

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 September, 2016

16/1809

SITE INFORMATION

RECEIVED: 29 April, 2016

WARD: Sudbury

PLANNING AREA: Brent Connects Wembley

LOCATION: 967 Harrow Road, Wembley, HA0 2SF

PROPOSAL: Partly retrospective application for the erection of a three storey side extension and the conversion of the premises into 6 self-contained flats (3 x 1bed, 3 x 2bed) with proposed alterations to the internal layouts of the flats, demolition of rear store and creation of a vehicular crossover accessed off The Boltons, with associated additional car and cycle parking, relocation of bin stores and landscaping to the front

APPLICANT: Dr Kanthan

CONTACT: H Planning Ltd

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_127821

[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 "16/1809" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

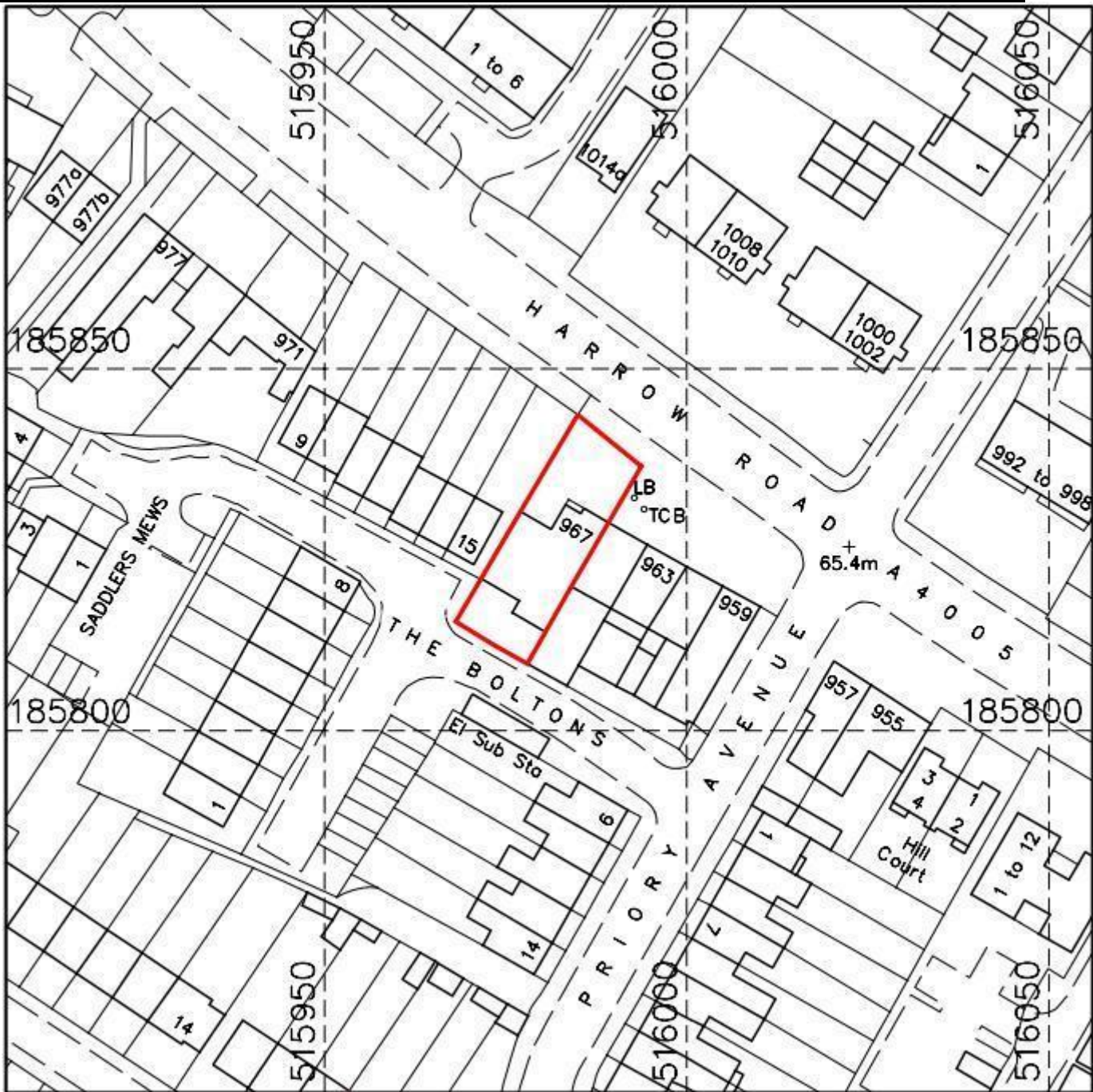
SITE MAP



Planning Committee Map

Site address: 967 Harrow Road, Wembley, HA0 2SF

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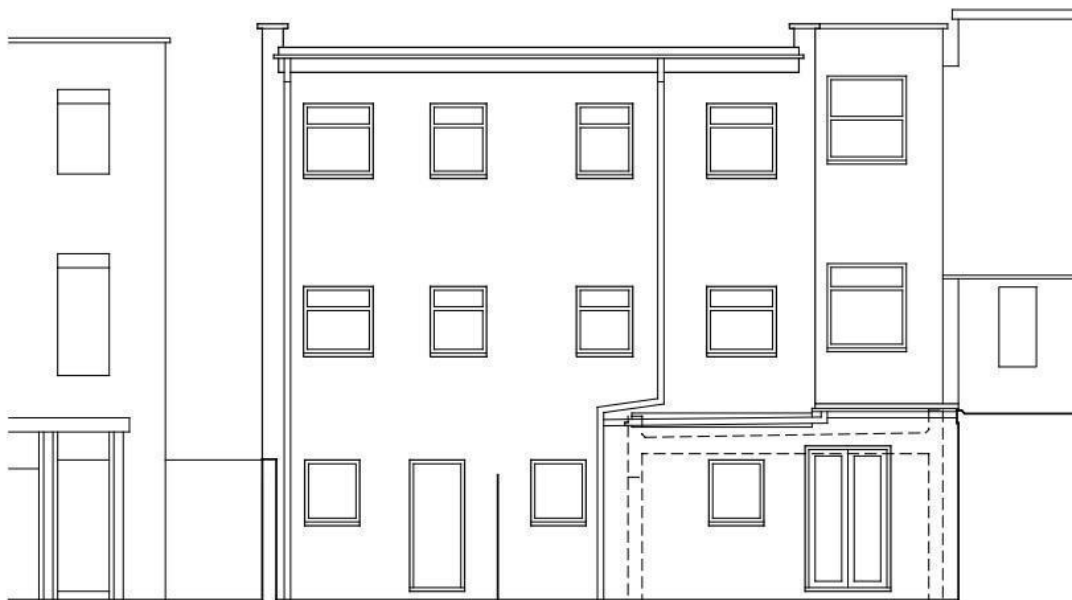


This map is indicative only.

SELECTED SITE PLANS
SELECTED SITE PLANS



FRONT ELEVATION

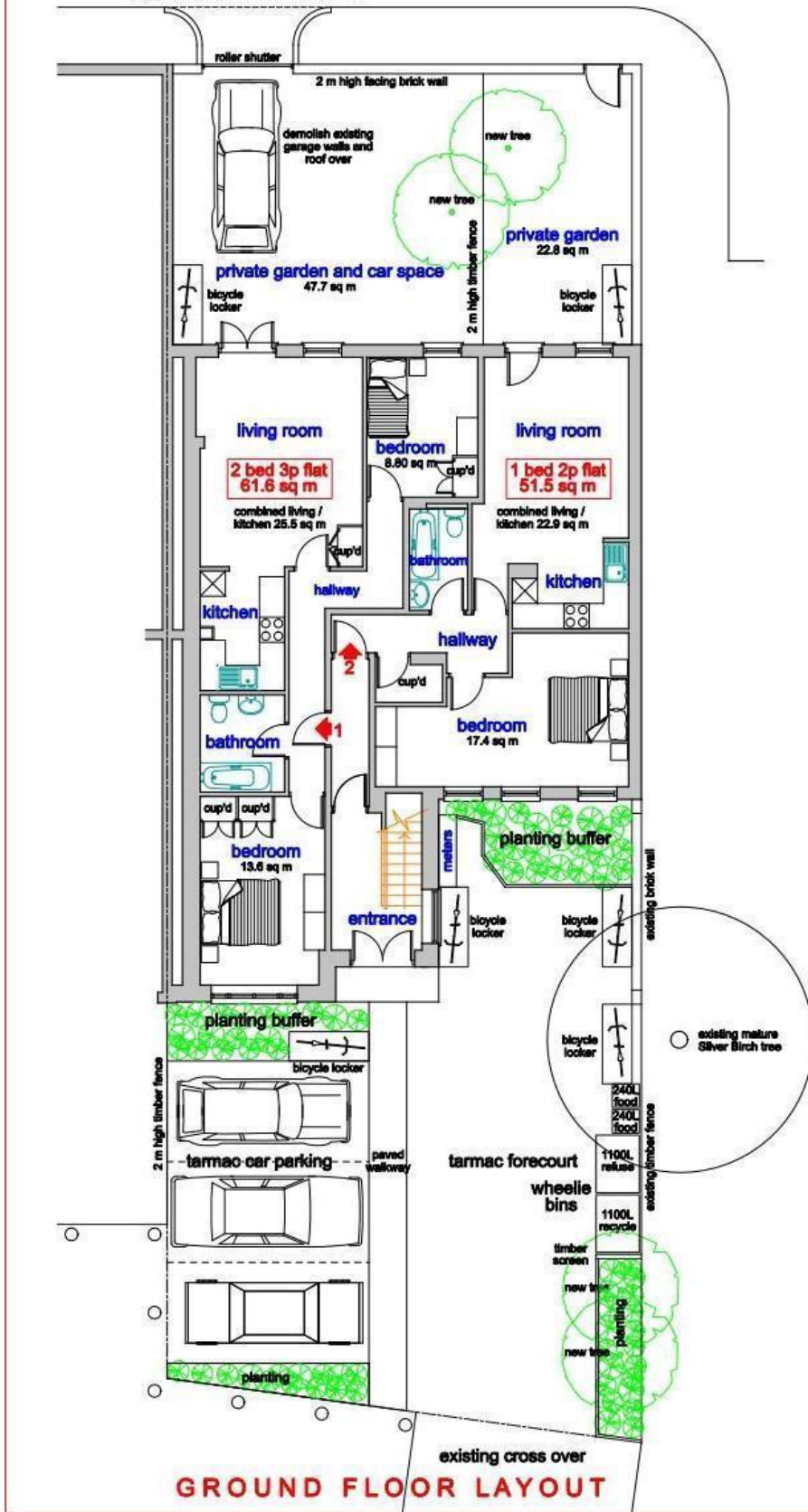


demolish existing garage
walls and roof over

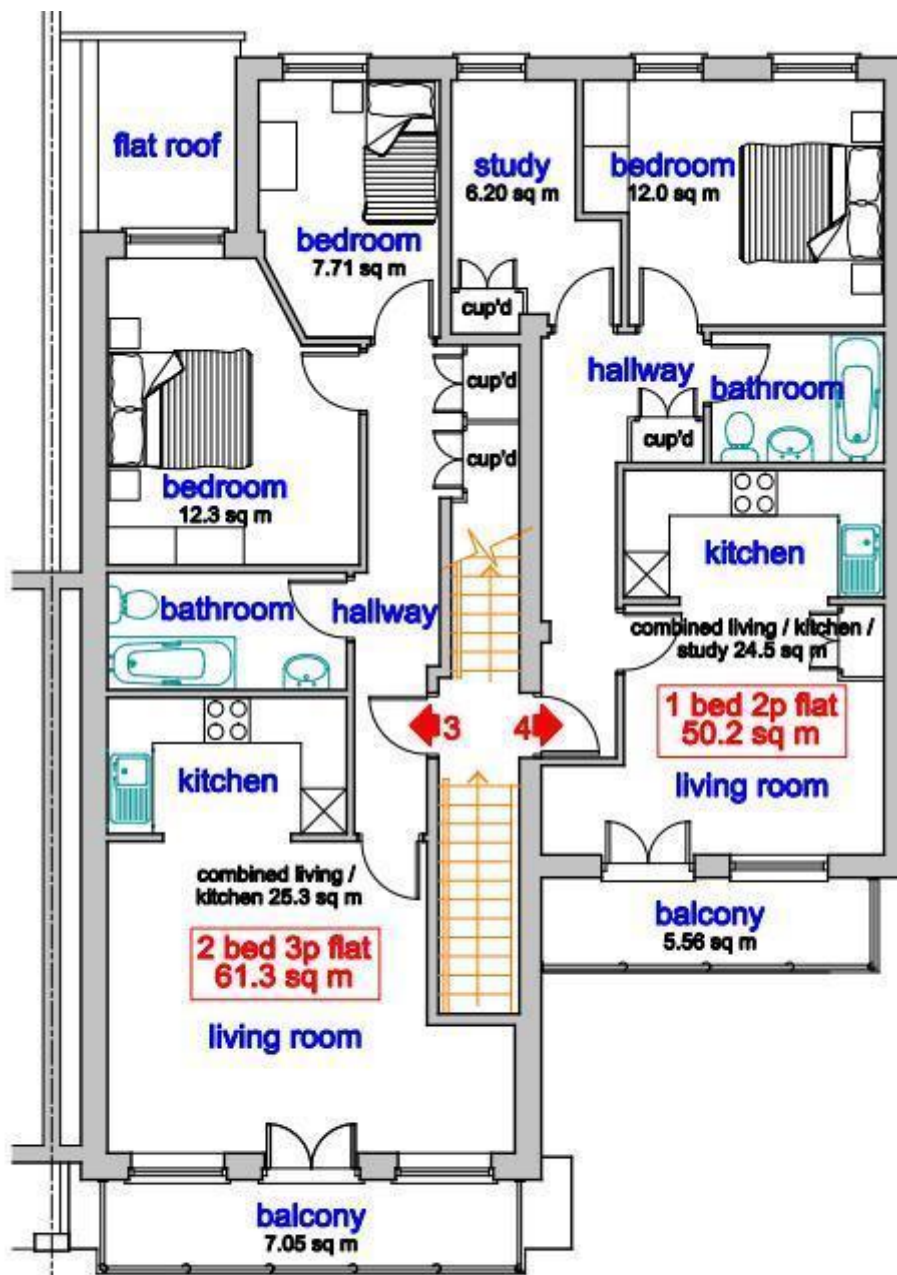
REAR ELEVATION

THE BOLTONS

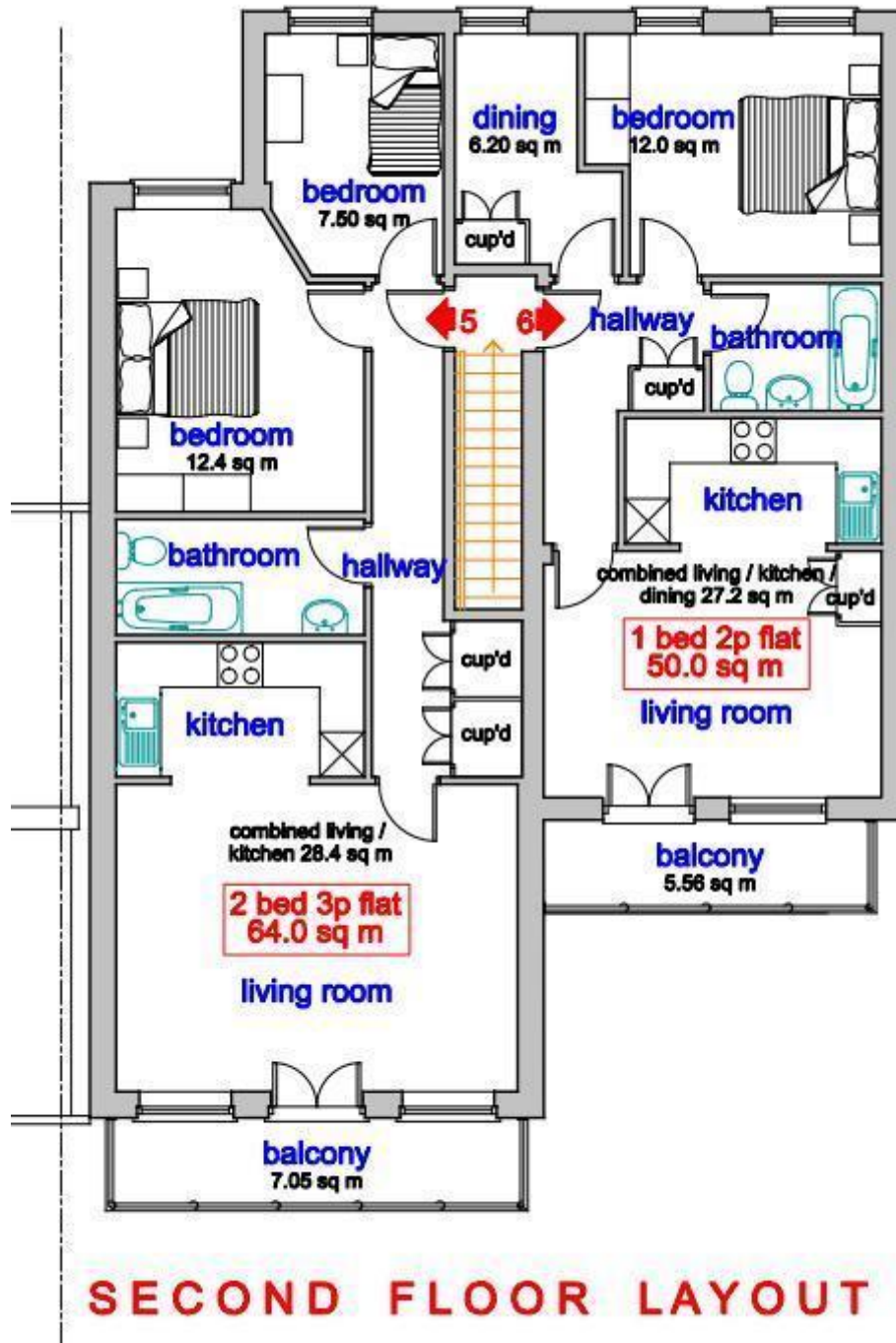
new crossover to local authority transport officer approval, mirrors strategically located opposite for ease of view of on coming traffic



GROUND FLOOR LAYOUT



FIRST FLOOR LAYOUT



RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission.
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. That works on the development must commence within 3 years of the decision
2. That works are carried out in accordance with the approved plans

3. All new external work shall be carried out in materials that match those of the existing building.
4. The submission, approval and implementation of landscaping details.
5. The maintenance of trees and replacement if planting dies, is damaged or becomes diseased within 5 years.
6. The approval of details of the forecourt layout including surface materials and measures to prevent parking outside the three designated parking space, the implementation of those details and retention thereafter.
7. The approval of details of the new vehicular access from The Boltons, including the width of the access, details of gates, fencing, materials and heights. Implementation prior to occupation of the adjoining unit and retention thereafter.
8. The implementation and retention of the refuse/recycling storage area and cycle parking facilities.
9. Details of sound insulation between the ground floor 1 bed unit and first floor 1 bed unit.

Informatives

1. The applicant may have obligations under the provisions of the Party Wall etc Act 1996
 2. The applicant must ensure that works is carried out entirely within the subject property
 3. The applicant is advised to contact the transportation department to make arrangements for necessary highway works
 4. The applicant is liable to pay the Community Infrastructure Levy should the development proceed
 5. Any other informative(s) considered necessary by the Head of Planning.
1. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.
 2. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

A) PROPOSAL

Retrospective application for the erection of a three storey side extension and the conversion of the premises into 6 self-contained flats (3 x 1bed, 3 x 2bed) with proposed alterations to the internal layouts of the flats, demolition of rear store and creation of a vehicular crossover accessed off The Boltons, with associated additional car and cycle parking, relocation of bin stores and landscaping to the front

Amendments were received during the course of the application for the scheme outlined above. The revised plans provided 4 secured bicycle lockers in the front of forecourt and two at the rear.

B) EXISTING

The application site comprises a 3-storey flat roof end of terrace commercial premises located on the southern side of Harrow Road, Sudbury. The building had been vacant for some time with the last authorised use of the building was as B1 offices before it was converted to residential units.

The site is at the end of a local shopping parade, which has no designation in Brent's Unitary Development

RELEVANT SITE HISTORY

E14/1061 Without planning permission, the erection of a 3 storey extension (the unauthorised development and without planning permission the change of use of the premises into 6 self-contained flats (the unauthorised change of use).

Case open

12/2492 - Erection of three storey extension and change of use for part of building to five residential flats, comprising 1 x 3 bedroom flat; 2 x 2 bedroom flats and 2 x 1 bedroom flats

Granted

12/1334 - Details pursuant to conditions 6 (landscaping), 7 (vehicular access -front), 8 (vehicular access -rear), 9 (cycle parking) and 10 (refuse storage) of planning permission reference 11/3205 dated 14/03/2012 for the erection of a three storey extension and associated works.

Granted

11/3205 - Erection of three storey side extension and associated works to curtilage including hard and soft landscaping and creation of new vehicle crossover to rear premises.(Revised plans received 03/02/2012)

Granted

11/3205 - Erection of three storey side extension and associated works to curtilage including hard and soft landscaping and creation of new vehicle crossover to rear premises.(Revised plans received 03/02/2012)

Granted

CONSULTATIONS

Neighbouring properties were notified 26th May 2016. To date four representations (objections) have been received with the following concerns:

Local residents have noted the following concerns:

Objection	See paragraph
Impact on light	7-11
Impact on parking and access	16-22
Quality of design and impact on character and appearance	5-6
Disregarding of party wall agreement	This is a civil matter which cannot be considered or controlled within the planning application

Councillor Mary Daly:

- Sub-standard living accommodation
- Poor quality design & appearance
- Impact on light
- Impact on parking and access
- That cars park to the rear of the Budgens store and restrict access to The Boltons and Saddlers Mews. There is concern that emergency vehicles will not be able to access these roads.

The majority of these comments have been raised by residents and the relevant paragraph numbers referred to above. With regard to vehicles parking to the rear of Budgens store, the proposal only results in a minor increase in the likely parking demand of the development above that of the previously approved scheme and as such, the imposition of parking controls is not considered reasonable or necessary in order to make the scheme acceptable.

The above concerns have been addressed in the remarks section of the report.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012)

All development has a presumption in favour of sustainable development. Brent's planning policies are found to be compliant with the NPPF

Technical housing standards - nationally described space standards

The London Plan consolidated with alterations since 2011

Policy 3.5 – Quality and design of housing developments
Housing Supplementary Planning Guidance March 2016

The London Borough of Brent LDF Core Strategy 2010

CP2 - Population and housing growth
CP17 – Protecting and Enhancing the Suburban Character of Brent
CP21 - A balanced housing stock

The London Borough of Brent Unitary Development 2004 ('saved' policies)

BE2 – Townscape: Local Context and Character
BE3 – Urban Structure: Space & Movement
BE4 - Access for disabled people.
BE6 – Public Realm: Landscape Design
BE7 – Public Realm: Streetscape
BE9 – Architectural Quality
H11 – Housing will be promoted on previously developed land.
H12 – Layout of residential development.
H13 – Residential development.
TRN3 – Environmental Impact of Traffic
TRN10 – Walkable Environments
TRN11 - The London Cycle Network
TRN23 – Parking Standards –Residential Developments
TRN34 - Servicing in new development
EMP9 - Development of local employment sites

Supplementary Planning Guidance

SPG17 - Design Guide for New Development.

DETAILED CONSIDERATIONS

Site context & background

1. The application is a retrospective proposal for a 3-storey side extension to 3-storey commercial property and conversion of the extended property to six self contained units (3 x 1 bed & 3 x 2 bed).
2. Permission was previously granted for the erection of a three storey extension and change of use for part of the building to five residential flats, comprising 1 x 3 bedroom flat; 2 x 2 bedroom flats and 2 x 1 bedroom flats (Reference 12/2492). However the development was not carried out according to the approved plans.
3. The main considerations for the current proposal are:
 - loss of office accommodation,
 - impact of the residential use on the amenities of neighbours,
 - quality of the residential accommodation being proposed
 - impact the impact of the residential on parking and servicing for the site.

Loss of office accommodation

4. The loss of the office accommodation was approved within the previous consent. The committee report for that application set out that the office building had been vacant for some time and that there was a lack of demand for the office accommodation of this type in this location. Policy EMP9 of the UDP allows the loss of local employment sites where there is no effective demand for those employment uses. In this instance, this was demonstrated within the previous application and accepted in principle through that consent. The loss of the office accommodation is therefore considered to be acceptable in principle.

Design and Impact on neighbouring residential amenity

5. The external dimensions of the extensions to the building are in material accordance with the previous consent. However, the single storey rear extension has been reduced in size from the previous approval, with this now proposed to the same depth as the two-storey extension.
6. With regard to the appearance of the building, the proposal follows the same design approach to the previous consent. There are some changes to the size of some windows and the roller-shutter doors that served the bin-store within the previous consent have been replaced by windows. The design and appearance of the building is therefore similar to the previous consent and is considered acceptable.
7. While the proposal is not a domestic extension It is considered appropriate to consider whether the proposal complies with the 1:2 guidance, as set out in Brent's *Supplementary Planning Guidance 5 on Altering and Extending Your Home* (SPG5). This guidance is applied when assessing the impact of 2-storey or first floor extensions to residential properties, on neighbouring residential properties, if they are to project beyond the rear wall of those neighbouring properties.
8. At the rear and front of property, the midpoint of the nearest habitable room windows at 15 The Boltons, are at a distance of more than 2.5 m from the retrospective extension. This extension projects approximately 1.1 m beyond this neighbours rear wall.
9. The 3-storey side extension would therefore comply with the 1:2 guidance, and it is not considered that the impact of the extension would have an unduly harmful impact on the residential amenities of No 15 in terms of outlook and light to this property. The extension therefore complies with SPG5 requirements as set out in the 1:2 guidance.
10. The alterations associated with the proposed conversion of the pre-existing property are not considered to impact materially on the amenities of adjoining neighbours. Habitable room windows face towards the front and rear of the building and not the side so there are no habitable room windows facing directly into neighbouring gardens. No 8 The Boltons has habitable room windows that have an oblique view of the rear of the application site. However the degree of separation between the habitable rooms of this property and those of the application site is approximately 18 metres and as they are not directly facing each other are not considered to result in unacceptable overlooking.
11. The current scheme has similar balconies to the front of the building on the first and second floors which were approved under planning reference 12/2492 and are considered acceptable. Screens are currently in situ to the side of the balconies to ensure no direct overlooking into number 15's garden.

Quality of residential accommodation being proposed

Unit	No of bedrooms	Proposed Floor Space	London Plan Standard	Amenity Space
1 (ground floor)	2 bed (3 person)	61.2 sqm	61 sqm	47.7 sqm private garden
2 (ground floor)	1 bed (2 person)	51.2 sqm	50 sqm	22.8 sqm private garden
3 (1st floor)	2 bed (3 person)	61 sqm	61 sqm	6.45 sqm balcony
4 (1st floor)	1 bed (2 person)	50.2 sqm	50 sqm	5 sqm balcony
5 (2nd	2 bed (3 person)	63.8 sqm	61 sqm	6.1 sqm

floor)				balcony
6 (2nd floor)	1 bed (2 person)	50 sqm	50 sqm	4.85 sqm balcony

12. All units meet or exceed the London Plan internal floor space standards. The units located on the ground floor have direct access to private gardens and all other units have balconies. All units are dual aspect and are considered to enjoy acceptable outlook, daylight and sunlight.
13. The layout of the units are generally considered acceptable. The kitchen/living room of one of the first floor units is located over the bedroom of the 1-bed unit below. While this is not ideal it was considered acceptable in the previously approved application and a refusal for a similar proposal could not be justified. A condition is proposed requiring extra sound insulation between these units.
14. The proposed amenity space for each flat generally accords with the sizes specified within the Mayor's Housing SPG with the exception of flat 6 which is 0.15 sqm below the standard. Whilst the upper floor flats fall below the levels of external amenity space set out within Supplementary Planning Guidance 17 (20 sqm per unit), this was considered to be acceptable within the previous consent on the basis that the units are not family sized units.
15. Overall the proposal is considered to achieve an acceptable of quality of accommodation.

Parking and Servicing

16. Car parking allowances for the proposed dwelling units are given in standard PS14 of the UDP. As the site does not have good access to public transport services, full allowances set out in standard PS14 apply. As such, up to 1 space per 1-bed flat, 1.2 spaces per 2-bed flat and 1.6 spaces per 3-bed flat is permitted. The originally approved scheme therefore had a parking allowance of 6 spaces and this proposal for an additional sixth flat will increase this allowance to 6.6 spaces.
17. Drawing number 16506/02 Revision E proposes to retain the existing crossover onto Harrow Road and this will provide three off-street parking spaces within the forecourt, as per the previously approved layout. The drawing only proposes 24.97.sqm soft landscaping for natural drainage, which does not comply with Brent's Crossover Policy, however this is the same amount of soft landscaping which was approved under the previous application and is therefore considered acceptable in this instance.
18. Drawing number 16506/02 Revision E also proposes a new vehicular crossover onto The Boltons, at the rear of the site. The drawing also shows a 2m high boundary wall adjacent to the new crossover. The new crossover will provide one off-street parking space only and will be accessed by a 2m wide crossover and roller shutters. The Highways officers have requested that this access is widened to 2.4 m and for there to be no-obstruction over a height of 0.85 m within the visibility splays set out within SPG3. They have also requested that the roller-shutters are removed to ensure that vehicles do not need to wait on the public highway to open the shutters. This could also be achieved through the incorporation of an automatic opening gate. A condition has been recommended to secure these three matters.
19. In general, car ownership is estimated to total about 75% of the full standard, giving a likely demand for five spaces (as per the approved scheme). With only four spaces proposed, overspill parking by one vehicle is considered likely. However, neither Harrow Road (a local distributor road and bus route) nor The Boltons (a narrow heavily parked street) are suitable for accommodating overspill parking from the site.
20. However, the previously approved scheme (12/2492) also provided only four off-street parking spaces against a recommended minimum of five spaces by the Council's transport department to meet future demand. This proposal does not therefore differ in this respect and in light of the previous planning consent for the site, this application considered acceptable in parking terms as it would not significantly further increase overspill parking in the area.
21. Refuse/recycling storage is proposed with the Harrow Road frontage, which accords with the Council's waste guidance and is considered to be acceptable. Four cycle storage spaces are proposed within the Harrow Road frontage, whilst cycle storage is proposed within the gardens of the two ground floor flats. The cycle storage facilities accords with the Council's policies.

22. The development is considered to be acceptable on Highways grounds, having regard to the policies set out above.

Conclusion

23. The proposal complies with requirements set out in The NPPF, London Plan, the Councils Core Strategy 2010 and Unitary Development Plan 2004 and on balance is considered to be an acceptable scheme. The proposal is therefore recommended for approval subject to the attached conditions.

SUSTAINABILITY ASSESSMENT

CIL DETAILS

This application is liable to pay **£101,895.54*** 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): 20 sq. m.

Total amount of floorspace on completion (G): 372.96 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	372.96		352.96	£200.00	£35.15	£86,664.29	£15,231.25

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	£86,664.29	£15,231.25

*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: 16/1809

To: Mr Humphreys
H Planning Ltd
7 Ridgmount Street
London
WC1E 7AE

I refer to your application dated 29/04/2016 proposing the following:

Partly retrospective application for the erection of a three storey side extension and the conversion of the premises into 6 self-contained flats (3 x 1bed, 3 x 2bed) with proposed alterations to the internal layouts of the flats, demolition of rear store and creation of a vehicular crossover accessed off The Boltons, with associated additional car and cycle parking, relocation of bin stores and landscaping to the front and accompanied by plans or documents listed here:

See condition 2.

at 967 Harrow Road, Wembley, HA0 2SF

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 policies contained in the:-

Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 Design Guide for New Development

- 1 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

16506/02 Rev A

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

Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 Design Guide for New Development

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

- 2 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.

- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

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

- 4 The refuse and cycle storage facilities hereby approved shall be installed prior to first occupation of the development hereby approved and shall thereafter be retained and used solely for purposes ancillary to the residential units.

Reason: In the interest of highway flow and safety.

- 5 Notwithstanding the details of landscape works referred to in the submitted application, full details of proposed soft landscaping within areas so designated within the front forecourt and rear garden, shall be submitted to and approved in writing by the Local Planning Authority. All detailed works shall be carried out as approved prior to first occupation of the development hereby approved. Such details shall include:

- Details of measures to be taken to protect the existing Silver Birch tree located on neighbouring land at 15 The Boltons;
- A plan showing the size, species and location of a minimum of 2 trees to be located within the forecourt and 2 trees in the rear garden;
- Details of all soft landscaping within the front forecourt of the application site (including species, plant sizes and planting densities).
- Details of any boundary walls or fences, indicating materials and heights

Any new trees or shrubs planted shall be watered for the first two years after planting, and any other planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next

planting season and all planting shall be replaced with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- 6 Notwithstanding the details submitted, full details of the forecourt layout including surface materials and measures to prevent parking outside the three designated parking space, shall be submitted to and approved in writing by the Local Planning Authority. All approved works shall be implemented in full prior to first occupation of the development, and thereafter retained and used solely for purposes ancillary to the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed development does not prejudice the free flow of traffic or the safety of pedestrians, and to ensure a satisfactory standard of development in the interests of local visual amenity.

- 7 Further details of the proposed new vehicular access to the rear garden of the ground floor unit from The Boltons, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. These details shall include the width of the crossover which shall be 2.4 m, details of any gates and boundary fencing, indicating materials and heights and which shall demonstrate that the gates shall be automatically opening and that there will be no visual obstruction above a height of 0.85 m within the visibility splays set out within SPG3 unless otherwise agreed in writing by the local planning authority. Flat 1 shall not be occupied unless all approved works have been implemented in full and the building labelled as "store" within drawing 16506/01A has been demolished. The parking space, walls, and gates shall thereafter retained and the parking space used solely for purposes ancillary to flat 1.

Reason: To ensure the proposed development does not prejudice the free flow of traffic, and to ensure that service vehicles cannot access the site from the new access in the interests of residential amenity, and pedestrian safety.

- 8 Notwithstanding the details submitted, further details of sound insulation between the living room of the first floor 1-bedroom flat (flat 4) and the bedroom of the 1-bedroom flat (flat 2) shall be submitted to and approved by the local planning authority and shall be installed in accordance with the approved details prior to the occupation of flats 2 and 4 hereby approved.

Reasons: To safeguard the impact on neighbouring amenity in terms of noise and disturbance.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 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
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out

entirely within the application property.

- 4 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should Application for such works should be made to the Council's Highways Department, Civic Centre, Engineers Way, Wembley HA9 0FJ.

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