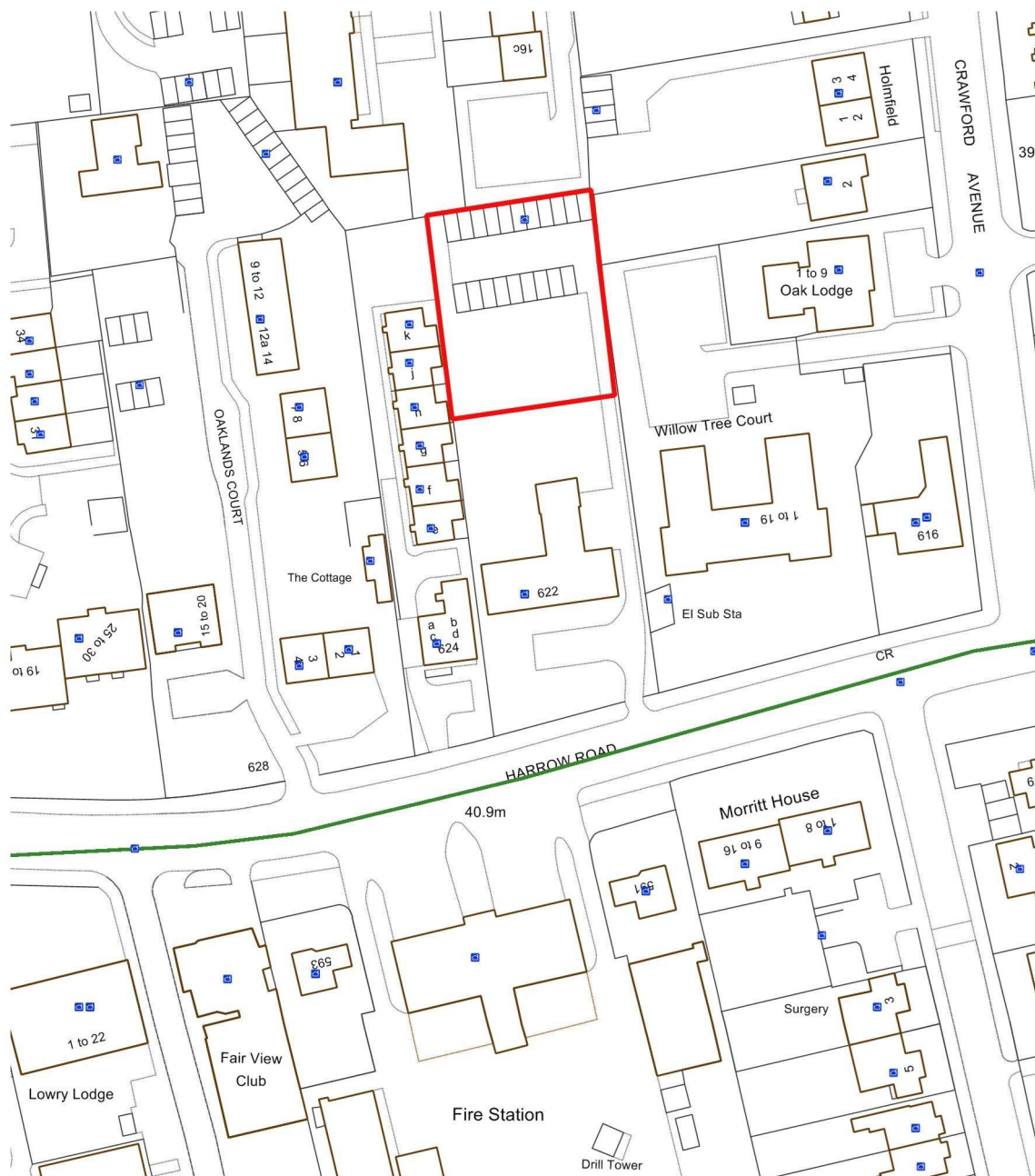




### Planning Committee Map

Site address: 1-12 Inc & Garages, Tregenna Court, Harrow Road, Wembley, HA0

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This map is indicative only.

**RECEIVED:** 11 September, 2012

**WARD:** Sudbury

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** 1-12 Inc & Garages, Tregenna Court, Harrow Road, Wembley, HA0

**PROPOSAL:** Extension to time limit for implementation of full planning permission 07/2297 dated 15 September 2009 for the *"erection of 2-storey building containing 6 self-contained flats, 4 single-storey garages, refuse stores, cycle parking, associated landscaping, with new access pathways, on land to rear of existing block of flats ("a car free development")."*

**APPLICANT:** Vectis Property Group

**CONTACT:** Strutt & Parker LLP

**PLAN NO'S:**  
(See condition 5 for the approved plans/documents)

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### **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:-

- (a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) A contribution of £36,000 (£3,000 per bedroom), due on material start and index-linked from the date of committee for Education, Sustainable Transportation and Open Space & Sports in the local area.
- (c) The removal of rights of future residents of the approved scheme to apply for parking permits to park on-street.

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.

### Community Infrastructure Levy (CIL)

The Mayor's Community Infrastructure Levy, otherwise known as CIL became effective from the 1<sup>st</sup> April 2012 onwards.

The Planning Act 2008 gave powers to the Mayor of London which allow a London wide CIL to be charged on eligible developments in order to help fund strategic infrastructure projects. The Mayor has now decided to charge CIL in order to raise approximately £300m which will be put toward London's share of the Crossrail funding package agreed with central Government. This means that all eligible developments granted planning permission from 1 April 2012 will be liable to pay Mayoral CIL regardless of when the application was submitted to the Council or any resolution to grant planning permission by the Council's Planning Committee.

Mayoral CIL has been set at £35 per sqm on developments involving the creation of 100sqm or more of floor area, and this proposal would qualify as chargeable development on the basis of the net floorspace being created (GIA).

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be

£4,725.00.

## EXISTING

The proposal relates to a backland site which is an area of land currently comprising 20 lock-up-garages to the rear of 1-12 Tregenna Court which is a 3-storey block of flats fronting Harrow Road.

The site adjoins the rear boundary of a flatted development on Crawford Avenue (Ithell Court) to the north. To the east the site shares a boundary with a number of properties, the largest of these being 1-19 Willow Tree Court which is a flatted development similar in size and scale to Tregenna Court. To the west the site adjoins a backland "infill" development of 7 bungalows to the rear of 624 Harrow Road.

The area is characterised by a mixture of flatted developments, detached and semi-detached houses. Infill developments in backland settings are a common part of the urban grain in the surrounding area.

The development site comprises a piece of land to the north of Tregenna Court, this portion of land has 20 individual garages arranged in two rows, current levels of usage of these garages are extremely low and the majority of garages are in poor condition.

The site contains a high level of tree coverage which is of significant landscape value, this acts as a natural "buffer" between the garages (*proposed location for development*) and flats in Tregenna Court.

## 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	use not known	garages

#### FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	265	0	265	400	135

#### TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	265	0	265	400	135

## PROPOSAL

This application seeks to renew the planning consent for the redevelopment of the rear of the application site. If this application is granted, this would allow a further three years from the date of the decision for the implementation of the consent.

The consent for which renewal is sought was granted by Planning Committee on 10 August 2007, this was subject to a s106 agreement that was completed on 20 August 2009. Upon completion of the s106 agreement planning permission was issued on 15 September 2009. This application to renew the consent was received on 11 September 2012, within 3 years of the extant planning consent.

No changes to the nature of the development are proposed. The planning consent for which a renewal is sought is for *"the demolition of the existing garages and erection of a two storey building comprising of 6 self contained 2-bedroom flats, 4 single storey garages, refuse stores, associated landscaping, with new pathways on land to the rear of Tregenna Court"*.

The proposed two storey contemporary building to provide 6 x 2-bedroom flats will be sited over 30m away in terms of the direct distance from the rear of Tregenna Court. The building will feature timber gables (max

height 7.6m) in height. The new building will have a depth of 7.5m along the western flank wall, increasing to a depth of 12m along the eastern flank wall. 3 flats are proposed on each level with private balconies to the upper floor flats and private rear gardens for the ground floor flats (19 sqm in area). Secure cycle parking stands and refuse storage areas are also proposed.

Access is to be gained via the existing crossover which serves Tregenna Court with a shared access way leading to the rear of the site. This same access will be resurfaced and utilised as the access to the proposed flats, parking spaces and vehicle turning head area.

## HISTORY

**07/2297** Erection of 2-storey building containing 6 self-contained flats, 4 single-storey garages, refuse stores, cycle parking, associated landscaping, with new access pathways, on land to rear of existing block of flats ("a car free development"). **Granted on 15/09/12 following a resolution to grant from Members at Planning Committee on 10/08/07.**

**06/2385** Demolition of existing garages and erection of two-storey building comprising 6 self-contained, two-bedroom flats at rear of site, provision of 6 car-parking spaces and refuse-storage areas and cycle parking, alterations and provision of landscaping and extension of hardstanding to front of existing property. **Application withdrawn.**

## POLICY CONSIDERATIONS

### Policy Context

Any changes to planning policy and guidance that have been adopted since the previous grant of planning permission are a material planning consideration.

At a national level the most significant change has been the introduction of the National Planning Policy Framework (NPPF) – 2012.

### Core principles of NPPF

At the heart of the NPPF is a presumption in favour of sustainable development. Applications for planning permission must be made in accordance with the development plan unless material considerations indicate otherwise.

The NPPF identifies a set of core land-use planning principles that should underpin both plan-making and decision-taking. There are 12 principles in total, those considered to be most relevant are;

- Proactively support sustainable economic development to deliver homes that are needed.
- Always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings.
- Encourage the effective use of land by reusing land that has previously been developed (Brownfield land), provided that it is not of high environmental value.

At sub-regional level the London Plan 2011 was adopted (replacing the 2008 plan), this amongst other things introduces new minimum floorspace standards for assessing all new residential development.

### London Plan 2011

- **3.3** Increasing Housing Supply
- **3.5** Quality & Design of Housing Development
- **3.8** Housing Choice

Since the grant of planning permission 07/2297 the Brent Unitary Development Plan 2004 has been partly superseded, though a number of 'saved' policies still apply. In 2010 the Local Development Framework Core Strategy was adopted by the Council, currently this sits alongside those policies of the 2004 UDP that are 'saved'.

### Brent Core Strategy 2010

- **CP2** Population & Housing Growth

- **CP6** Design & Density in Place Shaping
- **CP15** Infrastructure to Support Development
- **CP17** Protecting & Enhancing the Suburban Character of Brent
- **CP18** Protection of Open Space, Sports and Biodiversity

#### Brent Unitary Development Plan 2004

- **STR11** the quality and character of the Borough's built and natural environment.
- **BE2** on townscape: local context & character
- **BE3** urban structure space and movement
- **BE5** urban clarity and safety
- **BE6** public realm: landscape design
- **BE7** public realm; streetscape
- **BE9** architectural quality
- **BE12** sustainable design principles
- **BE33** tree preservation orders
- **H11** housing on brownfield sites
- **H12** residential quality – layout considerations
- **H13** residential density
- **H15 backland development** - which states *where backland development is proposed special regard will be paid to the following; a) the density and height of the proposal which should be subsidiary to the frontage housing; b) the privacy and outlook from existing dwellings and in particular gardens; c) any proposed demolition of existing dwellings or parts of dwellings to form accesses. If this would create an unattractive breach in a consistent street frontage this will not be permitted; d) access arrangements which would cause significant nuisance to neighbouring properties will not be permitted; e) that sufficient garden depth and area is retained by existing dwellings commensurate with their size and character; f) the effect and cumulative impact of the development on the loss of garden habitat.*
- **TRN3** environmental impact from traffic generated it will be refused.
- **TRN4** measures to make transport impact acceptable
- **TRN23** parking standards for residential developments.
- **TRN34** servicing in new development
- **PS14** – parking standards for residential development.
- **PS16** – cycle parking standards for residential development.

#### Brent Supplementary Planning Guidance

Supplementary Planning Guidance (SPG) Note 17: 'Design Guide for New Development'  
Supplementary Planning Document (SPD) 's106 Planning Obligations'

#### **CONSULTATION**

-122 neighbours/representees consulted on 01 October 2012

-Ward councillors, Brent Transportation & Brent Landscape Design Team consulted on 01 October 2012

3 individual letters of objection have been received. In summary the following grounds of objection are raised;

- The proposal represents an overdevelopment of the site.
- Loss of privacy to existing residents of Tregenna Court and harmful to the use of neighbouring gardens.
- Loss of existing garden used by residents of Tregenna Court.
- Loss of property values (not a material planning consideration).
- Proposal is harmful to the character of the area.
- Proposal will place further pressure on local infrastructure (transport, health, education, emergency services, open space).
- Loss of trees and wildlife.
- The shared vehicle access will lead to safety problems.

#### **Transportation Unit Comments:**

- The site lies within CPZ "ST" and has very good accessibility with a PTAL Level 5.
- The CPZ and good PTAL rating means that car parking standards are set at the stricter level under PS14 (0.7 spaces per unit).

- Each proposed 2-bed unit can be permitted up to 0.7 spaces, meaning a total of 4.2 car parking spaces would be acceptable. None are proposed though as this is a “car free development”.
- The existing 12 flats in Tregenna Court will continue to have provision of 12 parking spaces (they currently have 10). The provision of 12 spaces is an improvement for residents and is actually greater than is required for 12 flats in this location where stricter parking standards of 0.7 spaces per unit would apply. This would equate to a maximum of 8.4 spaces.
- The layout that was approved (07/2297) and supported by Transportation at the time proposes the provision of 4 new garages that are to be accessed of the shared access. Your Highways Officer’s are now advising that the approved layout, to which no changes are proposed does not provide sufficient depth immediately in front of the garages for vehicles to easily manoeuvre into. It is recommended that the position of the garages be changed to suit.
- A concern has been raised concerning the width of the shared access.
- Highway’s officer do not welcome the proposed use of asphalt to surface the shared access. They would favour a higher quality finish, preferably block paving, but with different colours and textures to demarcate the pedestrian route.
- The proposed works to the parking at the front of Tregenna Court represent a clear improvement in the parking layout in this part of the site and are welcomed.
- Transportation will again seek a “car-free” agreement for the proposed flats, this is to restrain on-street parking around Tregenna Court and in the area, this agreement is only applicable to the new dwellings. This will again be secured through a Section 106 Legal Agreement (*further discussion can be found in the Remarks section*).
- A standard contribution of £1000 per dwelling will be sought towards non-car access, highway safety and new parking controls.
- Again improvements to the existing vehicle access from Harrow Road will be sought, this will assist emergency and servicing vehicles when entering and exiting.

#### **Urban Design Comments;**

No additional comments have been provided as this application is to renew an extant planning permission – where no changes to the building or layout are proposed. But for clarity the following text is taken from the 2007 Committee Report, at that time Design Officer’s had commented on the proposal in the following way;

*“The scheme has potential to be a high quality development, the notion of a building with contrasting front and rear elevations shows that there is a strong rationale behind the proposal.”*

#### **REMARKS**

This application seeks to extend the time limits for the implementation of the development that was approved through planning consent reference 07/2297 on 15 September 2009. Government guidance is clear, that the consideration of such applications which are for a ‘renewal’ must focus solely on the changes in policy or guidance that have come into force since the previous application was approved that would affect the proposal.

The original committee report can be found as an insert at the end of this report. It does not change as the quantum of development, its design, scale, layout and massing are all to remain the same as previously approved. For this reason the issues discussed in the original report will not be discussed again unless the relevant policies have changed.

#### Principle

The principle of development has already been accepted by Members when it was resolved to grant permission following consideration of the scheme at Planning Committee in 2007. Details for this application can be found on the Council’s website.

#### Government response

In 2009 the Government recognised the difficulties facing the development industry, as a result of the recession and introduced legislation to help maintain the delivery of sustainable development in the face of the UK recession. As of October 2009 applicants have been able apply to their Local Planning Authority (LPA) for a new planning permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development. This has been introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.

#### Procedural matters

The process is referred to as an extension to time limit of planning permission. More formally, a new planning

permission will be granted, with a new reference number, for the development granted permission by the original decision. This new permission will be subject to a new standard timescale condition and all original conditions and S106 obligations will be retained and updated if necessary. There is scope to impose additional conditions and obligations if necessary too, if these can be justified through policy.

The Department of Communities and Local Government stresses that, although this is not a 'rubber-stamp' exercise, "development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date"

### Brent's Approach

Guidance titled '*Greater Flexibility for Planning Permissions: Guidance*' has been published by the Government and this document informs how LPAs are to approach these types of applications (Communities and Local Government, 2009). LPAs are instructed to take a "positive and constructive approach" towards those applications which improve the prospect of sustainable development being taken forward quickly. The focus of attention in determining the application should be on those development plan policies and other material considerations (including national or regional policies) "which may have changed significantly since the original grant of permission".

A number of new plans and guidance documents have been adopted, such as the National Planning Policy Framework (NPPF) 2012, the LDF Core Strategy 2010, the London Plan 2011 the LDF Site Specific Allocations 2011.

However, in your officer's opinion, the primary issues to be considered within this application relate to:

- Internal floorspace standards, as set out in 2011 London Plan
- Impact on suburban character
- Introduction of Mayoral CIL

### **Internal floor space standards**

Since the approval of the previous consent in 2009, the Mayor has introduced new minimum space standards for residential developments. These are greater than those standards previously set out within SPG 17, which the approved scheme was judged against.

All six units are treated as 2-bed/3-person units, this is because the bedroom spaces in each are less than the desired 12sqm that is required for these to be recognised as twin occupancy rooms. This is set out in the Mayor's 'London Housing Design Guide'. So as 2-bed/3-person units then a minimum of 61 sqm should be achieved to comply with Mayoral standards. With the exception of 'flat 2' on the first floor which is 63sqm, each of the other five units fall marginally short of the minimum standard, each ranging in size from 57 to 59.7sqm. On balance the shortfall on a per unit basis is not considered to be significant enough to warrant sub-standard, unacceptable living conditions for future occupiers.

### **Impact on character of area**

Core Strategy policy CP17 seeks to protect the suburban character of Brent from inappropriate development, and to resist the development of garden space and infilling of plots with out-of-scale buildings that do not respect the setting of existing dwellings.

Backland development is a well established form of development in the surrounding area. Here the principle of a backland development has already been established to the rear of Tregenna Court through the grant of 07/2297. Outside of the application site the principle of backland development has also been well established over recent years with the building of Ithell Court, north of the site and Oaklands Court, west of the site. More recently it is of note that planning permission for a backland development similar in scale and form to that which renewal of consent is sought, was granted to the rear of 2 Crawford Avenue. This scheme (09/3080) which is currently under construction is immediately east of the application site.

This scheme was previously considered acceptable in terms of the scale of the building, which is subservient to the frontage building, and how this relates to the scale of surrounding development. Other principle considerations such as the potential impact on the amenity and privacy of neighbouring dwellings and the transportation impacts associated were assessed previously, and judged to have been acceptable.

### **Community Infrastructure Levy (CIL)**

As the renewal of planning permission would involve the issuing of a new planning permission it will be CIL liable as any consent will be issued after Mayoral CIL came into effect on 1 April 2012.

The proposal results in the loss of buildings comprising total floorspace of 265 sqm. Total gross internal floorspace (GIA) for the proposed development is 400sqm and the net increase in floorspace is chargeable, at £35 per sqm.

#### Substantial physical changes to the area since August 2009

The only notable change is the current construction of the backland development to the rear of 2 Holmfild on Crawford Avenue, as discussed above this is similar to the current proposal in its scale and form.

#### Changes to the planning permission

To reflect the changes in policy described above, the following changes are made to the decision notice:

- a) Update 'Summary reasons for approval'
- b) Attach additional conditions (including a condition listing all the approved plans and documents)
- c) Re-number conditions to follow new standard of listing restrictive conditions first

And the S106 agreement will be re-drafted to reflect the new planning permission.

#### **Summary**

The Government, when introducing this legislation, expected LPAs to assist the wider economy and the delivery of sustainable development by keeping alive those planning applications which would otherwise lapse during the UK recession. Some policy changes were anticipated in the legislation and although the guidance made it clear that applications to extend planning permissions should not be considered a rubber stamp exercise, it also made clear that LPAs should be positive and constructive in their approach to determining them.

Your officers are of the opinion that the planning policy changes discussed in this report that have come into effect are not of a nature that they mean permission should not be given to extend the 2007 planning permission. In reaching this decision, your officers have attached substantial weight to the Government's guidance on how to approach these applications and where there have been changes in policy these have been applied.

In your officers opinion, the planning policies and guidance that have been adopted since the previous grant of planning consent do not affect the acceptability of the proposal. It is accordingly recommended that the planning consent is renewed for a further period of three years.

#### **DISCUSSION OF THE MERITS OF THE 'APPROVED' DEVELOPMENT – EXTRACTED FROM PLANNING COMMITTEE REPORT 07/2297**

##### Design of proposed development and layout

The form of development has an identity of its own and does not replicate surrounding forms of development, as an approach this is considered appropriate as the built form around the site is mixed. This is due to the fact that many surrounding sites have been developed piecemeal. The proposal is for a contemporary building which aims to respond to its site and surroundings, key to the concept is the retention of the existing stand of trees which form a screen between existing and new buildings. Living rooms are proposed to be south facing, this elevation will be glazed with etched glass and framed with aluminium. At first floor balconies will be set in to the building to provide external space, but at the same time avoiding any risk of overlooking adjoining neighbours. The balconies range in size from 8 -14 square metres, additional amenity space is provided communally. Ground floor flats each have private rear gardens which are 20 square metres in area.

The rear elevation of the site is a contrast to the glazed southern elevation. The elevations for the rear wall are far simpler, the wall will be clad in timber and punched bay windows are regularly spaced throughout. The timber gables which form the roof design are used to express the widths of the individual units inside the block.

The overall width of the block is 24m, the height to eaves is 5.7m and the height to the apex is 7.6m. The windows on the rear elevation (north facing) are 8m away from the rear boundary with Ithell Court. This falls short of standards in SPG17 as we normally seek this distance to be 10m in the interest of outlook and privacy. However this is not always achievable on all sites especially backland development sites, and where it can be demonstrated there is no resultant harm then a shortfall can be justified. It is clear that a shortfall of 2m in this instance will not reduce the outlook for prospective occupants to an unacceptable level. Secondly this shortfall will not result in overlooking or a loss of privacy to occupiers of Ithell Court at the rear, as the outlook from the flats is directly onto a designated parking area, this is unlikely to be developed in the future.



The building has been positioned 2m further north than the previous application (06/2385) to improve its relationship with Bungalow K, 624 Harrow Road, to the west of the proposed building. Positioning the front building line 2m further north lessens the impact and ensures that there is no harm caused to the outlook from Bungalow K. The knock on of this is that the distance from the rear elevation to the rear boundary reduces down to 8m, but for the reasons already discussed this can be justified on the basis there will be no material harm.

The distance between the front elevation of the proposed block and Tregenna Court is approximately 32m, this significantly exceeds 20m which is required to meet SPG17. This will ensure that standards of privacy are maintained. The only window in the flank wall of the western elevation will be obscure, serving a bathroom.

The internal floor areas of the 2-bed flats will satisfy the floor area standards specified in SPG17, in accordance with this document a 2-bedroom flat must have a minimum 55m<sup>2</sup> floor area. The proposed 2-bed units range from 61 square metres up to 66 square metres, ensuring compliance in terms of floor area. The layout proposed at both levels results in an acceptable standard of development, each room has reasonable outlook with windows serving each room. The internal layout results in the stacking of like for like rooms above or below each other.

The flats will be accessed by new timber decked pathways, at ground floor new pathways will have flush thresholds so that they are accessible to wheelchair users. Access to the upper floor flats will be via secure clear glass staircases, flats 4 & 5 will share one staircase, and flat 6 will have its own private staircase. Large glazed aluminium framed doors will provide direct access to front timber decking areas, which have been incorporated at ground floor level to provide private amenity space.

#### Impact on neighbouring properties

The existing property on site, Tregenna Court is 3-storey's and as discussed above will be far enough away from the proposal to alleviate concerns of loss of light, outlook or privacy. Consideration has been given to the impact of the development on 'Bungalow K' (*west of the site*), as discussed above it is considered an improvement to the neighbour's amenity that the proposed building has been positioned further north, and moved closer to the rear boundary.

The scale and massing of the development meets SPG17 standards in terms of 30 and 45 degree angles which are in place to ensure the scale of new development respects the height of adjoining buildings. The size and scale of the building ensures an appropriate relationship between neighbouring buildings and adjoining private amenity areas.

The proposed development is to be sited 3.5m from the western site boundary and as a result the separation between Bungalow K and the development will be greater than the existing in terms of the distance between Bungalow K and the existing garage blocks. Bungalow K does have a patio door positioned on the rear elevation, it is believed this serves a lounge in any event the building has been designed to maintain an acceptable neighbourly relationship. The existing outlook from the rear of Bungalow K is blocked to a degree by the end wall of the garage block, whereas the proposed development results in an improved outlook, the siting of the development and the tapered building design provides a greater un-interrupted outlook than that currently enjoyed by the occupiers of Bungalow K. The horizontal view analysis submitted with the application confirms the horizontal viewing angle enjoyed from Bungalow K improves by 26 degrees, from 42 to 68 degrees.

#### Transportation considerations

Parking standards for dwelling houses are found in PS14 of the Adopted Unitary Development Plan, in this location car parking standards are set at the lower level of 0.7 spaces per unit because of the CPZ and the good PTAL rating Level 4. The existing 12 units on site require a maximum 8.4 spaces to be in line with current standards, the current provision is in excess of this when taking into account the amount of surface parking and the lock-up garages (*which are proposed for demolition*).

This is proposed as a "car free" development, therefore the occupants of the 6 flats will be restricted from applying to the Council for resident's parking permits. Transportation has confirmed this is appropriate because of the CPZ and the good PTAL Level 4. A number of bus routes run along Harrow Road and Wembley Central Station is approximately 500m away, the walking distance from the back of the site to PTAL 5 is approximately 450m.

The scheme proposes the re-arrangement of on-site parking spaces for residents of Tregenna Court. At the moment 8 parking spaces are provided as surface parking (*although not formally marked out*) and 4 of the garages are used, the remainder of the garages are under utilised and dilapidated. A total of 12 surface parking spaces are to be provided as part of a new site layout, maintaining a ratio of 1 space per unit.

The proposal will also see the re-provision of 4 new garages, these are replacements for the 4 garages currently leased. The lease arrangement these individual garage users have requires that they are re-provided, therefore spaces 9, 10, 11 and 12 indicated on plan will be new garages. These garages were previously proposed in front of the new block, however they have been re-located to lessen their impact on the existing lawn/amenity area. These will be timber garages with green sedum roofs, and new shrub/tree planting will be required around garages 9 and 10 to ensure a pleasant outlook for the occupiers of Tregenna Court. Parking spaces 7 and 8 are proposed along the eastern side of the building, this area is currently used for parking. Furthermore the improvements to the frontage parking will result in formal marking out of spaces 1-6.

A turning head is provided to allow refuse vehicles to enter and leave the site safely in forward gear. The proposed site plan detailing this is an amendment to earlier plans submitted, a reduced turning head is now proposed. It has been agreed through discussion with Transportation that the size of the turning head now proposed is the minimum required to meet standards. The reduction which has been achieved lessens the impact on the existing grass area, and the amount of lawn lost is kept to the very minimum. This is an improvement to the original site layout proposed and has less of an impact on the residential environment. It is also worth noting that the turning head will be constructed in "Grasscrete" or a similar product to ensure it is more in keeping with its surroundings.

The access from Harrow Road has been increased to include 6m radius kerbs and a shared surface of 4.1m in width has been provided to meet Transportation requirements. Refuse storage points are to be provided in two locations, one to the rear of the site and another to the frontage. 6 secure cycle stands will be located to the rear of the site, with a low surrounding wall to screen them.

#### Landscape comments

The site contains a high degree of landscaping at present with some mature, attractive trees, the proposed development attempts to guard against the removal of much of the screen of trees which is found between the garages and Tregenna Court.

In principle Landscape do not object to the proposal, they have examined the "*Arboricultural Impact Appraisal & Method Statement*" prepared by Barrell Tree Consultancy. The tree survey and analysis of their condition is accepted as accurate. Chris Barrons (Principal Landscape Designer) has confirmed some of the trees on site are included in a Tree Preservation Order.

The Barrell report identifies 4 trees that must be removed (identified as T10, 11, 19 and 21) of these two are low category because of their poor form, and one low category tree that needs to be removed for management reasons because of its poor condition. Regrettably one high category tree will be lost but this is only seen through glimpses of the site. Within the report a further 17 trees are identified as being at risk of adverse effects of development. Of these, trees located along the eastern boundary are considered the most important providing screening and separation from the adjoining site, it is inevitable some of these will be damaged to the extent removal will be necessary.

The loss of some of the trees to the south of the proposed building would be accepted due to their condition and potential effect on new residents. These trees could be replaced at a more appropriate distance from the building. It is also inevitable that some of the 17 trees deemed to be at risk will have to be pruned to reduce the impact of root damage.

The Arboricultural Method Statement sets out in some detail the precautions that are needed during construction works to minimise the risk of damage to existing trees. Brent's Principal Landscape Designer has advised that no more can be done except for the identification of routes, depths and installation methods for underground services.

Landscape has requested the following conditions aimed at protecting existing trees and ensuring new trees are planted.

1. The tree protection method statement contained in the Barrell Tree Consultancy Arboricultural Impact Assessment and Method Statement is to be followed during all demolition and

- construction works.
2. Details of the location and depth of all underground services to be submitted and approved prior to the commencement of any works.
  3. Details of the pruning of trees to be retained to be submitted and approved before the commencement of any works.
  4. A standard landscape condition which identifies new trees to be planted.

### Conclusion

The revised proposal is considered to be in keeping with the scale of the surrounding buildings and it is not considered harmful to the amenities of surrounding occupiers. The proposal is considered to be consistent with the requirements outlined by the Council's planning policies within the London Borough of Brent Adopted Unitary Development Plan 2004 and Supplementary Planning Guidance Note 17 'Design Guide for New Development'. Accordingly, it is recommended that this application be granted with relevant conditions attached.

**RECOMMENDATION:** Grant Consent subject to Legal agreement

### **CONDITIONS/REASONS:**

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

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

- (2) The development hereby approved shall be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted therewith,

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities by any work remaining incomplete.

- (3) The tree protection method statement contained in the Barrell Tree Consultancy Arboricultural Impact Assessment and Method Statement is to be followed during all demolition and construction works, such protection measures detailed shall be installed and retained throughout the period of the work.

Reason: To ensure that trees which are to be retained as part of the development are not damaged by construction works in the interests of the local environment and the visual amenity of the area.

- (4) The areas of car-parking and the access road serving them, as indicated on the submitted drawing, shall be laid out and available for use prior to the first occupation of any of the dwellings hereby permitted and thereafter should not be obstructed or used for any other purpose except with the prior written permission of the Local Planning Authority obtained through the submission of a planning application.

Reason: To ensure adequate car-parking is provided and retained in the interests of the conditions of general highway and pedestrian safety and the free flow of traffic on the neighbouring highways and the general amenities of the locality.

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

0508 (PL) 00, revB (1:1250)  
0508 (PL) 01 (1:250)

0508 (PL) 02 (1:100)  
0508 (PL) 03 (1:100)  
0508 (PL) 09, revA (1:500)  
0508 (PL) 10, revF (1:250)  
0508 (PL) 11 (1:100)  
0508 (PL) 12, revA (1:100)  
0508 (PL) 13, revA (1:100)  
0508 (PL) 14 (1:200)  
0508 (PL) 15, revA (1:100)  
0508 (PL) 16, revC (1:100)  
0508 (PL) 17, revA (1:100)  
0508 (PL) 18, revA (1:100)  
0508 (PL) 20, 21, 22 (nts)  
0508 (PL) 24 (1:100)  
0508 (PL) 40, revA (1:100)  
0508 (PL) 41, revA  
0508 (PL) 42, revA  
0508 (PH) 01, 02, 03, 04, 05, 06 & 07

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

- (6) Notwithstanding any description of materials given in the application, further details of the materials, including samples, proposed for:

- (a) all external surfaces of the building (including windows)
- (b) all areas of hard landscape works (including pathways)
- (c) boundary treatments, fencing and any other means of enclosure (i.e. balconies, bin stores), including a boundary fence wall of 1.8m high, and 0.6m high trellis along the northern boundary of the site.
- (d) the replacement garages

shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work on site, and the development shall not be carried out otherwise than in accordance with any such approval. Where appropriate, a schedule of the exact product references shall be provided.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

- (7) Notwithstanding any landscaping details submitted with the application, prior to commencement of works on site, a detailed scheme of landscaping for the areas within the site surrounding the building and garages, depicting the size, density and number of trees, shrubs and plants, rooting systems, retention of any existing landscaping, means of enclosure, areas of hard and soft landscaping and any other features on the site shall be submitted to and approved in writing by the Local Planning Authority, such details shall also include tree planting along the northern site boundary. The landscape work shall be fully completed during the first available planting season following completion of the development hereby approved. Any trees or shrubs which, within 5 years of planting, die, are removed or become seriously damaged or diseased, shall be replaced with others of the same species and size and in the same locations, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance, to provide a suitable setting for the development, so that the proposal enhances the visual amenity of the locality, and to provide suitable tree planting.

- (8) Detailed drawings of all underground works and additional precautions to prevent damage to tree roots shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works, such detail to include the location, extent and depth of all excavations for drainage and other underground services, in relation to the trees to be retained on site and these works shall be carried out and completed in all respects in accordance with the approved drawings prior to the commencement of works on-site.

Reason: To ensure the trees are protected and not damaged during the demolition and construction works as they represent an important visual amenity that the Local Planning Authority considers should be substantially maintained and kept in good condition.

- (9) Details for the pruning of trees to be retained to be submitted and approved, and the pruning carried out before the commencement of any works.

Reason: To ensure that trees which are to be retained as part of the development are not damaged by construction works in the interests of the local environment and the visual amenity of the area.

- (10) Further details of the provision of a minimum of 6 secure cycle parking spaces shall be submitted to and approved in, writing, by the Local Planning Authority prior to the commencement of work on site and the cycle parking spaces shall be provided in accordance with the approved details prior to occupation of the residential development.

Reason: To ensure satisfactory facilities for cyclists.

- (11) Prior to the occupation of the development, a scheme of external lighting to the footways and vehicle access areas shall be completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external lighting scheme within the development site does not result in nuisance to adjoining residential properties and provides a safe environment for residents.

- (12) The 12 on site parking and garage spaces hereby approved shall be implemented in full prior to the commencement of works to demolish the existing garage block and shall thereafter be permanently retained for use solely by the occupiers of the existing flats 1-12 Tregenna Court, with 1 parking space or garage allocated per flat at no additional cost to the occupiers, unless the Local Planning Authority agree in writing to a variation to the approved parking arrangements. Details to be submitted for approval shall include a Management Plan setting out the allocation arrangements for the garages and parking spaces, including arrangements for those spaces not taken up by the existing residents.

Reason: To ensure that sufficient off street parking is retained for existing residents.

- (13) Notwithstanding the approved plans revised details of the external finishes to the shared space shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site.

Reasons; In the interests of pedestrian and highway safety

#### **INFORMATIVES:**

- (1) During construction on site:-

(a) The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site.

(b) The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays.

(c) Vehicular access to adjoining and opposite premises shall not be impeded.

(d) All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only.

(e) No waste or other material shall be burnt on the application site.

(f) All excavated topsoil shall be stored on the site for reuse in connection with landscaping.

(g) A barrier shall be constructed around the site, to be erected prior to demolition.

(h) A suitable and sufficient means of suppressing dust must be provided and maintained.

Reason: To limit the detrimental effect of construction works on adjoining residential occupiers by reason of noise and disturbance.

- (2) With regard to surface-water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, water courses or surface-water sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on- or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, to ensure that the surface-water discharge from the site will not be detrimental to the existing sewerage system. They can be contacted on 08454 850 2777.
- (3) If the development is carried out it will be necessary for a crossing to be altered 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