



## Planning Committee

**Wednesday, 12 January 2011 at 7.00 pm**

Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

### Membership:

#### Members

Councillors:

RS Patel (Chair)  
Sheth (Vice-Chair)  
Adeyeye  
Baker  
Cummins  
Daly  
Hashmi  
Kataria  
Long  
McLennan  
CJ Patel

#### First alternates

Councillors:

Kabir  
Mistry  
Hossain  
Steel  
Cheese  
Naheerathan  
Castle  
Oladapo  
Thomas  
J Moher  
Lorber

#### Second alternates

Councillors:

Kataria  
Mitchell Murray  
Mashari  
HM Patel  
Allie  
Ogunro  
Beck  
Powney  
Powney  
Moloney  
Castle

**For further information contact:** Joe Kwateng, Democratic Services Officer

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**The press and public are welcome to attend this meeting**

**Members' briefing will take place at 6.15pm in Committee Room 4**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the previous meeting - 15 December 2010		1 - 16
<b>Extract of Planning Code of Practice</b>		
<b>APPLICATIONS DEFERRED FROM THE PREVIOUS MEETING</b>		
3. 139 Coles Green Road, London NW2 7HH (Ref. 10/2046)	Dollis Hill;	21 - 30
<b>NORTHERN AREA</b>		
4. 15 Basing Hill, Wembley, HA9 9QS (Ref. 10/1275)	Barnhill;	31 - 36
<b>SOUTHERN AREA</b>		
5. 2 Scrubs Lane, London NW10 6RB (Ref. 10/2704)	Kensal Green;	37 - 42
6. 34 Mount Pleasant Road, London NW10 3EL (Ref. 10/2753)	Brondesbury Park;	43 - 48
7. 32 Creighton Road, London NW6 6ED (Ref. 10/2854)	Queens Park;	49 - 54
8. 14D Wrottesley Road, London NW10 5YL (Ref. 10/2641)	Kensal Green;	55 - 60
9. 27 Aylestone Avenue, London NW6 7AE (Ref. 10/2862)	Brondesbury Park;	61 - 78
<b>WESTERN AREA</b>		
10. Unit 4, Second Way, Wembley, HA9 0YJ (Ref. 10/2367)	Tokington;	79 - 84
11. University of Westminster, Watford Road, Harrow HA1 3TP (Ref. 10/2862)	Northwick Park;	85 - 94
12. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.		

## SITE VISITS – SATURDAY 8 JANUARY 2011

Members are reminded that the coach leaves Brent House at 9.30am

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
10/2767	University Of Westminster, Watford Road, Harrow, HA1 3TP	11	Northwick Park	9:40	85 - 94
10/2046	139 Coles Green Road, London, NW2 7HH	3	Dollis Hill	10.15	21 - 30
10/2753	34 Mount Pleasant Road, London, NW10 3EL	6	Brondesbury Park	10:40	43 - 48

**Date of the next meeting: Wednesday, 2 February 2011**

The site visits for that meeting will take place the preceding Saturday 29 January 2011 at 9.30am when the coach leaves Brent House.



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
  - Toilets are available on the second floor.
  - Catering facilities can be found on the first floor near The Paul Daisley Hall.
  - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE Wednesday, 15 December 2010 at 7.00 pm

PRESENT: Councillors RS Patel (Chair), Adeyeye, Cummins, Daly, Hashmi, Kataria, McLennan, Mistry, CJ Patel and Thomas

ALSO PRESENT: Councillor Mary Arnold, Councillor Muhammed Butt, Councillor Barry Cheese, Councillor James Denselow, Councillor Simon Green, Councillor Colum Moloney, Councillor Kana Naheerathan and Councillor Harshadbhai Patel

Apologies for absence were received from Sheth, Baker and Long

#### 1. Declarations of personal and prejudicial interests

6. McNicholas House, Kingsbury Road (Ref 10/2390)

Councillor RS Patel declared a personal interest that he had visited the Shree Swaminarayan Temple as Mayor of Brent in 1990.

11. Storage Land next to 75 St Pauls Avenue NW2 (Ref. 10/2806)

Councillor Cummins declared a personal interest but did not take part in the discussion and voting.

17. Shree Saibaba Mandir Union Road (Ref. 10/2041)

Councillor RS Patel declared a prejudicial interest as a Governor of Pavitt Hall. Councillor RS Patel withdrew from the meeting room and took no part in the discussion or voting.

All members declared that they had received additional correspondence from the applicant. Additionally Councillor Hashmi declared that he had visited the temple in the past but did not discuss the application.

#### 2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 24 November 2010 be approved as an accurate record of the meeting subject to the following amendments;

Page 8 paragraph 4 - replace "compromise" with "comprise".

Page 11 paragraph 3 – delete "Councillor Kataria requested a site visit. This was voted upon and declared carried" and insert "Councillor Kataria withdrew his request for a site visit".

**3. Former Blarney Stone PH, Blackbird Hill, London NW9 8RR (Ref. 10/2053)**

PROPOSAL: Proposed mixed-use redevelopment of the Blarney Stone Public House, Kingsbury, with the erection of two 3-storey houses and 34 flats in 3/4/5 storeys above a retail unit of 470m<sup>2</sup> and parking partly at basement level, with associated landscaping.

OFFICER RECOMMENDATION: Deferred to allow an opportunity to review the results of an updated Transport Assessment.

The application was reported to Committee under the provisions of Clause 24 of the Planning Code of Practice following the meeting of the Planning Committee on 2nd November 2010 where Members were 'minded to refuse' consent for the proposed mixed-use redevelopment of the Blarney Stone Public House. The report set out the reasons discussed the implications of the Committee's resolution and maintained the original recommendation to grant consent subject to the completion of a satisfactory section 106 agreement.

Steve Weeks Head of Area Planning informed the Committee that the applicant's Transport Consultant had advised that a problem with the traffic counting mechanism had led to discrepancies in the results which may affect the conclusions in the Supplementary Transport Assessment. In view of that he recommended that the application be deferred to allow an opportunity to review the results and provide an updated Transport Assessment.

DECISION: Deferred to allow an opportunity to review the results and provide an updated Transport Assessment.

**4. 139 Coles Green Road, London NW2 7HH (Ref. 10/2046)**

PROPOSAL: Erection of a single- and two-storey side extension, single-storey rear extension, erection of a rear dormer window and formation of vehicular access to rear garden of dwellinghouse to provide an additional off-street parking space (revised plans received 27/10/2010).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Rachel McConnell the Planning Manager reported that a revised plan submitted in response to amendments sought to the parking and landscaping proposals did not fully address officers' concerns. In order to overcome those, she recommended an amendment to condition 4 as set out in the tabled supplementary report to ensure a satisfactory appearance and setting for the proposed extension as well as to enhance the visual amenity of the area.

Mr William Cull an objector stated that the current application did not differ from the application that was refused on appeal. He reiterated his concerns on grounds of overshadowing, overlooking, loss of privacy detrimental impact on amenity that

would result from parking to the rear of the garden. Mr Cull therefore requested members to consider visiting the site in order to assess the planning impact of the proposed development.

Mrs O'Keefe speaking in a similar vein added that as the proposed development would result in the kitchen dining room situated adjacent to her living space, the extension would generate noise and disturbance. Mrs O'Keefe expressed suspicions that the extended property would be put to commercial use. She also requested members to visit the site in order to assess the impact of the development.

In responding to the issues raised by the objectors, Rachel McConnell stated that the application that was dismissed by the Inspector on appeal was larger than the current application. She added that only one off street parking would be lost and that some vegetation screening to the rear would be maintained to minimise overshadowing, overlooking and loss of privacy. She clarified that indicative drawings received did not show that the proposed extension would have a significant impact on the living conditions of No. 141 Coles Green Road and added that the two storey side extension complied with the guidance set out in the Supplementary Planning Guidance (SPG) 5.

Councillor Daly then proposed an amendment to the recommendation for a site visit in order to assess the impact of the development. This was put to the vote and declared carried.

DECISION: Deferred for a site visit in order to assess its impact.

**5. 33 Manor Close, London NW9 9HD (Ref. 10/2490)**

PROPOSAL: Installation of vehicular access and formation of hardstanding to front of dwellinghouse (Article 4 direction).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted subject to conditions and informatives.

**6. McNicholas House Kingsbury Road & 159 Townsend Lane, London NW9 (Ref. 10/2390)**

PROPOSAL: Redevelopment of McNicholas House for mixed use to provide a temple building (Use Class D1); multi functional community facility (Use Class D2); the retention and refurbishment of part of existing office building to provide flexible accommodation for business (Class B1 Use); landscaped courtyard; alterations to the existing vehicular access point onto Townsend Lane and provision of surface parking for 91 cars.

OFFICER RECOMMENDATION: Grant planning permission subject to referral to the Mayor of London and the Secretary of State as a departure from the development plan and subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Director of Legal and Procurement.

With reference to the tabled supplementary report Rachel McConnell the Area Planning Manager submitted responses to the issues raised by members at the site visit. She explained that spaces would be reserved for deliveries, refuse collection and coach parking as part of the requirement under the section 106 legal agreement and Travel Plan. In respect of refuse, she continued that a store for general and recyclable waste would be located in the multi-function hall building, adjacent to the reserved servicing area for weekly collection. Rachel McConnell clarified that the £100,000 contribution under the Section 106 legal agreement would become payable if less than 75% of a floor was occupied for a two-year period after six months of the floor being provided so as to maintain on-site employment function. She added that matters raised by a resident on Burgess Avenue against the proposal on the grounds that the temple would be out of character with the area, traffic congestion and disruption during the construction period had been addressed in the main report. In response to a member's enquiry, Rachel McConnell stated that Barnet Council had been contacted about the proposal but had raised no objections.

In welcoming the report members noted that there were no objectors present to address the Committee.

DECISION: Planning permission granted subject to conditions as amended in condition 10 and to referral to the Mayor of London and the Secretary of State as a departure from the development plan and subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Director of Legal and Procurement.

**7. 63 & 63A Beverley Gardens, Wembley HA9 (Ref. 10/2266)**

PROPOSAL:

No. 63 Beverley Gardens

Rebuilding of ground and lower ground floor rear extension, raised terrace with steps down to garden level and alterations to garden level together with the removal of one front roof light to dwellinghouse

No. 63A Beverley Gardens

Rebuilding of new dwellinghouse next to No. 63 Beverley Gardens with ground and lower ground floor rear extensions, raised terrace with steps down to garden level and alterations to garden level together with rear dormer window and one front roof light and removal of shed in rear garden.



OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

In introducing the report Rachel McConnell, the Area Planning Manager stated that issues raised by additional letters of objection had been addressed in the main report. She added that as the property was within a residential area, no further units were proposed above the previous approved scheme. Construction noise was covered by environmental health legislation. In respect of the timescales for completion she reported that the works would commence at the beginning of March 2011 and scheduled for completion by July 2011. She then drew members' attention to amendments to conditions 1, 5 and 6 together with reasons as set out in the tabled supplementary report.

Mr John Parker an objector from Barnhill Residents Association raised the following issues;

- the property would be out of keeping with the character of the streetscene
- the resulting terracing effect would make it appear as a block of flats
- removal of one roof light would not assist in enhancing the streetscene
- the re-built properties would be used houses in multiple occupation
- demand for parking and the consequent congestion would increase.

***In accordance with the Planning Code of Practice, Councillor Choudry*** ward member stated that he had not been approached in connection with the application. Councillor Choudry expressed a view that if planning permission was granted the use of the properties would change to multiple occupation, with resultant parking problems in an area that was situated adjacent to a Conservation Area.

In responding to the claims about possible use as multiple occupation the Head of Area Planning stated that any such changes would require prior planning permission and that unauthorised changes would be pursued leading to enforcement action.

DECISION: Planning permission granted subject to conditions as amended in conditions 1, 5 and 6.

**8. 18 Oxenpark Avenue, Wembley HA9 9SZ (Ref. 10/2582)**

PROPOSAL: Erection of part single-, part two-storey side extension and single-storey rear extension to dwellinghouse with associated hard and soft landscaping to front garden.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Mr Michael Dale in objecting to the proposed development stated that the size and scale of the proposal would constitute an overdevelopment of the site with consequent detrimental effect on the character of the area. He added that the extension of the property to a 6 bedroom house would generate additional traffic and noise nuisance particularly during construction. Mr Dale alleged that the applicant's motive was not to enhance the area but rather to make a financial gain.

In responding to the claims, Neil McClellan, the Area Planning Manager stated that there was no policy basis for refusal on the grounds stated by the objector as the application complied with the Council's guidance and policies. He added that the remainder of the issues raised by the objector had been adequately addressed in the remarks section of the main report.

DECISION: Planning permission granted subject to conditions.

**9. 74 Harvist Road, London NW6 6HL (Ref. 10/2542)**

PROPOSAL: Erection of single-storey extension to side of dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted subject to conditions and informatives.

**10. 117 Victoria Road, London NW6 6TD (Ref. 10/2536)**

PROPOSAL: Erection of single-storey side extension to outrigger and installation of sliding/folding doors to rear elevation of dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Andy Bates, the Area Planning Manager drew members' attention to an amendment to condition 4 as set out in the tabled supplementary report.

DECISION: Planning permission granted subject to conditions as amended in condition 4.

**11. Storage Land next to 75 St Pauls Avenue London NW2 5TG (Ref. 10/2806)**

PROPOSAL: Retention of hoarding to the rear of the site and the erection of heras style fencing on the front boundary.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

Ann Marie Glen an objector from Willesden Garage informed the Committee that the current application did not differ from the one that was previously recommended for refusal. She re-stated her objections that the proposal would constitute a hazard to pedestrian safety and as a haven for criminality and anti-social behaviour it would compromise security in the area. Miss Glen added that the proposal would adversely affect the economic viability of the garage particularly within the present economic climate.

Mr Peter Hale raised objections on the grounds that a higher wooden hoarding as proposed would create a secluded alleyway with all its associated problems including criminal activities and anti-social behaviour. He reiterated the concerns expressed by the previous objector that the proposal would compromise safety and privacy, causing inconvenience to residents and the garage. Mr Hale suggested a “see-through” and transparent structure rather than a wooden structure.

Steve Weeks, Head of Area Planning responded that it was not inappropriate for the applicant to secure the site as proposed and that concerns about the potential impact on trade or separate business interests were not issues for this Committee.

Members noted the concerns and the explanations by the Head of Area Planning but voted by a majority to refuse the application contrary to officers’ recommendation for the following statement of reasons;

“The hoardings, by reason of their siting, height, forward projection, poor quality materials and method of construction are an unsightly addition to the site, and would have a detrimental impact on the appearance of the surrounding streetscene, and the outlook of adjoining occupiers, contrary to policies BE2 and BE7 of London Borough of Brent’s Unitary Development Plan 2004”.

At the request of the Head of Area Planning, members confirmed that they were likely to support open mesh fencing to all boundaries.

DECISION: The hoardings, by reason of their siting, height, forward projection, poor quality materials and method of construction are an unsightly addition to the site, and would have a detrimental impact on the appearance of the surrounding streetscene, and the outlook of adjoining occupiers, contrary to policies BE2 and BE7 of London Borough of Brent’s Unitary Development Plan 2004.

**12. 66 Wrentham Avenue, London NW10 3HG (Ref. 10/2484)**

PROPOSAL: Change of use from House in Multiple Occupation (HMO) (Sui Generis) to two self-contained flats (1x 2-bedroom and 1x 3-bedroom), removal of side door and two side windows and formation of three new side windows and rear door, installation of replacement windows and formation of landscaping to front and rear gardens.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

**13. Islamia School Centre, 129 Salusbury Road, London NW6 6PE (Ref. 10/2389)**

PROPOSAL: Erection of a part two-storey and part three-storey primary school building with a playground at roof level.

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and procurement.

With reference to the tabled supplementary report, Andy Bates the Area Planning Manager responded to a number of concerns expressed by members during the site visit.

**Design and Scale**

A more modest redevelopment of the existing site as suggested by some residents would be unlikely to provide sufficient capacity for the relocation of the pupils currently taught at Winkworth Hall back to the main school site whilst also providing essential modern school facilities in an accessible (DDA compliant) and highly sustainable (BREEAM 'Excellent') building.

**Railings**

It was considered that the railings will be just one of many measures used to secure the school and that amending the design may lessen the attractiveness of the proposed boundary treatment.

**Overshadowing & Amenities**

As the proposed building would be located to the north of the Vicarage it could not interfere with direct sunlight and cause overshadowing to the Vicarage.

**Property Prices**

The impact of the proposed development on property prices was not considered a material planning consideration.

**Transport Issues**

An in principle agreement had been reached, whereby a contribution of £10,000 towards highway infrastructure improvements would be secured on material start which would be used by the Council to plant street trees, reinstate the redundant vehicular crossover and relocate the existing bus cage along Salusbury Road. In addition, the applicants had agreed to incorporate a £20,000 penalty clause into the proposed Travel Plan which would be paid should the school fail to meet the targets set in the Travel Plan.

**Admissions Criteria**

The Council's Admissions Officer had confirmed that a catchment area criterion would be applied to school applications from September 2011 giving priority to those pupils applying from residences within the south of the Borough (south of

the North Circular Road). Whilst this catchment area would not affect existing school pupils, it would over the course of time increase the proportion of the pupils that live locally to the school thus reducing the need to travel to the school by car and rendering unnecessary the suggestion to provide bus services.

The Council's Transportation Unit had confirmed that the current number of staff parking permits issued to the school would not be increased as future travel arrangements and measures set out in the Travel Plan were expected to work.

#### Consultation

Having inspected the responses it was not considered that there had been any deliberate attempt to significantly alter the reported public response to the application. Andy Bates clarified that the majority of the letters of support received came in the form of a standard letter where the main text was replicated but were signed and addressed individually by the sender. He added that both in terms of use and size, it was not considered that statutory consultation with Sport England was required as part of the application.

#### Site Plan

Andy Bates also drew members' attention to a revised site plan appended to the Supplementary Report which superseded the original site plan attached to main Committee Report and an amendment to condition 6 as set out in the supplementary report.

Mr Bittu Kaulser objected to the proposed development for the following reasons;

- i) The consultation undertaken for the application was not legitimate and therefore the application was invalid.
- ii) The transport impact of the application had not been adequately assessed by the officers.
- iii) The school's admission policy did not give any preference or guarantees for local children to be admitted to the school

Mr James Hope raised the following objections on behalf of Queens Park Area Residents Association (QPARA);

- i) The consultation undertaken was inadequate for a proposal which would have far reaching implications for the local residents.
- ii) The scale and height of the proposed development would encroach on the residential amenities and would constitute an overdevelopment of the site.
- iii) Traffic surveys for the application were inadequate as they failed to assess the full impact of the proposed development.
- iv) The proposed development would result in 21 car parking spaces for staff without compensatory provision.

Mr Hope emphasised the need for the school and the local community to work in harmony to re-examine the application and achieve a satisfactory solution.

***In accordance with the provisions of the Planning Code of Practice,*** Councillor Green ward member stated that he had been approached. Councillor Green, whilst welcoming the proposed development felt that the consultation with interested parties and local residents were flawed adding that neither he as a ward member or QPARA were consulted. He continued that the scale and design of the proposal would adversely impact on the character of the area.

***In accordance with the provisions of the Planning Code of Practice,*** Councillor Denselow ward member stated that he had been approached. Councillor Denselow in welcoming the proposal stated that it would provide education for the children and assist addressing the shortage of school places. He continued that although there was a need for the traffic implications to be scrutinised through constant monitoring, he was confident that the Travel Plan and the section 106 legal agreement would minimise any likely traffic impact.

***In accordance with the provisions of the Planning Code of Practice,*** Councillor Arnold Lead Member for Children and Families stated that she had not been approached. Councillor Arnold stated that currently the Authority was failing in its duty to provide adequate school places and therefore an application for expansion ought to be welcomed. She added that the admission criteria that would be in place as from September 2011 and would be monitored by the School Admission Forum would ensure that local children can gain admission to the school. In reference to claims about inadequate consultation, Councillor Arnold stated that in addition to sending out several letters and newsletters, the Council organised open days and public meetings including Area Consultative Forum at which residents were invited to express their views.

Mrs Annalia Saba a parent governor of the school speaking in support of the application stated that it would address the lack of school places and proper facilities at the school. She continued that the traffic and road safety issues that had been raised by some of the objectors were not unique to the school and that the Travel Plan and the Section 106 legal agreement would minimise any likely impact.

Julia Barfield the applicant's architect stated that extensive consultation with all interested parties had been taking place since July 2010. She added that consultations had taken place at the local libraries, Brent website, Queen's Park Open Day and Area Consultative Committee meetings. She continued that the scheme was revised as a result of comments made during the consultation period, leading to the design of a building that was fit for the 21<sup>st</sup> century as an educational establishment. Julia Barfield explained that that the design of the proposal was relatively modest so as to ensure that any likely impact including residential amenities and noise would be minimised.

In the ensuing discussion, Councillor Kataria enquired about measures put in place in response to criticisms about the school's admission criteria. In a similar vein Councillor McLennan sought a clarification on the admission criteria.

Councillor Adeyeye asked about facilities for disabled persons. Councillor Mistry also sought a clarification on the consultation that had taken place with interested parties in connection with the application. Councillor Hashmi emphasised the need for a workable Travel Plan however he expressed his support for the scheme. Councillor Thomas requested the Head of Area Planning to clarify the advice received from Legal Services and Highways and Transportation Services.

In responding to the above, the Head of Area Planning stated that he had received detailed input from Legal Services, Highways and Transportation and Children & Families in relation to the application as well as the question of a potential judicial review. He reiterated the nature and extent of consultation as explained by the applicant's architect in addition to the statutory consultation undertaken by Planning Services. He reported that the school's admission criteria would give priority to Brent residents and invited a representative from Children & Families department to confirm that. Steve Weeks drew Members' attention to the Travel Plan and the resulting penalty clauses as a means of addressing any highways issues that may arise. Andy Bates the Area Planning Manager added that the proposed scheme which would comply with the requirements of Disability Discrimination Act (DDA) 2005 would offer improved facilities for the disabled in contrast to the existing building which fell short of the DDA requirements. He also added that the changes that resulted from the updated plan were not significant as to warrant re-consultation.

Raj Parmar (Head of School Admissions) confirmed that the school operated a catchment area policy within Brent boundaries and whilst priority was given to children of Muslim faith, the new admission criteria would take into account catchment area, faith and sibling connection with priority being given to Brent residents.

DECISION: Planning permission granted subject to conditions as amended in condition 6 and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

#### **14. King Edward VII Park, Park Lane Wembley HA9 7RX (Ref. 10/2740)**

PROPOSAL: Erection of a Multi-Use Games Area to be located in the centre of the Park, with an approximately 3-metre-high surrounding fence and provision of 3 cycle stands.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Neil McClellan drew members' attention to an amendment to condition 4 as set out in the tabled supplementary report.

DECISION: Planning permission granted subject to conditions as amended in condition 4.

**15. Preston Manor High School, Carlton Avenue East, Wembley HA9 8NA (Ref. 10/2738)**

PROPOSAL: Erection of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space, as amended

OFFICER RECOMMENDATION: Grant Planning Permission, subject to a s106 legal agreement, or if within a reasonable period the applicant fails to demonstrate the ability to provide for the s106 terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement, to delegate authority to the Director of Regeneration and Major Projects, or other duly authorised person, to refuse planning permission.

***In accordance with the provisions of the Planning Code of Practice*** Councillor HB Patel stated that he had been approached by devotees and trustees of the temple. Councillor Patel in support of his objections drew members' attention to the list of objections set out in the main report adding that there was no need for an additional classroom and therefore this application. He continued that as there were 4 local schools in the area all with spare capacity this application would constitute an inappropriate development.

Carmen Coffey, School Admissions Children & Families responded that all local schools in the area were full to capacity forcing other local children to travel to neighbouring schools in Kenton and Kingsbury for school places. In her view the proposal would provide additional school places for local children living in the HA9 area.

In responding to concerns expressed by Councillor Kataria on parking and inadequate turning room, Neil McClellan drew members' attention to condition 8 which sought to address that by requiring additional details on layout. He referred members to a paper circulated at the meeting setting out the objections by a resident. Neil McClellan also drew members' attention to amendments to condition 5 and the removal of condition 4 as set out in the tabled supplementary report.

DECISION: Planning permission granted subject to conditions as amended in condition 5, the removal of condition 4 and to a s106 legal agreement, or if within a reasonable period the applicant fails to demonstrate the ability to provide for the s106 terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement, to delegate authority to the Director of Regeneration and Major Projects, or other duly authorised person, to refuse planning permission.



**16. Park Lane Primary School, Park Lane, Wembley, HA9 7RY**

PROPOSAL: Erection of a part 1, part 2 and part 3 storey rear extension, extension to existing basement and erection to decking area to Park Lane side of school.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Neil McClellan the Area Planning Manager informed the Committee that the applicant had submitted revised drawings, visualisations and supporting documents which amended the extension and moved it further from the boundary with the gardens of Princes Court properties. He added that the applicants had also incorporated screening along the edge of the external stairs to address concerns regarding overlooking, whilst the raised platform and platform lift had been sited adjacent to the garage.

He clarified in response to members' request at the site visit that the proposed development would result in an increase of 115 places at Park Lane Primary School, from 305 to 420 and would assist in addressing the projected shortfall in school places. He then drew members' attention to an amendment to condition 8 and an additional condition 10 as set out in the tabled supplementary report.

DECISION: Planning permission granted subject to conditions as amended in condition 8 and an additional condition 10.

**17. Shree Saibaba Mandir, Union Road, Wembley HA0 4AU**

PROPOSAL: Retrospective application for change of use to a place of worship (Use Class D1), and proposed erection of a single-storey rear extension and a canopy to the side elevation.

OFFICER RECOMMENDATION: Refuse planning permission.

Neil McClellan the Area Planning Manager in responding to issues raised at the site visit stated that a condition restricting the number of people able use the outside area to the rear could be difficult in terms of control as well as defining activities which would not also contribute to potential nuisance. In respect of the extension (9.9m from the original rear wall), he felt that its size would have a significant detrimental impact on the amenities of the adjacent property, 22 Union Road in terms of light and outlook. The Area Planning Manager continued that the applicant had not responded to requests for a management plan to address the parking situation in a way which would not adversely affect neighbouring residential properties. He therefore reiterated the recommendation for refusal.

Mr H Chhatwal reiterated his objections on grounds of noise nuisance, inadequate traffic control measures despite the existing control parking zone (CPZ) provisions in the area. He added that the applicant had not provided a management plan which could address the resulting traffic and parking problems. In response to an

enquiry by Councillor Kataria about the noise levels, Mr Chhatwal stated that although he had observed a slight reduction in the level of noise in the last couple of weeks it (the level on noise) had been consistently high in the past.

Mr Darsham Nagi Chair of Board of Trustees stated that the temple was determined to work closely with the residents and the Council to address any likely impact from the proposed change of use and apologised for any inconvenience caused to them in the past. He added that as part of the management plan, there would be several volunteers on hand to ensure that any likely impact was kept to a minimum. In respect of the perceived parking problems Mr Nagi continued that most of the devotees would park in Ealing Road car park, shop in the area and then would walk to the temple, thus minimising parking problems in Union Road. In response to members' questions Mr Nagi stated that the trustees were misled into believing that they needed to apply for a planning permission although there was a D1 use for the premises. He added that officers had not responded to the management plan he has proposed and that the parking problems in the area could not be attributed to the temple only. In terms of the noise nuisance Mr Nagi stated that the attempt by the trustees of the temple attempt to install double glazed windows was discouraged by officers.

Mr AS Kassim the applicant's agent clarified that the rear extension would not project beyond 4.3m which was smaller than the property next door (in excess of 5m). He continued that any likely impact from the rear of the property could be controlled by the imposition of conditions. Mr Kassim added that the premises had had a D2 use for the last 5 years without any problems being caused to the local residents.

***In accordance with the provisions of the Planning Code of Practice*** Councillor HB Patel stated that he had been approached by devotees and trustees of the temple. Councillor Patel stated that the existing D1 use had not created problems for the local residents and that any noise nuisance that could result could be controlled by conditions. He continued that the detrimental impact referred to by some of the objectors was a cumulative effect of 3 places of worship in the area and the nearby shopping centre. He added that he was aware that a management plan had been submitted by the trustees.

***In accordance with the provisions of the Planning Code of Practice*** Councillor Butt stated that he had been approached by devotees and trustees of the temple. Councillor Butt stated that in his view the parking problems could not be attributed to the temple only but recognised that its activities could cause significant problems in terms of the free flow of traffic and the safety of pedestrians as well as impacts on nearby residents. Councillor Butt urged members to defer the application for a site visit in order to assess the impact of the proposed change of use on the area.

In response to issues raised, Neil McClellan clarified that the current use required an application for change of use and that the applicant had made a series of inquiries in regards to measures for addressing the traffic problems which was found to be inadequate given the intensity of use. He informed the Committee that there was a demonstrable need for a robust and an acceptable management plan

to support the application. He continued that the distance from the window (3m) did not comply with the Supplementary Planning Guidelines (SPG). Steve Weeks, Head of Area Planning outlined the main differences between this application and the application for McNicholas building (item 6) in terms of scale, management plan and the intense commercial activities in Ealing Road compared to that part of Kingsbury Road.

Members discussed the application during which the general consensus was for a deferral of the application for further negotiations between the applicant and the Council. This was put to the vote and declared carried by a majority.

DECISION: Deferred to allow further negotiations between the officers and the applicant.

***Note: Councillor RS Patel Chair declared a prejudicial interest left the meeting room and took no part in the discussion and voting in this item. Councillor Thomas chaired the meeting for this item only.***

**18. Planning Appeals - November 2010**

RESOLVED:-

That the appeals for November 2010 be noted.

**19. Any Other Urgent Business**

None raised at this meeting.

The meeting ended at 11.25pm

RS PATEL  
Chair

Note:

At 10:30pm the Committee decided to dis-apply the guillotine procedure in order to enable members to consider all applications on the agenda.

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## **EXTRACT OF THE PLANNING CODE OF PRACTICE**

### **Purpose of this Code**

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

### **Accountability and Interests**

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
  - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
  - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
  - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

### **Meetings of the Planning Committee**

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.
  
25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.
  
29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
  - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
  - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

### **STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE**

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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## Committee Report Planning Committee on 12 January, 2011

Item No. 3  
Case No. 10/2046

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**RECEIVED:** 1 September, 2010

**WARD:** Dollis Hill

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** 139 Coles Green Road, London, NW2 7HH

**PROPOSAL:** Erection of a single- and two-storey side extension, single-storey rear extension, erection of a rear dormer window and formation of vehicular access to rear garden of dwellinghouse to provide an additional off-street parking space (revised plans received 27/10/2010 & 24/12/2010)

**APPLICANT:** Mr Al Naseri

**CONTACT:** Mrs Samii

**PLAN NO'S:**  
See condition 2

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### DEFERRED FOR SITE VISIT

The application was deferred at the Planning Committee on 15 December 2010 to provide Members with the opportunity to carry out a site visit to better understand the change in ground levels.

Revised plans have been received providing further clarity regarding the relationship with 141 Coles Green Road (Drawing Number: 3-10-009) and the parking space proposed in the rear garden of the application property (Drawing Number: 3-10-007 RevC). The plan numbers detailed in Condition 2 will be updated to reflect these revisions.

### Recommendation: Approval

The main committee report is attached below.

### RECOMMENDATION

Approval

### EXISTING

The subject site is land to the side of the semi-detached corner property within the curtilage of 139 Coles Green Road. The surrounding land use is predominantly residential, but there is a mixture of retail and B2/B8 uses across the street. The site is not in Conservation Area or a Listed Building.

### PROPOSAL

Erection of a single and two storey side extension, single storey rear extension, erection of a rear dormer window and formation of vehicular access to rear garden of dwellinghouse to provide an additional off-street parking space

## HISTORY

**10/0874** Erection of two-storey side and single-storey rear extension, one rear dormer window and two rooflights to dwellinghouse **Withdrawn** 14/06/10

**08/0357** Erection of a two storey 3 bedroom dwellinghouse attached to the side elevation of existing house **Refused and dismissed at appeal**

- 1. The proposed new dwellinghouse, by virtue of its width, would fill excessively the gap between the existing property and Kelceda Close, to the detriment of the visual amenity of the streetscene. Furthermore the siting and design of the dwellinghouse would materially harm the existing open character of Kelceda Close, its symmetrical setting when viewed from Coles Green Road and the character of Nos. 139 to 145. This is contrary to policies BE2, BE3, BE7, BE9 and H12 of Brent's adopted Unitary Development Plan 2004 and Supplementary Planning Guidance No. 5: "Altering and Extending Your Home" and No. 17 "Design Guide for New Development".*
- 2. The proposed new dwellinghouse, by virtue of its floor area, would result in a substandard form of accommodation for future occupiers by failing to provide sufficient space to allow for the creation of a satisfactory family-sized dwellinghouse, contrary to policies BE9 and H12 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17: "Design Guide for New Development".*
- 3. The proposed new dwellinghouse fails to make provision for private amenity space, cycle-parking and on-site car-parking, and would therefore have a detrimental impact on the amenities of existing and future occupiers and on the safe and free flow of traffic, contrary to policies BE7, BE9, H12, TRN11 and TRN23 and standard PS14 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17: "Design Guide for New Development".*

**07/3068 REFUSED** - Erection of a two-storey 3-bedroom dwelling on land to the side of the existing property within the curtilage of 139 Coles Green Road. Refused on following grounds:

- 1. The proposed erection of a 2-storey extension to form a 3-bedroom house within the curtilage of 139 Coles Green Road would constitute excessive infilling of the gap between the existing property and Kelceda Close, to the detriment of the Coles Green Road streetscene. The siting and design of the dwelling would also alter the consistency of the building line along Kelceda Close, harming its existing open character and setting when viewed from Coles Green Road. This is not in compliance with policies BE2, BE7 and H16 in Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 5: "Altering and Extending Your Home".*
- 2. The proposed dwelling would result in a substandard form of accommodation for future occupiers by failing to provide sufficient floor space to allow for the creation of a satisfactory family-sized dwellinghouse. This would be contrary to Supplementary Planning Guidance 17: "Design Guide for New Development" and policies H12 and H15 of Brent's Unitary Development Plan 2004.*
- 3. The proposal fails to make adequate provision for amenity space, areas for refuse, cycle-parking and on-site car-parking, and would therefore have a detrimental impact on the amenities of existing and future occupiers which would be contrary to policies H12 and H15 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 17: "Design Guide for New Development".*

## **POLICY CONSIDERATIONS**

### **Brent UDP 2004**

The statutory development plan for the area is the London Borough of Brent Unitary Development Plan (UDP), which was formally adopted on 15 January 2004.

The following are the policies within the UDP relevant to this decision:

- **BE2 Local Context**
  - relates to design within the local context and character and the need to take into account existing landforms and respect and improve existing materials and townscape.
- **BE7 Public Realm: Streetscape**
  - states that a high quality of design and materials will be required for the street environment. Proposals that involve excessive infilling of space between buildings, the loss of paving, front walls and railings and forecourt parking that would detract from the streetscape will be resisted.
- **BE9 Architectural Quality**
  - relates to extensions and alterations to existing buildings and requires them to embody a creative and appropriate design solution specific to the site's shape, size, location and development opportunities. They should be designed to be of a scale, massing and height appropriate to their setting and the townscape location. It also requests that development respects without necessarily replicating the positive local design characteristics and satisfactorily relate to them. The design should exhibit a consistent and well considered application, and be laid out to ensure that building and spaces are of a scale design and relationship to each other that promote the amenity of users, provide satisfactory levels of sun and day light, privacy and outlook for existing and proposed residents.
- **TRN23 Parking Standards - Residential Development**
  - relates to maximum parking standards for residential units, 'car-free' development where public transport accessibility and controlled parking zones allow and on-street parking on outside of Heavily Parked Streets
- **PS14 Residential Parking Standard**
  - 4+ bedroom houses maximum parking standard is 2 spaces

NOTE: Since 27<sup>th</sup> September 2007 a number of the adopted Brent Unitary Development Plan 2004 policies have been deleted. This is part of a national requirement (introduced in the Planning & Compulsory Purchase Act 2004). The policies that remain valid are described as 'saved' policies and will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. Only saved policies are considered in determining this application.

### **SPG**

The Council produces a series of Supplementary Planning Guidance Notes that give additional information on a variety of issues and which are intended to be read in conjunction with the adopted UDP. These SPG were subject to widespread public consultations as part of the UDP process before being adopted by the Council and given this widespread public consultation the Planning Authority would suggest that considerable weight be attached to them.

- **SPG 5 Altering and extending your home**

Adopted September 2002

## **CONSULTATION**

### ***Local consultees***

Neighbours consulted on 06/10/10. Eight objections were received, with multiple objections from the same address. It appears that four of these identical objections, which were submitted online

via the Council website on the same evening, were not genuine objections. Your officer was contacted by one resident following their receipt of the standard acknowledgement letter. This resident explained they had made no objection. Your officer wrote to all eight residents who objected in the same manner and using the same text and asked that they confirm their objection in writing. A further three residents have not confirmed their objection.

In addition, some residents complained they had not been notified and the consultation period was restarted with fresh notification letters dispatched on 02/11/10.

In total, four objections have been received during the two periods of consultation. Residents of properties to the north (attached) and the east (end of the garden) and two other properties on Kelceda Close objected on the following grounds:

- Out of character with the street, in particular the open character of this corner plot
- Noise and disturbance of parking space in garden
- Loss of privacy from the rear dormer
- Overbearing impact and loss of light arising from single storey rear extension
- Noise disturbance due to overdevelopment
- Impact of increased traffic
- Impact on property values

### ***Internal consultees***

#### ***Landscape***

No objection subject to landscape condition to secure the following:

- The construction of a bin storage facility to screen the rubbish bins from the street
- The design and layout of the front garden to meet BE7 and SPG 5 50-50 soft and hard landscape.
- We would require one small tree to be planted in the front garden and perhaps 1 or 2 in the rear garden.
- Details of plants including species, location, size, number and density
- Details of hard materials, including surfacing and boundary treatments”

in the interests of the visual amenities of the area.

#### ***Transportation***

The proposal can be generally supported on the transportation grounds subject to following conditions:

- (a) The vehicular access should be 3 metres wide.
- (b) Visibility splays should be provided at the access as in the Domestic Vehicle Footway Crossover Policy. There should be no obstruction over the height of 850mm within the splays. Where the back wall or side perimeter fence are affected they should provide through visibility or reduced in height to 850mm.

## **REMARKS**

### ***Introduction***

The site has been subject of three applications in the past three years which proposed an extension of a similar mass and bulk, albeit in those applications the extension would form a separate dwellinghouse. The Council was consistent in refusing those schemes due to, amongst other things, the impact of the proposals on the character and appearance of the area. The applicant has been advised in the past that a two-storey side extension to the original house would have to comply with policies BE2, BE7 and BE9 of the development plan and with the objectives of SPG5.

## ***The dismissed appeal***

The Inspector identified the main issues as *“the effect of the proposed development on the character and appearance of the area, and its effect on highway safety”* (PINS, 8 October 2008). Highway safety is not an issue with the proposed development as it does not involve an additional unit.

### ***The extensions***

#### ***Two storey side extension***

139 Coles Green Road is 2-storey end-of-terraced dwelling. It is a corner property located on the border of Kelceda Close. 139 itself benefits from ample rear garden space which backs onto the side boundary of 2 Kelceda Close. To the north, east and south of the site, properties have a consistent pattern of development in the form of two-storey terraced properties with hipped roofs. To the west the built form consists of irregular commercial units.

No. 139 not only completes the terrace along Coles Green Road; it also forms the entrance to Kelceda Close, therefore the site has an important impact on setting the character of the area. The character of Kelceda Close is defined by seven 2-storey dwellings either side of the street sharing the same building line. This building line is complimented by 139 Coles Green Road having a 5.3 metre set-in from the side boundary onto Kelceda Close. This set-in is replicated by No. 137 on the other side of the street. The setback gives symmetry to the streetscene and enables Kelceda Close to retain its open character when viewed from Coles Green Road.

The importance of this open character was recognised and supported by the Inspector, who stated *“This openness and symmetry is an important element of the local distinctiveness of the Close”* and who went on to say *“The proposed dwelling would take up all the side area, leaving a margin only 1m wide to the side boundary. It would have a cramped effect which would fail to respect the form of the frontage development and would represent an excessive amount of infilling between the host dwelling and the Close, which would have considerable visual impact in this corner location”*

The short terrace of four properties, of which No. 139 is the end property, had a symmetrical form when originally constructed. The other end of the terrace has had an extension constructed under planning permission 86/1385. It should be noted that this application was granted before the existing UDP and SPG5 were adopted, and the plot of 145 was not an open corner, as opposed to this site; its impact, therefore, is not as significant as this site. The form of the terrace itself would be balanced by the new dwelling but that is only in relation to what is a fairly unsatisfactory side extension in terms of design features to No. 145. Therefore the Council would expect the features of the original buildings to be used as a guide to the design of any proposal. The design of the proposed building is unsatisfactory in relation to the original properties and cannot be supported. The Inspector supported the Council on this point, stating *“there are significant differences between that [No. 145] and the appeal proposal. The northern end of the terrace does not have the open residential setting that is so important at the appeal site. Furthermore, the development at No.145 was granted planning permission before the current UDP was adopted. This would not therefore justify the harm which I have identified in relation to the appeal development”*

The Inspector concluded that the appeal scheme *“would conflict with UDP Policies BE2, BE3 and BE7 and the Council’s Supplementary Planning Guidance 17(SPG) Design Guide for New Development, which aim to support the quality of the built environment.”*

The original property is over 5m from the boundary of Kelceda Close, which gives the area an open character, as replicated opposite next to 137 Coles Green Road. SPG5 contains supporting guidance on the appropriate development of such open corner sites. It requires side extensions to be set-in at least 2m from the boundary to maintain the open character. This proposal is set-in 2m; a material change from the appeal scheme and in accordance with the Council’s published guidance. There are no site specific reasons why the normal guidance should not be applied in this

case. The set-in is considered acceptable in terms of the impact on the character of the area and would not materially detract from the character and setting of Kelceda Close. The ground floor would be set back from the front wall of the original property by 250mm and the first floor by 1.5m. The ridge of the roof would be set down by 400mm to ensure the roof is subservient.

The proposed two storey side extension would not result in material harm to the character and appearance of the area and of the property, and thus complies with policies BE2 and BE9 and the objectives of SPG5.

#### *Single storey rear extension*

This would be 2.5m deep and 2.6m high to a flat roof. The adjoining property, No. 141, is lower than No. 139 by approximately 0.7m and the impact of the rear extension in terms of height is likely to be more acute than normal as a result. This will be exacerbated by fact the extension lies to the south of No. 141. In such circumstances the rear extension should be reduced in height or set in off the boundary; in this case the extension would be set in from the boundary with No. 141 by 0.5m and reduced to 2.6m high. As a consequence the proposal is considered acceptable in terms of its impact on the amenity of the occupants of No. 141 in terms of outlook and sunlight and daylight (BE9(e)) and would not have an unduly overbearing impact.

#### *Rear dormer*

This is proposed to be 2.2m wide and set up from the eaves by 0.3m and down from the ridge by 0.3m. SPG5 states dormers should be no wider than half the width of the original roof, which in this case is 2.23m. The dormer should also be set up from the eaves by 0.5m, but this dormer is set back from the edge of the roof by 500mm. The 200mm difference is not considered sufficiently harmful to merit refusal on this point alone. The dormer is considered acceptable in terms of visual impact and the character and appearance of the property (BE2, BE9). The rear dormer is not likely to result in any material loss of privacy for neighbouring residents.

#### ***Parking and Access***

139 Coles Green Road currently benefits from roughly 50/50 soft landscaping to the forecourt area of the property, as sought by policy BE7 of the UDP. If the proposed dwelling was to be approved, one off-street space would be lost due to the side extension. Transportation have no objection to this being re-provided in the rear garden, nor do Landscape subject to further details; it could not be provided on the wide front garden as it would not comply with policy BE7. The area of the rear garden lost to car parking shown on drawing 3-10-007 Rev B is 11m deep by 3.5m wide, which is considered in excess of what is required for one car parking space albeit 4m is on a slope and could thus result in more vehicles being parked than permitted by the standards.

Neighbours have objected to having the parking space in the rear garden on grounds of amenity. This arrangement is common throughout the borough and, provided the parking area is reduced in size so it is farther from the boundary with No. 141 Coles Green Road, it would not cause any significant harm to their amenity. In terms of the impact on No. 2 Kelceda Close, the parking space would be positioned next to their own off-street parking space; it is not considered there would be any particular difference in impact between the two spaces.

A condition is imposed requiring a landscape plan which should address the above and ensure the hard surfacing at the rear is kept to a minimum required to safely park one vehicle, and the access being widened to 3m to meet Highways standards. In addition the plans should show the levels proposed as the ground falls from the back edge of the footpath; this may mean a ramp down to the parking space will be required, or that the parking space will need to be raised as per the space serving No. 2 Kelceda Close.

## **Response to objectors**

Most objections have been addressed in the relevant sub-sections, above. In terms of noise disturbance arising from overdevelopment of the site, your officers note that this is a reasonably common extension in the borough and it would remain a single family dwellinghouse. As such, no material harm is expected from an increase in occupancy. Traffic would not increase as the existing parking provision is two off-street parking spaces, albeit one would now be accessed from Kelceda Close. Impact on property values is not a planning consideration.

## **Conclusion**

The proposed development, subject to conditions, complies with policies BE2, BE7, BE9, TRN23 (and standard PS14) of the UDP and SPG 5.

## **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 5 - Altering and Extending Your Home

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

Built Environment: in terms of the protection and enhancement of the environment

Housing: in terms of protecting residential amenities and guiding new development

## **CONDITIONS/REASONS:**

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

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

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

3-10-001; 3-10-002; 3-10-003; 3-10-004; 3-10-005; 3-10-006; 3-10-007 Rev A;  
3-10-008

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) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of

the proposed development (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 any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (i) proposed boundary walls and fences indicating materials and heights to include a 3m wide vehicular access from Kelceda Close and visibility splays;
- (ii) planting to the front garden over at least 50% of the area, to comply with policy BE7;
- (iii) screen planting along the boundary with Coles Green Road and Kelceda Close including the area between the new flank wall and the boundary;
- (iv) areas of hard landscape works and proposed materials

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

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

**INFORMATIVES:**

None Specified

**REFERENCE DOCUMENTS:**

Any person wishing to inspect the above papers should contact Angus Saunders, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5017

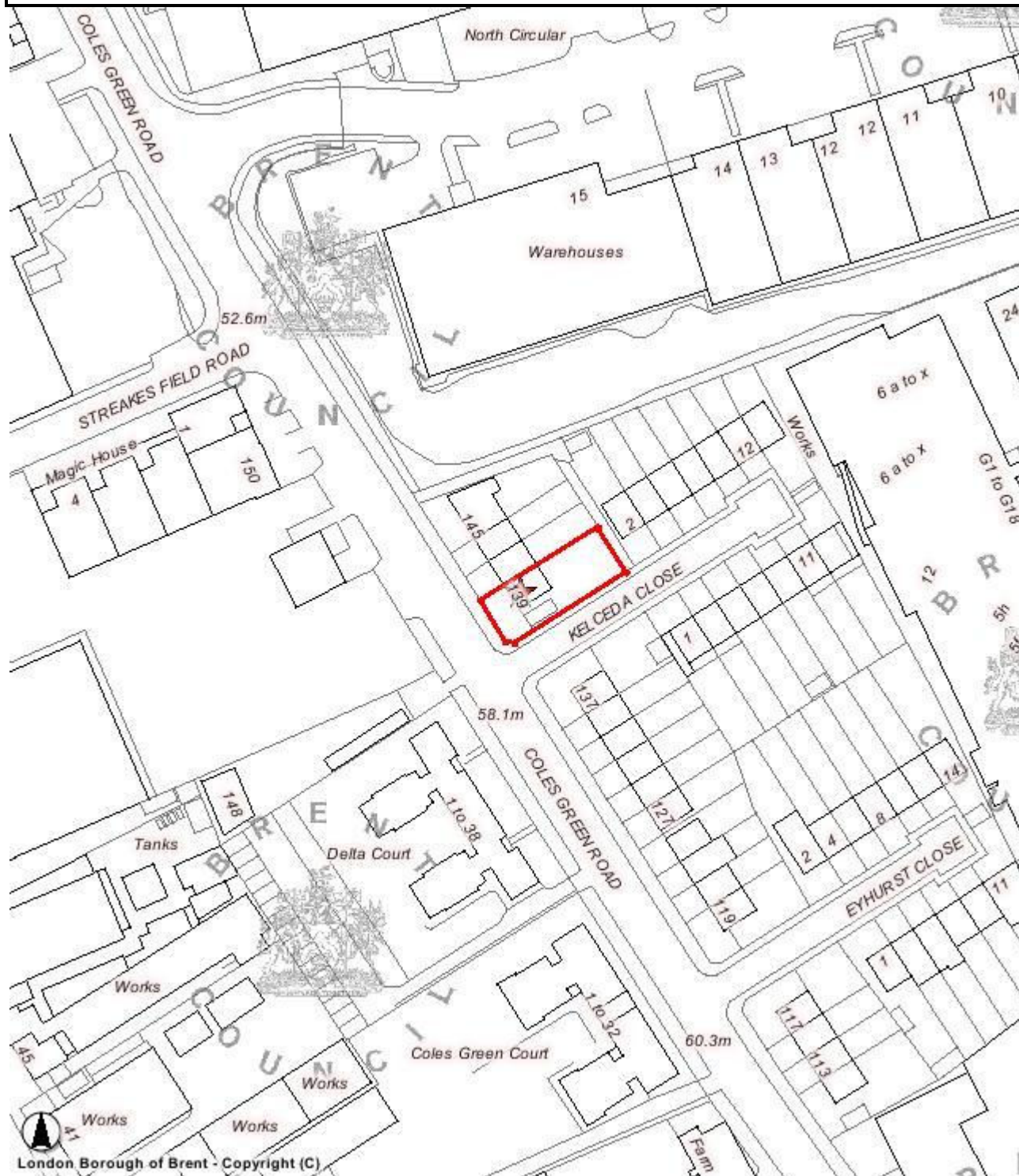




## Planning Committee Map

Site address: 139 Coles Green Road, London, NW2 7HH

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**Committee Report  
Planning Committee on 12 January, 2011**

**Item No.** 4  
**Case No.** 10/1275

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**RECEIVED:** 4 June, 2010

**WARD:** Barnhill

**PLANNING AREA:** Kingsbury & Kenton Consultative Forum

**LOCATION:** 15 Basing Hill, Wembley, HA9 9QS

**PROPOSAL:** Erection of a rear dormer window and raising roof height of existing two-storey side extension to dwellinghouse (revised plans dated 8 July 2010)

**APPLICANT:** Mrs S. Ideis

**CONTACT:** Mr William Bentley

**PLAN NO'S:**  
See condition no 2

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## **RECOMMENDATION**

Approval

## **EXISTING**

This application relates to a semi detached dwellinghouse located on the north side of Basing Hill. The site is within the Barn Hill Conservation Area but is not in subject to the Article 4 Direction.

## **PROPOSAL**

The application proposes the extension to the roof of the existing two storey side extension and the erection of a dormer window in the rear roofslope. Revised plans were received on 8 July 2010 providing an increased set down from the main ridgeline of the property.

## **HISTORY**

**E/10/0549:** Enforcement investigation into the change of use of the premises to a mixed use as residential and children's home. Following a site visit by the Enforcement Officer, it was not evident that a change of use has occurred and as such, no further was action taken.

The site visit confirmed that a single storey extension/canopy had been erected to the existing single extension without planning permission. A subsequent site visit carried out on 13 December 2010 has confirmed that the unauthorised extension/canopy has been removed.

**06/1065:** Erection of single storey rear extension – Granted 09/06/2006

**03/2414:** Demolition of existing garden shed and erection of outbuilding in rear garden of dwelling house - Granted 13/11/2003

## **POLICY CONSIDERATIONS**

### Brent UDP 2004

**BE2: Local Context & Character** - Proposals should be designed with regard to their local context, making a positive contribution to the character of the area. Proposals should not cause harm to the character and/or appearance of an area, or have an unacceptable visual impact on Conservation Areas.

**BE7: Public Realm: Streetscape** – A high quality of materials will be required for the street environment.

**BE9: Architectural Quality** - Requires new buildings to embody a creative and high quality design solution, specific to the sites shape, size, location and development opportunities and be of a design, scale and massing appropriate to the setting.

**BE25: Development in Conservation Areas** - Development proposals in conservation areas shall pay special attention to the preservation or enhancement of the character or appearance of the area; and regard shall be had for design guidance to ensure the scale and form is consistency.

**BE26: Alterations and Extensions to Buildings in Conservation Areas** - Alterations to elevations of buildings in conservation areas should retain the original design and materials; be sympathetic to the original design in terms of dimensions, texture and appearance; characteristic features should be retained; extensions should not alter the scale or roofline of the building detrimental to the unity or character of the conservation area; should be complementary to the original building and elevation features.

### Supplementary Planning Guidance

SPG5 – Altering and Extending your Home

#### Design Guide

Barn Hill Conservation Area Design Guide

## **CONSULTATION**

7 neighbouring properties were notified, a press notice published and a site notice displayed adjacent to the application site.

One letter of objection was received raising the following objections:

- The dormer window is over large both in height and width - does not comply with BHCA Design Guide;
- The increased roof would be too high;
- Overdevelopment of the site;
- Would make house suitable for multiple occupation.

Objection from the Barn Hill Residents Association on the following grounds:

- Concern regarding the use of the property as a children's home;
- Satellite dishes to the front of the property would require planning permission - request removal;
- Overdevelopment of the property - contrary to BHCA design Guide.

*Officer Comment:* Matters relating to the use of the property as a children's home have been subject to investigation by the Councils Enforcement Team. This is detailed in the *Relevant History*

section above. A condition will be imposed to require the removal of the existing satellite dishes to the front of the property. Other objections raised will be discussed in the *Remarks* section below.

## **REMARKS**

The property has an existing two storey side extension where the rear part has a flat roof. The proposal is to extend the existing hipped roof rearwards in line with the main roof slope, resulting in a reduced set down of 0.62m from the main ridgeline. The rear dormer window is 2.050m wide and 1.695m high. Alterations to the first floor rear window are also proposed.

The Barn Hill Conservation Area Design Guide advises that extensions should be designed to complement the original house and not impact on the amenity of the immediate neighbours. In the case of this proposal, the alterations visible from the street will be the increase in ridge height of the roof over the side extension by 0.48m. It is considered that the proposed set down of 0.62 from the main ridgeline coupled with the set back from the front elevation of 1.0m will ensure that the side extension remains subservient in appearance. The rear dormer window meets the size criteria set out in the Barn Hill Conservation Area Design Guide and it is considered that the positioning within the roof slope is acceptable taking account of the extension to the roof proposed. The alterations to the first floor rear windows will improve the appearance as they will be more consistent with other windows in the property. Overall, it is considered that the extensions proposed preserve the character and appearance of the Barn Hill Conservation Area.

In terms of residential amenity, the property to the east (17 Basing Hill) is set at a higher level. Given that the proposed roof extensions do not project beyond the rear elevation of the existing property, there will be no significant impact on the neighbours. The property to the west (13 Basing Hill) is set at a lower level however given the nature of the proposal, there will be no significant impact on residential amenity.

The proposal is to extend an existing single family dwellinghouse and following an enforcement investigation, it has been confirmed that there has been no breach of planning control with regard to the use of the property (see *Planning History*). The proposal is considered to preserve character and appearance of the Barn Hill Conservation Area and not adversely impact on neighbouring properties. As such, the proposal complies with policies BE2, BE9, BE25 and BE26 of Brent's UDP 2004, and the guidance as outlined in the Barn Hill Conservation Area Design Guide.

## **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 5 - Altering and Extending Your Home  
Barn Hill Conservation Area Design Guide

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

Built Environment: in terms of the protection and enhancement of the environment

Housing: in terms of protecting residential amenities and guiding new development

**CONDITIONS/REASONS:**

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawings:

284/1 Rev B; 284/2 Rev A; 284/3 Rev A

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

- (3) No satellite dishes shall be fixed to a chimney, wall or roof slope which faces onto Basing Hill. Any existing satellite dishes fixed to a chimney, wall or roof slope which faces onto Basing Hill shall be removed prior to commencement of the development.

Reason: To preserve the character and appearance of the Barn Hill Conservation Area.

- (4) 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.

Reason: To ensure a satisfactory development which enhances the visual amenity of the Conservation Area

**INFORMATIVES:**

None Specified

**REFERENCE DOCUMENTS:**

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



## Planning Committee Map

Site address: 15 Basing Hill, Wembley, HA9 9QS

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**Committee Report**  
**Planning Committee on 12 January, 2011**

**Item No.** 5  
**Case No.** 10/2704

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**RECEIVED:** 18 October, 2010

**WARD:** Kensal Green

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** 2 Scrubs Lane, London, NW10 6RB

**PROPOSAL:** Continued display of free-standing, internally illuminated sign, incorporating non-illuminated signage for the City Mission Church' to the rear, on site of church on south side of Harrow Road, adjacent to existing petrol station

**APPLICANT:** City Mission Community Project

**CONTACT:** JC Decaux UK Ltd

**PLAN NO'S:**  
A0686/01  
A0686/02

---

**RECOMMENDATION**

Refuse Consent

**EXISTING**

The subject site is located on the south-western corner of the junction between Harrow Road and Scrubs Lane and is dissected by the borough boundary between the LB Brent and the LB Hammersmith & Fulham. The site is currently occupied by a three-storey church building and two advertisement hoarding's. The first advertisement hoarding is located on the southern side of the site, adjacent to Scrubs Lane, within the LB Hammersmith & Fulham. The second advertisement hoarding, which is 7.5m in height and 5m in width, is located towards the north-western corner of the site, close to Harrow Road and adjacent to the site boundary with the neighbouring petrol station. This advertisement hoarding is located within the LB Brent and is the subject of the current application for Advertisement Consent.

**PROPOSAL**

See above

**HISTORY**

**ADVERTISEMENT HISTORY**

Advertisement Consent (03/3278) was granted on the 5th February 2004 for the erection of an internally illuminated 7.5m x 5m advertisement hoarding's on the site, located south of Harrow Road, close to the boundary with the adjoining petrol station. In accordance with Regulation 13(5)b

of the Town and Country Planning (Control of Advertisements) Regulations 1992, consent to display this advert was granted for a period of 5 years. As such, this consent expired on the 5th February 2009.

Two previous Advertisement Consent applications have recently been submitted in pursuance of this issue. The first application (10/0595), sought to retain the hoarding granted under the 2004 consent and erect a new 6m x 3m hoarding on the north-eastern corner of the site, adjacent to the junction between Harrow Road and Scrubs Lane. This application was refused by the Planning Committee, on the 1st July 2010, on both visual amenity and highway safety grounds. Following this refusal to grant Advertisement Consent, a new application (10/1819), omitting the proposed 6m x 3m hoarding, was submitted seeking consent only for the continued display of the 7.5m x 5m sign. This application was refused under delegated powers on the 23rd August 2010, this time for reasons relating solely to the impact on visual amenity as follows:-

*"The proposed continued display of the internally illuminated hoarding on Harrow Road, by virtue of its prominent location and excessive size and display, would be detrimental to the visual amenity and character of the street-scene, resulting in visual clutter and related poorly to buildings and public realm improvements on the site contrary to policies BE2 and BE21 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 8 'Advertisements Other than Shops'."*

The applicant has lodged an appeal against the decision of the Council to refuse consent for the continued display of the 7.5m x 5m hoarding and this matter is now being considered by the Planning Inspectorate. However, the applicant now seeks Advertisement Consent to retain the hoarding, incorporating proposed alterations, and it is this proposal that now forms the basis of application under consideration..

#### OTHER PLANNING HISTORY

In addition to the specific planning history relating to the display of advertisements, there have been a number of other planning related applications on the site, including the planning application (08/0282) under which permission was granted for the erection of the church building which now stands on the site. This permission was subject to a number of planning conditions, some of which have not yet been fully met. In particular, the development fails to comply with planning condition 9 which sought the retention of a number of public art giraffe sculptures that were present on the site prior to the development of the church building. The Council's Enforcement Team has served a breach of condition notice (E/10/0018) in respect of this matter and negotiations between Officers and the Church are on-going in an attempt to resolve this matter.

#### POLICY CONSIDERATIONS

##### London Borough of Brent Unitary Development Plan 2004

**BE2** Townscape: Local Context & Character  
**BE7** Public Realm: Streetscape  
**BE21** Advertisement Hoardings

**Supplementary Planning Guidance 8 "Advertisements other than shops"**

#### SUSTAINABILITY ASSESSMENT

N/A

#### CONSULTATION

EXTERNAL

Consultation letters, dated 17th November 2010, were sent to Ward Councillors and 43 neighbouring owners/occupiers. Two letters of objection have been received in response. The concerns of the objectors generally relate to the visual impact of the advertising hoarding on the surrounding area.

Ward Councillors James Powney and Bobby Thomas have both indicated their support for the current application.

INTERNAL

Transportation Unit - The Council's Transportation Unit have raised no highway safety objections to the application.

## REMARKS

### CURRENT PROPOSAL

As discussed in the 'History' section of the report, the Council have recently, on two occasions, refused consent for an application to retain the existing hoarding on site. The current proposal also envisages the retention of the hoarding, but now involves alterations to the rear, facing westward along Harrow Road, involving the installation of a painted steel covering with a non-illuminated inset sign advertising the presence of the church. The previous applications for the retention of the existing hoarding were refused consent on the basis that it results in harm to the visual amenity and character of the streetscene due its prominent location, excessive size and display. The proposed amendments to the sign do not affect the siting or size of the existing hoarding and therefore it is difficult to envisage how the harm identified under the previous application would now be overcome. The section below sets out the on-going concerns in relation to the retention of the existing hoarding.

### POLICY CONTEXT

The Council's adopted policy and guidance for assessing planning applications that involve the display of advertisement hoardings are primarily set out in Policy BE21 of the Unitary Development Plan 2004 and SPG8 'Advertisements other than shops'. Policy BE21 and SPG8 provide guidance in terms of assessing amenity and public safety, on which to judge the effects of any advertisement. The Council recognises that poorly located advertisement hoarding's can be particularly obtrusive and in some locations pose a danger to highway and pedestrian safety. Therefore, advertisement hoarding's will only be deemed acceptable where they enhance the appearance of an area and satisfy the provisions of policy BE21. For reference policy BE21 states that advertisement hoarding's will not be approved in the following areas:

- (a) Predominately residential areas;
- (b) On or adjacent to conservation areas and listed buildings;
- (c) On open space, or where they would block important views across it, or where they would obscure other important views, landscaping or groups of trees;
- (d) Where it would lead to advertisement clutter, detract from public realm enhancements within the area and/or prejudice regeneration initiatives;
- (e) On railway embankments; and
- (f) On major roads and road junctions where distraction to drivers could be prejudicial to highway safety.

In consideration of the above there are concerns, set out under previous application, that the proposal does not satisfy paragraphs: c & d of policy BE21 and these issues are expanded upon below.

## IMPACT ON THE STREETSCENE

Notwithstanding, the grant of advertisement consent in 2004 for a similar hoarding, the size and scale of the hoarding is now deemed excessive and particularly obtrusive contrary to policy BE21 of the UDP 2004 and Supplementary Planning Guidance 8 (SPG8). Adopted guidance SPG8 states that hoarding's should respect the scale and character of any buildings nearby and policy BE21 notes that they will only be approved where they would enhance the character and appearance of the locality. In consideration of these points, the size, scale and prominent location of the proposed hoarding is considered to significantly detract from the local streetscape and appears visually obtrusive when viewed from various points along Harrow Road.

The advertisement hoarding adds to the existing clutter of this prominent location, particularly when viewed from the west along Harrow Road, alongside canopies, signs and hoarding's associated with the adjacent petrol station. The fact that the sign towers over the existing Totem petrol station sign (most obviously illustrated when looking west along Harrow Road) is an illustration of the sheer incongruous height and scale of the hoarding. In terms of accordance with policy and adopted guidance, the proposed hoarding would not serve to enhance the appearance of the area as the hoarding is completely disproportionate to the size and scale of the existing built environment. The internal illumination of the sign also fails to comply with SPG8, whereby illuminated adverts larger than 10m<sup>2</sup> are not normally permitted.

The introduction of the non-illuminated signage on the back of the existing sign does little to overcome the planning problems clearly set out previously. Indeed, although the proposal may tidy up the rear of the sign, it also introduces still more signage to the site which already suffers from visual clutter as described elsewhere. It does not make a proposal previously considered to be unacceptable on two occasions, acceptable.

## RELATIONSHIP WITH CHURCH DEVELOPMENT

The advertisement is located within the curtilage of, and in close proximity to, the newly constructed church building. When permission was granted for the erection of the church building, several planning conditions were attached, some of which have not yet been complied with. Some of these conditions sought to secure public realm enhancements through landscaping proposals and the retention of previously funded artwork sculptures. As such, it is important to consider the impact of the continued display of the advertisement hoarding on the approved development, although not fully implemented, and the public realm enhancements that were to be secured by condition. This is particularly pertinent to the application as this development had not been approved at the time of the previous consent granted in 2004.

The approved church development envisaged the formation of an open play area around the front of the site which would be buffered by soft landscaping with additional tree planting to be provided both within the site and on the street along Harrow Road. Furthermore, a condition was attached to the permission requiring the protection and retention of existing giraffe sculptures (see 'History' section) as these were considered to form a 'significant landmark' in an otherwise 'featureless environment'. These detail were considered to provide an attractive and suitable setting for the development, particularly given that consent for the existing hoarding was soon to expire. In seeking to retain the hoarding, given its size and dominant appearance, it is considered that this would detrimentally affect the approved setting of the development causing harm to the general appearance of the church building.

## CONCLUSION

Officers understand that the continued display of the advertisement hoarding provides added revenue for the church, which is no different to any landowner who may wish to have a similar advert erected on their land. However, for the reasons noted above, and despite the proposed alterations, the proposed advertisement hoarding is deemed to be unacceptable by reason of its

excessive size and overbearing appearance which would detract significantly from the streetscape and the existing buildings. As such the application is contrary to adopted policies BE2 and BE21 of the UDP 2004 and guidance contained SPG8. Furthermore, the advertisement hoarding would serve to detract from reinstated artwork and landscaping as required by conditions 9 & 12 of planning permission 08/0282.

#### **REASONS FOR CONDITIONS**

**RECOMMENDATION:** Refuse Consent

#### **CONDITIONS/REASONS:**

- (1) The proposed continued display of the internally illuminated hoarding on Harrow Road, incorporating non-illuminated signage for the City Mission Church' to the rear, would, by virtue of its prominent location and excessive size, scale and display, be detrimental to the visual amenity and character of the streetscene, resulting in visual clutter and harm to the setting of buildings and public realm improvements on the site contrary to policies BE2 and BE21 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 8 'Advertisements Other than Shops'.

#### **INFORMATIVES:**

None Specified

#### **REFERENCE DOCUMENTS:**

London Borough of Brent Unitary Development Plan 2004  
Supplementary Planning Guidance 8:- Advertisements (other than shops)  
Two letters of objection

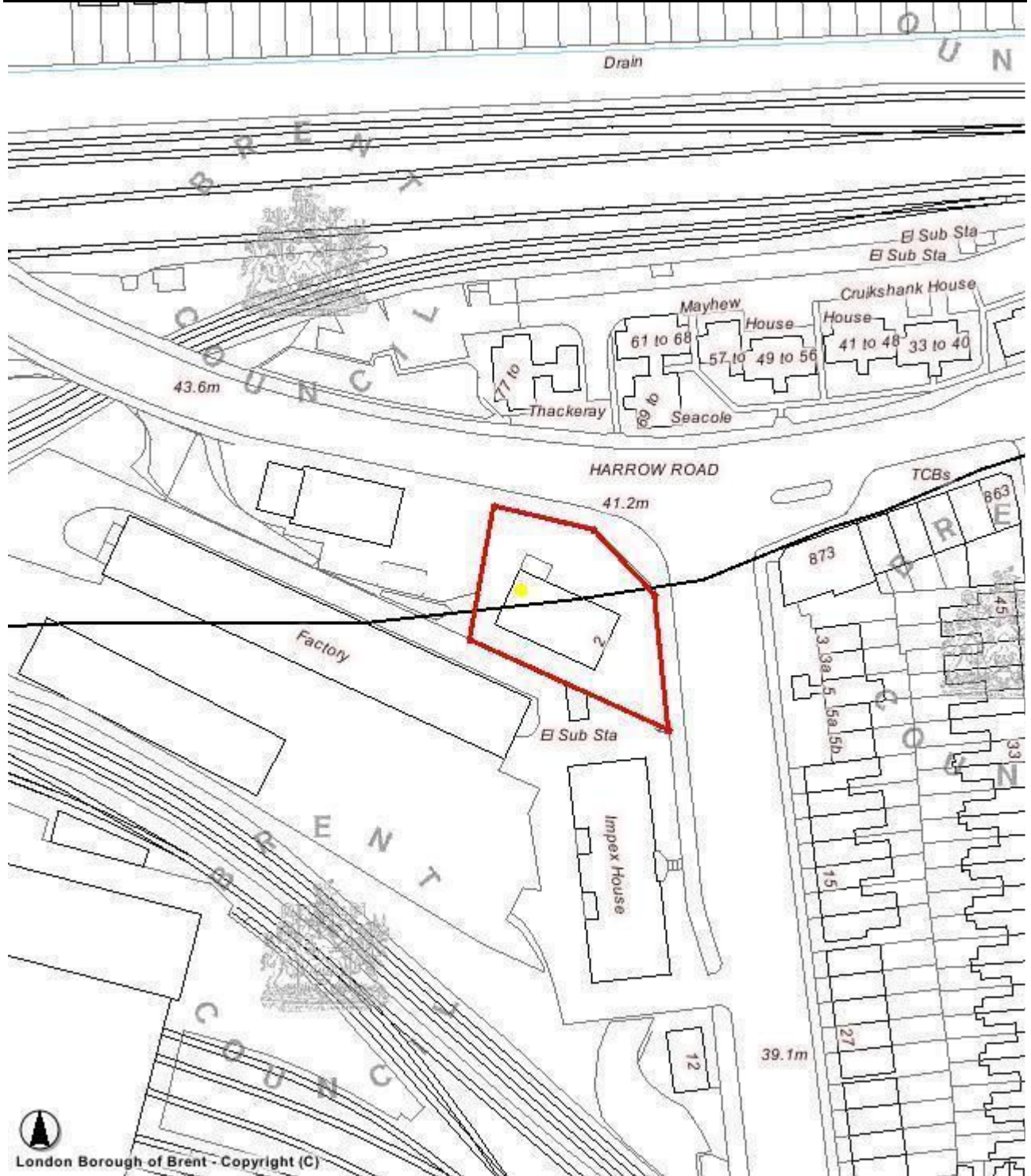
Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



# Planning Committee Map

Site address: 2 Scrubs Lane, London, NW10 6RB

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**Committee Report  
Planning Committee on 12 January, 2011**

**Item No.** 6  
**Case No.** 10/2753

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**RECEIVED:** 2 November, 2010

**WARD:** Brondesbury Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 34 Mount Pleasant Road, London, NW10 3EL

**PROPOSAL:** Demolition of attached garage and erection of a two storey side extension to dwellinghouse

**APPLICANT:** Mr Misha Ivanovic

**CONTACT:** Webb Architects Limited

**PLAN NO'S:**  
See condition 2.

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**RECOMMENDATION**

Grant Consent

**EXISTING**

The subject site, located on the north-western side of Mount Pleasant road, is occupied by a two-storey detached dwellinghouse. The site is not in a conservation area.

**PROPOSAL**

Demolition of attached garage and erection of a two storey side extension to dwellinghouse

**HISTORY**

10/1129 -Certificate of lawfulness granted for proposed side dormer window, installation of two front and one side rooflights and installation of cabrio balcony to rear roof slope of dwellinghouse.

**POLICY CONSIDERATIONS**

**Brent UDP 2004**

**BE2** – Townscape; Local Context & Character

**BE7** – Public Realm: Street scene

**BE9** – Architectural Quality

**SPG**

**SPG 5** – Altering and Extending Your Home

**Considerations;**

Design & appearance of extension

Effects on neighbouring properties

Character of existing dwellinghouse and streetscene

## **CONSULTATION**

### **Neighbours representees**

7 neighbouring properties consulted

6 objections received plus petition of objectors to proposals with 11 signatures, 4 of which also sent in aforementioned objections

### **Initial points raised**

- Proposals will create a terraced appearance in the street.
- houses were originally designed with decorative art Decco windows to let light into the stairwell. Proposals will block light.
- Proposals will create overlooking issues at rear.
- Proposals will reduce side passage area.

### **8 neighbouring properties re consulted 30/11/2010 on amendments**

(applicant revised plans as follows -2.5m 1st floor setback, levelling of eaves with existing and reconfiguration of roof to match existing)

- 2 initial representees reiterated earlier objections post this amendment. 1 of these representees on behalf of no 36 acknowledges amendments addresses SPG5 requirements but still objects on grounds of impact on character and neighbouring amenity.

### **8 neighbouring properties re consulted 07/12/2010 on amendments**

(applicant revised plans as follows - implemented a set back from the boundary with no 36 creating a 1m gap between flank wall elevations)

- 3 initial representees reiterate earlier objections despite amendment and 1 new objector sent in representation bringing total to 6.

### **Statutory Consultees**

Transportation Officers consulted gave no objection to the loss of the garage on grounds that it would actually bring the level of on-site parking more in line with UDP policy PS14 given the existence of on-site parking in the front driveway. Also recommended was a more comprehensive reconfiguration of the parking area to increase quantity of soft landscaping, introduce a front boundary treatment to close unauthorized access point, and provide secure cycle parking and refuse collection.

## **REMARKS**

### **Discussion**

The proposal is for a two storey side extension to the existing large detached dwelling house. The side extension would be 2.9m high on the single storey element and will be built on the joint boundary with the neighbour. As the distance from the boundary is less than 1m, the first floor is set back 2.5m from the front elevation wall in accordance with SPG5. The eaves of the side extension are level with those in the existing dwelling and the roof to the extension is in keeping with the character of the property and is set down from the main roof, ensuring it remains subservient to the original roof. The set back, eaves level and roof design were submitted as an amendment (29/11/2010) as requested by officers in order to address SPG5 specifications.

The first floor of the extension is set off the boundary to facilitate a 1m gap between flank walls. The amended plans include this set back for reasons of preserving, as far as practicable, outlook from the neighbouring reception and stairwell area and also to enable access for maintenance. This was deemed necessary as in the previous iteration the extension was right up to the boundary meaning the gap between flank walls was less than a metre. In design and character terms SPG5 does allow for two storey side extensions to be built up to the boundary, irrespective of the



relationship with the neighbouring building. Obviously, if there were windows which would provide the sole source of outlook and daylight to a habitable room in the neighbour this could be a separate problem. In this instance, however, although there are not any habitable room windows affected, your officers took a balanced view that the main leaded light flank wall window that brings daylight into the reception and stairwell area, would benefit from this separation distance.

The approach about how to deal with two storey extension proposals of this kind is set down in SPG5, as discussed above, but is also dealt with in a site specific document such as the Barn Hill Design Guide. This covers the Barn Hill Conservation Area and, as far as the matter of assessing the impact of the proposal on the character of the area indicates that the retention of a 1.0 metre gap between buildings is allowed, providing that the first floor element of the extension is set back 1.5 metres from the front wall. Although the ground floor element of the extension here is built to the boundary, the first floor element would be set back 2.5 metres from the front of the house, in excess of the Barn Hill guidance. It is considered that this helps to illustrate that, in terms of the impact that this proposal would have on the streetscene and character of the area the extension would be acceptable.

It is evident that the adjoining property at No.36 has had extensive roof extensions, including additions to the side of the roof, and in terms of considerations relating to the reduction in the sense of space between buildings, these extensions have already served to close the gap between properties. This application proposal needs to be seen in this context.

#### **Impact on neighbouring amenity**

SPG5 in relation to two storey side extensions has been developed to find a balance between the enlargement/extension of one's home whilst at the same time having regard for neighbouring amenity and the quality of environment. The proposals are consistent with the guidance. Officers recognise that it will inevitably result in some loss of outlook to the neighbouring dwelling. However, none of the windows affected are habitable room windows and, on balance, it is considered that this should not preclude the extension of the dwelling as proposed. In order to ameliorate the impact still further it is proposed that the flank wall of the extension be rendered and painted in a light colour. As explained above, the consideration is a balanced one, but a combination of the increased separation distance and this treatment of the flank wall should, as far as possible, make the impact acceptable.

#### **Loss of off street Parking**

The two storey extension is a replacement of an existing 7.8m deep, 2.45m wide garage. In terms of a loss of an off street parking space, parking standards for residential development set out in PS14 of the UDP-2004 state that a house with 4 or more bedrooms can be permitted a maximum of 2.0 car parking spaces. At present, the front garden provides two car parking spaces, and the garage potentially a third space. From this point of view the reduction in car parking can be allowed.

The proposals will involve the loss of a garage space which would be likely to result in a more intensive use of the front driveway. Furthermore, it is evident that the application property has created a gap in the front boundary wall treatment to facilitate them to drive through an existing car parking bay on-street. Transportation Officers have identified a number of issues with the front driveway that need to be dealt with through this application. These are;

- Refuse and recycling storage, to comply with Policy TRN34 of the UDP-2004;
- Secure, covered cycle parking, to comply with Policy TRN11 of the UDP-2004;
- A revised boundary treatment closing the unauthorised vehicular access point, in the interests of highway and pedestrian safety. The driving of a vehicle through the parking bay will not be allowed;
- A higher proportion of soft landscaping, at a minimum provision of 30%, in order to comply with Policy BE7 of the UDP-2004 and related Transportation policies.

A condition will be placed on this permission requiring details of required works to the front driveway and a new boundary treatment, as per Officers points raised above, to be submitted to and approved in writing by the Local Planning Authority before any work on the extension is commenced.

### **Summary of representations**

Representations have been received raising the issue of loss of light to the dwelling next door, before and after the final amended plans were received. Officers acknowledge that there may be some reduction of daylight as a result of the extension, however the rooms affected will not be habitable.

Representations also made reference to the semi detached character of the street, commenting that the works would fill a gap, in doing so detracting from the established character of the area. This is an important point and is dealt with through SPG5. The 2.5m setback is a means contained within the Councils adopted planning guidance, of allowing for two storey side extensions whilst ensuring the original semi detached urban grain is still apparent in the built form. Its adherence with this standard therefore addresses satisfactorily the Councils means of mitigation for two storey side extensions in semi detached areas. In this case the first floor extension is also set in from the boundary so that a gap of 1m is retained between the building - meaning that there will be even more sense of space retained between the buildings.

There were some concerns expressed with regard to potential overlooking into the neighbouring garden from the first floor rear windows of the extension. Officers note that the neighbouring garden at no 36 has a outbuilding close to the boundary that restricts overlooking into the garden. Also the first floor room window is a dressing room so does not carry the same kind of concerns with regard to overlooking attached to habitable room windows. In any event, views from neighbouring houses into gardens is not uncommon throughout the borough.

### **Conclusion**

Subject to a condition requiring the two-storey side extension to be finished externally with materials to match the existing house, and landscaping condition as explained above, the proposed extension would be in general accordance with the guidance contained in SPG5. Approval is recommended accordingly.

**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 5 - Altering and Extending Your Home

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

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

### **CONDITIONS/REASONS:**

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

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

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

1045.01.02(a), 1045.01.03(a), 1045.01.05(-), 1045.01.05(-) (Existing ground site plan, 1045.01.00(-), 1045.03.01(a), 1045.03.02(a), 1045.03.03(a)

1045.01.12(e), 1045.01.13(e), 1045.01.15(c), 1045.03.10(d), 1045.03.11(d), 1045.03.12(e)

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) Details of the front garden layout 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:-

(a) use of the building/extension hereby approved. Such details shall include:

- (i) a greater proportion than existing of the front garden area for planting with shrubs and/or trees;
- (iii) provision of front garden wall other form of boundary treatment to block of unauthorised vehicular access point,
- (v) waste and recycling storage facilities;

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

#### **INFORMATIVES:**

None Specified

Any person wishing to inspect the above papers should contact Samuel Gerstein, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5368



## Planning Committee Map

Site address: 34 Mount Pleasant Road, London, NW10 3EL

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**Committee Report  
Planning Committee on 12 January, 2011**

**Item No.** 7  
**Case No.** 10/2854

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**RECEIVED:** 4 November, 2010

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 32 Creighton Road, London, NW6 6ED

**PROPOSAL:** Excavation to create basement to dwellinghouse with front and rear lightwell

**APPLICANT:** Advantage Basement & Cellar Co Ltd

**CONTACT:** Indigo Blue Works Ltd

**PLAN NO'S:**  
See condition 2

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## **RECOMMENDATION**

Approval

## **EXISTING**

The property is a 2-storey mid terrace dwellinghouse on the northern side of Creighton Road, NW6. The site is within Queens Park conservation area but is not a listed building.

## **PROPOSAL**

See above.

## **HISTORY**

No relevant planning history

## **POLICY CONSIDERATIONS**

### **Brent Unitary Development Plan 2004**

BE9 Architectural Quality

BE25 Development in Conservation Areas

BE26 Alterations and Extensions to Properties in Conservation Areas

Queens Park Conservation Area Design Guide

Supplementary Planning Guidance 5: SPG5 Altering and extending your home

## **CONSULTATION**

Neighbouring occupiers were consulted on 24th November 2010, a press notice was published on 2nd December 2010 and site notice was displayed on 7th December 2010.

9 objections have been received including a representation from the Queens Park Residents Association:

- The front lightwell will alter the look of the house in the conservation area, particularly after dark and allowing this is likely to set a precedent for future basements
- The Queens Park Design Guide does not permit basements
- The proposal is an overdevelopment, increasing the area of the house by up to 50%
- The existing tree will have to be felled.
- Potential impact on water table - this area is thought to have several springs and streams.

Other:

- Concern about subsidence and stability of neighbouring properties.
- The proposal would cause a great deal of noise and disturbance.
- Dust and dirt will impact on neighbours front gardens.

Blocking of parking bays during works.

## REMARKS

### THE PROPOSAL

The proposal envisages the creation of a basement below the footprint of the house plus the space between the outrigger and the side boundary wall, externally the proposal results in a front and rear lightwell.

At basement level a guest room is proposed which benefits from the front basement bay window and light well. There is also a bathroom, a reception room and to the rear a utility and boiler room and a study which benefits from the rear lightwell.

The proposal does not involve formation of self-contained accommodation in the basement. The quality of environment in the proposed basement space would be acceptable within the context of being an extension to a house, but as Members will be aware this would almost certainly not be the case if a self-contained unit were to be proposed. From looking at the plans, it is certainly the case that the living space with no or such limited light or outlook would not be acceptable to the Planning Service on amenity grounds.

### ASSESSMENT

As Members will be aware, in Brent there is no adopted, or emerging, policy or guidance that discourages the development of basements as a matter of principal. Such developments must, therefore, be assessed on their individual merits, and, in this case, the impact of the proposal on the character and appearance of the Queens Park Conservation Area needs to be considered as the main issue.

From the main front wall the front lightwell projects by approximately 1.65m into the front garden and about 0.9m from the front of the bay. Its size is limited by an existing man hole in the front garden. The front garden is about 3.8m deep therefore the lightwell projection covers less than half of the depth of the garden

The front of the house is higher than street level as demonstrated by steps up to the front door. The front garden is also higher than pavement level, the plan indicates that the garden level is about 1.1m below the window sill of the bay. The garden level is proposed to be lowered as part of the works to closer to pavement level, the resultant ground level below the bay window sill is 1.18m. A metal grille is proposed over the lightwell that would sit flush with the ground level.

The substantial planting behind the front boundary wall is proposed to be retained, as described in email dated 10th December from the agent. It will be pruned and lifted and kept in temporary containers to the rear until works are complete. In addition, there are opportunities to increase the amount of planting and this is the subject of a condition requiring further details. The same

condition also ensures that in the event that the planting does not survive it will be replaced with similar planting to form a boundary hedge.

There remains sufficient space in the front garden for refuse and recycling storage for the family house, although the precise details are not within this application and, consequently they are conditioned. The existing hardstanding area will be replaced with black quarry tiles while the traditional black and white mosaic pathway will be retained.

Given that the only visual manifestations of the basement are 2 modest lightwells, one which would not be visible from the public realm and the other which would largely be screened by planting to the front Officers consider that the proposed alterations, required to facilitate the proposed basement, would preserve the character and appearance of the Queens Park Conservation Area.

For the information of Members, this is an approach that has been adopted previously in other Conservation Areas, as well as Queens Park, where a number of proposals for new basements have been submitted in recent times.

#### **CONSIDERATION OF OBJECTIONS**

The concerns raised by objectors in relation to the impact of the proposed development of the character and appearance of the property and surrounding Conservation Area have been addressed in the report above.

A number of objectors have expressed concerns regarding the potential effect of the development on the structural stability of the site and neighbouring properties, the disturbance caused by works during construction and the effects on the development on local hydrology and drainage. As Members will be aware, although these concerns are clearly understandable, these matters are not issues that can be used as material planning considerations that would justify a refusal to grant planning permission. If the development were to go ahead these issues would be subject to further consideration under other statutory controls including Building Regulations and Environmental Health that would ensure the structural integrity of the works as well as controlling noise, vibration and hours of operations.

**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 5 - Altering and Extending Your Home  
Queens Park Conservation Area Design Guide

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

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

#### **CONDITIONS/REASONS:**

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

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

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

2099  
2100  
W-11  
W-12  
Front garden plan

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) 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, including:

(a) Samples of the proposed hardstanding and details of its extent.

(b) A scheme of soft landscaping, including hedge, must be submitted and shall include planting plans, noting species, plant sizes and proposed numbers/densities.

(c) Details of the proposed grille.

(d) Details of refuse storage.

Once approved, the soft landscaping in the front garden shall be retained or replaced in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, the landscape work to be completed during the first available planting season following completion of the development hereby approved. Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

The development must be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the Conservation Area.

#### **INFORMATIVES:**

None Specified

Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377





# Planning Committee Map

Site address: 32 Creighton Road, London, NW6 6ED

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**Committee Report**  
**Planning Committee on 12 January, 2011**

**Item No.** 8  
**Case No.** 10/2641

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**RECEIVED:** 29 October, 2010

**WARD:** Kensal Green

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** 14D Wrotesley Road, London, NW10 5YL

**PROPOSAL:** Erection of rear dormer window, gable end roof extension and installation of two front rooflights to first floor flat

**APPLICANT:** Mr A Orah

**CONTACT:** Graham Associates

**PLAN NO'S:**  
See Condition 2.

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## **RECOMMENDATION**

Grant Consent

## **EXISTING**

The application site is a first floor flat within a 2-storey semi-detached converted dwelling containing 4 flats on the southern side of Wrotesley Road, NW10. The site is not within a conservation area nor is it a listed building.

## **PROPOSAL**

Erection of rear dormer window, gable end roof extension and installation of two front rooflights to first floor flat.

## **HISTORY**

There is no planning history relating to this site. However, works to the roof of the building have already taken place without the benefit of planning permission. There is an enforcement record (E/10/0652) set up and this application was originally submitted to try and regularise the situation.

Planning Officers site visit 08/12/2010 confirm detail of works recorded by enforcement officers.

Certificate of lawfulness (ref: 09/1381) granted proving the existing use as 4 self contained flats to be lawful.

## **POLICY CONSIDERATIONS**

### **UDP 2004**

BE2, BE7, BE9.

## **SPG5**

Character and appearance of the dwellinghouse and surrounding streetscene  
Amenity of neighbouring residents.

## **CONSULTATION**

16 letters dated 23/11/2010 sent to neighbouring owner/occupiers.

2 objections received, main points raised were;

- The applicant did not obtain planning permission before carrying out the works
- The dormer window and hip to gable extension appears more as an addition of an extra storey than a moderate roof extension.
- The dormer as a result of its oversize, results in significant overlooking issues into the neighbouring dwelling.
- The works are out of scale and character with the street. The few dormer windows that have been built on the street are of a scale more appropriate for the existing dwellings.
- There has been a lack of consideration for the neighbouring dwellings during construction in relation to debris and untidiness ]

Following revisions to the proposal, these two objectors were sent photocopies of the revised plans.

### Response

After conversations with planning officers, applicants have proposed a significant reduction in the scale and amount of development from what has already been built - resulting in a proposal that is commensurate with the Councils supplementary guidance, the building itself and the surrounding area. To ensure existing breaches are dealt with as timely as possible, an informative will be placed on any permission granted informing applicants that unlawful alterations to the roof would need to be removed and new works completed within a period of three months from the date of approval to avoid further enforcement action.

### **Statutory Consultees**

Health and Safety Executive (HSE) - Site is within consultation distance of a hazardous pipeline. HSE do not advise, on safety grounds, against the granting of planning permission in this case.

## **REMARKS**

### Amendments

The initial plans were submitted as per the works which constitute the enforcement breach. This entailed; a hip to gable and rear dormer extension that combined to form a single wrap around roof extension with a flat roof. A brick parapet side wall formed the gable end elevation that was flush with the side elevation for the rear dormer. The rear dormer was 6.1m wide, constituting 90% of the existing roof width taking into account the proposed hip to gable extension. It was set up from the eaves by 0.6m and 0.3m from the ridge of the existing roof.

Officers recommended an omission from the plans of the hip to gable extension on grounds that the distance to the neighbouring dwelling fell short of SPG5 requirements to enable an extension of this sort and because hip to gable extensions are not a predominant feature of the street, bar the small minority where these had been built under permitted development. Officers also requested applicants scale down the rear dormer to a size compliant with SPG5 guidelines.

The first set of amendments responded by reducing the hip to gable extension to a side dormer window and also the scale of the rear dormer window. Officers considered that the side dormer was still not in keeping with the character of the street given that there was no planning history for

Wrottesley Road relating to side dormers and none in existence. Therefore the proposal would be contrary to policy UDP policies BE9 and SPG5 specifications. The rear dormer, although much smaller than the previous full width dormer, was not compliant with SPG5 guidelines relating to rear dormers. Officers communicated this to the agent who subsequently submitted amended plans that form the final plans this determination is based on, which are considered acceptable.

#### Discussion

The final plans consist solely of a rear dormer window and front roof light. It also will reinstate the form of the original roof from the works that constitute the breach. The rear dormer is half the width of the average width of the roof, set up from the eaves by 0.5m and down from the ridge by 0.3m. Its positioning is slightly off centre, however this position lines up well with the windows in the main dwelling establishing a comfortable relationship. The design replicates windows in the existing dwelling. These dimensions and proportions are commensurate with SPG5 guidelines from rear dormer extensions. The proposals will also reinstate the hipped roof feature bringing the dwelling back into a state that is in keeping with the street. The proposed front roof light is also in accordance with SPG5 guidelines.

#### Conclusion

The final plans which this determination is based on are in keeping with the existing dwelling and street character, consistent with UDP policies BE7, BE9 and H21 and the guidelines of SPG5. Due to the enforcement pretext of this case, and existing breach established, these works must be implemented urgently. An informative is attached to this permission requiring demolition of unlawful works and completion of approved plans within 3 months of this permission to avoid further enforcement action to ensure the existing breach does not stay in existence for any longer than this said amount of time.

**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

SPG5 Altering and Extending your home

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

Built Environment: in terms of the protection and enhancement of the environment.

Housing: in terms of protecting residential amenities and guiding new development.

#### **CONDITIONS/REASONS:**

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

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

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

6138/01A, 6138/02A, 6138/03A, 6138/17.12.10/04C, 6138/17.12.10/05B

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

**INFORMATIVES:**

- (1) The applicant is notified that un lawful alterations to the roof need to be removed and new works as per approved plans completed within a period of three months from the date of this approval to avoid further enforcement action.

Any person wishing to inspect the above papers should contact Samuel Gerstein, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5368



# Planning Committee Map

Site address: 14D Wrotesley Road, London, NW10 5YL

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**Committee Report**  
**Planning Committee on 12 January, 2011**

**Item No.** 9  
**Case No.** 10/2862

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**RECEIVED:** 4 November, 2010

**WARD:** Brondesbury Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 27 Aylestone Avenue, London, NW6 7AE

**PROPOSAL:** Extension of time limit for application 08/0376 (Demolition of existing house and erection of 2-storey building comprising 8 self-contained flats, with provision of outbuilding for cycle storage, refuse storage, 8 parking spaces, new vehicular and pedestrian access to side and rear, hard and soft landscaping, and boundary fencing to site and subject to a Deed of Agreement dated 9th April 2008 under Section 106 of the Town and Country Planning Act 1990, as amended)

**APPLICANT:** Mr AA & HW Preiskel

**CONTACT:** Bell Cornwell LLP

**PLAN NO'S:**  
Please see condition 7

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## **RECOMMENDATION**

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning to agree the exact terms thereof on advice from the Borough Solicitor

## **SECTION 106 DETAILS**

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Terms to ensure the payment of £3,000 for each net additional bedroom (Total £36,000).

And, to authorise the Head of 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**

No. 27 is a large, two-storey dwellinghouse on the western side of Aylestone Avenue, immediately to the west of the junction with Chudleigh Avenue.

## **PROPOSAL**

See above.

## **HISTORY**

Planning application (Ref No: 08/0376) for the Demolition of existing house and erection of 2-storey building comprising 8 self-contained flats, with provision of outbuilding for cycle storage, refuse storage, 8 parking spaces, new vehicular and pedestrian access to side and rear, hard and soft landscaping, and boundary fencing to site and subject to a Deed of Agreement dated 9th April 2008 under Section 106 of the Town and Country Planning Act 1990, as amended was approved in April 2008

Planning application (Ref no: 06/2100) for demolition of existing house and erection of 2-storey building comprising 10 self-contained flats over 3 floors with provision of cycle and bin store, 10 parking spaces, new vehicular and pedestrian access, hard and soft landscaping, and boundary fencing (as accompanied by Planning & Design Statement dated July 2006) was refused on the 11th of October 2006.

An appeal against this refusal was dismissed by an inspector appointed by the secretary of state on the 27th March 2007.

## **POLICY CONSIDERATIONS**

London Borough of Brent Adopted Unitary Development Plan 2004

BE2 on townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to the character of the area.

BE3 relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.

BE4 states that developments shall include suitable access for people with disabilities.

BE5 on urban clarity and safety stipulates that developments should be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.

BE6 discusses landscape design in the public realm and draws particular attention to the need to create designs which will reflect the way in which the area will actually be used and the character of the locality and surrounding buildings. Additionally, this policy highlights the importance of boundary treatments such as fencing and railings which complement the development and enhance the streetscene.

BE7 Public Realm: Streetscape which requires a high quality of design and materials for the street environment.

BE9 seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.

TRN23 on parking standards for residential developments requires that residential developments should provide no more parking than the levels listed in PS14 for that type of housing.

PS16 Cycle parking standards

*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.

### National Planning Policy Guidance

#### *Planning Policy Statement 1 – Creating Sustainable Communities*

PPS1 sets out the Government's vision for planning and the key policies and principles which should underpin the planning system. These are built around three themes – sustainable development – the purpose of the planning system; the spatial planning approach; and community involvement in planning.

#### *Planning Policy Statement 3 – Housing*

PPS3 establishes the Government's objectives for housing and reinforces the commitment to more sustainable patterns of development. PPS3 sets broad guidelines for the provision of affordable housing, placing emphasis on the importance of high quality design and creating mixed, balanced and integrated communities with wider opportunities for home ownership and improved affordability through an increase in supply of housing. The guidance also requires Local Authorities to deliver sustainable development objectives.

## **CONSULTATION**

47 Neighbouring properties and Brondesbury Park Ward Councillors were consulted on 24 November 2010. The Local Authority has received 4 objections. The objections are outlined below:

- The proposed development will harm the character of the area
- The proposed rear car park will be an eye sore, by way of reducing green space
- The new flats will devalue neighbouring properties
- The permission is being extended so the property may be sold off with more ease
- The development will overlook neighbouring properties
- The development will create increased Noise and traffic

All of these issues, bar the matter of resale of the property, have been addressed in the original report on the application as attached (Appendix 1). Whilst officers understand the concerns raised over resale, this is not a material planning consideration

## **REMARKS**

### Introduction

This application is for extension of the time limit on the original permission granted in April 2008 been judged to be acceptable in principle by members. The original committee report can be found as Appendix 1. The following is a summary of the issues relating to the approved application:

Your officers did not object in principle to the demolition of the existing building. However the impact of a larger building on the amenity of adjoining occupiers and the character and appearance of the Area had to be assessed. The accepted design can be viewed in two parts, i.e. 'Framework', which considers the character of the area and 'Detail', which involves appropriate materials and features such as the bay windows.

All approved units had access to either private or communal amenity space. Most units are appropriately stacked. However whilst a shortfall is noted, it is not considered to cause detrimental harm to future occupiers as the new build has the potential to be adequately insulated. Therefore the slight shortfall is not considered sufficient reason for refusal. Loss of amenity to neighbouring properties are mitigated by low roofs and the maintenance of separation between the proposed and existing buildings and obscure glazing

### Background

The recession has had a significant impact on the development industry over the past two years. The ability for developers to raise finance to purchase and construct schemes has been restricted as bank lending has contracted. Demand for new properties has declined in the face of reduced household income and the ability of potential homeowners to secure mortgage finance has been severely limited, although house prices have remained surprisingly resilient.

As a result a number of consented schemes are at risk of not being commenced within three years of the permission being issued. The need for homes remains, however, and it is expected that the construction sector, which makes a significant contribution to the economy, will recover when the recession eases and liquidity returns to the credit markets.

### Government response

In 2009 the Government recognised the difficulties facing the industry and introduced legislation to help maintain the delivery of sustainable development in the face of the UK recession. As of October 2009 applicants have been able to apply to their Local Planning Authority (LPA) for a new planning permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development. This has been introduced in order to make it easier for developers and LPAs to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.

### Procedural matters

The process is referred to as an extension for convenience. More formally, a new permission will be granted, with a new reference number, for the development granted permission by the original decision. This new permission will be subject to a new standard timescale condition and all original conditions and S106 obligations will be retained. There is scope to impose additional conditions and obligations if necessary, to overcome minor policy changes.

The Department of Communities and Local Government stresses that, although this is not a 'rubber-stamp' exercise, "development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date"

### Brents Approach

Guidance titled 'Greater Flexibility for Planning Permissions: Guidance' has been published by the Government and this document informs how LPAs are to approach these types of applications (Communities and Local Government, 2009). LPAs are instructed to take a "positive and constructive approach" towards those applications which improve the prospect of sustainable development being taken forward quickly. The focus of attention in determining the application should be on those development plan policies and other material considerations (including national or regional policies) "which may have changed significantly since the original grant of permission"

### Policy changes since April 2008

Below is a summary of the main policy changes to have occurred since planning permission was granted. Not all policy changes affect the scheme and of those that do, not all would make the scheme unacceptable. If any policy is now at odds with the scheme, its significance should be balanced against the guidance from the Government that LPAs take a positive and constructive approach to deciding these applications, which should be given substantial weight.

#### National policy changes

In terms of national policy statements, none of the changes are considered relevant to this application.

#### Regional policy changes

Draft London Plan 2009

The Mayor has just concluded (October 2010) consultation on the Draft London Plan. The draft plan includes policy 3.5 relating to the quality and design of housing developments. this states:

*"The design of all new dwellings should take account of factors relating to 'arrival at the building and the 'home as a place of retreat, meet the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts, meet the changing needs of Londoner's over their lifetimes, address climate change adaptation and mitigation and social inclusion objectives and should be conceived and developed through an effective design process"*

As this is a draft policy and has not yet been adopted, limited weight is given when assessing the extension of time limit to this application. However an assessment of the proposed accommodation has been made in relation to the draft dwelling space standards set out in Table 3.3 of the Mayor's draft London Plan. Given that not all the units are all in compliance with Council guidelines for minimum floor areas and the number that are marginally below the GLA draft standards is small, the proposal is considered to be acceptable. It should be noted that the policy is only at draft stage it is not considered to have sufficient weight to warrant refusing permission for the extension of time.

#### Local policy changes

##### Brent Core Strategy

The process to replace Brent's Unitary Development Plan (2004) with a Local Development Framework (LDF) had begun prior to the decision to grant planning permission in 2008. The Core Strategy DPD was submitted to the Secretary of State on 30 September 2009. The Core Strategy has now been examined and the Council received the Inspector's report on 16 April 2010. This concludes that the Strategy is sound subject to a number of recommended changes. None of the changes are considered relevant to this application.

#### Substantial physical changes to the area since April 2008

No changes have occurred along the boundaries of the site and no applications to make changes in the future have been received.

#### Changes to the scheme

No changes to the scheme approved by Members at Committee in April 2008 are proposed.

#### Changes to the planning permission

To reflect the changes in policy described above, the following changes are made to the decision notice:

1. Update 'Summary reasons for approval
2. Add condition listing approved plans
3. Remove condition 2 from Planning Permission 08/0376. For the information of Members, Condition 2 was a restrictive condition requiring the works to be carried out in accordance with the plans. This has been phased out of formal decision notices as being unnecessary.

#### Objections

As discussed in the *Consultation* section, above, most of the objections raised have been addressed in the original committee report (Appendix 1) and given due weight and consideration by Members before planning permission was granted. In the circumstances set out it would be difficult for points now made to justify the refusal of 'Extension of time'

#### Conclusion

The Government, when introducing this legislation, expected LPAs to assist the wider economy and the delivery of sustainable development by keeping alive those planning applications which would otherwise lapse during the UK recession. Some policy changes were anticipated in the legislation and although the guidance made it clear that applications to extend planning permissions should not be considered a rubber stamp exercise, it also made clear that LPAs should be positive and constructive in their approach to determining them.

Your officers are of the opinion that there are no planning policy changes which mean permission should not be given to extend the planning permission. In reaching this decision, your officers have attached substantial weight to the Government's guidance on how to approach these applications.

**RECOMMENDATION:** Grant Consent subject to Legal agreement

**CONDITIONS/REASONS:**

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

- Brexits Unitary Development Plan 2004
- Central Government Guidance
- Council's Supplementary Planning Guidance.

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
- Housing: in terms of protecting residential amenities and guiding new development
- Transport: in terms of sustainability, safety and servicing needs

(2) 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.

(3) 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 on site.

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

(4) During demolition and construction on site:-

(a) - The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site;

(b) - The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays;

- (c) - Vehicular access to adjoining and opposite premises shall not be impeded;
- (d) - All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only;
- (e) - No waste or other material shall be burnt on the application site;
- (f) - All excavated topsoil shall be stored on the site for reuse in connection with landscaping.
- (g) - A barrier shall be constructed around the site, to be erected prior to demolition;
- (h) - A suitable and sufficient means of suppressing dust must be provided and maintained.

Reason: To limit the detrimental effect of construction works on adjoining residential occupiers by reason of noise and disturbance.

- (5) The existing redundant crossover shall be reinstated to kerb-and-channel and all proposed new crossovers constructed at the applicants' expense, to the satisfaction of the Director of Transportation, before the development is brought into occupation.

Reason: In the interests of pedestrian and highway safety.

- (6) All areas shown on the approved plans, 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 during the first available planting season following completion of the development hereby approved.

The submitted scheme shall include details of:

- (a) proposed gates, walls and fencing, indicating materials and heights;
- (b) any screen planting on the boundary;
- (c) adequate physical separation such as protective walls and fencing, between landscaped and paved areas;
- (d) treatment of areas of hardstanding.

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 to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- (7) The development hereby permitted shall be carried out in accordance with the following approved drawing

05053-75, 05053-76, 05053-77, 05053-78, 05053-79, 05053-80, 05053-81, 05053-82, 05053-83, 05053-84a, 05053-85a, 05053-86a, 05053-87a, 05053-88a, 05053-89a, 05053-90a, 05053-91a, 05053-92, 05053-93, 05053-94, 05053-95, 05053-96, 05053-97a, 05053-98

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

**INFORMATIVES:**

- (1) The applicant is advised to contact the Director of Transportation in order to arrange for works to arrange for works to create/remove crossovers in line with borough-wide standards

Any person wishing to inspect the above papers should contact Tanusha Naidoo, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5245





## Planning Committee Map

Site address: 27 Aylestone Avenue, London, NW6 7AE

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# APPENDIX 1

## Committee Report Planning Committee on 9 April, 2008

Item No. 2/02  
Case No. 08/0376

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**RECEIVED:** 6 February, 2008

**WARD:** Brondesbury Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 27 Aylestone Avenue, London, NW6 7AE

**PROPOSAL:** Demolition of existing house and erection of 2-storey building comprising 8 self-contained flats, with provision of outbuilding for cycle storage, refuse storage, 8 parking spaces, new vehicular and pedestrian access to side and rear, hard and soft landscaping, and boundary fencing to site

**APPLICANT:** A. A. & H. W. Preiskel

**CONTACT:** Bell Cornwell

**PLAN NO'S:** 05053-75, 05053-76, 05053-77, 05053-78, 05053-79, 05053-80, 05053-81, 05053-82, 05053-83, 05053-84a, 05053-85a, 05053-86a, 05053-87a, 05053-88a, 05053-89a, 05053-90a, 05053-91a, 05053-92, 05053-93, 05053-94, 05053-95, 05053-96, 05053-97a, 05053-98

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### RECOMMENDATION

Approve

### SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
- Terms to ensure the payment of £3,000 for each net additional bedroom (Total £36,000).

The applicant has agreed to enter into this s.106 agreement.

### EXISTING

No. 27 is a large, two-storey dwellinghouse on the western side of Aylestone Avenue, immediately to the west of the junction with Chudleigh Avenue.

### PROPOSAL

Demolition of existing house and erection of 2-storey building comprising 8 self-contained flats, with provision of outbuilding for cycle storage, refuse storage, 8 parking spaces, new vehicular and pedestrian access to side and rear, hard and soft landscaping, and boundary fencing to site.

### HISTORY

Planning application (ref no: 06/2100) for demolition of existing house and erection of 2-storey building comprising 10 self-contained flats over 3 floors with provision of cycle and bin store, 10 parking spaces, new vehicular and pedestrian access, hard and soft landscaping, and boundary fencing (as accompanied by Planning & Design Statement dated July 2006) was refused on the 11th of October 2006.

An appeal against this refusal was dismissed by an inspector appointed by the secretary of state on the 27th March 2007.

## **POLICY CONSIDERATIONS**

### **Brent Unitary Development Plan 2004**

#### STRATEGIC POLICIES

- STR1 Housing (particularly affordable) is Priority Land-Use
- STR3 Sustainable Development
- STR5 Reducing the need to Travel
- STR11 Built and Natural Environment
- STR14 Quality of the Urban Environment
- STR18 Additional Housing
- STR19 New Housing Development

#### BUILT ENVIRONMENT

- BE1 Urban Design Statements
- BE2 Townscape: Local Context and Character
- BE3 Urban Structure
- BE5 Urban Clarity and Safety
- BE6 Public Realm: Landscape Design
- BE7 Public Realm: Streetscape
- BE9 Architectural Quality
- BE12 Environmental Design Principles.

#### HOUSING

- H8 Resisting loss of housing.
- H9 Dwelling Mix
- H12 Residential Quality – Layout Considerations
- H13 Residential Density

#### TRANSPORT

- TRN3 Environmental Impact of Traffic
- TRN10 Walkable Environments
- TRN14 Highway Design
- TRN23 Parking Standards – Residential Developments
- TRN35 Transport Access for Disabled People and others with Mobility Difficulties
- PS14 Parking Standards – Residential Development
- PS15 Parking for Disabled People
- PS16 Bicycle Parking

### **Brent Supplementary Planning Guidance**

#### **SPG 17 "Design Guide for New Development" Adopted October 2001**

Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

## **SUSTAINABILITY ASSESSMENT**

Not applicable.

## **CONSULTATION**

### **EXTERNAL CONSULTATION**

To date, a total of 12 letters of objection have been received from 2, 3, 4, 6 Chudleigh Road; 22, 23, 29, 74, 23, 28, 29 30; 31, 41, 74 Aylestone Avenue, 54 Milverton Road and Aylestone Avenue Residents' Association.

The main concerns raised can be summarised under the following:-

- development would be excessively dense
- overdevelopment of the site
- adverse impact on neighbours
- inadequate car parking
- insufficient amenity space provided
- the area is characterised by single-family dwellings
- proposal would be detrimental to highway safety
- increased opportunities for crime
- totally out of character with the area
- this would set a precedent for other similar unacceptable developments
- proposed design is unacceptable
- additional pressure on services from extra 10 units
- loss of trees
- reduction in property values

### **LANDSCAPE DESIGNER**

Raises no objection to the proposal, although conditions would be required to be attached to any consent securing details of soft and hard landscaping on the site.

### **TRANSPORTATION ENGINEER**

Raises no objection to the proposal. A more detailed discussion of the issue can be found in the main body of the report.

### **REMARKS**

Members will be aware that a previous scheme for 10 flats was dismissed at appeal in March 2007. Therefore one of the key considerations is whether the revised proposal has overcome the difficulties identified by the inspector.

#### **LOSS OF THE BUILDING AND DESIGN & APPEARANCE OF THE DEVELOPMENT**

The building is not sited within one of the Council's designated Conservation Areas nor an ADRC (area of distinctive residential character). As a result, the area does not provide the same level of protection to existing buildings as would be the case if it was so designated or, even more sensitive, the building was statutorily listed.

This is not to say that the area does not have a character worthy of acknowledgement, but it does mean that it would be difficult for the Council to say that the demolition of buildings will never be allowed in this locality. Instead, the Council's approach should be that if buildings are to be removed, any replacement building should be of the necessary design quality, relating well to what is in the area. This stance has been supported by the 2007 appeal inspector.

In this case, whilst the building is not without merit, it is not considered that the existing house at No. 27 Aylestone Avenue is of such architectural quality that the Council should object, in principle, to its loss. The elevations of the building are considered to be fairly ordinary in terms of their architectural quality, but as indicated above, its demolition would only be considered once a replacement scheme has been formally approved by the Planning Authority and that is considered to be the key consideration at this time.

Policies BE2, BE3, BE7, BE9 and H12 of the UDP seek to ensure that new development positively enhances the character and amenity of an area. The character here is generally that of a suburban road of generally two storey houses. Despite this, it is considered that there is no objection to a flatted development, per se,

in this location. However, this would be on the basis that the resulting development would not detract from the well-established character of the area, and would positively enhance the area thereby.

The design of the development is fairly traditional, which is not, in itself, something that the Council would object to in principle. For the avoidance of doubt, your Officers would not object to a contemporary architectural approach here, but whichever approach is adopted, it would be on the basis that the quality of the development is acceptable. It is considered that the width of building has been reduced so to minimise its impact on the street front and hence the two Aylestone and Chudleigh Road elevations are excessive length. There is now sufficient design quality in the scheme to warrant support.

The design of the proposed development is better than the original submissions in that the six dormer windows fronting the highway which were specifically mentioned by the inspector have been removed. The proposal envisages a much simpler roofscape with two dormer windows to the front hence addressing both the Council and the Planning Inspectorate's concerns regarding the complicated roofscapes.

The footprint of the building has been altered so to replicate features in situ found in neighbouring property 25 Aylestone Avenue. The elevational treatment of the building has been selected to complement the adjoining properties and fit in with the character of the area in an attempt to enhance the streetscene.

The subject scheme proposes to build the new building 2m closer to No. 25 Aylestone Avenue than the existing building, with the new two storey development sited only 1.0 metre from the boundary. The appeal inspector, however, considered the point and was of the view that the proposed impact to be minimal and hence is not viewed to be unacceptable.

The creation of a smaller car park in the rear garden to accommodate 6 car parking spaces and the introduction of a vehicular access to serve that car park will not harm the character of the area. A suitably landscaped area of hardstanding has now been proposed with adequate planting around it to soften its appearance, it is considered that the proposed parking area is now appropriate and that a reduction in the number of flats proposed for the site has resulted in a decrease in the amount of the area given over to car parking and allowing more space for amenity/landscaping, to the benefit of the appearance of the area and future residents of the development.

DENSITY OF DEVELOPMENT

Policy H13 of the adopted UDP and SPG17 include criteria designed to ensure that new development is of an appropriate scale and density for the locality. Whilst there may be areas of suburban character that are unsuitable for significantly higher densities, the areas where there is the best case for moderately higher densities are areas with good, or better, public transport, as well as town and district centres with good public transport accessibility. SPG17 sets out a number of development characteristics (Table 1 para. 2.3) that can be used to assist in the consideration of the appropriate density for a particular scheme. In this case, the suburban character, the fact that the site is appropriate for families and that it needs a relatively high level of car parking provision all indicate that a high density scheme would not be appropriate here.

In addition, the guidance sets out a quantitative test in order to assess the appropriate density for any particular new or existing site. It includes a total of 4 density bands to be used as guidance.

	DENSITY (h . r. h.)
• In Major Town Centres/Near Major Transport Interchanges	• 240-700+
• Within 600m of Town Centres/Tube & Rail Stations.	• 240-450
• Area of Moderate/Above Moderate Transport Accessibility	• 150-350
• Area of Low Transport Accessibility	• 150-240

No. 27 Aylestone Avenue has a PTAL (public transport accessibility) rating of 1, meaning that it falls into the category of lowest accessibility. Therefore, the density of any development should fall within the 4th density band set out above. The proposed provision of 2 x three bed flats, 5 x two bed flats and 1 x one bed flat on the site would have a density in the lower limit, totalling approx. 156 habitable rooms per hectare. Hence the proposed density is seen to be acceptable. For the avoidance of doubt the, the appeal inspector considers the previous more dense scheme also acceptable.

## LOSS OF FAMILY HOUSING

The Unitary Development Plan (para. 5.9.2) states that “where a development proposal entails demolition or change of use of residential accommodation, the Council will seek replacement dwellings comparable with the standard and amount of accommodation lost. This is to maintain the overall amount and quality of the dwelling stock and to ensure that the dwelling target policy STR18 is not jeopardised.” Policy H8 goes on to state:

“Development should not result in the net loss of residential housing accommodation where such accommodation can still be used, with or without adaptation, for permanent residential purposes, or loss of land within the boundary of sites in housing use to non housing uses. Where development entails demolition or other loss of dwellings, comparable replacement will be required. Specific exceptions to this policy are set out in the Community Facilities chapter.”

The proposed development seeks approval for the demolition of a family dwelling and the erection of a block of 8 flats in its place consisting of 2 x three bed flats, 5 x two bed flats and 1 x one bed flat. As a result, the proposal does not result in a net loss of housing and it also provides replacement large units comparable in size to the unit being removed and is, therefore, acceptable, in principle.

## IMPACT ON ADJOINING OCCUPIERS

The proposed development would involve demolishing the existing two storey building on the site and erecting a 2-storey building, with an additional storey of accommodation in the roof, in its place. The existing building has a simple roofscape, [As would](#) the proposal with 2 dormer windows in order to achieve the amount of development proposed for the site.

Officers are of the view that the scheme has been designed to comply for the most part with the adopted guidance set down in the Council's SPG17, meaning that there are no problems in terms of how the building would relate to existing residents. The building would be sited in such a way so as to avoid creating an overbearing impact on, and resulting in a loss of light to, the occupiers of people living nearby and, as indicated above, although things will change for immediately adjoining residents, this change would not be so unacceptable so as to justify refusing consent on this ground. For the avoidance of doubt, there would be no clear glazed habitable room windows in the elevation of the building facing towards No. 25 meaning that there would be no loss of privacy to occupiers of that house and there would be a distance of approx. 33.0 metres between the rear facing windows in the new building and the nearest property in Chudleigh Road to the west. It is considered that this separation distance would be enough to ensure that amenities would be protected in this relationship.

The previous scheme was refused on the impact that it would have on No. 25, but the Inspectorate concluded that, 'I find the proposal would not unacceptably harm the living conditions at No. 25'

## QUALITY OF RESIDENTIAL ACCOMMODATION

The Council's SPG17: “Design Guide for New Development” is the starting point for the assessment of this residential development. One of the key sections in the SPG covers the standards that would be applied relating to the required distances between habitable-room windows and other windows, as well as site boundaries.

In the case of the application proposal, it seems evident that the applicant has had some regard to SPG17 and the appeal decision in putting the proposal together. The site is located on the junction of two roads and, as indicated above, the proposed building has been designed so as to have no habitable room windows in any of the elevations that would conflict with people living nearby. In terms of the likely quality of accommodation for future occupiers, the submitted drawings indicate separation distances between windows and boundaries (the majority of units are orientated so as to face towards the road)

SPG17 sets out the minimum unit sizes for flats having different numbers of bedrooms. The Council's current standards seek the following flat sizes as a minimum:

- 1-bedroom flat – 45 square metres.
- 2-bedroom (4-person) flat – 65 square metres.
- 3-bedroom flat – 80 square metres.

An assessment of the current proposal indicates that the proposed flats shown on the plans do exceed the Council's guidelines, in quantitative terms.

A further issue is the provision of external amenity space on the site in order to serve the 8 flats proposed. SPG17 requires 20 square metres of space for each flat, meaning that a total of 160 square metres should be proposed here. Furthermore, each of the ground-floor flats will have a private area of enclosed amenity space. Some of this will be adjacent to the road.

In this case, and comparing favourably to the appeal scheme, the development would not rely exclusively on garden space to the front of the building, (approx 41 square metres fronting Aylestone Avenue) as there is an area of communal space to the rear and side that would provide approx. 545 square metres of external space. The proposed amenity space of the current application is better in many regards in that the amenity space is useable by the future residents and the increased amenity space creates more space for future landscaping which will enhance and improve the area. This view should be considered alongside the fact that the internal space proposed in these flats exceeds the SPG17 guidance. For the avoidance of doubt, although officers support amenity space provision proposed here the inspector did not object to the previous proposal on its grounds:

*'The areas for amenity use, to the front of the proposed building, may not be the most practical in terms of future landscaping and everyday use but I find that they would be useable, of sufficient size and comparable to many other developments of this type. In addition, the proposal has unit floor sizes above that recommended, a high quality landscape design could be secured through condition and to many other developments of this type. In addition, the proposal has unit floor sizes above that recommended, a high quality landscape design could be secured through condition and to my mind the communal space is of a reasonable and usable size.'*

In terms of "stacking", for the most part flats on different floors are located above one or another, meaning that the transmission of noise between them is likely to be limited. There are certain instances between the accommodation in the roof and the first floor where this would not necessarily be the case, but it is your Officers' views that these are limited in terms of their likely impact and that in the event that this proposal was to be acceptable in all other respects, it would not be appropriate to refuse consent on "stacking" reasons alone, given that this is a new-build proposal.

#### HIGHWAY MATTERS

The application site is at the junction of Aylestone Avenue and Chudleigh Road, both local access roads. The UDP does not define either of them as being "heavily-parked". The site lies within a Controlled Parking Zone but has low public transport accessibility with a PTAL rating of level 1.

The existing dwelling would have a maximum parking provision of 2 car-parking spaces, and the proposal to replace this with 8 dwellings will inevitably lead to a rise in the parking standard. The maximum provision allowable by policy PS14 would be 9.2 car spaces, and the provision of 1 parking space per flat, making a total of 8, is considered to be acceptable in highway terms. The Highway Engineer considers that any additional parking generated can be accommodated safely on-street, if required.

The refuse and bicycle store located adjacent to the parking area is also acceptable in terms of cycle storage provision and accessibility of refuse for collection/servicing purposes.

The envisaged 4.5m shared crossover and access for the two car-parking spaces onto Aylestone Avenue are of suitable size.

The proposed access and arrangements are considered to be acceptable from a technical highway point of view, in that visibility in both directions is acceptable.

**RECOMMENDATION:** Grant Consent subject to Legal agreement

- (1) The proposed development is in general accordance with policies contained in the:-
- Bretons Unitary Development Plan 2004

- Central Government Guidance
- Council's Supplementary Planning Guidance.

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
- Housing: in terms of protecting residential amenities and guiding new development
- 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 with 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 approved shall be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted therewith, prior to occupation of the building.

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities of the locality.

- (3) 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 on site.

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

- (4) During demolition and construction on site:-

(a) - The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site;

(b) - The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays;

(c) - Vehicular access to adjoining and opposite premises shall not be impeded;

(d) - All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only;

(e) - No waste or other material shall be burnt on the application site;

(f) - All excavated topsoil shall be stored on the site for reuse in connection with landscaping.

(g) - A barrier shall be constructed around the site, to be erected prior to demolition;

(h) - A suitable and sufficient means of suppressing dust must be provided and maintained.

Reason: To limit the detrimental effect of construction works on adjoining residential occupiers by reason of noise and disturbance.

- (5) The existing redundant crossover shall be reinstated to kerb-and-channel and all proposed new crossovers constructed at the applicants' expense, to the satisfaction of the Director of Transportation, before the development is brought into occupation.



Reason: In the interests of pedestrian and highway safety.

- (6) All areas shown on the approved plans, 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 during the first available planting season following completion of the development hereby approved.

The submitted scheme shall include details of:

- (a) proposed gates, walls and fencing, indicating materials and heights;
- (b) any screen planting on the boundary;
- (c) adequate physical separation such as protective walls and fencing, between landscaped and paved areas;
- (d) treatment of areas of hardstanding.

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 to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

**INFORMATIVES:**

- (1) The applicant is advised to contact the Director of Transportation in order to arrange for works to arrange for works to create/remove crossovers in line with borough-wide standards

**REFERENCE DOCUMENTS:**

Any person wishing to inspect the above papers should contact Tanusha Naidoo, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5245

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**Committee Report  
Planning Committee on 12 January, 2011**

**Item No. 10  
Case No. 10/2367**

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**RECEIVED:** 21 September, 2010

**WARD:** Tokyngton

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Unit 4, Second Way, Wembley, HA9 0YJ

**PROPOSAL:** Change of use from warehouse (Use Class B8) to waste transfer station (Use Class Sui Generis)

**APPLICANT:** Recycling express limited

**CONTACT:** JPB Architects

**PLAN NO'S:**  
See condition 2

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**RECOMMENDATION**

Approval

**EXISTING**

The subject site comprises an industrial unit on Second Way. The site is situated within the Strategic Employment Area therefore surrounding uses are predominantly industrial. Temporary planning permission was granted on the site in 2008 for a change of use from B8 to a waste transfer station (use class Sui Generis) for a period of two years.

**PROPOSAL**

Change of use from warehouse (Use Class B8) to waste transfer station (Use Class Sui Generis)

**HISTORY**

10/1054 - Details pursuant to condition 7 (air-quality assessment) of planning permission reference 08/1506, dated 14 November 2008, for change of use from warehouse (Use Class B8) to waste-transfer station (Use Class Sui Generis) and installation of tank to front elevation of site  
Granted - 22/06/2010

09/2641 - Removal of condition 8 (requiring the submission of a construction and freight logistics plan) of planning permission 08/1506, dated 14/11/2008, for change of use from warehouse (Use Class B8) to waste-transfer station (Use Class Sui Generis) and installation of tank to front elevation of site  
Granted - 12/02/2010

08/3191 - Details pursuant to condition 3 (dust suppression system), 5 (vehicle washing facilities), 9 (training employment strategy), 10 (solar thermal panels), 11 (waste target monitoring) of full planning permission reference 08/1506 dated 14 November 2008 for Change of use from warehouse (Use Class B8) to waste transfer station (Use Class Sui-Generis) and installation of tank to front elevation of site  
Granted - 14/08/2009

08/1506 - Change of use from warehouse (Use Class B8) to waste transfer station (Use Class Sui-Generis) and installation of tank to front elevation of site  
Granted - 14/11/2008

## **POLICY CONSIDERATIONS**

### **Brent's Unitary Development Plan 2004**

BE2 - Townscape: Local Context & Character

EP2 - Noise & Vibration

EP3 - Local Air Quality Management

EP4 - Potentially Polluting Development

TRN3 - Environmental Impact of Traffic

TRN4 - Measures to Make Transport Impact Acceptable

TRN22 - Parking Standards - Non-residential Developments

### **LDF Core Strategy 2010**

CP20 - Strategic and Borough Employment Areas

### **SPDs**

Wembley Masterplan

## **SUSTAINABILITY ASSESSMENT**

n/a

## **CONSULTATION**

Standard three week consultation period carried out between 08 October 2010 and 29 October 2010 in which 12 properties were notified.

Two letters of objection have been received from neighbouring units which raise the following concerns:

- Infestation of flies and rats increased since the commencement of the use
- Dust and waste deposits in the air have increased
- Rubbish scrapped up against wall shared with Unit 5 resulting in damp and a crack
- Closure of public right of way due to serious damage which has occurred to the building

### **Internal Consultees**

**Transportation** - No objections

**Environment Agency** - No objections

**Environmental Health** - Response remains pending. Comments from EH officers will be reported within the Supplementary Report

## **REMARKS**

### *Background*

The use in question was granted temporary planning permission for a two year period in 2008. This application seeks to extend this permission further. The application is referable to the Mayor of London under Category 2B (a) of the Schedule of the Order 2008. A response has been received from the Mayor stating that proposal does not have any strategic issues and as a result, no further consultation is required.

The main considerations relating to this application are the principle of granting a further permission for the use, the environmental impact of the use and transportation implications for the use.

### *Principle of Change of Use*

The site falls within the Wembley Strategic Employment Area and also within a Waste Management Area. The proposed use includes reception, storage and treatment of dry inert and non-hazardous wastes to manufacture materials for re-use, recovery and recycling uses including, soil, wood, aggregates, metals, cardboard and paper. The use has a maximum annual operation throughput of around 75000 tonnes of which 50000 tonnes will be construction, demolition and excavation materials and 25000 would be commercial and industrial.

The location of the unit is within the Wembley Masterplan area which is a Supplementary Planning Document adopted in 2009. Given the situation of the site within an area of change with close proximity to areas proposed for residential uses and within an area which may be affected by the realignment of road network, it is considered that the proposal can be granted a further temporary permission only for a period of 5 years.

### *Environmental Impact of the Use*

The applicants have been required to obtain an Environmental Permit for the use which seeks to minimise harm to human health or pollution of the environment. In addition the original application (08/1506) attached a number of conditions requiring dust suppression systems, noise mitigation measures to prevent the transfer of noise and vibration from machinery within the site and air quality objectives. These conditions were discharged following the granting of planning permission as the measures proposed were considered by Environmental Health Officers to adequately deal with potential dust and pollution arising from the use. The comments from the objectors regarding dust and pollution are however noted and clarification is being sought from Environmental Health officers that the measures required previously remain satisfactory. The details of a response will be reported within the Supplementary Report.

The objectors concerns regarding the infestations of flies and rats are also noted however the use in question does not take in domestic waste but rather dry recyclables such as soil, hardcore, plastic and cardboard. It is unlikely that the handling of these type of materials are the likely cause of the problems experienced by neighbouring uses.

It should also be noted that the applicants have provided evidence that the site has been visited by Health and Safety Inspectors following the receipt of complaints regarding vehicular damage to walls. These officers confirmed that they are satisfied that measures have been put in place to minimise the risk of further damage from the application site. In any case, the issue of damage to shared walls is a civil matter which cannot be controlled through planning legislation. Accordingly this matter is not considered to warrant a refusal of the application.

The closure of a public right of way is also not a material planning consideration but is a civil matter and as such the Local Planning Authority cannot intervene to resolve this matter.

### *Transportation Implications*

Transportation Officers have been consulted regarding the renewal of the temporary use and are satisfied that the continuation of the use is unlikely to result in a significant increase in vehicular movements. Furthermore, over the course of the two years of operation, no complaints or objections have been received relating to this matter. Accordingly the proposal is not considered to raise any significant concerns relating to transportation matters.

### *Summary*

Your officers consider the use to be acceptable in this location for the present time as the changes advocated by the Masterplan have not yet transformed this particular area. In addition sufficient measures have previously been required to mitigate the environmental impact of the use and the

proposal is not considered to raise significant concerns to Transportation Officers regarding the impact to the road network or highway safety. Accordingly the proposal is considered to comply with development plan policies and it is considered appropriate to recommend approval for the use to continue to operate for a further five years.

## **REASONS FOR CONDITIONS**

n/a

**RECOMMENDATION:** Grant Consent

## **REASON FOR GRANTING**

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

Brent Unitary Development Plan 2004  
LDF Core Strategy 2010

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  
Transport: in terms of sustainability, safety and servicing needs  
Wembley Regeneration Area: to promote the opportunities and benefits within Wembley  
Waste: in terms of the development of waste management facilities

## **CONDITIONS/REASONS:**

- (1) This permission shall be for a limited period of 5 years only expiring on 12/01/2016 when (unless a further application has been submitted to and approved by the Local Planning Authority) the use hereby approved shall be discontinued and the existing use reinstated to the satisfaction of the Local Planning Authority.

Reason: To enable the Local Planning Authority to review the proposal in the light of the application premises being situated in a strategic employment area and adjoining Wembley 2008 Masterplan area. Permission for a longer period could prejudice its implementation.

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

01  
02  
03  
04

Noise and Observation Assessment - Chilt-E MJGER01  
x1 Letter and details to discharge conditions - Ref 10334/PL/081124/jpb

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

- (3) The site will not be used for the sorting or storage of putrecible waste without prior written approval from the Local Planning Authority.

Reason: To safeguard the amenity of neighbouring occupiers

- (4) The parking and servicing areas within the site shall only be used for purposes ancillary to the use hereby approved and for no other purpose.

Reason: To ensure that the proposed use do not interfere with the free passage of vehicles or pedestrians within the site and along the public highway and in the interests of the visual amenities of the area and sustainable transport

**INFORMATIVES:**

- (1) The applicant is reminded that the information submitted to discharge conditions attached to planning permission ref 08/1506 are approved again through condition 2 and should therefore be retained and maintained.

**REFERENCE DOCUMENTS:**

Brent's Unitary Development Plan 2004  
LDF Core Strategy 2010  
Wembley Masterplan SPD

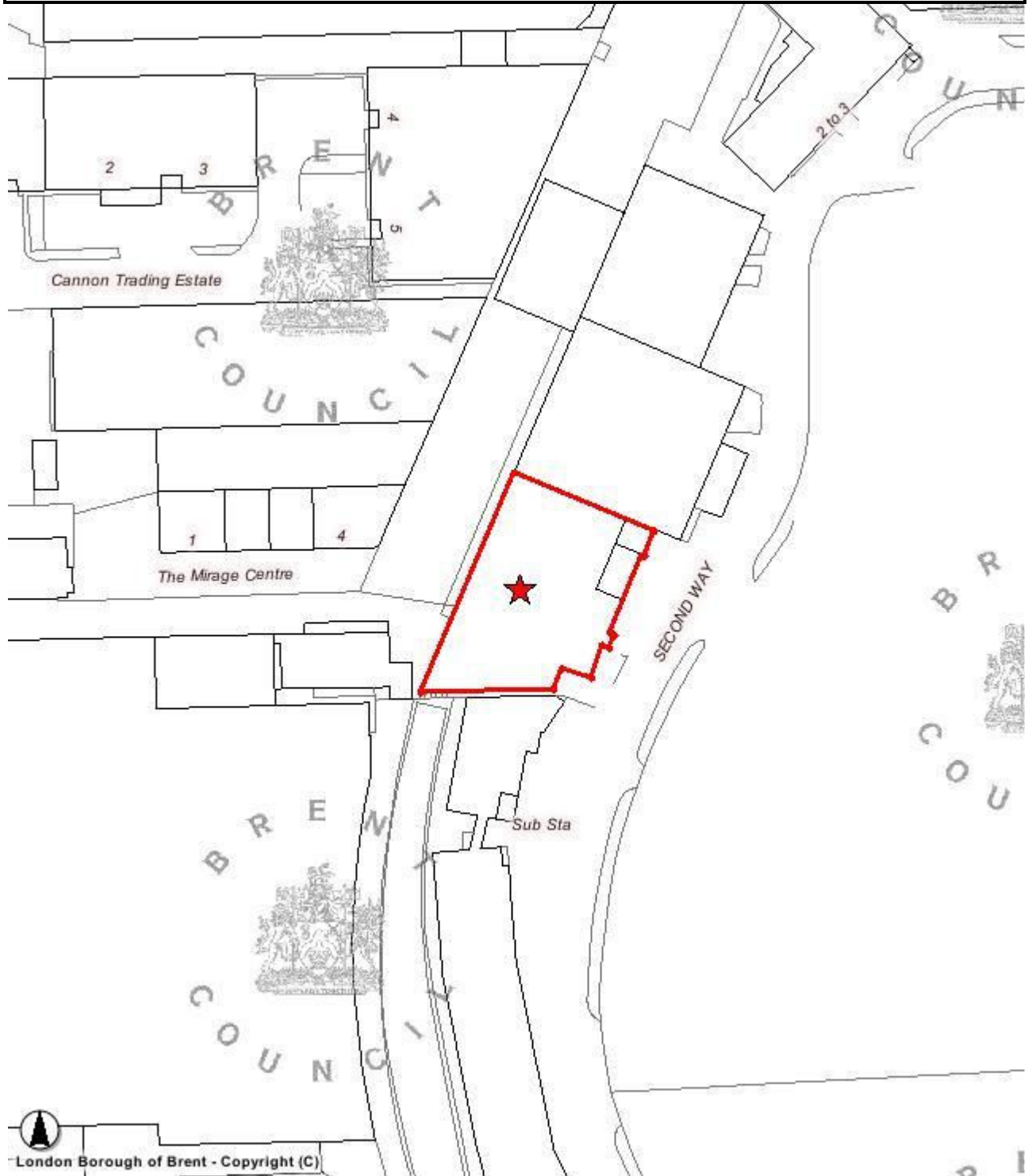
Any person wishing to inspect the above papers should contact Sarah Ashton, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5234



# Planning Committee Map

Site address: Unit 4, Second Way, Wembley, HA9 0YJ

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**Committee Report**  
**Planning Committee on 12 January, 2011**

**Item No.** 11  
**Case No.** 10/2767

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**RECEIVED:** 29 October, 2010

**WARD:** Northwick Park

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** University Of Westminster, Watford Road, Harrow, HA1 3TP

**PROPOSAL:** Hybrid planning application for the demolition of part of the University of Westminster's Harrow Campus and the erection of new buildings and refurbishment of existing buildings, comprising:

Full planning permission for the demolition of 6,980m<sup>2</sup> of existing floor space and the erection of 3,435m<sup>2</sup> of new educational floor space (Use Class D1) in new buildings ranging in height from one to two storeys, the refurbishment of existing buildings, including new external cladding, new hard and soft landscaping, improvements to the entrance adjacent to Northwick Park Underground Station and construction of a Multi-Use Games Area;

and

Outline planning permission for a further 3,545m<sup>2</sup> of new educational floor space (matters to be approved: land use, quantum of development and means of access, with layout, scale, appearance and landscaping reserved)

**APPLICANT:** University of Westminster

**CONTACT:** Hawkins\Brown LLP

**PLAN NO'S:**

Please see condition 2 for the list of approved drawings and other documents

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**RECOMMENDATION**

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning to agree the exact terms thereof on advice from the Borough Solicitor.

**SECTION 106 DETAILS**

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
- The implementation of a range of sustainability measures, the exact details of which are still to be agreed with the applicant and will be set out in a supplementary report to be presented to members prior to the committee meeting.
- Join and adhere to Considerate Contractors Scheme.

And, to authorise the Head of 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.

It should be noted that as the proposal does not result in any net gain in floor space a financial contribution is not being sought.

## **EXISTING**

The University of Westminster's Harrow Campus which despite its name is located wholly within the London Borough of Brent, although it does border the London Borough of Harrow which lies on the opposite side of Watford Road.

The campus is bordered by the Metropolitan London Underground Line to the north, Watford Road to the west, the Northwick Park Hospital complex to the south and the Northwick Park open space to the east. It benefits from good transport links to central London via the Metropolitan Line from Northwick Park Station and the Bakerloo and London Overground Lines from Kenton Station.

The Campus occupies an area of approximately 9.6 hectares and includes a number of teaching and administration blocks, a 620 student halls of residence and a 2.3 ha playing field. The blocks range in height from eight storeys down to one storey. The site has been extensively developed and added to over the years since the original campus was built in the 1950s. As a consequence a number of building styles and types are present within the site.

## **PROPOSAL**

This is a 'hybrid' planning application seeking both full and outline planning permission for the refurbishment and part redevelopment of the University of Westminster's Harrow Road Campus. The application comprises:

- i. Full planning permission for the demolition of 6,980m<sup>2</sup> of existing floor space and the erection of 3,435m<sup>2</sup> of new educational floor space (Use Class D1) in new buildings ranging in height from one to two storeys, the refurbishment of existing buildings, including new external cladding, new hard and soft landscaping, improvements to the entrance adjacent to Northwick Park Underground Station and construction of a Multi-Use Games Area; and
- ii. Outline planning permission for a further 3,545m<sup>2</sup> of new educational floor space (matters to be approved: land use, quantum of development and means of access, with layout, scale, appearance and landscaping reserved).

## **HISTORY**

The site was first developed in the 1950s as the Harrow Technical College. It later became part of the Polytechnic of Central London which eventually became in the 1990s the University of Westminster. The campus has been significantly altered and extended over the years. The last significant expansion of the site occurred in 1995 at which time the University's School of Media, Arts and Design moved to the campus. A number of specialist buildings were introduced and the student halls of residence were built. Since then a number of smaller developments have occurred including an extension to the halls of residence and the provision of temporary buildings to replace space lost as a result of a fire to one of the teaching blocks.

## **POLICY CONSIDERATIONS**

### **London Borough of Brent Core Strategy 2010**

The following policies in the recently adopted Core Strategy are considered relevant to the current application.

CP18      Protection and Enhancement of Open Space, Sports and Biodiversity

CP19 Brent Strategic Climate Mitigation and Adaptation Measures  
CP23 Protection of existing and provision of new Community and Cultural Facilities

### **London Borough of Brent Unitary Development Plan 2004**

The following saved policies contained in the Unitary Development Plan are considered relevant to the current application.

BE2 Townscape: Local Context & Character  
BE3 Urban Structure  
BE5 Urban Clarity & Safety  
BE6 Public Realm: Landscape Design  
BE7 Public Realm Streetscape  
BE9 Architectural Quality  
BE12 Sustainable Design Principles  
EP2 Noise sensitive development  
TRN1 Transport Assessment  
TRN3 Environmental Impact of Traffic  
TRN4 Measures to Make Transport Impact Acceptable  
TRN10 New development should have safe walking routes  
TRN11 Developments should comply with the minimum cycle parking standards  
TRN22 Parking Standards - Non-Residential Developments  
TRN35 Access to disabled parking  
PS12 Parking Standards: Non-Residential Institutions (Use Class D1) and Hospitals (Use Class C2)  
CF8 School Extensions  
CF12 Within the Northwick Park Hospital/Further Education zone higher and further education uses will be supported

### **Supplementary Planning Guidance 17:- Design Guide For New Development**

### **Supplementary Planning Guidance 19:- Sustainable Design, Construction & Pollution Control**

### **Supplementary Planning Document:- s106 Planning Obligations**

### **The London Plan (Consolidated with Alterations Since 2004)**

#### **SUSTAINABILITY ASSESSMENT**

The submitted application proposes a number of features to secure improvements in the sustainability of the retained buildings and to achieve a high level of sustainability in the new build element of the scheme. Proposed features include:

- Expected carbon savings across the redevelopment equivalent to 87% of the proposed new areas.
- On-site renewable/low carbon energy generation is proposed by the implementation of a carbon neutral biomass boiler system.
- Water efficient devices to achieve or exceed the mandatory BREEAM standards.
- Rainwater run-off attenuation will be provided by new green roofs, semi-permeable finishes to the new MUGA, off line storm water storage and local discharge control measures.
- Sustainable sourced, recycled or re-used building materials will be specified where possible.
- A commitment to produce a Site Waste Management Plan to monitor, sort and recycle construction waste on site.
- An aim to achieve a BREEAM 'Very Good' rating is targeted. The BREEAM pre-assessment process indicates that the predicted BREEAM ratings for both new-build and refurbished elements of the project will achieve this target.

A sustainability report and energy assessment has been submitted in support of the application. At the time of writing this report officers were still assessing this information. A full assessment of the

schemes sustainability credentials will be reported to members by way of a supplementary report before the committee meeting.

## **CONSULTATION**

The site is separated from its nearest residential neighbours by the Metropolitan Railway Line, Because of its relative remoteness only a small number of direct consultations were carried out, in addition to site and press notices. No responses were received from local residents or from Northwick Park Hospital.

Responses were received from the following:

London Underground Ltd - No objection

London Borough of Harrow - No objection

Council's Landscape Officer - No objection to the landscape measures proposed in the full application and no objection to the outline planning permission subject to appropriate details being provided with any submission of reserved matters relating to landscaping.

Council's Transportation Officer - No objection. Welcomes the opportunity provided by this application to secure a Travel Plan for the site.

Environmental Health Officer - No objection.

The University itself have consulted extensively with students and staff over the proposed changes. As well as presentations student focus groups were set up to ensure that everyone affected by the changes have been kept up to date. The proposals have also been presented to the Chief executive of Northwick park Hospital which adjoins the campus and who has been reported as being supportive of the project.

## **REMARKS**

### Introduction

This is a '*hybrid*' planning application seeking both full and outline planning permission for the refurbishment and part redevelopment of the University of Westminster's Harrow Road Campus.

The University are seeking full planning approval for the redevelopment of the campus involving the demolition of a number of the older campus buildings; the refurbishment of some of those buildings to be retained; and the creation of new floorspace. As a result of these proposals the gross external floor area of the buildings that comprise the campus will be reduced overall – by approximately 3,545 sqm. The University area keen to retain the option of replacing this floor area sometime in the future should it be needed. Therefore this application also seeks outline planning permission for the construction of up to a further 3,545 sqm. of floor space. Matters to be considered in this application are the proposed land use, quantum of development and means of access with layout, scale, appearance and landscaping reserved.

### Background

The University of Westminster delivers its courses from a number of locations in Central London and from its Harrow Campus at Northwick Park. The Harrow campus currently provides accommodation for the University's School of Media, Art and Design, its School of Electronics and Computer Science and its Business School. The University are currently undertaking a restructuring that will see the School of Electronics and Computer Science and the Business School relocated to its Central London sites. This will allow the Harrow campus to focus solely on providing accommodation for the School of Media, Art and Design which has a high academic reputation and is one of the University's more successful schools.

The Campus includes a number of buildings with a total floorspace of 38,890m<sup>2</sup>, including halls of residence for 620 students and are used to teach 3,830 full-time and 920 part-time students. A total of 295 staff are currently employed at this site. The blocks range in height from eight storeys down to one storey. The site has been extensively developed and added to over the years since the original campus was built in the 1950s. As a consequence a number of building styles and types are present within the site. The site benefits from a substantial amount of open space including a 2.3 ha playing field. Given the rather ad hoc way in which the campus has developed over the years and the variety of building types and styles found on the site it is fair to say that architecturally the site lacks coherence. Many of the older buildings are nearing obsolescence and have a rather drab and rundown appearance. Furthermore one of the blocks was largely destroyed by fire three years ago.

The University proposes to substantially re-model the academic and supporting buildings as well as the external landscaping in order to create an environment that meets modern standards for teaching, learning and research as well as delivering substantial improvements to the sites sustainability.

Much of the project involves internal refurbishment works but significant changes are also proposed to the external appearance of the campus.

#### Principle of Development

The Council welcomes University's continuing commitment to Northwick Park represented by this proposed investment. While student numbers are proposed to fall to 3,292 full-time (currently 3,830) and 780 part-time students (currently 920) and staff numbers will fall to 250 (currently 295) this is a relatively modest drop. Furthermore the University's business plan anticipates significant growth in its School of Media, Art and Design which as has stated is one of its more highly regarded departments. The changes proposed are therefore welcomed in principle.

#### Design

The proposal will see the demolition of less suitable buildings in order to create a consolidated academic hub. New two storey buildings are proposed infilling some of the spaces between the retained blocks that as well as creating new teaching space will also create attractive enclosed double height linkages between buildings and attractive internal courtyards, unifying the rather disparate elements of the campus. This new linkage will also provide the university with attractive and more welcoming new entrances to Watford Road and to the playing field. Improvements are also proposed to the campus entrance adjacent to Northwick Park Station which is the main point of arrival for those coming from Central London via the Metropolitan Line. As well as improvements to the buildings' façade and landscaping a new café is proposed within the existing building which will bring activity and much needed natural surveillance to what is currently a rather neglected corner of the Northwick Park Open Space.

The refurbishment of some of the older buildings to be retained will not only refresh and improve their external appearance but will improve their sustainability through the introduction of external fins to reduce solar gain. Some of the more tired and unattractive elements of these buildings will be overclad with coloured panels.

Overall the proposed changes are considered a significant improvement to the design and appearance of the campus.

#### Landscaping

While a small number of relatively insignificant trees will be lost with the enclosure of the existing spaces between the buildings overall significant improvements are proposed to the campus's open spaces. New planting, including new trees, new pathways, new external lighting and a new

allotment area for students is proposed. A new MUGA is also proposed within the existing playingfield.

### Impact on neighbours

The site is separated from its nearest residential neighbours by the Metropolitan Railway Line, and this together with the relatively modest two storey additions proposed means that the scheme will have little or no impact on neighbouring residential amenity. The scheme is no considered to have any significant impact on the adjoining Northwick Park Hospital.

### Outline proposals

The outline proposals for the construction are considered acceptable. The quantum of floor space sought is considered acceptable as it simply replaces the net loss of floorsapce resulting from the changes initially proposed. The site is considered to be able to accommodate this floorsapce subject to a satisfactory layout, scale, appearance and landscaping which are all reserved matters.

### Transport and Access

The immediate effect of these proposals will be to reduce the number of students and staff at this campus by about 14%. As such, the proposals should lead to a decrease in trips, traffic and parking for the campus, which is generally welcomed in highway terms and does not therefore require any further specific assessment

The outline proposals for future buildings, if implemented, would simply return the overall level of floorspace within the site to existing levels, whilst car parking provision is also proposed to remain unaltered. As such, it is reasonable to assume that staff and student numbers would also simply return to approximately the same levels as at present, with the overall transport impact of the two combined applications therefore being likely to be neutral in trip generation terms

In terms of car parking, allowances set out in standard PS12 permit up to one space per five staff, plus 20% for students and visitors. The intended fall in staffing on the site from 295 staff to 250 staff would therefore reduce the total parking allowance from 70 spaces to 60 spaces. The campus currently has 290 standard width spaces, which therefore greatly exceeds standards.

The designation of three additional disabled parking spaces would ensure that standard PS15 which requires 5% of all spaces to be widened and marked for disabled drivers is complied with. This is being sought by condition.

Standard PS16 requires at least one cycle space be provided per eight staff/students. The fall in attendance on the campus would therefore reduce the requirement from 574 spaces to 492 spaces. With only 164 spaces available, provision falls well short of standards and ought to be increased, although the fall in attendance will at least reduce this shortfall. It should however be noted that the Travel Plan surveys show only limited use of bicycles (2% of trips) to the site at present, so there is no immediate shortage of bicycle parking on the site.

The proposed provision of motorcycle parking bays is welcomed.

In term of servicing, there are three existing loading areas around the campus site from which deliveries can be made and refuse collected. Access arrangements to these remain unaltered and AUTOTRACK runs have been submitted to show that each area will remain fully accessible by large refuse vehicles and wood pellet delivery vehicles to the proposed biomass boiler, which is fine. Tracking has also been provided for fire appliances accessing various parts of the site. The proposed new café unit at the eastern end of the site will require deliveries by transit sized vans and these can be accommodated at the end of the car park access road, with turning space also provided in this area.

The proposed landscaping improvements around the site will not alter access routes, so are non-contentious. They will improve the environment for pedestrians and cyclists within the site which is welcomed. Similarly, improvements to lighting around the new courtyard areas are also welcomed, with the proposed the levels of luminance proposed considered appropriate.

### Conclusion

The Council welcomes the University of Westminster's continuing commitment to Northwick Park and the enhancements to the local environment and visual amenity that will result from the proposed improvements to the campus.

### **RECOMMENDATION:** Grant Consent subject to Legal agreement

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

Brent LDF Core Strategy adopted 2010  
Brent Unitary Development Plan 2004  
Central Government Guidance  
Council's Supplementary Planning Guidance

### **CONDITIONS/REASONS:**

- (1) In the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of this permission, and that the development to which this permission relates must be begun not later than whichever is the later of the following dates:-

- (i) the expiration of three years from the date of this permission; or  
(ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990.

- (2) The relevant parts of the development as hereby permitted shall not commence until layouts, plans/sections and elevations for that part of the development, detailing:

- (a) Appearance  
(b) Landscaping  
(c) Scale  
(d) Layout

otherwise known as the **reserved matters** have been submitted to and approved in writing by the Local Planning Authority. The relevant part of the development shall in all aspects be carried out in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority:

Reason: In order that the Local Authority is satisfied with the details of the proposed development.

NOTE - Other conditions may provide further information concerning details required.

The development hereby permitted shall be carried out in accordance with the following approved drawings and/or documents:

1236 DWG PL001 Rev PL01	1236 DWG PL100 Rev PL01	Plincke Proposed Landscape Masterplan
1236 DWG PL002 Rev PL01	1236 DWG PL200 Rev PL01	
1236 DWG PL010 Rev PL01	1236 DWG PL201 Rev PL01	DW-PL-101 Rev A
1236 DWG PL011 Rev PL01	1236 DWG PL202 Rev PL01	DW-PL-102 Rev A
1236 DWG PL012 Rev PL01	1236 DWG PL203 Rev PL01	DW-PL-105 Rev A
1236 DWG PL013 Rev PL01	1236 DWG PL204 Rev PL01	DW-PL-106 Rev A
1236 DWG PL014 Rev PL01	1236 DWG PL205 Rev PL01	DW-PL-107 Rev A
1236 DWG PL015 Rev PL01	1236 DWG PL206 Rev PL01	DW-PL-108 Rev A
1236 DWG PL016 Rev PL01	1236 DWG PL207 Rev PL01	DW-PL-109 Rev A
1236 DWG PL017 Rev PL01	1236 DWG PL370 Rev PL01	DW-PL-111 Rev A
1236 DWG PL050 Rev PL01	1236 DWG PL371 Rev PL01	DW-PL-112 Rev A
1236 DWG PL051 Rev PL01	1236 DWG PL372 Rev PL01	DW-PL-113 Rev A
1236 DWG PL052 Rev PL01	1236 DWG PL373 Rev PL01	DW-PL-114 Rev A
1236 DWG PL053 Rev PL01	1236 DWG PL374 Rev PL01	DW-PL-121 Rev 00
1236 DWG PL054 Rev PL01	1236 DWG PL375 Rev PL01	DW-PL-122 Rev A
1236 DWG PL055 Rev PL01	1236 DWG PL376 Rev PL01	Pell Frischman External Lighting Layout
1236 DWG PL056 Rev PL01	1236 DWG PL377 Rev PL01	
1236 DWG PL057 Rev PL01	1236 DWG PL378 Rev PL01	
1236 DWG PL058 Rev PL01	1236 DWG PL379 Rev PL01	
1236 DWG PL059 Rev PL01	1236 DWG PL380 Rev PL01	
1236 DWG PL060 Rev PL01		

Haskins Brown Design & Access Statement, (Reference: 1236 REP PL 001 - Rev P1)  
Hoare Lea Acoustic Assessment of Plant Noise Emissions dated October 2010  
Pell Frischmann Transport Statement dated 28 October 2010  
Middlemarch Environmental Ltd Arboricultural Survey dated October 2010  
Pell Frischmann Low/Zero Carbon Technology Feasibility Assessment Rev B dated 28 October 2010  
Pell Frischmann Sustainability Statement dated 28 October 2010

Reason: To ensure a satisfactory development.  
(3)

(4) The landscape works and planting shown on the approved plans shall be carried out within a year of the building works hereby approved being substantially completed or in accordance with a programme agreed in writing with the Local Authority.

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

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

(5) A further three additional disabled parking spaces shall be designated and provided within 6 months of the building works hereby approved being substantially completed and these spaces shall be permanently retained unless the Local Planning Authority agree otherwise in writing.



Reason: To ensure that the standard for disabled parking set out in Policy PS15 of the UDP is met.

- (6) Prior to commencement of development (save for demolition) a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details.

Reason; to prevent flooding by ensuring satisfactory storage and disposal of surface water from the site

- (7) 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.

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

**INFORMATIVES:**

None Specified

Any person wishing to inspect the above papers should contact Neil McClellan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5243



## Planning Committee Map

Site address: University Of Westminster, Watford Road, Harrow, HA1 3TP

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