

**Supplementary Information
Planning Committee on 18 August,
2010**

Item No.

15

Case No.

10/1467

Location 29, 30 & 31 Brook Avenue, Wembley, HA9 8PH
Description Demolition of 3 existing dwellinghouses and erection of a part 4-, part 6- and part 7-storey building, comprising 35 flats with private balconies (17 one-bedroom, 14 two-bedroom, 4 three-bedroom), erection of a children's play area to rear, 4 off-street disabled parking spaces to front and associated landscaping to site

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The applicant has submitted revised plans which seek to overcome the refusal reasons set out in the main report.

Reason 1 - Impact on neighbouring occupiers

The rear-facing balconies on the western part of the proposed development have been reduced in size in order to reduce their impact on the amenity of 28 Brook Avenue.

A revised drawing has also been submitted comparing the footprint and siting of the current proposal with the existing unimplemented permission. This revised plan confirms that officers' concerns regarding the accuracy of the original comparison drawing were correct. Officers consider that the current proposal, although being further from the shared boundary, projects to a greater depth and at a greater height than the previously approved building. While the current proposal is sited further from the boundary with 28 Brook Avenue, the additional height and depth does, in the view of officers, result in an overbearing relationship with the neighbouring property. The reduction in the size of balconies does not overcome this reason for refusal.

Reason 2 – Quality of accommodation provided

Officers have previously raised concerns regarding the outlook afforded to some of the proposed units. The applicants have submitted improvements to the outlook of flat 1. It still relies on the lightwell to the front, but to the rear, the retaining wall that projected to the rear of the western wall has been moved 1.5m to the west. The south-facing window, which effectively provides this 3-bedroom unit with its only outlook, will still have this outlook severely constrained by a 5-storey flank wall to one side, a retaining wall on the other and a balcony above. Officers still consider this to be a poor outlook, particularly when the main rear thoroughfare to the communal access door is 3.2m from the window requiring a privacy screen, or planting that would further limit the outlook.

Reason 3 – Kerb radii

The applicants have submitted a revised frontage layout that increases the amount of soft landscaping, incorporating trees and shrubs. The parking areas have been separated into 2 bays of two cars, reducing the width of the associated dropped kerb with sufficient distance between the two accesses for a car to park on-street. This removes the Highway Engineer's objection and reason 3 is therefore no longer applicable.

Reason 4 - Affordable housing

The applicant has indicated they are now prepared to consider the principle of an affordable-housing contribution, in the form of a commuted payment, if property values have increased sufficiently by the time the development is completed. Officers consider that the post-

completion viability-assessment methodology should be based on the principle that the "first call" on any "surplus" generated as a result of improvements in market conditions at the time of completion should be for an affordable-housing contribution. The applicants are proying that only half this surplus should go towards affordable housing. A proposal which would effectively give the applicants a potentially significant "super profit", as the GLA Affordable Housing Toolkit's calculation of any surplus, arising from the difference between the Scheme Revenue and Development Costs (including land purchase,) would include a reasonable developer's profit margin. In the absence of a legal agreement, the proposed development does not provide or justify its failure to provide sufficient affordable housing on site nor does it provide a mechanism to review the viability of the scheme at the time of completion.

Reason 5 – Sustainable Design

Since the original officer report, the applicants have stated that they are willing to undertake an ecological survey and any associated recommendations, which they believe would increase their score to halfway between Code Levels 3 and 4. As the site is within a growth area, the applicants are expected to achieve Code for Sustainable Homes 4 unless this is unfeasible. The applicants have set out within their Toolkit that the development is not capable of achieving any affordable housing and therefore it is unrealistic to expect the applicants to achieve CSH4. However, without an agreed s106 there is no way to secure appropriate sustainability measures on site.

Reason 6 – Contributions towards local infrastructure

In the absence of a legal agreement to control the matter, the development fails to contribute to local infrastructure.

Reason 7 – Parking

In the absence of a legal agreement to ensure that future residents are not eligible for on-street parking permits, the development would result in additional on-street parking pressure that would prejudice the free flow of traffic and conditions of safety along the neighbouring highway.

Summary:

The recommendation remains to refuse consent, but to remove refusal reason 3.

Updated Plan numbers:

Location Plan

LA300 Rev. A	LA301	LA302 Rev. A
LA002 Rev. D	LA003 Rev. E	LA004 Rev. A
LA005	LA109 Rev. D	LA100 Rev. D
LA101 Rev. C	LA102 Rev. C	LA103 Rev. B
LA104 Rev. A	LA105 Rev. A	LA106 Rev. A
LA108 Rev. B	LA910 Rev. A	LA911 Rev. A
LA912 Rev. A	LA913 Rev. A	LA914 Rev. A
LA916 Rev. A	LA 917	LA951
LA950	LA300 Rev. A	LA301
LA302 Rev. B	SK10	SK11
31BRO/Ex/001	31BRO/Ex/002	
LA950	LA951	
LA200	LA201	LA202

Tree Protection Plan 03/08/10

Recommendation: Refuse consent.