

Committee Report
Planning Committee on 23 February, 2011

Item No. 1/03
Case No. 10/3093

RECEIVED: 21 December, 2010

WARD: Dollis Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 1-16 Inc, Greencrest Place, London, NW2 6HF

PROPOSAL: Demolition of 16 existing residential units and erection of an 8-storey building comprising 27 self-contained flats (8 x 1 bed, 14 x 2 bed, 5 x 3 bed) with private balconies, provision of 34 off-street parking spaces, 54 cycle storage spaces and associated landscaping to site.

APPLICANT: Paddington Churches Housing Association

CONTACT: bptw partnership

PLAN NO'S:

D000, D001, D10, D11, D01, D02, D03, D04, D05, D06, D20, D21, D22, D23, D30, D31, D32, D33

Design and Access Statement by bptw Partnership dated Nov 2010

Daylight Study by Delva Patman Associates dated Oct 2010

Genesis Housing Environmental Sustainability Policy dated June 2009

Energy Strategy by Wessex Energy Associates date Nov 2010

RECOMMENDATION

Refusal

EXISTING

The site, including part of the access road and landscaping behind Neville's Court, has an area of 0.158ha and is currently occupied by a 2/4 storey building, containing 16 flats, that was constructed in the late 1980s. The building is not of any particular architectural merit and is currently used by a Housing Association providing short-term tenancies.

This building is not listed and is not within a Conservation Area. It is in a location with a PTAL rating of 1b, which is considered to be low.

The site is bounded by the Thames Water Reservoir to the north and west. Neville's Court which is a 1930s 4/5 storey block of apartments is to the south while the Church of St Mary and St Andrew with Presbytery is to the south east. The surrounding area is of a predominantly suburban character, with Neville's Court and the Church being the most dominant buildings in the area. These buildings front onto Dollis Hill Lane, which is classified as a local distributor road.

PROPOSAL

Demolition of 16 existing residential units and erection of an 8-storey building comprising 27 self-contained flats (8 x 1 bed, 14 x 2 bed, 5 x 3 bed) with private balconies, provision of 34 off-street parking spaces, 54 cycle storage spaces and associated landscaping to site.

The ground floor of the building includes under-croft parking for 11 cars, a bike store and a 2-bed 3-person wheelchair accessible flat. There are seven storeys of residential flats above this. The layout of floors one to five are the similar with the provision of four dual aspect flats on each while there are three flats each on the upper two floors.

HISTORY

87/0353 - Outline application for the demolition of existing garages and erection of part 3/part 4 storey block of 16 residential units over basement car park - Granted 02/06/1987

POLICY CONSIDERATIONS

London Plan

3A.3 - Maximising the Potential of Sites.

3A.11 - Affordable Housing

Mayor's Supplementary Planning Guidance: Providing for Children and Young People's Play and Informal Recreation

Core Strategy 2010

CP5 - Place Making

CP6 - Design and Density in Place Shaping

CP15 - Infrastructure to Support Development

CP17 - Protecting and Enhancing the Suburban Character of Brent

CP19 - Brent Strategic Climate Mitigation and Adaptation Measures

CP21 - Balanced Housing Stock

UDP 2004

BE2 - Townscape and Local Character

BE3 - Urban Structure: Space and Movement

BE4 - Access for Disabled People

BE5 - Urban Clarity and Safety

BE6 - Public Realm: Landscape Design

BE7 - Public Realm: Streetscape

BE9 - Architectural Quality

BE12 - Sustainable Design Principles

H11 - Housing on Brownfield Sites

H12 - Residential Quality Layout Considerations.

H13 - Residential Density

TRN3 - Environmental Impact of Traffic

TRN10 - Walkable Environments

TRN11 - The London Cycle Network

TRN 13 - Traffic Calming

TRN 23 - Parking Standards - Residential Developments

SUSTAINABILITY ASSESSMENT

The applicants are proposing to reach Code for Sustainable Homes Level 4 which is normally only required for development within Brent's growth areas. This is considered to be a positive aspect of the proposed development and is required to meet Housing Association Standards.

An energy report and sustainability checklist have also been submitted. 20% of the projected CO2 emissions from the development will be offset by the provision of on-site renewables in the form of solar panels on the roof. The checklist has a self assessed score of 68%. These details are acceptable but would normally be secured through a Section 106 Legal Agreement. As no legal agreement has been secured the failure to secure these will be included in a reason for refusal.

CONSULTATION

Consultation letters were sent to all the neighbouring properties directly affected by the proposed development. Two site notices were put up. One outside the site, the other adjacent to the primary school on Dollis Hill Lane.

There have now been 18 objections to the proposed development including comments from the neighbouring residents of Nevilles Court, the Church and the Local Primary School and a petition with over 100 signatures. The main grounds of objection are as follows:

- Density is too great exacerbating problems such as lack of amenity space and requiring a large amount of parking.
- The prominent 8-storey building will appear incongruous and out of keeping with the character of surrounding streetscene
- Loss of privacy as a result of overlooking of neighbouring residential uses from roof terraces and balconies
- Loss of daylight to neighbouring flats
- Loss of rubbish collection point for Nevilles Court
- The proposed development will increase traffic congestion and road safety in the local vicinity
- Loss of parking spaces for residents of Nevilles Court
- Visual impact and loss of outlook from neighbouring residential as a result of the 8-storey building
- Concern about prospective residents.
- Code for Sustainable Homes has not been fully complied with.
- Unsuitable refuse storage
- Poor quality setting for the proposed buildings

Transportation Comments

There are no transportation objections to this development proposal, subject to a Section 106 Legal Agreement confirming payment in the sum of £29,500 towards improving highway safety, new parking controls and better non-car access.

Conditions are recommended seeking the following amendments:

- The provision of a secondary entrance into the northern end of the refuse and recycling storage enclosure with a footpath link to the building entrance, to reduce the carrying distance for residents to about 30m, in order to comply with Building Regulations and Brent's Waste Planning Policy;
- The proposed shared surface treatment for pedestrian access to the proposed building shall be extended to incorporate the entire length of the access from Dollis Hill Lane to the building entrance along the side of Neville Court, in the interests of pedestrian safety;
- AT least two wide, marked disabled parking spaces shall be provided within the proposed car parking area for the new building.

Environment Agency

No objections

REMARKS

Principle

The principle of the demolition of the existing building is considered acceptable as there are no residential units lost as a result of the proposed development. The proposed replacement block of flats will provide 29 units in place of the existing 16 therefore the principle of the development of the site for residential use is considered acceptable.

Design

Density

The Council have a design led approach to density therefore the context of the site in terms of its opportunities and constraints within the urban environment should influence the design and appearance of the building. Notwithstanding this, the London Plan Density matrix states that new proposals within a suburban location with a PTAL (0-2) should have a density of between 150-250 habitable rooms per hectare; the proposed development has a density of approximately 494hrh. However as the site also includes parking areas for the neighbouring Neville's Court, the actual density of the proposed development is likely to be closer to 600hrh. This clearly significantly exceeds the upper limits for density set out in the London Plan. The following sections will seek to demonstrate that the level of development proposed represents overdevelopment of the site and fails to comply with the Council's Design Guidelines.

Massing, Scale and Height

The proposed development is located on raised land behind Nevilles Court and the adjacent church. The ground-level rises approximately 4m from the ground-level of Dollis Hill Lane. The building is to be of 8 storeys with upper two floors slightly recessed and of different material to the lower floors. The building has a height of 24m from ground-level at its base and will be approximately 28m above the ground level on Dollis Hill Lane. The building will be significantly higher than any of the neighbouring properties and, due to its height and elevated position, will therefore appear as the most prominent building within the surrounding area.

The building is readily visible from the street in particular through the wide access and more far reaching vantage points. It should be noted that the frontage buildings are predominantly four storeys in height and this building will significantly exceed that. The overall massing, scale and height of the building makes the building unsuited to the surrounding area and wider context.

Site Coverage

The proposed eight storey building will extend the full width of the site and will be built up to the boundary with the neighbouring reservoir at the rear. The frontage of the proposed development is almost completely given over to parking for the prospective residents except for a narrow strip of soft landscaping and bin storage. The building is considered to be of a size and scale that will appear cramped within its small site area in relation to the site boundaries. This is considered to be an indicator of overdevelopment of the site.

Quality of Accommodation

All of the proposed 27 residential units will have floor areas above the current Council standards set out in SPG 17 and the more recent draft London Plan standards set out in the Draft London Design Guide. The applicants have also had regard to the Lifetime Homes Standards and all rooms are of a size that will allow for future adaptations for accessibility. The units are all dual aspect and will have acceptable levels of daylight and sunlight.

However the ground floor wheelchair unit is not considered to provide an acceptable form of accommodation as a result of the poor quality of outlook from the unit. The main habitable rooms windows will be positioned 2m from the boundary of the site with the neighbouring open space that forms part of the Thames Water Reservoir. The boundary treatment here will be a retaining wall with a height of 2.3m dropping down to 1m adjacent to the living room windows. The neighbouring land is also at a raised level and is currently over grown with trees and shrubs. Given that this does not form part of the development site an acceptable setting cannot be guaranteed for the ground floor flat therefore it is considered that the proposal will create an unacceptable outlook to the detriment of the amenity of prospective residents.

Affordable Housing

The proposed development will result in the provision of 27 units of which 48% of these will be affordable. As more of the affordable units will be family sized units providing a higher number of bedrooms 50% of the habitable rooms proposed will be affordable. Tenure split for the affordable

housing will be 9 as social rent and 4 as intermediate housing. The level of affordable housing provision is considered to be acceptable.

Landscaping

Amenity space provision

The development site is approximately 200m from Gladstone Park which is classified as Metropolitan Open Land. However there should still be provision of communal and private amenity space and child play space in line with Council Standards.

The proposal will result in the loss of small area of landscaping to the rear of Neville's Court and the provision of an area of 50sqm of soft landscaping between the bin store and the main building and smaller pockets throughout the site. The proposed ground-level landscaping areas do not provide usable amenity space and will only contribute to the visual amenity of the development.

All of the residential units will have access to a private terrace or balcony however these vary in size depending on the unit. Even with the provision of generous sized balconies the proposed development will still have a shortfall of approximately 150 sq m of amenity space this will be detrimental to the amenity of prospective residents. Furthermore there is no provision for a children's play space in line with the Mayor's SPG: Supplementary Planning Guidance: 'Providing for Children and Young People's Play and Informal Recreation'. As there is no play space within 100m of the site it is considered to lack suitable play facilities for children under 5 years of age.

The applicants have stated that the proposal complies with the Draft London Housing Guide standards on the provision of private outdoor space. Whilst this may be the case, this specifically relates to the provision of some private space for use for example for drying clothes and for sitting out; Brent's standards relate specifically to the provision of usable amenity space and as shown the proposal fails to meet the relevant standards in relation to this.

In terms of amenity space the proposed development fails to provide an adequate level of private and communal amenity and does not have adequate child play facilities contrary to planning policy BE9, SPG 17 and the Mayor's SPG: Supplementary Planning Guidance: 'Providing for Children and Young People's Play and Informal Recreation'.

Visual Amenity

The provision of parking spaces outside Neville's Court will reduce the area of grassland for the existing residents in an area which is predominantly hard standing. It is acknowledged that the grass does not provide usable amenity space but it does have visual amenity value. The loss of such space is further representative of the overdevelopment of the site.

Trees

To the west of the development site is an area of land which forms part of the Thames Water Reservoir. On this site there is a tree that is protected by a tree preservation order (TPO). It has not been demonstrated that the proposed building works, including new and re-enforced retaining walls on the boundary, will not have a detrimental impact on the preservation of this tree. Therefore the proposal is considered to be contrary to planning policy BE33 of Brent's UDP 2004.

Impact on Neighbouring Residential Amenity

The nearest neighbouring residential accommodation is the presbytery for St Mary and St Andrew's Church, at a distance of 28m from the rear wall of the dwelling to the front wall of the proposed building. As it is north facing, there will be no loss of sunlight to this property. The three storey forward projection of the existing building is significantly closer than that proposed however there are currently no windows facing the presbytery and at 3 storeys, the building is significantly smaller than that proposed.

The proposed development will have a number of habitable room windows and balconies directly overlooking the rear amenity space and rear elevation of the Presbytery as such given the elevated positions of the balconies and windows, the proposed development will have a detrimental impact in terms of overlooking on the amenity of neighbouring residents in the presbytery. Furthermore there will be a detrimental impact on their visual amenity as a result of having a building of such a scale in this position, which will appear unduly prominent.

The residents of the ground floor flats of Neville's Court will also be detrimentally affected by the proposed development. The proposed development involves the re-location of 8 parking spaces designated for the residents of Neville's Court from the existing site to land directly behind the rear elevation of Neville's Court. This land is raised above the ground-level at the rear wall of Neville's Court and is currently a small strip of soft landscaping. To accommodate the parking a 1m high retaining wall with a screen boundary fence above will be constructed adjacent to this. This is likely to have a significant impact on the outlook of existing residents given the change in ground-level.

It is considered that the proposed development will have a detrimental impact on the amenity of neighbouring residents.

Highways and Parking

The proposed development will provide 23 parking spaces for the proposed development (two of which are disabled parking) and 11 re-located parking spaces for Neville's Court. The maximum parking standard for the site taking account of the housing mix is 32 spaces, therefore the provision will be below the maximum level. The Council's Transportation Officer has confirmed that the projected car-parking demand for the proposed development is 22 spaces therefore the proposed level of parking can be accepted as there will not be any significant overspill parking.

The access is from Dollis Hill Lane and will be maintained as existing. It is considered that there will not be a significant increase in vehicle movements as a result of the existing level of development on site. As such there is not expected to be a detrimental impact on highway and pedestrian safety. A proposed shared surface is proposed for the area directly in front of the proposed building. The Transportation Officer has recommended that this be extended down to the junction of the access road with Dollis Hill Lane so if the application was to be approved, full details would be sought by condition.

The provision of a large bicycle store with space for up to 50 spaces is welcomed and above current minimum standards for cycle provision. The proposed bin store is of an acceptable size and will be accessible for service vehicles. The current door to the bin store is located over 35m from the lift and therefore would not comply with current guidelines. This could be easily resolved by the provision of a door on the elevation facing the proposed building and could be secured by condition if permission was granted. It is considered that the proposed development would have an acceptable impact in terms of parking and highways.

Section 106

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- i) 48% affordable housing
- ii) A contribution of £3000/£2,400 per bedroom (private/affordable), for education, sustainable transportation and open space and sports in the local area.
- iii) Submission and compliance with the council's Sustainability Checklist ensuring a minimum 50% score is achieved.
- iv) All residential units achieve Code for Sustainable Homes Level 4
- v) The construction adheres to the Demolition Protocol

- vi) 20% of the proposals CO2 emissions are offset through on-site renewable generation.
- vii) The Contractor joins and adheres to the Considerate Contractors scheme

The applicants have not agreed to these heads of terms therefore the failure to offset the impact on local infrastructure in the form of a section 106 agreement, has been included as a reason for refusal.

Conclusion

The proposed demolition of the existing residential block and erection of an eight storey building with 27 flats with associated parking and landscaping is considered to be unacceptable by reason of the excessive scale, massing, height, bulk and site coverage of the building within a predominantly suburban location; the detrimental impact on the residential amenity of neighbouring residents; inadequate amenity space provided and the failure to demonstrate that the proposed development will not have a detrimental impact on the protected tree on neighbouring land. As such the proposed development is recommended for refusal for the reasons set out below.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed 8-storey residential building, by reason of its excessive scale, height, massing, site coverage and elevated position when viewed from Dollis Hill Lane, will result in a development that is unduly prominent and fails to respect the character and appearance of the suburban location contrary to planning policies CP6, CP17 of Brent's Core Strategy 2010, BE9 and H13 of Brent's UDP 2004 and the guidance set out in SPG 17: 'Design Guide for New Development'.
- (2) The proposed groundfloor flat, by reason of the proximity of the main habitable room windows to the side boundary and retaining wall, will result in a poor level of outlook detrimental to the amenities of the prospective residents contrary to planning policy BE9 and H12 of Brent's UDP and SPG17: 'Design Guide for New Development'.
- (3) The proposed building with 29 flats, by reason of the significant number of habitable room windows and private open spaces on the south elevation will result in overlooking of the rear amenity space and rear habitable room windows of the neighbouring presbytery, which is currently not overlooked. As such it is considered to have a detrimental impact on the amenity of neighbouring residents in terms of loss of privacy contrary to planning policy BE9 of Brent's UDP 2004 and the guidance set out in SPG 17.
- (4) The proposed re-positioned parking areas to the rear of Nevilles Court, by reason of excessive height of the retaining wall and boundary screen in proximity to habitable room windows of the neighbouring flats, will result in a poor outlook from these flats detrimental to the amenity of the existing residents contrary to planning policy BE9 of Brent's UDP 2004
- (5) The applicant's have failed to demonstrate that the proposed building works will not have a detrimental impact on the protected tree within the neighbouring Thames Water Land as such the proposed development fails to comply with planning policy

BE 33 of Brent's UDP 2004 and British Standard 5837:2005: Trees in relation to Construction Recommendations.

- (6) The proposed residential development, by reason of the inadequate provision of amenity of sufficient quality amenity space and lack of a childrens playspace, fails to provide an acceptable form of accommodation contrary to the London Plan Supplementary Planning Guidance: 'Providing for Children and Young People's Play and Informal Recreation' and policies BE6, BE7, BE9, H12 and TRN10 of Brent's UDP 2004 and SPG 17: Design Guide for New Development.
- (7) In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure and education, without any contribution towards sustainable transport improvements or school and nursery places and increased pressure for the use of existing open space, without contributions to enhance open space or make other contributions to improve the environment or toward measures to monitor or improve air quality and would not result in the adequate provision of affordable housing. As a result, the proposal is contrary to policies TRN3, TRN4, TRN10, TRN11, CF6, EP3, H1, H2, H3 and BE7 of Brent's adopted Unitary Development Plan 2004.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Plan

Mayor's Supplementary Planning Guidance: Providing for Children and Young People's Play and Informal Recreation

Brent Council's Core Strategy 2010

Brent Council's UDP 2004

SPG 17:'Design Guide for New Development

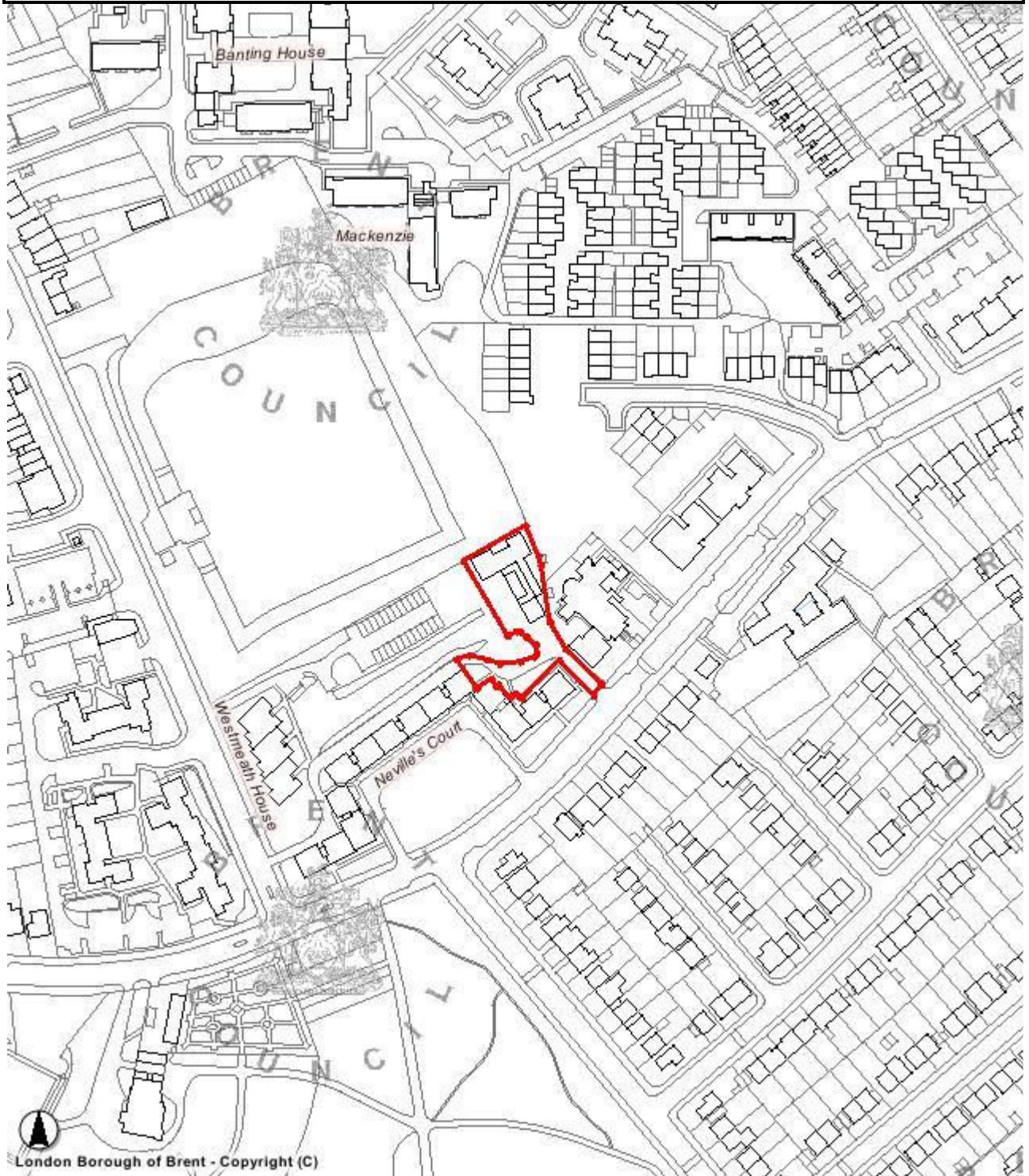
Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229



Planning Committee Map

Site address: 1-16 Inc, Greencrest Place, London, NW2 6HF

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