

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

8 June, 2016

16/0120

SITE INFORMATION

RECEIVED: 12 January, 2016

WARD: Wembley Central

PLANNING AREA: Brent Connects Wembley

LOCATION: Land Adjacent to Morritt House, Talbot Road, Wembley, HA0

PROPOSAL: Partially retrospective application for variation of condition 2 (approved plans) to allow the following:

- creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse (one) and installation of new 2m high pedestrian gate
- erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high)
- reduction in width of vehicle access to part 3.6m and part 4.6m
- reduced width of vehicle barrier arm and re-siting of this
- front garden layout alterations to include relocation of car parking and landscaping of full planning permission reference 12/1383 dated 09/04/2013 for Demolition of existing garage block and construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front, on land to the rear of Morritt House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morritt House, with associated landscaping and refuse storage and subject to a Deed of Agreement dated 18th March 2013 under Section 106 of the Town and Country Planning Act 1990, as amended

APPLICANT: Mr John Lyons

CONTACT: Mr Brian Peppiatt

PLAN NO'S: (See Condition 2)

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_125992

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Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/0120" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: Land Adjacent to Morrith House, Talbot Road, Wembley, HA0

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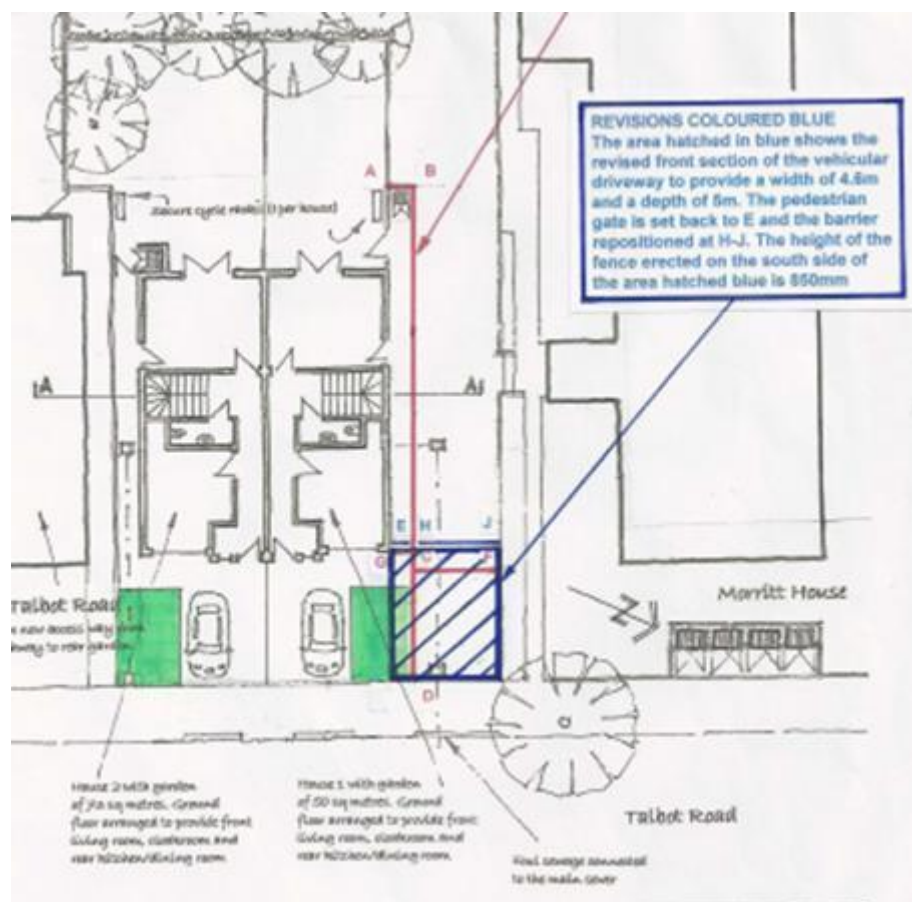


This map is indicative only.

SELECTED SITE PLANS

SELECTED SITE PLANS

Proposed site layout plan (as amended)



RECOMMENDATIONS

Approve

A) PROPOSAL

Retrospective application for Variation of condition 2 (approved plans) to allow the following alterations:

- * creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse (one) and installation of new 2m high pedestrian gate
- * erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high)
- * reduction in width of vehicle access to part 3.6m and part 4.6m
- * reduced width of vehicle barrier arm and re-siting of this
- * front garden layout alterations to include relocation of car parking and landscaping

of full planning permission reference 12/1383 dated 09/04/2013 for Demolition of existing garage block and construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front, on land to the rear of Morritt House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morritt House, with associated landscaping and refuse storage and subject to a Deed of Agreement dated 18th March 2013 under Section 106 of the Town and Country Planning Act 1990, as amended

B) EXISTING

A pair of semi-detached houses have recently been built on site, following the grant of 12/1383. Prior to this

development the site contained a derelict and disused communal garage block, this was originally built to serve the flats of Morrith House. In front of this garage block was an area of hardstanding large enough for the parking of 5-6 cars, taken up by residents of Morrith House.

To the north of the site is Morrith House, a four storey block of 16 flats fronting onto Harrow Road , No.3 Talbot Road is due south and immediately to the west is Wembley Fire Station.

There is an existing vehicle access off Talbot Road, this provides access to off-street parking to the rear of both the recently built pair of houses, and Morrith House.

The site is not within a Conservation Area, nor is it a Listed Building and is within close walking distance of Wembley Town Centre.

C) AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the application was submitted;-

1. The height of the front section of fence between the front garden and the vehicle driveway is proposed to be lowered to 0.85m, to provide adequate visibility for vehicles when exiting.
2. The initial 5m length of driveway is proposed to be maintained at a width of 4.6m, as opposed to 3.6m, this will allow sufficient width for vehicles to pass one another.
3. The installed pedestrian gate is proposed to be pushed further back, as is the vehicle barrier.

D) SUMMARY OF KEY ISSUES

As the changes to the consented scheme relate to the vehicle driveway and fencing the key issues are considered to be;-

- Suitability of vehicle access at the reduced width.
- Pedestrian and driver visibility when exiting the driveway and highway safety
- Impact on the streetscene following changes to front garden layouts.

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	192	192

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

12/1383 - Granted

Demolition of existing garage block and construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front, on land to the rear of Morrith House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morrith House, with associated landscaping and refuse storage and subject to a Deed of Agreement dated 18th March 2013 under Section 106 of the Town and Country Planning Act 1990, as amended.

CONSULTATIONS

In total 36 properties were consulted on 04/02/16. To date a petition of objection has been received, and this

has 22 signatures, all signatories are residents of flats in Morrith House. The following have been stated as reasons for objection;-

Grounds for objection	Response
The vehicle access road has extended further across than approved.	The access road has been constructed at a reduced width of 1m, due to the inclusion of a pedestrian access along side the new house. This has not resulted in the access road being sited further across within the site.
The reduction in width of the vehicle access poses a health and safety risk to users, and will restrict access to the car park for emergency vehicles.	<p>The Councils Transportation Officer has confirmed that the width of the access road is sufficient for emergency access. Also a fire appliance could stop on Talbot Road and still be within the required 45m distance, so there is no need for them to have to access the rear part of the site.</p> <p>The reduction in width is still adequate for domestic vehicle use, and does not give rise to any particular health and safety risk. There is sufficient width for a car to open its doors if required.</p>
The front section of fence is too high, restricting visibility for vehicles exiting, which poses a risk to passing pedestrians. This section should be made lower.	<p>Amended plans have been submitted which propose to lower the front section of fence to 0.85m. Transportation confirm that this will maintain adequate visibility for drivers when exiting.</p> <p>The requirement to lower the section of fence will be secured through condition.</p>
The 'grasscrete' surface for the car park has been poorly laid and is slippery for users.	<p>It has been acknowledged by the applicant that the grasscrete surface hasn't taken as well as they would have liked and that there are some deficiencies.</p> <p>The applicant has committed to undertake improvement and maintenance works. This will comprise of replacement of damaged modules with new ones and the topping up of all modules with a robust sand and loam mixture.</p> <p>The Councils Landscape officer has advised that this approach to seek to address the issues is appropriate.</p> <p>A condition is also recommended to require that the existing brick pavers that have been laid at the front section of the access road be extended along the length of the access road. This will provide a more robust durable surface for vehicles to use.</p>
A number of issues related to bin storage on site have been raised.	<p>There was a requirement of application 12/1383 to provide new refuse storage for Morrith House. This was approved alongside Morrith House, fronting onto Talbot Road.</p> <p>The applicant has provided a purpose built, brick bin enclosure in accordance with the planning consent. This can accommodate up to 4 euro style bins.</p> <p>On the basis that this complies with the</p>

	consented scheme then no alterations to this have been sought. In any event the bin enclosure is on land outside of this application site.
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MP Barry Gardiner has also submitted representation on behalf of the Morritt House residents. This re-confirms the grounds upon which Morritt House residents have raised objection, as covered above.

STATUTORY CONSULTTEES

Transportation

Subject to an amendment to the length of the proposed fenceline between the building line of the new dwellings and the highway boundary to retain a driveway width of 4.6m and to reduce the height of the front section of fence to 850mm, there would be no objections on transportation grounds to these minor amendments.

As discussed below in the Remarks section the changes required by Transportation have been agreed and are now proposed. A revised layout plan has been submitted confirming this. These matters will be secured through condition.

POLICY CONSIDERATIONS

National Planning Policy Framework – NPPF (2012)

Brent UDP (2004)

BE2 Townscape: Local Context & Character
BE3 Urban Structure: Space & Movement
BE5 Urban Clarity & Safety
BE6 Public Realm: Landscape Design
BE7 Public Realm: Streetscape
BE9 Architectural Quality
H12 Residential Quality – Layout Considerations
H13 Residential Density
H15 Backland Development
TRN3 Environmental Impact of Traffic
TRN11 The London Cycle Network
TRN15 Forming an Access to a Road
TRN23 Parking Standards Residential Developments
TRN34 Servicing in New Development
PS14 on residential parking standards
PS16 cycle parking standards

Brent Core Strategy – Adopted July 2010

CP2 – Population & Housing Growth
CP6 – Design & Density in Place Shaping
CP15 – Infrastructure to Support Development
CP17 – Protecting & Enhancing the Suburban Character of Brent
CP21 – A Balanced Housing Stock

DETAILED CONSIDERATIONS

Background & Context

1. This application is submitted in response to an enforcement complaint and subsequent investigation under reference E/15/0750. The alleged breach of planning control is that the development has not been built in accordance with the plans and conditions of p.p.12/138 and conditions approved under 13/0733.
2. The principle of the residential redevelopment of the site is acceptable and this is not for consideration as part of this application. As the development recently completed on site has not been built fully in

accordance with the approved plans for 12/1383 the consideration relates to the nature of the changes that have been made, the extent to which the built development deviates from the consented scheme, and whether these changes can be supported in planning terms.

Discussion of how the built scheme deviates from the approved plans:

- *Creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse and installation of new 2m high pedestrian gate, and reduction in width of shared vehicle access to part 3.6m and part 4.6m.*
- 3. The layout originally approved proposed the northernmost dwelling to be hard up against the shared vehicle driveway, which was to be 4.6m wide. The applicant has advised that they chose to construct the layout differently, with a 1m wide pedestrian pathway introduced alongside the dwelling because of health and safety concerns. Their concerns stem from the fact the approved layout had a side kitchen door opening out directly onto the shared driveway. Given the potential for the door to open out into the pathway of oncoming vehicles it was considered preferable by the applicant to create this 1m wide pathway, with a separating fence erected along part of the length of the driveway.
- 4. The implications of the pathway being provided are that the shared driveway has been reduced down (in part) from 4.6 to 3.6m wide.
- 5. The main consideration in relation to this change is the impact it has on vehicle access to the rear car parking spaces, of which there are 6 in total, all utilised by Morrith House resident's.
- 6. Your Transportation officer has considered the as built layout, and noted that this means there is no longer sufficient width for two oncoming cars to pass one another along the length of the driveway. A concern was raised that this could lead to cars having to wait in or reverse back out into Talbot Road, which would not be welcomed in highway safety terms.
- 7. Whilst generally accepted that the size of the car park is not large, so the occasions when cars would meet would be very limited to address this issue your Transportation officer suggested that the initial 5m length of driveway (adjoining the front gardens) be retained at a width of 4.6m. This would then provide a limited passing place for vehicles within the site, close to the highway boundary.
- 8. The applicant has agreed to the suggested change. A revised layout plan has been submitted, this proposes to retain the front section of driveway at a width of 4.6m and depth of 5m, which satisfies Transportation requirements. In order to accommodate this vehicle passing area the installed pedestrian gate is proposed to be set further back within the site, which is considered to be acceptable.
- *Erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high).*
- 9. As constructed the front section of fence between the driveway and the front gardens to the new dwellings is 1m high where it meets the back edge of the highway. This is an issue in terms of driver visibility. In order to satisfy driver and pedestrian visibility requirements, the height of the fence towards the front of the site needs to be reduced to a maximum of 0.85m. This would provide adequate driver visibility when exiting in accordance with the Council's standards.
- 10. The applicant has confirmed that they agree to the lowering the front section of fence. The revised plan submitted confirms this will be lowered to 0.85m as required. Officers consider that the rear section of the fence, which is higher than this, is an acceptable height as installed. This does not pose any risk in terms of visibility for vehicular access and safety. It is a fairly typical 1.7m high timber fence that you would expect to see in a domestic setting.
- *Reduced width of vehicle barrier arm and re-siting of this.*
- 11. This has been reduced in width from the approved details as a consequence of the reduction in the width of the shared vehicle driveway. This in itself is not an issue as the vehicle barrier arm still fulfills it's intended function on site, which is to control vehicle access to the rear parking area for Morrith House residents.
- 12. As the plans have been amended to propose the vehicle passing area to the front of the site (4.6m x 5m) it will be necessary to re-position the barrier arm further back within the site so there is no conflict. The

re-siting of this barrier does not present any highway safety concerns.

- *Front garden layout alterations to include relocation of car parking and re-configuration of landscaping.*
13. The amended layout has effectively flipped the areas allocated for off-street parking and those which are to be soft landscaped in both front gardens. Plans also show increased soft landscaping within the front gardens of the new properties, which is welcomed in terms of improving the appearance and natural drainage of the site and the streetscene.
14. There are no concerns with the new approach to the front gardens.

Other issues

- *Proposed maintenance works to grasscrete surface*
15. The applicant has committed to undertake works to maintain and repair the grasscrete surface. It is proposed to replace the damaged modules with new ones, firmly top up all the modules with a robust sand and loam mixture and then re-sow the modules using LT5 Rye Tees, which is a hard wearing grass and seed mixture. Initial establishment of this is usually very quick.
16. The Councils Landscape officer would welcome these measures. Furthermore it is recommended that the existing driveway tracking that has been laid in part as pavers be extended along the full length of the driveway.
17. A condition is recommended to require the submission and approval of a detailed maintenance plan, which shall include the laying of pavers along the length of the driveway.

Conclusion

18. The grounds of objection have been duly considered and some of the concerns raised by residents are addressed through the submission of revised plans. In summary the extent to which the implemented scheme varies from the original approval can be supported and there are no valid grounds to resist this application. There are well justified practical reasons for some of the changes that have been implemented when constructing this pair of houses. The amendments are acceptable in highway safety terms, subject to implementation of the revised plans, and subject to the lowering in height of the front section of fence to a maximum 0.85m. A condition is recommended to secure maintenance works are carried out to address the failings of the recently laid grasscrete surface.
19. Approval is recommended, subject to recommended conditions.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/0120

To: Mr Brian Peppiatt
Richmond House
Alverston Avenue
Woodhall Spa
Lincolnshire
LN10 6SN

I refer to your application dated 08/01/2016 proposing the following:

Partially retrospective application for variation of condition 2 (approved plans) to allow the following:

- creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse (one) and installation of new 2m high pedestrian gate
- erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high)
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and accompanied by plans or documents listed here:

(See Condition 2)

at Land Adjacent to Morrith House, Talbot Road, Wembley, HA0

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:

A handwritten signature in black ink, appearing to read 'Aktar Choudhury'.

Mr Aktar Choudhury
Operational Director, 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 the:-
National Planning Policy Framework
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance

- 1 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):
location plan
Dwg 1 (revised 14/04/2016)

The development detailed within these drawings shall be implemented in full within 6 months of the date of this consent.

Reason: For the avoidance of doubt and in the interests of proper planning and in the interest of vehicular and pedestrian flow and safety.

- 2 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(s):

(a) Restricted size of site

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.

(b) To prevent over development

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

- 3 No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the flank wall(s) of the buildings without the prior written consent of the Local Planning Authority. All windows and doors that are approved shall be constructed with obscure glazing only and shall be maintained as such unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 4 The 5m deep front section of shared driveway as shown on the drawings hereby approved, which shall be provided at a minimum width of 4.6m, shall be maintained and retained for the life of the development.

Reason: To ensure adequate vehicle access is maintained.

- 5 The section of fence situated forward of the buildings within the site, alongside the shared driveway, shall be lowered to a maximum height of 0.85m within six months of the date of this consent and permanently maintained as such thereafter.

Reason: To ensure adequate visibility for drivers when exiting.

- 6 The pedestrian access and vehicle barrier shall be re-positioned on site in accordance with the approved plan within 6 months of the date of this consent and shall thereafter be retained for the life of the development.

Reason: In the interests of adequate pedestrian and vehicle access.

- 7 All external building work shall be maintained fully in accordance with the approved details subject of planning permission 13/1733 (dated 02/09/13) unless otherwise agreed in writing by the Local Planning Authority.

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

- 8 All areas shown on the approved plans as landscaping shall be maintained fully in accordance with details approved by planning permission 13/1733 (dated 02/09/13), unless otherwise agreed in writing by the Local Planning Authority.

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.

- 9 Privacy screening to the rear facing balconies shall be maintained fully in accordance with the details approved by planning permission 13/1733, unless otherwise agreed in writing by the Local Planning Authority.

Reason; To safeguard the amenities of neighbouring occupiers.

- 10 Refuse storage provision and pedestrian access to this shall be maintained fully in accordance with the details approved by planning permission 13/1733 (dated 02/09/13), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- 11 Safety railings erected along the boundary between Morritt House and the access road to the car parking area shall be maintained fully in accordance with the details approved by planning permission 13/1733 (dated 02/09/13), unless otherwise agreed in writing by the Local Planning Authority.

Reason; To ensure a satisfactory standard of development.

- 12 All parking spaces on site shall be clearly marked out on site and maintained and thereafter retained solely for the purposes set out within this consent.

Reason; To ensure satisfactory parking provision for residents.

- 13 Within 1 month of the date of permission, a Landscape Improvement and Maintenance Plan shall be submitted in writing to the Local Planning Authority. The Plan shall include but not be limited to the following;-
(i) proposed repair / improvement / maintenance works to the existing grasscrete surface
(ii) extension of the existing pavers along the length of the shared driveway.

Should the submitted plan not be approved, a revised plan shall be submitted to and approved in writing by the Council within 5 months of the date of this permission.

The approved landscape works shall be carried in full accordance with the approved plan 6 months of the date of this decision and the landscaping shall thereafter be retained and maintained.

Reason: In the interests of the visual amenities of the site.

INFORMATIVES

- 1 Should the Landscape Improvement and Maintenance Plan not be approved and implemented within 6 months of the date of this decision, Enforcement Action may be taken to implement those proposals.
- 2 The applicant is advised to contact the Councils Planning Enforcement department to advise on the timescale for carrying out of the approved works and again when the approved works have been fully completed on site.

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227