# **COMMITTEE REPORT**

Planning Committee on Item No Case Number 26 August, 2015 07 **15/2093** 

RECEIVED: 1	8 May, 2015
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- WARD: Preston
- PLANNING AREA: Wembley Consultative Forum
- LOCATION: 66 Llanover Road, Wembley, HA9 7LT
- **PROPOSAL:**Erection of a 2 storey 3 bedroom house to the rear of 66 Llanover Road, fronting<br/>Pembroke Road including the provision of off street car park and bin store
- APPLICANT: Mr Xiu Ping Lin
- **CONTACT:** new image design
- PLAN NO'S: Please see condition 2.

### SITE MAP Е

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### **Planning Committee Map**

Site address: 66 Llanover Road, Wembley, HA9 7LT

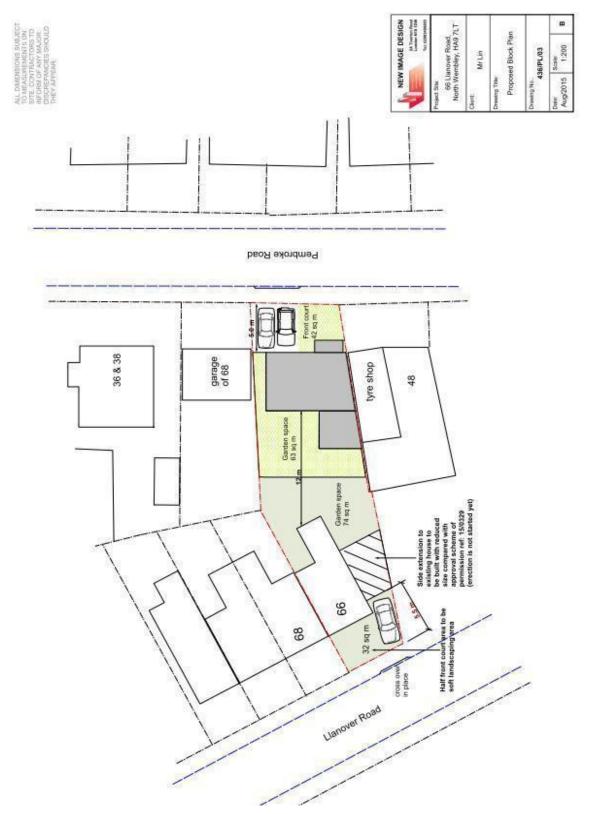
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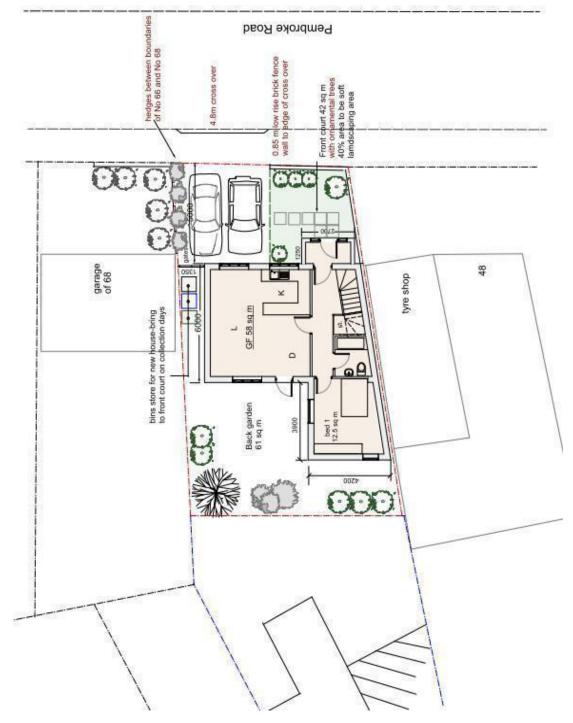
This map is indicative only.

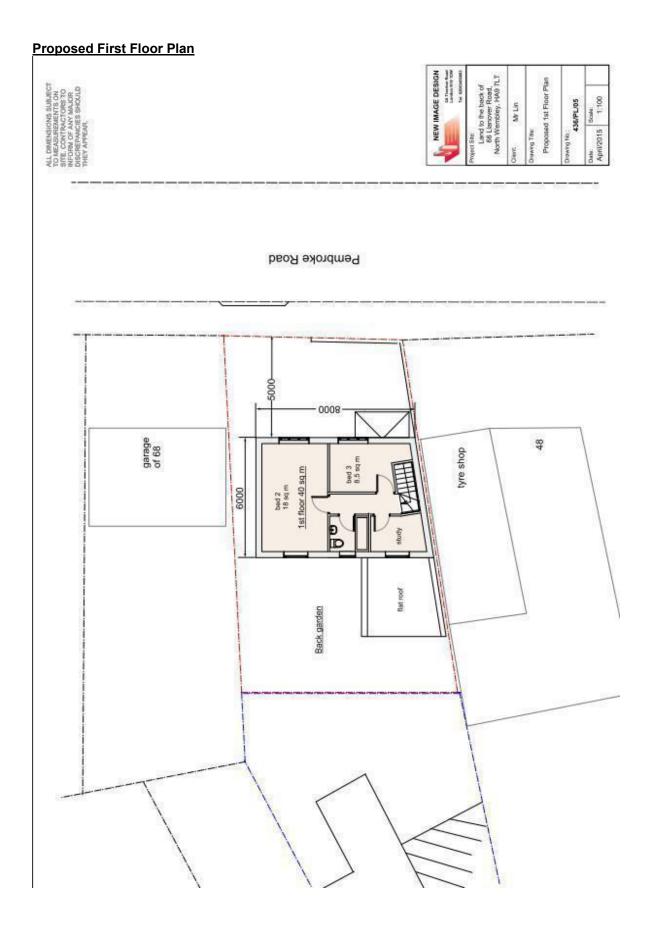
# SELECTED SITE PLANS SELECTED SITE PLANS

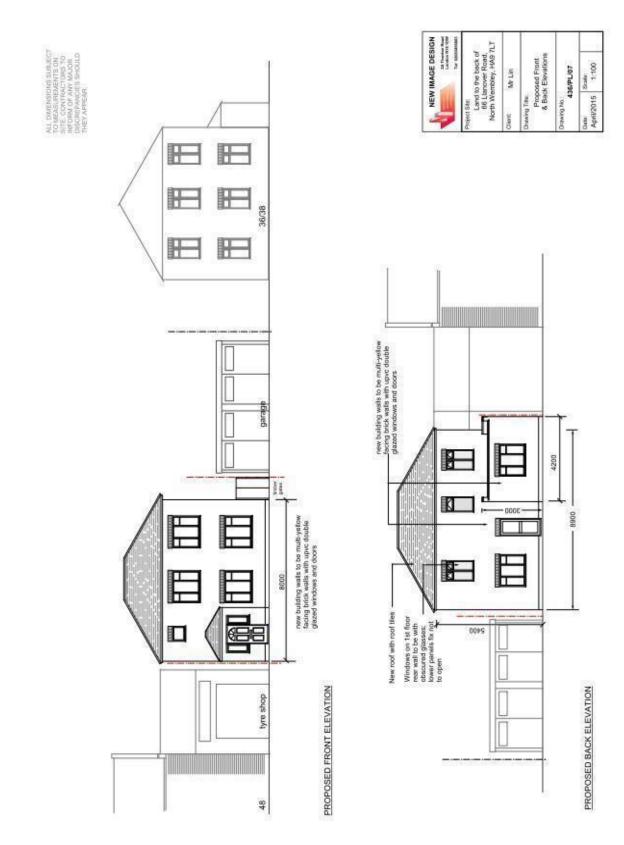
### Proposed Block Plan



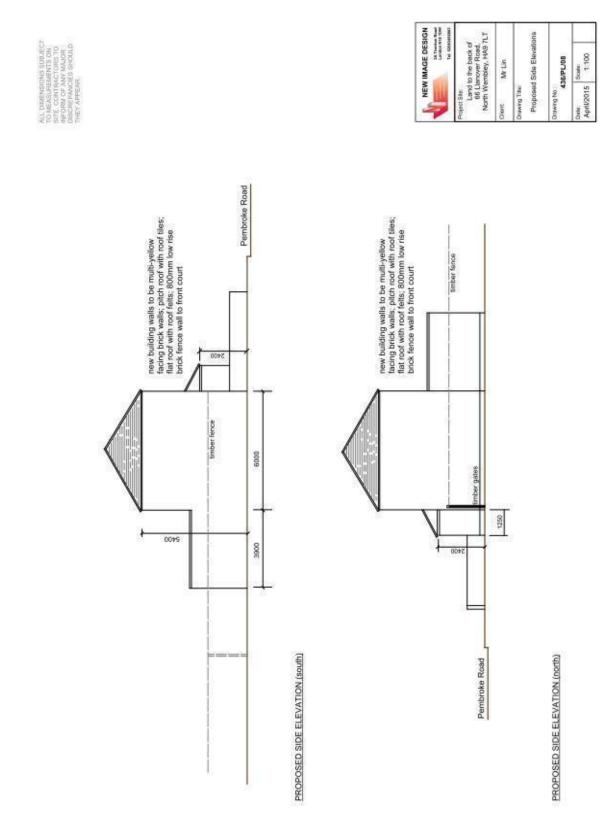








#### **Proposed Elevations**



# RECOMMENDATIONS

Grant consent, subject to the conditions set out in the Draft Decision Notice.

#### A) PROPOSAL

The application seeks planning permission for the erection of a 2 storey 3 bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road including the provision of off-street parking and bin store.

This is a revised submission following the refusal of various proposals for a new building on this site (LPA Refs: 12/0303, 12/2203, 13/2467 & 14/0544). The most recent planning application (LPA Ref: 14/0544) was submitted last year for the erection of 2 x 1-bed flats on the land rear of number 66. No decision was made and therefore an appeal was made against the Council's non-determination of the application within the statutory time period. The appeal was dismissed by the inspector who determined that the proposal would result in high demand for on-street parking which could not be safely accommodated within the site.

#### **B) EXISTING**

The site contains a two storey end of terrace dwellinghouse which fronts Llanover Road. The site also has a frontage on Pembroke Road.

The site is bordered to the south by a small tyre centre however all other properties within the immediate vicinity are residential in nature.

The property is not situated within the Conservation Area nor does it contain a Listed Building. It is however identified as being within an Area of Distinctive Residential Character.

#### **C) AMENDMENTS SINCE SUBMISSION**

- Revised plan has been submitted demonstrating that one off-road parking space will remain for the existing dwelling at No. 66 and will be accessed from Llanover Road.

- Revised plan showing two car parking spaces for the new dwelling and associated changes to the crossover.

#### **D) SUMMARY OF KEY ISSUES**

**Principle of the development:** Llanover Road, Pembroke Road and the surrounding area is residential in nature and as such the introduction of the proposed residential unit is acceptable in terms of the character and use.

**Design, impact on street scene and locality:** The proposal is considered to have an acceptable relationship with surrounding properties and does not detract from the character or appearance of the street scene or locality.

**Standard of accommodation:** The dwelling exceeds the London Plan floor space standards and will provide an acceptable standard of accommodation and amenity for future occupiers.

**Impacts on neighbouring amenity:** The development would not have a significant overbearing impact, result in overlooking, loss of light or overshadowing to neighbouring properties.

**Car parking provision, access and highway safety:** Two off-street car parking spaces are provided for the new dwelling. Consequently the previous reason for refusal raised by the Inspector has been satisfactorily addressed.

#### E) MONITORING

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
-	_				(sqm)
Dwelling houses	0	0	0	98	98

#### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Houses)										
PROPOSED (Houses)			1							1

### **RELEVANT SITE HISTORY**

15/0329 - Single storey side extension to dwellinghouse. Granted 09.04.2015.

**14/4635** - Proposed erection of single storey side extension and single storey rear extension to dwellinghouse. **Refused 23.01.2015.** 

**14/0544** - Erection of a two storey building providing 2 x 2 studio flats on land to the rear of 66 Llanover Road, fronting Pembroke Road. **Dismissed at appeal 29.08.2014**.

**13/2467** - Erection of a two storey two bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road. **Refused 14.11.2013.** 

13/1130 - Proposed vehicle crossover to dwellinghouse. Granted 15.07.2013.

**13/1128** - Certificate of lawfulness for proposed single storey rear infill extension and new detached garage to rear of dwellinghouse. **Refused 08.07.2013**.

13/0272 - Erection of single storey side and rear extensions to dwellinghouse. Refused 28.03.2013.

**12/2203** - Proposed construction of a new dwelling house to the rear of 66 Llanover Road, fronting Pembroke Road. **Refused 11.10.2012.** 

**12/0303** - Erection of a 2 storey 3 bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road. **Refused 03.04.2012.** 

### **CONSULTATIONS**

Six properties were notified on 1 June 2015.

2 individual representations were received objecting to the proposal. A petition was also received containing 7 signatures from 7 different addresses, objecting to the proposal. The points made in these representations are summarised below:

Objections	Response
Inappropriate development which will erode the character of the surrounding area	This is addressed in paragraph 10. Additionally the Planning Inspector found that the previous scheme would not have a detrimental effect on the character of the area.
The property will result in a loss of light to nearby properties	This is addressed in paragraph 25. The Planning Inspector nspector previously found that a building in this location would not have a harmful effect on the living conditions of existing residents
Development is cramped in nature	This is addressed in paragraph 10. The Planning Inspector found the proposal to have regard to the local context and not cause harm to the

	character of the area.
Resultant gardens will not be consistent with other houses in the street	This discussed in paragraph 11. The Planning Inspector previously found that the remaining garden areas would be comparable in size with others in the vicinity.
Will result in more cars being parked on the street adding to congestion	These issues are addressed in paragraph 32 following consultation with the Councils Transportation department.
There will be a reduction in highway safety	As above.
Loss of green space in the locality	This is addressed in paragraph 8. The Planning Inspector previously found that the application site and adjoining plot do not represent a significant green space.

#### Transportation

Subject to a condition requiring the submission and approval of a revised site layout plan showing: (i) retention of one off-street parking space to a minimum length of 4.8m for the existing house, accessed from Llanover Road; and (iii) 50% soft landscaping to be retained to the front of the new dwelling house site with details of front boundary walls to be extended to the edge of the crossover, plus a financial contribution of at least £3,000 towards sustainable transport improvements through the CIL, there would be no objections on transportation grounds to this proposal.

# **POLICY CONSIDERATIONS**

National Planning Policy Framework 2012

#### London Plan 2011

Policy 3.5 - Quality and design of housing developments

#### Brent UDP 2004

**STR11** – The quality and character of the Borough's built and natural environment will be protected and enhanced; and proposals which would have a significant harmful impact on the environment or amenities of the Borough will be refused.

**STR14** – New development will be expected to make a positive contribution to improving the quality of the urban environment in Brent by being designed with proper consideration of key urban design principles relating to townscape (local context and character), urban structure (space and movement), urban clarity and safety, the public realm (landscape and streetscape), architectural quality and sustainability.

- BE2 Townscape: Local Context & Character
- BE3 Urban Structure
- BE6 Landscaping
- BE7 Public Realm: Street scene
- **BE9** Architectural Quality
- EP2 Noise and Vibration
- H11 Housing on Brownfield Sites
- H12 Residential Density Layout Considerations
- TRN3 Environmental Impact of Traffic
- TRN11 Cycle Parking
- TRN23 Parking Standards Residential Developments
- TRN24 On-Street Parking

#### Brent Core Strategy – July 2010

**CP2** – Population & Housing Growth

- CP17 Protecting & Enhancing the Suburban Character of Brent
- **CP21** A Balanced Housing Stock

## **DETAILED CONSIDERATIONS**

#### 1. Key considerations

2. The main issues of relevance in regard to this application are the Principle of the development; Design, impact on street scene and locality; Standard of accommodation; Impacts on neighbouring amenity; Refuse and storage; Car parking provision, access and highway safety; and whether the previous reason for refusal has been addressed.

#### 3. Principle of development

4. Llanover Road, Pembroke Road and the surrounding area is residential in nature and as such the introduction of the proposed residential unit is acceptable in terms of the character and use. Additionally the proposal will see the creation of a two storey, three bedroom dwellinghouse which will contribute towards the boroughs need for family sized housing.

5. Policy CP17 of Brent's Core Strategy seeks to "limit inappropriate development of back gardens that erode the character of suburban areas". The principle of a new residential building in this plot has been supported by an Inspector at appeal (APP/T5150/A/14/2219616).

#### 6. Design, impact on street scene and locality

7. The site is located within an Area of Distinctive Residential Character. As such the design of any building is particularly important. The area is characterised by two storey dwellings and the existing property within the application site (No. 66 Llanover Road) is also two storey.

8. The application site forms part of the rear garden of the dwelling at 66 Llanover Road, although it has a frontage onto Pembroke Road. This road is characterised by two storey detached and semi-detached houses arranged on a consistent building line. The subject site, together with the adjoining garden to the rear of 68 Llanover Road, which also has a frontage onto Pembroke Road, provides a break in this general pattern of built form. However, the adjoining garden accommodates a detached domestic garage and the application site, at the time of the officer's site visit, was enclosed with hoarding. The application site does not contain any substantial planting. Consequently the gardens do not represent a significant green space making an important contribution to the character and appearance of the area.

9. Previously the Planning Inspector found that 'The proposed building would be modestly scaled and sited to conform with the prevailing building line. Although the building would take up most of the width of the site, the adjoining domestic garage would separate it from the two storey building at 36/38 Pembroke Road and ensure that the rhythm of built form along the street would not be disrupted.'

10. The proposed building is slightly larger and of a slightly different design to that previously proposed, however, it is considered to remain at an appropriate scale and the two storey, hipped, pitched roof design is considered to be consistent with the surrounding development. The proposal would not have a detrimental effect on the character and appearance of the area, as such it would accord with Brent UDP policy BE2 which requires proposals to be designed with regard to their local context and not cause harm to the character and appearance of the area.

11. Whilst it is recognised that the proposal would reduce the size of the garden of number 66, the remaining area would be comparable in size with others in the vicinity.

12. Overall, the proposal is considered to have an acceptable relationship with surrounding properties and does not detract from the character or appearance of the street scene or locality.

#### 13. Standard of accommodation

14. The proposed Gross Internal Area (GIA) for the dwelling exceeds the London Plan floor space standards as stipulated within table 3.3 of Policy 5.3. The proposal provides 98sqm GIA and the London Plan stipulates that 95sqm is required.

15. The internal layout is highly usable. All habitable rooms have major window facing the front court (street) or back garden. The provision of bedroom and toilet/bathroom on ground floor gives the possibility of the dwelling to be a life time home.

16. Brent's Supplementary Planning Guidance 17 for New Development (SPG17), stipulates that family housing should have a minimum of 50sqm of private amenity space and the proposed units are well above this level. The submitted block plan shows the provision of a back garden for new dwelling providing 63sqm of amenity space. The existing dwelling will retain 74sqm of amenity space in the rear garden.

17. There is ample defensible space to the front of the proposed dwelling with some soft landscaping and car parking space being provided. This will help provide some privacy to the properties from the street scene without removing natural surveillance.

18. It is not considered that the new house will be detrimentally overlooked by the surrounding houses. This is because of their orientation in relation to the new houses and the location of habitable room windows on the new property.

19. The proposed dwelling is considered to provide an acceptable standard of accommodation and amenity for future occupiers.

#### 20. Impact on neighbouring amenity

21. The main two storey element of the proposed new house retains the same depth (6 metre) and location as the proposed building in the most recent application (Ref 14/0544). The proposed dwelling would therefore be sited to align with the buildings on either side of it. It would be no deeper than the dwellings at Nos. 36 and 38 Pembroke Road and would be separated from them by the garden to the rear of No. 68 Llanover Road. There are no windows in the side elevation of 36/38 Pembroke Road facing the application site. Therefore, the proposal would not have a harmful effect on the living conditions of the occupiers of that property by virtue of loss of outlook or privacy.

22. The property on the other side of the application site is in commercial use and there is nothing to suggest the working environment of its occupiers would be adversely affected by the proposal.

23. The rear of the proposed building would face the rear elevation of 66 Llanover Road at a slight angle. Based on the application plan, there would be a distance of 12m between the buildings. Having regard to their respective heights, this would be a sufficient distance to ensure that the proposal would not have an overbearing effect on the outlook from the rear of number 66.

24. The rear windows of the proposed dwelling serve a bathroom, a study or are secondary windows. As such, they could be obscure glazed to ensure the privacy of the occupiers of No. 66 Llanover Road. Therefore, the proposal would not have a have a harmful effect on the living conditions of the occupiers of No. 66 by virtue of loss of outlook or privacy.

25. The proposal will comply with the standard set out in section 3.2 of SPG 17 which states that where proposed developments adjoins private amenity garden areas then the height of the new building should be set below a line of 45 degrees at the garden edge.

26. Overall, it is considered that the development would not have a significant overbearing impact, result in overlooking, loss of light or overshadowing to neighbouring properties. The proposal would therefore maintain a satisfactory standard of environment at the adjoining properties.

#### 27. Refuse storage

28. Refuse storage is shown on the plans and is considered acceptable.

#### 29. Parking

30. The previous application that was dismissed at appeal (14/0544) was not considered to be acceptable in terms of parking provision and highway safety. The parking allowance for the dwelling unit is given in Standard PS14 of the UDP. Policy BE7 may be applicable.

31. The maximum parking allowance for 3 bedroom dwelling is 1.6 spaces. Drawing number 436/PL.04B

proposes a new 4.8m wide crossover onto Pembroke Road to provide two off-street parking spaces with a front garden depth of 5m.

32. It is noted that on-street parking in front of the property on Pembroke Road is not able to be safely accommodated, due to the very limited width of the road, with the majority parking on the public footway. Therefore the provision of two off-street parking spaces is welcomed and is considered acceptable for the proposed dwelling. Sufficient soft landscaping would remain to the front of the new dwelling.

33. The existing dwelling was recently granted planning permission (ref: 15/0329) for an extension resulting in a 3-bedroom dwelling and therefore the maximum parking allowance for the existing dwelling is also 1.6 spaces. Please note that drawing number 113/PL/01 submitted with planning application 15/0329 for a side extension to No. 66 (which transport were not consulted on) shows a side extension set only 500mm back from the building line, leaving less than 4.8m for a car to parked, resulting in a risk that cars would overhang the public footway.

34. During the course of the application a revised plan has been submitted demonstrating that an off-road parking space will remain for the existing dwelling at No. 66 and will be accessed from Llanover Road. This is in compliance with Policy and is considered acceptable.

35. The applicant has not provided cycle parking spaces however the new dwelling will have a private garden which can accommodate cycle parking.

36. Finally, there is a financial contribution payable for the improvement of sustainable transport to the site and a sum of £3000 is sought for a 3 bedroom dwelling, which can be taken from the CIL.

37. In conclusion, the parking for the site as a whole is one space per dwelling. This is provided and is therefore considered acceptable. Consequently the previous reason for refusal raised by the Inspector has been satisfactorily addressed.

#### 38. Conclusion.

39. The proposed detached dwelling will provide increased family sized accommodation within the Borough of a good standard in terms of the quality of the accommodation. The design of the new dwellinghouse is considered acceptable and is not considered to adversely impact on the amenities of surrounding properties. The proposed layout and parking provision for the site is considered acceptable.

40. For the reasons as outlined above, and as set out in the decision notice approval is accordingly recommended.

### **CIL DETAILS**

This application is liable to pay £26,336.80\* under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m. Total amount of floorspace on completion (G): 98 sq. m.

	Floorspace on completion (Gr)	retained	Net area chargeable at rate R (A)	Brent	Rate R: Mayoral multiplier used		Mayoral sub-total
Dwelling	98	0	98	£200.00	£35.15	£22,400.00	£3,936.80
houses							

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	£22,400.00	£3,936.80

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

# **DRAFT DECISION NOTICE**



# DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL** 

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Application No: 15/2093

To: Mr Rocky Li new image design 2A Tiverton Road London N18 1DW

I refer to your application dated 18/05/2015 proposing the following: Erection of a 2 storey 3 bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road including the provision of off street car park and bin store and accompanied by plans or documents listed here: Please see condition 2.

at 66 Llanover Road, Wembley, HA9 7LT

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

#### Notes

- 1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
- 2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

#### SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012 London Plan 2011 Housing SPG 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

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):

Design & Access Statement, 436/PL/01, 436/PL/02, 436/PL/03 B, 436/PL/04 B, 436/PL/05, 436/PL/06, 436/PL/07, 436/PL/08

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

3 The windows to be created in the first floor rear elevation facing towards the properties in Llanover Road shall be glazed in obscure glass to a standard comparable with Level 4 of the Pilkington Glass range and shall be non-opening below a height of 1.7 metres taken from internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To maintain the privacy of adjoining residents.

4 No extensions or buildings shall be constructed within the curtilage of the proposed dwellinghouse subject of this application, notwithstanding the provisions of Classes A, B, D and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, (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.

5 The proposed vehicular crossover shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Highway Authority, with the works carried out and completed in accordance with these approved details, prior to the occupation of the development hereby approved.

Reason: In the interests of highway and pedestrian safety in the locality, in pursuance of Section 278 of the Town and Country Planning Act 1990.

6 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.

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

7 Notwithstanding the submitted plans otherwise approved, further details of the front and rear garden layout and landscape plans for the new dwellinghouse shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The hard landscape works shall be completed prior to first occupation of the proposed dwellinghouse hereby approved and the soft landscape works shall be completed within six months of the first occupation of the proposed dwellinghouse hereby approved. The landscaping works shall be carried out in accordance with the approved scheme.

Such details shall include:-

- (i) Patios and pathways (including details of materials, finishes and height of patio).
- (ii) Details of proposed boundary treatments (including materials and height).
- (iii) All proposed planting (including location, species, size, density and number).

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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.

#### **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 Andrew Neidhardt, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1902