

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 November, 2018
04
18/0696

SITE INFORMATION

RECEIVED	21 February, 2018
WARD	Willesden Green
PLANNING AREA	Brent Connects Willesden
LOCATION	Access to 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10
PROPOSAL	Erection of new block to provide 2 self-contained flats (2 x 1 bed) with refuse and cycle store
PLAN NO'S	0496-T-300.01 RevC 0496-T-100.04 RevB 0496-T-200.01 0496-T-000.01
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_138686</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 "18/0696" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the committee resolve to grant planning permission subject to the conditions set out below.

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 for commencement
2. Undertaken in accordance with approved drawings/documents
3. Car free development restriction
4. Works to reinstate footway
5. No use of flat roof as amenity area
6. Permitted Development Rights Restricted for C4 (small HMO) Change of Use
7. No clear glazing within the flank walls
8. Approval of materials
9. Details of cycle storage
10. Contaminated land investigation
11. Construction Method Statement
12. Landscaping scheme to be agreed
13. Details of surface water drainage to be agreed

Informatives

1. Works to be carried out to the specification of the Local Highways Authority
2. Contact Highways and Infrastructure regarding highway works
3. Fire safety
4. London Living Wage
5. Imported soil requires a certificate
6. Possibility of asbestos in the existing buildings
7. CIL liability

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 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.

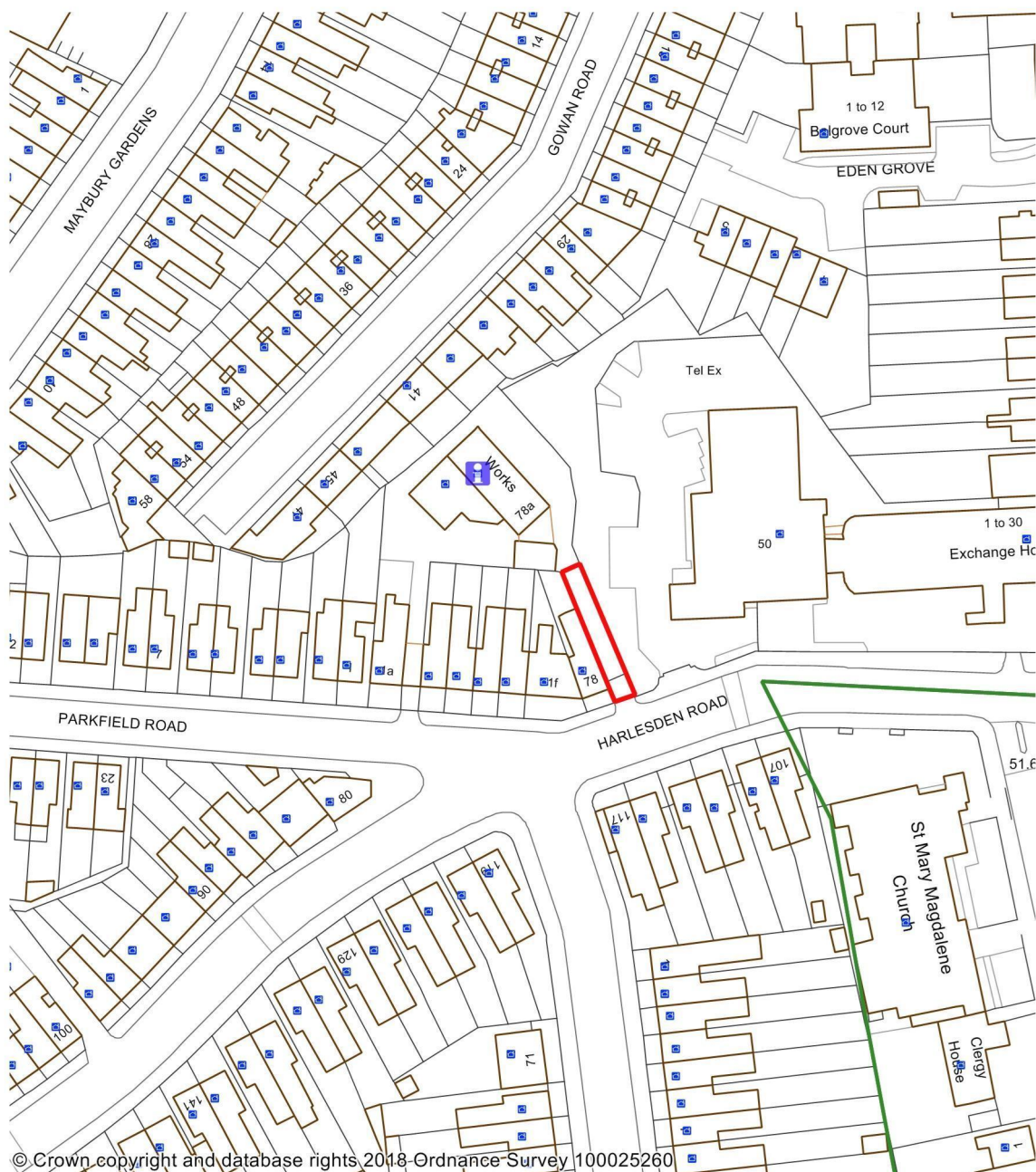
SITE MAP



Planning Committee Map

Site address: Access to 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10

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This map is indicative only.

PROPOSAL IN DETAIL

The application seeks permission for the erection of a two-storey end of terrace building, to attach to the existing end of terrace house (no.78 Harlesden Road). The building would comprise two 1-bedroom flats, one on the ground floor and one on the first. The building and garden would occupy the width (4.1m) and depth (26m) of the now redundant access from Harlesden Road to the builder's yard to the rear Parkfield Road.

The proposed building's frontage would align with that of 78 and is designed with a pitched, gabled roof to its front section with the rear section set under a flat roof. The roof's front pitch would align with that of 78. The ridge height would be set 0.6m lower than that of 78 to enable the rear pitch to fall away beneath two side facing windows of 78's rear dormer extension. On the side elevation a small set back of 0.1m articulates the gable part of the building from the remaining flat roof rear part. The first floor of the flat roof section also falls away at a slight pitch to provide further visual delineation. The building's rear elevation would be set back from 78's rear building line by 0.3m.

The building is designed with full height front bay window with small gable to reflect the frontages of no.78 and the adjoining terrace. A frontage depth would match adjoining properties would provide space for bin and cycle storage.

Amended plans were received on 11/10/2018 which have slightly altered the roof design on the rear of the building to avoid the need for any alterations to the roof and eaves of number 78. Due to the minor nature of this alteration consultation was not necessary.

EXISTING

The application site comprises the length and width of an existing access from Harlesden Road to the builder's yard set to the rear of Parkfield Road (subject of concurrent application 18/1217). The area is defined by 78 Harlesden Road on its west boundary and its fence boundary with the telephone exchange premises on its east side. The access is not in use by the builder's yard and it appears to have been disused for a considerable period.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

Principle

The site comprises previously developed brownfield land. The proposal would add to the Borough's dwelling stock at a site with reasonable accessibility to public transport and located close to the facilities and services of Willesden District Centre.

Standard of accommodation

It is considered that the scheme would provide a good standard of accommodation, generally consistent with Development Plan policies in terms of internal and external space and quality of living environment.

Design / character and appearance

Subject to approval of details of proposed external materials, it is considered that the proposal would be in keeping with the appearance and character of its townscape context.

Impact on neighbouring amenity

It is considered that the proposal will result in no material harm to the amenities of neighbouring occupiers in terms of impacts on privacy, light and outlook.

Highways / parking

Subject to conditions to secure a parking permit restriction for future residents, reinstatement of the footway and cycle storage details, it is considered that the proposal is acceptable in highways and transport terms.

RELEVANT SITE HISTORY

18/0581: Prior approval of change of use from storage or distribution (Use Class B8) to five self-contained flats (Use Class C3).

Prior Approval granted 29 June 2018.

This application related to the rear builder's yard behind Parkfield Road, subject of concurrent application 18/1217, and the site included both accesses to the yard, one from Parkfield Road and one from Harlesden Road. The application site under consideration comprises the area of the Harlesden Road access (now not in use).

11/3115: Change of use from Use Class B8 (storage or distribution) to Use Class B2 (general industrial). Planning permission refused 26 April 2012.

CONSULTATIONS

External:

The owner/occupiers of 22 adjacent properties were notified by letter of the application.

A petition of objection was submitted stating adverse effects on neighbours and area. In addition 3 letters of objection were received. One of these though quoting reference 18/0696 was actually commenting on the impact of the development of the building yard to the rear of the site, and those comments are considered in the report on application 18/17. Comments and officer responses are set out below:

Comment	Officer response
Harlesden Road has very limited parking, yellow lined, overloaded stretch of road, already very congested, unable to cope with existing volume and proposal will make parking impossible.	These comments are addressed in the assessment section of the report. A car free condition will secure that future occupants are not eligible for permits within the Controlled Parking Zone.
Suggest single unit with off street parking, applicant should submit joint scheme with yard to rear with fewer units and with off street parking, should be family units sympathetic to character of area.	The Council is required to consider the proposed development as shown within the application submission. The merits of the proposal have been considered and are set out in this report.

Internal:

Transportation:

No objection subject to conditions to secure the following:

- (i) designate the flats as car-free and remove the right of future occupants to on-street parking in the vicinity of the site;
- (ii) reinstate the redundant crossover to the site to footway at the developer's expense prior to occupation of the development; and
- (iii) provide further details of secure, covered bicycle parking spaces for the flats, there would be no objections on transportation grounds to this proposal.

Environmental Health

No objection subject to the use of conditions to address:

- (i) potential contamination, given the present and historical uses of the site. These would require submission and approval of an intrusive investigation report, to include remediation measures where these are found to be necessary, and subsequent validation of implementation of any such measures approved; and
- (ii) construction impacts, through the approval and implementation of a construction method statement.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan comprises the London Plan 2016, Brent Core Strategy 2010 and the Brent Development Management

Policies DPD 2016.

The National Planning Policy Framework 2018 is also a material consideration.

Development Plan policies relevant to the application are set out below:

London Plan 2016

Policy 3.3: Increasing housing supply

Policy 3.4: Optimising housing potential

Policy 3.5: Quality and design of housing developments

Policy 3.8: Housing choice

Policy 3.9: Mixed and balanced communities

Policy 7.4: Local character

Local Plan

Core Strategy 2010

CP 2: Population and Housing Growth

CP5: Placemaking

CP6: Design and density in placeshaping

CP17: Protecting and enhancing the suburban character of Brent

CP21: A balanced housing stock

Development Management Policies 2016

DMP1: Development Management General Policy

DMP12: Parking

DMP14: Employment sites

DMP18: Dwelling size

DMP19: Residential amenity space

Supplementary Planning Guidance

SPG17: Design guide for new developments 2001

Draft SPD1: Brent Design Guide 2018

Further material consideration:

Draft London Plan 2018

DETAILED CONSIDERATIONS

Principle

1. The site comprises previously developed brownfield land and as such its development is acceptable and encouraged in principle, subject to the assessment of the remainder of the material planning considerations. The proposal would add to the Borough's dwelling stock at a site with reasonable accessibility to public transport and located close to the facilities and services of Willesden District Centre. The site comprises an access to an employment site which appears to have been in disuse for some time. The occupier of the employment site intends to relocate and prior approval permission has been granted for residential use of that site. An application for full permission for a residential development is considered elsewhere on this agenda (application reference 18/1217).
2. The principle of development is accepted. The merits of the proposal are considered below.

Standard of accommodation

3. Policy 3.5 and Table 3.3 of the London Plan (and Policy DMP18 of the Local Plan) require the minimum gross internal area of a new 1b1p flat to be 37 sqm gross internal area (GIA) for a unit with a shower room (as is proposed). The ground floor flat would be 40.9sqm GIA and the first floor flat 48.0sqm GIA. The proposed internal space for each flat therefore exceeds the policy requirement.
4. Policy DMP19 of the Development Management Policies DPD seeks adequate provision of private external amenity space for new dwellings. For flats 20sqm is sought. The proposed ground floor flat would have access to a rear garden of 29.9sqm, exceeding the policy requirement. Given the constraints of the small, narrow site the first floor flat would have no external amenity space. While this does not meet the 20 sqm requirement, the unit is considerably larger (11 sqm) than the minimum space requirement and the provision of additional internal space is considered to mitigate the lack of external space in this specific instance, particularly given that the proposal is for a one person dwelling.
5. All the proposed dwellings would be dual aspect with pleasant outlooks. The new properties would have good internal areas with floor to ceiling heights of 2.5m are achieved in accordance with the Mayor's Housing SPG.
6. It is considered that the scheme would provide a generally good standard of accommodation and be generally consistent with relevant Development Plan policies.

Design / character and appearance

7. Due to the restricted width of the site the proposed house will be narrower than that of the existing terrace. Notwithstanding that it is considered that the design and street scene impact would be acceptable. The full height bay window with gable, and the roof pitch would mirror features of the neighbouring and adjacent properties. The main view of the building would be from the approach along Harlesden Road from where it would be largely obscured by mature trees along the telephone exchange's frontage, and when viewed would be seen against the existing bulk of no.78. A condition should reserve details of proposed brick and roof materials.
8. Subject to this it is considered that the proposal would be visually acceptable and comply with relevant Development Plan policies.

Impact on neighbouring amenity

9. The primary windows of the proposed flats face the front and rear. While such windows would allow oblique views of adjoining gardens, this situation is typical of terraced houses across the country and the level of overlooking is not considered to be unduly detrimental to adjoining residents. There are windows in the side elevation facing the telephone exchange. This would not result in a loss of privacy but could affect the development potential and operation of that property. It is therefore recommended that the flank wall windows are required to be obscure glazed and fixed closed or high level opening only.
10. The pitched roof is designed such that it falls away beneath the two side facing windows of 78's rear dormer extension so that no undue adverse impact on light or outlook to these would occur.
11. Given the new building's position on the west side of no.78 some impact on sunlight received by this neighbour's north facing garden is likely. However, it is considered that the design of the rear of the new building as flat roof with a slight setback from 78 will ensure that any impact is not unduly harmful. It is also the case that shading will already occur to some degree by the mass of the adjoining telephone exchange building and the trees along its frontage.
12. The proposal is considered acceptable in terms of neighbour amenity and to comply with relevant Development Plan policies.

Highways / parking

13. The site falls within a Controlled Parking Zone. Extensive double yellow lines are located in the vicinity of the site to protect highway safety close to adjacent road junctions and to maintain the free flow of buses. The impact of the proposal on parking conditions in the area is therefore a potential concern. The site has a moderate rating for public transport access (PTAL3), but is only marginally beyond the walking distance threshold of 960m to Willesden Green station that would lift its PTAL rating to 4. There are nine bus services within an eight minute walk. The site is close to the facilities and services of Willesden

District Centre. As such, it is considered that a car-free agreement is appropriate. A condition is proposed to secure this.

14. The London Plan requires a secure bicycle parking space for each flat and a bicycle stand for two bikes is proposed within the site frontage. However, this does not provide suitable shelter and security for the bikes and revised details showing a locker for the bicycles are sought as a condition of any approval.
15. Bin storage is also shown within the front garden of the site, allowing easy collection of refuse from Harlesden Road.
16. Subject to appropriate conditions, including a requirement for reinstatement of the access to footway with full height kerb, it is considered that the proposal is acceptable from a transportation viewpoint and would comply with relevant Development Plan policies.

Conclusion

17. The proposal is considered acceptable and it is recommended that permission be granted subject to the proposed conditions. The concern of local residents regarding parking congestion in the locality is acknowledged, but it is felt a condition to secure a car free development adequately addresses this concern.

Equalities

In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

CIL DETAILS

This application is liable to pay **£30,557.95*** 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): 93 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	93	0	93	£200.00	£35.15	£25,990.18	£4,567.77

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)	313	
Total chargeable amount	£25,990.18	£4,567.77

*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: 18/0696

To: Mr Ian Coward
Collins & Coward
The Courtyard
9A East Street
Coggeshall
CO6 1SH

I refer to your application dated **21/02/2018** proposing the following:

Erection of new block to provide 2 self-contained flats (2 x 1 bed) with refuse and cycle store

and accompanied by plans or documents listed here:

0496-T-300.01 RevC
0496-T-100.04 RevB
0496-T-200.01
0496-T-000.01

at **Access to 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10**

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: 26/10/2018

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 Development Plan. The Development Plan comprises the London Plan 2016, Brent Core Strategy 2010 and Brent Development Plan Policies 2016.-

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The applicant took pre-application advice and the proposal accords with policies and guidance.

CONDITIONS

- 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 drawings:

0496-T-300.01 RevC
0496-T-100.04 RevB
0496-T-200.01
0496-T-000.01

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

- 3 Occupiers of the dwellings 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 as 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. 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 units.

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.

- 4 The development shall not be occupied unless the existing footway crossover to the site has been reinstated back to footway to the satisfaction of the Local Highway Authority.

Reason: In the interest of the streetscene and the amenity of the area, and of the free flow of pedestrians on the footway.

- 5 The flat roof part of the building hereby approved shall not at any time be used as an external amenity / sitting out area.

Reason: To protect the privacy of adjacent residents.

- 6 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and

re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space in the front garden to accommodate additional bin or cycle storage.

- 7 The windows in the flank walls of the building hereby approved shall be glazed with obscured glass and shall be fixed closed or high level opening only (at least 1.7 m above finished floor level in the associated room or space) and shall be maintained as such for the life of the development.

Reason: Due to the proximity of the windows to the property boundaries, to ensure that the development does not restrict the potential of the adjoining site.

- 8 Details of materials for all external work, including samples which shall be made available for viewing on site (or in another location as agreed), 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.

- 9 Notwithstanding the submitted plans, details of secure and covered cycle storage shall be submitted to the Local Planning Authority for approval in writing prior to first occupation of the development. The approved cycle storage shall be provided prior to first occupation of the development and permanently maintained, kept free from obstruction, and available for the parking of cycles only.

Reason: To provide adequate cycle storage facilities in the interest of promoting sustainable travel.

- 10 Part 1: Investigation

Prior to the commencement of building works (excluding any demolition or site clearance), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and 'Model Procedures of for the Management of Land Contamination - Contaminated Land Report 11' (CLR 11). A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. Works shall not commence (excluding any demolition or site clearance) unless the report has been approved in writing by the Local Planning Authority.

Part 2: Remediation and verification

Any soil contamination remediation measures required by the Local Planning Authority pursuant to part 1 shall be carried out in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site

- 11 No development shall take place, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) The parking of vehicles of site operatives and visitors;
- (ii) Loading and unloading of plant and materials;

- (iii) Storage of plant and materials used in constructing the development;
- (iv) Measures to control the emission of dust and dirt during construction;

Reason: To protect residential amenity and ensure the development does not have an adverse impact on the highway.

- 12 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the approved development. The scheme shall include details of:
1. Planting, including a planting plan detailing plant species, size, location and number/density;
 2. Walls / fences / means of enclosure;
 3. Any levels or contouring within the site;
 4. Hard landscaping, including materials and any proposed furniture;
 5. Drainage;

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

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

- 13 Prior to the commencement of above ground works, details of surface water drainage associated with the development shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details prior to first occupation of the development.

Reason: In the interest of surface water management and localised flooding.

INFORMATIVES

- 1 Any works to the adopted highway must be undertaken by the Council as the Local Highway Authority. Should the development be carried out, the applicant should contact the Council's Highways and Infrastructure service to arrange for the works to be undertaken 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 Council recommends that the maximum standards for fire safety are achieved within the development.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development
- 5 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 6 Given the age of the building to be refurbished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must 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.

- 7 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.

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