the character of the streetscene.

3.6. Such architectural details exist in the proposal such as the zinc mansard roofs, which will add detail to the proposal and reflect the materiality of the nearby period school building.

3. Standard of accommodation

3.1. The proposed Gross Internal Area (GIA) for the dwellings meet the London Plan floor space standards as stipulated within table 3.3 of Policy 3.5 and DMP policy DMP 18. The one-bed, two person flats provide 50m² and 58m² (50m² being the required minimum). The 3-bedroom flat provides 90m² which fulfils the requirement for a 5-person dwelling (86m²), subject to revision of the plan to increase the size of the third bedroom.

3.2. The internal layout is results in regularly shaped rooms of a reasonable. The principal orientation is towards the church, with no first and second floor windows facing the Ivy Road properties to the south. The arrangement of living and kitchen space within the properties relates well to the bedroom spaces and the orientation of the property. There is a shortfall in size for the third bedroom of the ground floor flat, however it has been confirmed that this can be revised within the envelope of that dwelling.

3.3. DMP policy DMP 19 stipulates that family housing should normally have a minimum of 50sqm of private amenity space and the proposed 3-bedroom flat provides 52m². The one-bed units have private amenity space in form of balconies that provide more than 5m² per unit. In addition shared amenity space is provided for the two 10bedroom flats; 20m² for each flat is normally sought by DMP 19 and the communal space provided for the two flats is 40m² which meets this requirement. The gardens would be clearly demarcated

with fences to ensure responsibility is clear. A landscaping plan is provided.

3.4. The existing 2m high brick wall currently bordering the site and the gardens of the Ivy Rd properties would be extended in length.

3.5. It is not considered that the new properties would be overlooked by the adjacent dwellings or vice versa, due to their orientation in relation to each other and the location of habitable room windows on the new building.

3.6. The proposed dwellings are considered to provide an acceptable standard of accommodation and amenity for future occupiers whilst complying with policy 3.5 of the London Plan and policies cited above in the Brent Development Management Plan.

4. Impact on neighbouring amenity

4.1. The building would be situated at a minimum of one metre from the boundary of neighbouring properties as shown in the proposed ground floor plan and front/rear elevations.

4.2. The rear elevations of the existing dwellinghouses on Ivy Road are located at a minimum distance of 20m from the south elevation of the proposed building. No habitable room windows are proposed above ground level on the south elevation and therefore there would be a minimal possibility of overlooking. Any risk of this from the first floor south facing side of balcony to flat 'A' on the first floor, is mitigated with the provision of a privacy panel, as indicated on the first floor plan. Further details of this will be secured by condition.

4.3. The office building, 91B Mora Road, would be 4.2m from the boundary of the proposed building. Its orientation to the proposal, being south east, and there being no windows planned to face this building in the proposal, there is not considered to be any notable risk of overshadowing or overlooking.

4.4. The rear habitable rooms of the properties on Ivy Road bordering the site face north east. No sunlight study has been prepared, however officers consider that due to the orientation and relationship of the proposed new building with those properties and the distance between them (20m), any overshadowing of sunlight would be minimal and not sufficient grounds to consider refusal.

4.5. The proposal would comply with the standard set out in section 3.2 of SPG 17 which states that where proposed developments adjoins private amenity garden areas then the height of the new building should be set below a line of 45 degrees at the garden edge. This is demonstrated in the proposed elevation drawings.

4.6. A revision to the proposal removed the full-height window facing back towards Ivy Road properties' gardens and replaced this with a skylight, reducing the risk of overlooking and light pollution.

4.7. A revision to the proposal substituted bollard lighting for the originally proposed 'flood lighting', mitigating the risk of light pollution. It is proposed by officers that further details of lighting, boundaries, drainage and cycle parking can be rolled up into one condition for submission of a revised, more detailed landscaping plan.

4.8. There is a concern from objectors that flat-roofed sections of the development could be used for air conditioning units or sitting out space. However no air conditioning is proposed and such plant would require separate planning permission prior to installation, and adequate amenity space is provided. In addition there is no access provided to flat roofed areas. Hence this objection is given no weight.

4.9. Overall, it is considered that the development would not have a significant overbearing impact, or result in overlooking, loss of light or overshadowing to neighbouring properties. The proposal would therefore maintain a satisfactory standard of environment at the adjoining properties in line with SPG17- Design Guide for New Development.

5. Parking and access

It has been highlighted by the applicants in the Design and Access statement that facilities and amenities are located within reasonable distance: primary school 90m away; local grocery store 100m away, nursery school 150m away; supermarket 670m away and gym 430m away, reducing the need for car journeys. Nonetheless there is a requirement to consider parking as the area has a moderate PTAL rating of 3, in line with DMP

12-Parking.

5.1. Mora Road and Temple Road are considered heavily parked streets under current Brent transport policy, and the area is rated PTAL3. Highways feedback indicates that the locality cannot support further parking load and that, assuming that is not possible to accommodate the required three and a half spaces by means of a space-sharing arrangement with 91B Morta Road, the development should be designated car-free and that this would be enforceable. This can be secured by condition.

5.2. With respect to Highways feedback received, further information will be requested by condition regarding waste collection arrangements, covered secure cycle parking and pedestrian access.

5.3. Highways have confirmed that the access satisfies fire emergency vehicle requirements as the flats are within 45m of Mora Road.

6. Summary

6.1. The proposed dwellings will provide additional homes within the Borough, including a family home, of a good standard in terms of the quality of the accommodation. The design of the new building is considered acceptable and is not considered to adversely impact on the amenities of surrounding properties. The proposed layout and parking provision for the site is considered acceptable.

6.2. For the reasons as outlined above, and as set out in the decision notice, approval is accordingly recommended.

CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£58,535.55*** 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): 205 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	205	0	205	£200.00	£35.15	£49,785.71	£8,749.84

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)	272	
Total chargeable amount	£49,785.71	£8,749.84

*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.

Document Imaged



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/4054

To: Mr Carroll
Planning Co-operative
30 Altenburg Avenue
West Ealing
W13 9RN

I refer to your application dated 16/09/2016 proposing the following:
Erection of a part two and part three storey building providing 3 self-contained flats (2 x 1bed and 1 x 3bed) with associated car and cycle parking space, bin stores, landscaping and amenity space and accompanied by plans or documents listed here:
Received 7/11/16: MRC/02 revB; MRC/03 revB; MRC/04 revB; MRC/05 revB; MRC/06 revB; MRC/07 revB; MRC/08 revB; MRC/09 revB; MRC/10 revB; site access plan; Received 29/12/16: MRC/11 REVB; further information via email: 4/1/2016

at 91D-F INC, Mora Road, London, NW2 6TB

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:

Alice Lester

Alice Lester
Head of Planning, Transport and Licensing

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 the Development Plan

- 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. No pre-application discussions were entered into, however further information was requested to inform the decision. As the scheme was clearly within Council planning policy, no further discussions were required. The local planning authority delivered the decision in a timely manner.

- 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):

Received 7/11/16: MRC/02 revB; MRC/03 revB; MRC/04 revB; MRC/05 revB; MRC/06 revB; MRC/07 revB; MRC/08 revB; MRC/09 revB; MRC/10 revB; site access plan; Received 29/12/16: MRC/11 REVB; further information via email: 4/1/2016

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

- 3 Details of a landscaping scheme to include soft landscape planting, boundary details and lighting to be submitted to and approved in writing by the Local Planning Authority, and the landscape work to be completed during the first available planting season following completion of the development hereby approved. 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 in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development, ensure appropriate lighting, 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.

- 4 No part of the development shall be occupied until the proposed access has been constructed in accordance with the details hereby approved at a width not exceeding 3m.

Reason: In the interests of the parking amenities of the locality and the free flow of traffic and general conditions of the highway safety on the neighbouring highway, in support of Policy DMP 11, Forming Access onto a Road.

- 5 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 any existing or future 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.

- 6 Details of materials for all external work, to include all facing materials, doors, fenestration, balconies and privacy screening, shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of works above ground level. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development and quality of design, thus preserving the visual amenity of the locality, in accordance with Brent Development Management Policy 1.

- 7 Further details of four covered and secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved and the works shall be carried out in accordance with the approved details prior to occupation and shall be retained as such for the lifetime of the development.

Reason: To ensure satisfactory facilities for cyclists as required by the London Plan.

- 8 Details of adequate arrangements for the storage and disposal of refuse, food waste, paper and cardboard waste and recyclable material shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to occupation of the dwellings hereby approved, and shall be retained as such for the lifetime of the development.

Reason: To ensure adequate facilities and suitable collection arrangements thus ensuring that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

INFORMATIVES

- 1 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 2 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
- 3 The repair of the highway to include reinstatement of the public footpath shall be carried out by the Council as the Local Highway Authority at the applicant's expense. Such application should be made to the Council Highway Consultancy. The grant of planning permission, whether by the Local Planning Authority or on appeal does not indicate that consent will be given under the Highways Act.

Any person wishing to inspect the above papers should contact Michele Katzler, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 January, 2017

16/3377

SITE INFORMATION

RECEIVED: 1 August, 2016

WARD: Kenton

PLANNING AREA: Brent Connects Kingsbury & Kenton

LOCATION: Roseland Care Home, 57 Draycott Avenue, Harrow, HA3 0BL

PROPOSAL: Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping (Revised proposed plans to show adjustment of building location and revised forecourt plans).

APPLICANT: Mr Sumaria

CONTACT: DB PLANNERS

PLAN NO'S: See Condition 2

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_129507

[When viewing this as an Hard Copy .](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/3377" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

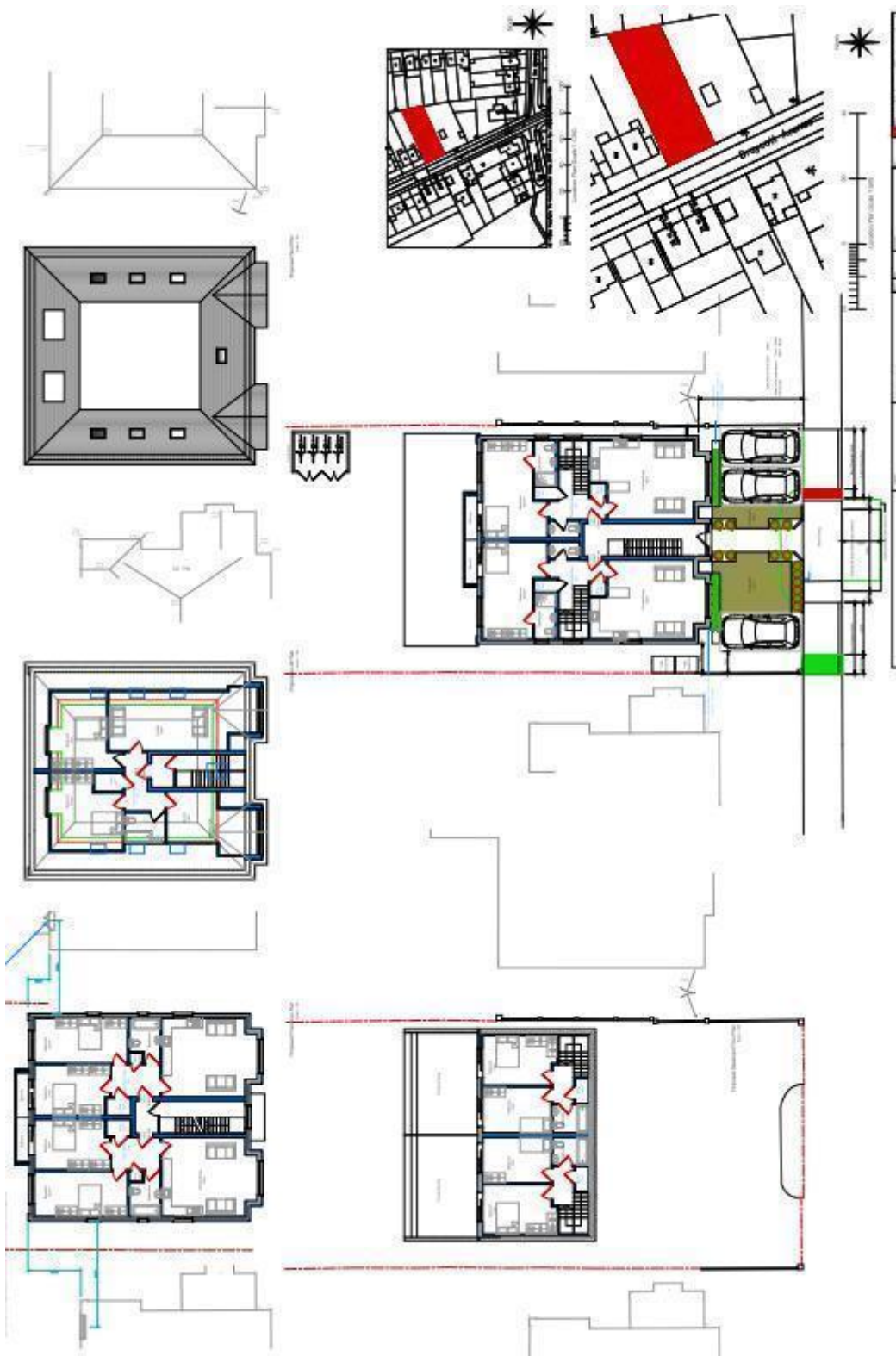
Site address: Roseland Care Home, 57 Draycott Avenue, Harrow, HA3 0BL

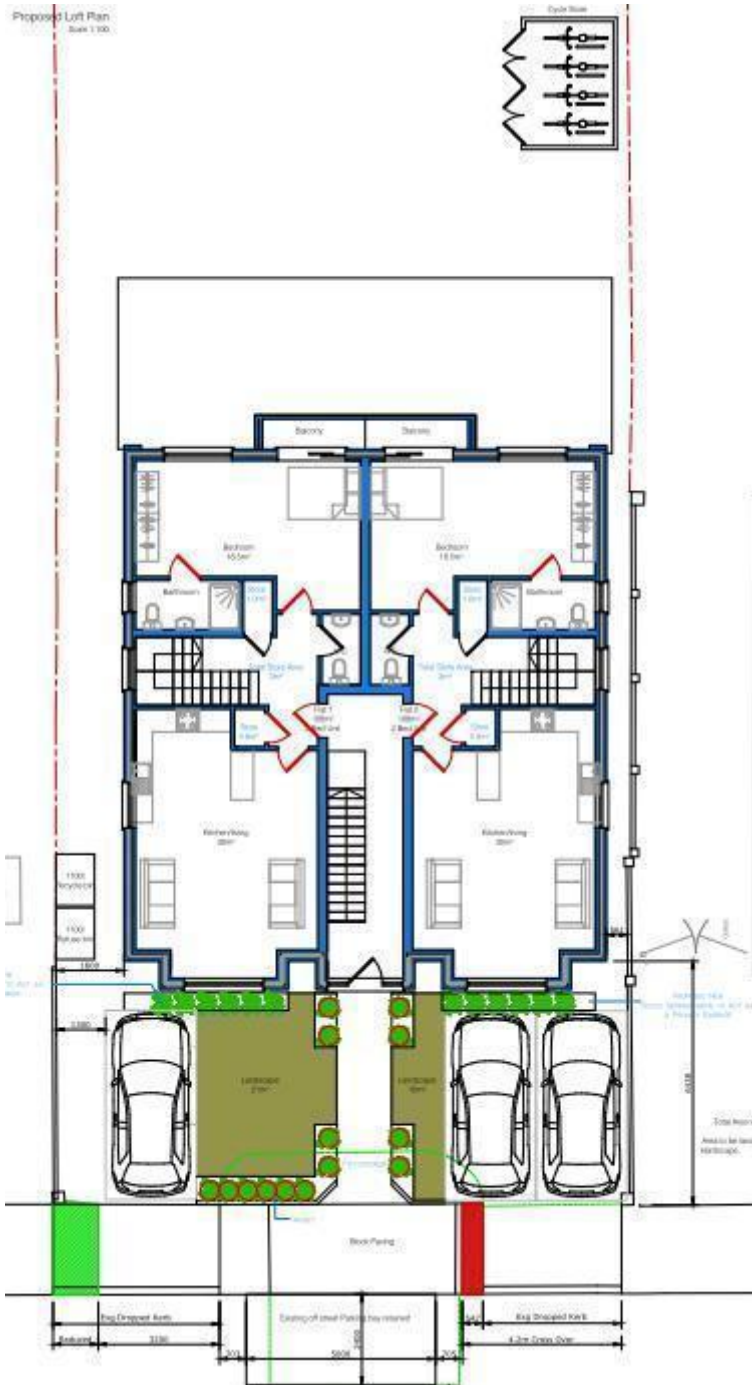
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This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS





RECOMMENDATIONS

That the Committee resolve to GRANT planning permission and that the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time Limit (3 Years)
2. Approved drawings / documents
3. Materials
4. Construction Method Statement
5. Parking laid out and retained for residents use

6. Landscaping implemented and retained
7. Windows to side elevations glazed in obscure glass and retained

Informatives

1. Party Wall
2. Noise on site
3. Use of Asbestos and Council Policy
4. Asbestos Removal & use of Licensed Contractor

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

A) PROPOSAL

Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed flats and 3 x 2 bed flats) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping.

B) EXISTING

Two-storey detached property on the eastern side of Draycott Avenue. Its lawful use is as a residential care home, however it is understood that the premises are no longer in use for this purpose and that the property is currently in multiple occupation. There is a carriage driveway arrangement and the frontage is fully hardsurfaced for parking. Surrounding uses are residential. This is not within a Conservation Area, nor is it a listed building.

C) AMENDMENTS SINCE SUBMISSION

Amended plans were received on 22 December 2016 showing three off-street parking spaces and associated landscaping

D) SUMMARY OF KEY ISSUES

1. Whether the proposed development is acceptable in principle given the surrounding uses and character including the loss of care home facility
2. Whether the proposed development provides a suitable standard of accommodation for future occupiers and appropriate housing mix
3. Whether the proposed development integrates well into the street in terms of design, scale and massing and is of good design quality
4. Whether the proposed development incurs unduly detrimental impacts on the amenities of neighbouring occupiers
5. Whether the proposed development can be supported in terms of its impact on the parking and flow of traffic on Draycott Avenue and surrounding roads

- Second and upper storey flats would be visually intrusive to the rear garden at 30 Greystone Gardens.

Northwick Park Residents Association

- The proposal is out of scale and not in keeping with the area;
- Overdevelopment of the site;
- The mass, bulk and proximity to the rear properties would result in an overbearing and intrusive element;
- The Inspectors decision in terms of parking is contrary to what exists and the area is heavily congested;
- Kenton suffering from a large rise in population density.

Councillor Objections

- Heavily congested roads hence why action is being taken with the Transportation Service to have double yellow lines painted on one side of the road. Recommends that the application decision is rejected for at least 6 months whilst traffic calming measures are implemented.
- Out of character with the area.

Brent Council Consultees

Environmental Health

- The development is located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A condition requiring a Construction Method Statement is therefore recommended to be imposed to any approval.

Transportation

- No transportation objections subject to conditions requiring the submission and approval of a revised site layout showing four off-street spaces at a 90 degree angle to the highway accessed via the existing crossovers on either side of the site frontage; and confirmation from the applicant that the existing on-street disabled bay can be removed.

All the above objections have been addressed in the next section.

POLICY CONSIDERATIONS

National Planning Policy Framework/National Planning Practice Guidance

London Plan 2011/ Mayors Housing SPG 2012

Policy 3.5 (table 3.3)

Brent Core Strategy 2010

CP17 Suburban Character

CP21 A Balanced Housing Stock

Brent Development Management Policies 2016

DMP1 Development Management General Policy

DMP12 Parking

DMP16 Resisting Housing Loss

DMP18 Dwelling size and residential outbuildings

DMP19 Residential Amenity Space

DMP20 Accommodation with shared facilities or additional support

**Supplementary Planning Guidance 17:- Design Guide For New Development
Supplementary Planning Guidance 5 Altering and extending your home.**

Domestic Vehicle Footway Crossover Policy 2008

DETAILED CONSIDERATIONS

1. Context

1.1 A similar proposal was submitted and refused on 29th September 2015 (Application ref: 15/2607) and

subsequently dismissed at appeal (APP/T5150/W/15/3137379). The proposal comprised the demolition of the former care home (subject property) to provide a two storey building with a converted loft space and basement level to provide 7 self-contained flats with associated car and cycle parking spaces, bin stores and landscaping. The initial reasons for refusal were as follows:

1.2 This proposal will result in a significant increase in parking standards that cannot be accommodated within the site and will therefore result in additional demand for overspill on street parking, which cannot be accommodated along the site frontage, and the overspill parking that will follow will be to the detriment of free and safe flow of traffic and pedestrians along an already heavily trafficked route. Furthermore the proposed vehicle access widening will result in illegal crossing of the footway, this, and the absence of sufficient soft landscaping to the site frontage are both contrary to Brent's Domestic Vehicle Footway Crossover Policy (2008), Policies BE7, TRN24 and TRN27 and standard PS14 of the adopted UDP 2004.

1.3 The proposed building by virtue of its scale and massing (as viewed from the rear), lack of articulation of this rear facade and crown roof design would result in an overbearing building which fails to pay appropriate regard to the scale and massing of development in the surrounding area. Furthermore, the building frontage is overly dominated by hard landscaping, access and parking and fails to make an appropriate contribution to the streetscene. This represents a poor design that would be harmful to the visual amenities of the area and is contrary to policies BE2, BE7 and BE9 of Brent's adopted Unitary Development Plan 2004, Core Strategy (2010) policy CP17 and the guidance as outlined in SPG17 "Design Guide for New Development".

1.4 The proposed loft floor flats, by reason of their reliance on rooflights for the provision of outlook and the size and height of those rooflights, fails to provide adequate levels of outlook for future residents and as such, represents a poor standard of residential accommodation. This is contrary to Policy BE9 of the Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 1

1.5 However, the inspector took a slightly different stance and concluded:

"Whilst I have concluded that the appeal proposal would not cause harm to highway safety, this would not outweigh the harm I have found to the character and appearance of the area and the living conditions of future occupiers."

2. Principle of use & loss of care home

2.1 Core Strategy policy CP21 and Development Management Policy DMP17 and 18 seek to maintain a balanced housing stock in the Borough by protecting existing accommodation that meets a known Borough need. The Borough has a need for a wide range of accommodation sizes and types which has been satisfactorily addressed in the past. Maintaining and providing a balanced housing stock is a key Core Strategy housing objective. Development Management Policy DMP20 allows for the loss of such accommodation where it has either been demonstrated that residents needs can be better met by other existing accommodation or unsatisfactory accommodation cannot be improved to achieve current standards.

2.2 Brent Adult Social Care (Commissioning & Quality) had been consulted during the previous application (15/2607) on the key issue concerning loss of a residential care home. In response they advised that the Council's position is one where it is working to develop alternatives to residential care and this particular care home was not large enough to meet the complex needs of customers in a cost efficient way. As such they raised no objections to the closure of the care home.

2.3 The site is not currently in use as a residential care home, it is believed to be used for multiple occupancy though there is no permission in place for this. It is stated that the former 9 bedroom care home ceased operating as a small scale care home as it was no longer financially viable. It is understood that the care home use ceased around November 2014.

2.4 It is considered the information supplied from Brent Adult Social Care (Commissioning & Quality) is sufficient evidence to warrant the loss of the care home, which in any case is no longer in use for this purpose. Furthermore, proposals for residential use of the site will make efficient use of previously development brownfield land, in what is a sustainable location. This is consistent with the aims of the National Planning Policy Framework (NPPF) and the Council's Development Management Policies. Accordingly, there is no objection in principle to the residential development subject to all material planning considerations.

3 Design and Scale

3.1 The existing building is a 2 storey detached property with extensions to the rear. The scheme proposes a

building which is narrower than the existing footprint on site by 1.4m. This allows for a set in on both sides. At ground floor the property would be infilled at both sides to the rear and also to the front to form a more consistent frontage as opposed to the stepped approach the property currently takes. This forms two symmetrical front gables. At first floor, the proposal seeks to create first floor extensions which would follow through the same footprint as the ground floor.

3.2 Following amendments and a re-consultation commencing 11 November, the building was moved further east to minimise the impact of first floor rear extensions on neighbouring properties. Whilst SPG5 is not directly relevant in this case it provides a useful guide for assessing such relationships and the proposal accords with this guidance. A 1.7m set in from No. 55 is proposed which results in a 6.4m distance between the edge of the extension and nearest habitable room. This allows for the 3.2m depth proposed. On the other side the first floor rear element only protrudes 1.3m which is within the allowable limits. It is therefore considered that in complying with this policy, there would be no detrimental impact to the neighbouring occupiers either side as a result of the first floor extensions.

3.3 Whilst the proposed building comprises four storeys, when viewed from Draycott Avenue it has the appearance of a two-storey building with accommodation in the roof, this is similar to the approved scheme next door at Mulberry Court (App. Ref: 08/2267). Contrary to the previous scheme, this proposal also appears as two storey with roof accommodation to the rear more in keeping with the character of the area due to the construction of the basement level.

3.4 As was considered within the Inspectors report in the previous appeal decision, the basement level which is shown within the Section Drawing indicates sufficient screening via the retaining wall to the existing garden, as well as boundary fencing so that the views of the basement of the building from neighbouring properties would be limited. This would minimise the impact of this level of the building on the character and appearance of the area.

3.5 The inspector on commenting on the previous design stated that overall the footprint, massing, scale and proposed crown roof was deemed acceptable. It is also noted that its scale and massing is similar to the neighbouring flats at Mulberry Court and would therefore sit comfortably in the context of the adjacent properties, particularly when considering the increased set in from the boundary of No.55. In light of the general street scene, the design particularly at the frontage would mirror that of the neighbouring flats at Mulberry Court. The inspector did however raise concerns in relation to the use of materials and finish detailing of the building fearing that the previous proposal would look uninteresting compared to the rear façade at Mulberry Court and its use of balconies. As such, this design adds more reflective detailing which include rear balconies and two cottage dormers on the roof, which are subservient to the roof plane and host dwelling.

3.6 The frontage now has additional glazing in the roof for the provision of outlook and mirrors the neighbouring property at Mulberry Court. This has also helped to overcome the lack of outlook for the bedrooms within the loft level. The number and location of rooflights is also acceptable.

3.7 The architectural approach of the building to the front is therefore considered to be in keeping with the streetscene. The front elevation is very much in keeping with the approach at the neighbouring Mulberry Court. Furthermore, over 30% landscaping has been proposed to create an enhanced frontage. This is in line with Development Management Policy DMP1 which seeks development which improves and complements the locality.

3.8 A landscaping scheme detailing the proposed front forecourt planting has been submitted as part of the proposal. More than 30% landscaping has been provided which is acceptable and provides a welcomed improvement from the fully hard landscaped frontage which currently exists.

4 Housing mix

4.1 Five flats are proposed, this is broken down as 2 x 3 bedroom and 3 x 2 bedroom flats.

4.2 The housing offer does include 2 family sized units (defined by the Core Strategy policy as 3 bedrooms or more). This meets the needs of the borough and is therefore acceptable in policy terms.

5 Quality of accommodation

Ground and Basement Level (Flats 1 & 2)

Flat 1 (5 person, 3 bedroom): 112 sqm; 2 x double rooms + 1 x single room.

Flat 2 (5 person, 3 bedroom): 112 sqm 2 x double rooms + 1 x single room.

First Floor accommodation

Flat 3 (3 person 2 bedroom flat): 73 sqm: 1 x double room + 1 x single room.

Flat 4 (3 person 2 bedroom flat): 73 sqm: 1 x double room + 1 x single room.

Loft accommodation

Flat 5 (3 person 2 bedroom flat): 70 sqm: 1 x double room + 1 x single room

5.1 These would all have primary front or rear facing windows, fixed obscurely glazed side facing windows. There will also be a shared and private sunken courtyard with 3.5m deep light wells (serving flats 1 & 2) on the ground floor flat which also has one allocated parking space for each flat. The first floor flats also benefit from rear facing balconies. The loft flat will have rooflights across the flank elevations, one front rooflight and two rear dormers which would provide sufficient outlook and sunlight in the habitable rooms for the occupiers. The section plans demonstrate that internal headroom of 2.3m is achieved at all levels which satisfies SPG17.

5.2 The above standards comply with the London Plan residential unit sizes, as set out in table 3.3 and are therefore acceptable. Furthermore, the proposed refuse storage and 6 cycle stores in a secure store comply with the London Plan cycle standards.

5.3 At basement level there is a sunken courtyard to provide sufficient private amenity for the ground floor flat. The first floor benefits from private balconies and also shared garden space with the loft flats. The proposed amenity space amounts to over 20 sqm per flat as required by SPG17.

5.4 The development to the rear would introduce a large number of rear facing habitable windows, these are located more than 10m from the rear site boundaries and more than 20m from facing windows on Greystone Gardens. This satisfies SPG17. No primary, habitable flank wall windows are proposed.

5.5 There are secondary flank wall windows at ground and first floor to serve the kitchens, however these will not compromise the amenity of neighbouring occupiers. Neither No.55 Draycott Avenue or Mulberry Court contain any habitable flank wall windows, therefore no direct overlooking or loss of privacy would follow.

5.6 Correct stacking in terms of accommodation layout has been achieved throughout all floors of the building.

6 Highways and Transportation

6.1 The site has two crossovers forming a carriage drive and accommodating approx. 3/4 off street parking spaces. The south-eastern crossover is 3.4m wide and the north-western crossover is 4.2m wide. There is a disabled bay, on street, between the crossovers and along the site frontage. The front garden has no soft landscaping at present.

6.2 The proposal is to provide three off street parking spaces accessed via the two crossovers. The position of the northern space is not at the edge of the boundary and therefore does not comply with Brent's Crossover Policy, whilst also reducing on-street parking. Transportation have requested that the crossovers are retained as they are at the edge of the boundary wall to serve two spaces on either side of the frontage at a 90 degree angle to the highway. Some soft landscaping can be provided in the middle of the front garden between the two access points. As a result of this the on-street disabled bay along the site frontage is no longer required. This would provide a further on-street parking bay for residents or visitors and transportation have requested that confirmation is provided that the disabled bay is no longer required in order for it to be removed.

6.3 The existing care home is permitted 1 car space per 10 bedrooms and 1 space per 5 employees under standard DMP Appendix 1 Parking Standards. The number of former employees is unknown however, we can assume approx. 5 employees and therefore a total of 2 spaces would be permitted for the former use.

6.4 The proposed new residential dwellings will have a parking allowance of 1.2 spaces each for the 2 bedroom flats and 1.6 spaces each for the 3-bedroom flats under parking standards set out within Appendix 1 of the Development Management Policies. This totals 6.8 parking spaces for the proposed new flats and this would be a significant increase in parking requirements.

6.5 A parking survey submitted by the applicant follows the Lambeth methodology whereby bays are 5m in

length. However, this is considered overly optimistic and a general length of 6m is required to allow average sized vehicles to manoeuvre in and out of spaces parallel to the highway. Using a 6m length, the survey found that Draycott Avenue north, which is closest to the site, had a 60% occupancy overnight and Draycott Avenue south of the site had a 76% occupancy. This demonstrates that the street is not heavily parked overnight and this accords with the Council's own survey findings undertaken in 2013. The survey details for the small section of The Ridgeway found that it was heavily occupied with 130% occupancy overnight.

6.6 Under the new DMP policies, the proposed 5 dwellings are within a high PTAL and therefore have reduced parking allowance, permitting 4.6 spaces. Therefore the three off street spaces, approved in drawing number DA57-2003 along with the removal of the disabled bay to provide a fourth space on street, do satisfy standards. The parking survey does ease any concerns of overspill parking due to the fact that the surrounding sections of Draycott Avenue are not heavily parked.

6.7 The resultant provision of four off-street parking spaces plus one on-street parking space along the site frontage will satisfy 75% of the parking standard and keep overspill parking to a manageable level so that it does not encroach across neighbouring frontages.

6.8 Amended plans were received on 22 December 2016 showing three off-street parking spaces and associated landscaping these were considered acceptable (Drawing DA57-2003). As a result the following changes to the proposal were made:

- Increase dropped kerb to 4.2m max to accommodate two adjacent off-street parking spaces;
- Reduce existing dropped kerb to 3.2m max. width to accommodate a single off-street parking space at the front.
- More than 30% soft landscaping proposed; and
- Existing disabled bay to the front is removed to create the additional off-street parking space.

6.9 It should also be noted that in the earlier appeal the Planning Inspector commented that there was very little on street parking during the time of her visit in the day however, the street is not listed as heavily parked and therefore night time occupancy is low. Therefore the inspector concluded that the proposal would not cause harm to the highway safety in the area.

6.10 The site is also well served by Public Transport, PTAL 4, with access to 6 different bus routes and a rail and tube stations within walking distance.

6.11 Cycle storage has been proposed within the rear garden for 6 bicycles in a secure store to comply with DMP12.

7. Impact to Residential Amenity

7.1 All flank elevation windows are proposed to be obscurely glazed and therefore there are no concerns in relation to the of loss of privacy for neighbouring properties.

7.2 The degree to which the proposed building will project beyond the rear of neighbouring properties is in accordance with DMP1 and therefore is not considered to be overbearing or result in unacceptable loss of light or outlook to these properties.

7.3 The impact of the proposed use is not considered to be unacceptable in terms of its scale when judged against the former care home use, and in the context of an 8 unit scheme directly next door.

7.4 Refuse storage has been shown on the proposed drawings.

8 Summary

8.1 Based on the reduced scale of the scheme and taking into account the previous decision by the Planning Inspectorate along with the introduction of the Council's new DMP policies the proposal is considered to comply with planning policy and it is therefore recommended for Approval subject to appropriate conditions.

CIL DETAILS

This application is liable to pay £43,242.40* 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 289sq. m.

Total amount of floorspace on completion (G): 441sq. 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
C3	441	289	152	200	£35.15	£36,778.57	£6,463.83

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	36,778.57	6,463.83

*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.



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 16/3377

To: Patel
DB PLANNERS
2 The Oaks Juniper Road
Cove
Farnborough
GU14 9XU

I refer to your application dated 31/07/2016 proposing the following:
Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping (Revised proposed plans to show adjustment of building location and revised forecourt plans).
and accompanied by plans or documents listed here:
See Condition 2
at Roseland Care Home, 57 Draycott Avenue, Harrow, HA3 0BL

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:

Alice Lester
Head of Planning, Transport and Licensing

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 Development Management Policies 2016
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

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

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

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

\$DA57-2003 (Received 30/12/2016)
DA57-2004 (Received 11/11/2016)
DA57- 2005 (Received 11/11/2016)
DA57-2006 (Received 11/11/2016)

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

- 3 Prior to the occupation of the flat development the parking space/s shall be completed in accordance with the approved plans and maintained as such and used solely for purposes ancillary to the flats for the lifetime of the development.

Reason: in the interest of highway and pedestrian safety.

- 4 The landscape works, planting and other front forecourt works shown on the approved plans shall be carried out prior to the occupation of any part of the development;

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 appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the area.

- 5 The windows on the side faces of the development shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

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

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

- 7 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development must be carried out in accordance with the approved Construction Method Statement.

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

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 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
- 3 Attention is drawn to S.S. 60 & 61 of the Control of Pollution Act 1974 and to the association British Standard Code of Practice B.S.5228: 1984 which set down statutory requirements for the control of noise during construction and demolition works. The Contractor should also be made aware of the requirements of the Clean Air Act 1956 and 1968 and the Control of Pollution Act regarding the prohibition of site bonfires. Council's Chief Environmental Health Officer can provide advice and assistance in this regard.
- 4 Although no provision exists within the Building Regulations to prohibit the use of materials containing asbestos, it is the policy of this Council to discourage such use where alternative materials are available that would equally satisfy the requirements of these Regulations.
- 5 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.

Any person wishing to inspect the above papers should contact Selina Hotwani, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5283

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COMMITTEE REPORT

Planning Committee on 18 January, 2017
Item No 07
Case Number 16/4273

SITE INFORMATION

RECEIVED: 3 October, 2016

WARD: Sudbury

PLANNING AREA: Sudbury Town Neighbourhood Forum

LOCATION: 30 Beaumont Avenue, Wembley, HA0 3BZ

PROPOSAL: Demolition of existing three-bedroom bungalow and erection of 2-storey building comprising 2 x 3 bedroom semi-detached dwelling houses, with new vehicular access, provision of 2 off street car parking spaces. bin stores, landscaping and amenity space

APPLICANT: Mr Fallen

CONTACT: Homes Design Ltd

PLAN NO'S: See condition 2.

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_130472

[When viewing this as an Hard Copy](#) .

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/4273" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

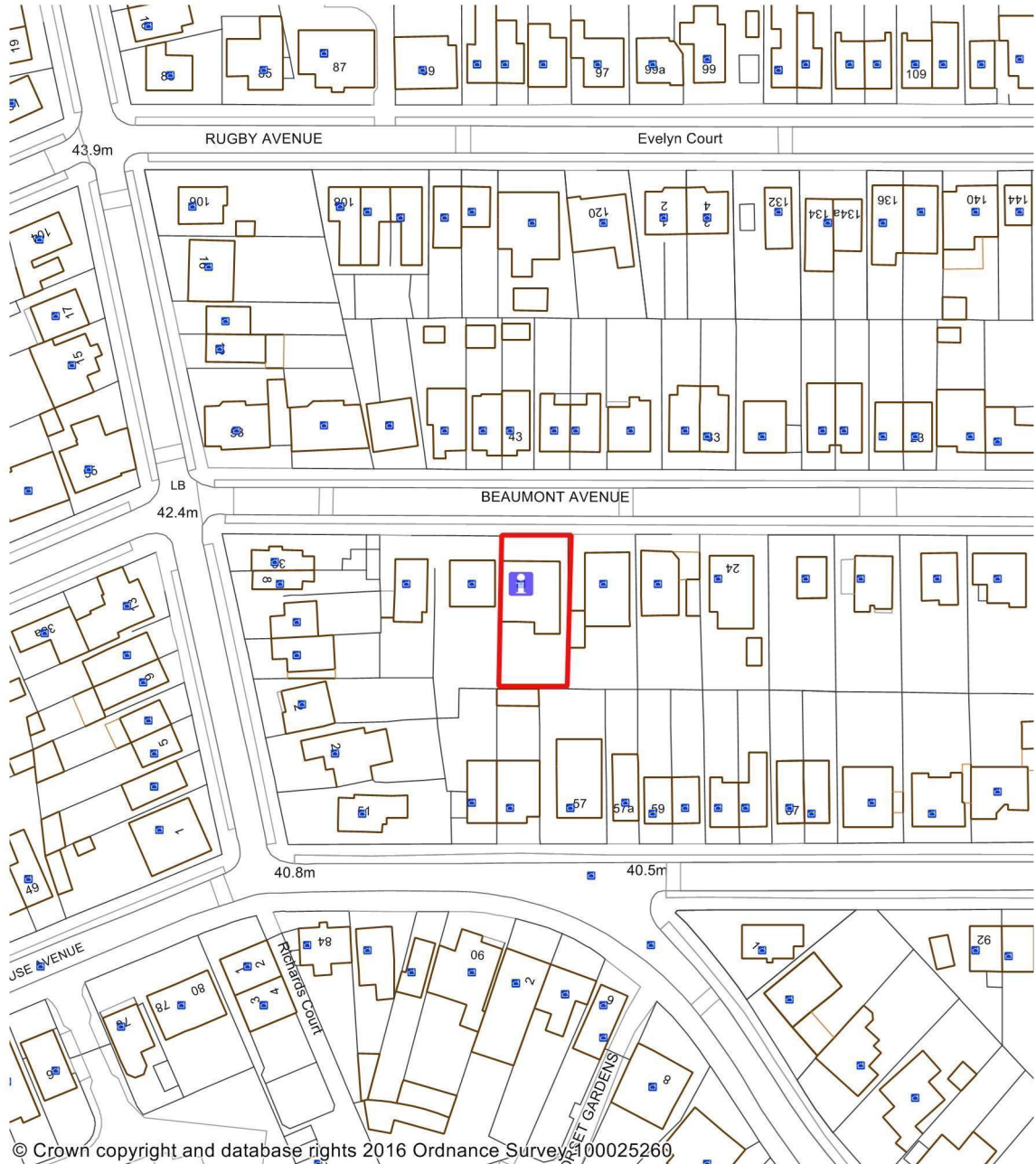
SITE MAP



Planning Committee Map

Site address: 30 Beaumont Avenue, Wembley, HA0 3BZ

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This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

EXISTING GROUND FLOOR PLAN

EXISTING ROOF PLAN

		40 WISE LANE MILL HILL LONDON NW7 2RE
		MOB: 07946872537
		info@homedesignltd.co.uk www.homedesignltd.co.uk
title: EXISTING SINGLE DWELLING PLANS AND STREET SCENE ELEVATIONS		
project: 30 BEAUMONT AVENUE - HA0 3BZ		
drawing no: HD979/1000		
drawn by: R. L.	contract no. HD979	
scale: 1:100 @ A3	date: 09/2016	

SCALE
0 1m 2m 3m

EXISTING FRONT ELEVATION FROM STREET

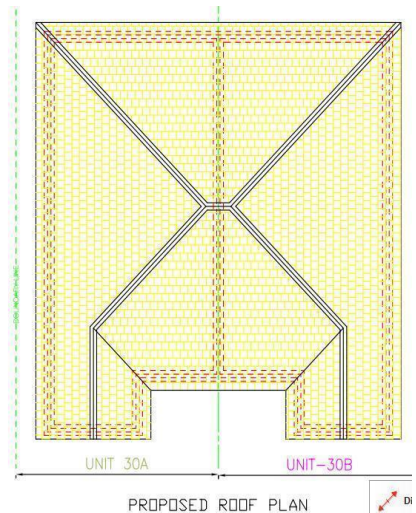
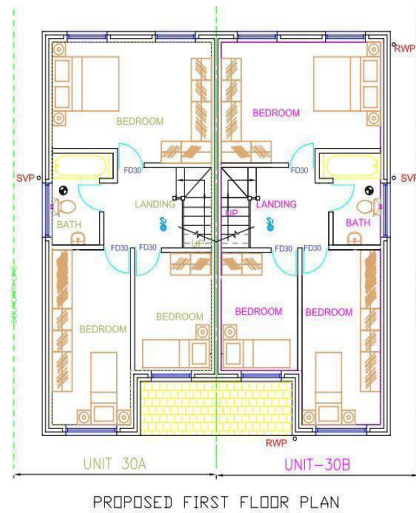
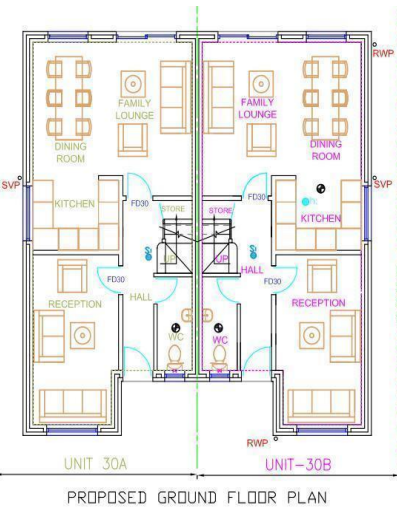
No. 26 No. 28 No. 30 No. 32

EXISTING FRONT ELEVATION

EXISTING SIDE ELEVATION

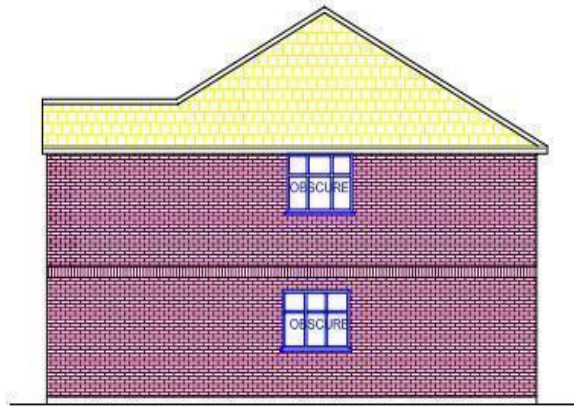
EXISTING REAR ELEVATION

EXISTING SIDE ELEVATION





PROPOSED FRONT ELEVATION



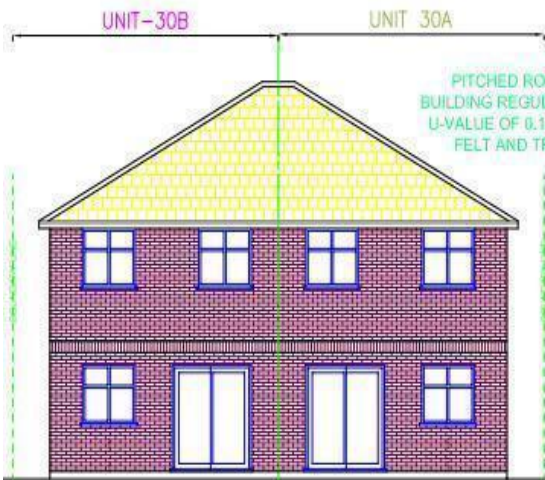
PROPOSED SIDE ELEVATION

THE PROPOSED SCHEME TO CARRY DEMOLITION OF EXISTING DETACHED BUNGALOW AND ERECTION OF 2-SEMI-DETACHED SINGLE DWELLING HOUSES WAS APPROVED IN 2007 UNDER PLANNING REFERENCE: 07/2080, WHICH THE WORKS WERE NEVER CARRIED OUT AND THE PROPOSED DEVELOPMENT WILL BE FOR IDENTICAL SCHEME TO PROVIDE 2-FAMILY HOUSES WITH ASSOCIATED DRIVE AND ACCESS CURB

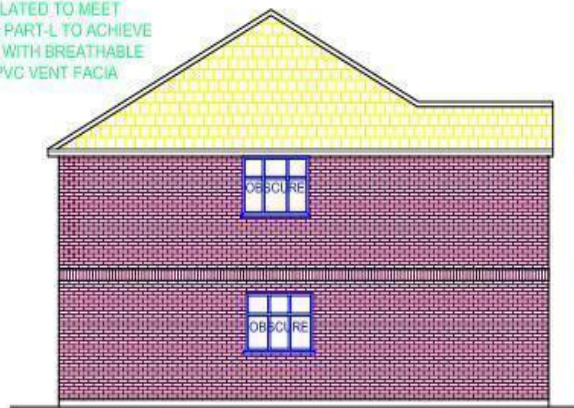
PLANNING APPROVAL WAS GRANTED FOR FAMILY UNITS; WHICH THE PROPOSED SCHEME PROVIDE EACH UNIT AT 95m-sq UNIT EACH THAT IS GREATER THAN MINIMUM SIZES SET OUT ON LONDON REGIONAL UNIT SIZES OUTLINED IN MARCH 2016; WHICH FOR A 2-STOREY FAMILY HOUSE REQUIRE MINIMUM OF 93m-sq FOR 5-PEOPLE AND 84m-sq FOR 4-PEOPLE.

THE SCHEME MEETS BRENT COUNCIL PLANNING POLICIES SPG-17 & SPG-5 PLUS UDP, AND NATIONAL POLICIES FOR NEW RESIDENTIAL HOUSING.

PREMISES TO HAVE LEVEL THRESHOLD ACCESS TO FRONT AND REAR ACCESS DOORS TO MEET PART-M OF BUILDING REGULATION FOR DISABLE AND AMBULANT PERSON ACCESSIBILITY AND COMPLIANCE WITH POLICES SET OUT BY LOCAL PLANNING.

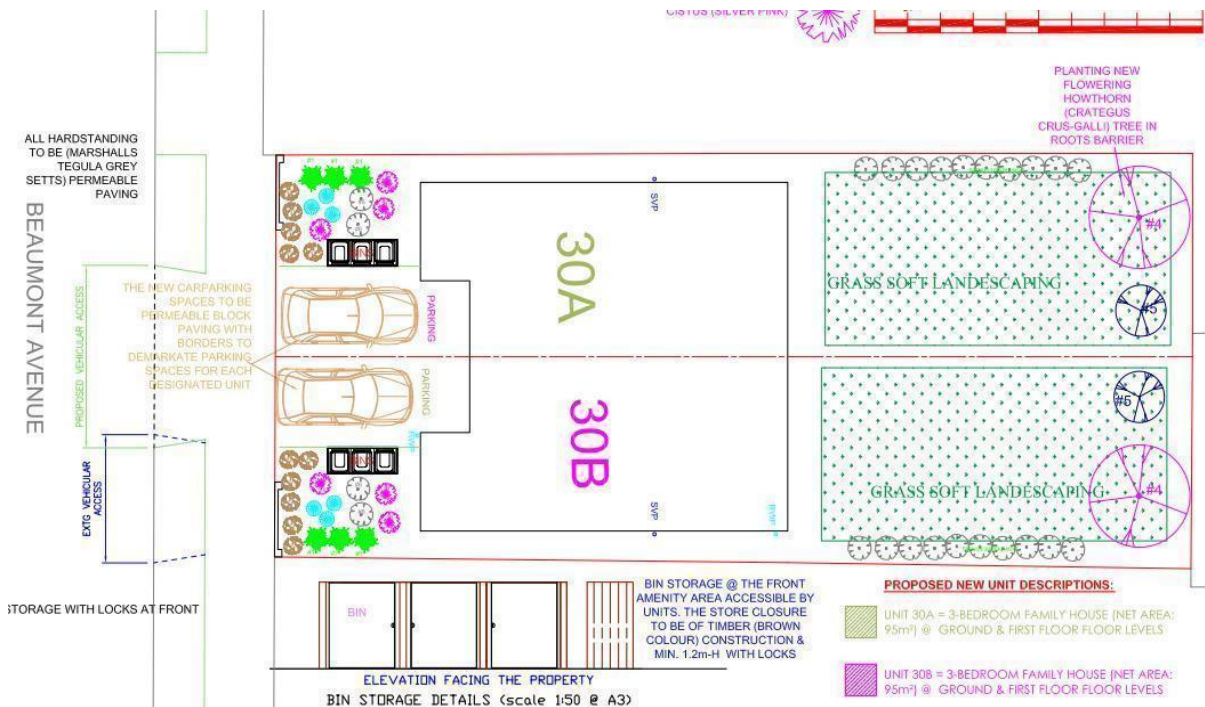


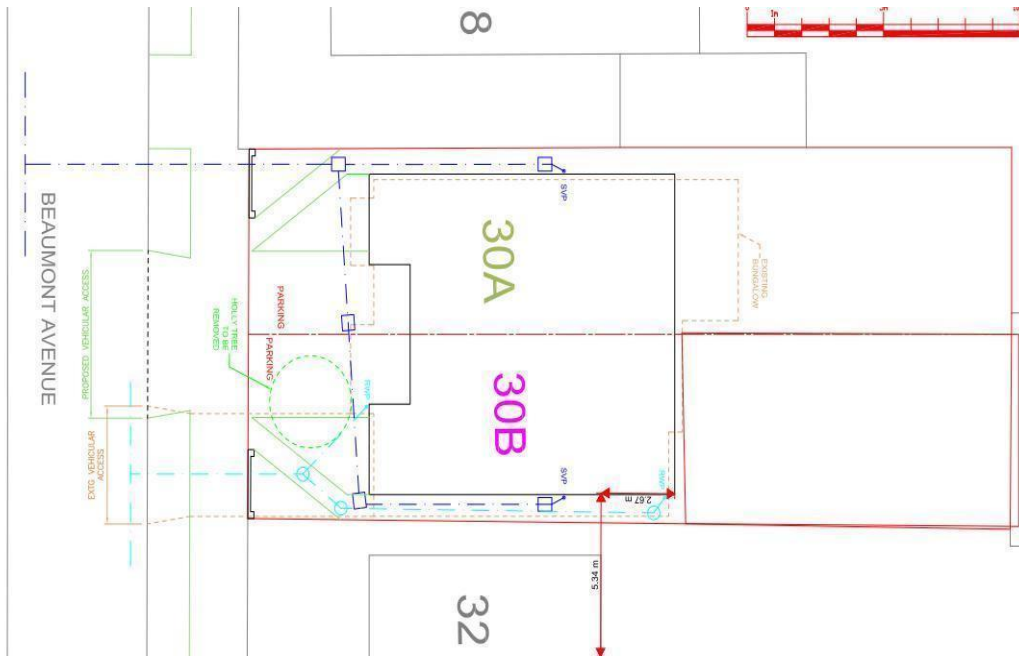
PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION

PITCHED ROOF INSULATED TO MEET BUILDING REGULATIONS PART-L TO ACHIEVE U-VALUE OF 0.18 W/m²K WITH BREATHABLE FELT AND TRICKLE PVC VENT FACIA





RECOMMENDATIONS

- That the Committee resolve to GRANT planning permission.
- That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time Limit (3 Years)
2. Approved drawings / documents
3. External materials to be approved prior to commencement
4. Implementation of proposed frontage landscaping
5. Restriction of permitted development rights
6. Obscure glazing of side windows
7. No additional side windows without consent
8. Existing crossover to be reinstated to footway prior to occupation
9. Submission and approval of Construction Management Plan prior to commencement
10. Approval and implementation of details of rear garden boundary treatment and lighting as well as implementation of rear garden landscaping

Informatives

1. Party Wall
 2. Building near site boundary
 3. Asbestos may be present
 4. Highways department to be contacted to arrange for the crossover works
 5. -- CIL Liable
3. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

A) PROPOSAL

Demolition of existing three-bedroom bungalow and erection of 2-storey building comprising 2 x 3 bedroom semi-detached dwelling houses, with new vehicular access, provision of 2 off street car parking spaces. bin stores, landscaping and amenity space

B) EXISTING

The application site comprises the bungalow dwellinghouse and surrounding garden amenity space at no. 30 Beaumont Avenue in Sudbury. The rear of the site borders the rear gardens of no's 53 and 55 Charterhouse Avenue. The building is not within a conservation area nor is it a listed building.

D) SUMMARY OF KEY ISSUES

1. Whether the proposed development is acceptable in principle given the surrounding uses and character
2. Whether the proposed development provides a suitable standard of accommodation for future occupiers
3. Whether the proposed development integrates well into the street in design terms and is of good design quality
4. Whether the proposed development incurs unduly detrimental impacts on the amenities of neighbouring occupiers
5. Whether the proposed development can be supported in terms of its impact on the parking and flow of traffic on Beaumont Avenue

RELEVANT SITE HISTORY

07/2080. Full Planning. Granted. 01/10/2007.

Demolition of existing three-bedroom bungalow and erection of 2-storey building comprising 2 x three-bedroom, semi-detached dwellinghouses, with alterations to move and widen existing vehicular access and provision of 2 off street car-parking spaces.

10/1652. Appeal Dismissed. 08/06/2011.

Extension to time limit of planning permission 07/2080, dated 27/09/2007, for demolition of existing three-bedroom bungalow and erection of 2-storey building comprising 2 x three-bedroom, semi-detached dwellinghouses, with alterations to move and widen existing vehicular access and provision of 2 off-street car-parking spaces.

CONSULTATIONS

17 nearby properties along Beaumont Avenue and Charterhouse Avenue were consulted regarding the proposal for a minimum of 21 days on 06/10/2016.

Three letters of objection were received.

The grounds of objection are summarised as follows:

- Concern that the additional storey will allow overlooking of nearby gardens to an extent.
- This part of Beaumont Avenue is comprised of bungalows and therefore only bungalows should be permitted, in keeping with the character of this side of the road.
- The twin buildings are not in keeping with the nature and mix of properties in Beaumont Avenue
- The raising of the existing roof line as proposed will significantly reduce the amount of light enjoyed by adjoining properties and those opposite.
- The provision of only 2 off road parking spaces is inadequate for residential properties which are likely to have a number of occupants.
- Parking is difficult in Beaumont Avenue and this development will exacerbate the shortage, generating further demand for on-street parking which is not available.
- Other streets often have to be used to find parking at night.
- With 3 bedrooms and 2 reception rooms in each house there is the potential that 5 different people will live at each house, giving a possible car parking increase of 10 cars across the development.

Officer's response to concerns raised:

- The character of the street is very mixed, with large numbers of houses and bungalows. Both detached and semi-detached. No particular design predominates. It is noted that only two doors down is a two storey house (no. 26) and it is not considered that the row of bungalows is prominent enough to warrant prevention of an additional two storey house being created. The character of the road will not be materially eroded.
- The additional storey will not allow any unreasonable overlooking. It is commonplace for a first floor

window to allow overlooking to the rear parts of neighbouring gardens within Brent and this relationship is already present between a number of the established properties in Beaumont Avenue.

- The placement of the house will match with the existing bungalow, not protruding alongside garden space where light and outlook that is currently enjoyed would be notably harmed. This relationship is considered to preserve the amenities of neighbours to a suitable extent.
- The development's transport impact has been closely assessed by the Council's Highways team, giving regard to how heavily parked the road is at present.

Further consultations

The Council's Transportation and Environmental health units were also consulted, as well as the three Council Members for Sudbury Ward, Cllrs Aden, Hoda-Benn and Daly. The Sudbury Neighbourhood Forum was also consulted.

Transportation

Subject to a condition requiring the reinstatement of the redundant crossover back to footway/verge at the applicant's expense, there would be no objections on transportation grounds to this proposal.

An informative is recommended, advising the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover works to be undertaken on their behalf.

Environmental Health

No objection to the proposal.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

London Plan 2011

Policy 3.5 – Quality and design of housing developments

Brent DMP 2016

DMP1 – Development Management General Policy

DMP11 – Forming an Access on to a Road

DMP12 – Parking

DMP16 – Resisting Housing Loss

DMP18 – Dwelling Size and Residential Outbuildings

DMP19 – Residential Amenity Space

Brent Core Strategy – July 2010

CP2 – Population & Housing Growth

CP17 – Protecting & Enhancing the Suburban Character of Brent

CP21 – A Balanced Housing Stock

Supplementary Planning Guidance

SPG 17 – Residential Design Standards

Sudbury Town Neighbourhood Plan 2015

DETAILED CONSIDERATIONS

Key considerations

- Principle;
- Quality of accommodation;
- Design;
- Impact on neighbouring amenity;
- Parking & servicing;

1. Principle

1.1 Beaumont Avenue and its surrounding area are residential in nature and comprise an unusual mixture of houses and bungalows, with some detached and semi-detached in arrangement. As such the continuation of the residential use within semi-detached two storey houses is acceptable in terms of the character and use.

1.2 Policy CP21 of the Council's Core Strategy sets out the housing priority for the Borough and places particular emphasis on the meeting the identified demand for family sized (capable of accommodating 3 or more bedrooms) accommodation through both major developments and subdivision/conversion schemes.

1.3 At present there is are three bedrooms in the bungalow (forming a family dwelling) and the proposal seeks to erect two dwellings with three bedrooms (creating an additional family dwelling). The new housing is particularly welcomed in the context of CP21 as it would result in the creation of a family unit.

2. Quality of accommodation

2.1 The application proposes two dwellinghouses in place of a vacant bungalow dwellinghouse on this wide tract of land. The existing forecourt and rear gardens are to be retained in the same composition.

2.2 The proposed houses will have a mirrored design and both have internal floor spaces of 96m² which is in excess of the standards stipulated in the London Plan for a three bedroom, four person dwelling, which requires 84m² across two stories. The proposal would allow for 75m² of outdoor amenity space to the rear of each unit which is greater than the minimum 50m² set out in SPG17. The gardens would provide a good standard of private space that is suitably set away from highways and other sources of sound disturbance.

2.3 It is noted that the house has a good level of outlook to the front and the rear and that all habitable rooms benefit from this outlook.

2.4 The two smallest bedrooms within each house measure approx. 5.9m², which fall significantly short of the expected 8m² requirement of the London Plan. Revised plans have since seen the size of these rooms increase to 7.5m² which is considered to provide an acceptable standard of living, particularly considering that the wider houses are in some excess of the required size standards. The remaining bedrooms are of acceptable sizes for their proposed occupation.

2.4 Overall, the proposed indoor and outdoor spaces are considered to provide a good standard of amenity and general environment for future occupants of the site and are considered acceptable.

3 Design

3.1 The new proposal for 2, two-storey, three bedroom semi detached dwellinghouses respects the character of the adjoining properties on Beaumont Road by including hipped ends to the roof form to limit the bulk and scale of the building. Small gable end projections at the edges of the front of each house provide feature and interest at the front of the properties. This feature can be observed at other semis along Beaumont Avenue (such as at 27/29).

3.2 The proposal broadly matches the footprint of the existing bungalow and will therefore not overburden the plot. The property will be slightly narrower and has been moved eastward to establish an equal 0.9m separation from the boundary on both sides, to allow for easy passage around the side of the houses into the rear gardens. The property does not extend as far to the rear as the existing bungalow, being positioned about 30cm short of the current rear building line.

3.3 This design was approved during the previous application (07/2080), which was subject to the same design guidance within SPG17 (2001) and SPG5 (2002).

4 Impact on neighbouring amenity

4.1 The new property will occupy a similar footprint to the existing house, although will be set in from the boundary with no. 32 by an additional 0.75m compared to the existing building and will not extend as far forward, with the building terminating 0.3m behind the existing rear building line. The building's height will increase, however the placement of the house within the existing building line will minimise any detrimental effects this has on the existing neighbouring amenity spaces. The reductions in the buildings other

dimensions will help to reduce any such detriment.

4.2 Overall, the design is considered to be respectful of the existing house placement and would not be considered to incur materially detrimental impacts on neighbours' amenities. The placement of side windows (secondary kitchen window downstairs and WC window upstairs) is acceptable, and these can be conditioned to be obscure glazed to prevent any unreasonable overlooking.

4.3 This design was approved during the previous application (07/2080), which was subject to the same design guidance within SPG17 (2001) and SPG5 (2002).

5 Parking & transport considerations

5.1 The site is not within a controlled parking zone however is within a Wembley event day zone whereby on street parking is restricted to permit holders only on event days. The carriageway width outside the property is narrow and struggles to accommodate on-street parking whilst still retaining sufficient carriageway width for service vehicles to pass. The marked bays are also on the opposite side of the street. The street is a one-way street which can be entered into via Sudbury Avenue only. The site has low access to public transport (PTAL 1a). There is only Sudbury & Harrow Road (Chiltern line) station, in walking distance.

5.2 The parking allowance for residential use is given in appendix 1 of the DMP 2016. As the site does not have good access to public transport services, full standards apply. Brent's Crossover Policy is also applicable. The parking allowance for the existing 3-bedroom dwelling is 1.5 spaces and the site can accommodate 1-2 off street parking spaces, which satisfies standards. The proposed 2 x 3 bedroom dwelling will have a total parking allowance of 3 spaces for the site as whole. The application proposed 2 car parking spaces (1 per house). Drawing number HD79/1005 proposes a 5.5m wide crossover serving parking spaces that pinch in width slightly at the rear, but generally comply with the standard depth of 4.8m and width of 2.4m, although access to the front door of the properties would be slightly impeded. This is considered sufficient to satisfy likely parking demand. Only about 30% soft landscaping is indicated, but this will comply with minimum requirements for narrower front gardens in Brent's Crossover Policy. The drawing states that the existing crossover will be reinstated back to footway and this should be done at the applicant's expense. The applicant has not provided cycle parking, but the houses will have private garden areas which can easily accommodate bicycle storage in compliance with the standard.

5.3 Subject to a condition requiring the reinstatement of the redundant crossover back to footway/verge at the applicant's expense, there would be no objections on transportation grounds to this proposal. An informative is recommended, advising the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover works to be undertaken on their behalf.

6 Environmental health considerations

6.1 The development is located very close to other residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. However, given the small scale of the development and the controls suggested by the applicant within their Design and Access Statement, the construction methodology is considered acceptable and no further details will be required by condition.

6.2 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. An informative will be attached to the decision notice to remind the applicant.

7 Landscaping considerations

7.1 There is no objection to the landscaping plan proposed which includes the loss of a holly tree and the addition of permeable block paving with suitable provision of soft landscaping in the form of Pinguifolia Pagei, Deciduous Lavende, Autumn Glory and Silver Pink. The rear garden will involve some rear planting, involving Crab Apple Trees and Hawthorn Trees.

8 Amendments

8.1 The smallest bedroom in each house has been altered to provide larger room sizes. This has required

small alterations to the size of the upstairs hallways, the upstairs WCs and the staircases

9 Conclusion

9.1 For the reasons discussed above, the proposed dwellinghouses are considered to be in keeping with all relevant policies. Accordingly, the application is recommend for approval.

CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£19,702.21*** 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): 123 sq. m.

Total amount of floorspace on completion (G): 192 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	192		69	£200.00	£35.15	£16,757.14	£2,945.07

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)	272	
Total chargeable amount	£16,757.14	£2,945.07

*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

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Application No: 16/4273

To: Mr Ross Lakani
Homes Design Ltd
40 Wise Lane
Mill Hill
London
NW7 2RE

I refer to your application dated 01/10/2016 proposing the following:
Demolition of existing three-bedroom bungalow and erection of 2-storey building comprising 2 x 3 bedroom semi-detached dwelling houses, with new vehicular access, provision of 2 off street car parking spaces. bin stores, landscaping and amenity space
and accompanied by plans or documents listed here:
See condition 2.
at 30 Beaumont Avenue, Wembley, HA0 3BZ

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:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

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 Development Management Policies 2016
Council's Supplementary Planning Guidance 17 - Design Guide for New Development 2001

Relevant policies in the Adopted Development Management Policies are those in the following chapters:-

Transport: in terms of protecting the safe and free flow of traffic and ensuring appropriate parking provision
Housing: in terms of protecting residential amenities and guiding new development

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

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

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

HD979/1000
HD979/1001
HD979/1002 Rev A
HD979/1003
HD979/1004
HD979/1005
HD979/1006
HD979/1007

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

- 3 The landscape works, planting, formation of parking spaces and works to form a new vehicular crossover shown on the approved plans shall be carried out prior to the occupation of any part of the development;

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 appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the area.

- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouses subject of this application, notwithstanding the provisions of Classes A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 5 The windows on the side faces of the building shall be constructed with obscure glazing and

non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 6 No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the side walls of the building as extended without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 7 Prior to the occupation of the development, the existing vehicular crossover must be reinstated back to footway at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Highway Authority, with the works carried out and completed in accordance with these approved details, prior to the occupation of the development hereby approved.

Reason: To maximise parking provision along the street and to ensure the street is fit for purpose

- 8 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (with the exception of demolition and site clearance). 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.

- 9 Prior to occupation of the houses hereby approved, further details of the rear gardens for the two residential units shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) details of the boundary fences/walls including materials and height
- (b) details of any external lighting within the gardens or attached to the building

The approved landscaping plan for the rear garden shall be implemented in full prior to first occupation of the development, or other timescales to be agreed in writing by the Local Planning Authority.

Any trees and shrubs planted in accordance with the rear garden 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.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

- 3 Prior to the occupation of the development, the existing vehicular crossover must be reinstated back to footway at the applicant's expense.

Reason: To maximise parking provision along the street and to ensure the street is fit for purpose

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

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

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

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903