

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

26 April, 2017

17/0696

SITE INFORMATION

RECEIVED	16 February, 2017
WARD	Kenton
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	57 Draycott Avenue, Harrow, HA3 0BL
PROPOSAL	Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping
APPLICANT	Mr SUMARIA
CONTACT	DB PLANNERS
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_132691</p> <p><u>When viewing this as an 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 "17/0696" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve that they would have GRANTED planning permission had the application not been appealed subject to conditions and informatives to secure the following matters:

Conditions

1. Time Limit (3 Years)
2. Approved drawings / documents
3. Materials
4. Construction Method Statement
5. Parking laid out and retained for residents use
6. Landscaping implemented and retained
7. Windows to side elevations glazed in obscure glass and retained

Informatives

1. Party Wall
2. Noise on site
3. Use of Asbestos and Council Policy
4. Asbestos Removal & use of Licensed Contractor

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.

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: 57 Draycott Avenue, Harrow, HA3 0BL

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This map is indicative only.

PROPOSAL IN DETAIL

Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping.

EXISTING

Two-storey detached property on the eastern side of Draycott Avenue. Its lawful use is as a residential care home, however it is understood that the premises are no longer in use for this purpose and that the property is currently in multiple occupation. There is a carriage driveway arrangement and the frontage is fully hardsurfaced for parking. Surrounding uses are residential. This is not within a Conservation Area, nor is it a listed building. However, the Northwick Circle Conservation Area adjoins the rear boundary of the site.

SUMMARY OF KEY ISSUES

Previous application

The application is identical to the proposal that was considered by the Planning Committee on 18 January and 15 February. The application was deferred from the 18 January committee upon the recommendation from officers as while the heritage implications had been considered, they were not set out fully in the report. A non-determination appeal was lodged after this planning committee meeting and the planning committee then resolved at the 15 February meeting that they would have granted permission if it had not been appealed. This application was then submitted to allow the withdrawal of the appeal.

The key considerations are:

1. Whether the proposed development is acceptable in principle given the surrounding uses and character including the loss of care home facility. The loss of the care home is supported by the Council's Adult Social Care officers and the surrounding area is residential in its character.
2. Whether the proposed development provides a suitable standard of accommodation for future occupiers and appropriate housing mix. The proposed units accord with the relevant policies and standards.
3. Whether the proposed development integrates well into the street in terms of design, scale and massing and is of good design quality, and whether it results in harm to the Conservation Area which bounds the rear boundary of the site. The proposed development is considered to exhibit a good standard of design, is in keeping with its context and does not harm the setting of or views into or out of the Conservation Area.
4. Whether the proposed development incurs unduly detrimental impacts on the amenities of neighbouring occupiers. The proposed development accords with the Council's policies and guidance.
5. Whether the proposed development can be supported in terms of its impact on the parking and flow of traffic on Draycott Avenue and surrounding roads. The proposed level of off-street parking is considered to be appropriate, having regard to the location of the site and level of public transport accessibility.

RELEVANT SITE HISTORY

***16/3377. Full Planning. Council would have granted if the application were not appealed. Received 09/09/2016.**

Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping (Revised proposed plans to show adjustment of building location and revised forecourt plans).

E/16/0104. Enforcement. Opened 01/03/2016.

Without planning permission, the material change of use of the premises to a house in multiple occupation

15/2607. Full Planning. Refused – Appeal dismissed. 22/04/2016.

Demolition of existing former care home building and erection of a two storey building with a converted loft space and basement level to provide 7 self-contained flats (5x2 bed and 2xstudios) with associated car and cycle parking, bin stores, amended drop kerb and landscaping.

02/1028. Full Planning. Granted. 03/07/2002.

Erection of part first-floor rear extension and part two-storey side extension to care home.

*The applicant appealed application 16/3377 on the grounds of non-determination prior to its determination at committee on 15/02/2017. Brent Council resolved to grant planning permission at the committee. Notwithstanding the committee outcome, the lodging of an appeal means that only the Planning Inspectorate has the authority to determine application 16/3377. The inspectorate's decision is likely to take some time to be finalised. The applicant has submitted a new application to secure a decision for this proposal under the authority of Brent Council.

CONSULTATIONS

Letters were sent to 54 neighbouring properties for at least a 21 day consultation period. Furthermore, consultation with the Northwick Park Ward Councillors, the Northwick Park Residents Association and Councillor Colwill representing Kenton Ward (who objected to the previous application) was carried out. Formal consultation was not carried out with the other two members for Kenton Ward, however given that neither Councillor commented on the identical proposal during application 16/3377 it has not been considered necessary.

To date, two neighbour objections have been received and one objection from the Northwick Park Residents Association has been received.

No consultation was carried out with the Environmental Health Officer, Transport Officer, Policy and Research Officer and the Landscape and Design team at Brent as comments relating to an identical proposal were received and addressed within the previous application 16/3377.

A summary of the comments received are outlined below:

Residents Objections

1. The development is out of scale with the footprint available and shows little consideration for the additional surrounding impact on the services for the area locally.
2. The development is without proper provision for parking, particularly with the additional double yellow line parking control recently designated in Draycott Avenue.
3. Additional people here will put parking pressures on this area.
4. The double yellow line designation is in place of a proposed on-street parking space, meaning that the applicant's claim that the proposal will increase net on-street parking by 1 space is false.

Northwick Park Residents Association

1. The proposal is unsustainable considering the pressures on local transport, schools and other amenities within the area;
2. The proposal will have a significant impact on Northwick Park Conservation Area, on to which this proposal borders, along the rear boundary with Greystone Gardens;
3. Previous developments have allowed for more parking given the number of dwellings.
4. The parking survey is inaccurate and flawed – there is no longer a disabled bay, yellow lines restrict the reinstatement of on-street parking, the survey was undertaken at night, the Lambeth methodology is irrelevant to this location

Most of these points were raised within the previous planning application (16/3377). Comments were not previously raised regarding the parking survey and these are responded to below:

- Even if the applicant is incorrect about an additional on-street parking space being provided because of the parking restrictions, the proposal will not lessen the physical parking capacity of the street as a result of its presence (not having regard to the imposed parking restrictions, which is a separate matter) and is considered acceptable.
- The imposition of yellow lines has been designated by Brent's highways team and is a matter

separate from planning. The yellow lines designation was considered during the previous application and despite the loss of parking spaces resulting from this; it was still considered that the road was sufficiently lightly parked to accommodate this development.

- Whilst a number of residents may not drive to work during the day, it is likely that some residents will. As such, it is considered reasonable to expect the road to be most heavily parked at night, and therefore most appropriate and representative to carry out a parking survey during this time.
- The Lambeth Methodology is widely considered to be a reasonable methodology for assessing parking capacity and is not solely applicable to Lambeth and similar areas. Nonetheless, Brent's highways team generally has stricter requirements than that of the Lambeth Methodology, requiring a 'parking and manoeuvring space' to measure 6m in length rather than 5m as within the methodology. Within the previous application, the parking study submitted was adapted to account for Brent's 6m standard. It was noted that even with the stricter 6m standard being used, Draycott Avenue still retained sufficient parking capacity to accommodate this development.

Brent Council Consultees

The below comments reflect the consultee comments received during the previous application (16/3377) for this development. They remain equally applicable here as the proposal has not changed.

Environmental Health

The development is located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A condition requiring a Construction Method Statement is therefore recommended to be imposed to any approval.

Transportation

No transportation objections subject to conditions requiring the submission and approval of a revised site layout showing four off-street spaces at a 90 degree angle to the highway accessed via the existing crossovers on either side of the site frontage; and confirmation from the applicant that the existing on-street disabled bay can be removed.

All the above objections have been addressed in the next section.

POLICY CONSIDERATIONS

National Planning Policy Framework/National Planning Practice Guidance

London Plan 2011/ Mayors Housing SPG 2012

Policy 3.5 (table 3.3)

Brent Core Strategy 2010

CP17 Suburban Character

CP21 A Balanced Housing Stock

Brent Development Management Policies 2016

DMP1 Development Management General Policy

DMP7 Brent's Heritage Assets

DMP12 Parking

DMP16 Resisting Housing Loss

DMP18 Dwelling size and residential outbuildings

DMP19 Residential Amenity Space

DMP20 Accommodation with shared facilities or additional support

Supplementary Planning Guidance 17:- Design Guide For New Development
Supplementary Planning Guidance 5 Altering and extending your home.

Domestic Vehicle Footway Crossover Policy 2008

DETAILED CONSIDERATIONS

As discussed above, this proposal is identical to the application that was considered by the planning

committee on 18 January and 15 February 2017. The application was placed on the agenda for the 18 January committee. However, officer recommended that it is deferred to the subsequent committee as while the heritage implications of the proposal had been considered, they were not set out fully in the report.

A non-determination appeal was lodged after this planning committee meeting.

The application was then presented to the 15 February planning committee with the heritage considerations set out within the report. The planning committee considered the proposed development and determined that they would have granted permission if the appeal had not been lodged.

Whilst the appeal is likely to be allowed as the Council has resolved that planning permission would have been granted, the determination of a new application is quicker than the determination period of an appeal. The applicant accordingly submitted a new application (i.e. this application) that is identical to the previous application.

The below discussion is taken directly from the previous report contained within application 16/3377. This application pertains to the same proposal and as such it has only proven necessary to make minor changes to the structure of the report. The changes have mostly comprised the consolidation of information that was previously contained across the 'detailed considerations', supplementary and header sections of application 16/3377 into a single section below. No new information is provided beyond what was previously discussed, and accordingly no new conclusions have been drawn.

1. Context

1.1 A similar proposal was submitted and refused on 29th September 2015 (Application ref: 15/2607) and subsequently dismissed at appeal (APP/T5150/W/15/3137379). The proposal comprised the demolition of the former care home (subject property) to provide a two storey building with a converted loft space and basement level to provide 7 self-contained flats with associated car and cycle parking spaces, bin stores and landscaping. The initial reasons for refusal were as follows:

1.2 This proposal will result in a significant increase in parking standards that cannot be accommodated within the site and will therefore result in additional demand for overspill on street parking, which cannot be accommodated along the site frontage, and the overspill parking that will follow will be to the detriment of free and safe flow of traffic and pedestrians along an already heavily trafficked route. Furthermore the proposed vehicle access widening will result in illegal crossing of the footway, this, and the absence of sufficient soft landscaping to the site frontage are both contrary to Brent's Domestic Vehicle Footway Crossover Policy (2008), Policies BE7, TRN24 and TRN27 and standard PS14 of the adopted UDP 2004.

1.3 The proposed building by virtue of its scale and massing (as viewed from the rear), lack of articulation of this rear facade and crown roof design would result in an overbearing building which fails to pay appropriate regard to the scale and massing of development in the surrounding area. Furthermore, the building frontage is overly dominated by hard landscaping, access and parking and fails to make an appropriate contribution to the streetscene. This represents a poor design that would be harmful to the visual amenities of the area and is contrary to policies BE2, BE7 and BE9 of Brent's adopted Unitary Development Plan 2004, Core Strategy (2010) policy CP17 and the guidance as outlined in SPG17 "Design Guide for New Development".

1.4 The proposed loft floor flats, by reason of their reliance on rooflights for the provision of outlook and the size and height of those rooflights, fails to provide adequate levels of outlook for future residents and as such, represents a poor standard of residential accommodation. This is contrary to Policy BE9 of the Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 1

1.5 However, the inspector took a slightly different stance and concluded:

"Whilst I have concluded that the appeal proposal would not cause harm to highway safety, this would not outweigh the harm I have found to the character and appearance of the area and the living conditions of future occupiers."

2. Principle of use & loss of care home

2.1 Core Strategy policy CP21 and Development Management Policy DMP17 and 18 seek to maintain a balanced housing stock in the Borough by protecting existing accommodation that meets a known Borough need. The Borough has a need for a wide range of accommodation sizes and types which has been satisfactorily addressed in the past. Maintaining and providing a balanced housing stock is a key Core

Strategy housing objective. Development Management Policy DMP20 allows for the loss of such accommodation where it has either been demonstrated that residents needs can be better met by other existing accommodation or unsatisfactory accommodation cannot be improved to achieve current standards.

2.2 Brent Adult Social Care (Commissioning & Quality) had been consulted during the previous application (15/2607) on the key issue concerning loss of a residential care home. In response they advised that the Council's position is one where it is working to develop alternatives to residential care and this particular care home was not large enough to meet the complex needs of customers in a cost efficient way. As such they raised no objections to the closure of the care home.

2.3 The site is not currently in use as a residential care home, it is believed to be used for multiple occupancy though there is no permission in place for this. It is stated that the former 9 bedroom care home ceased operating as a small scale care home as it was no longer financially viable. It is understood that the care home use ceased around November 2014.

2.4 It is considered the information supplied from Brent Adult Social Care (Commissioning & Quality) is sufficient evidence to warrant the loss of the care home, which in any case is no longer in use for this purpose. Furthermore, proposals for residential use of the site will make efficient use of previously development brownfield land, in what is a sustainable location. This is consistent with the aims of the National Planning Policy Framework (NPPF) and the Council's Development Management Policies. Accordingly, there is no objection in principle to the residential development subject to all material planning considerations.

3 Design and Scale

3.1 The existing building is a 2 storey detached property with extensions to the rear. The scheme proposes a building which is narrower than the existing footprint on site by 1.4m. This allows for a set in on both sides. At ground floor the property would be infilled at both sides to the rear and also to the front to form a more consistent frontage as opposed to the stepped approach the property currently takes. This forms two symmetrical front gables. At first floor, the proposal seeks to create first floor extensions which would follow through the same footprint as the ground floor.

3.2 Following amendments and a re-consultation commencing 11 November, the building was moved further east to minimise the impact of first floor rear extensions on neighbouring properties. Whilst SPG5 is not directly relevant in this case it provides a useful guide for assessing such relationships and the proposal accords with this guidance. A 1.7m set in from No. 55 is proposed which results in a 6.4m distance between the edge of the extension and nearest habitable room. This allows for the 3.2m depth proposed. On the other side the first floor rear element only protrudes 1.3m which is within the allowable limits. It is therefore considered that in complying with this policy, there would be no detrimental impact to the neighbouring occupiers either side as a result of the first floor extensions.

3.3 Whilst the proposed building comprises four storeys, when viewed from Draycott Avenue it has the appearance of a two-storey building with accommodation in the roof, this is similar to the approved scheme next door at Mulberry Court (App. Ref: 08/2267). Contrary to the previous scheme, this proposal also appears as two storey with roof accommodation to the rear more in keeping with the character of the area due to the construction of the basement level.

3.4 As was considered within the Inspectors report in the previous appeal decision, the basement level which is shown within the Section Drawing indicates sufficient screening via the retaining wall to the existing garden, as well as boundary fencing so that the views of the basement of the building from neighbouring properties would be limited. This would minimise the impact of this level of the building on the character and appearance of the area.

3.5 The inspector on commenting on the previous design stated that overall the footprint, massing, scale and proposed crown roof was deemed acceptable. It is also noted that its scale and massing is similar to the neighbouring flats at Mulberry Court and would therefore sit comfortably in the context of the adjacent properties, particularly when considering the increased set in from the boundary of No.55. In light of the general street scene, the design particularly at the frontage would mirror that of the neighbouring flats at Mulberry Court. The inspector did however raise concerns in relation to the use of materials and finish detailing of the building fearing that the previous proposal would look uninteresting compared to the rear façade at Mulberry Court and its use of balconies. As such, this design adds more reflective detailing which include rear balconies and two cottage dormers on the roof, which are subservient to the roof plane and host dwelling.

3.6 The frontage now has additional glazing in the roof for the provision of outlook and mirrors the neighbouring property at Mulberry Court. This has also helped to overcome the lack of outlook for the bedrooms within the loft level. The number and location of rooflights is also acceptable.

3.7 The architectural approach of the building to the front is therefore considered to be in keeping with the streetscene. The front elevation is very much in keeping with the approach at the neighbouring Mulberry Court. Furthermore, over 30% landscaping has been proposed to create an enhanced frontage. This is in line with Development Management Policy DMP1 which seeks development which improves and complements the locality.

3.8 A landscaping scheme detailing the proposed front forecourt planting has been submitted as part of the proposal. More than 30% landscaping has been provided which is acceptable and provides a welcomed improvement from the fully hard landscaped frontage which currently exists.

4 Housing mix

4.1 Five flats are proposed, this is broken down as 2 x 3 bedroom and 3 x 2 bedroom flats.

4.2 The housing offer does include 2 family sized units (defined by the Core Strategy policy as 3 bedrooms or more). This meets the needs of the borough and is therefore acceptable in policy terms.

5 Quality of accommodation

Ground and Basement Level (Flats 1 & 2)

Flat 1 (5 person, 3 bedroom): 112 sqm; 2 x double rooms + 1 x single room.

Flat 2 (5 person, 3 bedroom): 112 sqm 2 x double rooms + 1 x single room.

First Floor accommodation

Flat 3 (3 person 2 bedroom flat): 73 sqm: 1 x double room + 1 x single room.

Flat 4 (3 person 2 bedroom flat): 73 sqm: 1 x double room + 1 x single room.

Loft accommodation

Flat 5 (3 person 2 bedroom flat): 70 sqm: 1 x double room + 1 x single room

5.1 These would all have primary front or rear facing windows, fixed obscurely glazed side facing windows. There will also be a shared and private sunken courtyard with 3.5m deep light wells (serving flats 1 & 2) on the ground floor flat which also has one allocated parking space for each flat. The first floor flats also benefit from rear facing balconies. The loft flat will have rooflights across the flank elevations, one front rooflight and two rear dormers which would provide sufficient outlook and sunlight in the habitable rooms for the occupiers. The section plans demonstrate that internal headroom of 2.3m is achieved at all levels which satisfies SPG17.

5.2 The above standards comply with the London Plan residential unit sizes, as set out in table 3.3 and are therefore acceptable. Furthermore, the proposed refuse storage and 6 cycle stores in a secure store comply with the London Plan cycle standards.

5.3 At basement level there is a sunken courtyard to provide sufficient private amenity for the ground floor flat. The first floor benefits from private balconies and also shared garden space with the loft flats. The garden is not proposed to be apportioned and is proposed to be left open for the communal use of all residents. The proposed amenity space amounts to over 20 sqm per flat as required by SPG17.

5.4 The development to the rear would introduce a large number of rear facing habitable windows, these are located more than 10m from the rear site boundaries and more than 20m from facing windows on Greystone Gardens. This satisfies SPG17. No primary, habitable flank wall windows are proposed.

5.5 There are secondary flank wall windows at ground and first floor to serve the kitchens, however these will not compromise the amenity of neighbouring occupiers. Neither No.55 Draycott Avenue or Mulberry Court contain any habitable flank wall windows, therefore no direct overlooking or loss of privacy would follow.

5.6 Correct stacking in terms of accommodation layout has been achieved throughout all floors of the building.

6 Highways and Transportation

6.1 The site has two crossovers forming a carriage drive and accommodating approx. 3/4 off street parking spaces. The south-eastern crossover is 3.4m wide and the north-western crossover is 4.2m wide. There is a disabled bay, on street, between the crossovers and along the site frontage. The front garden has no soft landscaping at present.

6.2 The proposal is to provide three off street parking spaces accessed via the two crossovers. The position of the northern space is not at the edge of the boundary and therefore does not comply with Brent's Crossover Policy, whilst also reducing on-street parking. Transportation have requested that the crossovers are retained as they are at the edge of the boundary wall to serve two spaces on either side of the frontage at a 90 degree angle to the highway. Some soft landscaping can be provided in the middle of the front garden between the two access points. As a result of this the on-street disabled bay along the site frontage is no longer required. This would provide a further on-street parking bay for residents or visitors and transportation have requested that confirmation is provided that the disabled bay is no longer required in order for it to be removed.

6.3 The existing care home is permitted 1 car space per 10 bedrooms and 1 space per 5 employees under standard DMP Appendix 1 Parking Standards. The number of former employees is unknown however, we can assume approx. 5 employees and therefore a total of 2 spaces would be permitted for the former use.

6.4 The proposed new residential dwellings will have a parking allowance of 1.2 spaces each for the 2 bedroom flats and 1.6 spaces each for the 3-bedroom flats under parking standards set out within Appendix 1 of the Development Management Policies. This totals 6.8 parking spaces for the proposed new flats and this would be a significant increase in parking requirements.

6.5 A parking survey submitted by the applicant follows the Lambeth methodology whereby bays are 5m in length. However, this is considered overly optimistic and a general length of 6m is required to allow average sized vehicles to manoeuvre in and out of spaces parallel to the highway. Using a 6m length, the survey found that Draycott Avenue north, which is closest to the site, had a 60% occupancy overnight and Draycott Avenue south of the site had a 76% occupancy. This demonstrates that the street is not heavily parked overnight and this accords with the Council's own survey findings undertaken in 2013. The survey details for the small section of The Ridgeway found that it was heavily occupied with 130% occupancy overnight.

6.6 Under the new DMP policies, the proposed 5 dwellings are within a high PTAL and therefore have reduced parking allowance, permitting 4.6 spaces. Therefore the three off street spaces, approved in drawing number DA57-2003 along with the removal of the disabled bay to provide a fourth space on street, do satisfy standards. The parking survey does ease any concerns of overspill parking due to the fact that the surrounding sections of Draycott Avenue are not heavily parked.

6.7 The resultant provision of four off-street parking spaces plus one on-street parking space along the site frontage will satisfy 75% of the parking standard and keep overspill parking to a manageable level so that it does not encroach across neighbouring frontages.

6.8 During the course of the previous application 16/3377, amended plans were received on 22 December 2016 showing three off-street parking spaces and associated landscaping these were considered acceptable (Drawing DA57-2003). As a result the following changes to the p[proposal were made:

1. Increase dropped kerb to 4.2m max to accommodate two adjacent off-street parking spaces;
2. Reduce existing dropped kerb to 3.2m max. width to accommodate a single off-street parking space at the front.
3. More than 30% soft landscaping proposed; and
4. Existing disabled bay to the front is removed to create the additional off-street parking space.

6.9 It should also be noted that in the earlier appeal the Planning Inspector commented that there was very little on street parking during the time of her visit in the day however, the street is not listed as heavily parked and therefore night time occupancy is low. Therefore the inspector concluded that the proposal would not cause harm to the highway safety in the area.

6.10 The site is also well served by Public Transport, PTAL 4, with access to 6 different bus routes and a rail and tube stations within walking distance.

6.11 Cycle storage has been proposed within the rear garden for 6 bicycles in a secure store to comply with DMP12.

7. Impact to Residential Amenity

7.1 All flank elevation windows are proposed to be obscurely glazed and therefore there are no concerns in relation to the of loss of privacy for neighbouring properties.

7.2 The degree to which the proposed building will project beyond the rear of neighbouring properties is in accordance with DMP1 and therefore is not considered to be overbearing or result in unacceptable loss of light or outlook to these properties.

7.3 The impact of the proposed use is not considered to be unacceptable in terms of its scale when judged against the former care home use, and in the context of an 8 unit scheme directly next door.

7.4 Refuse storage has been shown on the proposed drawings.

8. Heritage Considerations

8.1 The site is not within a conservation area. However, it is adjacent to the Northwick Park Conservation Area, which runs along the rear boundary of the site. As such, that National Planning Policy Framework, London Plan Policy 7.8 and Brent Development Management Policy DMP7 are relevant. Potential harm to the conservation area, including the setting of the conservation area, was considered. The following matters were evaluated when considering the proposal, but not set out in the previous committee report.

8.2 The scheme is considered to result in limited to no harm to the conservation area. The scheme as proposed has little effect on the setting or views into and out of the conservation area. The bulk and height is of a similar height to the surrounding properties.

8.3 The Planning Inspector for the previous appeal set out that the "views of the basement of the building from neighbouring properties would be limited. This would minimise the impact of this level of the building on the character and appearance of the area". It is noted that the previous scheme that was considered by the Planning Inspector included a stepped rear wall which reduced its bulk within the rear elevation to some extent. However, the design and appearance of the rear elevation is considered to be acceptable, with the facade broken up through the use of fenestration. The reduced articulation in the rear facade compared to the appeal scheme is not considered result in an impact on the adjoining conservation area.

8.4 The proposed development is considered to accord with the National Planning Policy Framework, London Plan Policy 7.8 and Brent Development Management Policy DMP7.

9. Summary

9.1 Based on the reduced scale of the scheme [from that of the 2015 application] and taking into account the previous decision by the Planning Inspectorate along with the introduction of the Council's new DMP policies, the proposal is considered to comply with planning policy and it is therefore recommended for approval subject to appropriate conditions.

CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£45,635.90*** 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): 289 sq. m.

Total amount of floorspace on completion (G): 441 sq. m.

Use	Floorspace on completion	Eligible* retained floorspace	Net area chargeable at rate R	Rate R: Brent multiplier	Rate R: Mayoral multiplier	Brent sub-total	Mayoral sub-total

	(Gr)	(Kr)	(A)	used	used		
Dwelling houses	441		152	£200.00	£35.15	£38,814.29	£6,821.61

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	£38,814.29	£6,821.61

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/0696

To: Mr Patel
DB PLANNERS
2 The Oaks Juniper Road
Cove
Farnborough
GU14 9XU

I refer to your application dated 16/02/2017 proposing the following:
Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping
and accompanied by plans or documents listed here:
See condition 2.
at 57 Draycott Avenue, Harrow, HA3 0BL

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:

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:-

Brent Development Management Policies 2016
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

- 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):

DA57-2003 Rev D
DA57-2004 Rev B
DA57- 2005 Rev B
DA57-2006 Rev A

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

- 3 Prior to the occupation of the flat development the parking space/s shall be completed in accordance with the approved plans and maintained as such and used solely for purposes ancillary to the flats for the lifetime of the development.

Reason: in the interest of highway and pedestrian safety.

- 4 The landscape works, planting and other front forecourt works shown on the approved plans shall be carried out prior to the occupation of any part of the development;

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

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

- 5 The windows on the side faces of the development shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 6 Details of materials for all external work, including samples which shall be made available for viewing on site, 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 work 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.

- 7 Prior to the commencement of the development a Construction 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 development must be carried out in accordance with the approved Construction Method Statement.

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

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 Attention is drawn to S.S. 60 & 61 of the Control of Pollution Act 1974 and to the association British Standard Code of Practice B.S.5228: 1984 which set down statutory requirements for the control of noise during construction and demolition works. The Contractor should also be made aware of the requirements of the Clean Air Act 1956 and 1968 and the Control of Pollution Act regarding the prohibition of site bonfires. Council's Chief Environmental Health Officer can provide advice and assistance in this regard.
- 4 Although no provision exists within the Building Regulations to prohibit the use of materials containing asbestos, it is the policy of this Council to discourage such use where alternative materials are available that would equally satisfy the requirements of these Regulations.
- 5 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.

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