

 **Planning Committee Map**
Site address: Meera House, 146-150 Stag Lane, London, NW9 0QR
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This map is indicative only.

RECEIVED: 4 January, 2012

WARD: Queensbury

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Meera House, 146-150 Stag Lane, London, NW9 0QR

PROPOSAL: Demolition of No.s 1 and 3 Tintern Avenue and construction of two storey building to provide a 10 bed (net increase of 9 bedrooms) extension to Meera Nursing Home with ground and first floor link to existing home, replacement laundry facilities and associated works as revised by plans received 23/02/2012.

APPLICANT: Meera Care Ltd.

CONTACT: CLA.

PLAN NO'S:
See 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 £5,000, index linked from the date of committee and due on material start for sustainable transportation and public realm improvements in the local area.

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.

EXISTING

The subject site comprises the existing 54-bedroom 2-storey residential care home located on Stag Lane at the junction shared with Tewkesbury Gardens, and the pair of 2-storey semi-detached dwellings located to the rear of the care home Nos. 1 and 3 Tintern Avenue, NW9. The surrounding uses are residential. The site does not contain a listed building and is not located within a conservation area.

PROPOSAL

Demolition of No.s 1 and 3 Tintern Avenue and construction of two storey building to provide a 10 bed extension to Meera Nursing Home with ground and first floor link to existing home, replacement laundry facilities and associated works.

HISTORY

Full site history

Address: Meera House, 146-150 Stag Lane, London, NW9 0QR

11/2072: Demolition of Nos. 1 & 3 Tintern Avenue and construction of two storey building to provide a 10-bedroom extension to Meera Nursing Home with ground and first floor link to existing nursing home, and associated landscaping and boundary treatments (revised description 07/09/2011) – withdrawn 20/10/2011

05/1766: Full planning permission sought for erection of conservatory at rear of building – granted 12/08/2005

96/1654: Full planning permission sought for erection of single-storey rear extension and 2-storey front extension to provide entrance porch and bay windows, erection of first-floor extension to rear, with roof alterations, including front dormer window, to provide extension to elderly persons' home – granted 03/12/1996

93/0452: Full planning permission sought for erection of three storey side extension and single storey rear extension (revised plans received 23.06.93) – granted

89/1646: Full planning permission sought for removal of condition 11 of of p.p. 87/2878 + erec. of garage – granted 09/01/1990

88/2780: details pursuant to cond 4 of p.p. dtd 10may 88, ref 87/2828

87/2878: Full planning permission sought for erec of part 2/storey, part 1st flr side & rear extns, & s/s side extn & prov of escape staircase, car pkgng & c/use to home for elderly – granted 10/05/1988

89/1733: det/ pursuant to cond.4 (materials) of p.p. 87/2878 dated 100589 for erect. Of part 2 +1st floor side +rear extns. +s.s ext. prov. Of escape staircase, car parking + c/u to home for elderly – granted 14/12/1989

POLICY CONSIDERATIONS

Adopted Brent Unitary Development Plan 2004

STR14 New development will be expected to make a positive contribution to improving the quality of the urban environment.

BE1 Requires the submission of an Urban Design Statement for all new development proposals on sites likely to have significant impact on the public realm or major new regeneration projects.

BE2 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.

- BE3 Proposals should have regard to the existing urban grain, development patterns and density in the layout of the development sites, and should be designed to ensure that spaces are satisfactorily enclosed by the built form; its layout is defined by pedestrian circulation; emphasis is placed upon prominent corner sites, entrance points etc; it respects the form of the street of which it is part by building to established frontages unless there is a clear urban design justification; connections are established where appropriate to open space.
- BE4 Access for disabled people.
- BE5 Development shall be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.
- BE6 High standards of landscape design is required as an integral element of development schemes.
- BE7 A high quality of design and materials will be required for the street environment.
- BE9 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.
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- BE29 In Areas Of Distinctive Residential Character, particular attention shall will be paid to the design, height and space between buildings in order to protect their individual qualities and character.
- H23 Applications for supported housing / day centres should meet a known need within the Borough. They are acceptable in residential areas, and on suitable sites in or adjoining town / district centres unless the proposed client group would overstress local health and/or social services, over-concentration of such facilities would harm local amenity or the site other than for a client group totally dependant on carers, lacks access to local shopping / public transport facilities within 400m.

TRN3 Environmental Impact of Traffic

TRN23 Parking Standards – Residential Developments

TRN35 Transport Access for Disabled People and others with Mobility Difficulties

PS13 Car Parking Standards – Residential Institutions (Use Class C2) & Hostels

PS15 Parking for Disabled People

PS16 Bicycle Parking

Adopted Brent Core Strategy 2010

CP17 The distinctive character of suburban Brent will be protected from inappropriate development. Development of garden space and infilling of plots with out-of-scale buildings that do not respect the settings of existing dwellings will not be acceptable

CP21 The plan seeks to maintain and provide a balanced housing stock in Brent by protecting existing accommodation that meets known needs and 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
- Non-self contained accommodation that meets identified needs
- Care and support accommodation to enable people to live independantly
- Residential care homes which meet a known need in the Borough

Supplementary Planning Guidance/Documents:

Supplementary Planning Guidance Note (SPG) 5 "Altering and Extending Your Home"

Supplementary Planning Guidance Note (SPG) 17 “Design Guide for New Development” Planning Obligations (S106) Supplementary Planning Document

CONSULTATION

Public consultation undertaken 18/01/2012 - 08/02/2012. 53 neighbouring properties were consulted. 3 letters of objection were received during the consultation period outlining the following concerns:

- loss of light;
- loss of privacy;
- odour nuisance;
- previous extensions to the premises resulted in damage to neighbouring properties;
- size of extension will have an overbearing impact;
- on-street parking capacity in the locality will become further restricted following introduction of extra rooms;
- change in character of the area;
- extension will be visible from neighbouring properties and will be unsightly;
- impact on local property value

Another letter of objection was received which could not be acknowledged as the full address of the objector was not provided. However, their concerns are within the list of issues above.

Officer Comment: Issues above relating to design, neighbouring amenity impacts and transportation/parking impacts shall be addressed as part of the assessment of the application within the remarks section of the report.

The impact on the value of local properties resulting from the proposal is not a material planning consideration. Comments regarding damage caused to neighbouring properties during construction of previous extensions and alterations on the site are not covered by planning legislation and would be a civil matter between those with an interest in the neighbouring land and the site itself. However, in the interests of good neighbourliness, a standard informative could be added to any subsequent grant of permission that the provisions of the Party Wall Act 1996 may be applicable in undertaking the works.

Statutory consultees:

London Borough of Barnet: No comments received

London Borough of Harrow: Raise no objection to the proposal.

Transportation: No objections subject to contributions for sustainable transportation.

Landscaping: No objections on landscaping grounds. If approval given, a condition requiring full details of boundary treatments, details of hard and soft landscaping within the site should be applied.

REMARKS

The application will be considered under the following headings:

- Principle of development
- Design
- Impact on residential amenity
- Parking and Transportation
- Landscaping
- Conclusion

1. Principle of development

Policy CP21 in the adopted Core Strategy sets out the need to provide a balanced housing stock by protecting existing accommodation that meets known needs and by ensuring new housing appropriately contributes to the wide range of Borough household needs. This includes family sized accommodation (capable of providing three or more bedrooms) and residential care homes which meet known needs within the Borough.

Supporting text for Policy CP21 in the Core Strategy outlines that there is a significant shortage of family sized accommodation within the Borough but also makes clear that the policy seeks to make locally appropriate provision for Brent's wide range of specific and special housing needs including housing providing support (including extra care accommodation for older persons) and residential care homes.

To consider whether the loss of 2 family sized houses can be acceptably balanced against the need to extend the existing care home, it must be demonstrated that this type of accommodation is required to meet a known need in the Borough. The following information has been provided by the applicant in support of this:

- Email dated June 2010 from Quality & Market Development Officer in Brent Housing and Community Care to the manager of Meera Nursing Ltd which states that they would be happy to support an application to extend the care home as it would bridge a gap for ethnic minority residents in the community;
- Email dated May 2011 from Quality & Market Development Officer in Brent Housing and Community Care to the Planning Service which sets out that they expect the demand for residential dementia services to increase in the future and that the development would help to support the residents of Brent who have a need for such services within an ethnic and vegetarian setting.
- Email dated May 2011 from the West London Alliance Senior Category Manager confirming that they anticipate demand for residential dementia care services to increase and this development would support residents in Brent and other WLA boroughs that have needs for these services within an ethnic and vegetarian setting.
- Statistics to show that service users from the London Borough of Brent range from 8 in 2001, peaking at 19 in 2006. In 2011, the statistics outlined that 15 service users are from the London Borough of Brent.

Policy H23 in the UDP also requires that consideration is given to whether there is an over provision of such facilities in the locality. Information has been provided setting out the location of other residential homes however they are generally smaller in scale and not located in close proximity to the site.

It is considered that, on balance, sufficient justification has been provided to demonstrate that the proposed expansion of the care home would meet a known need in the Borough and on this basis the loss of 2 family sized houses can be accepted.

2. Design

The proposed design and layout of the proposal has been refined and is considered to have been significantly improved following the withdrawal of the previous application for an extension to the care home (LPA Ref: 11/2072).

Local residential properties are two storeys in height and predominantly semi detached, some with attached garages and space for off road car parking on the front drive. It is noted that a number of properties in the locality have either single or two storey side extensions. The application proposes to demolish two existing semi detached houses and the erection of a replacement two storey building on Tintern Avenue with a link extension to the existing care home with dormer windows

facing Tewkesbury Gardens in the roof. The site is located in an Area of Distinctive Residential Character (ADRC) where particular attention must be given to the design of proposals in the area.

The accommodation in the new development comprises 10 bedrooms (6 at ground floor and 4 at first floor). The proposed link extension will result in the loss of one existing bedroom in Meera House, therefore creating a net increase of 9 bedrooms.

The proposed two storey building is set on the same building line as the existing houses that occupy the plot, being set 6 metres back from the pavement edge of Tintern Avenue. The design of the proposed development takes reference from the existing 2 semi-detached dwellings, adopting features that are prevalent in the design of dwellings within the locality, including a bay frontage and a hipped roof form.

The ground floor finished floor level of the existing pair of semi detached houses is 52.11m (AOD). The proposed building is to have a finished floor level 51.57m (AOD) requiring some levelling of the frontage. The finished floor level will be similar to that of the neighbouring property at 5 Tintern Avenue. This results in the height of the proposed development when viewed from the Tintern Avenue being similar to that of the neighbouring property at 5 Tintern Avenue and ridge height lower than the existing buildings on the site.

It is acknowledged that the bulk of the new development will be greater than the existing semi detached houses principally as a result of the increase in first floor accommodation however the design approach is considered to be an appropriate response to the site constraints. The two storey element of the proposal which faces Tewkesbury Gardens will be a similar depth to the existing house that is to be replaced though there will be no set down at roof level. A set back from the frontage will be provided in addition to a bay feature which will assist in providing articulation to this elevation.

The link extension between the existing care home and the area currently occupied by 1 & 3 Tintern Avenue has been designed with a dual-pitched roof (height 5.7m) and 2 front dormers facing Tewkesbury Gardens and 2 ground floor projecting bays. The projecting bay element of the extension is set-back 2.4 metres from the public highway whilst the remaining section of the extension is set-back 4.8 metres from the highway, to ensure the existing 2 off-street parking bays can be retained. The set-back also allows for additional soft landscaping to be provided on the Tewkesbury Gardens elevation. Currently, there is a brick boundary wall with close-boarded fence above approximately 2 metres in height.

Overall, it is considered that the design of the proposal is acceptable in the context of the locality. The building has been designed with attention paid to replicating features that are characteristic of buildings in the locality. Whilst the proposal increases the extent and bulk of building on the site, it is considered that proposal would not detract from the character and appearance of the area, designated as an ADRC.

3. Impact on residential amenity:

It is not considered that the proposed extensions would result in an unacceptable impact upon the privacy levels of neighbouring occupants, or their access to natural daylight and outlook.

The proposed two storey extension does have a greater depth than the existing semi-detached house adjacent to 5 Tintern Avenue, which without extension measures approximately 8 metres depth. The proposed 2-storey extension would have a depth of 11 metres, set-in 1 metre from the side boundary shared with neighbouring 5 Tintern Avenue. No. 5 Tintern Avenue has a single storey side to rear extension adjacent to the shared boundary which projects approximately 3 metres beyond the original main rear wall of the dwelling. The proposed two storey extension would project the same extent rearwards as the existing single storey rear extension of No. 5 Tintern Avenue.

In the flank elevation of 5 Tintern Avenue, there are 2 side windows at first floor level which are both obscure glazed. It was not possible to gain internal access to No. 5 Tintern Avenue to verify the layout. However your officer visited neighbouring property no. 3 Tintern Avenue which would seem to replicate the layout of No. 5. It was confirmed that the first floor side windows served the stairs and a side bathroom; this would concur with the obscure glazing to this flank window. There is a small window to the rear of the property which serves a toilet, closest to the side wall of the property.

On this basis, the nearest habitable rear window which could be affected by the extension would be the first floor bay bedroom window of no. 5 Tintern Avenue, located approximately 8 metres away from the side wall of the extension. The two storey extension would project approximately 3 metres beyond this window and the main rear wall of the dwelling at 5 Tintern Avenue. Such a relationship would comply with SPG5 in terms of the 2:1 guide which is applied where a two storey rear extension is proposed to an existing house. On this basis, it is considered that the impacts on the neighbouring property in particular terms of loss of light and outlook will be within reasonable limits. It is noted that there are ground floor windows in the flank elevation of the single storey extension however they appear to serve a room that is dual aspect, with windows also facing rearward into the garden.

Whilst the projection of the 2-storey rear extension would be visible from neighbouring properties, particularly the adjoining property No. 5 and also No. 7 Tintern Avenue, it is not considered that the extension would be visually overbearing in appearance to an extent that would warrant refusal of the application.

The proposed two storey extension has 1 ground floor window and a side door and 2 first floor side windows facing the side wall of No. 5 Tintern Avenue. The windows shall serve the stairs and landing areas of the care home. All of these windows and the door shall be obscure glazed as indicated on the submitted elevations and therefore would not result in a loss of privacy for the occupants of No. 5. A condition shall be applied that requires the windows to be obscure glazed and non-opening.

Whilst the proposed link extension is not a feature characteristic of buildings in the locality, the extension would be located 10.4 metres away from the boundary shared with the nearest neighbouring dwelling No. 5 Tintern Avenue. The infill extension would comfortably comply with the 45 degree rule when applied to this boundary as set out in Supplementary Planning Guidance 17 (SPG 17), which sets out that where a proposed development adjoins private garden areas, 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 2 metres. The dormer windows have been positioned in the elevation facing Tewkesbury Gardens to ensure privacy to neighbouring residents is not compromised. Given the relationship to other properties in the locality, it is not considered that the development would have any significant impacts on amenity. It should also be noted that a large outbuilding is proposed to be removed which will be an improvement to adjoining residents.

An objection was received in relation to odour disturbance that may arise from installation of larger laundry facilities. The plans do show that a new 20m² laundry room shall be located within the single storey link extension facing Tewkesbury Gardens, with 2 air vents positioned within the roof of the extension facing the street. Given that the vents would terminate on the street frontage and would serve a laundry room, it is not considered that they would result in unacceptable odour disturbance on the occupants of neighbouring properties. Environmental Health have confirmed that they do not consider that the vents would give rise to any significant noise or odour disturbance and therefore do not consider it necessary for a condition to be imposed requiring means of extraction to be submitted for approval.

The proposed accommodation for the care home is considered to have good access to daylight and outlook for future residents and an acceptable level of privacy.

4. Parking and transportation

Noting that the residents of the care home are largely immobile, the site will only be accessed by visitors and staff. The site is located in an area with moderate transport accessibility.

The care home currently provides 11 off-street parking spaces to the front of Meera House. The site currently has 54 bedrooms, 26 full-time and 12 part-time staff. Parking standards within the adopted UDP set out that the maximum parking allowance for the site would be 11 off-street parking spaces. Therefore, the current provision is compliant with adopted parking standards.

The proposal would increase the number of bedrooms on site to 63 and increase the number of full-time staff to 32 and part-time to 14. The maximum parking allowance would increase to 13 spaces. The proposal does not provide any additional off-street parking spaces, and would remain therefore at 11 spaces including 1 disabled parking bay. There is provision of a designated ambulance bay to the front of Meera House.

Whilst no additional parking is being provided on site, the proposal would enable the removal of the wide vehicular accesses serving Nos. 1 & 3 Tintern Avenue, increasing on-street parking provision. In addition, the provision of one designated off-street parking space on Tintern Avenue will mitigate the loss of one space to the frontage parking which is not readily accessible.

A total of 6 cycle parking bays would be provided in the forecourt of the site facing Stag Lane, around which additional soft landscaping would be provided. The level of cycle parking would comply with standards within the UDP which set out that at least 5 spaces should be provided. Details of the means of enclosure of the cycle parking can be conditioned.

A condition will be applied that all vehicular crossovers onto Tintern Avenue that are rendered redundant by the proposal shall be reinstated to foot way at the expense of the developer.

A financial contribution of £5,000 payable upon material start was requested to be utilised by the Council towards the provision of sustainable transport in the local area and public realm improvements.

5. Landscaping:

The proposed development would present a significant improvement in terms of both soft landscaping to boundaries and landscaping within the confines of the care home itself. Additional soft landscaping would be provided within the area currently occupied by the forecourt of Nos. 1 & 3 Tintern Avenue which is predominantly hard standing and a secure garden with landscaped courtyard would be created to the rear of the proposed 2-storey extension. This involves the demolition of a large existing outbuilding within the site which is an improvement.

The proposed landscaping treatment would therefore improve the boundary appearance of the site and the introduction of the courtyard shall ensure that a better standard of environment is created for the occupants of the care home. All details of boundary treatments and of the court yard, including details of all hard and soft landscaping, shall be required by way of condition prior to any start on site.

6. Conclusion

It is considered that, on balance, sufficient justification has been provided to demonstrate that the proposed expansion of the care home would meet a known need in the Borough and on this basis the loss of 2 family sized houses can be accepted in accordance with Policy CP21 in the Core Strategy. The design of the proposal is acceptable in the locality and not considered to give rise to any significant amenity concerns. There will be improvements to the landscaping of the site and a

contribution has been secured for public realm improvements and sustainable transport.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004

Council's Supplementary Planning Guidance 17 - "The Design Guide for New Development".

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

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs

Relevant policies in the Adopted Core Strategy

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):

10-182-101
10-182-105
10-182-110 revision D
10-182-111 revision C
10-182-120 revision A
10-182-121 revision A
10-182-135 revision A
10-182-150 revision B
A1 11F121/001

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

- (3) All vehicular crossovers onto Tintern Avenue that are rendered redundant by this proposal shall be reinstated to footway with full height kerbs at the developer's expense prior to occupation of the development.

Reason: In the interests of highway and pedestrian safety and the free flow of traffic within the locality.

- (4) The side windows on the southern elevation of the 2-storey extension shall be installed as obscure glazed and non-opening and maintained thereafter as such.

Reason: In the interests of the privacy levels of neighbouring occupants.

- (5) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details. Such details shall include:

- brick, tile and window frame samples
- further details including scaled elevations and cross-sections of the proposed windows
- further details including scaled elevations of the proposed doors and details of materials

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

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

Such scheme shall detail:

(i) Walls and fences

Proposed walls and fencing, indicating materials and heights.

(ii) Planting on boundaries and within proposed courtyard

Details of all planting along the boundaries and within the courtyard of the site. Such details shall include, layout, planting heights, densities and species.

(iii) Physical separation

Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.

(iv) Hardsurfacing

Details of all materials for all proposed hardsurfacing within the site

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

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

- (7) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the approved details before prior to occupation and retained thereafter. Such details shall include:-

(a) details of secure cycle storage

(b) details of storage for refuse, recyclable materials and waste storage;

Reason: These details are required to ensure that a satisfactory development is achieved.

INFORMATIVES:

- (1) 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

REFERENCE DOCUMENTS:

Any person wishing to inspect the above papers should contact Roland Sheldon, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5232