

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

24 September, 2015
08
15/3014

SITE INFORMATION

RECEIVED: 15 July, 2015

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: James Stewart House, Dyne Road, London

PROPOSAL: Erection of two-storey detached residential unit (4 x 3bed), with associated hard and soft landscaping, improvement work to existing communal amenity space and provision for 24 car parking spaces

APPLICANT: Brent Housing Partnership

CONTACT: Hunters Architects

PLAN NO'S: See condition 2

SITE MAP



Planning Committee Map

Site address: James Stewart House, Dyne Road, London

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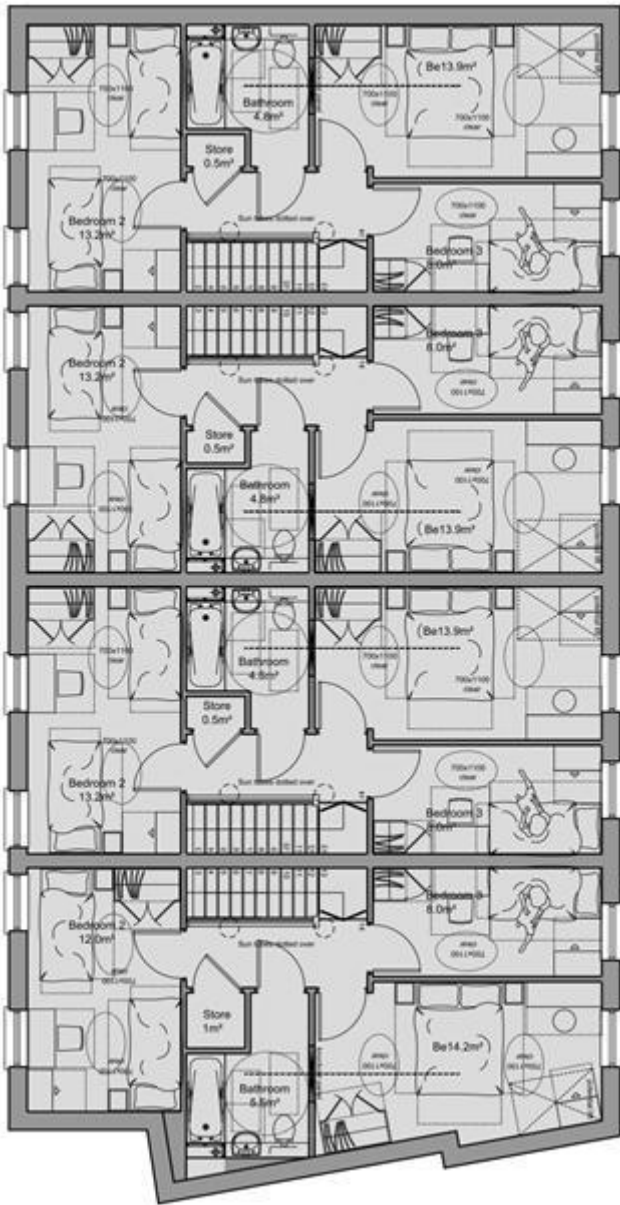
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

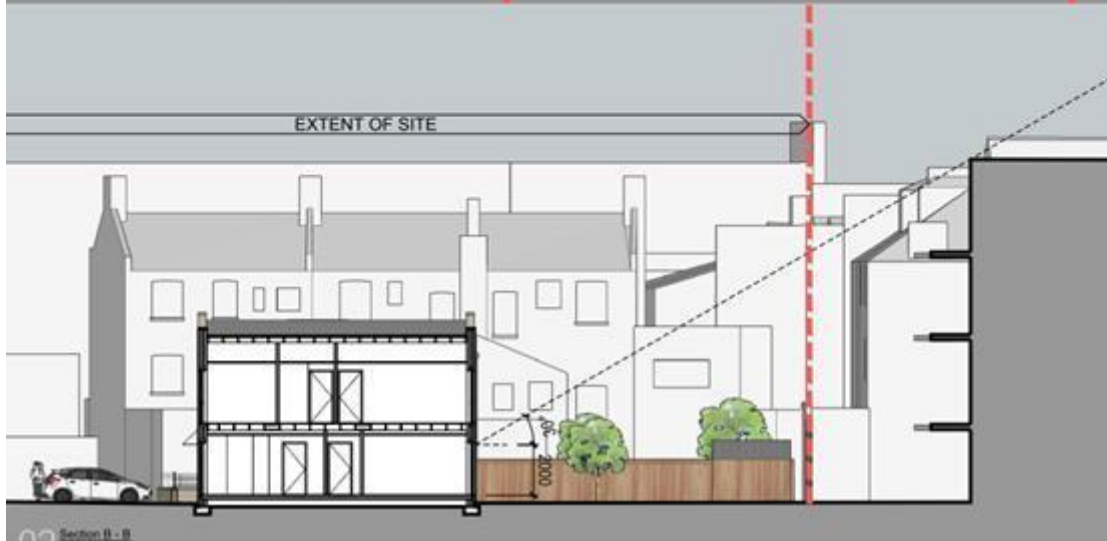
Proposed Site Plan



Proposed First Floor



Proposed Sections



Proposed Perspective



RECOMMENDATIONS

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

A) PROPOSAL

See description above.

B) EXISTING

The subject site consists of the car park for flats 1-46 James Stewart House on the southern side of Dyne Road, NW6.

The car park is situated to the east of James Stewart House, and behind commercial units with flats above on Dyne Road and Kilburn High Road. To the rear of the site is the flank wall of a mews building and the end of a residential garden.

The site is not within a conservation area, though the boundary of the North Kilburn Conservation Area is on

the western side of James Stewart House.

C) AMENDMENTS SINCE SUBMISSION

Only minor amendments have been sought to the proposal since its submission, these include:

Grey paving

D) SUMMARY OF KEY ISSUES

- Design & Layout & Relationship with Neighbouring Buildings

The location of the site means that it has very limited impact on the street scene but it is nevertheless essential that an acceptable residential environment is designed. Simple but good quality architecture and materials and a layout prioritising pedestrian movement achieve this. The buildings relate acceptably to surrounding buildings in terms of the amenity of neighbouring residential occupiers and the quality of accommodation provided.

- Parking

No comments have been received in response to the consultation. It is nevertheless considered that a key issue is the provision of parking for all residents with a current resident permit. Visitor parking will be available in a more controlled way ensuring that it is utilised only by visitors to the site.

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	387	387

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

No relevant history.

CONSULTATIONS

External

Letters were sent to 220 neighbouring properties including the occupiers of William Dromey Court. No comments have been received.

Internal

Ward Cllrs and internal consultation emails were sent on 6th August. The application has been discussed with relevant officers and conditions recommended.

Statutory

No other consultation was required.

BHP consultation

As part of the development process, Hunters and Brent Housing Partnership have undertaken public consultation in order to gauge local opinion of the proposals for both William Dromey and James Stewart Sites. BHP undertook a car park usage survey of all units receiving responses from 17.

BHP carried out a door knocking and letter drop exercise to all residents on 5 January 2015 to seek views on the draft proposals, residents were advised that the proposal makes provision for those residents who are currently in possession of a resident parking permit plus a number of controlled visitor spaces.

BHP advise that they have received very few comments from residents and have met with specific residents and Cllrs as requested.

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 the 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.

DETAILED CONSIDERATIONS

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 some of which have come before Members at previous planning committees. The subject site is a car park located on the southern side of Dyne Road and the proposal seeks permission for the erection of 3x3-bed social rented houses without parking and the reprovision of 13 car parking spaces.

Key considerations

3 The key considerations of this proposal are as follows:

- (1) Principle of development
- (2) Design & Layout & Relationship with Neighbouring Buildings
- (3) Standard of Accommodation
- (4) Impact on neighbouring amenity
- (5) Landscaping and loss of communal space
- (6) Parking

Principle

4 Dyne Road is adjacent to Kilburn Town Centre but the character of the subject site and its surrounding area is largely 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 car park associated with James Stewart, consisting of garages and surface

parking and managed with the use of a parking permit scheme through BHP.

6 BHP have undertaken an in depth review of their allocation of resident and visitor permits. The proposal is based on the principle that all residents with an existing residents permit will be eligible under the new arrangement for a permit, the allocation of any additional permits will be managed with an understanding of the remaining capacity. The car parks at William Dromey House and James Stewart Court are proposed to be managed under the same system. This is discussed in more detail below.

Design & Layout

7 The proposal is for 4x2-storey 3 bed terraced houses. The site is an "L"-shape with garages in the end of the "L", the proposal envisages the removal of the garages and the insertion of the houses into this space. The remaining space where the surface parking is will continue to function as surface parking. The dwellings face into and look over the car park and towards the communal amenity space which is situated behind James Stewart House. The buildings have no impact on the street scene but it is important that a residential character is created within the development to provide an attractive and safe development.

8 The plots provided for the proposed units, from their front boundary to the end of the rear garden are about 25m in length. In front of this there is a provision of softlandscaping and 1 parking space per unit. The rest of the site is filled by 2 rows of perpendicular parking.

9 The houses will be accessed from the existing vehicular route into the car park, the pedestrian route will be demarcated with a different surfacing which runs along the edge of the eastern row of parking spaces. An alternative pedestrian only route is provided to the west of the site, however given that many journeys are likely to come from Kilburn High Road it was considered to be important that a pedestrian route be identified on what would probably be a desire line. Each unit has a private front garden with a boundary wall to create defensible space. The communal refuse storage is at the entrance to the car park.

10 The elevational design is simple but is considered to be successful. The houses are proposed to be brick built with simple but generously sized windows. The houses are 2-storeys with mono-pitched roofs. This does not reference James Stewart Court which is flat roofed but creates a uniform terrace of 4 houses with a consistent character.

12 Fenestration is proposed in all elevations at ground floor and first floor providing a sense of surveillance over the car park spaces improving the safety of an area which is currently poorly overlooked from within the site, though visible from neighbouring buildings.

Standard of Accommodation

13 The units have a clearly identifiable entrances through their front boundaries, and the front doors are legible.

14 The units have a private curtilage set behind the parking spaces and kitchen/dining room windows facing onto the frontage at ground floor. An appropriate division between 'public' and private space is provided. Living rooms face into the rear gardens.

15 Each of the 4 units are 3 bed 5 person and 96.8sqm against the London Plan requirements of 86sqm exceeding the standard by almost 10sqm.

16 Each unit has a private garden measuring approximately 60sqm. The garden of unit D in particular may be quite overshadowed by the adjacent mews building however there remains a significant value in providing outdoor amenity space to a family house taking account of its location just off the busy high road.

17 The units are all at least 12m from the rear boundary of the site which has a residential property to the rear. The rear gardens of the new development will be somewhat overlooked by the neighbour which is set approximately 7.5m back from the boundary however there is a good separation distance between the elevations and the development will provide a good quality of accommodation with sufficient privacy.

Impact on neighbouring amenity

18 As noted above there are residential units to the rear of the proposed houses and there is sufficient separation between them. To the north of the site there are residential windows are first floor and one tightness occurs at 2 E&F Dyne Road where an extension has been constructed just 5m back from its rear

curtilage. The agent has not been able to identify the use of the small extension though it could be for example a kitchen. The window will be 6.3m away from the flank wall of the proposed dwelling house. The window overlaps with the building towards the end of the flank wall meaning that outlook beyond it will be possible to the side and it should also be noted that the height of the building at this edge, given the angle of the mono pitch roof, is quite low. A line set 2m from floor level at the rear elevation where the window is located shows the proposed development fall below an angle of 10 degrees while anything under 30 degrees would be considered to have an acceptable impact in terms of light. On balance this relationship is considered to be acceptable.

Landscaping and Communal Space

19 The rear gardens of the proposed units will be suitably landscaped with an arrangement of hardstanding, grass, shrubs and small trees, further details will be required by condition.

20 In order to enable 2 rows of perpendicular parking the application site does cut into the existing softlandscaping on the eastern side of James Stewart House. The softlandscaped area to be brought into the car park use is approximately 170sqm and consists primarily of a green edge running along the eastern flank of the court. This is generally not useable space but has visual amenity value. It is always unfortunate to lose areas of softlandscaping however in this instance the loss is kept to a minimum and landscaping improvements are included within the proposal to mitigate this loss.

21 The development necessitates the removal of a Mountain Ash and some low quality large shrubs/trees which have all been assessed as Category C. A new tree (Field Maple) is proposed at the site frontage and a row of 7 further trees are proposed along the back edge of the car parking spaces. These are considered to more than offset the loss of the existing trees.

22 To the rear of James Stewart Court there is an existing communal amenity space, the proposed houses furthest into the site directly face this. To further mitigate the encroachment into the communal space additional landscaping improvements are proposed to this area which currently consists only of grass and 2 benches. Planting beds of shrubs and additional trees will be incorporated adding significant ecological and amenity value.

Car Parking

23 The site has a PTAL of 5 meaning that it is very accessible by public transport with both the overground and jubilee lines within easy walking distances along with numerous bus routes. The proposal includes a parking space per unit and seeks to restrict access for on-street spaces, this arrangement is entirely acceptable.

24 The submission states that there are 15 existing parking spaces plus 18 garages. BHP undertook a review of the use of the garages and found that just 3 were used for parking cars and had valid permits and these have been taken into account in the calculation of permits. In total there are 14 current resident permits in issue and the proposal seeks to replace 20 surface parking spaces. The 4 spaces proposed for the residents do not form part of this calculation and all 20 spaces are available for use by existing residents and visitors.

25 No comments have been made by residents or neighbours regarding these arrangements and officers find the proposal to be a suitable provision, improving the use of the site and also providing some additional capacity for William Dromey Court when necessary.

Other Highways

26 In terms of bicycle storage Council standards require 1 space per unit and as the proposal shows a shed in the back garden of each unit this is satisfactory.

27 The location of the refuse store is acceptable for both residents and collectors though a condition is recommended to seek to improve its appearance given its situation on the corner of the entrance.

Conclusions

28 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.

SUSTAINABILITY ASSESSMENT

The application is a minor development and does not have sustainability requirements other than those set out in Building Regulations.

CIL DETAILS

This application is liable to pay **£104,003.48*** under the Community Infrastructure Levy (CIL). The units are proposed as affordable housing and therefore the applicant will seek to claim an exemption.

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): 387 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	387	0	387	£200.00	£35.15	£88,457.14	£15,546.34

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	£88,457.14	£15,546.34

*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



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====
Application No: 15/3014

To: Mr Eddie Chen
Hunters Architects
Hunters
Space One Beadon Road
London
W6 0EA

I refer to your application dated 15/07/2015 proposing the following:
Erection of two-storey detached residential unit (4 x 3bed), with associated hard and soft landscaping, improvement work to existing communal amenity space and provision for 24 car parking spaces

and accompanied by plans or documents listed here:
See condition 2
at James Stewart House, Dyne Road, London

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:-
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):

APL103 B Proposed Site Plan
APL104 B Proposed Landscape Plan
APL105 A Ground Floor Plan
APL106 A First Floor Plan
APL107 A Roof Plan
APL108 A Proposed Elevations
APL109 A Proposed Sections
APL110 B Perspective View
Design & Access Statement

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

- 3 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse(s) 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:

In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

- 5 Details of materials for all external work 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.

- 6 All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed prior to occupation of the building(s).

Such scheme shall also indicate:-

(i) Walls and fences

Proposed walls and fencing, indicating materials and heights.

(ii) Tree species and sizes

Notwithstanding the detail submitted details of tree species and sizes appropriate to the positions within the site.

Tilia Greenspire and Chanticleer Pear should be planted with a minimum stem girth of 16-18cm and Himalayan birch with a minimum girth of 12-14cm. Tree pit details and a full landscape management/establishment plan should be submitted prior to commencement.

Two types of eating apple both within the same pollination group shall be considered in place of Malus Tschonoskii

(iii) Hardsurfacing materials

Demonstrating SUDS.

(iv) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

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.

- 7 Prior to commencement a full tree protection plan and Arboricultural method statement in accordance with BS 5837:2012 Trees in relation to design, demolition and construction has been provided. The development shall be implemented in accordance with the approved detail.

Reason: To ensure the safe and healthy retention of mature trees both within and in proximity to the scheme.

- 8 Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and

analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site

- 9 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site

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