

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

26 April, 2017
06
16/4666

SITE INFORMATION

RECEIVED	25 October, 2016
WARD	Sudbury
PLANNING AREA	Brent Connects Wembley
LOCATION	633 & 635 Harrow Road, Wembley, HA0 2ET
PROPOSAL	Demolition of Nos 633 and 635 Harrow Road and detached double garage and erection of a new three storey block providing 8 self-contained flats (1 x 1bed, 5 x 2bed and 2 x 3bed) whilst retaining existing vehicular crossovers from Harrow Road and Dalmeny Close, provision for car, cycle and bike parking, bin stores and landscaping
APPLICANT	Mr & Mrs KOTECHA
CONTACT	norvillpropertyservices
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_130904</p> <p><u>When viewing this as a Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "16/4666" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

INTRODUCTION

This application was initially considered by members at the planning committee on 15th March 2017. During this committee meeting, members specified that they were minded to refuse planning permission due to:

- The proximity of the balcony of flat 6 to the garden of 1 Dalmeny Close and the associated impact on the privacy of adjoining residents;
- The poor stacking of units, whereby bathrooms within units 4 and 5 are situated above the third bedrooms of units 1 and 2 and the associated impact on the amenities of future residents by way of noise and disturbance;
- The impact of the proposal on levels of on-street parking and associated impact on highway flow and safety;
- The cumulative impacts of the above issues which suggest that the proposal results in the over-development of this site.

Members requested that the application is reported to the subsequent planning committee meeting with reasons for refusal drafted based on the issues that they had raised.

Revised Plans

In the interim, the applicant has submitted revised drawings to address the issues raised by members. The following changes have been made to the proposed development:

- The rear balcony to flat 6 has been reduced in depth to achieve a full 10m clearance to the southern site boundary. This distance to the boundary accords with the Council's Supplementary Planning Guidance 17 and the siting of this balcony is not considered to result in an unduly detrimental level of over-looking.
- Revised plans and elevations have been provided to show:
 - 1.8 m high screening (obscure toughened glass panels) on the sides of the rear balconies/terraces of flats 6, 7 and 8 to prevent undue levels of over-looking;
 - 1.8 m high lockable screening to prevent access to the side roof terraces together with confirmation that these areas will only be used for maintenance and repair purposes.
 - The proposed screening is considered to address overlooking of gardens to the side that would have otherwise been considered unduly detrimental, and it is recommended that the provision and retention of this screening and the use of the side terraces only for repair and maintenance is secured through condition if consent is granted.
- An additional car parking space has been provided within the rear car park area, bringing the total car parking space provision to 6 spaces. This is close to the maximum parking standard (6.9 spaces) for this development in accordance with Brent DMP 2016 standards. Transportation has confirmed that this parking space is an appropriate addition to the application and that the space would be suitably accessible.
- The bin and bike stores have been relocated within the frontage and reduced in height to increase the openness of the front garden. This is considered to result in an appropriate frontage treatment;
- The applicant has also confirmed that they agree to the imposition of a condition that prevents future occupiers of the flats from being eligible for on-street parking permits. Such a condition is considered appropriate given the good level of public transport access. This mechanism has been used in numerous other schemes to mitigate the potential impact of over-spill parking.

Stacking of rooms within the development

In addition to the above changes to the plans having been made, the applicant has also submitted the following information regarding the potential for noise to transfer between units where the en-suites of flats 4 and 5 are situated over part of the third bedrooms of flats 1 and 2:

- **The proposed construction of the new building will be a steel/concrete framed structure with**

pre-cast concrete dividing floors. Adequate sound insulation will be provided by an independent sound proofed ceiling beneath the concrete floor and a sound insulated quilt and sand cement screed above. This specification will exceed the required level of sound attenuation required by the Building Regulations 2010 (2003 Edition incorporating 2004, 2010 and 2013 amendments) Approved Document E and BS 8233:2014.

This is considered to suitably mitigate any stacking issues and further details confirming the specific schedule of sound insulation will be required by condition.

The applicant has also confirmed that they are happy for conditions to be attached requiring:

- The Considerate Constructors Scheme (to join and adhere to throughout construction);
- The bathroom windows above ground floor facing No. 631 to be obscured glazed windows and only opening above 1.7 m above floor level;

Recommended alterations to conditions

Following the discussion above, the following conditions which were specified in the previous committee report are proposed to be amended as follows:

Condition 2: Approved Plans

This is recommended to be changed to the following:

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

12/D
13/C
14/C
15/B
16/D
17/C
18/B
19/D
20/B
21
22
23
24
25

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

Condition 8: Screening

This condition previously required details of the screening. It is now recommended to specify the following: “The obscure glazed panel screening to the sides of the south facing balconies/terraces that serve flats 6, 7 and 8 as shown on the approved plans shall be implemented in full prior to first occupation of the development and thereafter retained for the life of the development.

Reason: In the interest of the privacy of adjoining occupiers and occupiers of the propose development.”

Condition 9: Site Layout Alterations

It is recommended that part (1) of this condition is removed. This required revised details of the bin and cycle stores which have now been received.

Recommended additional conditions

Following the discussion above, the following conditions are recommended to be added to the decision notice as follows:

Condition ensuring a car free development with respect to on-street parking

“Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking

Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.”

Condition ensuring implementation and retention of the terrace barriers

“The parts of the terraces within flats 7 and 8 that are annotated as “area for maintenance and repair only” within drawing 14/B hereby approved shall not be used other than for the maintenance and repair purposes and the hinged and lockable balustrades shown on this drawing shall remain shall be provided as self closing gates and shall be kept closed and locked at all times when the terraces are not being used for maintenance and repair purposes.

Reason: In the interest of the privacy of adjoining occupiers.”

Recommendation

Officers continue to consider that the proposal accords with the Council’s and London Plan policy and guidance and recommend that the application is approved subject to the conditions specified within the report below, amended in line with the recommendations set out above and with the additional conditions set out above.

However, if members are minded to refuse planning permission, draft reasons for refusal based on the views set out by members during the previous planning committee meeting are as follows:

- *The proposed development, by reason of the proximity of the balcony of flat 6 to the garden of No. no. 1 Dalmeny Close, results in an unduly detrimental impact on the amenities of the occupiers of that dwelling by way of the loss of privacy to their garden. This is contrary to Policy DMP1 of the Brent Local Plan Development Management Policies 2016 and guidance within Brent’s Supplementary Planning Guide 17.*
- *The proposal, by way of the inappropriate stacking of rooms between units including the siting of bathrooms of units 4 and 5 above the third bedroom of units 1 and 2, results in a poor standard of residential accommodation to the detriment of the amenities of the future occupiers of these units, contrary to Policy DMP1 of the Brent Local Plan Development Management Policies 2016 and the guidance within Brent’s Supplementary Planning Guide 1.*
- *The proposal, by reason of the insufficient provision of off-street parking is likely to result in over-spill parking on the adjoining highways where such parking may not be able to be safely accommodated. This results in conditions prejudicial to the free and safe flow of traffic on the local highway network, contrary to policy DMP12 of the Brent Local Plan Development Management Policies 2016.*
- *The proposal, by reason of the cumulative impact of the failure to accord with the relevant planning policies and guidance represents the over-development of the site rather than the optimisation of the potential of the site to accommodate development, resulting in a poor quality of development to the detriment of the amenities of both the surrounding occupiers and future occupiers of the development. This is contrary to policy DMP1 of the Brent Local Plan Development Management Policies 2016 and paragraph 58 of the National Planning Policy Framework.*

The report previously presented to the planning committee follows this header report.

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. Time Limit (3 Years)
2. Approved drawings / documents
3. Adherence to the Considerate Constructors Scheme
4. East facing WC windows on the upper floors to be obscure glazed and non-opening below high level
5. Approval of external materials
6. Details of sound insulation between floors
7. Approval of landscaping details, including a planting plan, hard surface materials, fences/walls, drainage, contouring and screen planting.
8. Approval of details of screening for the rear facing balconies and terraces
9. Approval of details of (1) revised bin store and cycle stores (2) the reinstatement of the proposed redundant crossover along Harrow Road, (3) removal of the guardrailing from the Harrow Road frontage including and (4) any associated alterations to parking bays, lamp columns and/or other street furniture necessary to accommodate the crossover works.
10. Approval of a demolition and construction method statement.
11. Approval of details of domestic boilers demonstrating appropriate emissions

Informatives

1. That the applicant should contact Highways to arrange the highways works
 2. Photographic survey of the condition of the highway prior to commencement
 3. CIL liability
 4. Party Wall agreements
 5. Building near to the boundary
3. 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.
 4. 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.

SITE MAP



Planning Committee Map

Site address: 633 & 635 Harrow Road, Wembley, HA0 2ET

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This map is indicative only.

EXISTING

The subject site consists of a pair of 2-storey detached houses on the southern side of Harrow Road; this is directly opposite Barham Park Open Space. Vehicle access to off-street parking exists for both properties, with the access to 635 gained from Dalmeny Close due to its corner location. Both properties have large rear gardens with a depth of approximately 20m.

Surrounding development is predominantly 2-storey residential, consisting of detached and semi-detached housing. There are also a number of bungalow style dwellings located on Dalmeny Close. But the surrounding uses are all residential. Approximately 50m east of the site is a Royal Mail sorting office, but this aside the predominant land use is residential.

Barham Park public open space is directly opposite the site, within 30m walking distance.

The site is not within a Conservation Area nor are the buildings listed.

SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

1. **Principle:** The principle of demolishing two existing houses and replacing them with a block of flats can be supported in principle. The wider area is predominantly residential in nature and the proposed additional housing (including the re-provision of the two units of family housing) is in accordance with adopted planning policy.
2. **Character and appearance:** The proposals design is considered to have regard to the character of its surroundings and to not inappropriately challenge or dominate surrounding development.
3. **Standard of accommodation:** The living conditions of future occupiers of the development would be acceptable and would meet the relevant standards.
4. **Impact on neighbouring amenity:** Subject to conditions to indicate details of planting to form defensible space for flat 3 and another condition requiring details to be submitted of balustrade screening along all balconies and terraces that are afforded east facing outlook (flats 3, 6 and 7), the proposal is considered to have an acceptable impact on the surrounding properties in terms of loss of light and outlook, complying with the Council's guidance.
5. **Parking & servicing:** It is considered that the appropriate provision of parking spaces and the modest amount of traffic that would be generated by the development would not undermine highway safety.

Overall, the Council has received representations indicating that 4 nearby households support the proposal, 17 nearby households object to the proposal and one household has both objected (through the petition) and supported (through a letter) the proposal. In addition, all three members for Sudbury Ward have objected to the proposal.

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	251	0	251	722	471

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

12/2319. Full Planning. Refused. 09/11/2012.

Erection of two storey side and rear extensions, creation of basement level accommodation to extend and link two existing detached dwellinghouses and the conversion of the combined building into eight self contained flats, widening of existing vehicular crossovers from Harrow Road and Dalmeny Close, external cycle store, external refuse store and provision of 9 off-street parking spaces.

CONSULTATIONS

Statutory Consultees

3 Members for Sudbury Ward:

All 3 members raised objections to the proposal on the following grounds:

- Proposal may include a basement;
- Proposed building is too high and too close to adjoining properties and will alter character of area;
- A town centre density is proposed in a suburban location;
- Loss of privacy for adjoining occupiers;
- Concern regarding parking in the vicinity;
- They consider that the application should be heard by the planning committee.

These matters are discussed in the table below.

Environmental Health:

No objections raised – although conditions recommended – see detailed considerations section for further discussion.

Neighbour Consultations

14 neighbouring properties consulted on 28/11/2016. A further 2 properties were consulted on 22/12/2016 following a request from local Councillors. 5 letters of support were received and 16 letters of objection were received. In addition, an objecting petition was received with 10 signatories; however, all those who signed the petition have sent in a separate letter. One household objected to the proposal within the petition but sent a separate letter supporting the proposal.

Overall, the Council has received representations indicating that 4 nearby households support the proposal, 17 nearby households object to the proposal and one household has both objected (through the petition) and supported (through a letter) the proposal. In addition, all three members for Sudbury Ward have objected to the proposal.

Nature of Objections

The material planning considerations raised within the representations received are summarised as follows:

Ground of Objection	Department Response
<ul style="list-style-type: none"> • Three storey building will detract from the character of the street. • Will retain only three detached houses in the set between Linthorpe Avenue and Dalmeny Close. • The building would be 'cramped in' to a low density area and will not respect the scale, proportions, materials 	<ul style="list-style-type: none"> • The building is considered to pay mind to local context in terms of its height, proportions, spacing within the plot and the size and alignment of façade details (mainly windows) which draw inspiration from the established features of the neighbouring houses. • Please see section 2.1 to 2.7 of the detailed considerations for further discussion.

<p>and features of surrounding buildings or the established separations between houses.</p> <ul style="list-style-type: none"> The proposal is not in keeping with the Council's policies on protecting the suburban character of the area. 	
<ul style="list-style-type: none"> There will be an increase in noise disturbance due to a large number of flats being occupied. 	<ul style="list-style-type: none"> The application proposes residential dwellings within a residential area. As such, the potential level of noise associated with the proposed dwellings is not considered likely to be out of keeping with this area.
<ul style="list-style-type: none"> Large increase in traffic due to the added number of vehicles. Child safety is a related concern Increase in parking pressure. Concern regarding the ability for emergency vehicles to access adjoining roads. 	<ul style="list-style-type: none"> The likely increase in traffic as a result of this development has been considered. The scheme provides an appropriate amount of off-street parking that should cater for the expected uplift in car use without providing an overprovision of spaces and discouraging public transport use. Further information is within paragraph 5.1 to 5.5 the detailed considerations.
<ul style="list-style-type: none"> With the park opposite, a large building will attract opportunities for an increase in crime rate. 	<ul style="list-style-type: none"> The proposal would provide additional residential units within a primarily residential area and would be unlikely to increase the potential for crime. The proposed building is designed to achieve good levels of natural surveillance of the surrounding public highways which is typically considered to reduce the opportunities for crime.
<ul style="list-style-type: none"> The building will result in an invasion of privacy. The building will result in an increase in overlooking to the immediate neighbour at no. 631 Harrow Road and properties along Dalmeny Close. The balconies will result in the loss of privacy to homes and gardens in the surrounding roads. 	<ul style="list-style-type: none"> The habitable room windows of the building face the street or the rear of the site and maintain a 10 m distance to the garden to the rear. A 20 m distance is maintained between opposing habitable room windows in line with SPG17; Balconies could allow some side views to the adjoining garden and a condition is recommended to require the balconies/terraces of flats 3, 6 and 7 to be screened on their eastern side to reduce potential overlooking. Some rear facing balconies are 9.5 rather than 10 m from the boundary. However, this small shortfall is not considered to result in an undue impact on privacy. Further details are available in section 3.1 to 3.3 of the detailed considerations section.
<p>The building will incur losses of light to the neighbouring properties.</p>	<ul style="list-style-type: none"> The proposed building has been sited so that it complies with the guidance set out in Supplementary Planning Guidance No. 17 in relation to daylight, sunlight and outlook from adjoining dwellings and their gardens. Further details are available in section 3.4 to 3.7 of the detailed considerations section.
<ul style="list-style-type: none"> The plans for this property 	<ul style="list-style-type: none"> No proposal has been put forward for a

may include the construction of a basement	basement within this application.
<ul style="list-style-type: none"> The plans inaccurately portray the proximity of the proposed building to the boundaries of the property. 	<ul style="list-style-type: none"> The plans submitted have been cross referenced with the OS maps on the Council's system. This confirmed that the size of the plot as shown on the plans matches with the size of the plot on the Council's systems.
<ul style="list-style-type: none"> The proposal contravenes policy within national Planning Practice Guidance (PPGs), Planning Policy Statements (PPSs) and District Wide Local Plans. 	<ul style="list-style-type: none"> These central government planning policies were superseded in 2010 by the National Planning Policy Framework and can be given no weight. The proposal is considered to accord with the National Planning Policy Framework.
The property is on sloped land so the drainage and water regulations will need to be checked out	<ul style="list-style-type: none"> The property is not within a flood risk zone as defined by the Environment Agency. The rear garden is to be predominantly soft landscaped to allow for effective natural drainage.
<ul style="list-style-type: none"> There is an inadequate provision of open space. 	<ul style="list-style-type: none"> The external amenity space provision is in excess of the Council's standards, with a 140sqm communal garden for the 6 smaller flats and 94sqm and 60sqm private gardens for the family units respectively. Balconies are also provided which improve the overall amenity space offer for residents.
<ul style="list-style-type: none"> The proposal is too high density for a suburban area and the development is located a long way from train stations despite a high PTAL score. 	<ul style="list-style-type: none"> The site is close proximity of a number of bus stops, and are within reasonable distance of both Sudbury Town and Wembley Central tube stations contributing to the high PTAL score. The proposal does not need to rely on a car free agreement to be viable on transport grounds and therefore it is not considered that the fairly long walking distance to tube stations will be detrimental to the convenience and practicability of residing in this location.
<ul style="list-style-type: none"> There may not be enough capacity for refuse with 8 flats. 	<ul style="list-style-type: none"> The proposal has been revised to provide suitably sized bin storage area to accommodate the likely refuse build up of eight flats. These will be placed close to the front of the property for easy collection.

POLICY CONSIDERATIONS

- National Planning Policy Framework 2012
 - London Plan 2015
 - Brent Core Strategy 2010 – CP2 (Population and Growth), CP17 (Suburban Character), CP21 (Family Sized Dwellings)
 - Brent DMP 2016 – DMP1 (General Policy), DMP11 (Forming an access on to a road), DMP12 (Parking), DMP 16 (Resisting Housing Loss), DMP18 (Dwelling Size), DMP19 (Amenity Space)
 - National Technical Housing Standards 2015
- SPG17 Design Guide for New Development (Brent)

DETAILED CONSIDERATIONS

1.0 Principle of Development:

Document Imaged

1.1 The principle of demolishing two existing houses and replacing them with new residential units can be supported in principle. The wider area is predominantly residential in nature and the proposed additional housing to the borough would be welcomed.

1.2 To accord with policy CP21 of Brent's Core Strategy 2010 the two family sized units lost through demolition should be replaced by two new family sized units (three bedroom plus). These should be provided on the ground floor, each with direct access to at least 50sqm of private external amenity space. Two family units are proposed within this scheme and all of them meet this requirement, providing a suitable standard of living for families. As such, the general principle of development accords with the Council's policies.

2.0 Design and Layout of Building:

2.1 The surrounding streets have a suburban character with a mixture of detached and semi-detached houses and bungalows. The corner plot provides an opportunity for introducing a contrasting design without breaking the continuous frontage of 20th Century homes nearby.

2.2 The proposed building is three storeys in height. The maximum height of the building is below that of the adjoining houses. However, the overall massing of the block is larger as the proposed building is three-storeys in height whilst the adjoining are two-storey with pitched roofs. The site has a main road setting, albeit fronting a slip road rather than the main carriageway of Harrow Road itself. Slight increases in massing are often considered within main road setting, and the third storey is set in from the edges of the building to soften the appearance of the building and to more appropriately integrate with the street scene. It is considered that it would not be an incongruous or out-of-scale addition, and that the scale and proportions of the surrounding buildings would be respected. The building is mostly retained within the footprints of the existing houses and will therefore not notably decrease the open space that currently exists to the front and side of the properties. It is therefore considered that the separation between houses and suburban pattern of development is broadly respected by this development.

2.3 Policy DMP1a within Brent's DMP 2016 requires development to complement, but not necessarily replicate the locality. This is expanded upon in supporting paragraph 2.5 where it is stated that *"in areas with a set of consistent characteristics that create a sense of place, [a development that complements the locality] does not necessarily mean a slavish reproduction of existing styles or architecture. Modern interpretations based on a demonstrable appreciation of local context can add variety and interest to complement rather than detract from the attributes of recognised high quality areas"*. The building is considered to pay mind to local context, in terms of its height, proportions, spacing within the plot and the size and alignment of façade details (mainly windows) which draw inspiration from the established features of the neighbouring houses. The building has a flat roof and the second floor is contained within a smaller part of the building that is set in from the edge of the building footprint, appearing suitably subservient to the building as a whole and softening the appearance of the building within the street. The design will not create an uncomfortable break in a continuously built frontage as it is on a corner plot.

2.4 The building's external walls will utilise facing brick in some places, and it is considered important that an appropriate brick is in keeping with the local vernacular. Conditions will be attached to ensure that the materials used will result in a building with a suitable appearance that complements its surroundings.

2.5 The new building will be contained within the front and rear building lines of the neighbouring house at no. 631 Harrow Road and will only slightly expand beyond the established building lines to the sides. There will still be an average gap from the side corner boundary of 4m (3m minimum at front, 5m maximum at rear). Given this footprint, it is considered that the proposal will respect the established separation between properties in the plot and the open character of this corner location.

2.6 Twenty metres of space is present between the built form of the flats (including the projecting part of the building to the rear) and the bungalows behind on Dalmeny Close, providing suitable separation that respects the privacy and outlook of future residents as well as maintaining the open, spacious character of the suburban area in accordance with SPG17 and CP17.

2.7 The building design and layout is considered to be acceptable, according with the Council's policies and guidance.

3.0 Amenity Impact of the Building:

3.1 The amenity impacts of the new buildings are subject to the amenity impact tests as laid out within Brent's SPG5 and SPG17 guidance, and in particular, the 30 degree guidance taken from a 2 m height above floor level in relation to windows, the 45 degree guidance in relation to adjoining external amenity space (again taken from a 2 m height), a 10 m distance from habitable room windows and gardens and a 20 m distance between opposing habitable room windows.

Privacy

3.2 Whilst rear facing balconies are proposed, they project only so far as to come within 9.5m of the side boundary with no. 1 Dalmeny Close. Whilst not complying with the 10m separation sought within SPG17, the 0.5m shortfall is unlikely to result in a material increase in overlooking compared to balconies that meet the 10m standard. The balconies at the rear project out and allow side facing outlook towards the highway along Dalmeny Close and the rear garden of no. 631 Harrow Road. There is no concern with these balconies allowing the highway to be overlooked. A condition is recommended to ensure that the eastern side of the rear facing balconies for some units (units 6, 7 and 8) are screened to prevent undue overlooking of the neighbouring garden. Front balconies are also proposed along Harrow Road. They are mostly inset although a small proportion of each projects outside the footprint of the building. They will not allow for overlooking of any private spaces and will make a positive contribution to natural surveillance of the street.

3.3 To ensure that the new flats are not able to overlook the gardens along the east side of Dalmeny Close, a minimum distance of more than 10m has been maintained between all of the rear facing windows in the new flat and the side boundary with no. 1 Dalmeny Close. In addition, a minimum distance of 20m has been provided between the far rear elevation of the new building and the side facing window of no. 1 Dalmeny Close, protecting internal privacy in accordance with SPG17.

Daylight, sunlight and outlook

3.4 The block of flats comfortably sits below a 30 degree line drawn from the horizontal plane at a 2m height from the side windows of 637 Harrow Road on the other side of Dalmeny Close. This retains a suitably unobstructed outlook from the windows that face towards the development site. This SPG17 test is also passed when measured from the north side facing window at no. 1 Dalmeny Close.

3.5 The new flats also sit within a line drawn at 45 degrees from the northern side boundary of no. 1 Dalmeny Close. Once again this is measured at a height of 2m above the ground level of the relevant gardens, as set out in SPG17.

3.6 The proposal accords with the Council's guidance relating to daylight, sunlight and outlook in relation No. 631 Harrow Road. The main part of the block of flats will project 2.2m to the rear of the original building line of the neighbour at no. 631 Harrow Road. However no. 631 Harrow Road has been extended at ground floor level and the block of flats will not project beyond this ground floor level extension. All parts of the proposed building sits below the SPG17 45 degree line taken from the boundary of the garden of No. 631. The proposed building will be set in 1.8m from the boundary. The midpoint of the nearest first floor habitable room window is approximately 4.8 m from the closest side wall of the proposed block. Based on the drawings submitted for the 1998 planning permission for extensions to No. 631, the proposed building will sit under the SPG17 30 degree line taken from the nearest window.

3.7 At ground floor level, no. 631's rear facing windows are to be located beyond the built form of the new flats and therefore, impact will only be experienced as a result of the central projecting part of the building. However, a distance of 11m is established between the centre of the nearest window on the ground floor and the projection relative to this part of the house will only be 5.5m. The projection will also be contained below a 30 degree line at a height of 2m, as measured from this window. The block of flats therefore accords with the SPG17 amenity impact tests relative to the ground floor. In terms of rear garden impact, the rear projecting part of the block of flats is contained within a 45 degree line measured at a height of 2m from the boundary line between no's 631 and 633 Harrow Road. As such, it is considered that the proposed block of flats suitably maintains rear garden amenity and will not unduly restrict light, outlook or create a sense of enclosure from within this garden. Because the above tests are passed, it is considered that any detrimental impact to light and outlook at no. 631 would be kept within reasonable limits, in accordance with Brent's policy (DMP1) and guidance (SPG17).

4.0 Standard of Accommodation:

4.1 The current application is for the creation of eight units as follows:

	Number of flats	Size	London Plan standard
1 bedroom 2 person	1	57 sqm	50 sqm
2 bedroom 3 person	1	64 sqm	61 sqm
2 bedroom 4 person	4	70 / 82 sqm	70 sqm
3 bedroom 5 person	2	87 sqm	86 sqm

4.2 In all cases these floor spaces meet the relevant London Plan requirements and in some instances significantly exceed the standard and therefore provide an excellent standard of living (e.g. flats 3, 4 and 5). The bedrooms all exceed the minimum requirements (7.5sqm for a single bedroom and 11.5sqm for a double bedroom).

4.3 The development makes full use of the corner plot to offer good levels of outlook to all habitable rooms within the flats. Habitable room windows are focussed on the northern (Harrow Road), western (Dalmeny Close) and southern (Garden) aspects to maximise outlook. The window of the smallest bedroom of one of the ground floor flats is in close proximity to the side boundary. However, an acceptable level of light and outlook is achieved through the provision of a oriel window. The other east facing windows all serve WCs, which do not require outlook. A condition will require these WC windows to be obscure glazed and high level opening only to prevent overlooking.

4.4 The private gardens on the ground floor flats have 9.8m of rear facing outlook (in the case of flat 1) and between 5 and 6sqm of rear facing outlook (in the case of flat 2), which is considered to provide a suitable rear outlook into the private gardens. Only 1 flat has single aspect outlook (flat 3), however this is the smallest flat and the aspect provided is to the south so is considered to be acceptable.

4.5 A few stacking conflicts are present, most notably between flats 6 and 7 and 8, with bedrooms being located directly above kitchen/living spaces and between flats 1 / 2 and 4 / 5 with WCs directly above the small bedrooms. A condition is recommended be applied requiring details of a suitable schedule of sound insulation to therefore be provided to ensure an appropriate noise environment for future residents.

4.6 The family flats (flats 1 and 2) will have private gardens. Flat 1's garden is 94sqm in size (although only 74sqm of this would be considered useable amenity space) and flat 2's garden is 60sqm. These gardens have been amended since the original submission where they were enclosed within the squares of the flat's built form. Both gardens have since been increased in depth and width to reduce the sense of enclosure that would be experienced from within these gardens. This has also seen the size and depth of the gardens increase, improving the outlook they offer to the flats and their usability for families. Flats 3 and 6 have been provided with an 8sqm projecting balcony overlooking the communal garden, measuring 1.5m in depth for good usability. Flats 1, 2, 4 and 5 have been provided with a mostly inset balcony (7.5sqm) on the front elevation, allowing surveillance of Harrow Road. A minimum depth of 1.5m is established for good usability. Flats 7 and 8 have larger inset terrace spaces of 10.5sqm each. In addition, the six 1 and 2 bed flats have access to the 140 sqm communal garden in the rear garden, which is accessed from Dalmeny Close. The overall quantum of amenity space amounts to more than is required (50sqm for 3 bed flats and 20sqm for 1 or 2 bed flats) and therefore provides a good standard of accommodation.

4.7 Flat 3's terrace and rear window immediately front onto the communal garden and further details of the screen planting which is indicated on the drawings is to be secured through condition to ensure that this proximity does not compromise the privacy of the occupants of the flat.

4.8 Details of fencing separations and materials between the gardens as well as timber sheds containing cycle storage are identified clearly on the plans and considered to be acceptable.

5.0 Transport considerations:

5.1 Car parking allowances are set out in Appendix 1 of the DMP 2016 and as the site has a high PTAL rating, the lower parking standards apply. The two existing 3-bed houses would therefore be allowed 1.2 spaces each and both provide parking in excess of that allowance. The eight proposed flats are permitted up to 6.9 spaces in total and the proposed provision of five spaces thus accords with maximum standards. Policy DMP12 also requires that development does not add to on-street parking demand where there are not sufficient spaces to accommodate parking. In this case though, the adjoining streets are not heavily parked

and have capacity to safely accommodate at least two cars from this development.

5.2 The parking area is proposed to be accessed via a 4.2 m wide crossover, which is considered to be acceptable for an access to serve four spaces. The arrangement of the parking spaces is also considered to be acceptable, having been amended to address concerns that were initially raised. The unnecessary guardrailling along the front of the site should also be removed, with the works undertaken with the widening of the crossover at the applicant's expense.

5.3 The London Plan requires at least 15 secure bicycle parking spaces for these flats. Flats 1 and 2 (both 3-bed) will have private gardens within which bicycles can be stored and a bicycle shelter is indicated for the other flats alongside the rear car park. However, its narrowness means that it would only be able to accommodate about six bicycles and a larger shelter capable of storing at least 11 bikes is required. This detail has now been amended to provide larger cycle storage at the front of the property, however this has a dominating appearance and will restrict front outlook for residents. Further details are recommended to be sought through condition.

5.4 Bin storage is proposed to be provided at the front of the site, providing easy access for both residents and for collection. Further details of the bin store are recommended to be sought through condition to ensure an appropriate appearance..

5.5 The proposal is considered to accord with the Council's policies and guidance in relation to the highways considerations.

6.0 Environmental Health Considerations:

6.1 The development is within an Air Quality Management Area and located very close to other residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A condition to provide a construction method statement is therefore recommended to minimise the impact on local air quality and protect the amenity of neighbours during construction. A condition is also recommended regarding the approval of details of the boilers that will serve the flats to ensure that emission rates are at an appropriate level.

6.2 As discussed above, a condition is also recommended regarding noise insulation between flats within the proposed development due to address issues relating to the stacking of rooms that could affect the amenities of future residents (through noise and disturbance) if not mitigated.

7.0 Conclusion:

7.1 For the above reasons the proposed development is considered to be acceptable, and is accordingly recommended for approval.

CIL DETAILS

This application is liable to pay **£141,411.23*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 722 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	722	251	471	£200.00	£35.15	£120,273.21	£21,138.02

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)	286	
Total chargeable amount	£120,273.21	£21,138.02

*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.



DECISION NOTICE – APPROVAL

Application No: 16/4666

To: Mr NORVILL
norvillpropertyservices
7
Fairfieldlane
Farnhamroyal
sl23bx

I refer to your application dated 25/10/2016 proposing the following:
Demolition of Nos 633 and 635 Harrow Road and detached double garage and erection of a new three storey block providing 8 self-contained flats (1 x 1bed, 5 x 2bed and 2 x 3bed) whilst retaining existing vehicular crossovers from Harrow Road and Dalmeny Close, provision for car, cycle and bike parking, bin stores and landscaping
and accompanied by plans or documents listed here:
See condition 2.
at 633 & 635 Harrow Road, Wembley, HA0 2ET

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: 13/04/2017

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

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:-

- National Planning Policy Framework 2012
- London Plan 2015
- Brent Core Strategy 2010
- Brent Development Management Policies 2016
- Supplementary Planning Guide 5 - Altering and Extending your Home
- Supplementary Planning Guide 17 - Design Guide for New Dwellings

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):

12/B
13/A
14/A
15/A
16/B
17/A
18/A
19/B
20/A
21
22
23
24
25

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

3 The constructor of the development shall join the Considerate Constructors Scheme prior to the commencement of works on the development hereby approved and shall adhere to the scheme throughout the duration of construction works.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

4 The east facing windows on the 1st and second floor of flats 4 and 7 are to be constructed with obscure glazing and shall not include openings below a height of 1.7m as measured from the floor level of the room which the respective windows serve.

Reason: To protect the privacy of residents at no. 631 Harrow Road.

5 Details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition and the laying of foundations). The development shall be carried out in accordance with the approved details.

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

locality.

- 6 Prior to the commencement of development (excluding any demolition, site clearance and the laying of foundations), details shall be submitted to and approved in writing demonstrating that the development will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following noise levels between flats within the development:

Time	Area	Maximum noise level
Daytime noise (07:00-23:00)	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise (23:00 - 07:00)	Bedrooms	30 dB LAeq (8hr) 45 dB L _{Amax}

The development shall be constructed in accordance with the approved details.

Reason: To obtain required sound insulation required to prevent noise nuisance in the interest of the amenities of future occupiers.

- 7 A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the units hereby approved. The approved scheme shall be completed in full prior to first occupation of the development hereby approved and thereafter retained for the life of the development.

The landscaping scheme shall include:

1. Details of plants, including location, species, planted size and density/number;
2. Details of screen planting between the bedroom window of flat 3 and the communal garden area;
3. Materials used for the hard landscaping;
4. Details of drainage of the areas of hard landscaping, demonstrating that those areas will drain to area of soft landscaping within the site;
5. Screen planting along all boundaries;
6. Details of fences/gates/other means of enclosure;
7. Any contouring and any alteration of the ground levels;

Any trees and shrubs planted or to be retained in accordance with the landscaping scheme which, within 5 years of planting is 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 protecting 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, and in the interest of drainage and surface water management and of highway safety.

- 8 Details of screening for the eastern side of the south facing balconies/terraces that serve flats 6, 7 and 8 shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The approved scheme shall be implemented in full prior to first occupation of the development and thereafter retained for the life of the development. The submitted details shall include the height, location, design and materials of the screening.

Reason: In the interest of the privacy of adjoining occupiers and occupiers of the propose development.

- 9 The following revised details shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the units hereby approved:

1. Details of revised bin and cycle stores that are lower in height and/or (in the case of the cycle stores) relocated as to not impede the outlook to flats 1 and 2 or the visual amenities of the locality, accompanied by appropriate elevations

2. An indication of the reinstatement of the proposed redundant crossover back to footway along Harrow Road
3. Removal of the guardrailling from the Harrow Road frontage
4. Any alterations to parking bays, lamp columns and or/other street furniture necessary to accommodate the crossover works along Dalmeny Close and Harrow Road

The development shall not be occupied unless the approved details have been implemented in full and the works to the adopted highway have been completed, and the car parking spaces and accesses within the site and to and from the adopted highway (both vehicular and pedestrian) as detailed within the approved drawings and documents have been implemented in full accordance with the approved drawings and details and are available for use for the residents of the development. Thereafter, the car parking spaces, cycle storage, bin storage and vehicular and pedestrian accesses shall be retained and maintained for the life of the development and they shall be used solely for purposes ancillary to the flats hereby approved unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: In the interest of pedestrian and highway safety, to ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development does not harm the visual amenity of the locality in the interests of protecting the amenities of the occupants of the development.

- 10 Prior to the commencement of the development a Construction and Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The construction of the development shall be carried out in accordance with the approved statement.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 11 Prior to first occupation of the residential units hereby approved, details of all domestic boilers to be installed within the development demonstrating that the rated emissions of Oxides of Nitrogen (NO_x), which shall not exceed 30 mg/kWh (unless an alternative level is submitted to and approved in writing by the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full prior to first occupation of the units.

Reason: To protect local air quality, in accordance with Brent Policy DMP1

INFORMATIVES

- 1 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover and guardrailling works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 3 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.
- 4 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

- 5 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.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903