



Planning Committee Map

Site address: Land Adjacent to Morrith House, Talbot Road, Wembley, HA0

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This map is indicative only.

RECEIVED: 28 May, 2012

WARD: Wembley Central

PLANNING AREA: Wembley Consultative Forum

LOCATION: Land Adjacent to Morritt House, Talbot Road, Wembley, HA0

PROPOSAL: Construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front on land to the rear of Morritt House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morritt House, with associated landscaping and refuse storage

APPLICANT: Mr John Lyons

CONTACT: Mr Brian Peppiatt

PLAN NO'S:
(See condition 2 for the approved plans)

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- A contribution of £3000 per bedroom, index linked from the date of committee and due on material start towards the provision and/or improvement of education facilities in the Borough, non car access/highway, sports and public space improvements in the area.
- Join and adhere to considerate constructors scheme as well as the demolition protocol.

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

EXISTING

The application relates to a parcel of land adjacent to and lying to the south of 84 Morritt House, which is a four storey block of 16 flats fronting Harrow Road. At the present time the part of the site which the proposed development relates to houses a derelict and disused communal garage, this was originally built to serve the flats of Morritt House. In front of this garage block is an area of hardstanding large enough for the parking of 5-6 cars, and these spaces are taken up by residents of Morritt House.

To the north of the site is Morritt House, Talbot Road is to the east, No.3 Talbot Road is due south and immediately to the west is Wembley Fire Station.

There is an existing vehicle access off Talbot Road, this is sited to the rear of the block of flats.

The site is not within a Conservation Area, nor is it a Listed Building and is within close walking distance of Wembley Town Centre.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a

breakdown of any dwellings proposed at the site.

Floorspace Breakdown

USE

Number	Primary Use	Sub Use
1	dwelling houses	

FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1				192	192

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
				192	192

Mayoril CIL multiplier is £35 per SQM of total net gain floorspace, therefore Amount Payable is £6,720.00.

PROPOSAL

Demolition of existing garage block and erection of a pair of 2-storey, semi-detached houses, with rear gardens and associated off-street parking, on land to the rear of Morrith House, fronting Talbot Road, and formation of 6 off-street parking spaces to the rear of the site for the use of residents of Morrith House, with associated landscaping works.

HISTORY

05/2230 – Refused – Appealed – Dismissed on Appeal on 8 Dec 2006

Demolition of existing block of semi derelict garages and erection of part single, part two storey and part three storey building comprising 4 x 1-bedroom flats and 4 x 2-bedroom flats, creation of four parking spaces, cycle parking and erection of bin storage on the frontage.

POLICY CONSIDERATIONS

National

National Planning Policy Framework – NPPF (2012)

Brent UDP (2004)

- BE2** Townscape: Local Context & Character
- BE3** Urban Structure: Space & Movement
- BE5** Urban Clarity & Safety
- BE6** Public Realm: Landscape Design
- BE7** Public Realm: Streetscape
- BE9** Architectural Quality
- H12** Residential Quality – Layout Considerations
- H13** Residential Density
- H15** Backland Development
- TRN3** Environmental Impact of Traffic
- TRN11** The London Cycle Network
- TRN15** Forming an Access to a Road
- TRN23** Parking Standards Residential Developments
- TRN34** Servicing in New Development
- PS14** on residential parking standards
- PS16** cycle parking standards

Brent Core Strategy – Adopted July 2010

- CP2** – Population & Housing Growth
- CP6** – Design & Density in Place Shaping

CP15 – Infrastructure to Support Development
CP17 – Protecting & Enhancing the Suburban Character of Brent
CP21 – A Balanced Housing Stock

Brent Supplementary Planning Guidance

Supplementary Planning Guidance (SPG) Note 17: “Design Guide for New Development”

Supplementary Planning Document 'S106 Planning Obligations'

CONSULTATION

A total of 34 surrounding properties were consulted by letter on **11 June 2012** (including all 16 flats in Morrith House) and consultation was sent to Brent’s Transportation Unit, Landscape Team, Environmental Health, and Local Ward Councillor’s.

To date 7 representations have been received from local residents, all objecting to the proposal. Six of the seven objections received are from existing Morrith House residents. The reasons for objecting are summarised below:-

Objectors concerns	Number of times issue raised by objectors
Loss of light	6
Development will cause overshadowing to MH	1
Loss of parking & impact of extra parking will have a knock on effect on Talbot Rd and surrounding area.	6
The increase in rubbish generated & the location of the new bin storage area for MH residents will have a negative impact on flats.	7
Development will result in overlooking & loss of privacy for residents of MH	5
The proposed design & materials are not in keeping with the area.	2
The vehicle access is inadequate in width, will cause a ‘bottleneck’ and is unsafe.	5
The daylight/sunlight report fails to differentiate between the impact during summer and winter months.	6
Loss of existing horse chestnut tree	2
Negative impact on visual amenities of area	1

Statutory Consultees:

Landscape; No objection is raised in principle. Landscape Officer’s welcome the proposed use of grasscrete and the native planting proposals.

- The tree retention/removal proposals are acceptable.
- Details of all hard materials type/colour/finish to be submitted as a condition of any approval
- Details of all plant species, sizes, positions and numbers to be submitted as a condition of any approval.
- Details of all storage, street furniture and boundary treatments to be submitted as a condition of any approval.

Transportation;

The application site is on the western side of Talbot Road, which is defined in the UDP as being heavily parked. The site lies within CPZ “c” and has very good public transport accessibility with a PTAL rating of level 5.

The existing block of 16 flats are all 2-bed or smaller. Taking the stricter standard set out in PS14 which can be applied to sites in a CPZ which have very good PTAL ratings the existing flats can be permitted 0.7 spaces each. This gives a site maximum of 11.2 spaces, which is well above the actual on-site provision (5 spaces). In addition the site frontage along Talbot Road includes 4 on-street spaces.

The two, 3-bedroom dwellings proposed can be permitted 1.2 spaces each, in addition to the existing standard generated by the flats. This is a significant increase, but the proposal does include a single, off-street parking space for each new house.

The location of the crossovers to serve each new dwelling was raised as a concern, but it has since been confirmed that the crossovers are to be sited at the northern and southern ends of each plot, this allows for the retention of an on-street parking space in between.

The inclusion of 6 parking spaces to the rear, for the sole use of Morrith House is welcomed. Revisions were requested to the aisle width in front of these spaces, and to the dimensions of the individual bays. Both matters have been addressed in the revised layout plan and the parking spaces are now of an acceptable standard.

The provision of automatic barrier to control access to these spaces is supported.

The width of the vehicle access at 4.1m with 300mm margins either side, giving a total width of 4.7m is sufficient for two cars to pass and is acceptable from a Transportation perspective.

Further details of how the spaces will be marked out on the 'grasscrete' will be required through condition.

The provision and revised location of a dedicated disabled parking bay is welcomed.

The location for the refuse and recycling bins is acceptable.

The location of the cycle parking is acceptable, but this should be conditioned to ensure these are covered from the elements.

If the application is to be approved Transportation will seek £1500 per dwelling towards improving highway safety, new parking controls and better non-car accessibility in the area.

In summary as the concerns raised with regards to the dimensions of the parking area and manoeuvring space, and the siting of the crossovers to serve each new dwelling have both been overcome there would be no objection to the scheme on transportation grounds. Further details of the marking out of parking bays and cycle parking will be sought through condition.

Environmental Health: No objection is raised. It is identified that the site is within an Air Quality Management Area (AQMA), and a condition is recommended to protect local air quality during demolition and construction. Also the current use of part of the site as a garage block may have resulted in some contamination of the land. In order to safeguard against this and ensure the development is safe for end users then advice is offered by way of a recommended informative.

Ward Councillors (Wembley Central Ward): No responses received.

REMARKS

The proposal is assessed against National policy, Regional policy, the Council's UDP policies, Core Strategy policies and standards in Supplementary Planning Guidance Note 17 "Design Guide for New Development".

The main areas for consideration are whether this development is acceptable in terms of;

- the design scale and massing of the building
- the impact it has on the privacy and amenity of neighbouring residents
- the loss of garages and transportation impacts, and
- the impact this development has on the character of the area and the quality of the environment.
- the loss of trees and landscape setting

Background

The part of the site to which the application relates to is now a separate title to Morrith House. This relates to the dilapidated garage block which has been vacant since circa 1973, and the hardstanding area directly in front. The size of the application site is 0.074 hectares

A proposal to redevelop the site in 2004 was unsuccessful. This scheme was also dismissed on appeal.

However it envisaged a much denser form of development with 8 flats, proposing a flatted development rising to 3-storeys, in a much more imposing way. This development proposed to occupy a much greater proportion of the site, extending all the way to the rear boundary, across the full width of the site. There was little thought as to how this scheme would impact on the accommodation on Morritt House. The scheme was refused on a number of grounds by the Council.

At appeal stage it was established by the Inspector that the main issues were (i) the impact the proposal would have on the living conditions for both prospective and neighbouring residents; (ii) the quality and quantum of amenity space proposed; (iii) the impact the development has on outlook for residents of Morritt House; (iv) the impacts on outlook and privacy for the residents of 3 Talbot Road and finally the impact the development has on the streetscene.

Having considered both sides arguments the Inspector found that the proposal would impact negatively on residents of Morritt House. Firstly the proposal would face habitable windows, at a distance of less than 10m resulting in a loss of privacy and unacceptable overlooking. The proximity of these buildings would also mean that there would be an oppressive outlook for the residents of Morritt House from ground and first floor windows (facing south). Also flats 7 & 8 in the proposal would introduce unacceptable overlooking.

In terms of the arguments to do with character and streetscene the Inspector found that the proposal had no recognisable frontage to the streetscene. The building was to be dominated by frontage parking with limited landscaping. It was said that the proposed building appeared dis-jointed, a feeling reinforced by its complex footprint, roofscape and irregular fenestration. It also had a cramped appearance, all resulting in a "jarring harmful effect on the character and appearance of the streetscene".

Turning to the issue of parking, the Inspector found there to be no evidence of any specific harm to highway safety. Presumably as it was evident then, and still is now that the garage block is long-term vacant and dilapidated, and therefore its loss does not constitute a loss of car parking spaces.

On the issue of amenity space, the Council had contended the loss of the garage block would result in the loss of communal amenity space on the roof. It had been laid out originally that this space would act as a communal roof terrace for residents of Morritt House. In the Inspector's opinion given the length of time this space had been left abandoned, unused and poorly maintained its loss would not result in material harm to the existing residents.

In conclusion the appealed scheme was dismissed because of concerns that the proposal would harm the living conditions of both prospective occupiers, and those living in Morritt House. Also it was found that the scheme would have a detrimental impact on the character and appearance of the streetscene. The Inspector did not support the Council in its efforts to refuse the scheme because of the loss of amenity space, or on the grounds it would be harmful to highway safety through increased parking generated. Critically the Inspector did not raise an objection in principle to the sites redevelopment.

Principle of Development

A number of years have passed since the appeal scheme was dismissed, and in that time the policy framework has changed. The most noticeable recent changes have seen the adoption of Brent's LDF Core Strategy in 2010, and earlier this year the introduction by Government of the National Planning Policy Framework (NPPF). Both are material considerations alongside Brent's 2004 UDP (saved policies still apply) and any relevant Supplementary Planning Guidance.

Some of the key messages running through the NPPF have been highlighted below;

-Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

-A presumption in favour of Sustainable Development.

-A set of 12 core principles are identified including "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings" and also to "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value".

-Housing applications should be considered in the context of the presumption in favour of sustainable development. And LA's should identify the size, type, tenure and range of housing that is required in

particular locations, reflecting local demand.

-Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

-Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

-Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

In the current policy framework, given the site history and appeal decision and given the current use of this part of the site there can be no objection raised on the grounds of principle. The application will be assessed on its planning permits, and these are now discussed in further detail.

Layout, Scale, Massing & Design

The proposal is to create a pair of semi-detached 2-storey houses with accommodation in the roof, on land adjacent to, but to the rear of Morrith House. The buildings are to respect the established building line along this side of Talbot Road, much unlike the failed appeal scheme in 2004. The buildings are set back off Talbot Road by 5.5m, giving adequate depth in front to form an off-street parking space to serve each house.

Each dwelling would be 5.3m wide resulting in 10.6m overall and depth of 12m is envisaged whilst not projecting beyond the rear of 3 Talbot Road. A traditional pitched roof design has been proposed, this is in keeping with the suburban character around the site. The semi-detached pair are to be sited approximately 2.2m away from 3 Talbot Road, to the south. To the north a distance of 9.8m is proposed to be maintained to the rear elevation and windows of Morrith House. Normally a distance of 10m is required, so as to maintain acceptable levels of outlook, as set out in SPG17. The layout broadly complies with this standard, and the shortfall is not material.

The existing garage block is to be removed in its entirety, thus opening up the rear part of the site. The layout proposed would see 9.2m deep private rear gardens to serve each house, and behind this a formal parking area for the residents of Morrith House. This parking replaces the existing hardstanding area in front of the garage block, and will formalise the parking arrangement. Six spaces (including 1 disabled bay) are proposed, meaning there is no loss of off-street parking for the residents next door. Also these new spaces are to be solely for Morrith House residents, and they will be access controlled through the installation of an automated barrier. They are to be accessed by a new vehicle access corridor, to the rear of the block of flats, and this is to be 4.7m wide.

This degree of separation, together with the roof design and the height of the dwellings (max 8.5m) means that the 30 degree angle, which is a requirement of SPG17 is comfortably complied with when the scheme is considered in terms of its relationship to Morrith House, and its windows. This test is in place, and applied to development proposal to ensure that the relationships created between (and within) buildings, and between buildings and private amenity spaces does not become detrimental because of overbearing buildings. By demonstrating compliance with this test Officer's are satisfied that the proposed development will not be overbearing, nor will it result in an unacceptable reduction in daylight/sunlight to neighbouring dwellings.

The semi-detached pair have been designed to blend in with their surroundings. A traditional pitched roof approach has been followed, with a more contemporary feel added through the glazing and balcony detailing. The buildings are well articulated front and back, and the flank walls are void of any habitable windows, so as to avoid direct overlooking or loss of privacy to neighbours. As balconies will face towards the street and rear along the length of the gardens there are no concerns about overlooking, although to safeguard privacy of neighbours then further details of privacy screens around the balcony to prevent overlooking either side will be sought through condition.

Materials are indicative at this stage, but it is proposed to select materials that are sympathetic to the neighbouring buildings. External walls will be facing brick, similar to those found at 3 Talbot Road. A contrasting brick will be used as a string course, to add interest to the elevations. Roof tiles will be to match, and upvc windows are envisaged. Further consideration to the finish and quality of external materials will be approved as a condition of any approval.

On balance Officers consider the scale and massing of the proposed house to be in keeping with surrounding forms of development in the locality. Approval is subject to a condition (submission of details) to ensure that the proposed design quality, and detailing, is carried through to the scheme once implemented.

Accommodation standards & Impact on Neighbouring Properties

The proposed 3-bedroom houses will have an internal floor area of 135 square metres. This is overly generous, significantly exceeding the London Plan minimum floor area standard to provide 96 square metres for a 3-bedroom/5-person dwelling.

The internal layout ensures that all habitable rooms will benefit from reasonable levels of light and outlook and the ground floor kitchen, living area has direct access to the rear amenity space. The rear facing windows at first floor will be over 10m from the rear boundary, thus ensuring compliance with SPG17 standards to maintain reasonable standards of privacy and outlook in new development. In the absence of any habitable room windows at first floor level, within the flank wall(s) this proposal is considered to have an acceptable relationship to neighbouring occupiers in terms of maintaining privacy, and designing out opportunities for direct overlooking.

Generous private gardens are proposed to serve each family dwelling, the size and quality of these spaces will broadly satisfy SPG17.

The size and scale of new buildings should not be detrimental to the amenities of neighbouring properties and should result in acceptable relationships between buildings and private amenity spaces. To ensure new buildings do not become detrimental by being over dominant certain tests within SPG17 should be met. As has already been touched upon the scale of the proposal sits comfortably within the 30 degree angle (measured from a height of 2m at the closest habitable room window).

The footprint of the dwellings will not project beyond the rear of 3 Talbot Road, and there are no habitable windows within the flank wall of this neighbouring property.

The proposed dwelling will maintain a distance of 9.8m to the closest rear windows on the neighbouring block of flats, this reduces down to 6.8m where the access cores project out from Morrith House. As no primary habitable windows are contained within these cores then these projections do not give cause for concern. A large number of habitable windows, serving the flats on all floors face the application site and the impact on these, and the relationships these have to the application site have been given careful consideration.

Firstly these windows are kept 9.8m away from the closest point of the proposed development, thus broadly satisfying the SPG17 separation distance of 10m. No habitable windows are to face the neighbouring properties, this avoids direct overlooking and loss of privacy for both prospective and existing residents.

The building envelope has been kept within the 30 degree line, in doing so this indicates that facing windows will not be unduly harmed through a loss of light or outlook.

To demonstrate the relationships between the existing and proposed buildings a daylight and sunlight report has also been submitted. The analysis has carried out a detailed Vertical Sky Component (VSC), Daylight Distribution and Average Daylight Factor analysis and sunlight analysis to confirm this. The VSC analysis shows that all windows within Morrith House will meet BRE guidelines criteria, indeed some windows will actually experience an improved level of daylight due to the proposal seeing the removal of the garage block. The analysis also finds that all windows in neighbouring buildings which face within 90 degrees of due south receive sunlight levels which meet the BRE guidelines.

The proposed development also falls beneath a 25 degree angle, taken from a point two metres above ground level. In doing so then the BRE guidelines are that there will be adequate skylight.

In conclusion the daylight and sunlight analysis shows that in all cases the surrounding properties will meet the BRE guidelines daylight and sunlight criteria. Therefore the proposal will see acceptable levels daylight and sunlight retained for neighbouring properties. In some cases there will be a marked improvement to windows.

An existing unsightly, dilapidated garage block, which currently is an eyesore on the site will be removed in its entirety. The removal of this will have significant benefits for the occupants of flats whose, windows on the lower floors look out directly on to this block at the moment. By opening up the site, those windows will benefit

from much improved outlook, daylight and sunlight.

No loss of existing parking will follow, as parking spaces to be provided at the rear of the site are consistent with the levels achieved on the existing hardstanding area. Each new house will be provided with dedicated off-street parking to meet standards, thus not affecting the parking for Morrith House.

On balance it is considered that the layout, siting size and scale of the proposed dwellings ensures an appropriate relationship between neighbouring buildings and surrounding spaces is to be maintained.

Landscaping & amenity space

The proposed requires removal of an existing rowan tree, which is a small ornamental close to the frontage along Talbot Road. Set behind this is a more substantial Horse Chestnut tree, also proposed for removal. The Horse Chestnut is found to have severe deficiencies, with trunk decay evident. Its longevity is limited and it is not justified that this tree be safeguarded at great expense. The Arboricultural Report recommends that this tree is felled. This is supported by the findings of your Tree Protection Officer, who concurs with findings on the health of this tree. Root protection areas are also proposed to ensure all trees to be retained are not damaged during demolition and construction phases.

To compensate for tree removal seven new native trees are proposed for planting, these will be trees of advanced nursery stock and they will be planted in positions both to the front and rear of the house. This approach, and the introduction of native species is welcomed by your Landscape Officer's. The species, size, and location of these trees will all be confirmed through a standard landscape condition.

The development also requires removal of small lawned areas, including a section to the rear of Morrith House that sits adjacent to the existing vehicle access. The existing vehicle access will be shifted slightly further north, and this will serve the access corridor to the rear parking space. The consequence being the loss of a small parcel of lawned area. As well, two new crossovers are proposed to serve each dwelling. The loss of these lawned areas is unfortunate, but at the same time their removal will not have a significant impact on the streetscene, or the setting of Morrith House – which still maintains a very generous landscape setting, particularly along Harrow Road and Talbot Road.

Whilst there is a degree of removal involved, the scheme is also proposing to enhance the sites landscaping features. A site wide landscaping plan is submitted which envisages the planting of seven new native trees. To provide new planting to the rear of the site, and fronting Talbot Road. To provide front gardens that achieve an appropriate balance between hard and soft landscaping, with tree planting and boundary hedges. To lay the hardstanding and access routes with grasscrete in order to soften the environment around the buildings.

On balance the site wide approach is supported, and the proposal to increase the number of trees on site is welcomed. It is recommended that any planning permission be subject to a standard landscape condition to control hard and soft landscaping and boundary treatments, and to confirm the planting species, size, location and density.

Each new house will be afforded private amenity space of circa 50 sqm, as required for family sized dwellings.

The proposal will see the removal of the dilapidated garage block, who's roof was originally intended to be an area of amenity space for Morrith House residents. This outside space has been closed off to residents for many years now, is no longer maintained and of no benefit. In any event its use as a communal amenity space is ill conceived as it would severely disturb ground and first floor flats sited close to it. In the 2004 appeal decision the Inspector accepted the loss of this amenity space, as it was clearly evident at that time of its long-term neglect. Nothing has changed in the period since, it still remains closed off and is of no benefit to existing residents. Therefore no objection is raised against its loss.

Parking

Each proposed property will attract a maximum parking standard of 1.2 spaces, this can be accommodated directly in front of each and off-street. Requiring the formation of two individual crossovers, which Transportation does not object to. So the parking demand created by the development will have no additional impact on the surrounding roads.

The proposal requires the removal of an existing vacant, and dilapidated garage block. This is no longer used

by Morritt House residents, they have space to park 5-6 cars on the hardstanding area directly in front. This area would be removed to make way for the proposal, however the site layout creates the opportunity for a much improved, safe and controlled rear parking area for the sole use of Morritt House residents. This will accommodate 6 spaces (including 1 disabled bay), this ensuring existing parking levels are maintained, and that there will be no additional overspill parking on surrounding roads.

The existing vehicle access off Talbot Road needs to be shifted slightly in a northerly direction, and this will serve the 6 spaces to the rear. The width and location of this access is deemed to be acceptable from a highway safety point of view.

It has been confirmed that the proposed crossovers, off Talbot Road to serve each new dwelling will be at the northern and southern most ends of each plot, and in doing so adequate space will be maintained in between to allow for an on-street parking bay. This will compensate for the loss of an existing bay, needed to make way for the re-sited crossover.

The parking standard for the proposed dwelling can be met off-street, further to this the removal of the garage block would not result in the loss of parking for existing residents, and 6 new spaces for existing residents is included on-site. For these reasons it is not considered that the proposal would lead to unacceptable, additional levels of on-street parking or conditions detrimental to general highway safety.

New refuse storage is proposed for Morritt House. This has been moved from its initial location as this would have been too close to ground floor windows. An alternative location is proposed, to the side of Morritt House where it will be away from ground floor windows. Although this will be more visible from the streetscene with suitable screening around the bin area then its felt visual impacts can be minimised. On balance, given the need to provide this in a suitable, convenient location for residents then this option is considered acceptable.

Response to objections raised

Loss of light

The scheme is able to demonstrate compliance with SPG17 standards, namely the 30 degree angle. Furthermore the daylight and sunlight analysis findings are that the BRE guidelines will be achieved and adequate levels of daylight and sunlight will be retained. In demonstrating the above then there are no grounds to resist the scheme on the grounds it would result in unacceptable loss of light to MH. In fact some flats will now benefit from greater levels of daylight and sunlight due to the opening up of the rear of the site.

Development will cause overshadowing to MH

The proposed development will be 9.8m away from windows in Morritt House. This distance, and the overall height of the buildings ensures that it comfortably sits within the 30 degree line. This test is used to establish whether buildings will have an acceptable relationship to one another, so as not to appear overbearing.

Loss of parking & impact of extra parking will have a knock on effect on Talbot Rd and surrounding area.

The existing garage block is dilapidated and hasn't been used for parking for an extremely long period of time. Its loss will have no material impact on local parking conditions. The existing spaces on the hardstanding area are to be reprovided at the rear of the site, which means that the spaces on site are maintained at current levels and there is no loss of parking involved. Furthermore the two new dwellings will each have off-street parking in the frontage, meaning that Talbot Road should not experience overspill parking as a result.

The increase in rubbish generated & the location of the new bin storage area for MH residents will have a negative impact on flats.

Residents concerns about the bin location have been taken on board and a revised location is proposed, away from ground floor windows, along the back edge of the footpath along Talbot Road. This is a better solution.

The two new dwellings each have their own dedicated refuse storage, so will not have an impact on the Morritt House facilities.

Development will result in overlooking & loss of privacy for residents of MH

No habitable windows have been included in the flank wall of the development, facing Morritt House. The only windows included are non-habitable or obscurely glazed. So it follows that the new houses do not afford the opportunity for direct overlooking.

Further details of privacy screening around the proposed balconies will be required through condition, this is to prevent overlooking at an oblique angle.

The proposed design & materials are not in keeping with the area.

Officers are satisfied that the design and the proposed use of materials provide a satisfactory response to local context. The quality of materials will be subject to further conditional approval.

The vehicle access is inadequate in width, will cause a 'bottleneck' and is unsafe.

Transportation have assessed the proposal and the access width is considered to be wide enough, just, for two vehicles to pass one another. Also the control barrier will ensure that its use is managed and only used by residents of Morrith House.

The daylight/sunlight report fails to differentiate between the impact during summer and winter months.

The sunlight assessment factors in annual probable sunlight hours available in both summer and winter for each window which faces within 90 degrees of due south. The findings confirm that in all cases the surrounding properties will meet the BRE guidelines for daylight and sunlight criteria.

Loss of existing horse chestnut tree

The arboricultural report establishes that this tree is suffering from serious decay, and due to its health has little long-term prospect of survival. This position is supported by the Council's Tree Protection Officer, who has visited the site and observed the level of decay first hand. This is categorised as a category C tree. Its loss would be compensated for by a total of 7 new trees planted on site.

Conclusion

The proposal is considered to be acceptable in terms of its scale, design and character and will make a positive contribution to the area as well as adding to the stock of family housing within the Borough. The proposal is not considered to be harmful to the amenity of neighbouring occupiers, demonstrated through the proposals compliance with SPG17 standards and the findings of the daylight/sunlight report. Furthermore this development will provide an acceptable standard of internal accommodation, with good quality outside space for prospective residents. The loss of the garage block is found to be acceptable on parking and highway safety grounds, and its loss would not directly affect any existing residents, in fact it will improve the living accommodation of a number of flats through an improved outlook. The removal of this block will see the welcomed removal of this eyesore from the site. To enhance the proposed setting for this development and Morrith House, site wide landscaping improvements will also be secured, which amongst other things will see the planting of seven new native trees on site.

Officers can see no compelling reasons for not supporting this proposal, it will see the reuse of a brownfield site in a sustainable location, which is in accordance with the core principles of the National Planning Policy Framework, and accordingly it is recommended that this application be approved subject to the attached conditions and signing of the S106 legal agreement to secure a financial contribution of £18, 000 (£3000 per bedroom) towards transport infrastructure, education and improvements towards open space, sports and the environment. It has been confirmed that the applicants are agreeable to the principle of this contribution.

RECOMMENDATION: Grant Consent subject to Legal agreement

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance

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

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

CONDITIONS/REASONS:

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

location plan
Dwg 1/A (revised 29/09/2012)
Dwg 2
Dwg 3
Dwg 4

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

- (3) No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse(s) subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, 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(s):

(a) Restricted size of site

In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

(b) To prevent over development

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

- (4) No Flank Wall Windows

No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the flank wall(s) of the buildings without the prior written consent of the Local Planning Authority. All windows and doors that are approved shall be constructed with obscure glazing only and shall be maintained as such unless the prior written consent of the Local Planning Authority is obtained.

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

- (5) (a) Details including loading bays and accesses

The 6 new rear parking spaces shall be made available for use prior to the removal of the existing hardstanding area in front of the garage block and are for the sole use of Morritt House residents.

(b) Further details to be submitted

Prior to construction further details of the automated barrier and demonstration of the access control mechanism shall be submitted to and approved in writing by the Local Planning Authority

(c) Parking spaces 2.4m x 4.8m

Parking spaces shall be constructed with minimum dimensions 2.4m x 4.8m.

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

- (6) 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. 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) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed:-

(b) during the first available planting season following completion of the development hereby approved.

Such scheme shall also indicate:-

(i) Walls and fences

Details of proposed walls and fencing, indicating materials and heights.

(ii) Planting

Details of all new planting within the context of the landscape proposal, including details to confirm species, size, density and location, including details of all new trees to be planted on site

(iii) Physical separation

Adequate physical separation, such as protective walls, hedges and fencing, between landscaped and paved areas.

(iv) Screening of rear gardens:

Provisions for the satisfactory screening of the rear garden areas.

(v) Other

Other appropriate matters within the context of a landscaping scheme, such as details of foot ways and other paved pedestrian and vehicle parking areas.

(vi) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

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

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

- (8) Further details of privacy screening to the rear facing balconies shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site.

Reason; To safeguard the amenities of neighbouring occupiers.

- (9) Further details of arrangements for the suitable enclosure and screening of the re-sited refuse storage area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. Such details shall also make provision for an extended pedestrian footpath so that this can be accessed from the existing footpath. The approved arrangements shall be implemented in full prior to first occupation of the development and permanently retained as approved unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- (10) Further details of safety railings to be erected along the boundary between Morrith House and the access road to the car parking area shall be submitted to and approved in writing by the Local Planning Authority prior to installation on site.

Reason; To ensure a satisfactory standard of development.

- (11) Further details of the means by which the proposed parking spaces will be marked out shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site.

Reason; To ensure satisfactory parking provision for residents.

INFORMATIVES:

- (1) If the development is carried out it will be necessary for crossing(s) to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should Application for such works should be made to the Council's Safer Streets Department, Brent House, 349 High Road Wembley Middx. HA9 6BZ Tel 020 8937 5050. 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 Gary Murphy, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5227