

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 April, 2016
06
15/5130

SITE INFORMATION

RECEIVED: 25 November, 2015

WARD: Harlesden

PLANNING AREA: Brent Connects Harlesden

LOCATION: 1 Craven Park, London

PROPOSAL: Erection of a six storey building comprising 21 self-contained flats (9 x 1bed, 9 x 2bed and 3 x 3bed) with associated cycle storage, bin stores, communal and private amenity space and landscaping

APPLICANT: Brent Housing Limited

CONTACT: Collins & Coward

PLAN NO'S:
1389-01
1389-04A
1389-04B
1389-05
1389-06
1389-07
1389-08
1389-09
1389-10
1389-11
1389-12
1389-13
1389-14
1389-15

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_125274

[When viewing this as an Hard Copy](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "15/5130" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: 1 Craven Park, London

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This map is indicative only.

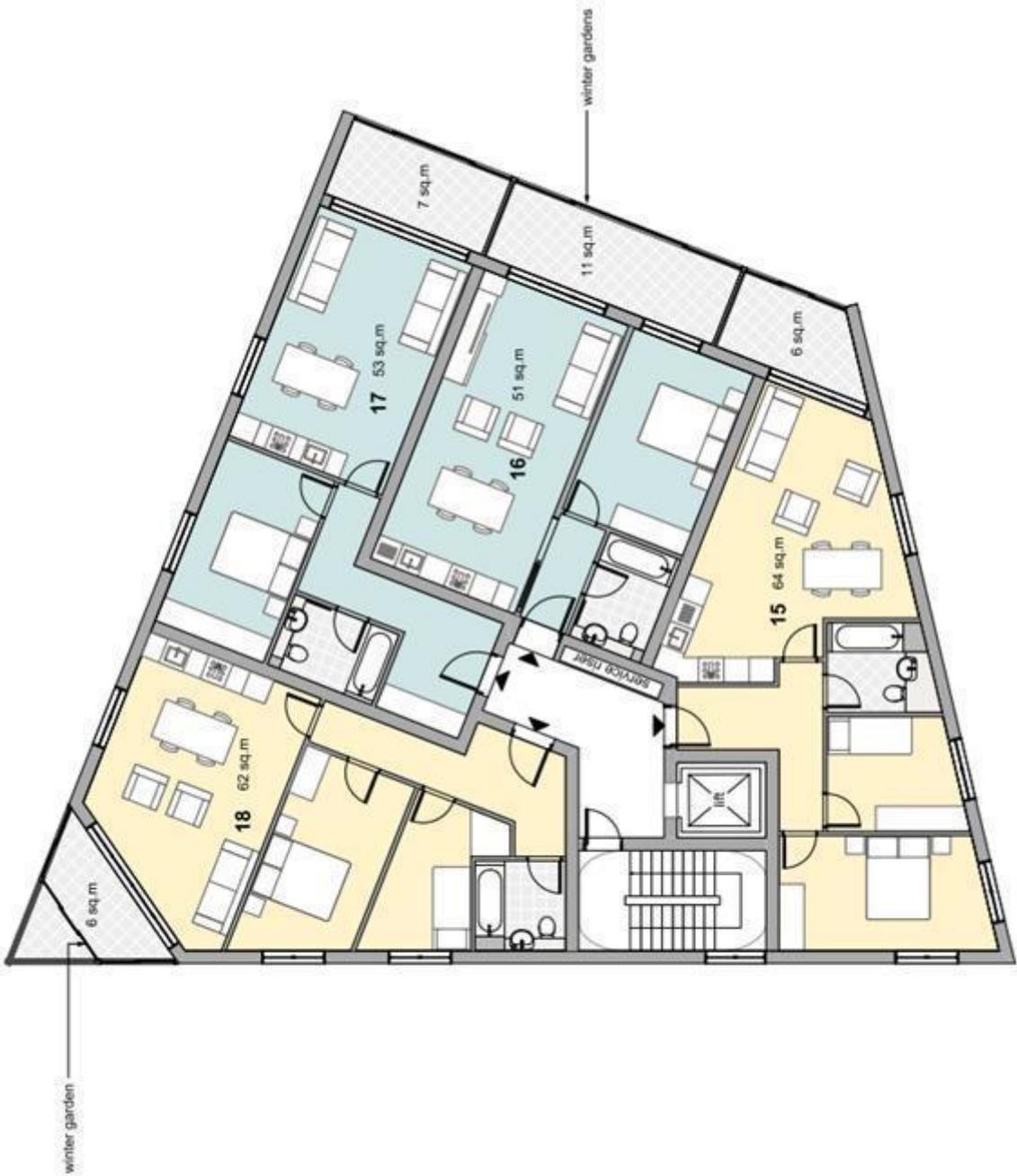
SELECTED SITE PLANS

SELECTED SITE PLANS

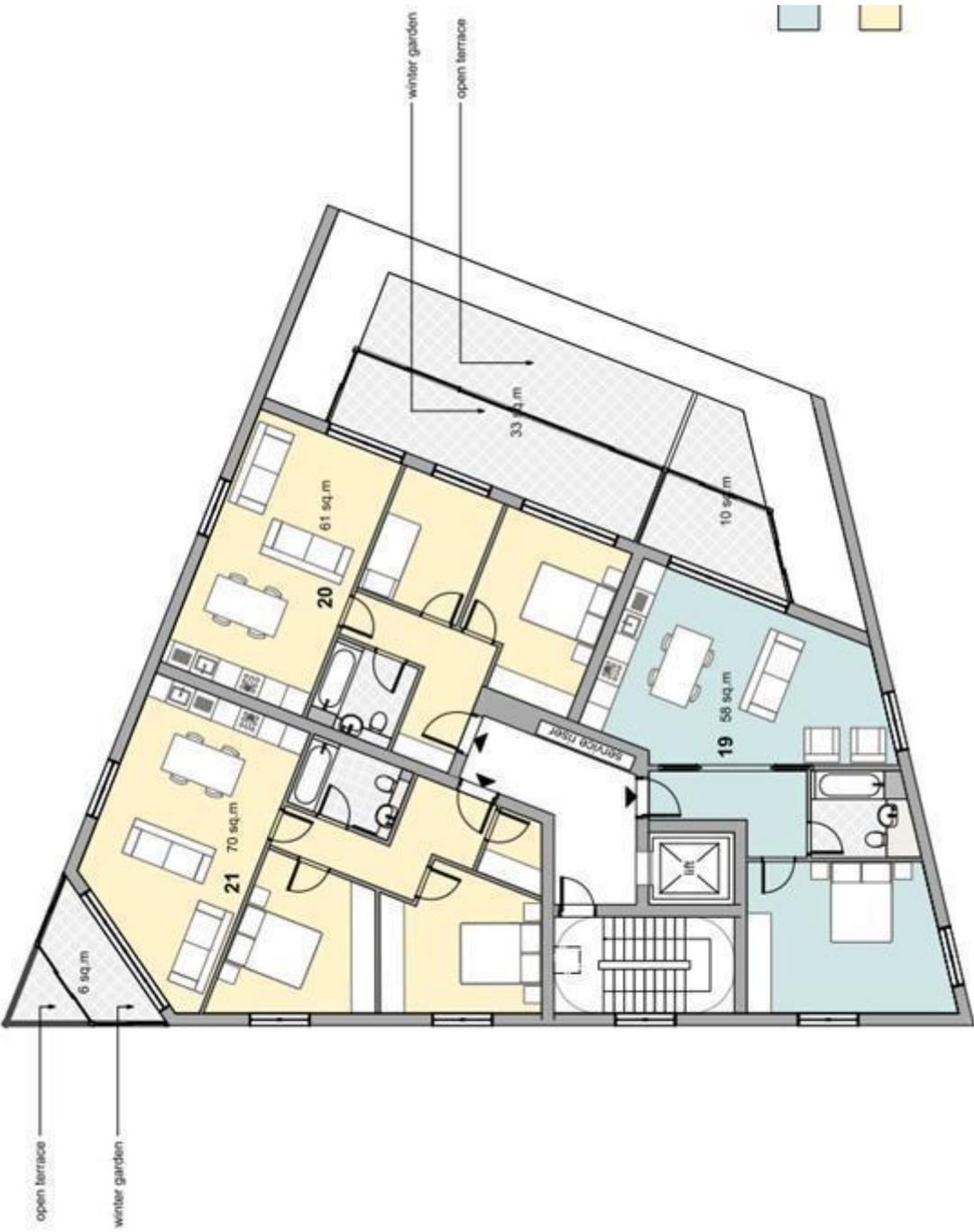
Site Layout Plan



First-Fourth Floor Plan



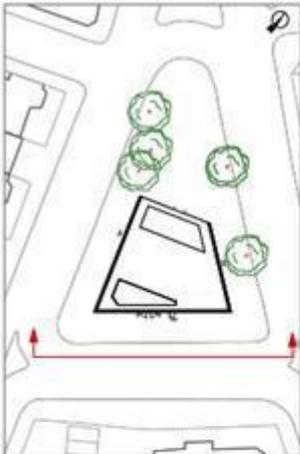
Fifth Floor



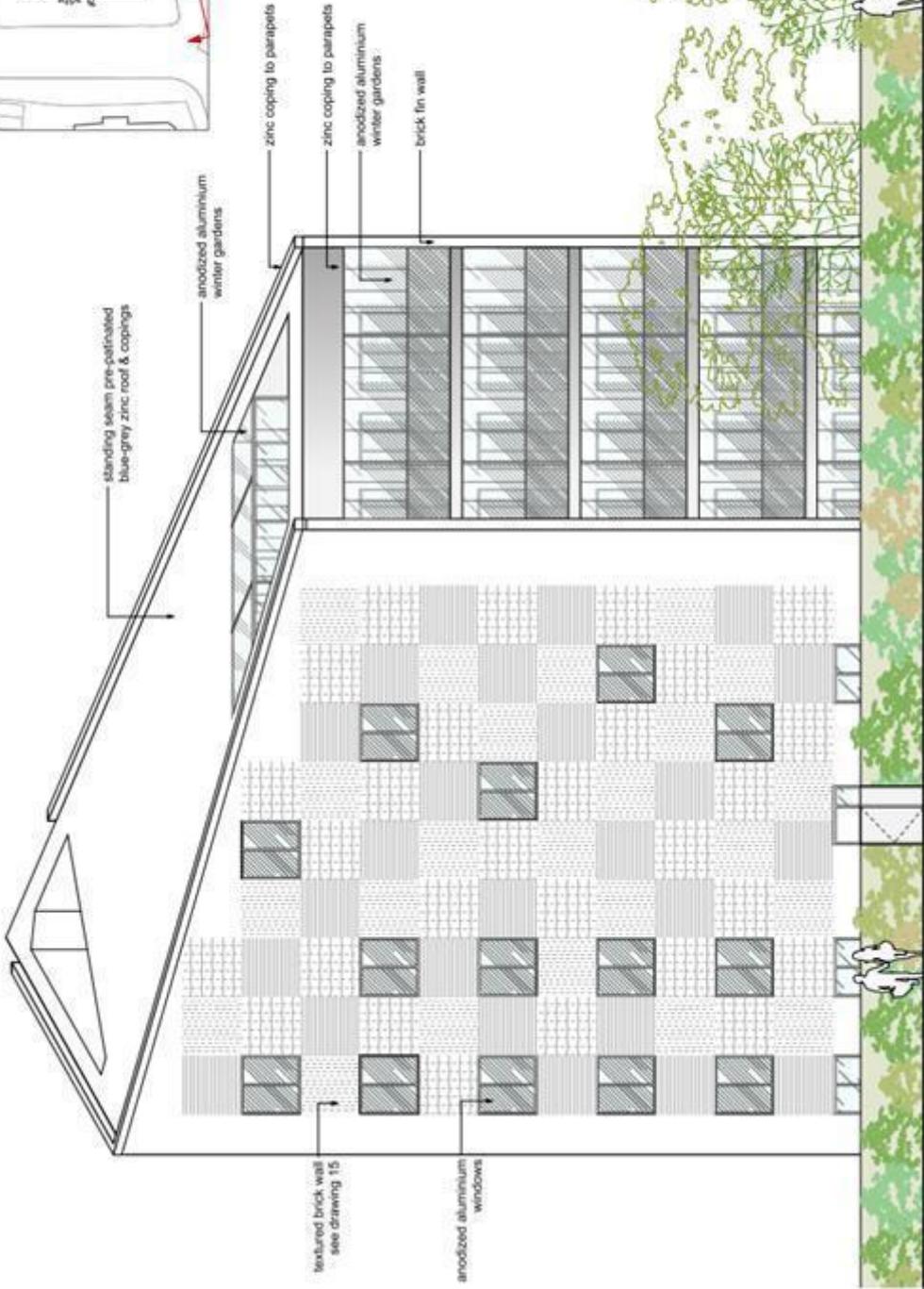
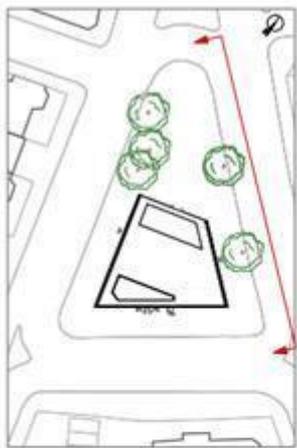
Northeast Elevation



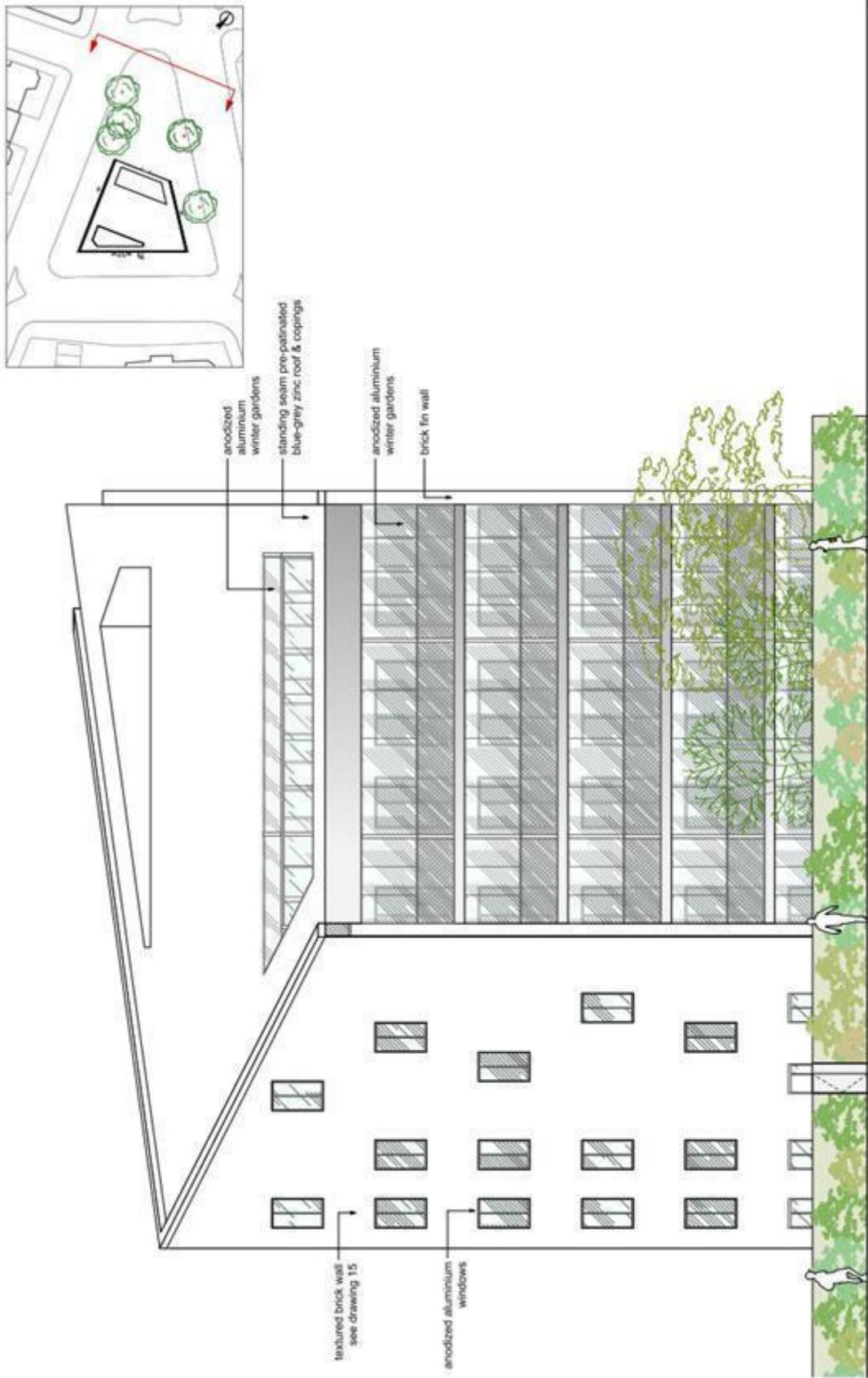
Northwest Elevation



Southwest Elevation



Southeast Elevation



RECOMMENDATIONS

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

A) PROPOSAL

See description

B) EXISTING

The application relates to an “island” site which forms a triangular roundabout at the junctions of Craven Park and Craven Park Road at the northern end of the Harlesden District Centre. The site is vacant but was most recently occupied by a two-storey building occupied as Class B1 offices.

The site is not within any conservation area or area of distinctive residential character, and is not within any designated centre, but the Harlesden District Centre is 150m to the south east.

Craven Park is a London Distributor Road. The roundabout is a congested road gyratory.

D) SUMMARY OF KEY ISSUES

The key issues for consideration are:

- Air quality and its impact on the health of future residents and whether any mitigation measures would result in an acceptable development
- Whether an acceptable quality of amenity could be provided whilst preventing exposure to air pollution

The height, scale and massing of the development

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) |
|-------------|----------|----------|------|-----|----------------|
|-------------|----------|----------|------|-----|----------------|

Monitoring Residential Breakdown

| Description | 1Bed | 2Bed | 3Bed | 4Bed | 5Bed | 6Bed | 7Bed | 8Bed | Unk | Total |
|-------------|------|------|------|------|------|------|------|------|-----|-------|
|-------------|------|------|------|------|------|------|------|------|-----|-------|

RELEVANT SITE HISTORY

07/3446 Recommended for refusal and withdrawn

Demolition of existing building and erection of part 3,4,5,6 and 7 storey building including a basement level comprising of 2 studio, 6 x 1 bed, 11 x 2 bed and 13 x 3 bedroom self contained flats including a retail unit and refuse storage on ground floor, cycle storage with 14 carparks and 1 disabled carpark to basement level, associated landscaping and vehicle crossovers fronting Craven Park Road

08/2754 Recommended for refusal and withdrawn

Demolition of existing Juvenile Counselling Centre and erection of 4-storey building comprising 14 self-contained flats, 1 disabled parking bay, refuse and cycle storage, amenity areas and associated landscaping

There have also been recent pre-applications, the latter being for a development very similar to that currently proposed.

CONSULTATIONS

319 Neighbours were consulted and a press notice and site notice were both published. As a result of this four objections have been received:

- This is a huge development in the middle of a one way traffic triangle.
- There is a severe problem of parking and it will result in additional congestion.
- It would be difficult for pedestrians and cyclists to cross the roads to the site.

- The six storey building in a confined space would be out of character with the area.
- It will block natural light to neighbours due to its size
- The development is too high and should consist of three storeys
- Balconies should not be allowed on tall buildings close to the pavement where objects can be dropped.
- Parking is needed as where the Council refuses to issue permits this does not stop residents from parking, they park outside of the CPZ hours and/or park nearby where it is not controlled.
- Suggest a manual barrier to Langdon Court Estate to prevent it becoming an extension of the building site or for future parking.

Ward Councillors were consulted, no comments have been received to date.

Internal consultees

Highways - Amendments required to doors opening onto the public footpath. No in principle objection subject to conditions.

Sustainability - Minor shortfall in carbon reduction.

Environmental Health - Objection to residential development in area of poor air quality.

POLICY CONSIDERATIONS

Brent's UDP 2004

Core Strategy 2011

London Plan

London Housing SPG 2016

DETAILED CONSIDERATIONS

Principle

Whilst there is no existing use to protect and the wider area is generally residential the site suffers from significant constraints, the environmental constraints are considered to be of such severity that a residential development cannot be supported.

Air Quality & Noise

There are serious concerns over the levels of NO₂ at the site. The site consists of an island surrounded by three roads. Air quality monitoring undertaken by Brent Council at a similar site near to the proposed development shows that the NO₂ annual mean will be exceeded.

Due to the likelihood of pollutant exceedance, during preliminary discussions with the air quality consultants, it was previously recommended that actual on site monitoring be undertaken for at least 3 months and that the resultant data then be used to validate any model runs. However, no such data has been presented in the submitted report.

The report presents the modelled NO₂ levels for the site which remains significantly high, and exceeds the annual mean objective for this pollutant up to the third floor level (4 levels including the ground floor) of the proposed development. As mitigation, mechanical ventilation in all units throughout the development is proposed, however, all units have access to balconies/winter gardens and if natural ventilation is allowed by a resident, it would defeat the objective of having the mechanical ventilation and expose all residents of that unit to poor air quality.

The assessment of noise is similar in that the specification of glazing could result in acceptable noise levels but this would not be maintained if windows of balcony doors were opened.

Whilst the planning statement discusses the fact that much of Brent is within an AQMA and a technical solution is required 'unless there is a complete embargo on development across this area', the situation is that this site is particularly constrained in that it does not present opportunity for a technical solution which would result in a good quality of amenity for residents. Sites usually have at least one elevation which is away from a main road and traffic and would therefore provide an elevation for balconies or for windows to open. The application site on a traffic island is subject to busy roads and traffic on all sides. Opening windows on

any elevation would expose residents, in their homes, to unacceptable levels of air pollution.

Paragraph 7.51 of the London Plan 2015 (FALP) states that increased exposure to existing poor air quality should be minimised by avoiding introduction of potentially new sensitive receptors, such as housing, in locations where they will be affected by existing sources of air pollution, including road traffic. The NPPF also confirms that unacceptable risks from pollution on health should be prevented.

There is no existing residential use on this site, therefore the proposal would be introducing new residential units to unacceptable impacts. Officers are of the opinion that a residential development on this site, given the air quality results, could not provide an acceptable quality of accommodation and this is an in-principle issue.

Quality of Residential Accommodation

The set in of the footprint of the development from the boundary of approximately 2.5m, plus a suitable boundary treatment and soft landscaping, could be sufficient to provide an acceptable level of privacy around the ground floor.

Units achieve the national standards for internal space and overall there is a sufficient quantitative provision of amenity space to meet the requirements set out in SPG17. Child's play space would be needed within the garden for the scale of development proposed. However given the significant detrimental air quality conditions the proposed units and communal amenity space would deliver an unacceptable air quality for future residents.

Acceptable air quality could only be maintained if units were fully sealed and officers consider that this would not constitute an acceptable quality of accommodation.

In terms of the unit mix just three family size units are provided which is 14% of the 21 units (9 x 1bed, 9 x 2bed and 3 x 3bed). CP2 seeks for 25% of all units to be family size however given the location on a traffic island it could be argued that this is not a particularly good site for children.

Neighbouring Amenity

Officers are of the opinion that the submission requires a more detailed assessment of the level of impact on daylight/sunlight there would be to neighbouring occupiers. Whilst the separation distance between street facing elevations is established by the existing streets there remains concern that the height proposed would reduce daylight and sunlight by an unacceptable amount which would be harmful to residential amenity, particularly 96-110 Craven Park.

The scale of the building and its combined bulk and height may furthermore have an overbearing impact on outlook.

Design

The character of Craven Park leading to the site is of two-storey houses with front gardens while High Street consists of three-storey terrace properties. Whilst officers are not of the opinion that the height needs to be limited to the neighbouring character the forum remains of the opinion that 6 storeys exceeds what the site is capable of accommodating. The scale and bulk of the proposed building would result in an overbearing impact on the street scene.

The sloped roof adds some interest to the large building design however it also has the result of effectively adding the height of a seventh storey at the north-western end. The high density of the scheme reinforces the view that the scale of the development proposed is too great. A maximum height of 5 storeys was previously suggested subject to the quality of design.

The elevations are proposed to be detailed with patterned brickwork which is considered to be an acceptable approach in principle however may be more successful for a smaller building and the height and massing of the building remains unacceptable. The proposed windows appear relatively small within the expansive elevations and balconies are restricted to one corner and one elevation so do not provide relief throughout the elevations.

Highways

The site has a good PTAL of 4 which means that, were permission to be granted, it could be secured as permit free either by condition or legal agreement which would be necessary as the surrounding roads are Heavily Parked. No on site parking is proposed and there would be no provision for visitors who, if visiting by car, would need to utilise pay & display parking in the vicinity.

The layby proposed on the northwest side of the site would provide space for 2 disabled parking bays if they were required by residents of the development. While the proposed location of the bay is acceptable though it would need a width of 2.7m to provide sufficient space for safe use by disabled drivers on this busy gyratory system. The pavement would also need to be at least 2.5m wide. It would be required that the footway be constructed by the applicant and adopted by the highways authority.

It was recommended at the pre-application stage by police officers that the cycle store should be accessed from within the building.

Four Eurobins would be required for the number and size of flats proposed meaning the store would need to be enlarged and is currently undersized. Doors to all stores need to open inwards, not over the public highway, which would require a further enlargement.

Drainage has not been addressed within the application. Details would be required to demonstrate that the development accords with the drainage hierarchy of Policy 5.13 of the London Plan and should seek to utilise SUDS.

Trees & Landscaping

The elevation drawings include soft landscaping externally around the perimeter of the site which appears to screen the boundary treatment. The ground floor plan also shows the introduction of trees around the site providing landscape value and privacy. There are also existing trees, both in and outside of the site, which would require full protection details were a development to go ahead on the site.

The London Plan seeks the inclusion of a green wall or roof to enhance the priority of urban greening, however tree planting can also contribute towards this.

Affordable Housing

The submission states that the applicant is willing to enter into a s106 agreement to provide 50% affordable housing with the tenure mix to be agreed with the LPA. As the application is recommended for refusal a legal agreement hasn't been drawn up meaning that the affordable housing has not been secured and a reason for refusal is recommended on this basis. The applicant has expressed that prior to submitting an appeal they will seek to agree a s106 agreement with the council on these relevant issues.

Conclusion

The proposal would introduce a sensitive use to a site affected by road traffic air pollution. The measures which would be needed to satisfactorily mitigate this in terms of its impact on future residents i.e. completely sealed units, are not currently proposed but also would not provide an acceptable quality of accommodation.

SUSTAINABILITY ASSESSMENT

While the content of the submission is good the development would only achieve a 35% reduction in C)2 as it is set against a baseline of Part L 2010 and the requirement is for 40% beyond this target. If it were agreed that carbon reduction has been maximised as far as viably possible a financial contribution would be required to off-set the remainder.

The shortfall is 1tCO₂ and would be the equivalent of £1,908 financial contribution.

An air source heat pump is proposed and supported. To seek to achieve the additional 5% carbon reduction a more detailed breakdown between the Lean and Clean measures would be recommended and tighter specifications for the thermal fabric or other Lean considerations.

Additionally I would consider specifying higher performing PV panels or exploring distributing them over a greater surface area to bridge that 5% gap.

CIL DETAILS

This application is liable to pay **£524,258.53*** 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): 1816 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 | 1816 | 0 | 1816 | £200.00 | £35.15 | £445,892.86 | £78,365.67 |

| | | |
|--|--------------------|-------------------|
| 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) | 275 | |
| Total chargeable amount | £445,892.86 | £78,365.67 |

*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 – REFUSAL

Application No: 15/5130

To: Mr Ian Coward
Collins & Coward
The Courtyard
9A East Street
Coggeshall
CO6 1SH

I refer to your application dated 25/11/2015 proposing the following:
Erection of a six storey building comprising 21 self-contained flats (9 x 1bed, 9 x 2bed and 3 x 3bed) with associated cycle storage, bin stores, communal and private amenity space and landscaping and accompanied by plans or documents listed here:

- 1389-01
- 1389-04A
- 1389-04B
- 1389-05
- 1389-06
- 1389-07
- 1389-08
- 1389-09
- 1389-10
- 1389-11
- 1389-12
- 1389-13
- 1389-14
- 1389-15

at 1 Craven Park, London

The Council of the London Borough of Brent, the Local Planning Authority, hereby REFUSE permission for the reasons set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Note

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.

DnStdR

PROACTIVE WORKING STATEMENT

REASONS

- 1 The proposal seeks to introduce a sensitive use to a site affected by existing road traffic air pollution without proposing an acceptable means of preventing exposure of future residents to poor air quality, as such the development would result in unacceptable risks from pollution on health and fails to comply with the London Plan policy 7.14 and paragraph 7.51 and the NPPF paragraph 120.
- 2 The proposal would result in a bulky and overbearing development, excessively high for its context and not justified or mitigated by its elevational design and also potentially harmful to the amenity of neighbouring residents contrary to London Plan policy 7.6 and UDP policies BE2 and BE9 of Brent's UDP 2004.
- 3 In the absence of a legal agreement to address the issue the proposal fails to achieve a 40% carbon reduction beyond 2010 Building Regulations and therefore fails to comply with London Plan policy 5.2.
- 4 In the absence of a legal agreement or condition to control the matter the proposal would result in increased demand for parking in a location where this cannot be accommodated on street, including a London Distributor Road and Heavily Parked streets contrary to TRN3 and TRN23 of Brent's UDP 2004.
- 5 By reason of the insufficient depth of the lay-by, outwards opening doors and insufficient capacity of refuse storage the proposal would lead to an unacceptable obstruction of the footway contrary to TRN3 and TRN10 of Brent's UDP 2004.
- 6 In the absence of a legal agreement to secure the provision of affordable housing, the proportion, the unit size and the tenure mix, the proposal fails to comply with policies CP2 and CP21 of Brent's Core Strategy 2011.

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