

Location Storage Land next to 75, St Pauls Avenue, London, NW2 5TG
Description Redevelopment of the site to provide part 2, 3, 4 and part 6 storey building comprising 20 (5 one, 10 two and 5 three bed) affordable units and associated access, landscaping, car parking and cycle parking provision

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Members visited the application site on 26th June 2010.

The issue of contaminated land on the site was raised. As noted in the consultations section of the main report Environmental Health officers have recommended that if planning permission was to be granted a condition should be attached to require a site investigation to determine the nature and extent of any contamination. Remediation options would be sought along with a verification report, confirming adequate measures had been taken.

Noise & vibration

The application proposes the erection of a residential development in close proximity to the potentially noise generating railway line. PPG24 on "Noise" sets out various categories of sites and indicates the level of remediation measures that are considered necessary in order to ensure that the occupiers of the flats will have their amenities protected. The existence of the railway line is not considered to be a factor which should prevent residential development but if recommended for approval conditions would be necessary to ensure that potential noise was adequately mitigated (eg: details of glazing, balcony screens, etc), this would include a scheme of insulation works to be approved and implemented prior to the occupation of the development.

Another significant concern is the relationship of the proposed development with the adjacent garage and at the site visit the level of noise produced by the garage was noted. The comprehensive development of the site has always been officers preference and the existence, and proximity, of the garage is considered to be a significant constraint which has been emphasised by the comments of Environmental Health officers. The effect of the noise produced by the garage and related vehicles, from the use of power tools and other machinery, as well as vehicle movements and general activity, which could take place either in the open, or inside but with windows/doors open, would be likely to impact on windows, balconies and other outside amenity space within the new development. This is of significant concern and it is considered has not been satisfactorily addressed at this stage.

Revised Plan

A revised site plan has been received. This plan omits the proposed increase in the width of the existing crossover and proposes a low brick wall at the front boundary up to the vehicular crossover. However the existing crossover is shown re-sited 2m further to the west. This amendment is not considered significant in terms of design with no change to the extent of hardsurfacing, but the wording of reason for refusal 1 should be revised as described below.

This revision does not remove the objection from highways officers. The re-siting of the crossover closer to the mini-roundabout junction is not welcomed on highway safety grounds. Without being able to guarantee that vehicular use of this access can and will be reduced to a negligible level, the proposed re-siting of the access closer to a mini-roundabout junction

and its poor alignment and substandard width will continue to give rise to concern over vehicles having to reverse into and out of St. Paul's Avenue to pass one another or to make the sharp turn into the site.

During the Committee site visit a number of cars were observed using the Right of Access from St Pauls Avenue to the garage. The agents for the application have stated that they are of the opinion that this was not representative and was more frequent than the usual use of this access.

Consultation

Since the production of the Committee report 2 further objections have been received from neighbours, these reinforce issues already discussed in the consultation section of the report.

Reasons for Refusal

Following the submission of revised plans (and reduced crossover width) reason for refusal 1 should be amended as follows:

By reason of the proposed set back in the front elevation at ground and first floor and inconsistent building line, the height and bulk of the building and the extent of hardsurfacing for vehicular use, the proposal results in an incongruous, overbearing and unduly prominent development within this streetscene. The proposal fails to relate to the surrounding established character of the immediate area consisting of strong building lines with a green perimeter and the lack of boundary treatment and an integral landscape scheme fails to create a safe and welcoming residential environment for future occupiers. The proposal is contrary to policies BE2, BE3, BE6, BE7 and BE9 of Brent's UDP 2004 and *Supplementary Planning Guidance 17: Design Guide for New Development*.

Also, reason refusal 2 should be amended to read:

By reason of the re-siting of the crossover closer to the mini-roundabout junction, the narrow width of the accessway and its awkward alignment with St Paul's Avenue and close proximity to mini-roundabouts the proposal would be detrimental to pedestrian and highway safety. The location of the access way through the residential development and its use by vehicles associated by the neighbouring garage use results in a serious conflict of uses which cannot be mitigated by the temporary barriers proposed. The proposal is contrary to policies BE3, TRN12, TRN14 and TRN15 of Brent's UDP 2004.

Reason for refusal 3 should be revised to read:

By reason of the amount of amenity space provided, the shape of the children's playspace, its location adjacent to the vehicular accessway and adjoining garage use, the development fails to provide an adequate quantity and quality of amenity space which would be prejudicial to the enjoyment of future occupiers contrary to policy BE6 of Brent's UDP 2004 and *Supplementary Planning Guidance 17: Design Guide for New Development*.

An additional reason for refusal is recommended:

In the absence of information, or mitigation measures, it would be likely that the noise, disturbance and general activity produced by the adjoining garage use would harm the living conditions of future occupants, contrary to Policy EP2 of Brent's UDP 2004.

Recommendation: Remains refusal with amended plan number GHG/813/OD1, revised conditions 1, 2 and 3 and additional reason for refusal.