

 **Planning Committee Map**
Site address: Garages rear of, Magnolia Court, Harrow, HA3
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This map is indicative only.

RECEIVED: 3 October, 2011

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Garages rear of, Magnolia Court, Harrow, HA3

PROPOSAL: Demolition of existing garages, erection of seven self-contained flats (4 x 1-bedroom, 2 x 2-bedroom, and 1 x 3-bedroom), with associated landscaping, bicycle storage and refuse storage, alterations to existing vehicular access and new pedestrian access and 7 parking spaces (as per revised plans received on 9 November 2011)

APPLICANT: GIA Michelle Ltd

CONTACT: Arsen Architecture Ltd

PLAN NO'S:
Refer to Condition 2

RECOMMENDATION

To:

- (a) Resolve to Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission

SECTION 106 DETAILS

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

- (a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) A contribution of £3,000 per bedroom (total £33,000), due on material start and, index-linked from the date of committee for Education, Sustainable Transportation, Open Space & Sports and environmental improvements in the local area.
- (c) Prior to Practical Completion enter into a s278/s35 requiring the highway works in May Lane including widening the initial length of May Lane to 4.1m with a 2m footway and to provide a level speed table across May Lane adjacent to the site access in accordance with Plan No: PA-02 Rev C.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement by 28 November 2011.

EXISTING

The application site is located to the rear of Magnolia Court accessed off May Lane. May Lane is an ancient hedgerow lane, pre-dating the nineteenth century which provides pedestrian access to the Barn Hill Open Space and also provides vehicular access to the Preston and Mall Youth and Community Centre. May Lane is accessed off The Mall. The site currently contains 35 garages, which are at present in a very poor condition. Access to the garages would have been via May Lane but the site is currently boarded up.

Residential properties on The Mall and Magnolia Court are sited to the north, east and west of the application property. To the south lies the Preston and Mall Youth and Community Centre.

PROPOSAL

Demolition of existing garages, erection of seven self contained flats (4 x 1-bedroom, 2 x 2-bedroom, and 1 x 3-bedroom), with associated landscaping, bicycle storage and refuse storage, alterations to existing vehicular access and new pedestrian access and 7 parking spaces

HISTORY

05/0635: Full Planning Permission sought for demolition of existing garages, erection of two 3-bedroom dwellinghouses and one 4-bedroom dwellinghouse, with associated landscaping and 5 parking spaces as revised by plans received on 10th June 2005.

The above application was reported to the Planning Committee meeting on 28 June 2005 where members resolved to grant consent subject to the completion of a Section 106 Agreement. The Section 106 Agreement was never completed, and permission was not granted.

04/1917: Full Planning Permission sought for demolition of existing garages, erection of three no. 3-bedroom dwellinghouses and one no. 4-bedroom dwellinghouse, with associated landscaping and parking - Withdrawn, 11 November 2004.

POLICY CONSIDERATIONS

Regional

The London Plan

A revised version of the London Plan was adopted 22 July 2011 and is a material consideration in determining planning applications within the Borough.

Policy 3.5: Quality and Design of Housing Developments

The Design of all new housing developments should enhance the quality of local places, taking to account physical context; local character, density; tenure and land use mix; and relationship with open space.

Local

Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight.

CP18: Protection and Enhancement of Open Space, Sports and Biodiversity

Support will be given to the enhancement and management of open space for recreational, sporting and amenity use and the improvement of both open space and the built environment for

biodiversity and nature conservation. New or improved provision (including improved access) will be sought in areas of deficiency and where additional pressure on open space and outdoor play facilities would be created.

CP21: A Balanced Housing Stock

The Plan seeks to maintain and provide a balanced housing stock by ensuring that new housing appropriately contributes towards the wide range of borough household needs including an appropriate range and mix of self contained accommodation types and sizes, including family sized accommodation capable of providing three or more bedrooms.

Brent UDP 2004

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary Development Plan (UDP), which was formally adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

BE2: Townscape - Local Context & Character

Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces, materials and townscape features that contribute favourably to the area's character and not cause harm to the character and/or appearance of an area.

BE7: Public Realm - Landscape Streetscape

A high standard of landscape design is required as an integral element of development schemes. This should include the retention of existing mature trees, shrubs and hedges, where they form part of the character of the area.

BE9: Architectural Quality

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

H12: Residential Quality - Layout Considerations

Seeks to ensure that all residential development has a high quality layout, has an appropriate level of car parking and features housing facing onto streets. It states that proposals should avoid having an excessive coverage of hardstanding and have an amount and quality of landscaped areas appropriate to the character of the area.

CF6: School Places

Contributions to build new school classrooms and associated facilities will be required where new housing development would worsen or create a shortage of school places.

TRN2: Public Transport Integration

Development proposal should benefit and not harm the operation of the public transport network.

TRN3: Environmental Impact of Traffic

Proposals should not cause or worsen an unacceptable environmental impact from traffic.

TRN10: Walkable Environments

The 'walkability' of the public environment should be maintained and enhanced.

TRN11: The London Cycle Network

Developments should comply with the plan's minimum cycle parking standards (PS16), with cycle parking situated in a convenient, secure and, where appropriate, sheltered location.

TRN23: Parking Standards - Residential Developments

Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.

Supplementary Planning Guidance

Supplementary Planning Guidance 17 – “Design guide for new development” - adopted by the Council in October 2001.

SPG17 sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy and light of adjoining occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

Supplementary Planning Document: "S106: Planning Obligations" - adopted by the Council in October 2007.

Supplementary Planning Document “S106 Planning Obligations”, , updates and expands upon SPG Numbers 17 and 19, and provides the policy backing for the mitigation required to ensure the acceptability of increasing levels of development. The principle point of the SPD is the identification of the required areas for mitigation from new developments and to establish a reasonable level of contribution towards for these areas in the form of a standard charge.

CONSULTATION

Consultation Period: 13/10/2011 - 03/11/2011

Site Notice Displayed: 27/10/2011 - 17/11/2011

Public Consultation

36 neighbours consulted - 12 letters of objection and one petition with 22 signatures received from neighbouring properties, Kenton Homeowners Association, Magnolia Senior Citizens' Club within Preston and Mall Youth & Community Centre, Preston and Mall Youth & Community Centre, QARA Group of Associations and Magnolia Court Residents Association. The following points are raised within the letters of objection:

1. Parking is already a problem in the area and any further development will worsen this problem.
2. Parking problems will be made worse by parking charges coming in on Preston Road.
3. Whether May Lane is adequate for refuse vehicles and emergency vehicles to access the site.
4. Increased traffic using May Lane resulting in increased noise and disturbance.
5. Speeds humps can be noisy when driven over.
6. Concerns as to whether the sewers can cope with the new development and increased flooding.
7. Overdevelopment of the site as there will be too many properties sited on a small piece of land.
8. Greenery along May Lane will be lost as a result of this development.
9. Overlooking from new development into the rear garden and flats within Magnolia Court.
10. Permitted development rights would allow further extensions, such as a loft conversion, in later years which would add to a further loss of privacy to Magnolia Court.
11. Loss of light for the rear gardens and ground floor flats within Magnolia Court
12. Loss of part of the hedgerow.
13. Existing garages contain asbestos and this should be properly dealt with as part of the building works.

Points 1 to 13 above have been discussed within the remarks section below.

The remaining points are discussed below:

14. Concerned with how the boundary between May Lane and the new development will be treated once the garages are demolished. The rear wall of the garages currently form the boundary wall.

As part of any forthcoming planning consent, details of all boundary treatment within the site (including the boundary with Magnolia Court) will be conditioned. Such a condition will require details of the height and materials of all boundary treatments.

15. Inaccuracies within the planning application including the number of garages, number of car parking spaces within Magnolia Court and ownership of Magnolia Court.

Officer assessment of the site in terms of the number of car parking spaces within Magnolia Court has been assessed on observations on site. This is discussed in further detail below within the remarks section. The other inaccuracies regarding the number of garages (36 instead of 35) and ownership of Magnolia Court (privately owned properties) has been noted.

16. Inaccuracies regarding the ownership of the hedgerow along May Lane.

The agent has confirmed that the applicant has sole ownership of the hedgerow. However, it is recommended that a condition is imposed to ensure the required hedgerow is removed prior to any works being carried out on site to ensure the access is provided in accordance with the approved plans.

17. Reference made to restrictive covenants.

Restrictive covenants are not a material planning consideration and therefore can not be considered as part of the assessment of the planning application. Nevertheless, planning approvals do not override restrictive covenants.

18. Section 106 Contributions to go towards Preston and Mall Youth & Community Centre.

An application of this nature does not require the section 106 contributions to be designated to a particular organisation or works within the Borough. The contributions will be used towards education, sustainable transportation, open space & sports and environmental improvements in the local area.

Internal Consultation

Transportation - Refuse store will need to be located closer to the frontage of the site to be within the collection distance for refuse vehicles. Subject to this issue being resolved, the proposal can be supported, provided that a Section 106 Agreement is secured for the highway works proposed within May Lane and a financial contribution of £7,500 towards off-site sustainable transport improvements.

Environmental Health - Suggested conditions provided as the site may contain contaminated soil and in relation to asbestos.

Landscape Team - No objections in principle, although some areas of amenity space too narrow to be practically used.

Tree Protection Officer - Recommended the removal of the large Ash Tree on the northern side of the proposed site and a replacement semi mature tree.

Requested a suitable Arboricultural Method Statement and Tree Protection Plan for the remaining Ash Tree along the northern boundary as a result of the location of the bin store.

External Consultation

Environment Agency - No objections

Thames Water - Recommended that standard wording with regards to surface water drainage is included as part of any forthcoming planning consent.

REMARKS

Introduction

This application seeks planning permission to demolish the existing garages within the site and erect a two storey building to accommodate 7 self contained flats. The proposal also includes alterations to existing vehicular access off May Lane and new pedestrian access further up May Lane which will result in the loss of part of the hedgerow. Within the application site itself, there will be 7 car parking spaces, bicycle storage and refuse storage together with associated landscaping.

Principle of Development

The principle of a residential development has already been established on this site. As discussed within the planning history section above, members resolving to grant consent for the previous application (LPA Ref: 05/0635) at the Planning Committee meeting on 28 June 2005. The planning consent was not however issued as the Section 106 Agreement was not completed.

Since the consideration of the previous application, there has not been any material policy changes with regards to this site, with the exception of SPD: "S106: Planning Obligations". As such a residential development is still considered acceptable in principle. The difference with this scheme compared to the 2005 applications that it is for an increased number of units (7 flats instead of 3 houses). The implications that a more intensive development could have upon the quality of the proposed accommodation, increased car parking and refuse requirements, and impact upon neighbouring amenity is discussed in detail below.

Design and Layout

The design of the building is similar in appearance to that considered by members as part of the 2005 application. It still comprises a two storey gable-end pitched roof terrace with minimal

elevation detailing and facade elements. The current scheme does however include a number of minor variations. This includes the gable-end being handed so that the roof now slopes away from Magnolia Court. The footprint of the building has also slightly been revised with the building set in further from the boundary with Magnolia Court by 0.9m. This was requested to improve the level of amenity for the occupiers of Magnolia Court and is discussed in further detail below. Its depth has also increased from 10.2m to 13.2m, thus bringing it closer to the frontage of the development and rear boundary with Preston and Mall Youth & Community Centre. The single storey element is also closer to the boundary with May Lane by 0.8m and the main building is marginally closer to the boundary with May Lane by 0.15m. These alterations are considered minor and do not materially alter the appearance of the building, the quality of the proposed accommodation, existing landscaping or neighbouring amenity. The latter two points are considered in further details below.

As discussed within the report presented to committee on 28 June 2005, the scheme was deemed satisfactory as the overall design of the development did not detract from the character of the adjoining post war Kenton Hill estate and the location of the site which is not clearly visible from the main street frontage. As the design which is now proposed is not significantly different in its appearance or footprint to the previous scheme, these comments still stand.

To ensure that the external appearance of a high quality, details of external materials for the walls, roof and windows are recommended to be conditioned as part of any forthcoming planning consent.

Unit mix and quality of accommodation

Mix of units

This application proposes seven self contained flats. The ground floor will contain 2 x 2-bedroom flats and 1 x 3-bedroom flat. The upper floor will contain 4 x 1-bedroom flats. This mix is broadly considered acceptable. The family sized unit (3 - bedroom flat) will be sited at ground level with direct access to private external amenity space.

Internal floor space standards

The following table set out the floor area of each unit together with the guidance on minimum floor areas for different size of units as set out within SPG17 and The London Plan.

| Flat No | Internal Floor Area (sqm) | SPG17 guidance (sqm) | London Plan guidance (sqm) |
|--------------------------|----------------------------------|-----------------------------|-----------------------------------|
| Flat 1 (2 bed 3 person) | 57 | 55 | 61 |
| Flat 2 (2 bed 3 person) | 56 | 55 | 61 |
| Flat 3 (3 bed 5 person) | 81.6 | 80 | 86 |
| Flat 4 (1 bed 2 persons) | 45.2 | 45 | 50 |
| Flat 5 (1 bed 2 persons) | 45 | 45 | 50 |
| Flat 6 (1 bed 2 persons) | 46 | 45 | 56 |
| Flat 7 (1 bed 2 persons) | 46 | 45 | 50 |

All of the units meet the minimum internal floor area standards set out in SPG17. Whilst it is noted that they fall short of the minimum requirements set out within The London Plan, the shortfall is not considered to be significant. Furthermore, the 3-bedroom flat has access to its own private external amenity space and the remaining units have access to a communal garden. This shortfall is not considered in itself sufficient as to warrant a reason for refusal.

Outlook and privacy

All of the proposed flats will have adequate levels of outlook from habitable rooms (bedrooms, kitchens, living/dining rooms) and adequate levels of light to these rooms. Whilst it is noted that the ground floor unit that fronts onto the communal amenity space will face onto a buffer that divides this unit from the communal amenity space, the purpose of this buffer is to be separation and privacy for the occupiers of the ground floor flat and is considered to provide an acceptable standard of amenity for future occupiers. Details of the buffer and its height are recommended to be conditioned as part of any forthcoming planning consent.

The privacy of each of the units is not considered to be compromised by surrounding properties or from overlooking between different flats within the development.

External Amenity Space

The ground floor 3-bedroom flat will be provided with its own private external amenity space. This area is proposed at 100sqm which significantly exceeds the minimum requirements within SPG17 which requires 50sqm. The remaining flats will have access to a communal rear amenity space. This area is proposed at 150sqm. SPG17 requires each flat to have access to 20sqm of communal amenity space. In this case a minimum of 120sqm of communal amenity space is required. The proposed communal amenity space is 150sqm which exceeds minimum requirements.

Impact on neighbouring properties

Outlook

SPG17 sets out general guidance for the massing of new buildings, to ensure they do not have an overbearing impact on the neighbouring properties and avoid unnecessary overshadowing. In general, the building envelope should be set below a line of 30 degrees from the nearest rear habitable-room window of adjoining existing properties, measured from height of 2m above floor level. The development falls below a line drawn at 30 degrees from the rear habitable rooms within Magnolia Court and therefore complies with SPG17.

SPG17 goes on to say that where proposed development adjoins private amenity/garden area, then the height of the new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m. The proposed development generally sits below this line when measured from the rear gardens within Magnolia Court, with the exception of part of the overhanging gutter. This shortfall is not considered to have a detrimental impact upon the amenities of the residents within Magnolia Court. Furthermore, the building is now sited further away from Magnolia Court and the roof of the building is now sloping away from Magnolia Court. This has less of an impact than the previous scheme.

Privacy

SPG17 sets out the standards of privacy levels between existing properties for new developments. It requires a minimum distance of 20 metres between directly facing habitable rooms and a minimum distance of 10 metres between habitable-room windows on the rear elevation and rear boundary or flank wall of adjoining development. The building does not contain any windows within the flank elevation fronting Magnolia Court. The other flank elevation that fronts May Lane and the rear garden of No. 237 The Mall contains windows at ground level but not first floor level. The hedgerow will obscure views from the ground floor windows.

A number of objectors have raised concerns with potential future overlooking from subsequent alterations/additions to the building. As the building will contain flats, it does not benefit from permitted development rights therefore any alterations/additions, such as insertion of windows on the flank elevation or loft conversions, will require the benefit of planning permission.

Noise and Disturbance

Local residents have raised concerns with increased noise and disturbance as a result of increased traffic movement within the site and vehicles travelling along May Lane. The vehicular access from The Mall already exists with vehicle currently travelling up to Preston and Mall Youth & Community Centre and the level of car parking and associated movements is significantly less than the existing use of the site as garages (although it is recognised that the garages have not been in use for a number of years). On this basis, it is not considered that the proposal will materially harm the amenities of surrounding residential properties.

Landscaping

The row of Hawthorns and three Ash Trees on the northern side of the application site are subject to the May Lane Kenton Tree Preservation Order, made in September 2004. This coincided with the previous application on the site. The proposal shows the removal of 4m, of the protected hedgerow and a tree located at the entrance of the site in order to meet transportation requirements for a safe access for pedestrian and vehicular traffic. It is considered that the redevelopment of the derelict and disused garages for the purpose of residential development is seen as an improvement to the amenity and appearance of the locality. As discussed within the previous scheme, officers in the Landscape Team also considered this point to be valid and that the benefits of the development outweigh the loss of a small section of hedgerow and the Ash Tree.

The Council's Tree Protection Officer has advised that if the proposal were to go ahead, the tree preservation order would not provide sufficient protection for the larger Ash Tree (listed as T3 in the Arboricultural Impact Assessment produced by Russell Ball & Associates). Technically, the build could go ahead without harming the important root zone of the tree, however, the canopy or above ground parts of the tree that protrude into the application site would have to be so heavily pruned as to render the tree an amenity eyesore. The works would also have to be repeated on a relatively regular basis in order to keep the remainder of the tree within bounds. It should be noted that such a situation would have occurred with the previous scheme (LPA Ref: 05/0635), despite the building being marginally further away from the tree. It is therefore recommended that the Ash Tree is removed and replaced with a semi mature tree in a more suitable location (the south east end) within the line as listed as Area 1 on the tree preservation order. It is recommended that the replacement tree is secured through a planning condition to any forthcoming planning consent.

It should also be noted that the proposed bin store for the development is located within the top north west corner of the site, and encroaches upon the root protection area of the Ash Tree listed within the Arboricultural Impact Assessment as T1. The Tree Protection Officer has advised that he has no objections to the proposed location of the bin store, subject to a suitable Arboricultural Method Statement and Tree Protection Plan being provided. Such details are recommended to be conditioned as part of any forthcoming planning consent.

In addition to the external amenity space provided on site, pockets of landscaping are proposed within the front forecourt of the development. Further details of the landscaping are recommended to be conditioned as part of any forthcoming planning consent.

Highway considerations

Car Parking

The plans have been amended during the course of the application to increase the number of car parking spaces within the site from 6 to 7 spaces. This is in response to objections raised by local residents and following on from officer site visit where it was observed that there is a high demand for on-street parking in this area. The level of parking accords with the Council's standards as set

out within standard PS14 of the UDP, and is also considered acceptable given that the site has moderate access to public transport services with The Mall servicing bus routes 79 and 204, and Preston Road Tube Station in close proximity.

Alterations to the access

The existing vehicular access into the site from May Lane is not ideal, being narrow and parallel to May Lane, resulting in poor visibility. Improvements are therefore required to improve the safety of this access to serve seven flats. It is proposed to widen the initial length of May Lane to 4.1m with a 2m footway and to provide a level speed table across May Lane adjacent to the site access to facilitate safer access and egress for vehicles and pedestrians. Such works will need to be carried out under an Agreement under Section 278 of the Highways Act 1980 and the requirement for this will need to be secured through the Section 106 Agreement.

The first 4m of hedgerow are also proposed to be removed together with a tree at the site entrance. This is required to improve visibility splays. The loss of landscaping is discussed in detail above. The plans originally proposed a speed hump within the site, but have since been removed in response to resident objections. Given the narrowness of the site at this point, officers in Highways have advised that the speed hump is not necessary as vehicles will be forced to slow down due to the narrowness of the access.

Refuse

The bin store was originally proposed at the rear of the site. Officers in Highways have advised that the bin store could not be supported in this location, as it was likely to require refuse vehicles to reverse an unacceptably long distance along May Lane (75m as opposed to the recommended maximum of 12m).

In response, the bin store has been relocated within the frontage of the site. It is within 18m of the refuse vehicle collection point location, whereby refuse vehicles will reverse up to 12m into the site. The maximum collection point distance set out in the Council's document titled "Waste and Recycling Storage and Collection Guidance" is 20m for 240l bins.

The guidance requires a bin store within a development of this size to accommodate the following capacity:

- 770l for residual waste (7 x 110l per unit)
- 770l per unit for dry recycling (7 x 110l per unit)
- 161l per unit for organic waste (7 x 23l per unit)

The above capacity will need to be accommodated within 240l bins. The bin store shown within the revised plans will accommodate 4 x 240l bins for residual waste, 4 x 240l bins for dry recycling and 3 x 240l bins for organic waste. This exceeds minimum requirements with regards to organic waste. It is therefore recommended that a condition is secured to reduce the amount of capacity for organic waste together with details of the design (including elevations and materials) for the bin store. This will reduce the overall size of the bin store.

Bicycle

Seven bicycle spaces are proposed within the site, within a cycle store. The level of cycle parking is considered sufficient for the development meeting the requirements set out within standard PS16 of the UDP. Further details of the design and details of the bicycle store (including elevations and materials) are recommended to be conditioned.

Flood Risk

The site itself is not located within a flood risk area, but the entrance to the site is located within Flood Zone 2. The Environment Agency provide standing advice for development of this nature. The relevant form has been completed by the applicant. The Environment Agency have confirmed that they have no comments to make based on the information provided.

Contaminated Land and Asbestos

Officers in Environmental Health have advised that given the previous use of the land for domestic garages, the potential for underlying soil contamination exists, that may require remedial action before being suitable for the proposed residential use. It is therefore recommended that conditions are secured for a site investigation to be carried out to determine the nature and extent of any soil contamination present. If such contamination is found, a verification report is required to be submitted to confirm that the remediation measures have taken place.

A number of objections have raised concerns with potential asbestos within the garage buildings. This matter is generally covered by the Health and Safety Executive rather than the Council. However, it is recommended that an condition is attached to any forthcoming planning consent requiring documentary evidence that all asbestos containing material is removed from the site.

Conclusions

The proposal redevelops an under-utilised site, adding to the Borough's housing stock. The scheme meets the current relevant standards and policies in terms of parking provision, residential amenity and the protection of adjoining residents. The proposed scheme is in accordance with local and regional policies, and therefore is recommended for approval, subject to a Section 106 Agreement.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

The London Plan
Brent's Core Strategy 2010
Brent UDP 2004
Supplementary Planning Guidance 17 – “Design guide for new development”
Supplementary Planning Document: "S106: Planning Obligations"

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

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

CONDITIONS/REASONS:

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

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

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

PA-01 Rev A
PA-02 Rev E
PA-03 Rev D
PA-04 Rev D
PA-05 Rev D
PA-06 Rev D
PA-07 Rev D

Design and Access Statement

Transport Statement prepared by Paul Disney - Highway, Road Traffic & Road Safety Consultant

Arboricultural Impact Assessment produced by Russell Ball & Associates

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

- (3) All of the parking spaces shown on approved plan ref: PA-02 Rev E shall be provided and permanently marked out prior to first occupation of any of the units approved. Such works shall be carried out in accordance with the approved plans and thereafter shall not be used for any other purpose, except with the prior written permission of the Local Planning Authority obtained through the submission of a planning application.

Reason: To ensure a satisfactory development which contributes to the visual amenity of the locality and which allows the free and safe movement of traffic throughout the site and to provide and retain car parking and access in the interests of pedestrian and general highway safety and the free flow of traffic within the site and on the neighbouring highways.

- (4) No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the flank wall of the building without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- (5) Prior to commencement of any works on site (including demolition and site clearance), the 4m hedgerow and tree located at the entrance of the site shall be removed in accordance with the details shown on the approved plans.

Reason: To ensure that an appropriate access to the site can be provided.

- (6) Details of materials for all external work (including walls, roof and windows), together with samples where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (7) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site. Any approved planting, turfing or seeding included in such details shall be completed in

strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (i) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction.
- (ii) the location of and details of any external lighting.
- (iii) proposed boundary treatments (including the boundary with Magnolia Court) with details of walls and fencing, indicating materials and height;
- (iv) all planting including location, species, size, density and number;
- (v) details of the replacement semi mature tree that replaces Ash Tree T3. This tree should be located within the south east end within the line as listed as Area 1 on the tree preservatin order. The replacement tree should be a minimum size 20-25cm.
- (vi) any sustainable construction methods which are to be used;
- (vii) a detailed (minimum 5-year) landscape-management plan showing requirements for the on-going maintenance of hard and soft landscaping.

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 positions, unless the Local Planning Authority first gives written consent to any variation.

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

- (8) Notwithstanding the submitted plans otherwise approved, further details of the refuse storage for the residential units including details of storage for residual waste, dry recycling and organics for 7 units together with elevation and floor plans and details of external materials shall be shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The works shall thereafter be carried out fully in accordance with such approved details prior to the first occupation of the units hereby approved.

Reason: To ensure a satisfactory environment is provided for existing and proposed occupiers.

- (9) Notwithstanding the submitted plans otherwise approved, further details of the bicycle store to accommodate 7 bicycle spaces together with elevation and floor plans and details of external materials shall be shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The works shall thereafter be carried out fully in accordance with such approved details prior to the first occupation of the units hereby approved.

Reason: To ensure a satisfactory environment is provided for existing and proposed occupiers.

- (10) An Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837:2005 in relation to the siting of the proposed bin store next to Ash Tree (T1) as identified within the Arboricultural Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. Works shall be carried out in full accordance with the approved tree-protection plan and construction method statement. Works shall not commence on site until the Local Planning Authority has been on site and inspected the required tree protection measures.

Reasons: To ensure that the existing trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained as an integral feature of the development and locality and kept in good condition.

- (11) (a) A site investigation shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. It shall be carried out by competent persons to determine the nature and extent of any soil contamination present on site, and shall include the results of any research and analysis as well as an assessment of the risks posed by the contamination and an appraisal of remediation options required to contain, treat or remove any contamination found. Any remediation measures shall be carried out in full.

(b) If remediation measures are required as identified within the site investigation above, a verification report stating that remediation has been carried out in accordance with the approved remediation scheme and that the site is permitted for end use shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the units hereby approved.

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use.

- (12) The applicant shall ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. All asbestos-containing materials shall be removed from the site and documentary evidence provided to the Local Planning Authority prior to the commencement of any demolition works.

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use.

INFORMATIVES:

- (1) The applicant is advised that construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:

Monday to Fridays 08:00 to 18:00

Saturday 08:00 to 13:00

At no time on Sundays or Bank Holidays

- (2) With regards to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

REFERENCE DOCUMENTS:

The London Plan
Brent's Core Strategy 2010

Brent UDP 2004
Supplementary Planning Guidance 17 – “Design guide for new development”
Supplementary Planning Document: "S106: Planning Obligations"
Letters of objection

Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337