

 **Planning Committee Map**
Site address: Land rear of 114 - 116 Dollis Hill Lane, London, NW2 6JA
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This map is indicative only.

RECEIVED: 9 October, 2014

WARD: Dollis Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: Land rear of 114 - 116 Dollis Hill Lane, London, NW2 6JA

PROPOSAL: Erection of four (x4 bed) semi detached dwellinghouses including formation of off street parking and associated landscaping

APPLICANT: Grosvenor Homes

CONTACT: PPM Planning Limited

PLAN NO'S:
See condition 2

RECOMMENDATION

Approval subject to conditions listed after paragraph 21.

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£144,161.43** of which **£122,690.58** is Brent CIL and **£21,470.85** is Mayoral CIL.

CIL Liable?

Yes/No: Yes

EXISTING

The subject site is the land to the rear of 114 and 116 Dollis Hill Lane. The land has not been formally separated off from the frontage properties but aerial photos show that it has not been well used and has become overgrown.

While the address of the site is Dollis Hill Lane the site identified by the red line is 26m to the rear of the front boundary. For most of its depth the site is bounded by Orchard Close to the west, this is a cul-de-sac on which there are 7 houses, all of which are detached and 3-storeys high.

The site does not include a listed building nor is it within a conservation area, however Homestead Park CA is to the west of Orchard Close.

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

Primary Use	Existing	Retained	Lost	New	Net Gain
dwelling houses	0	0	0	600	600

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	0	0	0	600	600

Monitoring Residential Breakdown

Existing

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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Houses										
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Proposed

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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Houses				4						4
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PROPOSAL

See description above.

HISTORY

06/1998 Appeal Allowed

Erection of a 2-storey side extension to existing dwellinghouse and erection of 1 detached and 3 terraced dwellinghouses within rear garden of 116 Dollis Hill Lane with associated landscaping, detached garages and vehicular access

This was refused by the Council for the following reason:

The proposed development, by reason of the type, siting and size of the dwellinghouses and size of the proposed plots, would constitute an unacceptably cramped form of backland development which is incongruous with and detracts from the spacious character of the locality and has an awkward relationship with the existing houses fronting Dollis Hill Lane. This is exacerbated by the prominent siting and appearance on the crest of a hill. The proposed development would therefore be contrary to policies BE2, BE9, H12 and H15 of the adopted Brent Unitary Development Plan 2004 as well as the guidance set down in Supplementary Planning Guidance Note 17.

However it was subsequently allowed at appeal. The Inspector did not share the Council's concerns and considered the proposal would sit well back from the frontage of Dollis Hill Lane and be screened from Orchard Close. He was also of the opinion that denser development behind the frontage Dollis Hill Lane properties was not uncharacteristic of the area.

The differences between the appeal scheme and the subject application are discussed in the remarks.

POLICY CONSIDERATIONS

The 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.

The London Plan

Brent's Core Strategy

Policy CP17

Brent's UDP 2004

SPG17 Design Guide for new Development

CONSULTATION

22 neighbouring occupiers were consulted on 22nd October 2014 and 3 objections were received raising the following concerns:

- Concern about loss of green space and trees
- Arboricultural report does not explore retention of trees on western boundary
- A further survey of wildlife and fauna should be undertaken
- The site will be visible from a viewpoint in Gladstone Park
- Impact of additional cars potentially blocking in neighbours
- Possible problems for refuse collection and road cleaning
- New dwellings on Orchard Close will result in overcrowding
- Construction traffic will cause disruption and there could be damage to properties

Minor revisions to the scheme concerning the alteration to the treatment of the area around the vehicular access have been submitted. As a result neighbours have been reconsulted for a period of 14 days on 26th January. Members will be updated of any additional comments received.

Internal

Highways - revisions recommended and received.

Landscaping - revisions recommended and received.

REMARKS

Principle

1. As set out above the site consists of the end of the rear gardens of 114 and 116 Dollis Hill Lane, and the proposal is to develop 4 houses with gardens and parking, maintaining gardens for the existing dwellings and protecting trees around the boundary of the site.
2. Para. 53 of the NPPF supports LPAs in setting policies to resist inappropriate development of gardens where it would cause harm to the local area and the Core Strategy policy CP17 in line with national guidance states that the distinctive character of suburban Brent will be protected.
3. While the site consists of garden land there are a number of factors which lead officers to consider that the principle of the development in this location is acceptable.
 - The site has previously been considered as appropriate for a residential development by a Planning Inspector and for reasons explained below officers consider this scheme to be preferable to that previously approved.
 - The scale of the gardens in question are not characteristic of the surrounding suburban character, at over 47m long from the rear of the houses (and about 65m from front to rear boundary) they are very large and much larger than gardens in the surrounding context.
 - The depth of the gardens means they could be developed without harming the amenity of the existing houses.
 - The site has a prominent border of trees along its Orchard Close boundaries and the majority of these trees can be maintained.

Planning History - Appeal Scheme

4. The appeal scheme, allowed by the Planning Inspectorate in May 2007, proposed a row of 3 terrace houses and a detached house to the rear of 114-116 Dollis Hill Lane. The proposed arrangement involved vehicular access between 116 Dollis Hill Lane and the entrance to the school and this vehicular route would wrap around the side and rear of the garden of no 114-116. Officers did not find this backland style development to be sympathetic to the character of the area, but the appeal Inspector disagreed.
5. Compared to the now proposed layout the appeal scheme took up significantly more garden space for the vehicular route to the east of the frontage house. The orientation of the proposed houses was south facing towards the rear gardens of 114-116. The current proposal orientates the houses to the north with their gardens backing on to 114-116, this is much preferable in urban design terms for the relationship it creates between the properties.

Proposed Layout and Design

6. The proposal envisages the creation of an entrance into the site from Orchard Close at the northern end of

the site. Vehicles and pedestrians will both be able to use this entrance which creates a route within the site leading to the front of each property. Each of the 4 units has a front garden within which there is space for parking in accordance with Council standards.

7. 2 pairs of semi-detached houses are proposed, set in sufficiently from either side boundary to allow for root protection of existing trees. The ground level drops from the front to the rear of the house so there are stairs leading from the front to the rear gardens of the houses

8. The houses are simple in their appearance, constructed of brick and with a flat roof and a uniform window arrangement which will establish a residential character. Each house is proposed to have solar panels on the roof.

Quality of accommodation

9. The proposed houses are 3-storeys which addresses the ground level difference. To the front the lower floor is sunken and the front door leads to the upper ground floor, however to the rear the lower floor opens onto the garden at the lower level.

10. The lower floor accommodates an open plan living, dining, kitchen area and a utility room, there is a lightwell to the front and sliding doors to the garden to the rear. The entrance level floor has a living room to the front which could serve as a bedroom and the master bedroom to the rear and the top floor has 2 further bedrooms. The arrangement is a 3 bed 6 person house though it could serve as a 4 bedroom house, the floor area of approximately 150sqm exceeds the 113sqm set out in the London Plan for a 4 bed 6 person. The arrangement of the houses will provide a good quality of accommodation.

11. The rear gardens are 90sqm or more exceeding the 50sqm standard of SPG17.

Impact on Neighbouring Amenity

12. The garden depth of the proposed houses is over 12m and the garden depth of 114 Dollis Hill Lane will be 10m achieving a separation of over 20m between the rear elevations which will provide a good level of privacy.

13. At the upper floor of the proposed houses a roof terrace area is proposed, a condition is recommended requiring details of screening to prevent overlooking, while the depth of the rear garden is sufficient this is considered necessary as the houses are at a higher ground level.

14. There is a distance of over 20m between the front of the houses and the property on Orchard Close to the north and it is considered that there will be no loss of amenity to residents of these houses. The change in levels across the site means that the neighbours to the north are higher in any event.

Landscaping and Trees

15. A good level of detail regarding the protected trees to the east of the site was submitted from the start. Officers were of the opinion that maintaining as much as possible of the shrubs and trees along the western boundary of the site should also be prioritised and this resulted in the houses being set further away from this boundary. The Council's tree protection officer has considered this report and in their view its contents will help to ensure that the quality of the scheme will be maintained.

16. An arboricultural report has been submitted and reviewed which also includes a tree protection method statement.

17. The Council's transport engineer has stated that the northern end of the western boundary needs to be altered to provide an acceptable visibility splay for vehicles leaving the site. Whilst there is a balance between ensuring technical highway guidance is complied with but not at the expense of planting in this case it is considered that the fact that the strip of planting to be reintroduced behind the visibility splay will successfully soften the changes.

18. At the northern end of the site the proposed layout plan shows 4 new trees (flowering cherry and crab apple) along the boundary with a hedge of hawthorn and variegated holly below. 4 more trees are also incorporated within the front gardens. Officers consider that a good landscaping scheme is proposed maintaining the existing where it is of the best value and proposing additional landscaping which will enhance the site visually where it is currently less good.

Highways

19. 2 parking spaces are proposed for each property which is acceptable in the area as it has a low PTAL, Orchard Close does not have controlled parking but the proposed parking spaces sufficiently accommodate the parking standard for the houses and should prevent overspill parking.

20. As explained above the entrance to the site has been revised to accommodate the necessary visibility splay and now meets highways requirements.

21. A refuse storage area is proposed within the site which is accessible for collection operatives and residents. The proposed properties are provided with a cycle store to meet Council guidance.

Neighbours comments

Neighbour comments	Response
Concern about loss of green space and trees	The site is not a designated open space but the end of a very large garden there are specific considerations as set out above which, subject to the proposed quality and mitigation, justify the principle of development
Arboricultural report does not explore retention of trees on western boundary	Revisions were sought and an updated arboricultural report received addressing this issue and retaining the trees along the western boundary
A further survey of wildlife and fauna should be undertaken	The site is not a site of importance for nature conservation and no evidence of protected species was identified however the development will need to be undertaken in line with the ecologists recommendations as set out in an informative
Impact of additional cars potentially blocking in neighbours and possible problems for refuse collection and road cleaning	Sufficient car parking is proposed within the development site to prevent overspill parking on Orchard Close
New dwellings on orchard Close will result in overcrowding	The development results in a density of 26 units per hectare which is lower than the London Plan standards for suburban density (a minimum of 35 units), but the development has been designed and does not result in any tightnesses with boundaries or neighbours.
Construction traffic will cause disruption and there could be damage to properties	The applicant will be advised that a developer should join the considerate constructors scheme

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

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

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):

1382-12E
1382-13E
1382-14E
1382-15E
1382-16A
1382-17A
1382-18A
1382-19B
1382-20A
1382-21C
1382-26B
1382-37

Ecology Report
Arboricultural Implications Report

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

- (3) All recommendations in the Arboricultural Implications Statement must be implemented in full and no work shall commence on site until the Council's Tree Officer has been given 14 days notification.

Also, the development shall be implemented in accordance with the landscaping scheme hereby approved. The landscape work to be completed prior to the occupation 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 protection and planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (4) The developer must joint the Considerate Constructors scheme before any development on the site commences.

Reason: To ensure disturbance to neighbours from building work is minimised.

- (5) No further extensions or buildings shall be constructed within the curtilage of the dwellinghouses subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

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

- (6) The parking spaces and turning space shown on the approved plans shall be constructed prior to the occupation of the buildings and shall be permanently retained and used solely in connection with the dwellings hereby approved.

Reason: To ensure that the approved standards of parking/garage provision are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- (7) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details. This shall also include details of hard surfaces which should demonstrate SUDS.

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

- (8) Details shall be submitted of appropriate screening to the terrace on the top floor of each house, the details shall be agreed in writing by the LPA and implemented and maintained in accordance with the approved details.

Reason: To maintain an acceptable level of privacy between neighbouring occupiers.

INFORMATIVES:

- (1) The applicant is advised that the development must be implemented in accordance with the ecological survey recommendations:
- Site clearance to be completed outside of the bird nesting period during the months of September-February or after confirmation by an experienced ecologist that vegetation and buildings are free of nesting birds and their dependent young at other times.
 - Retain some dead wood as habitat piles around the periphery of the site for the benefit of specialist saproxylic invertebrate species
 - Incorporation of enclosed bat and bird boxes into the external fabric of new dwelling houses as a biodiversity enhancement measure.
 - Site to be re-surveyed if development has not taken place within 12 months of the date of the current survey (1 September 2014).
- (2) The applicant is advised to contact the Director of Transportation in order to arrange for the necessary works to the highway, all such will work be at the applicant's expense.

REFERENCE DOCUMENTS:

The following are extracts of some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.





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STUDIO

116 Dollis Hill Lane, NW2 6JA

NORTH ELEVATION SCALE 1:50

version 10

drwg no. 1382-17A





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STUDIO

116 Dollis Hill Lane, NW2 6JA

SOUTH ELEVATION TO GARDEN

SCALE 1:50

version 10

dwg no. 1382-18A



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STUDIO

116 Dolis Hill Lane, NW2 6JA

SITE SECTION SCALE 1:250

version 10

dwg no. 1382-21 C

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