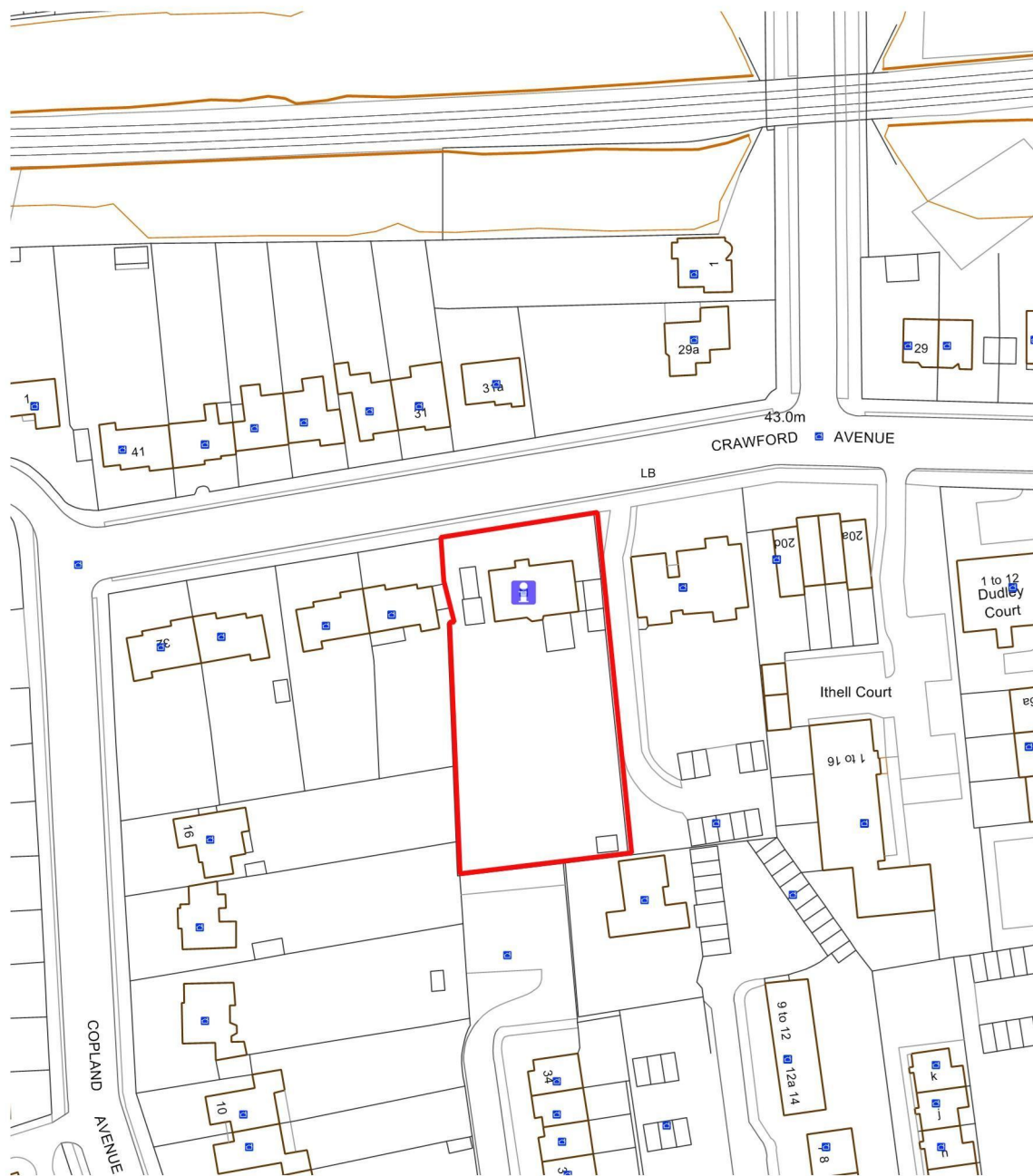




**Planning Committee Map**

Site address: 24 Crawford Avenue, Wembley, HA0 2HT

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This map is indicative only.

**RECEIVED:** 5 March, 2013

**WARD:** Sudbury

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** 24 Crawford Avenue, Wembley, HA0 2HT

**PROPOSAL:** Demolition of existing dwelling and detached structures and erection of a new detached dwellinghouse with associated hard and soft landscaping and new front boundary wall with gates.

**APPLICANT:** Mr Dilip Raithatha

**CONTACT:** Mr Ajay Modhwadia

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

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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**

#### **Section 106**

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 £18,000 (£3,000 per bedroom) towards education, sustainable transportation, open space and sports in the local area.

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 1st of April 2012.

The Planning Act 2008 gave powers to the Mayor of London which allows a London wide CIL to be charged on eligible developments in order to help fund strategic infrastructure projects. The Mayor has 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. As such all eligible developments granted planning permission from 1st April 2012 will be liable to pay Mayoral CIL.

Mayoral CIL has been set at £35.78 per sqm on developments involving the creation of new residential units. The proposal would qualify for this charge with a total of 747.21m<sup>2</sup> of new floor area.

Accordingly, the proposal would attract a minimum CIL amount of £26,735.17 (747.21m<sup>2</sup> x £35.78 per sqm).

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be is £26,735.17.

### **EXISTING**

The subject site, located on the southern side of Crawford Avenue, contains a two storey detached building with various associated outbuildings. The building, with a footprint of approximately 185m<sup>2</sup>, was run by the

London Borough of Brent as an under five children's respite care centre until January 2012. Although the property has been vacant since January 2012, the lawful use of the site remains as a children's home (Use Class C2). The building is in a poor state of repair.

The buildings are clustered at the front of the site, with the majority of the large site (approximately 1800m<sup>2</sup>) being grassed. A number of mature trees are located in the back garden. Trees that were within the front garden have recently been felled.

Two vehicle crossings at either end of the sites frontage serve the property.

The property is not situated within the Conservation Area nor does it contain a Listed Building.

Number 22, to the east of the site, contains a three storey block of nine flats. The driveway for the flats runs along the common boundary between the flats and the subject site. Number 26, to the west, contains a two storey semi-detached dwelling with extensive additions which sit approximately 1m off the common boundary. The properties on the opposite side of Crawford Avenue are more modest in scale. Crawford Avenue is made up of a mixture of different building types and does not have a prevailing character in terms of design.

### 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      | residential institutions |         |
| 2      | dwelling houses          |         |

#### FLOORSPACE in sqm

| Number | Existing | Retained | Lost | New  | Net gain |
|--------|----------|----------|------|------|----------|
| 1      | 332      | 0        | 332  | -332 | 0        |
| 2      | 0        | 0        | 0    | 747  | 747      |

#### TOTALS in sqm

| Totals | Existing | Retained | Lost | New | Net gain |
|--------|----------|----------|------|-----|----------|
|        | 332      | 0        | 332  | 415 | 747      |

### PROPOSAL

*Demolition of existing dwelling and detached structures and erection of a new detached dwellinghouse with associated hard and soft landscaping and new front boundary wall with gates.*

Up until January 2012, the site was occupied and run by the London Borough of Brent as an under five children's respite care centre. The existing care centre building and all associated outbuildings on the site are proposed to be demolished. Once demolished a new detached family dwelling house with a footprint of approximately 300m<sup>2</sup> is proposed to be constructed.

The house layout would consist of a ground floor, first floor and loft space level. An attached integral double garage with loft space is proposed for the western flank of the building. A secondary staircase will provide independent access to and from the loft space above the garage, which is proposed to be used as a music room.

The design features bay windows and balconies at front and rear. Front and rear dormer windows are proposed for the main house as well as the garage.

The applicants are proposing to construct with red stock facing brick and will employ either real or

re-constituted quoins, cill headers, string courses and other facing embellishments. The roof is to be tile (no further details given). Doors are proposed to be from wood with windows being UPVC.

One vehicle crossing will provide access to the double garage on the western side of the site. A large portion of the frontage of the site is proposed to be in soft landscaping and a detailed planting schedule has been provided. It is not clear if any of the existing mature trees on the site are proposed to be retained. A brick-metal-timber fence and associated gates with a maximum height of 1.0m is proposed for the front boundary.

The application originally proposed to construct a 50m<sup>2</sup> games room at the rear of the site which was to house a Jacuzzi, sauna, store and gym. Following the consultation period this aspect of the proposal was removed from the application.

## **HISTORY**

The most recent applications are as follows:

**04/0595** Granted.

Details pursuant to conditions 3 (window details) and 4 (arched window details) of full planning permission 03/2935 dated 27/11/2003 for installation of replacement double-glazed timber casement windows to elevation of children's home.

**03/2935** Granted.

Installation of replacement double-glazed timber casement windows to elevations of children's home.

**830995L** Granted.

Use of ground floor rooms for playgroup.

Other applications on the site date back to the 1950's and 1960's.

## **POLICY CONSIDERATIONS**

### **The London Plan 2011**

#### **London Borough of Brent Local Development Framework Core Strategy 2010**

CP17 Protecting and Enhancing the Suburban Character of Brent

CP21 A Balanced Housing Stock

CP23 Protection of Existing and Provision of New Community and Cultural Facilities

#### **Brent's Unitary Development Plan 2004**

BE2 Townscape: Local Context & Character

BE6 Public Realm: Landscape Design

BE7 Public Realm: Street scene

BE9 Architectural Quality

EP13 Water Run Off – Source Control

TRN3 Environmental Impact of Traffic

TRN23 Parking Standards - Residential Developments

TRN34 Servicing in New Development

#### **Supplementary Planning Guidance**

SPG5 Altering and Extending Your Home

SPG17 Design Guide for New Development

## **CONSULTATION**

26 neighbouring properties were notified regarding the proposal. At the close of the consultation period on 4 April 2013 three submissions had been received in opposition to the proposal. The submissions are from Flat 4, 22 Crawford Avenue, 30 Crawford Avenue and 14 Copland Avenue. The concerns outlined within the submissions have been summarised as follows:

### **Flat 4, 22 Crawford Avenue**

- The footprint of the dwelling will be increased from 332m<sup>2</sup> to 747m<sup>2</sup>.
- The proposal creates an additional storey to the property which is not in keeping with the existing houses in the road. It will dwarf the other properties in the street including the block of nine flats at 22 Crawford Avenue.

- The views, privacy and enjoyment that the residents of 22 Crawford Avenue currently have will be restricted.
- The current house clearly shows the year it was built, 1925, which may hold some historical significance to this area.
- This area suffers from inadequate drainage. On a number of occasions the garden at number 22 has been flooded with water and sewage from the subject site.
- Trees in the garden will have to be felled in order to accommodate the outbuilding. Trees in the front yard have already been felled by the current owner.
- A six bedroom property with all the facilities proposed will also require more than two parking spaces.

### **30 Crawford Avenue**

- The existing building retains the period charm and character of a 1920s property that was part of the initially property development in the area and could therefore be considered to be of historical architectural merit. There is a duty to the future generation to preserve what little historical domestic architecture there is in Brent.
- The proposal is an overdevelopment of the site, particularly as a loft conversion and rear dormer windows are proposed.
- If the proposal extends beyond the extended rear building line of 26 Crawford Avenue, the submitters garden will be overlooked and their privacy compromised.
- The size of the proposed outbuilding is alarming given that the proposed dwelling will be more than double the footprint of the existing building on the site.

### **14 Copland Avenue**

- The three storey building is disproportionately large for the area and will tower above the other houses.
- It is unclear how far the rear balconies or upper floor will overlook 14 Copland Avenue.
- The new dwelling should be kept to the height of the existing house.
- The outbuilding is both too large and too near the boundary with 14 Copland Avenue. The submitters suggest a reduction in size and that it is moved away from the common boundary.
- The building will potentially be unsightly, having a blank wall that towers above the existing fence.
- The outbuilding will block light from our garden.

It is not clear what the building will be used for. The submitters are apprehensive that it will be used as living premises or that it may be used for parties which could be a source of annoyance.

## **REMARKS**

### **Principle of development**

Until January 2012, the site was occupied and run by the London Borough of Brent as an under five children's respite care centre. Although the property has been vacant since January 2012, the lawful use of the site remains as a children's home (Use Class C2).

In support of the proposal, the applicant has provided a copy of the Executive Report from the Director of Children and Families dated 23 May 2011 which details the reasons for closing the care centre. Among the reasons given for the closure were that the building is no longer fit for purpose and due to its age and condition has become expensive to maintain. Furthermore, it had previously been decided by the Executive on 12 April 2010 that the services provided by the care centre would be replaced by the construction of a new short break centre to be located on the Grove Oak/Hay Lane site.

Given this decision by the Executive it is considered that it is not necessary to seek to retain the care centre and that therefore there is no in principle objection to the proposal in this regard.

The proposal would see the creation of an additional family sized dwelling. It has been recognised through the Council's policy documents that there is a specific need for additional family sized accommodation in the borough and as such the principle of the development is supported by CP 21 of Brent's Core Strategy.

However this must be considered in conjunction with CP17 of Brent's Core Strategy which seeks to ensure that "*the distinctive suburban character of Brent will be protected from inappropriate development*". Whether the proposed development is inappropriate and erodes the character of the surrounding suburban area is discussed in the sections below.

The principle considerations for the assessment of this application are as follows:

- Scale, design and character;
- Standard of accommodation;
- Transportation and servicing;

- Effects on neighbouring properties;
- Other issues raised within submissions; and
- Financial contributions.

## **Scale, design and character**

### ***Height***

Concerns have been raised by each of the submitters regarding the scale of the proposed building, particularly regarding the height and footprint.

The house is proposed to have a height of approximately 8.9m which is less than that of the existing building which has a height of approximately 9.7m. The block of flats at number 22 has a height of approximately 9.4m and the semi-detached dwellings at number 26 and 28 have a height of approximately 8.5m. The proposed new dwelling will therefore be of a similar height to other properties within the immediate vicinity and will not be out of character.

Similar to the concerns regarding the buildings height, concerns have been raised regarding the development in the roof space/creation of a third storey. It is noted that the block of flats at number 22 is three storeys high and the flats at number 20 are designed so as to provide accommodation in the loft space. It is also noted that the dwelling could be constructed without accommodation in the roof space and would maintain the same bulk, or that the roof space could later be converted to habitable rooms and rear dormer windows could be constructed without requiring planning permission. The provision of accommodation in the loft space is therefore considered acceptable.

### ***Footprint/bulk***

The existing building on the site has an extended footprint of approximately 185m<sup>2</sup> with outbuildings on either side of the building having an area of approximately 70m<sup>2</sup>. An approximate total for built area on the site is 255m<sup>2</sup>.

The applicant is proposing a dwelling with a footprint of approximately 309m<sup>2</sup> including the integral garage. This is an undeniably large dwelling however considered in the context of the site, at around 1800m<sup>2</sup>, it is not considered excessive or an overdevelopment.

The building will be similar in scale to other buildings in the vicinity of the site. The building at number 22 has a footprint of approximately 270m<sup>2</sup> and the extended semi-detached building at numbers 26-28 have a footprint of approximately 340m<sup>2</sup>. While these properties each provide multiple residential units, the buildings provide a scale which is reflected by the scale of the proposed dwelling. Furthermore, when viewed from Crawford Avenue the proposed dwelling will have a width of 22m, similar to the 20m width of number 22 and less than the width of the building at numbers 26-28. The building has been sufficiently articulated along its front façade through the use of bay windows, the stepped back main entrance and the setback of the garage to break up the bulk of the building and to provide interest to the elevation.

The rear building line will extend approximately 0.9m past the rear building line of number 22. Given the separation distance of over 9m any dominance effects will be avoided. The rear building line of the garage will extend approximately 1.3m past that of number 26. There is a separation distance of approximately 3.8m between these two buildings. The 1:2 rule of SPG5 is referred to as a guide and is met. As such any impact related to the depth of the rear building line on number 26 is within that considered acceptable by the Council.

### ***Design***

When considering the design of a building it is important to consider whether it respects and is in keeping with the character of the surrounding area, not whether it is to an individual's personal taste.

Crawford Avenue is made up of a mixture of different building types and does not have a prevailing character in terms of design. Given the variety in building stock the proposed design, which is appropriately articulated and which will employ the use of high quality materials, is considered to contribute positively to the streetscape.

The front boundary fence is proposed to have a height of 1.0m. This falls within the permitted development limits and can be supported.

### **Standard of accommodation**

The proposed dwelling is clearly well above the floor space requirements of The London Plan. A good level of natural light and outlook is provided to all habitable rooms and there is a large area of private amenity space in the back garden.

A secondary staircase will provide independent access to and from the loft space above the garage, which is proposed to be used as a music room. Such an arrangement would not generally be considered acceptable as a second entrance could facilitate the use of part of the building as an additional self contained unit. The applicants have made clear through the pre-application process that this is not their intention and that instead it will provide direct access to and from the music room as well as an informal way of accessing the first floor.

## **Transportation and servicing**

### ***Parking***

The six bedroom house can have a maximum of two on site car parks pursuant to PS14 of the UDP. This has been provided within the integral garage. Additional car parking can be accommodated within the hard standing in front of the garage without dominating the frontage of the site or requiring the removal of any landscaping.

### ***Cycle parking***

Suitable bike storage for the house could be accommodated on the site should the applicant wish to provide such a facility.

### ***Refuse storage***

No details of a bin storage area have been provided for the new dwelling however this could be easily accommodated within the frontage of the site.

## **Effects on neighbouring properties**

All three submitters have raised concerns regarding their properties being overlooked by the proposed development.

The guidance within SPG17 states that flank wall windows that serve habitable rooms should be 5m from the boundary. If the flank wall window is the sole window for the habitable room a distance of 10m is required. Non-habitable room windows should be 1.0m from the side boundary.

The flank wall windows at ground floor level on the western side of the house (facing number 26) serve the garage, shower room and store and are 1.01m from the boundary at the closest point. They will face the windowless flank wall of number 26 and given their utility uses are not considered to provide overlooking or affect privacy.

On the eastern side of the dwelling, ground floor flank wall windows serve the lounge and the living room but are not the main windows for either of these rooms. These windows are located 4.2m from the boundary. While this is slightly less than the required 5m there is a distance of approximately 9.5m between the windows and the flats at number 22 due to the driveway running between the two buildings. The driveway does not provide private amenity space and as such it does not need to be protected from overlooking. The privacy of the flats at number 22 will be maintained by the 9.5m separation distance between the two buildings.

The windows on the rear elevation are approximately 39m from the rear boundary of the site. This exceeds the 10m standard that SPG17 requires in order to protect privacy. A distance of over 30m is also maintained between the rear windows and balconies and the common boundary with 14 Copland Avenue who have objected on privacy grounds.

2.0m high obscure glass screens are proposed to be installed on the sides of both the balconies proposed for two of the first floor bedrooms. These balconies are only 0.6m deep and do not provide a space on which people are likely to gather. The obscure glazed screens are considered sufficient to prevent overlooking from these spaces.

Given the proposed buildings relationship with the neighbouring properties in terms of its bulk, building lines and positioning, it is not considered to prevent the adjoining sites from maintaining sufficient levels of sunlight as outlined by SPG17.

## **Other issues raised by objectors**

### ***Historical significance***

Two objectors raised concerns that the building to be demolished, which was constructed in 1925, could hold historical architectural merit/significance and that it should be preserved for this reason.

The property is not a statutory or locally listed building, it is not within a Conservation Area nor is it within an Area of Distinctive Residential Character. Given this the Council has limited control over the retention of the building.

**Removal of trees**

Trees in the front yard have already been felled by the current owner. As the trees were not the subject of Tree Protection Orders there was no mechanism for the Council to have these retained. However the proposed scheme presents the opportunity to provide significant new tree planting to the sites frontage.

**Flood risk**

The site is not identified as being within a flood risk zone by the Environment Agency.

The Building Control process will ensure that the new dwelling will be supported by adequate drainage and servicing.

**Conclusion**

The proposed dwelling is considered to have a design that respects the characteristics of the adjoining dwellings, is appropriate to the streetscene and avoids unacceptable adverse effects on the amenity of adjoining properties. A good standard of accommodation is provided within the new dwelling which can be supported by adequate servicing. As such the proposal is considered to comply with the relevant Council policies and is accordingly recommended for **approval subject to the completion of a S106 agreement and conditions.**

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

- (1) The proposed development is in general accordance with policies contained in the:-  
The London Plan 2011  
London Borough of Brent Local Development Framework Core Strategy 2010  
Brent's Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 5 Altering and Extending Your Home  
Council's Supplementary Planning Guidance 17 Design Guide for New Development

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

- Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
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):

- 2599-05/FP, revision G, dated 05/02/2013.  
2599-06/FP, revision G, dated 05/02/2013.  
2599-07/FP, revision G, dated 05/02/2013.  
2599-08/FP, revision G, dated 05/02/2013.  
2599-09/FP, revision G, dated 05/02/2013.  
2599-11/FP, revision G, dated 05/02/2013.  
2599-12/FP, revision I, dated 05/02/2013.  
2599-013F/FP, revision B, dated 05/02/2013.



2599-14/FP, revision G, dated 05/02/2013.

Proposed planting plan prepared by Tims Landscaping Garden and Property Maintenance, dated 18/01/2013.

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

- (3) The landscape works and planting shown on the approved plans shall be carried out within the first planting season following the occupation of the proposed dwelling.

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

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

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

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

#### **INFORMATIVES:**

- (1) The applicant is reminded that the proposed dwelling will be within planning Use Class C3, whereby up to 6 unrelated residents may live together as a single household. Any increase in residents above 6 people living together, other than as a single family, is likely to constitute a material change of use which would require the grant of a further planning permission from the Local Planning Authority.
- (2) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk).
- (3) 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.

Any person wishing to inspect the above papers should contact Hannah McCashin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 2707