



Planning Committee Map

Site address: Ground, First and Second Floor, 967 Harrow Road, Wembley, HA0 2SF

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This map is indicative only.

WARD: Sudbury

PLANNING AREA: Wembley Consultative Forum

LOCATION: Ground, First and Second Floor, 967 Harrow Road, Wembley, HA0 2SF

PROPOSAL: Erection of three storey side extension and associated works to curtilage including hard and soft landscaping and creation of new vehicle crossover to rear premises.(Revised plans received 03/02/2012)

APPLICANT: Kayman Enterprises Ltd

CONTACT: Building Design Consultancy UK Ltd

PLAN NO'S:
See condition no 2

RECOMMENDATION

Grant Consent

EXISTING

The application site comprises a 3-storey flat roof end of terrace commercial premises located on the southern side of Harrow Road, Sudbury. The ground floor is within Use Class A1, and the first and second floors are within B2 office use. The site is at the end of a local shopping parade, which has no designation in Brent's Unitary Development Plan. Vehicular access to the site is from Harrow Road. The site also shares a side boundary with a three storey end of terrace dwellinghouse, 15 The Boltons. The site is not a listed building and is not located within a conservation area.

PROPOSAL

Erection of three storey side extension and associated works to curtilage including hard and soft landscaping and creation of new crossover to rear of premises (Revised by plans received 03/02/2012)

HISTORY

No recent planning history for this site

POLICY CONSIDERATIONS

Brent Core Strategy 2010

CP17 – Protecting and Enhancing the Suburban Character of Brent

London Borough of Brent Adopted Unitary Development Plan 2004 (UDP)

BE2 – Townscape: Local Context and Character

BE3 – Urban Structure: Space & Movement

BE4 - Access for disabled people.

BE5 – Urban Clarity & Safety

BE6 – Public Realm: Landscape Design
BE7 – Public Realm: Streetscape
BE9 – **RECEIVED:** 4 December, 2011
Architectural
Quality
TRN3 – Environmental Impact of Traffic
TRN10 – Walkable Environments
TRN22 – Parking Standards – Non Residential Developments
TRN34 – Servicing in New Development
SH19 – Rear Servicing

London Borough of Brent's Supplementary Planning Guidance

Supplementary Planning Guidance Note 17 - Design Guide for New Development

Provides comprehensive and detailed design guidance for new development and seeks to raise the design quality of buildings, and to protect the character of properties and streets.

CONSULTATION

External

Adjoining occupiers were consulted on 29th December 2012, and a further consultation of 21 days was sent out on 3rd February 2012 following amendments to the scheme. In total, 4 individual neighbours have objected, and 2 petitions have been received objecting to the proposal. The second petition had the same original 8 signatories, with 2 additional signatories.

Response to original plans and consultation

One letter of objection and a petition with 8 signatories, 'Residents of The Boltons' objecting to the scheme was received raising the following issues:

- The resident of the adjacent dwelling at no 15 The Boltons has highlighted that the deeds of their property states that the dividing fence with the above address is their responsibility, and therefore any alteration or removal of it should be agreed with them in advance
- According to the plans submitted [original submission], it seems that the proposed four storey extension would replace a part of the fence, and if this is the case they object to the proposal due to impact on existing vegetation from absence of sunlight and soil.
- If the proposed extension is built up to the shared boundary, then this would make maintaining the side of their property on to the side difficult
- The proposed extension would also overshadow the front gardens of dwellings at The Boltons
- There is objection to a proposed new crossover/vehicular access to the rear of the application site. This would result in the loss of two or three parking spaces, which would exacerbate existing parking problems on the street. Also, this could make the neighbourhood less accessible for refuse collections, fire brigade and ambulance in an already busy traffic environment
- The creation of a vehicular access to the rear would cause a safety issue because of a blind spot created by the position of the properties as vehicles come out of Sadler's Mews or The Boltons
- A building of this scale would be out of character with the rest of the neighbourhood as there are no other buildings of such height in the vicinity.

Response to consultation for revised scheme:

A further letter of objection and petition, with 10 signatories, was received from the above mentioned original representees, as well as an additional 2 letters of objections, after further 21 day consultation was carried out due to revised plans being received. The following are the issues raised in addition or in revision to the original concerns:

- The objections raised by the resident of 15 The Boltons have not changed as a result of the revised proposal.
- The proposed revised scheme would still be built up to the dividing fence with no. 15 The Boltons, and also result in a loss of light to the alleyway between the application site and this neighbouring property as well as the front gardens of The Boltons and rear garden of no. 15
- The concerns raised originally in relation to the proposed new vehicular access at the rear still remain
- Although the proposed mansard roof has not been omitted, the proposed revised scheme would still be out of character with the rest of the neighbourhood, because the new creation will be a gross commercial building in an intensely residential area.

All ward councillors were also notified. Councillor Lorber has objected to the revised proposal, raising the following issues:

- The proposed extension represents an overdevelopment of the site
- The large extension is too close to and will have an overpowering impact on the properties in the Boltons
- The impact of the extension on No. 15 The Boltons is particularly great in terms of potential overlooking and shadowing – there is a good reason for the current design of the existing building as it leaves a sufficient gap between the office building and the nearby residential property.
- The proposal for a gate at the back and access via The Boltons onto the site of 967 is not acceptable. There is adequate existing access via the front which should remain as the only access onto this site. The narrow access via The Boltons is not suitable for commercial vehicles which would inevitably cause obstruction to the residential properties in The Boltons and Saddlers Mews.

Internal

Transportation – The Transportation Officer raised a few issues to the original proposal, summarised as follows

- Excessive level of off-street car parking, which in the case of parking within the forecourt would impede safe pedestrian access, to the detriment of pedestrian safety and Brent Council's strategic policies to restrain car use using parking standards, contrary to Policies TRN3, TRN10 and TRN22 of the UDP
- The applicant has failed to demonstrate that the site will make adequate off-street provision for access and standing by delivery vehicles in accordance with Brent Council's standards, contrary to Policies SH19 and TRN34 of the UDP

In response to the revised scheme, the Transportation Officer has made the following comments:

- The scheme can now be supported, subject to a condition requiring further details of four bicycle parking spaces.

Landscape Designer

- Has recommended that trees may be planted to the front of the site, as well as some landscaping
- Has also recommended a condition requiring tree protection measures for the existing tree

located within the adjacent site at 15 The Boltons

Environmental Health

- No objections, although has advised that the land is associated with potentially contaminative historic uses, and have recommended an informative for the attention of the applicant regarding potential soil contamination.

REMARKS

Summary

The application is a revised proposal for a 3-storey side extension to a 3-storey end of terraced mixed use commercial property, located on Harrow Road, Sudbury. The current authorised use of the site is A1 use on the ground floor and B2 offices on the first and second floors of the site. The site shares a side boundary with a residential property at no 15 The Boltons. The gap between the existing flank wall of the property at 967 Harrow Road and the side boundary with 15 The Boltons is 4.75m wide. This gap currently provides access to 2 car parking spaces at the rear of the site. Vehicles also currently park within the forecourt area of the site.

This revised application proposes a 3-storey side extension infilling the gap between the existing flank wall and the side boundary with 15 The Boltons. This would provide an additional 50m² of new retail space and 106m² of new office space.

To the rear, via The Boltons, a new 3.0m wide access is proposed to enable access to the 2 existing car parking spaces at the rear. To the front of the site, a space for an 8.0m long commercial vehicle would be provided, as well as proposed soft landscaping, including two trees within the forecourt area and a landscape strip along the shared boundary with 15 The Boltons.

The main considerations for the proposed development are the impact on the character and appearance of the area and streetscene, the impact on neighbouring properties and the impact of the development on parking and servicing for the site.

Existing premises

The application site comprises a 3-storey flat roof end of terrace building located on the southern side of Harrow Road in Sudbury. It is at the end of a terrace of local shops, and shares a side boundary with a 3-storey flat roof terraced residential dwelling at 15 The Boltons. The ground floor of the premises has A1 retail use, and the first and second floors have B1 office use. The existing A1 floorspace is 106m², and the B2 floorspace is 132m².

The gap between the flank wall of 967 Harrow Road and the side boundary measures 4.75m. There is gated vehicular access to 2 existing car parking spaces at the rear of the site. The forecourt of the premises is also currently used for parking vehicles.

The existing front building line of 967 Harrow Road protrudes 5.8m forward of the rear building line of the property at no 15 The Boltons

Servicing for many of the other shops in this local shopping parade is to the rear of the site, although the application site has no existing vehicular access to the rear yard at the rear of the site. This is accessed via a residential street, Priory Avenue, situated off Harrow Road, and the Boltons runs parallel to Harrow Road to the rear of the shopping Parade. The rear garden of the residential property, 15 The Boltons, is adjacent to the application site. The dwellings at 9-15 The Boltons, are 3-storey flat roofed terraced properties, with the rear gardens of these dwellings facing Harrow Road.

Proposed Development

Original proposal

The original plans submitted for this application included a mansard roof above the existing building, essentially resulting in a 4 storey building, and a 4 storey side extension to the building was also proposed, including a mansard roof, to be built up to the side boundary. At ground floor, the extension was proposed to be in line with the existing front building line. The building was to be set back from this front building line by 4.8m at first, second and third floor levels. An additional 80m² of A1 floor space would have been created, and 201m² of new B1 office space.

Following Officer concerns regarding the design and scale of the building, impact on neighbouring properties, as well as unsatisfactory provision for servicing to the premises, and excessive car parking provisions, the proposal has been revised. In particular, the proposal would have resulted in an over-provision of parking, with parking at both the rear and at the front of the premises, as well as no provision for an 8m long service vehicle. Officers also objected to the proposed mansard roof, for reasons of design and appearance, as well as scale of development. The proposal also lacked the provision of an 8m long vehicle on site, to meet the service standard requirements for commercial premises of this size. There was also a concern over the impact of any vehicles servicing the site on nearby residents of The Boltons.

Revised proposal

The applicants have revised the proposal to address all concerns raised by Officers. These are summarised as follows:

- The mansard roof has now been completely removed from the proposal, resulting in the reduction of the height of the side extension from 4-to 3-storeys to match the existing building. It is therefore now to be a 3-storey flat roof extension, in keeping with nearby properties
- The depth of the extension at the front at ground floor has been reduce by 4.8m, reducing the bulk of the development, as well as the impact on the neighbouring dwelling at 15 The Boltons
- Provision of an 8m long parking space for a service vehicle to be located at the front of the premises and accessed from Harrow Road.
- The new vehicular access to the rear yard (for the 2 existing car parking spaces at the rear) at a maximum width of 3.0m.
- The total new floor area has been reduced to 50m² new A1 retail space 106m² of new B2 office space.
- A landscape strip is proposed along the side boundary with 15 The Boltons
- Two trees are proposed at the front of the premises to restrict cars parking in the forecourt area.
- The applicants have stated that the use of the two uses, A1 and B1 is to be by the same operator.

Appraisal

Principle of Development

It is considered an extension to these commercial premises can be supported in principle. There is no change of use proposed, and the use of the premises is considered appropriate in this location. The main considerations for the proposal is therefore the impact on the character and appearance of the area and streetscene; the scale of the development, impact on neighbouring properties and impact on parking and servicing.

Design Considerations

The proposed 3-storey side extension, as revised, is considered to be in keeping with adjoining properties. Both the existing building and the neighbouring residential terrace at 9-15 The Boltons are 3-storey flat roof buildings. It is to be set back from the front building line of the original building by 4.8m at all levels, resulting in an extension which would be subsidiary to the original building.

A proposed landscape strip along the side boundary at the front of the premises as well as the proposed planting of 2 trees in the forecourt area would help mitigate the visual impact of the development when viewed from Harrow Road, as well as reduce excessive car parking in the forecourt area.

The applicants have confirmed that both the existing and extended part of the premises, with A1 use on the ground floor and B1 uses on the first and second floors, will be used by the same operator. This is considered significant for the site in terms of how servicing and car parking provision and access to the premises would operate.

The landscape officer has been consulted to provide advice on soft landscaping and tree planting within the forecourt area. It has been highlighted that tree protection measures should be made for the existing silver birch tree located in the rear garden of 15 The Boltons. The proposed new trees in the forecourt are welcomed, as is the landscape strip along the side boundary of the site. Further details of this would be required by condition if the application is supported.

Highways issues

The application site is located on the southern side of Harrow Road, a London Distributor Road. Access to public transport is low with a PTAL rating of 1. The road at the rear of the site, The Boltons, is classed as a Heavily Parked Street in Brent's Unitary Development Plan, 2004 (UDP).

The B1 use would require parking provision for an 8m long service vehicle. Ideally, this provision should be to the rear of the premises. However, due to officer concerns over the impact of such a large vehicle accessing the premises at the rear, on nearby residents of The Boltons and Sadlers Mews, this is considered unacceptable. It is therefore considered more appropriate to have this servicing requirement at the front of the premises, access from Harrow Road. This is on the condition that both the A1 and B1 uses of the premises would be by the same operator. It is also on the condition that a new vehicular access is introduced at the rear, so that two existing car parking spaces may be accessible. Officers consider that the maximum width of this access should be 3.0m, and that a 2.1m height restriction barrier is installed. This would ensure that no service vehicles may access the premises at the rear.

The existing car parking provision on the site is considered to be excessive by the Council's transport officer, and therefore tree planting in the forecourt area is welcomed. On street parking on nearby streets, including Harrow Road, Priory Avenue and The Boltons is unrestricted, and therefore there is no further requirement of off-street parking for the development.

Details of four bicycle parking spaces are required to meet the cycle parking standards for the site. These should be 'Sheffield' style stands. A relevant condition will be attached requiring these details

Impact on neighbouring properties

The proposed 3-storey side extension would be built up to the shared boundary with the residential property at 15 The Boltons.

The proposed extension, at all three storeys, (to the front of the application site) would project 1.1m beyond the rear wall of the dwelling at 15 The Boltons. To the rear of the application site, the extension would project just under 1.1m forward of the front wall of 15 The Boltons.

Brent's Supplementary Planning Guidance 17 on Design Guide for New Development (SPG17), deals with impact of new development on neighbouring residential gardens. The proposed extension does not comply with the 45 degree rule set out in this guidance. However, the portion which does not comply with SPG17, only has a depth of 1.1m beyond the rear wall of the dwelling at 15 The Boltons.

Although the application site is not a residential dwelling, it is considered appropriate to consider whether the proposal complies with the 1:2 guidance, as set out in Brent's *Supplementary Planning Guidance 5 on Altering and Extending Your Home* (SPG5). This guidance is applied when assessing the impact of 2-storey or first floor extensions to residential properties, on neighbouring residential properties, if they are to project beyond the rear wall of those neighbouring properties. Both at the front and rear of property, the midpoint of the nearest habitable room windows at 15 The Boltons, is over 2.5m. This means that the proposed 3-storey extension would comply with this guidance, and illustrates that it is not considered that the impact of the extension would have an unduly harmful impact on the residential amenities of this property in terms of outlook and light to this property. If the application site was a residential dwelling, like 15 The Boltons, then these depths would comply with SPG5 requirements as set out in the 1:2 guidance.

On balance, whilst the proposed extension does not comply with Brent's SPG17 45 degree rule, it would comply with the 1:2 guidance contained in SPG5. If the application site was a residential property, the proposal would be deemed acceptable in terms of impact on neighbouring properties. Officers therefore consider that the development would not have an unduly harmful impact on the residential amenities of this neighbouring dwelling.

Response to objections

This section of the report will discuss any matters raised by objections not already discussed elsewhere in this report.

The proposed extension is to be built along the shared side boundary with the dwelling at no 15 The Boltons. This resident is concerned that this would impact on the existing or replacement boundary fence which is the responsibility of this resident. This matter is not a material planning consideration. However, the applicants will be reminded by informative the requirements of the Party Wall Act etc 1996.

The issue raised regarding the maintenance of the side wall of the adjacent dwelling at 15 The Boltons is not considered

The maintenance of the side wall of the adjacent dwelling at 15 The Boltons is still possible due to there being a gap of just over 1.5m from the side boundary and the flank wall of this dwelling. It is considered that this would be sufficient space to allow any maintenance required to the side of this property.

Any impact on vegetation in the garden of a neighbouring property is not a reason to warrant refusal.

This is likely to prevent the majority of extensions and alterations from being approved within the borough.

A new vehicular access is required at the rear of the premises to ensure that the two existing car parking spaces in the rear yard are accessible. No new parking is proposed, and the access will be restricted in width to no more than 3.0m, as well as the requirement of a height restriction barrier, to ensure no service vehicles, including transit sized vehicles can access the rear of the

premises. The creation of the crossover at the rear would only reduce the existing on-street parking by one space, which is considered acceptable. As the operator of the premises is to be the same user for both the A1 and the B1 uses, service vehicles can use the space provided at the front of the premises, accessed from Harrow Road.

The proposed new access at the rear has the support of the Council's Transport Officer, and any concern regarding a 'blind' spot when manoeuvring would have been taken into account when Transport Officers were appraising the proposal.

Officers have assessed the application with the balanced view of what may be permitted on site, taking into account the scale and character of existing development. The final revised scheme is much reduced from that which was originally proposed, and on balance is not considered to be an overdevelopment of the site.

Conclusion

The proposal complies with requirements set out in The Council's Core Strategy 2010 and Unitary Development Plan 2004 and is considered to be an acceptable scheme on balance. The proposal is therefore recommended for approval subject to attached conditions.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 Design Guide for New Development
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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
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Employment: in terms of maintaining and sustaining a range of employment opportunities
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
Transport: in terms of sustainability, safety and servicing needs

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):

11381/01A; 11381/02 C

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

- (3) All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

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

- (4) No windows or glazed doors shall be constructed in the flank wall of the building as extended without the prior written consent of the Local Planning Authority.

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

- (5) The whole application site shall be used exclusively by one operator for the purposes specified in the application hereby approved and for no other purpose, and shall not be subdivided without prior written consent of the Local Planning Authority.

Reason: To ensure adequate parking, servicing and access can be provided in the interests of the free flow of traffic and conditions of highway and pedestrian safety within the site and on the neighbouring highways.

- (6) Notwithstanding the details of landscape works referred to in the submitted application, full details of proposed soft landscaping within areas so designated within the front forecourt and treatment of the surroundings of the proposed development of the application site, (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the occupation of the development hereby approved. Such details shall include:

- (a) Details of measures to be taken to protect the existing Silver Birch tree located on neighbouring land at 15 The Boltons;
- (b) A plan showing the size, species and location of a minimum of 2 trees to be located within the forecourt
- (c) Details of all soft landscaping within the proposed landscape strip along the side boundary with 15 The Boltons
- (d) Details of any boundary walls or fences, indicating materials and heights

Any new trees planted shall be watered for the first two years after planting, and any other 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.

- (7) Notwithstanding the details submitted, full details of requiring further measures to restrict vehicular access to the forecourt of the premises from Harrow Road, apart from the area shown as a space for '8m service vehicle', shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the

development. All approved works shall be implemented in full, and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority, as approved prior to the occupation of the development hereby approved.

Reason: To ensure the proposed development does not prejudice the free flow of traffic or the safety of pedestrians, and to ensure a satisfactory standard of development in the interests of local visual amenity.

- (8) Notwithstanding the details submitted, full details of the proposed new vehicular access, to be no wider than 3.0m, to the rear of the premises from The Boltons, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. These details shall include details of a height restrictive barrier, no higher than 2.1m, and full details of any proposed gates and boundary fencing, indicating materials and heights. All approved works shall be implemented in full and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed development does not prejudice the free flow of traffic, and to ensure that service vehicles cannot access the site from the new access in the interests of residential amenity, and pedestrian safety.

- (9) Details of the provision of a minimum of 4 secure cycle parking spaces in the forecourt of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

INFORMATIVES:

- (1) The applicant is advised to contact the Head of Highway & Transport Delivery (tel: 020 8937 5139 – contact San Pirabaharan) to arrange for the crossover works to be undertaken on their behalf.
- (2) It is important that the developer is vigilant for signs of potential contamination in the soil during excavation works. This may include obvious chemical or fuel odours, fuel or oil stains, asbestos, buried drums, buried waste, drains, interceptors, tanks or any other unexpected hazards that may be discovered during site works. If any unforeseen contamination is found during works, then the Safer Streets department must be notified immediately. Tel: 020 8937 5252. Fax 020 8937 5150. Email: ens.licensingandmonitoring@brent.gov.uk
- (3) 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

Any person wishing to inspect the above papers should contact Avani Raven, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5016