

 **Planning Committee Map**
Site address: Car Park, Ainsworth Close, Neasden, London
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

Proposed

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
Houses û Social rented			3							3

PROPOSAL

See description above

HISTORY

No planning history

POLICY CONSIDERATIONS***National Planning Policy Framework (NPPF)***

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The development plan for the purpose of S38 (6) The Planning & Compulsory Purchase Act 2004 is the Brent Unitary Development Plan 2004, Core Strategy 2010 and the London Plan 2011. Within those documents the following list of policies are considered to be the most pertinent to the application:

London Plan 2011

Policy 3.5

Quality and Design of Housing Developments

Brent Core Strategy 2010

CP 2 Population and housing growth

Sets out the appropriate level of growth across the borough, including the number of new homes and proportion of affordable housing sought

CP 17 Protecting and enhancing the suburban character of Brent

Balances the regeneration and growth agenda promoted in the Core Strategy, to ensure existing assets (e.g. heritage buildings and conservation areas) are protected and enhanced. Protects the character of suburban housing and garden spaces from out-of-scale buildings.

CP 21 A balanced housing stock

Seeks to maintain and provide a balanced dwelling stock to accommodate the wide range of Brent households by: ensuring appropriate range of dwellings and mix; defining family accommodation as units capable of providing three or more bedrooms; requiring new dwellings be 100% Lifetime Homes and 10% wheelchair accessible; contributes to non-self contained accommodation and care & support housing where needed.

Brent UDP 2004

BE2 Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces, materials and townscape features that contribute favourably to the area's character and not cause harm to the character and/or appearance of an area.

BE3 Proposal should take regard for the existing urban grain, development pattern and density in the layout of development site.

BE4 Access for disabled people

BE6 A high standard of landscape design is required as an integral element of development schemes.

BE7 A high quality of design and materials will be required for the street environment.

BE9 Creative and high-quality design solutions specific to site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of

adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

- H11 Housing will be promoted on previously developed urban land which the plan does not protect for other uses.
- H12 Residential site layout to reinforce/create an attractive/distinctive identity appropriate to its locality, housing facing streets, appropriate level of parking, avoids excessive ground coverage and private and public landscaped areas appropriate to the character of area and needs of prospective residents.
- H13 The appropriate density should be determined by achieving an appropriate urban design, make efficient use of land and meet the amenity needs of potential residential, with regards to context and nature of the proposal, constraints and opportunities of the site and type of housing proposed.
- TRN23 Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.
- PS14 Parking standards for residential uses

Brent Supplementary Planning Guidance

SPG17 Design Guide for New Developments

Sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy and light of adjoining occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

CONSULTATION

External

Neighbouring residents were consulted on 24th October 2014, 4 objections have been received raising the following concerns:

- The existing boundary treatment along the garden of 76 Brook Road has been poorly maintained by BHP. The proposed 2m high fence will be insufficient to provide security and privacy for the existing neighbour because of the higher ground level, a 9ft wall is requested.
- Trees along the boundary in the neighbouring garden should be protected.
- The area suffers from parking issues and rather than making the car park safer it has been allowed to deteriorate.
- Residents park on Ainsworth Close which makes it difficult for emergency vehicles and for manoeuvring when there is snow and ice on the ground.
- Bell House will suffer from loss of privacy, light and the devaluing of the property, rubbish bins will also be close which will result in smells and dust.
- Construction works near the property may cause harm to paintwork carried out as part of the major works to the estate.
- The new homes will add to the existing problems.
- The new build will stand out in its appearance and have an adverse impact on the visual amenity of the area, its is forward of the neighbouring building line and is out of character.
- The layout and siting, both in itself and in relation to adjoining buildings, spaces and views, is inappropriate and unsympathetic to the appearance and character of the local environment

Internal

Highways -

No objections. There is sufficient capacity for parking in the estate to allow for the loss of the underused car park. The proposal provides a space per unit which may be sufficient but a small amount of overspill parking would also be acceptable. This issue is discussed further below.

Tree officer -

No objections. Conditions recommended regarding tree protection and planting.

Councillors

Councillor Reg Colwill - Residents consider that the plan to build 3 homes on the car park will further worsen existing ASB with limited local police resources. Residents also feel BHP hasn't taken sufficient account of concerns about parking pressure, facilities for young people and maintaining the upkeep of the estate. Councillor Bhiku Patel of Kenton Ward has indicated that they share these concerns.

REMARKS

Background

1 Brent Housing Partnership (BHP) has been looking at ways in which it can increase its stock of affordable family housing, which is housing with 3 or more bedrooms, across the Borough. This reflects the significant existing shortage and the demand arising from Brent's larger than average family sizes.

2 A survey of BHP properties and estates has led to the identification of a number of infill opportunities to contribute to increasing the BHP housing stock. The subject site is a small car park located on the northern side of Ainsworth Close and the proposal seeks permission for the erection of 3x3-bed social rented houses and 3 off street parking spaces.

Key considerations

3 The key considerations of this proposal are as follows:

- (1) Principle of development
- (2) Design, Layout & Impact on Street Scene
- (3) Standard of accommodation
- (4) Impact on neighbouring amenity
- (5) Landscaping
- (6) Parking

Principle

4 Ainsworth Close and its surrounding area is residential and as such the introduction of the proposed residential units is appropriate in terms of the character and use.

5 Parking is the other significant issue which needs to be acceptable for the principle to be supportable. The existing site as set out above, is a small car park presumably originally intended for surrounding residents, however aerial photos back to 1995 demonstrate extremely limited use with no more than one vehicle in situ and often none. For at least the last year it is apparent that the area hasn't been available for use for parking at all more but has been used for storage, possible associated with work going on in the estate.

6 Highways officers have reviewed the proposal and have no objections, this is discussed in more detail below, but in summary the principle of the development is considered to be acceptable.

Design, Layout & Impact on Street Scene

7 The proposal is for a row of 3x2-storey terrace houses. The dwellings face south onto Ainsworth Close, to their west are the rear gardens of 78 and 80 Brook Road, to the north is the rear garden of 76 Brook Street and to the east is 1-7 Bell House.

8 The site is approximately 37m wide, 17.3m deep at its western end and 13.7m at its eastern end. The only existing building which fronts onto this part of Ainsworth Close is Bell House which is set over 16m back from the pavement edge behind an open grassed area. The depth of the subject site doesn't allow for this to be reflected however the proposal seeks to establish its own character with a strong front building line.

9 The estate isn't characterised by private front gardens and the proposed houses have a 1.4m wide set back from the pavement which will be planted with shrubs to provide a green setting. As large a set back as possible is sought in all developments to improve the visual impact of the development and also to protect amenity for future occupiers. A minimum 2m setback is usually required for taller buildings to prevent the development appearing overbearing in the street as well as providing a defensible space in front of windows.

The limited depth of the site here would not easily allow for the front curtilage to be widened and on balance, as the development is only 2-storeys and taking into account the character of the estate, the relationship between the street and the proposed houses is considered to be acceptable. 2 parking spaces are proposed to the west of the houses along with cycle and refuse storage space for 2 of the houses, the parking space and storage facilities for the third house are to the eastern end of the site. In terms of its appearance in the street scene the development is considered to sit comfortably within the plot.

10 The elevational design is simple but is considered to be successful. The houses have a similar arrangement of fenestration but with slight variation to add interest. The proposed materials are brick at the ground floor level and the first floors will be clad with tiles with each house having a different shade of tile, this continues around the side and rear elevations. Further details of this are shown in section 7.1 of the D&A and samples will be required by condition. Bell House which is the neighbouring building on Ainsworth Close consists largely of brick and hanging tiles so this treatment is appropriate.

11 Bell House is a 2-storey flat roof building, so the flat roof design of the subject site ties into to the local character.

12 Fenestration is proposed in the flank walls at ground floor (one window to each side) adjacent to the parking spaces which provides a sense of surveillance of these spaces. A windows is also proposed at first floor in the eastern flank wall, this is a secondary window to the master bedroom, and as well as providing an element of interest within the tile cladding, it also gives a suggestion of overlooking of the space to the side of the house which is welcomed.

Standard of Accommodation

13 The units have a clearly identifiable entrance which is recessed in the front elevation.

14 As set out above the units have a limited set back from the street where the kitchen and dining room windows are positioned, details of planting in the front curtilage will be required to enhance the separation distance. While the privacy of these rooms is a consideration they form only a part of the habitable space in the units and the quality of the accommodation isn't considered to be compromised. The living area is to the rear of the ground floor and as such looks on to the rear garden which is a private area to each unit. At first floor all bedroom windows have outlook to the front and the largest double bedroom has a high level window to the rear.

15 Each house provides 100sqm of internal space over floors; a kitchen, dining and living room are provided at ground floor along with a bathroom and storage cupboards, while the first floor accommodates another bathroom and 3 bedrooms (2 doubles and 1 single). The minimum space standard in the London Plan for 3b5p dwelling houses is 96sqm which is achieved.

16 Each unit has a private rear garden each of which is over 70sqm. A good quality and quantity of amenity space is provided.

Impact on neighbouring amenity

17 The closest neighbouring house is to the west of the site on Brook Road and is over 15m away from the proposed flank wall. The proposed development falls below an angle of 35 degrees measured from 2m in height at the neighbours rear elevation and below 45 degrees from the rear garden boundary, which is the criteria set down in SPG17.

18 SPG17 states that usually the minimum distance between habitable room windows on a rear elevation and the boundary should be 10m, in this instance the living room window of the western most unit is 8.7m from the boundary and 7.3m at the eastern unit. The boundary treatment will be 2m high which will prevent any overlooking of the garden to the rear. There is no conflict with residential windows as the proposed layout is perpendicular to Brook Road. The houses are designed so that there is no outlook from habitable rooms at first floor which could harm privacy to the rear. Officers are satisfied that the design mitigates any potential impact on privacy.

19 Brook Road is on a hill so the garden to the rear has a lower ground level which is not shown on the Proposed Section BB drawing. The neighbour is concerned that the proposed 2m high fence is insufficient for their security and request a higher boundary treatment. Officers would not support a higher boundary treatment as it would be overbearing however further details of the boundary treatment are required and it is recommended that the 2m height is taken from the subject site's ground level.

20 The proposed development falls under an angle of 45 degrees set at 2m at the garden boundary with 76 Brook Road and would therefore have an acceptable relationship in accordance with SPG17.

21 The proposal will be visible from Bell House to the east of the site however at its closest point it will be positioned over 12m away and in terms of outlook while Bell House is angled towards the proposed site the development would not detrimentally obstruct outlook from its front windows.

Landscaping

22 There are 2 trees in the frontage of the site which will be removed to enable the construction of the 3 houses. The trees are a Red Oak and a Maple and the tree officer has no objection to their loss subject to replacement within the site. The pavement in front of the proposed houses is insufficiently deep to accommodate replacement trees within it and instead it is specifically suggested that 2-3 native trees are provided per rear garden.

23 The small front curtilages of the site require good quality dense planting to enhance the green value of the site, this could include a privet hedge and further details will be required by condition.

24 The council's tree officer has appraised the trees to the rear of the site and provided recommendations, a tree report and method statement will be conditioned detailing which trees will be removed and for those to be retained, how the work will be carried out to prevent damage to their roots. The retention of trees identified as T4 and T5 is recommended as this will enhance the screening between the new houses and the adjacent garden.

Car Parking

25 Under the UDP standard PS14 a maximum of 1.6 spaces per 3 bedroom dwelling would be allowed. This means up to 4.8 spaces for the proposed 3 houses, however as affordable housing the units would be likely to attract closer to 50% of this standard and this would, consequently, be catered for by the provision of 3 off street parking spaces, one being allocated to each unit. The access to public transport in this part of the Borough is rated as low (PTAL 2) and there are no Controlled Parking Zones (CPZ's) in the vicinity of the site.

26 Ainsworth Close is quite narrow, but despite this car parking along one side is still possible.

27 Although as explained above car parking is proposed on the site that complies with the Council's maximum standards, it remains the case that the possibility of overspill parking has still to be considered in order to understand whether the proposal will result in an impact on existing highway conditions. Transportation colleagues have confirmed that the estate provides approximately 70 off street parking spaces as well as approx. 50 on-street spaces. Looking at the most recent 2011 Census the 108 flats here showed average car ownership of 0.435 cars per flat giving a total provision of about 50 cars. This scenario seems to be supported by aerial photos of the area which in 2013 showed approximately 50 cars parked on-street. It is considered that this demonstrates that there appears to be sufficient unused capacity on-street to satisfy any increased demand in the event that the loss of the car park, albeit one that does not appear to have been used for such purposes recently, leads to any level of overspill parking from the site.

28 In terms of bicycle storage Council standards require 1 space per unit and a condition is recommended here to relocate the parking for the middle unit into the rear garden of the house so as to be more readily available and also provide improved security. The new location would need to not conflict with tree protection and proposed tree planting.

29 There is a balance to strike in terms of the need for refuse storage to current Council standards to be provided on the site, but also to make sure that the structures do not over dominate the outside space or reduce the scope for landscaping to be planted. Although it might be preferable in technical terms for the storage to be accommodated within front gardens these spaces are not large, as discussed above, and it would therefore result in the loss of soft landscaping which is considered essential in this context. As a result, the proposed locations identified at the end of the terrace are considered the most sensible and are within an acceptable distance for residents.

Conclusions

30 Overall the proposal is considered to result in a good quality of accommodation which will have an attractive appearance in the street and will not be detrimental to neighbouring amenity. Importantly, the

development provides family accommodation in two storey houses, with outside space, that is recognised as being in short supply in the Borough. Further detail is required by condition in order to ensure the quality of materials, landscaping and tree protection.

Neighbour objections

Neighbour comment	Response
Height of fence at the boundary with 76 Brook Road is insufficient and a 9ft wall is requested	2m is the usual maximum acceptable ensured that the 2m is taken from the neighbours lower ground level. A wall is preferred to a fence.
Trees along the boundary in the neighbouring garden should be protected.	A method statement including root protection condition.
The area suffers from parking issues and rather than making the car park safer it has been allowed to deteriorate.	Aerial images over many years show the area before it was closed. It may have been overlooked. The proposal will not address the issue however aerial images and car ownership will show sufficient parking capacity within the area.
Residents park on Ainsworth Close which makes it difficult for emergency vehicles and for manoeuvring when there is snow and ice on the ground.	Ainsworth Close, though narrow, is wide enough for emergency vehicles.
Bell House will suffer from loss of privacy, light and the devaluing of the property, rubbish bins will also be close which will result in smells and dust.	The relationship between Bell House and the proposed development could not result in any conflicts of privacy or light. Bell House would be to the south and has the open grassed area between them. The development is over 12m away and will not affect light. The bins referred to service on the site will have no detrimental impact on neighbouring properties.
Construction works near the property may cause harm to paintwork carried out as part of the major works to the estate.	The considerate constructors scheme will ensure that the property is protected.
The new homes will add to the existing problems	The development of the underused area will be an enhancement to the area and should not cause any social behaviour etc.
The new build will stand out in its appearance and have an adverse impact on the visual amenity of the area, its is forward of the neighbouring building line and is out of character	Officers are of the opinion that the development is in its own character, relates acceptably to the surrounding area.
The layout and siting, both in itself and in relation to adjoining buildings, spaces and views, is inappropriate and unsympathetic to the appearance and character of the local environment	The layout responds acceptably to the surrounding area protecting neighbouring amenity and landscaping.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004
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
Housing: in terms of protecting residential amenities and guiding new development

CONDITIONS/REASONS:

(1) In the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of this permission, and that the development to which this permission relates must be begun not later than whichever is the later of the

following dates:-

- (i) the expiration of three years from the date of this permission; or
- (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 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):

PL001
PL100
PL110
PL111
PL200
PL201
PL300
PL301
PL302
PL303
Design & Access Statement

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

- (3) The area(s) so designated within the site, between the front elevation and pavement edge, shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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

- (4) All car parking spaces and footways shall be constructed and permanently marked out prior to first occupation of the development, and permanently maintained for such purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of amenity and highway safety.

- (5) All existing crossovers rendered redundant by this proposal shall be reinstated to footway at the applicant's own expense and to the satisfaction of the Council's Director of Transportation prior to first occupation of the new development.

Reason: In the interests of traffic and pedestrian safety.

- (6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development within Classes A, B, C or D of Part 1, Schedule 2 to the said Order shall be carried out to the proposed houses without the prior permission of the local planning authority obtained through the submission of a planning application.

Reason : To enable the local planning authority to maintain strict control over the extension and alteration of any of the dwellinghouses hereby permitted on restricted sites in the interests of maintaining the appearance and integrity of the development and the visual and general

amenities of the locality and to safeguard the amenities of the occupiers of neighbouring properties.

- (7) No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- (8) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-

(a) materials (samples of which shall be submitted for approval by the Local Planning Authority) to be used on all external surfaces of the building(s);

(b) the treatment of the areas of hardstanding to include SUDS;

(c) the proposed boundary treatment to consist of a fence 2m high from the ground level of the site and a section drawing showing the ground level of 76 Brook Road;

Reason: These details are required to ensure that a satisfactory development is achieved.

- (9) Notwithstanding the plans hereby approved, a tree protection plan, arboricultural method statement and construction method statement for the proposed works, specifying the method of tree protection in accordance with BS 5837:2005 shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing on site. Works shall not commence on site until the Local Planning Authority has been on site and inspected the required tree protection measures. The approved tree protection measures shall be in place throughout the construction period.
- This shall include the identification of trees which will be removed as well as appropriate replacement trees and details of the future management of trees.

Reasons: To ensure that the existing trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained as an integral feature of the development and locality and kept in good condition.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377