

**Committee Report  
Planning Committee on 23 February, 2011**

**Item No.** 2/01  
**Case No.** 11/0104

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**RECEIVED:** 17 January, 2011

**WARD:** Brondesbury Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** Land Between 10 and 11, Chambers Lane, London

**PROPOSAL:** Erection of two 2-storey dwellinghouses and associated landscaping

**APPLICANT:** Regeneration and Major Projects

**CONTACT:** MADE-IN

**PLAN NO'S:**  
See condition 2

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**RECOMMENDATION**

To:

(a) Resolve to Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or

(b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission

**SECTION 106 DETAILS**

The Council is the applicant and land owner of the site, and rather than a full s106 the application requires an Agreement in the form of a letter from the Director of Regeneration and Major Projects or the Director of Finance and suitably worded conditions to secure the following benefits:

- a. Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement
- b. A contribution of £18,000 due on material start and, index-linked from the date of committee for Education, Sustainable Transportation and Open Space & Sports in the local area and/or the provision of community facilities.
- c. The removal of the vehicular crossover and double yellow lines on the site frontage and provision of on-street car parking pays.
- d. Join and adhere to the Considerate Contractors scheme.

**EXISTING**

The site is situated between no. 10 and 11 Chambers Lane on the north/east side of the road. The site is currently gated and vacant. The site has previously been used for the parking of library vehicles including a mobile library van.

The site is not within a conservation area.

## **PROPOSAL**

See above

## **HISTORY**

10/2734 Withdrawn on 7th January 2011

Erection of 2 single storey dwellinghouses with lower ground floor level and associated landscaping.

## **POLICY CONSIDERATIONS**

Brent Unitary Development Plan 2004

**STR11** – The quality and character of the Borough's built and natural environment will be protected and enhanced; and proposals which would have a significant harmful impact on the environment or amenities of the Borough will be refused.

**STR14** – New development will be expected to make a positive contribution to improving the quality of the urban environment in Brent by being designed with proper consideration of key urban design principles relating to townscape (local context and character), urban structure (space and movement), urban clarity and safety, the public realm (landscape and streetscape), architectural quality and sustainability.

**BE2** - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character, or have an unacceptable visual impact on Metropolitan Open Land. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

**BE3** – Relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.

**BE6** - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, new planting of an appropriate species, size, density of planting with semi-mature or advanced nursery stock, new integrally designed structural landscaping on appropriate larger sites, boundary treatments which complement the development and enhance the streetscene and screening of access roads and obtrusive development from neighbouring residential properties.

**BE7** – A high quality of design and materials will be required.

**BE9** – Creative and high-quality design solutions (for extensions) specific to site's shape, size, location and development opportunities Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

**H11** - Housing will be promoted on previously developed urban land which the Plan does not protect for other land uses.

**H12** – The layout and urban design of residential development should comply with the policies in the Built Environment Chapter, and in addition they should have a site layout which reinforces or creates an attractive and distinctive identity, have housing facing onto streets and defining roads, have access to and layout which achieves traffic safety, have appropriate car parking, and avoid excessive coverage of tarmac or hard

**TRN11** – Developments should comply with the plan's minimum Cycle Parking Standard (PS16), with cycle parking situated in a convenient, secure and, where appropriate, sheltered location.

**TRN23** – Residential developments should not provide more parking than the levels as listed in standard PS14 for that type of housing, with its maximum assigned parking levels. Lower standards apply for developments in town centres with good and very good public transport accessibility. Where development provides or retains off-street parking at this level then on-street parking will not be assessed. Car-free housing developments may be permitted in areas with good or very good public transport accessibility where occupation is restricted by condition to those who have signed binding agreements not to be car owners. Such persons will not be granted residents' parking permits.

### Supplementary Planning Guidance

SPG17 – Design Guide For New Development

### **CONSULTATION**

Neighbouring occupiers were consulted on 17th January 2011, 1 objection has been received raising the following concerns:

- The only place large vehicles, in particular the 206 buses, are able to pass each other is opposite the space between 10 and 11 Chambers Lane. If parking is created here large vehicles will simply get stuck.
- Surely there is pre-existing, unoccupied housing stock which can be renovated at much lower cost to the tax payer and provide accommodation for local people.

### **REMARKS**

The application envisages the erection of two 2-storey dwellinghouses and associated landscaping.

### **Design**

The properties to either side of the site are terraced. The site is a minimum width of about 6m at the front which is similar to the width of the neighbouring single dwellings. However, about 10m back into the site the plot doubles in width and at the end of the neighbouring outriggers the site is over 20m wide providing ample space for 2 dwellinghouses.

A form of building similar to the traditional terrace form is proposed with the widest part of the building to the front and a narrower outrigger behind. Due to the narrow frontage of the site the properties are designed to have a 2-storey bay type feature with a front gable which reflects the bays of the neighbouring buildings. This feature in the application scheme is proposed to be timber clad, on further consideration officers are of the opinion that timber should not be the elevational treatment to the front and the applicant is required by condition to explore other materials to relate better to the surrounding context. At ground floor there is the entrance door as well as a door to a store accessible externally, this door is proposed in timber to match and so would be relatively concealed. As officers recommend the material be changed a reconsideration of the stores will be necessary and either acceptable design detail for the doors or their omission will be required.

At first floor the fenestration is simple providing outlook and light to the front bedroom. The rest of the elevations visible from the public highway are proposed as stock brick to match the area. The flank walls are proposed in hanging tile to match the roof and the outrigger would again be brick.

The proposed dwellings adequately relate to the proportions and style of the neighbouring buildings but with an obvious contemporary design which is considered to be acceptable.

### **Quality of accommodation**

Both units are proposed as 3-beds and have internal floor areas of approximately 100sqm, exceeding the 85sqm minimum required by SPG17. The layout provides good access to light and outlook for all habitable rooms. One unit has a large garden of 178sqm while the other has a much smaller but still acceptably sized garden of 86sqm.

### **Neighbouring amenity**

While the neighbouring terraces are built with a very close relationship between their respective outriggers the adjacent end of terrace properties currently have an open aspect. The positioning of the proposed building is designed to not unacceptably restrict light and outlook to adjacent windows. The flank walls of the front part of both neighbours are windowless and therefore the proposed dwellings do not have an impact at this point. In the main rear elevation of the neighbouring properties both buildings have rear facing windows at ground and first floor, the proposed dwellings have been designed to fall within the 1:2 rule of SPG5 meaning that these rear facing windows are not obstructed.

The proposed dwellings project beyond the main rear elevation of the neighbours by about 2.4m and being angled away from the boundaries any impact is minimised. In the flank walls of the neighbouring outriggers there are windows at both ground and first floor, number 10 is a single dwellinghouse while number 11 was converted into 2 flats in 1979. Having viewed floor plans of neighbouring properties at first floor the windows belong to bathrooms; there is a possibility that one of the first floor windows is to a bedroom as apparent on another neighbouring property, however as the adjacent buildings have 2 flank wall windows rather than 3 this is not thought to be the case, the windows are obscurely glazed and pipes leading to and from them also suggests bathroom uses. At ground floor the windows are to bathrooms, utility rooms or kitchens.

The angled flank walls of the proposed dwellings are an average of about 5m from the flank walls of their neighbours, though as already described they are angled away and project no further than 2.4m alongside the flank walls of the outriggers. This is a far more generous relationship than the typical terraces which have a distance of about 3.6m between flank walls which project to a depth of 7.5 from the main rear elevation. The only window proposed along the flank wall is at first floor and connects with a rooflight, a condition is recommended that the window part up to the eaves be obscure glazed to ensure the dwellings do not impact on neighbouring privacy.

The dwelling proposed adjacent to number 11 is set a further 3.5m back than the other proposed dwelling. The distance between the rear of this building and the rear boundary of the garden falls a little below the guidance of SPG17 which seeks 10m. At first floor to the rear 2 windows are proposed to a single bedroom and the distance from these windows to the neighbour's rear curtilage is 7m and 6.7m. In contrast to this however the gardens to the rear are at least 27m deep meaning there is over 30m between the facing rear elevations while SPG17 requires 20m. It is apparent that there are trees and other quite large scale planting in the gardens to the rear which will help to maintain privacy and officers recommend a planting scheme including deciduous trees along the rear boundary to enhance this screening further. The relationship is considered to be, on balance, acceptable.

Both units do have a small proposed balcony from one of their rear bedrooms which are enclosed by the flank walls of the buildings meaning they would not harm the neighbours to either side. However given the depth of the shorter garden it is not considered acceptable for the dwelling next

to number 11 to have a useable balcony while the depth of the garden to the proposed dwelling next to number 10 is sufficient to prevent harmful overlooking. A condition is recommended to restrict the use of the space shown as a balcony, instead a juliet balcony could be proposed or it could be replaced with a window only, either way no access shall be provided to the external space.

Despite the shallow depth of the rear garden both proposed dwellings do fall within an angle of 45 degrees measured from a height of 2m at the rear curtilage, this confirms that the dwellings are not overbearing in their impact to the rear when tested against adopted SPG17 guidance.

### **Highways**

To the front of the property currently there is a vehicular crossover which has been closed off with guard rails and bollards, whilst on the street there are double yellow lines for approximately 20m originally put in to provide manoeuvring space for large vehicles accessing the site. The narrow width of the site at the front would not easily allow for off street parking and instead the proposal seeks to remove the cross over and instead allow for the creation of parking bays at this side of the road.

The site has Public Transport Accessibility Level (PTAL) of 4, in areas of good public transport the parking standard attributed to 3-bed dwellinghouses is 1.2 car spaces. The applicant is required to restore the kerb and channel and parking bays. This would avoid any need to make the new dwellings "car-free" as the parking standard could easily be accommodated within the created on street space.

As noted above, an objection has been received in relation to the use of this currently unparked space as a passing point for large vehicles. Highways officers have been consulted on this point but do not object; the road is 9m wide and parking bays are 2m wide, therefore with a bay on both side the useable road space would still be 5 metres. For two way traffic a minimum 4.8m carriageway width is appropriate which this road would achieve. Although the proposal would obviously result in a reduction in road width, which may force all drivers to be more aware when they approach the bend in the road, the Transportation Engineers have confirmed that in technical highway terms the proposed arrangements would be acceptable.

### **Landscaping**

As described above trees are required to provide screening to the rear, trellis is also recommended by landscape officers at the rear boundary with climbers. A soft landscaping scheme is also required for the sites frontage, at least 50% soft landscaping is generally required and will be achieved here. The front curtilage also needs to accommodate refuse and recycling storage.

### **Planning Obligations**

In order to mitigate the impact of the increased number of occupants on the local area specifically in terms of education, sustainable transport, open space and sports a contribution of £3000 per new bedroom is required in accordance with SPD: S106 Planning Obligations.

**RECOMMENDATION:** Grant Consent subject to Legal agreement

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

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

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Housing: in terms of protecting residential amenities and guiding new development

**CONDITIONS/REASONS:**

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

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

A\_PL\_01  
A\_PL\_02  
A\_PL\_03  
A\_PL\_E1  
A\_PL\_E2  
Con\_PL\_01  
ST\_PL\_00

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

- (3) 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:  
To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- (4) The flank wall window and the lower panes of the rear facing first floor windows shall be obscurely glazed and maintained as such.

Reason: In the interest of neighbouring amenity.

- (5) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.  
- In addition these details shall include an alternative material for the front elevation to replace the timber with a material which relates to the surrounding character, and the design detail of the doors to the stores or the omission of the stores shall be addressed at this point.

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

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

Such scheme shall also indicate:-

(i) Boundary treatment

Proposed walls, gates and fencing, indicating materials and heights, including trellis to the rear boundary.

(ii) Screen planting on boundary

Screen planting along the rear boundary consisting of deciduous trees with a girth of 10-12cm planted at 3m spaces (Rowan and Birch, plus Field Maple in the larger garden).

Climbers to the trellis to include Honeysuckle, Jasmin and Clematis.

(iii) Hardstanding

Details of any hardstanding proposed within the curtilage of the site, this should be permeable.

(iv) Front garden

The layout and planting of the front gardens including 50% softlandscaping and the location of refuse and recycling storage.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (7) A full tree survey and tree protection statement complying with BS5837:2005 'Trees in relation to construction' shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site, the work shall then be carried out in accordance with the approved details.

Reason: To ensure that the development does not result in the damage or death of nearby trees which would result in the loss of amenity and biodiversity.

- (8) Revised details of the treatment of the space currently shown as a balcony in the dwelling next to number 11 Chamber Lane shall be submitted to and approved in writing by the LPA before work commences on site. The inset fenestration shall either be a Juliet balcony or a window with no external access.

Reason: In the interest of neighbouring amenity and to prevent unacceptable levels of overlooking harmful to privacy.

**INFORMATIVES:**

None Specified

Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377



## Planning Committee Map

Site address: Land Between 10 and 11, Chambers Lane, London

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