



Planning Committee

Tuesday, 13 October 2009 at 7.00 pm

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

Membership:

Members

Councillors:

Kansagra (Chair)
Powney (Vice-Chair)
Anwar
Baker
Cummins
Green
Hashmi
Hirani
J Moher
R Moher
HM Patel
Thomas

first alternates

Councillors:

Fernandes
Eniola
Anwar
Mendoza
Pervez
CJ Patel
Dunn
Tancred
Mrs Bacchus
Butt
Colwill
Long

second alternates

Councillors:

Mistry
Beswick
Bessong
Joseph
Jackson
Corcoran
Leaman
CJ Patel
Arnold
Ahmed
Steel
Eniola

For further information contact: Joe Kwateng, Democratic Services Officer,
020 8937 1354, joe.kwateng@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

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.		
Extract of Planning Code of Practice		
2		5 - 18
Minutes of the previous meeting		
APPLICATIONS DEFERRED FROM THE PREVIOUS MEETING		
3	Welsh Harp;	19 - 26
4	Barnhill;	27 - 34
NORTHERN AREA		
5	Barnhill;	35 - 44
Garages 4-21, Rear of St Davids Close Wembley HA9 (Ref. 09/0621)		
6	Barnhill;	45 - 50
Garages 4-21, Rear of St Davids Close Wembley HA9 (Ref. 09/0364)		
7	Dudden Hill;	51 - 56
37 Geary Road, London NW10 1HJ (Ref. 09/1962)		
8	Dudden Hill;	57 - 60
Gladstone Park, Parkside, London NW2 (Ref. 09/1763)		
9	Barnhill;	61 - 68
34 Oxenpark Avenue, Wembley HA9 9SZ (Ref. 09/2014)		
10	Fryent;	69 - 82
Red Pepper, Edgware Road, Kingsbury NW9 6LL (Ref. 09/1191)		
11	Kenton;	83 - 90
10 Grenfell Gardens, Harrow HA3 0QZ (Ref. 09/1615)		
12	Fryent;	91 - 98
27 Waltham Avenue, London NW9 9SH		
SOUTHERN AREA		
13	Harlesden;	99 - 102
Shrine of Our Lady of Willesden, Nicoll Road, NW10 9AX (Ref. 09/2092)		
14	Brondesbury;	103 - 106
1-65 & Amenity & Laundry Rooms, Avonhurst House, Coverdale Road, NW2 (Ref. 09/1853)		
15	Brondesbury;	107 - 110
1-30 inc. Peascroft House, Willesden Lane NW6 (Ref. 09/1854)		
16	Queens Park;	111 - 116
Church of Transfiguration, Chamberlayne Road NW10 3NT (Ref. 09/1744)		
WESTERN AREA		

17	Unit Y, 272 Abbeydale Road, Wembley HA0 1PU (Ref. 09/1746)	Alpertons;	117 124	-
18	Land Adj to Kodak Court, Nightingale Avenue Harrow HA1 (Ref. 09/1659)	Northwick Park;	125 138	-
19	57 The Fairway, Wembley HA0 3TN (Ref. 09/1843)	Northwick Park;	139 144	-

SITE VISIT DETAILS

LONDON BOROUGH OF BRENT
PLANNING COMMITTEE – 13TH OCTOBER 2009

SITE VISITS – SATURDAY, 10TH OCTOBER 2009

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

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
09/1744	Church of Transfiguration, Chamberlayne Road, London NW10 3NT	15	Queens Park	9:45 am	
09/1836	49 Alington Crescent, London NW9 8JL	3	Welsh Harp	10:10 am	
09/1888	61 Beverley Gardens, Wembley, HA9 9RB	4	Barnhill	10:30 am	
09/2014	34 Oxenpark Avenue, Wembley HA9 9SZ	9	Barnhill	10:50 am	

Date of the next meeting: Wednesday, 21 October 2009

The site visits for that meeting will take place the preceding Saturday 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 Grand Hall.
 - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

This page is intentionally left blank

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.

This page is intentionally left blank

Agenda Item 2

LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday, 16 September 2009 at 7.00 pm

PRESENT: Councillors Kansagra (Chair), Powney (Vice-Chair), Anwar, Baker, Cummins, Green, Hashmi, R Moher, Thomas and Steel

ALSO PRESENT: Councillor Uma Fernandes, Councillor Reg Colwill, Councillor Mary Arnold and Councillor Robert Dunwell

Apologies for absence were received from Councillor Chunilal Hirani and Councillor James Moher

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

17 09/1312 GEKO House, Kimberley Road, London NW6 7SG

Councillor Green declared that he lived few metres away from the application site. He withdrew from the meeting room and took no part in the discussion or voting during consideration of this application.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 26 August 2009 be approved as an accurate record of the meeting subject to the following amendments:-

09/1414 4 Beechworth, Willesden Lane NW6
In paragraph 4, delete "J Moher" and insert "R Moher".
Delete "Councillor Hirani" from the voters list.

09/1419 979-981 Harrow Road Wembley HA0
Show "R Moher" as having voted FOR and amend the figures accordingly.

3. **24 Valley Drive, London NW9 9NP (Ref. 09/1556)**

09/1556 Retention of single storey rear extension, two storey side to rear extension to dwellinghouse and conversion of garage into a habitable room (variation to scheme approved on 04/07/2006 - Ref: 06/1275).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

With reference to the supplementary information the Head of Area Planning Steve Weeks informed the Committee that as the additional rear extension at the application site is flush with the extension at No. 22 Valley Drive and set away

from the boundary with no.26, it was not considered to adversely impact upon the amenities of neighbouring occupiers. In reference to the application for No. 26 Valley Drive which was not recommended for approval, he clarified that the rear extension which would have been in excess of 3.0m in depth against its neighbouring property, No. 28 Valley Drive which did not have a similar extension along the boundary.

DECISION: Planning permission granted subject to conditions.

4. 49 Alington Crescent, London NW9 8JL (Ref. 09/1836)

09/1836 Single and two storey rear extension, first floor side extension, rear dormer window and 1 front rooflight to dwellinghouse

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

Mr Daniel Kneafsey speaking on behalf of his parents and in objection to the application stated that the proposed two-storey rear extension would lead to loss of light to their main living area and kitchen area thus forcing the family to rely more heavily on unnatural light. He added that the proposed development which would have a dominant effect would have a detrimental impact on their visual amenity. He continued that the additional 2 bedrooms would lead to an increased demand for parking in a section of the road that was already over-crowded. For the above reasons, Mr Kneafsey urged members to consider a site visit before deciding on the application.

During debate, Councillor Baker moved an amendment for a site visit which was put to the vote and declared carried.

DECISION: Deferred for a site visit in order to assess the impact of the proposal.

5. 61 Beverley Gardens, Wembley HA9 9RB (Ref. 09/1888)

09/1888 Erection of two-storey, end-of-terrace dwellinghouse with roof extension and 1 rear rooflight, installation of vehicle crossover, provision of car-parking, refuse storage to front and landscaping to site.

OFFICER RECOMMENDATION: Grant planning consent in principle subject to the completion of a satisfactory Section 106 legal agreement and request that Members delegate authority to the Chief Planner, or duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor; but if the agreement has not been entered into within a time to be agreed, to refuse permission but delegate authority to the Head of Area Planning to grant permission in respect of a further application which is either identical to the current one or, in his opinion, not materially different, provided that a section 106 agreement containing the above terms has been entered into.

With reference to the tabled supplementary information, the Planning Manager Geoff Hewlett informed the Committee about an additional letter of objection from Barnhill Residents' Association reiterating its members' concerns about the works not being implemented in accordance with the approved plans and their suspicion that the house was likely to be converted into flats. He stated that the issues raised by the Association had been dealt with in the main report. In clarifying the description of the proposal he confirmed that the correct description of the development should be "erection of two-storey, end-of-terrace dwellinghouse with single storey rear extension and front porch, installation of vehicle access, provision of car-parking, refuse storage to front and landscaping to site".

Mrs Patricia Marcar objected to the proposed development on grounds of its massing, density, loss of outlook, views and sunlight and parking problems. She added that the proposal would follow the undesirable precedent set at No. 63 Beverley Gardens which was noted for its unauthorised use.

In responding to the issues raised about possible conversion into flats, the Head of Area Planning Steve Weeks stated that the layout of the floor plans did not suggest that the property would be converted into flats and that planning permission would be required for a change of use from a single family dwellinghouse. He added that the change of use of this property to flats would be unacceptable as it would fail to comply with the Council's policies for flat conversions in heavily parked streets which required a minimum original floor area of 140sqm. He continued that aware of the unauthorised works which were currently taking place at No. 63 Beverley Gardens enforcement action had been authorised for both the unauthorised conversion of the property into four self-contained flats and the unauthorised extensions in the rear garden. In conclusion Steve Weeks stated that whilst concerns over the impact of development were noted, on balance the scheme was considered an acceptable response to providing much-needed family housing without causing harm to either the character of the area or the amenity of neighbouring and future occupants.

In the discussion that followed, Councillor Cummins moved an amendment for a site visit in order to assess the impact of the development at the site and at No. 63 Beverley Gardens on amenities. This was put to the vote and was declared carried.

DECISION: Deferred for a site visit in order to assess the impact of the proposed development and the impact of the unauthorised use of No. 63 Beverley Gardens on residential amenities of the area.

6. 15 Greenfell Gardens, Harrow, HA3 0QZ (Ref. 09/1750)

09/1750 Demolition of existing detached garage and erection of two storey side extension and part single part two storey rear extension to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Planning Manager, Geoff Hewlett referred to an additional representation from a neighbour requesting the existing hedge to be replaced by a structure of approximate equal height in order to preserve privacy and security. In response he confirmed that the hedge and the existing fence of 1.8m would be retained as part of the proposal. In order to reinforce this requirement, he recommended an additional condition as set out in the tabled supplementary information requiring the applicant to submit details of the boundary treatment in order to minimise impact on privacy. Mindful of the impact of the level differences in the rear garden he also recommended an additional condition requiring the applicant to submit for approval, further details of the patio area and access arrangements.

The applicant, Mrs Soneji expressed satisfaction with the additional conditions and therefore withdrew her request to address the Committee.

DECISION: Planning permission granted subject to conditions and additional conditions requiring the applicant to submit details of the boundary treatment and further details of the patio area and access arrangements for approval.

7. Tenderden Sports Grounds, Preston Road Harrow (Ref. 09/2097)

09/2097 Details pursuant to Conditions 2 (Details of colours and finishes), 3 (Positioning of MUGA), 4 (Landscaping), 5 (Cycle stands) and 7 (Drainage) of Deemed (Reg3 Council's own Development) reference 08/2537 dated 15 January 2009, for proposed Multi-Use Games Area and 5 cycle stands.

OFFICER RECOMMENDATION: Grant planning permission.

With reference to the tabled supplementary information, Steve Weeks addressed the concerns raised by residents at the site visit. He continued that the issue of anti social behaviour was discussed with Borough's Police's Crime Prevention Design Advisor who raised no objection to the proposal, its siting and location but made a suggestion about lighting along the west-east footpath so as to avoid light spillage into the MUGA. This would be added as an informative. He reported that PC Mark Kirby from the Safer Neighbourhoods Team advised that they had no issues with the Tenderden Car Park and playing fields and that complaint received about drug-dealing and other anti-social behaviour in the area had not been confirmed. Steve Weeks added that the main concern expressed by the residents of Silverholme Close was with Sunday league footballers parking in Silverholme Close and difficulty in accessing emergency vehicles.

In response to additional comments from Sport England on siting and representations from Forest United FC about the use of the site for football clinic, he stated that the siting of the MUGA had been relocated so that it was 10m away from the north/south footpath and east/west footpath at its closest point. This would allow space for the continued use of the area to the west by Forest United FC for their "football clinic" and would also allow space to the north of the MUGA for a seven-a-side pitch. He added that the MUGA would not affect the pitch used by Brent's NALGO.

Mr William Kemp an objector stated that whilst he agreed with the principle of MUGAs, he felt that this MUGA would lack the requisite openness, and by being proximate to residential properties, would obscure views from Woodcock Hill and result in loss of residential amenities. He emphasised that the MUGA would result in anti social behaviour within the site and the public area around it, contrary to the views reported.

Mrs Karen Flann Secretary of Preston Amenities Protection Association (PAPA) also stated that whilst she supported the MUGA in principle, there were serious concerns expressed by residents which needed addressing. These included the need to lock the MUGA at night, the exclusive use of the MUGA by Forest United Football Club, drug taking and other criminal activities.

In accordance with the provisions of the Planning Code of Practice, Councillor Colwill a ward member stated that he had not been approached in connection with the MUGA. Councillor Colwill informed the Committee that he was not aware of any complaints from residents about the MUGA. In endorsing the views expressed by the officers Councillor Colwill added that the nuisance and the anti social behaviour to which the objectors referred emanated from the scout hut which had since been demolished.

In accordance with the provisions of the Planning Code of Practice, Councillor Mrs Fernandes a ward member stated that she had not been approached in connection with the MUGA. She emphasised the need for the Committee to consider the views of local residents on crime and environmental issues. Councillor Mrs Fernandes also emphasised the need for the Council to provide for the growing number of young people in the area.

In accordance with the provisions of the Planning Code of Practice, Councillor Dunwell stated that he had spoken to the applicant and had been approached by objectors in connection with this application. Councillor Dunwell claimed that Sport England did not support the present location of the MUGA, highlighting the impact of overlooking and the consequent anti social issues. He continued that this MUGA was no comparison with that in Roe Green. He added that the proposed relocation of the sports clinic would not suit the age range of the users (age 4-7) and requested specific requirements from Forest United FC before a decision on the application was made.

The Director of Parks Service and the applicant Shaun Faulkner started by saying that the location of the MUGA was selected following a series of visits to the site and in response to the need to address the prevailing anti social behaviour. In continuation he stated that experience had shown a marked reduction in anti social behaviour in areas within Brent where there was a MUGA as children had some where purposeful to go and to exercise their energies and stay focussed instead of resorting to vandalism and graffiti. He added that the site would adequately accommodate Forest United FC, providing benefits to the Club and the local youth in general.

During debate, Councillor Anwar expressed a view for further consultation with the local residents. Officers advised that there was no gain to be had from another round of consultation but that a close liaison with Safer Neighbourhood Team as

suggested by Councillor Thomas would be healthy to the use of the MUGA.

DECISION: Planning permission granted subject to an informative on lighting.

8. 169 Melrose Avenue London NW2 4NA (Ref. 09/1708)

09/1708 Erection of a single storey side extension, timber fence and gates and formation of new vehicular access to rear garden of dwellinghouse (as accompanied by 3 pages of site photographs).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Planning Manager Geoff Hewlett reported that since the main report was written, the applicant had amended the application. This had resulted in the removal of the proposed vehicle gates onto Gay Close and the provision of pedestrian access onto the highway. He then referred to the objections raised and the officer's responses to them as set out in the main and the supplementary information tabled at the meeting. He added that the Council's Highways and Transportation Unit had confirmed that they had no objections to the amendments to the scheme including the removal of the proposed vehicle access. In view of the changes to the scheme, he recommended an amendment to condition 5 and the deletion of conditions 2 and 4 as set out in the tabled supplementary information.

Mr Richard Lacey stated his objections to the pedestrian access from Melrose Avenue to Gay Close adding that the access would materially affect the character of Gay Close. He added that by allowing pedestrian access via the gates to Gay Close, the proposal would set a precedent for similar undesirable developments in the area. Mr Lacey also objected on grounds of possible increase in car parking in the area. He urged members to refuse the application for the above reasons.

Ms Tamala Anderson the applicant confirmed that there would be no right of way from her property and/or Melrose Avenue to Gay Close and therefore residents' objections about adverse impact on the character of the area were not valid. She added that the gates and fence would match those of No. 167 Melrose Avenue, thus maintaining consistency of character. In response to a member's question, Ms Anderson confirmed that the property would remain a single family dwelling.

In responding to some of the issues raised, the Head of Area Planning clarified that planning permission for a vehicular access would not be required as it did not lead into a principal road and that the report considered the implications of controlling access points to limit the impact on parking and servicing.

DECISION: Planning permission granted subject to conditions and informatives as amended in condition 5, the deletion of conditions 2 and 4 and amendments to the proposal and plan numbers.

9. School Main Building, St Robert Southwell RC School, Slough Lane NW9 8YD (Ref. 09/0868)

09/0868 Demolition of detached garage, manager's house and mobile classroom accommodation and erection of single-storey extension to main entrance to create lobby, office, kitchen and disabled toilet, single-storey infill extension to rear courtyard to provide 2 classrooms and expansion of existing hall, two-storey side extension to provide a disabled lift, additional classrooms and library.

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

With reference to the tabled supplementary information, the Planning Manager Geoff Hewlett clarified the issue of potential impact of the proposal on existing trees and added that a Tree Protection Method Statement setting out details of appropriate measures to prevent further damage was recommended in condition 3. He continued that Transportation officers had requested the provision of a School Travel Plan to support the application in the interest of promoting sustainable travel and accordingly an informative had been added to that effect. He drew members' attention to amendments in conditions 3, 6 and 7 as set out in the tabled supplementary. Steve Weeks also recommended a further condition controlling construction methodology.

DECISION: Planning permission granted subject to conditions and informatives as amended in conditions 3, 6 and 7 and the imposition of additional conditions requiring the submission of a School Travel Plan and Construction Methodology.

10. 32 Windermere Avenue, London NW6 6LN (Ref. 09/1770)

09/1770 Erection of single-storey side infill extension and rear dormer window, installation of 1 rear and 1 front rooflights, creation of basement cellar and replacement of windows to front of dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Head of Area Planning Steve Weeks updated members that following the applicant's decision to amend the submitted proposals including the removal of the proposed rear extension, the objector had formally withdrawn, in writing, their objection to the application. As a result, Ward Councillors Emily Tancred and Will Motley had also withdrawn their "call-in" requests.

In noting the update members asked Steve Weeks to satisfy himself that the proposed rear extension referred to in the supplementary information was shown as removed in the plans submitted by the applicant.

DECISION: Planning permission granted subject to conditions provided that officers are satisfied that the proposed rear extension referred to in the supplementary information is shown as removed in the final plans submitted by the applicant.

11. Gaumont State Cinema 197-199 Kilburn High Road NW6 7HY (Ref.09/1508)

09/1508 Proposed change of use from theatre club (Use Class Sui Generis) to place of worship (Use Class D1); demolition and replacement of single-storey WC block to side of auditorium, demolition and replacement of single-storey and mezzanine meeting-rooms to front of site; 7 new rooflights to mezzanine, erection of new side entrance and WC extension, installation of metal "stage access" door and new metal mesh screen at rear of site; new vehicular access from The Terrace, new refuse store and metal gates from Willesden Lane; re-landscaping of site, including 50 bicycle stores, 50 car-parking spaces and 3 disabled car-parking spaces, and restoration of front elevations facing Kilburn High Road and Willesden Lane.

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental Services to agree the exact terms thereof on advice from the Borough Solicitor.

The Planning Manager Andy Bates referred to additional representations objecting to the proposed change of use on grounds of additional traffic and parking problems, the need to extend the existing CPZ hours of operation and the availability of an existing Christian Church offering a similar facility on the High Road. He stated that the objection about an existing Christian Church was not material to the determination of the application and that the rest of the objections had been addressed in the main report. He reported that the applicants had confirmed that a metal palisade fence which had been erected around the car-park, and which was not considered by Officers to relate well to the setting of the listed building, would be removed within a month. Andy Bates drew members' attention to comments by the Borough Solicitor on the Heads of Terms of the Section 106 legal agreement, amendments to conditions 4 and 7 and an additional condition as set out in the tabled supplementary.

Mr Dicks objected to the proposed change of use on grounds of significant impact on noise from the lift shaft and motor on the residential amenities of Brondesbury Mews. He requested that the contractors' hours of work be limited to 09.00 to 17.00 hours in order to protect and safeguard the amenity and integrity of the Mews.

Mr Ed Fordham a supporter stated that the proposed change of use would bring back into use a building of historical significance within the Kilburn area and address the previous unsuccessful attempts for its use including cinema use.

Mr Richard De Boise the applicant's agent stated that with the provision of adequate parking spaces, traffic flow and parking in the vicinity would not be a problem unless the congregation exceeded 1,600 (600 more than the expected

congregation). He requested the Committee to re-consider the requirement for the applicant to make a contribution of £20,000 to the Council for local transport mitigation as part of the s106 agreement. In response to members' questions, Mr De Boise confirmed that a Travel plan would be submitted as part of the application and that the building would be energy efficient as part of the sustainability measures.

Councillor D Abrahams a member of Killburn Ward, London Borough of Camden speaking in favour of the application stated that the proposal would preserve and restore the historical glory of the building. He welcomed the community use of the building but requested that the hire rates for community uses should be set at a level that was affordable. Councillor Abrahams pointed out that there was a need to monitor the transport and parking impact of the application and with that in mind he suggested the setting up of a review group comprising of residents, church members and ward members.

In accordance with the Planning Code of Practice, Councillor Arnold a member for Kilburn Ward stated that she had been approached by residents and the applicant. Councillor Arnold welcomed the proposal which she said would overcome the negative impact of the building that had remained under-used and derelict for nearly 20 years. She continued that judging by the church's good reputation gained in the Brixton area, the proposed change of use would add value to the quality of the Kilburn High Road. Councillor Arnold endorsed the suggestion for a review group but urged members to give the parking and travel plan a chance to kick before the church was required to make a contribution of £20,000 to mitigate against local transport impact.

In accordance with the Planning Code of Practice, Councillor Dunn a member for Kilburn Ward stated that he had been approached by residents and the applicant. Councillor Dunn welcomed the proposal which he added had won the support of local residents in particular, the community use of the premises.

During member debate officers were asked to comment on the informative for a Considerate Construction Scheme (CCS), the request for a delay on the payment for £20,000 for transport mitigation and whether the S106 agreement could cover the suggestion for affordable community hire rates and the possibility of working in close association with their counterparts in Camden to ensure that parking was not an issue on both sides of the Kilburn High Road.

In response, Andy Bates stated that the setting up of the review group could be part of the Travel Plan and that a CCS would be in place. He continued that the affordable community hire rates could be built into the S106 legal agreement but that a condition could not be imposed on hours of use as it was unnecessary due to its location. In echoing the comments above, Steve Weeks advised that the contribution of £20,000 towards mitigating transport impact could not be delayed. He added that although noise of operation from the lift would be relatively low risk he could add a condition following an assessment of its risk.

DECISION: Planning permission granted subject to an conditions with an additional condition 9 as amended in conditions 4, 7, an informative, additional condition relating to noise attenuation measures in respect of the lift and the completion of a satisfactory Section 106 or other legal agreement (with additional heads of terms requiring a community use review group to be established and compliance with the Considerate Contractors Scheme) and delegate authority to the Director of Environmental Services to agree the exact terms thereof on advice from the Borough Solicitor.

12. Gaumont State Cinema, 197-199 Kilburn High Road NW6 7HY (Ref. 09/1522)

09/1522 Listed Building Consent for demolition of single-storey element between Brondesbury Mews and side of auditorium, plus toilet block to west of auditorium fronting onto Willesden Lane, addition of lift and meeting-room extension between Willesden Lane block & Brondesbury Mews, along with single-storey backstage entrance and toilet extension to west of auditorium, landscaping around building, including entrance from Kilburn High Road and exit from Willesden Lane, with internal alterations to building associated with the change of use of the building to a place of worship, including restoration of front elevations to both Kilburn High Road and Willesden Lane.

OFFICER RECOMMENDATION: Grant listed building consent subject to conditions.

DECISION: Listed building consent granted subject to conditions.

13. 112A & B Brondesbury Road London NW6 (Ref. 09/1385)

09/1385 Proposed single storey rear extension.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

14. 44A Windermere Avenue, London NW6 6LN (09/1425)

09/1425 Alterations to existing rear dormer window as per revised by plans received 04/08/2009.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and an informative.

DECISION: Planning permission granted subject to conditions and an informative.

15. 66D Salusbury Road London NW6 6NR (Ref. 09/1723)

09/1723 Proposed erection of single-storey rear conservatory to ground-floor flat.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Head of Area Planning reported that the Council had received an amended plan indicating that there would be no sub-division of the garden area. He added that entry to the flat would be through Montrose Avenue and that refuse bins would be located behind the flank wall rather than being in the street.

Councillor Cummins remarked that as members had not seen the amended plans it would be difficult for them to visualise the development which was likely to take up majority of the rear garden area. In response, Steve Weeks explained the relationship of the conservatory extension to the building and garden and recommended a further condition to be imposed requiring detailing of refuse collection to be submitted.

DECISION: Planning permission granted subject to conditions, an additional condition requiring detailing of refuse collection to be submitted and a revised plan number 2225/02 Rev in place of 2225/02.

16. Rathbone House Garages, Brondesbury Road NW6 (Ref. 09/1294)

09/1294 Change of use of 12 garages accessed off Algernon Road to general storage of hand carts to support the Veolia street-cleansing contract, along with formation of office, restroom & toilet facilities.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and an informative.

Steve Weeks informed the Committee that following with the applicants, Council officers and ward members, the applicant had formally requested that consideration of the application be deferred in order to allow for more time to consider the feasibility of alternative sites and options.

DECISION: Deferred at the request of the applicant in order to allow for more time to consider the feasibility of alternative sites and options.

17. GEKO House, Kimberley Road, London NW6 7SG (Ref. 09/1312)

09/1312 Creation of second floor to existing building to provide 5 self contained flats with terraces to rear and side, 3 new ground floor windows and refuse store doors to rear of existing warehouse and new shared entrance at rear, blocking up of door and window at ground floor and

window at first floor side, provision of 5 car parking spaces and refuse & bicycle storage to rear of site.

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

With reference to the tabled supplementary information, Andy Bates clarified the actual increase in height adding that in general, the proposed height of Geko House would be approximately 3.3m lower than Kimberley Court and approximately 1m lower than the main roof of the top flats of Hoopers Yard. He also referred to a further letter of support from the applicant's agent.

Mr David Keighley objected to the proposed development on the following grounds:

- (i) Loss of privacy
- (ii) Loss of security
- (iii) Overbearing
- (iv) Inadequate parking facilities
- (v) Detrimental impact on residential amenities.

Ms Xenia Wall an objector stated that there was no material difference between this and a previous application that was refused by the Committee. She continued that the proposal which she considered to be an over-development of the site would lead to over-looking, loss of privacy and loss of daylight to living areas of her property. Ms Wall felt that she had not been given adequate information on the changes to the plans for a proposal which would generate an increase in traffic and associated parking problems.

Mr Julian Sutton the applicant's agent stated that the proposal which complied with Supplementary Planning Guidance 17 (SPG 17) would have significant benefits including sustainability. He added that none of the windows would overlook other properties and therefore claims about loss of privacy and security were both unfounded and misplaced.

In addressing some of the issues raised, Andy Bates informed the Committee that the location of the windows coupled with obscure glazing would overcome the possibility of overlooking and loss of privacy. He added that changes to the scheme had resulted in less impact and enhanced the relationship of the proposal with other properties in the area. He confirmed that the proposal complied with SPG 17.

During discussion Councillor Baker expressed an opinion that there were inconsistencies in the plans and moved an amendment for deferral to enable interested parties to be re-consulted. In response to that Steve Weeks stated that amendments made to the scheme were not substantial and did not raise new adverse issues to warrant formal re-consultation with neighbours.

DECISION: Planning permission granted subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

Note: Councillor Green declared that he lived close to the application site address. He therefore left the meeting room and took no part in the discussion or voting on this application.

18. 84 Paxford Road, Wembley HA0 3RH (Ref. 09/1677)

09/1677 Demolition of existing detached garage, erection of single-storey and two-storey side and rear extension, installation of rear dormer window and rear rooflight to dwellinghouse.

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

With reference to the tabled supplementary Andy Bates informed the Committee that additional revised detail submitted by the applicant was considered acceptable and consequently the wording of condition 4 had been amended to remove the requirement for further details of the parapet to be submitted.

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

19. Appeal decisions August 2009

RESOLVED:

- (i) to note that no appeal decisions received in the preceding month of August had been upheld;
- (ii) that the appeal decisions and appeals received in August 2009 be noted.

20. Any Other Urgent Business

There were none at this meeting.

21. Date of next meeting

The next meeting will be held on Tuesday 13 October 2009 at 7.00pm. The site visits for that meeting will take place on the preceding Saturday 10 October 2009 from at 9.30am.

The meeting ended at 10.15pm.

S KANSAGRA
CHAIR

Committee Report
Planning Committee on 13 October, 2009

Item No. 0/01
Case No. 09/1836

RECEIVED: 28 July, 2009

WARD: Welsh Harp

PLANNING AREA: Willesden Consultative Forum

LOCATION: 49 Alington Crescent, London, NW9 8JL

PROPOSAL: Single and two storey rear extension, first floor side extension, rear dormer window and 1 front rooflight to dwellinghouse

APPLICANT: Mr D BHUDIA

CONTACT: Mrs Jaini Shah

PLAN NO'S: ALIC49/1; ALIC49/2 Rev B; Site Plan (Scale 1:1250)

RECOMMENDATION

Approval

EXISTING

The property is a semi detached dwelling located on the western side of Alington Crescent and sits on a site with a splayed curtilage (widening away from the road towards the rear).

The property has previously been extended by a substantial single storey side extension which projects some 5m behind the rear elevation of the site property and follows the common boundary with no. 47 Alington Avenue. The historic alterations have not extended the original rear elevation of the building and have resulted in an "L" shaped rear. The extension also projects beyond the main frontage of the building and links to the porch to provide garage space for the dwelling.

The property is not located within a conservation area nor is it a listed building.

PROPOSAL

The application proposes a ground floor rear extension with a depth of 3m adjacent to no. 51 Alington Crescent. At a distance of 4m from this boundary the extension would step to a depth of 5m in depth, matching that of the existing side rear extension.

The application also proposes a first floor side extension with a width of 3.64m. This extension would also extend to a depth behind the main rear elevation of 2.3m. The rear element of this extension would end 4m away from the common boundary with the neighbouring property at no. 51.

A rear dormer is proposed which would have a width of 2.5m a depth of 3m and which would be centrally located in the existing roof slope.

HISTORY

- Planning application 09/1954 for the erection of 2 single storey detached sheds in rear garden of dwellinghouse is currently under consideration by the planning service.

- Planning application 99/1031, for the erection of a part side and part rear single storey extension, was granted planning permission on 30/06/1999.
- Planning application 84/2276 for the erection of a single storey side extension, was granted planning permission on 04/02/1985.
- Planning application M7923 810024 for the erection of a single storey side extension was granted planning permission on 16/03/1981.
- Planning application 16096A 1348 for a garage, was granted planning permission on 02/11/1949

POLICY CONSIDERATIONS

The following policies of the Adopted London Borough of Brent Unitary Development Plan are considered appropriate to this application.

- **BE 2**
Requires proposals to make a positive contribution to their local context, making a positive contribution to the character of the area.
- **BE 9**
Requires extensions and alterations to existing buildings to embody a creative and appropriate design solution, and specifically be of a scale massing and height appropriate to setting and respect , whilst not necessarily replicating positive design and landscape characteristics of adjoining development

Also appropriate are the provisions of Council Adopted Guidance, specifically:

Supplementary Planning Guidance No. 5 "Altering and Extending Your Home".

CONSULTATION

Consultations were undertaken by letter on 4 August 2009 with 7 neighbouring occupiers. Two objections were received.

1. An objection from the occupiers of 51 Alington Crescent stated the following issues:

- *2 storey rear extension out of character with the area*
- *Loss of light and outlook*
- *Impacts on parking*
- *Overdevelopment to the detriment of the character of the area.*

It should be noted that subsequent to this objection, the officer received a telephone message from a colleague that the objector wished to add another objector (57 Alington Crescent) to their comments, however as the comments were not received in writing from the party concerned, this is not considered to be a valid objection. The officer would also note that 57 Alington Crescent was not considered to be directly affected by the proposal.

2. An objection was also received from the occupiers of 166 Salmon Street who objected to the scheme on the basis of loss of outlook.

REMARKS

Proposed single storey rear extension:

The proposed single storey rear extension element would have a height of 3m and would be 3m deep at the boundary with the attached twin dwelling no. 51 Alington Avenue.

In this respect the development would be compliant with Supplementary Planning Guidance No. 5 (SPG 5) and it is not considered that the development would result in detriment to the amenities of these neighbouring occupiers.

The extension would increase in depth to just under 5m in depth at a distance of 4m from the common boundary with no. 51 Alington Avenue. Whilst this is a significant increase, it is considered that the increased depth of the extension would be masked by the compliant section on the boundary and that the 4m separation would be sufficient to mitigate any adverse effects arising from the development.

Given these considerations the officer is satisfied that there would be little practical harm arising from this element of the extension and that this would not be sufficient to justify refusal.

First floor side extension:

The proposed first floor side extension would be set back behind the main frontage of the building by 1.5m in compliance with SPG 5 (as it would retain a 1m set in from the boundary). The extension would have a width of 3.64m and would be no wider than the main front room of the dwelling.

Fenestration on the front elevation would be of a size which would be similar to that on the main frontage and would also be vertically emphasised to mimic this. A small window in the side elevation (serving the closet space) is also proposed is also proposed. It is suggested that should members approve the application that this be conditioned to be obscured glazed and non opening for the privacy of neighbouring occupiers.

It is considered that the first floor extension would not overly dominate the property, would not unbalance the attached pair and would be acceptable.

Proposed first floor rear extension:

Council Supplementary Planning Guidance No. 5 requires first floor rear extensions to have a depth of no more than half the width of the distance between their side elevation and the central point of the nearest habitable room on an adjoining property.

The proposed first floor rear extension would be separated by 4m from the common boundary with the attached property at no. 51. Submitted plans and officer calculations show the extension being some 5.6m from the centre of the nearest habitable room window. As the extension would have a depth of 2.3m, the development would be compliant in terms of this guidance.

Given the orientation and distance of the extension from the neighbouring property at no. 47 Alington Crescent as well as the size and positioning of the existing ground floor extension, the first floor rear extension is considered not to result in significant detriment to these neighbouring occupiers and that the development is acceptable in this respect..

Rear dormer window:

The development proposes a single rear dormer window on the property. The extension would

have a width of 2.5m. The dwelling roof has an existing width of 8.3m and the development would therefore be compliant with the requirements of SPG 5 (at less than half of this width). The positioning of the dormer (with regard to the setup and setdown) are also compliant with SPG 5 guidance.

Whilst it is noted that the dormer window would be located close to the ridge of the roof, given the proposed extension to this roof plane as a result of the first floor side and rear extension and the orientation of the building, it is not considered that the development would have a significantly detrimental impact on the visual amenity of the building or the surrounding area.

Given this compliance with SPG 5 and that the extension would form a traditional roof style, the development would be considered to be acceptable in this respect and can be approved.

Parking:

The parking requirement for the site under Council Parking Standard (PS) 14 is two spaces for a property with 4 or more bedrooms.

The layout of the garage space, whilst an improvement over that existing, would result in one of the internal parking spaces substandard in terms of its depth (at only 4.5m). The submitted drawings show 50% of the area of the front garden as being soft surfaced with the remainder provided as a parking space for a second vehicle.

Given this arrangement, the officer is satisfied that these alterations would not result in adverse impacts on the highway network and would be an improvement to the visual amenity of the area.

In order to ensure that unauthorised parking onsite does not occur, it is considered appropriate that the dwarf wall existing on the common boundary between no.s 47 and 49 be installed as part of the landscaping scheme to be implemented.

Conclusion:

The officer acknowledges that the current development as well as previous extensions to form a ground floor bedroom will result in a substantial 6 bedroom dwelling. It is however noted that alterations proposed within this application are at the upper limit of development specified within SPG 5 and where outside these limits, are mitigated by compliant sections of development. As such, given the specific circumstances of the application the officer is satisfied that the development proposed can be approved.

The officer is however concerned that the size of the dwelling could make it attractive for purposes other than as accommodation as a single unit and it is considered appropriate that, should members approve the application, that a condition be imposed which limits conversion of the garage or study rooms into habitable accommodation.

Subject to the conditions described above, the officer is satisfied that the development would be compliant with the intentions of Council adopted policy and guidance and can be approved.

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) 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.

- (3) The garage hereby approved shall be used solely for the housing of private vehicles. No business or industry shall be carried out therein nor shall the garage be adapted or used for additional living accommodation or be sold, let or occupied separately from the dwelling.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the amenities of the locality by the introduction of commercial vehicles or uses which would be a source of nuisance to neighbouring occupiers by reason of noise, unsightly appearance or which would result in the loss of adequate off-street car parking for this property.

- (4) The floorspace subject of this application shall be used solely in association with the existing dwelling premises and shall not be subdivided or used any other purpose whatsoever (eg as a house in multiple occupation, or hostel), without the prior written consent of the Local Planning Authority.

Reason:
To ensure that no separate use commences since this would constitute over-intensive use of the site.

- (5) The windows on the first floor of the southern face of the building and on the northern elevation at ground floor level shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- (6) The landscape works and planting shown on the approved plans shall be carried out in the first planting season following substantial completion of works onsite.

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.

- (7) Notwithstanding details on approved plans, a dwarf brick wall, of a height and materials which match as closely as possible to that existing on the common boundary between the site property and no. 47 Alington Avenue, shall be erected as part of the landscaping scheme to be implemented on the site. Construction of this wall to take place within the first year following substantial completion of works onsite.

Reason: In the interests of the visual amenity and character of the area.

INFORMATIVES:

- (1) The consent holder should be aware that this consent is based upon the use of the central room within the first floor side extension as being non habitable. Use of this room as a habitable room would be unacceptable given its lack of outlook.

Likewise conversion of further habitable rooms shown within the approved plans into bedrooms would suggest use other than as a dwelling house.

- (2) The applicant should note that the Council has taken account of the special circumstances of the case i.e. its location and previous alterations and that in making an exception to the normal Council policy in this instance are concerned that this permission shall not set a precedent for similar applications which would normally be refused.

Any person wishing to inspect the above papers should contact Ian Hyde, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5241



Planning Committee Map

Site address: 49 Alington Crescent, London, NW9 8JL

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

This page is intentionally left blank

Committee Report
Planning Committee on 13 October, 2009

Item No. 0/02
Case No. 09/1888

RECEIVED: 3 August, 2009

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 61 Beverley Gardens, Wembley, HA9 9RB

PROPOSAL: Erection of two-storey, end-of-terrace dwellinghouse with single storey rear extension and front porch, installation of vehicle access, provision of car-parking, refuse storage to front and landscaping to site subject to a Deed of Agreement dated xxx under Section 106 of the Town and Country Planning Act 1990, as amended

APPLICANT: Ms Jane Brennan

CONTACT: David Scott Architects

PLAN NO'S: DS/513B S01a; S02a; 03a; 04a; 05c; 06b; 07c; and 08c

This application was deferred for a Members site visit at the Planning Committee of 16 September 2009.

RECOMMENDATION

Grant consent in principle subject to the completion of a satisfactory Section 106 legal agreement and request that Members delegate authority to the Director of Environment and Culture, or duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor; but if the agreement has not been entered into within a time to be agreed, to refuse permission but delegate authority to the Head of Area Planning to grant permission in respect of a further application which is either identical to the current one or, in his opinion, not materially different, provided that a section 106 agreement containing the above terms has been entered into.

SECTION 106 DETAILS

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

- (a) Payment of the Council's legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) Contribution of £9,000 (£3,000 per bedroom) towards the provision and/or improvement of education facilities in the Borough, non-car access/highway, sports and public space improvements in the area.

All contributions due on Material Start and index-linked from the date of decision.

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

EXISTING

The application site concerns land next to No. 61 Beverley Gardens. The site is not located within a conservation nor is it a listed building. The Barn Hill Conservation Area is located to the south of the site.

PROPOSAL

Erection of two-storey, end-of-terrace dwellinghouse with single storey rear extension and front porch, installation of vehicle access, provision of car-parking, refuse storage to front and landscaping to site

HISTORY

Land N/T 61 Beverley Gardens

09/0871: Full Planning Permission sought for erection of two-storey, end-of-terrace dwellinghouse with roof extension and 1 rear rooflight, installation of vehicle crossover, provision of car-parking, refuse storage to front and landscaping to site - Refused, 14/07/2009.

08/0399: Full Planning Permission sought for erection of 2 storey detached dwellinghouse with 2 rooflights and rear dormer windows, installation of vehicle crossover, provision of car park, refuse storage to front and landscaping to site - Refused, 21/04/2008.

No. 61 Beverley Gardens

09/0876: Full Planning Permission sought for erection of single storey rear extension with 1 skylight to dwellinghouse - Granted, 09/06/2009

09/0877: Certificate of Lawfulness sought for proposed rear dormer window, 2 front rooflights and new front porch to dwellinghouse - Lawful, 09/06/2009.

07/3047: Full Planning Permission sought for formation of a vehicular crossover to front elevation of dwellinghouse - Granted, 07/12/2007.

07/2334: Certificate of Lawfulness sought for a proposed construction of hard surfacing within the front garden area and means of access to the highway for the parking of two vehicles within the front garden area of the dwellinghouse - Unlawful, 13/09/2007.

07/2029: Certificate of Lawfulness for proposed side hip to gable extension, rear dormer window and installation of 2 front rooflights to dwellinghouse - Lawful, 30/07/2007.

POLICY CONSIDERATIONS

UDP 2004

BE2	Townscape: Local Context and Character
BE7	Public Realm: Streetscape
BE9	Architectural Quality
BE12	Sustainable Design Principles
H12	Residential Quality – Layout Considerations
H13	Residential Density
TRN23	Parking Standards – Residential Developments
PS14	Parking Standards – Residential Developments

Other policy

SPG5	Altering & Extending Your Home
SPG17	Design Guide for New Development

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation Period: 11/08/2009 - 01/09/2009

Public consultation

36 neighbours consulted - 23 letters of objection received on the following grounds:

1. the new dwelling will be converted into flats as what has happened at No. 63 Beverley Gardens
2. additional parking pressures
3. loss of view to Harrow on the Hill
4. terraced property out of character with area
5. over development of Beverley Gardens
6. mature street tree to be retained
7. adversely impact upon setting of Barn Hill

The above objections have been addressed within the remarks section of this report

Internal consultation

Transportation - no objections raised.

Landscape - no objections raised. Officers have advised that a Full Tree Protection Method Statement is submitted due to the close proximity of the street tree to the crossover and for their to be adequate bin screening.

External consultation

Barn Hill Residents Association - A letter of objection has been received from the Barn Hill Residents' Association. It confirms that it endorses the concerns expressed by residents, particularly with regards to the works not being implemented in accordance with the approved plans and the house being converted into flats. These issues have been addressed within the main committee report.

Thames Water - no objections raised.

REMARKS

Introduction

This application proposes an identical scheme to what was previously reported to the Planning Committee meeting on 8th July 2009. Members agreed to grant planning permission for the previous scheme subject to the completion of a Section 106 Agreement. The applicants were unable to complete the Section 106 Agreement within the 8 week statutory timescales which resulted in the application being refused for this reason on 14th July 2009.

Site and Surroundings

The application site comprises land next to No. 61 Beverley Gardens. Nos. 61 and 63 Beverley Gardens were originally built as semi detached dwellinghouses. Planning permission was granted on 11/02/2008 for a new dwellinghouse to be attached to No. 63 Beverley Gardens (LPA Ref: 07/3513). Work is currently under construction on the new dwellinghouse and this is addressed in further detail within the "Proposed use of the property" remarks section of this report.

No. 61 Beverley Gardens has recently been granted planning permission for a single storey rear extension (LPA Ref: 09/0876) and a Lawful Development Certificate was issued for a hip to gable roof extension, rear dormer window and 2 front roof lights (LPA Ref: 09/0877). Planning permission has also been granted for vehicular access to the front forecourt with associated soft and hard landscaping (LPA Ref: 07/3047)

Principle of development

The principle of this type of development was considered during the assessment of the application for the new dwellinghouse attached to No. 63 Beverley Gardens. Both the site being considered as part of this application and the site next to No. 63 Beverley Gardens have been the subject of earlier applications for an additional unit, all of which proposed a detached dwellinghouse which raised fundamental design concerns, not least of which is the Council's firm belief that a detached unit would not be a suitable type of development given the character of the street. The previous application on the land next to No. 61 Beverley Gardens proposed a gabled end pitched roof with a large rear dormer and failed to follow the vertical or horizontal rhythms of the streetscene. Concerns were also raised with limited outlook from habitable rooms of both the proposed dwellinghouse and the neighbouring property.

The following extract is from the officer's committee report for the new dwellinghouse next to No. 63 Beverley Gardens (LPA Ref: 07/3513). These comments are considered to apply to the current application.

"The area is dominated by semi-detached properties. These properties have a generally coherent style of architecture and relatively consistent gaps between the pairs. This site is abnormal in the street in that the gap between the pairs is substantial. It is the view of your Officers that the key characteristics of the street are the narrower gaps between the other properties and the design of the properties. There is no in-principle objection to forming a short terrace, indeed as this requires the scheme to reflect its neighbours in terms of proportions and fenestration it is preferable to the previously refused proposals. Since the properties have an abnormal relationship with their neighbours in comparison with the rest of the street, there is, on balance, no

justification for maintaining the status quo should a suitable form of development be proposed".

Design

The scheme respects the bulk, scale and massing of the properties in the street. It follows the established building line and the levels across the site. A single storey rear extension is proposed measuring 3.0m deep and 3.0m high, mirroring the recently approved rear extension at No. 63 Beverley Gardens. A patio is proposed providing stepped access to the rear garden area. A porch is also proposed matching the design of the porch at No. 61 Beverley Gardens which is to be constructed under permitted development. Materials would be controlled via a condition should Members be minded to grant consent.

Standard of Accommodation

The proposed unit has a gross internal floor area of approx. 108sqm, which is in excess of the minimum required for a 3-bed house as set out in SPG17, being 85sqm. All rooms are of adequate size and have sufficient privacy and sunlight/daylight. A rear garden area of approx. 200sqm is proposed which exceeds the minimum guidance as outlined in SPG17. Concerns were raised during the previous application with the limited outlook available from the habitable room facing onto the street due to the raised forecourt with a retaining wall to allow vehicles to park on a relatively flat area. A similar arrangement has been granted at No. 61 Beverley Gardens, and it is considered on balance that although outlook will be restricted it is not significant to justify a reason for refusal. Your officers also recommend that a condition is attached to secure details of the level changes across the site.

Impact on Neighbouring Residents

There is a distance of 20.4m from the single storey rear extension to the boundary with the properties in Alverstone Road with a distance of approx. 45m between rear facing habitable room windows. These distances are in excess of the minimum guidelines as set out in SPG17 and as such the privacy and outlook of the properties in Alverstone Road are not considered to be adversely affected by the proposal. Trees have also recently been planted along the rear boundary to assist in screening both the new and existing properties. Similarly, it is considered that the proposed dwellinghouse will not have an adverse impact upon the amenities of No. 63 Beverley Garden.

Concerns were previously raised with the impact of the detached dwellinghouse upon the amenities of No. 59 Beverley Gardens, namely the outlook from the kitchen window which is the sole window to this habitable room. The detached dwellinghouse was proposed to be set off the boundary with No. 59 Beverley Gardens by 1.0m. The current application increases this distance to 3.4m with a distance of approx. 5.4m from the kitchen window to the flank wall of the proposed dwellinghouse. Given that the proposed dwellinghouse is located at a lower ground level to No. 59 Beverley Gardens and that this distance has increased, it is considered that there will be sufficient outlook from the kitchen window of No. 59 Beverley Gardens. Your officers also recommend that a condition is secured to restrict permitted development rights for side extensions. Due to the orientation of the kitchen window it is considered that daylight and sunlight will not be adversely affected.

As no windows are proposed on the flank wall of the new dwellinghouse the privacy of the occupiers of No. 59 Beverley Gardens will not be affected.

Landscaping

The proposed front forecourt will be raised so that a vehicle can access the forecourt. It will contain a hard surfaced area for one off street parking space and the remaining area will be soft landscaped with stepped access down to the front entrance. 50% of the front forecourt will be soft landscaped complying with policy BE7 of Brent's UDP 2004. A shared crossover is proposed to provide vehicular access to both the new dwellinghouse and No. 63 Beverley Gardens. Details of the proposed landscaping, materials for hard standing and boundary treatments are recommended to be secured by condition.

There is a street tree in close proximity to the proposed crossover. Your officers in the landscape team have advised that a Full Tree Protection Method Statement written in compliance with BS5837 "Trees in Relation to Construction" be submitted to ensure that the tree does not suffer any damage. It is recommended that these details are secured by condition.

Transportation

The parking allowance for the new 3 bedroom dwellinghouse is 1.6 spaces which is a maximum standard. One space is required to be provided which is proposed as an off street parking space. The existing dwellinghouse currently contains 3 bedrooms but has the potential to have an additional bedroom once the roof extension has been constructed. This would increase the maximum standard to 2 spaces, one of which can be accommodated off street and one on street. The shared crossover is 4.2m, wide which is acceptable in terms of SPG3.

Refuse storage

Refuse storage is proposed to be provided within the front forecourt. It is recommended that a condition is attached to secure a revised location of the bin store so that it is screened from the street.

Proposed use of the property

A number of concerns have been raised regarding the possibility of the property being converted into flats. The layout of the floor plans do not suggest that the property will be converted into flats, and planning permission would be required to permit the change of use from a single family dwellinghouse. Without prejudicing any future application, officers consider that the change of use of the property to flats would likely be unacceptable as it would fail to comply with the Council's policies for flat conversions in Heavily Parked Streets which requires a minimum original floor area of 140sqm. There would also be other policy concerns with a potential conversion.

Your officers are aware of the unauthorised works which are currently taking place at the new property next to No. 63 Beverley Gardens which involves the conversion of the property in four self contained flats and a flat in the rear garden without the benefit of planning permission. This matter is being investigated by the enforcement team (LPA Ref: E/09/0313). This property is also located within the Heavily Parked Street and the same policy criteria applies. An additional enforcement case has been set up at No. 63 Beverley Gardens concerning a rear dormer, single and two storey rear extension and front canopy which have been built without the benefit of planning permission (LPA Ref: E/09/0520). Enforcement action has been authorised for both the unauthorised conversion of the property into flats and the unauthorised extensions.

Conclusion

The site has been the subject of two previous applications, both for a detached house and both refused as such a feature would be unacceptable in the streetscene. Whilst concerns over the impact of development of this unusually wide plot are noted, on balance this scheme is considered an acceptable response to providing much-needed family housing without cause harm to either the character of the area or the amenity of neighbouring and future occupants.

RECOMMENDATION: Grant Consent subject to Legal agreement

(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
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

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

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

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) Notwithstanding the submitted plans otherwise approved further details shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on

site and implemented in accordance with such approved details. Such details shall include:

- (a) details of materials for all external work including samples that match, in colour, texture and design detail, those of the existing building
- (b) details of the design of the windows to the new dwellinghouse
- (c) details of the chimney stack
- (d) details of proposed level changes across the length of the site

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

- (3) No further extensions or buildings shall be constructed within the curtilage of the property subject of this application, notwithstanding the provisions of Classes A - F, Part 1, Schedule 2 of the Town & Country Planning General Permitted Development Order 1995, as amended, or any future enactment of that order, unless a formal planning application is first submitted to and approved in writing by the Local Planning Authority.

Reason: In view of the relationship of the site with surrounding residential properties, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

- (4) During 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) 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) Notwithstanding any details of landscape works included with 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 construction works on the site. Any planting, turfing or seeding included in such details shall be completed in strict accordance with these 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:

- (a) a Full Tree Protection Method Statement in compliance with BS5837 "Trees in Relation to Construction" concerning the street tree next to the proposed crossover
- (b) proposed walls and fences indicating materials and heights;
- (c) any screen planting;
- (d) a proposal for the frontage of the site facing Beverley Gardens to include a low (below 850mm) boundary hedge;
- (e) details of the proposed arrangements for the maintenance of the landscape works.
- (f) location and details of trees planted along the rear boundary

The approved arrangements for the maintenance of the landscape works shall be fully implemented.

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

- (6) No windows or glazed doors (other than any shown in the approved plan) shall be constructed

in the southern flank wall of the proposed building without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness.

- (7) The roof of the rear extension shall not be used for a roof terrace nor the first floor windows converted to doors without the prior written approval of the Local Planning Authority.

Reason: In the interests of privacy of neighbouring occupants.

- (8) Prior to the commencement of the proposed works further details must be submitted to Council detailing the exact storage location of the proposed wheelie bins and demonstrate to Council how these bins will be screened so that they are not visible from the streetscape.

Reason: To ensure that the proposal does not have an adverse effect on the streetscape or negatively impact on the amenity of the adjoining properties.

INFORMATIVES:

- (1) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off the site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water developer Services will be required. They can be contacted on 0845 850 2777.
- (2) Prior to undertaking the proposed works to the front forecourt the Council recommends that you employ the services of a suitably qualified Engineer to carry out calculations to ensure that the retaining wall is suitably designed to resist overturning and that the railings are suitably designed to ensure their robustness for the containment of vehicles.
- (3) The applicant is advised that if the disabled parking bay on Beverley Gardens is still in use, they will need to make arrangements to relocate the bay. The applicant should contact the Transportation Unit on 020 8937 5102 to make these arrangements.

REFERENCE DOCUMENTS:

Brent Council's SPG 5 "Altering and Extending Your Home"
Brent Council's SPG 17 "Design Guide for New Development"
Brent Council's Unitary Development Plan (Adopted 2004)
3 letters of objection

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



Planning Committee Map

Site address: 61 Beverley Gardens, Wembley, HA9 9RB

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

Committee Report Planning Committee on 13 October, 2009

Item No. 1/01
Case No. 09/0621

RECEIVED: 27 March, 2009

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Garages 4-21 rear of 8, St Davids Close, Wembley, HA9

PROPOSAL: Demolition of existing garages and erection of a part three-/part four-storey building, comprising 3 three-bedroom townhouses (Site C) (as amended by plans received on 16/07/2009)

APPLICANT: HGQ Ltd

CONTACT: Dama Architecture Ltd

PLAN NO'S: dA.062/PL/01
dA.062/PL/02 revision A
dA.062/PL/03 revision C
dA.062/PL/04 revision B
dA.062/PL/05 revision B
dA.062/PL/06 revision C
dA.062/PL/07 revision B
dA.062/PL/08 revision C
dA.062/PL/09 revision C
dA.062/PL/10 revision C
dA.062/PL/11 revision A
dA.062/PL/15
dA.062/PL/16

RECOMMENDATION

Refusal

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
- A contribution of £3,000 per additional bedroom due on Material Start and index-linked from the date of committee: for Education, Sustainable Transport, Open Space and Sports improvements in the local area.

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

EXISTING

The subject site is a block of garages adjacent to 7-10 St David's Close. The street is a cul-de-sac off Chalkhill Road and next to a large open space. The garages are not located in a Conservation Area and they are not listed. The site has a PTAL score of 1, with four bus services within a 640m walk.

PROPOSAL

Full planning permission is sought for the demolition of the garages and the erection of 3 (5-bedroom)

three-storey terraced townhouses.

HISTORY

08/2698. Full planning permission is sought for the demolition of the garages and the erection of 5 (3-bedroom) three-storey terraced townhouses. Refused for the following reasons:

1. *The proposed dwelling would be of a substandard residential quality by reason of the lack of daylight through to the principal groundfloor habitable rooms, lack of adequate usable amenity space and lack of cycle storage, detrimental to the amenities of prospective residents, contrary to policy H12 of the adopted Brent Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 17: "Design Guide for New Development".*
2. *The existing road into the site is inadequate in terms of its width and gradient to provide safe and convenient access for cars, service vehicles and pedestrians to the site and is therefore contrary to policies TRN3, TRN10, TRN14, TRN34 and TRN35 of Brent's UDP 2004.*
3. *The loss of the garage court parking facilities for the existing residents of the street and shortage of parking for the proposed new houses would be likely to lead to excessive on-street parking and footway parking in St David's Close, to the detriment of the free and safe flow of vehicles and pedestrian, contrary to policies TRN3, TRN24 and TRN 27 of the Brent's UDP 2004.*
4. *The proposed development by reason of its siting and design in relation to the rear habitable rooms could be detrimental to the amenities of neighbouring properties in terms of loss of sunlight, daylight and outlook contrary to policy BE9 of the Council's adopted Unitary Development Plan and the guidance set out in SPG 17: 'Design Guide for New Development'.*
5. *In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure and education, without any contribution towards sustainable transport improvements or school and nursery places and increased pressure for the use of existing open space, without contributions to enhance open space or make other contributions to improve the environment or toward measures to monitor or improve air quality and would not result in the adequate provision of affordable housing. As a result, the proposal is contrary to policies TRN3, TRN4, TRN10, TRN11, CF6, EP3, H1, H2, H3 and BE7 of Brent's adopted Unitary Development Plan 2004.*

POLICY CONSIDERATIONS

The following are policy considerations relevant to this application:

Adopted Unitary Development Plan 2004

BE1 - Outlines the need for a submission of an Urban Design Statement for any sites likely to have a significant impact on the public realm, indicating important features, existing and potential links to the site, important views, relationship with surrounding properties, how the design relates to and enhances its urban context, and contribution of the design towards sustainability and regeneration.

BE2 - Proposals should be designed with regard to their local context, making a positive contribution to the area, taking account of existing landform, and the need to improve existing urban spaces and townscape.

BE3 - Proposals should have regard for the existing urban grain, development patterns and density and should be designed so that spaces between and around buildings should be functional and attractive to their users, layout defined by pedestrian circulation, with particular emphasis on entrance points and creating vistas, it respects the form of the street by building to the established line of the frontage, unless there is a clear urban design justification.

BE4 - Development open to the general public shall include suitable access and facilities for disabled people.

BE5 - Development should be designed to be understandable to users, free from physical hazards and to reduce the opportunities for crime, incorporating the aims of both 'Secured by Design' and 'Designing-Out Crime'.

BE6 - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, boundary treatments to complement the development and enhance the streetscene.

BE9 - New buildings should be designed to embody a creative and high quality design solution specific to the sites shape, size, location and development opportunity and be of a scale, massing and height appropriate to their setting, civic function and location.

H1 - A net additional housing of 9600 dwellings should be provided between 1997 and 2016 (of which 4800 should be affordable) subject to suitable locations and the maintenance of a quality environment.

H1 - Housing promoted on previously developed urban land not protected by the plan for other uses.

H12 - Layout and urban design of residential development should reinforce/create an attractive/distinctive identity appropriate to the locality, housing facing streets, have access and internal layout where cars are subsidiary to cyclists and pedestrians, appropriate car parking and cycle parking ,where dedicated on-street parking is maximised as opposed to in curtilage parking and avoids excessive tarmac and provides an amount and quality of open landscaped area appropriate to the character of the area, local availability of open space and needs of prospective residents.

H13 - The appropriate density will be determined by achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites and meets the amenity needs of potential residents. The most dense developments will be in areas with good and very good public transport accessibility. surrounding densities should at least be matched unless it would harm residential amenity. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.

H15 - Backland Development. Regard should be had to the density and height of such proposals which should be subsidiary to the frontage housing, where privacy and outlook from existing gardens should be maintained, demolition of any existing dwellings should not result in an unattractive breach in a consistent street scene and that sufficient garden depth and area is retained.

TRN1 - Planning applications will be assessed as appropriate for their transport impact, including cumulative impacts on the road network, and all transport modes including public transport, walking and cycling.

TRN11 - Developments shall comply with the Councils minimum cycle parking standard (PS16); with parking situated in a convenient, secure, and where appropriate sheltered location.

TRN23 - Parking for residential development should not provide more parking than the levels as specified in PS14. Lower standards apply for affordable housing and units with good and very good public transport accessibility. Exceptionally, 'car-free' housing developments may be permitted in areas with good and very good public transport accessibility where occupation is restricted by condition to those who have signed binding agreements not to be car owners. Such persons will not be granted residents parking permits.

Supplementary Planning Guidance note 17: Altering and Extending Your Home.

CONSULTATION

Consultation Period: Started 18/12/2008

One objection and a petition signed by a number of the residents on St Davids Close have been received along with an objection from Councillor O'Sullivan. The issues raised are as follows:

- It would exacerbate parking problems in the local area.
- The development would create overcrowding.
- The proposed development would be out of character with the surrounding streetscene.
- It would increase existing sewerage problems.
- Flooding
- Loss of daylight, outlook and privacy
- Detrimental to highway safety.
- Loss of woodland.
- Loss of value of property

- Loss of access to signal box.

Transportation objected to the original scheme on the grounds that the access would only be suitable for three dwellinghouses and the loss of the garaging.

- The scheme has been reduced to 3 dwellings. The loss of garaging is addressed in the Highways section of the Remarks. Highways are also being consulted on the proposed changes.

Landscape Design objected to the original proposals on the grounds that the landscaping and amenity space proposed were not of an acceptable quality.

- The level of amenity space has now been increased and further landscaping including boundary planting to the front and rear has been proposed. Landscaping have verbally confirmed that the amended landscape details are acceptable, subject to the approval and implementation of a comprehensive landscaping scheme.

London Underground and Network Rail have been consulted and have no objections.

Further consultation responses have been received on 01/10/2009 from neighbouring residents in relation to the amended plans. Notwithstanding previous issues raised they have the following concerns:

1. The proposed development would result in additional parking on St Davids Close exacerbating existing parking problems and having a detrimental impact on highway safety.
2. The proposed refuse and recycling storage provision is inadequate and would be difficult for prospective residents to take the bins to a collection point. Furthermore there is no collection point on St Davids Close where the bins could be left on collection day.
3. The constricted nature of the access road and parking area.
4. The party wall with the rear garden of Nos. and 10 St Davids Close.
 - (i) could be damaged by roots from the proposed trees.
 - (ii) trees would lead to loss of light to rear garden.
 - (iii) Leaf litter from trees will be a hazard.
5. Possible site contamination from old sewage works
6. Proposed building not subsidiary to frontage housing.
7. Inadequate outlook for prospective residents.

REMARKS

Previous Committee Deferral

This application was previously on the agenda for the planning committee scheduled for 28/07/2009.

Following the site visit of 25 July deferral to "*to enable officers to review the recommendation in the light of issues raised in the report and on site and the concerns expressed above.*" [in the supplementary]

These issues included

- the scale of the proposal
- the quality of the access to the site
- privacy of neighbouring residents
- the quality of the proposed amenity space
- the level of outlook from the rear habitable room windows directly adjacent to the steep bank

Amendments following Previous Committee

The proposed development has been amended in the following way after the above committee meeting:

- Bicycle and bin storage areas are shown in the front forecourt.
- A reduction in the height of the building by 0.5m
- Reductions in the width of the recessed third floor
- Louvres and opaque glass are now proposed for the bedroom windows on the front elevation.
- The parking area on the site has been raised to reduce the steepness of the access road into the site

The implications of these amendments and the overall quality of the scheme are now discussed in the remarks below.

Character and Appearance

Policy H1 of Brent's UDP states that where backland development is proposed, regard will be paid to the density and height of the proposal, which should be subsidiary to the frontage housing. This proposal is for a part 3-storey/part 4-storey block, in an area which is uniformly occupied by purpose-built 2-storey maisonettes. It is accepted that, due to the lower ground level of the proposal site, the overall height of the proposed buildings will only exceed that of the surrounding dwellings by approximately 0.5m, however it can not be considered that the proposed building is subsidiary to those on the street frontage. Due to the flat-roofed design of the proposed building, the upper floor will appear significantly bulkier than the pitched roofs of the existing dwellings, which would be at a similar height.

The material palette includes white render for the main building and copper for the projecting and recessed elements and aluminium framed windows. The habitable front windows will include copper louvres to restrict overlooking of neighbouring dwellings, while additional area of soft landscaping and proposed tree planting would soften the frontage while also providing additional screening for the development. However there are concerns with regards to the landscaping proposed along the boundary with Nos. 9 and 10 St Davids Close, it is considered that the boundary planting would be unable to reach a height where it could act as an effective screen from neighbouring development

Quality of residential accommodation

The proposed dwellings are all marked as three-bedroom, however, they have an upstairs living area and a study that could potentially be used as additional bedrooms, therefore they have been assessed as 4-bedroom dwellings. Each of the dwellings have a floor area of 15m² which is significantly over the 105m² recommended in SPG17.

Each unit will have a level amenity space approximately 50m² or above in keeping with SPG 17 specifications. The amenity space is in the form of ground-floor rear gardens and roof terraces which will overlook the park. In addition to the private amenity space there is also large area of public amenity space directly adjacent to the site. While the proposed amenity space is generally in keeping with the requirements of SPG17 it is provided in detached spaces. Of particular concern is the quality of the proposed amenity space for the central unit. The groundfloor rear amenity space is directly next to the overgrown wildlife corridor to the rear of the dwellinghouse. Given the small size of the garden, the proximity to the large bank with its overgrown foliage which the applicant has no control over it is considered that the proposed amenity space in the rear garden of the units is not of an acceptable quality. While the bank would also have a detrimental impact on the outlook from the proposed rear habitable room windows.

It is noted that an acoustic barrier is to be installed adjacent to the railway. The applicants have submitted an acoustic report produced by consultants indicated that this is a Category B site and the views of the Council's Environmental Health Officer on this are awaited. In the event that consent is granted here, it is likely that conditions would need to be attached to the permission requiring a scheme of insulation works to be approved and implemented prior to the occupation of the development. In these circumstances, it is considered that the issue could be adequately addressed in order to protect future residential amenity.

Amenity of neighbouring residents

The three-storey block is set off the boundary with Nos. 7 and 8 St Davids Close and complies with the relevant SPG17 guidelines in terms of the height and the 45-degree line from a height of 2m on the boundary with both adjacent site boundaries. The proposed development will have habitable-room windows facing directly towards the rear amenity space of nos. 9 and 10 St Davids Close within 8.2m of the boundary. While the lower ground levels of the proposed development site would reduce overlooking there is considerable concern with regards to the bedroom windows on the first and second floor of the proposed units and the potential overlooking from these. The distance of 8m is not considered to be acceptable in what is a suburban setting. Therefore the proposed development is contrary to the specifications set out in SPG17. While the applicants have attempted to address this issue using louvres it is considered that they will not sufficiently reduce the impact of overlooking.

Highways

The applicant has confirmed in writing that none of the garages are currently let out to the residents on St David's Close and have remained vacant. Further discussions with a local resident confirmed that the garages have been vacant since November 2008 and that in recent years residents have not used the

garages for private parking due to the increased rates, but have instead have been used for personal storage. There is a barrier across the access road restricting access to the garages and the current access way is also particularly steep and in need of improvement. However the garages are currently not let out to the residents and have not been used regularly by local residents over the past decade. There have been a number of reasons suggested as to why they are not used and these include the increase in rent, poor management, unsafe access and poor quality of the garages. Residents have indicated that they would use these facilities if they were made available again.

Thus the main highways consideration is whether the loss of the proposed garages and the proposed development would result in a detrimental impact on highway safety and parking for existing residents on St David's Close. There is on-street parking on one side of St David's Close and a small parking area at the end of the cul-de-sac. This level of on-street parking including a few off-street parking spaces provides approximately 28 parking spaces (including 2 disabled bays) for 48 residential units. There is unrestricted parking on the other side of the road and a number of residents park up on the pavement resulting in cracked paving stones and oil deposits on the pavement along with blocking the pavement for pedestrians. There are also a further 9 spaces marked out on St David's Close towards Barnhill Road but these are generally not used by the residents of St David's Close as they are not in close proximity to the residential dwellings.

The development site proposes to make use of the existing access to the garages on the access road between Nos. 8 & 9 and 10 & 11 St Davids Close. Although it is not marked as such it is assumed that this will be a shared surface for both pedestrians and vehicles. The amended plans show an access gradient of 1.20 between the street and the development site. Transportation have now confirmed that this gradient is acceptable for disabled access. Although the width of the access means that the maximum number of units for this site should be 3.

With the amended plans this has now been complied with and the main remaining issue relates to the level of parking and the proposed impact on parking on St Davids Close. The maximum parking standard for the proposed development would be 5, 4 spaces for the residents with an additional parking space for visitors. The access way, which must be shared by pedestrians and vehicles, is very narrow at points, as evidenced during the site visit, which may lead to a pedestrian safety hazard. The provision of three standard parking spaces (2.4m x 4.8m) in the proposed forecourt also leaves very little manoeuvring room for vehicles, which may contribute further to this hazard. This in conjunction with the additional visitor parking space would not adequately provide for the prospective residents and therefore, with no parking controls in place, the proposed development would result in additional parking on-street and thus would exacerbate existing parking problems on St David's Close.

Furthermore the amended parking layout will result in parking spaces directly adjacent to the neighbouring rear gardens of 7 & 8 St David's Close. This will have a detrimental impact on the amenity of the residents in terms of noise and fumes from car entering and exiting the parking. There is an adequate provision for cycle parking and further details of this could be sought by condition.

With regards to the refuse storage the proposed bin and recycling store will be located in the front forecourt. This is over the maximum carry distance that refuse collectors are prepared to travel to collect bins. the Council's Streetcare officer Mark O'Brien has confirmed that collection vehicles have experienced difficulties as a result of large volumes of inconsiderately parked cars.

Therefore the onus would be on the prospective residents to take the bin to a collection point on St David's Close and back on collection day. As there is no land available for an additional collection point on St David's Close and the fact that there are existing problems with refuse collection on this road it is considered that the refuse collection facilities are inadequate and as a result the proposed development would be of a substandard form of accommodation while also exacerbating existing parking problems.

Landscaping

There are proposals for further landscaping to be incorporated into the site. These include the provision of a communal green to the front of the proposed development and tress along the boundary of the site adjacent to the proposed retaining wall between the development site and the rear garden of Nos. 9 and 10 St Davids Close. There are concerns that the proposed landscaping would not be able to grow to a sufficient height as the roots would be limited by the foundations of the retaining wall. Therefore it cannot be considered that they would act as a suitable screen on the boundary. As bats were found at a neighbouring site a bat survey has been submitted, this confirms that there is no evidence of bats and that the sites have low potential for bats therefore no surveys are recommended. The proposed development is therefore not considered to

provide an adequate level and quality of amenity space.

Objections

One objection and a petition signed by a number of the residents on St Davids Close have been received along with an objection from Councillor O'Sullivan. Further responses have been received in relation to the amended plans. The issues raised are as follows:

- It would exacerbate parking problems in the local area.
- The development would create overcrowding.
- The proposed development would be out of character with the surrounding streetscene.
- It would increase existing sewerage problems.
- Flooding
- Loss of daylight, outlook and privacy
- Detrimental to highway safety.
- Loss of woodland.
- Loss of value of property
- Loss of access to signal box.

Of particular note from this list is the situation regarding the existing problems relating to sewerage in the area. According to the head of the local home-owners' committee, the sewers are not adopted by the local water company and the local residents are the owners and are therefore liable to any problems that arise with them and may have a say as to whether any new development can connect up to them. This is an important issue that should be addressed at as early a stage as possible. As ownership is not a planning concern it is the responsibility of the applicant to secure adequate utilities for the proposed development.

The issues relating to daylight, outlook and privacy, highway safety and character are dealt with in earlier sections of the report. In relation to the other comments I have the following remarks

- The Environment Agency commented on the previous application and confirmed that there is not a significant risk of flooding in this location.
- The proposed development is not considered to be an overdevelopment of the site as it is in keeping with the heights of the surrounding residential accommodation.
- Loss of property value is not a planning consideration and cannot be addressed with this application
- London Underground and Network Rail have been consulted and have no objections to the proposal further more an access to the railway will still be maintained.

In relation to the additional comments raised the Council's officers have addressed the majority of these in the text above, but also have the following remarks:

- Alterations to the proposed party wall are generally a civil matter between neighbours. Should any alterations be made to the party wall the applicants would need to seek the permission of the neighbouring residents prior to any works commencing under the Party Wall Act. If the proposal was to be recommended for approval then the applicant would be notified of this requirement.

Conclusion

The proposed development is therefore considered to be contrary to the relevant policies of the UDP and planning guidance. Accordingly it is recommended for refusal for the reasons set out below.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed three dwellinghouses by reason of the inadequate parking provision and failure to provide adequate refuse collection facilities would result in additional parking on St David's Close exacerbating existing parking and servicing problems to the detriment of public and highway safety contrary to policies TRN3, TRN 14, TRN23, TRN34 and PS14 of Brent's UDP 2004 and the guidance set out in SPG17.
- (2) The proposed part three/part four storey townhouses by reason of their density and excessive height are not subsidiary to the surrounding dwellings which are predominantly two storey

semi detached properties divided into maisonettes, contrary to policy BE9 and H15 of Brent's UDP 2004.

- (3) The proposed three storey townhouses by reason of the inadequate setback from rear amenity space of Nos. 9 and 10 St David's Close would have a detrimental impact on the amenity of neighbouring residents in terms of loss of privacy, contrary to planning policy BE9 and the guidance set out in SPG 17.
- (4) The proposed raised parking area by reason of its proximity to the neighbouring rear garden of Nos 7 and 8 St Davids Close, would have a detrimental impact on the amenity of neighbouring residents in terms of noise and disturbance from vehicles manoeuvring contrary to policy BE9 and TRN 23 of Brent's UDP 2004.
- (5) The proposed residential accommodation by reason of the poor outlook from and lack of daylight to the rear groundfloor habitable room windows, lack of adequate usable amenity space, lack of adequate refuse and recycling facilities, poor parking provision and poor outlook from upper bedrooms would result in a sub-standard form of accommodation for prospective residents contrary to policies BE7, BE9, H12 and TRN23 of Brent's UDP 2004 and SPG17: Design Guide for New Development.
- (6) In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure and education, without any contribution towards sustainable transport improvements or school and nursery places and increased pressure for the use of existing open space, without contributions to enhance open space or make other contributions to improve the environment or toward measures to monitor or improve air quality and would not result in the adequate provision of affordable housing. As a result, the proposal is contrary to policies TRN3, TRN4, TRN10, TRN11, CF6, EP3, H1, H2, H3 and BE7 of Brent's adopted Unitary Development Plan 2004.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

UDP 2004

SPG17: 'Design Guide for New Development'

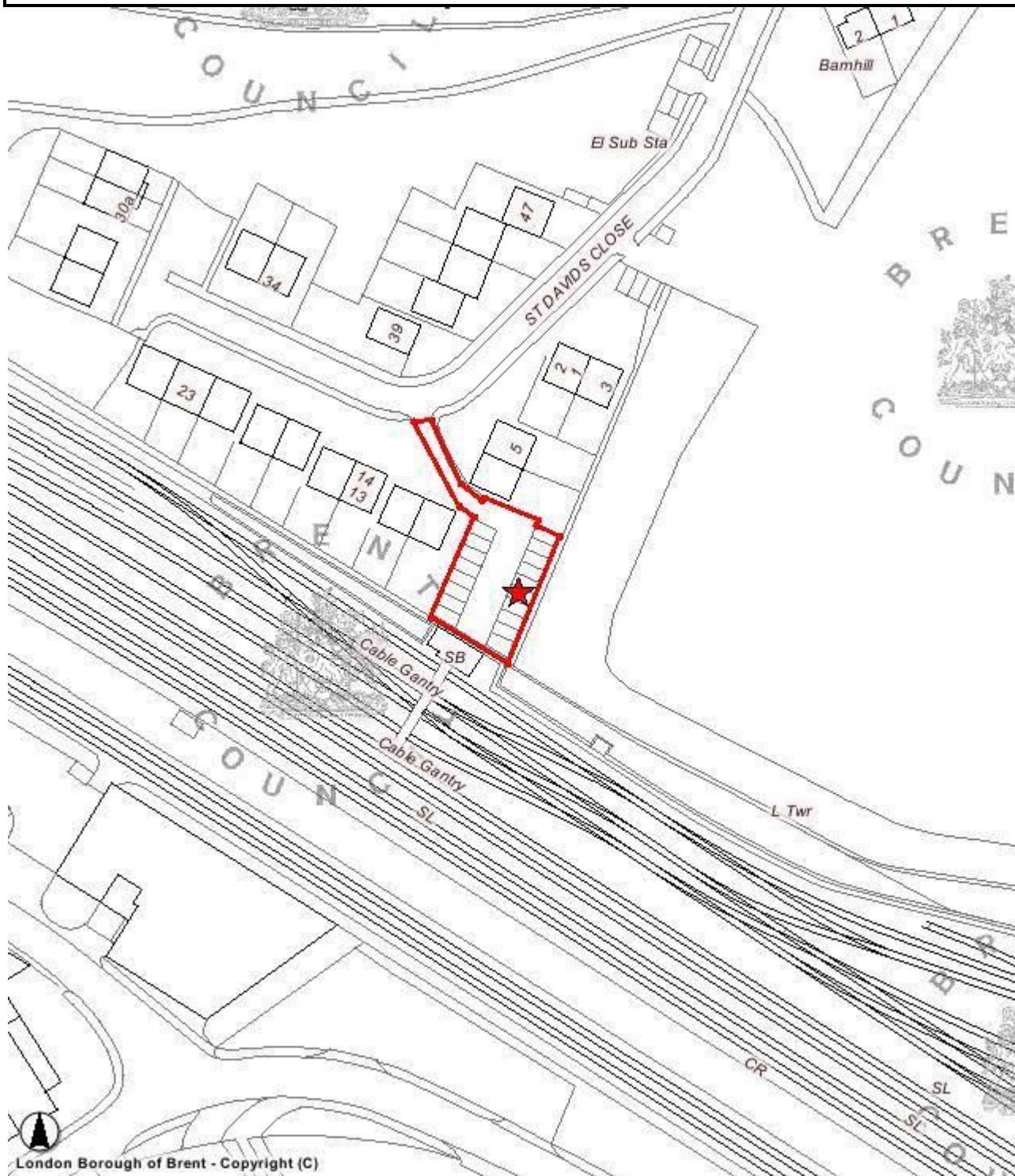
Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229



Planning Committee Map

Site address: Garages 4-21 rear of 8, St Davids Close, Wembley, HA9

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Officer © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

This page is intentionally left blank

Committee Report
Planning Committee on 13 October, 2009

Item No. 1/02
Case No. 09/0634

RECEIVED: 27 March, 2009

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Garages 1-3 next to 1, St Davids Close, Wembley, HA9

PROPOSAL: Demolition of existing garages and erection of a two-storey, three-bedroom dwellinghouse (Site B)

APPLICANT: HGQ Ltd

CONTACT: Dama Architecture Ltd

PLAN NO'S: dA.061/PL/01;
dA.061/PL/02RevE;
dA.061/PL/03.1RevD;
dA.061/PL/03.2RevC;
dA.061/PL/03.3RevC;
dA.061/PL/04.1RevE;
dA.061/PL/04.2RevE;
dA.061/PL/04.3RevD;
dA.061/PL/04.4RevD
dA.061/PL/05RevD;
dA.061/PL/06RevD;
dA.061/PL/20RevA;
dA.061/PL/21RevA

RECOMMENDATION

Refuse

SECTION 106 DETAILS

If the application is to be approved the Council would seek the following s106 Heads of Terms:

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- A contribution of £3,000 per additional bedroom due on Material Start and index-linked from the date of committee: for Education, Sustainable Transport, Open Space and Sports improvements in the local area.

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

EXISTING

The subject site is a block of derelict garages adjacent to a block of maisonettes at Nos. 1 & 3 St David's Close. St David's Close is a cul-de-sac off Chalkhill Road and next to a large open space. The garages are not located in a Conservation Area and they are not listed. The area is currently used for fly tipping.

PROPOSAL

Full planning permission is sought for the erection of a three bedroom two storey dwellinghouse of a radically contemporary design

HISTORY

08/2917. Full planning permission sought for the erection of two storey dwellinghouse with bin storage, parking and associated landscaping. Refused for the following reasons:

1. *The proposed dwellinghouse by reason of its siting, prominence in the streetscene, the large blank front elevation, lack of set-back from the main road and lack of a prominent front entrance fails to make a positive contribution to character of the local area contrary to policy BE2, BE7, BE9 and H12 of Brent's UDP 2008 and the guidance set out in SPG17.*
2. *The proposed dwellinghouse would be of a substandard residential quality by reason of the lack of daylight through to the principal habitable rooms, lack of adequate usable amenity space and lack of cycle storage, detrimental to the amenities of prospective residents, contrary to policy H12 of the adopted Brent Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 17: "Design Guide for New Development".*

08/0151. Full planning permission sought for the erection of two storey dwellinghouse with bin storage, parking and associated landscaping on site of former garages adjacent to 1-4 St David's Close. Withdrawn 05/03/2008

POLICY CONSIDERATIONS

Brent UDP 2004

- *BE2 Local Context*
- *BE5 Urban Clarity and Safety*
- *BE6 Landscape Design*
- *BE7 Streetscene*
- *BE9 Architectural Quality*
- *H12 Residential Quality*
- *H13 Residential Density*
- *H14 Minimum residential density*
- *H15 Backland development*
- *TRN11 Cycling*
- *TRN23 Parking standards – residential development*
- *TRN34 Servicing Requirements*

SPG

- *SPG 17 Design guide for new developments*

The main considerations for this application are:

- Amendments to the previous refusal
- Design and appearance
- Quality of proposed residential accommodation.
- The impact on residential amenity of neighbouring residents
- Parking

CONSULTATION

10 neighbours, the ward councillors for Barnhill, Urban Design, Policy, Landscape and Transportation have all been consulted.

Two letters of objection have been received on the following grounds:

1. There is no provision for on-street parking

2. Overdevelopment of the site
3. Excessive height in relation to neighbouring property
4. Lack of details of the disposal of foul sewerage

Transportation have no objections to the proposal

Landscape Design have concerns with regards to the quality and quantity of amenity space and boundary treatment.

- The boundary treatment has been changed from blue engineering brick to a dense green laurel hedge. The amount of amenity space has also been increased. Comments on the landscaping in relation to the proposed amendments area awaited.

Urban Design are supportive of the proposed dwelling and the design approach taken.

REMARKS

Deferral from previous committee

This application was previously on the agenda for the planning committee on 28/07/2009. It was recommended for deferral " to enable officers to review the recommendation in the light of issues raised in the report and on site and the concerns expressed above." [in the supplementary]

The issues raised include:

- Clarification regarding the ownership of the area surrounding the proposed development.
- The setback of the house from the front boundary
- That the internal layout gave rise to minimal outlook to the boundary, the impact of which depended on what was happening beyond which is outside the applicant's control.

Amendments since 28/09/2009

Following the committee meeting amended plans were received on 16/08/2009 they show:

1. An additional window through to the kitchen on the groundfloor elevation facing the park
2. Details of a proposed temporary timber fence to ensure privacy while the proposed laurel hedge matures.

Amendments from previously refused scheme

Before the previous committee meeting the application had been amended in a number of ways. As the site is quite constricted the proposed development has a similar footprint to the application that was refused, however the design has been altered in the following ways:

1. A small garden area has been proposed adjacent to the elevation facing towards the maisonette at 1-3 St David's Close
2. The development has been orientated so that the main windows are on the east and west elevations facing towards the park and the streetscene.
3. The proposed materials are now white render finish with pre-patented copper cladding for the roof projecting elements of the first floor.
4. The building has been set back on the groundfloor so that it is now 1.3m from the front boundary at the nearest point
5. Only one balcony/roof terrace is now proposed on the north elevation of the building.
6. The brick boundary wall has been replaced with a thick laurel hedge.
7. The level of private amenity space including the balcony has increased from 16.6m² to approximately 25 m²

Siting, Design and Appearance

The red line site for the proposed dwelling has an area of 107m². The proposed dwelling would have a footprint of 60.08. Thus the proposed building will cover approximately half of the site and is predominantly set up to the boundary. It is set in from the boundary at the north west corner of the site, where there is a small entry courtyard, and also set in 3m from the southern boundary, where there is a small garden area/amenity. The ownership of the land surrounding the site has not been clarified so while there is an existing setting of scrubland and dense shrubs there is no control of this space to ensure that this remains and that the privacy of the prospective residents would be maintained without creating a fortress like appearance.

The proposed building is two storeys in height with a flat roof and first floor projecting over the small

landscape garden to the front. It is of contemporary design, which is considered the most appropriate for any development of this site. The front and rear elevations have aluminium framed fenestration set in the white render framed by the pre-patinated copper. The fenestration on the front elevation will improve overlooking of this part of St David's Close and creates a more residential feel for the proposed site.

No further clarification of the ownership of the spaces directly next to the site have been provided thus the full implications of the proposed design and layout cannot fully be considered. Therefore there is no guarantee that the setting for the site including the natural landscaping will be maintained. This has a subsequent impact on the quality of the residential accommodation proposed for the reason outlined in the paragraph below.

Quality of the proposed residential accommodation

The proposed is classified as a 2 bed 3-person dwellinghouse however it includes a study that could feasibly be used as an additional bedroom, therefore it has been assessed as a three-bedroom dwelling. It has a proposed internal floor area of 100sqm, which is below the minimum residential floor areas for 3-bedroom dwellings however it is not considered to be significantly below. Approximately 25m² of usable amenity space is proposed in the form of a small garden area and a roof terrace/balcony. This level of provision while below the recommended level for a 3-bed dwellinghouse in SPG17 is considered adequate given the proximity of the proposal to the neighbouring open playing fields and the green setting of the site. Therefore it is not considered to be deficient in terms of quantity of amenity space.

However a deficiency in the size of amenity space will only be permitted if the quality of the private amenity space is high. In this situation as a result of the constrained nature of the site, the setting of the amenity space will have a significant impact on its quality in terms of daylight and sunlight and privacy. As there is uncertainty regarding the ownership external spaces surrounding the site there is no guarantee that these spaces will be maintained to ensure a high quality of amenity space. Therefore it is considered that the proposed shortfall in amenity space is not considered acceptable as a result of the inadequate quality of private amenity space proposed.

This situation also impacts on the groundfloor habitable room windows which are all set less than 10m from the boundary of the site. Again there is no certainty that an acceptable quality of accommodation can be achieved as a result of the lack of control over the outside space. There is no bin storage shown on the plans although there is space for this adjacent to the proposed cycle storage in keeping with policies TRN11 and TRN34. Further details of this would need to be sought by conditions should the application be approved. In terms of the quality of residential accommodation the proposed dwelling is not in keeping with Council policies and therefore is considered to be substandard. Therefore by reason of the lack of clarity regarding the ownership of the external space surrounding the site it is considered that the proposed dwellinghouse does not provide a satisfactory form of accommodation and fails to provide an adequate level of privacy and acceptable quality of amenity space contrary to policies BE7, BE9, H12 of Brent's UDP and SPG17.

Impact on the neighbouring residents

The nearest neighbouring residential properties are those at 1-3 St David's Close. These dwellings are located 15m from the southern boundary of the site and have habitable rooms directly facing those of the proposed development at a distance of 18m. However as the proposed development is to be well screened by the proposed laurel hedge and existing landscaping and the habitable room window is located on the groundfloor the proposed shortfall of 2m is considered acceptable given the improvement to the visual amenities of the area and proposed streetscene.

Transportation

The Councils Highways engineer has no objection to the proposed development as there is adequate on-street parking for the proposed development. They state that a condition should be attached requiring a secure cycle parking store and refuse storage. This issue is raised in the paragraph on residential quality for prospective residents and is considered to be a reason for refusal. The principle of the loss of the derelict garages is considered acceptable. While there is a planning approval for the redevelopment of the Barnhill Cottages, it is noted that there is spare capacity for parking on this section of the road and the proposed parking standard for this dwelling will not result in a significant increase in on-street parking.

S106

The proposed s106 contribution would be £3000 per bed space. The applicant has agreed to this in principle. However as no agreement has been signed it will remain as a reason for refusal

Response to Objectors

In response to the objections raised your Councils officer has the following comments. The proposed development would result in the creation of 1 additional family residential dwelling and while it is on a constrained site is not considered to be an overdevelopment. There is adequate on-street parking as there is marked parking on street up to Chalkhill Road. As there are no other developments between the development site and Chalkhill Road and as there are rarely cars parked on this section there is considered to be additional capacity on-street to provide the 1 parking space required for the proposed development.

The proposed development is of a height that is in keeping with the surroundings and given that it is north of the nearest residential accommodation cannot be considered to have a detrimental impact on the amenity of neighbouring residents in terms of loss of sunlight and daylight. The proposed sewage infrastructure is not considered to be a planning matter and should therefore be resolved between the developer and the sewage contractor.

Conclusion

The proposed dwellinghouse is considered to provide a substandard quality of accommodation for the prospective residents by reason of poor privacy, outlook and daylight and lack of usable amenity space. Accordingly it is recommended for refusal for the reason outlined below.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed dwellinghouse by reason of the siting of groundfloor habitable room windows on and in proximity to the site boundary, without information regarding the ownership of the neighbouring external space would result in a substandard form of accommodation resulting in poor levels of outlook and privacy for prospective residents contrary to planning policy BE7, BE9 and H12 of Brent's UDP 2004 and SPG 17.
- (2) In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure and education, without any contribution towards sustainable transport improvements or school and nursery places and increased pressure for the use of existing open space, without contributions to enhance open space or make other contributions to improve the environment or toward measures to monitor or improve air quality and would not result in the adequate provision of affordable housing. As a result, the proposal is contrary to policies TRN3, TRN4, TRN10, TRN11, CF6, EP3, H1, H2, H3 and BE7 of Brent's adopted Unitary Development Plan 2004.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

UDP 2004
SPG 17 - 'Design Guide for New Development

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229



Planning Committee Map

Site address: Garages 1-3 next to 1, St Davids Close, Wembley, HA9

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



This map is indicative only.

Committee Report
Planning Committee on 13 October, 2009

Item No. 1/03
Case No. 09/1962

RECEIVED: 10 August, 2009

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 37 Geary Road, London, NW10 1HJ

PROPOSAL: Erection of a two storey side extension to dwellinghouse (as amended by plans received 02/10/2009)

APPLICANT: Jevenor Ltd

CONTACT: Architect D.A.S.

PLAN NO'S: E'01RevB;
E'02RevB;
E'03RevA;
E'04;
P'01RevB
P'02RevB
P'x'01
P'x'02
E'x'01
E'x'02
E'x'03

RECOMMENDATION

Approval

EXISTING

Two storey detached dwellinghouse located on the south side of Geary Road in Dollis Hill. The site is bounded by a semi-detached dwelling to the east, Geary Road to the North and the rear gardens of 49-55 Kendal Road to the west and those of 44 & 46 Fleetwood Road to the south. It is not a listed building nor is it within a Conservation Area.

PROPOSAL

Full planning permission is sought for the erection of a two storey side extension.

HISTORY

09/1128. Certificate of lawfulness sought for proposed single storey rear extension and two-storey rear extension to dwellinghouse. Granted 08/07/2009.

082157. Full planning permission sought for the erection of a single storey and 2 storey side and 2 storey rear extension and covered area to front and side of dwellinghouse. Refused 26/09/2008 for the following reasons:

1. *The proposed two-storey side extension, by virtue of its inadequate set-back from the main front wall at ground-floor level, and its relationship with the proposed loft conversion and ridged roof construction, constitutes a dominant and visually obtrusive form of development that does not appear subservient to the original dwellinghouse, and would be detrimental to the character and appearance of the dwellinghouse and surrounding*

streetscape. The proposal is therefore contrary to policies BE2, BE7, and BE9 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 5: "Altering & Extending Your Home".

2. The proposed first-floor rear extension, by reason of its excessive depth and width, would appear as a bulky and incongruous extension to the property, resulting in a detrimental impact on the character of the original dwellinghouse. As such, the development would be contrary to policies BE2, and BE9 of Brent's Unitary Development Plan 2004, as well as the provisions of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".

08/0309. Full planning permission sought for the erection of a 2-storey side and rear extension to dwellinghouse. Refused 26/03/2008, for the following reasons:

3. The proposed two-storey side extension, by virtue of its inadequate set-back from the main front wall at ground-floor and first-floor levels, and its relationship with the proposed loft conversion and ridged roof construction, constitutes a dominant and visually obtrusive form of development that does not appear subservient to the original dwellinghouse, and would be detrimental to the character and appearance of the dwellinghouse and surrounding streetscape. The proposal is therefore contrary to policies BE2, BE7, and BE9 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 5: "Altering & Extending Your Home".
4. The proposed first-floor rear extension, by reason of its excessive depth, width and flat roof design, would appear as a bulky and incongruous extension to the property, resulting in a detrimental impact on the character of the original dwellinghouse. As such, the development would be contrary to policies BE2, and BE9 of Brent's Unitary Development Plan 2004, as well as the provisions of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home"

07 2413. Certificate of lawfulness sought for the erection of a rear dormer window to dwellinghouse. Granted 27/09/2007.

POLICY CONSIDERATIONS

Brent UDP 2004

- BE2 Local Context
- BE7 Streetscene
- BE9 Architectural Quality

SPG

- SPG5 Altering and Extending you Home

- Appropriate Design
- Character of dwelling and surrounding area
- Light, outlook and privacy of neighbouring dwellings

CONSULTATION

13 neighbours were consulted on this application. 4 objections were received from neighbouring residents on Geary Road, Hamilton Road and Fleetwood Road on the following grounds:

1. Loss of light to groundfloor and first floor bedrooms at No 41 Geary Road
2. Loss of privacy in neighbouring gardens.
3. Detrimental impact on the character of the dwelling and surrounding streetscene.
4. Detrimental visual impact.
5. Lack of parking.

6. Loss of rear green space.

REMARKS

Planning History

There have been a number of various proposals to extend No.37 Geary Road that the Local Planning Authority have considered over the past 2 years. 2 applications were refused for reasons relating to the detrimental impact on the character and appearance of the dwellinghouse by reason of the lack of setback from the main front wall of the dwellinghouse resulting in an extension not subservient to the original dwelling, and the loss of amenity for neighbouring residents as a result of the excessive depth, width and bulk of the proposed extensions.

The current proposal has been amended in the following way:

1. The two-storey rear extension has been removed from the majority of the rear of the proposal part from the section directly to the rear of the two storey side element.
2. The proposed side extension has been setback 2.5m from the main front wall of the dwellinghouse on the groundfloor and the first floor.

It should however be noted that a Certificate of Lawfulness application has been approved for a 3m depth two storey rear extension where it is set in 2m from the side boundaries of the dwelling.

Residential Amenity

The current proposal is for a two storey side extension adjacent to the boundary with No. 41 Geary Road. This will also project 3m beyond the rear wall of the dwelling. Due to the difference in building lines the rear wall of number 41 projects 1.9m beyond the rear wall of No. 37 Geary Road. Therefore the proposed 2 storey rear extension projects 1.1m beyond the rear wall of No. 41.

The rear elevation of No. 41 Geary has a living room window on the groundfloor and a two windows through to the same bedroom on the first floor. The midpoint of the groundfloor window is 2.5m from the flank wall of the extension to the and thus in line with the 2:1 rule as the depth of the extension from the rear wall of No.41 is 1.1m.

The nearest bedroom window has a midpoint 2m from the flank wall of the extension. This would not comply with the 2:1 rule but as there is a similar sized window through to the same bedroom with a midpoint 3.2m from the flank wall window. Therefore it is considered that there will not be a detrimental loss of light through to this habitable room. There is also a flank wall habitable room window on the flank wall of No. 41 however this is not the principal window through to the room as there is another window through to the same room from the front elevation. The proposal is not close to the other boundaries of the site. Therefore there will not be a detrimental impact on the amenity of neighbouring residents.

Character and Appearance

37 Geary Road is a distinctive detached dwellinghouse in an area characterised by terraced and semi-detached dwellinghouses. Furthermore the existing dwelling has a dual pitched roof with gable-ends facing the street and the rear, which is different from the predominantly hipped roofs of the surrounding residential properties. The proposed extension has been assessed in light of this and the principles guiding the specifications set out in SPG 5.

The proposed two storey side extension replicates the existing roof shape but on a smaller scale to ensure that it is subsidiary to the main dwellinghouse. It is set back 2.5m from the main front wall at the groundfloor level and at the first floor level. The proposed roof ridgeline is significantly set down from the main roof ridgeline and it is set in from the side boundary to provide space for guttering similar to that of the existing roof within the curtilage of the site.

It is therefore considered that the roof is suitably subservient to the original dwellinghouse while also in keeping with the dwellings character and appearance.

Response to the Concerns of Objectors

1. Loss of light - The depth of the proposed extension is in keeping with the guidelines set out in SPG5 as set out in the section above, therefore it is considered that there is no detrimental impact on the neighbouring properties
2. Privacy - The nearest habitable room window to the boundary as a result of the proposal is the proposed bedroom and kitchen windows. These will be 10m from the rear boundary and over 20m from the nearest

facing habitable room window at No. 46 Fleetwood Road. There is also an existing thick planted boundary treatment that reduces overlooking. Therefore the proposal is in keeping with the privacy standards set out in SPG 17 which requires 10m to the boundary and 20m between directly facing habitable room windows.

3. Detrimental impact on the character of the dwelling and surrounding streetscene - The subject property is already a distinctive property and the extension is considered to be of a size and scale that is in keeping with the character and appearance of the dwelling. While there is an existing certificate of lawfulness this is a determination that planning permission is not needed for such works and as these works have not commenced they cannot be considered as material to this proposal. Furthermore the proposal results in the creation of larger bedrooms rather than significantly increasing the number of bedrooms. A condition will be attached to ensure that the proposal is used in conjunction with a single family dwellinghouse.

4. Detrimental visual impact from rear gardens of neighbouring properties - The proposed extension being considered under this application is subsidiary to the main dwellinghouse and given that it complies with the parameters set out in SPG 5 and SPG17 it is considered that there will not be a detrimental impact on the visual amenity of the neighbouring properties.

5. Lack of parking - The proposed extension will result in an increase in bedrooms from 4 to 5, in line with the Council's policy on parking as set out in UDP there will not be a significant increase in the parking impact for the dwellinghouse.

6. Loss of rear green space. The proposed extension will cover an area of 9.6sqm of green space from a rear garden with an area of 195 sqm. The loss of green space anticipated is not considered to be significant.

Conclusion

The proposed two storey side and rear extension is in keeping with the design and appearance of the dwellinghouse and will not have a detrimental impact on the residential amenity of neighbouring residents.

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) 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.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

UDP 2004
SPG 5
SPG 17

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229



Planning Committee Map

Site address: 37 Geary Road, London, NW10 1HJ

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



This map is indicative only.

RECEIVED: 17 August, 2009

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: Gladstone Park, Parkside, London, NW2

PROPOSAL: Installation of 4 floodlights to Kendal Road and Anson Road side of park

APPLICANT: Brent Parks Service

CONTACT:

PLAN NO'S: GPFLDAS1
GPFL-AV-01
126547P2 - Elevation 1
126457P2 - Elevation 2
DGPFL-126547 (1) - Illumination Summary
GPFL-126547 (2) - Illumination Summary
GPF-IN1
Gladstone Park Floodlights-Elevation Drawings and Lamp Dimensions

RECOMMENDATION

Approval

EXISTING

The proposed site for the floodlights is within Gladstone Park adjacent to the railway line. At the closest point they will be approximately 150m from the nearest residential property on Kendal Road and over 200m from the nearest flats off Oman Court.

PROPOSAL

Full planning permission is sought for the erection of a 4 floodlights to provide lighting for an outdoor sports pitch.

HISTORY

03/2884 - Erection of a changing-room pavilion in the south-east corner of the park behind the existing Community Centre and adjacent to Midlothian House, off Anson Road – GTD

03/2682 - Erection of perimeter fencing to surround the park - GTD

01/0057 - Erection of a single-storey detached building within Gladstone Park to provide changing/shower facilities to rear of Gladstone Centre, Anson Road - GTD

POLICY CONSIDERATIONS

BE8 - Lighting & Light Pollution:

Development proposals should use low energy or renewable lighting systems and should avoid nuisance to road users, harm to residential amenity and/or detriment to local distinctiveness.

Where appropriate, conditions will be used in controlling the intensity of lighting to avoid nuisance to road users, harm to residential amenity and/or detriment to local distinctiveness.

OS6 - Public Open Space

Development of public open space will not be permitted unless it is required to maintain or enhance activities

associated with the open space.

OS10 - Access to Sports Facilities

The Council will/ where possible:

- (a) Adapt the Council's sport and recreation facilities to help those groups identified in its sports strategy as having low rates of participation in sport;
- (b) Provide facilities that meet the needs of all groups in the community;
- (c) Adjust provision as new sports develop;
- (d) Encourage other facility providers to take similar action;

CONSULTATION

Two site notices were set up in the Park and neighbouring residential properties on Kendal Road were consulted. 3 letters of objection have been received on the following grounds:

1. That the floodlights will result in disturbance for the residents opposite on Kendal Road
2. There is no need for the floodlights.

These concerns are addressed in the remarks section of the report.

REMARKS

Improved Access to Sports Facilities

The provision of floodlights in public open space can be supported where they are required to maintain or enhance activities associated with the open space. This proposal will allow sport to be safely pursued by local schools and recognised clubs through extended use for limited period during the winter months. Therefore the proposed floodlights are considered to provide improved access to sports facilities in line with policy OS6

Residential Amenity

The proposed development should not have a significant detrimental impact on residential amenity. The hours of use are proposed to be restricted to between 18.30 and 20.30 each day while the cumulative total of hours of use for each week will be 6 hours. A condition will be attached to any approval to ensure that

Furthermore the applicants have submitted a plan showing the extent of the impact of illumination. This shows that there will be no direct light shining on land over 50m from the floodlights. As the nearest residential property is over 50m away from the proposed floodlighting it is considered that there will be no detrimental impact on residential amenity of neighbouring residents. Additionally the proposed flood lights will also be set sufficiently away from the road so that it will not have a detrimental impact on road users.

The proposed flood lights will also have a height of 12.5m and will be a galvanized steel pole with a maximum width of 0.4m and will be set in a precast concrete base. They will not have significantly detrimental impact on the character and appearance of the park.

Conclusion

It has been demonstrated that the proposed floodlights will improve access to sports facilities within the Borough and will not result in a detrimental impact on neighbouring residents, road users and the character and appearance of the park, accordingly the proposal is recommended for approval subject to the conditions set out below.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004

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
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

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 floodlights hereby approved shall not be in operation except between the hours of 1600 hours and 2030 hours and in any case not more than 6 hours per week Monday to Sunday.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

UDP 2004

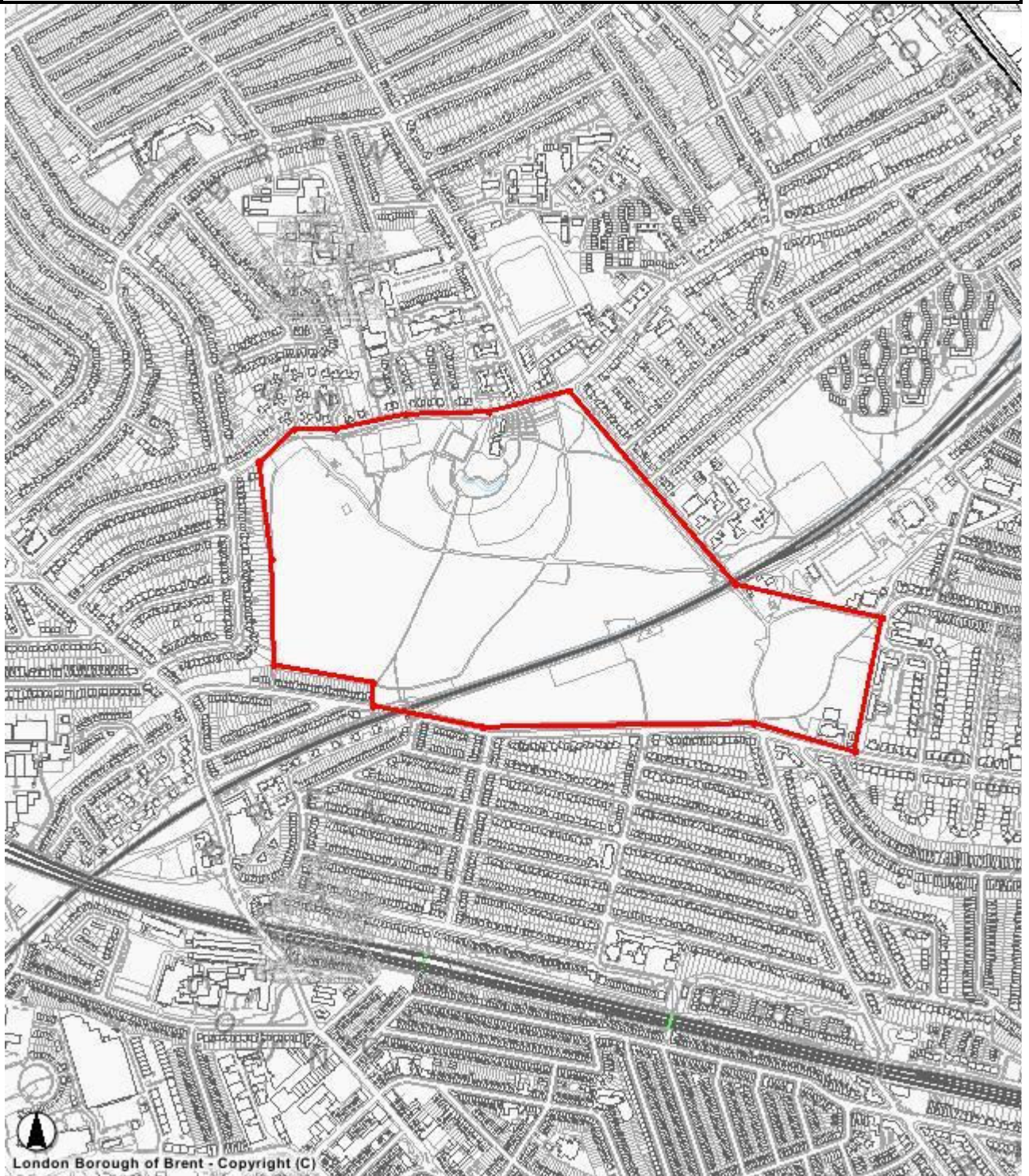
Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229



Planning Committee Map

Site address: Gladstone Park, Parkside, London, NW2

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

Committee Report

Planning Committee on 13 October, 2009

Item No.

1/05

Case No.

09/2014

RECEIVED: 19 August, 2009

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 34 Oxenpark Avenue, Wembley, HA9 9SZ

PROPOSAL: Demolition of garage and erection of single- and two-storey side and rear extension to dwellinghouse with new rear terrace, two rooflights, associated parking and front landscaping alterations AS AMENDED BY REVISED PLANS RECEIVED 30/09/09

APPLICANT: Mr Aslam

CONTACT: Saloria Architects Ltd

PLAN NO'S: 9288-00 Rev P0; 9288-01 Rev P6 [Officers note: this plan to be revised: ridge height lowered]

RECOMMENDATION

Grant planning permission

EXISTING

The subject site is a two storey detached dwellinghouse located on Oxenpark Avenue. The property is not located within a conservation area nor is it a listed building. The surrounding uses are predominantly residential.

PROPOSAL

Planning permission is sought for the demolition of the attached garage and erection of a single- and two-storey side and rear extension and new rear terrace, two rooflights and associated parking and front landscaping alterations AS AMENDED BY REVISED PLANS RECEIVED 30/09/09

HISTORY

09/2216 Certificate of Lawfulness for a proposed single storey outbuilding in rear garden of dwellinghouse
Case Officer Considering

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.

NOTE: Since 27th 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

Consultation period: 26/08/2009
Four neighbours were consulted.

Three objections received on following grounds:

- Loss of light
- Over-development
- Unreasonable two storey height
- Loss of air
- Loss of privacy

In addition to those from local occupiers, objections have been received from Preston Amenities Protection Association (PAPA) and from Cllr Jim O'Sullivan.

PAPA object on the following grounds:

- Impact on occupants of No. 34 arising from loss of light and cumulative overbearing impact of development on either side of No. 34s garden.
- Flank windows resulting in loss of privacy
- Potential problems arising from multiple occupancy such as car parking, noise, pollution
- Development is huge and not in keeping with the character of the area
- Drainage problems

Clr O'Sullivan objected on the following grounds:

- Gross overdevelopment, not in keeping with neighbouring buildings
- Height of the extension would be overpowering
- Loss of light
- Loss of privacy

These matters will be addressed in Remarks, below.

Internal consultation

Transportation: extensions to 3-bed to create 6-bed property. PTAL 3, Wembley Even Day Parking. Loss of garage combined with narrow street requires at least 2 off-street spaces with crossover increased to 4.2m.

REMARKS

Introduction and summary

The property is a detached single family dwellinghouse which is proposed to be extended to the side and rear at both ground and first floor. Substantial changes have been made to the original scheme and the proposal is now deemed by officers to meet the requirements of the relevant UDP policies and the guidance of SPG5. The extensions are not deemed likely to result in significant harm to neighbouring amenity nor visual amenity; that is not to say there would be zero impact, but that any impact would be acceptable given the need to allow homeowners to alter and extend their homes whilst balancing the needs of others.

Side extension

The property has an existing garage located between the southern flank wall and No. 32. It is 2.5m wide and set 1m off the boundary. It has a lean-to roof rising from 2.5m high to 3.3m at the junction with the house. Behind this is another side extension of the same width but with a higher lean-to roof used as part of the kitchen/diner. These extensions are the same depth as the original property.

No. 32 has constructed a single storey side extension (08/1132) which is 3m in height with a flat roof on the boundary.

The extension would be the same width as the existing side extension and would be set 1018mm off the boundary. The first floor would be set back from the main wall of the property by 1.5m, which is in accordance with the guidance of SPG5 as the extension is further than 1m away from the shared boundary. There are no site-specific reasons why this guidance should not be applied here, and the proposal is deemed to be in keeping with the character of the property. A pitched roof covers the 1.5m ground floor element, which would have a window of appropriate size and design, as would the first floor.

The roof of the side extension is hipped to match the original roof and the ridge is set down from the original ridge. This is achieved by a small crown roof which is generally discouraged but is not considered a reason for refusal and there is no significant visual harm caused by this feature. Further amendments have been sought to increase the set down to 750mm to bring it in line with the character of the street, which also serves to reduce the extent of the crown roof. The changes to the proposal have been confirmed by the agent and a revised drawing (Rev P7) will be available within the next couple of days.

The flank wall as extended would have two ground floor windows, serving a WC and a utility room, and one first floor window, serving a bathroom. These can be conditioned to be obscured glazed and non-opening and are not considered to result in loss of privacy.

The side extension in turn becomes part of the rear extension, see below.

Rear Extension, terrace

The property has an existing single storey rear extension, approximately 1.4m deep, 3.9m wide and set 0.3m off the boundary with No. 34. It has a pitched roof and is 3m high at the closest point to No. 34 and rises to 3.9m at the junction with the property. There is an existing terrace beyond this due to the change in ground levels in the area, which is 0.5m above ground level (approximate).

The single storey element of the proposed rear extension would extend 2.12m beyond this existing extension, although it would replace the existing. It would have a lean-to roof with an average height of 3m from the finished floor level, but obviously the change in ground levels means it would appear higher. The impact on neighbours should be considered in two ways: (1) on internal amenity; and (2) on amenity within gardens. The finished floor levels of the three properties (Nos. 32, 34 and 36) are, to the best of your officers knowledge, the same, therefore a 3m high extension will be perceived as such from both neighbours. In terms of the garden, it is not considered a difficulty to the south, as No. 32 has extended their terrace as part of their 2008 permission. In terms of No. 36 there is already a 2m high fence with ivy along the shared boundary, and a site visit to an adjoining property (No. 38) indicated No. 36 also has a rear terrace.

The extension would be across the full width of the property and the new side extension, so it would be a little over 1m of the boundary with No. 32, which also has a rear extension as part of the 2008 permission. It would remain 0.3m off the boundary with No. 34. No. 34 itself is set 2.3m away from the boundary, so the cumulative distance is some 2.6m. The overall extension for comparison would be 3.5m, which is in

accordance with the guidance of SPG5.

The set-in from the boundaries on either side and the relationship with those properties is such that the single storey element of the rear extension is considered acceptable.

The first floor element is more sensitive due to the more significant impact it can have on neighbouring amenity. The extension is the full width of the property and the side extension, and is 2m deep on the side adjacent to No. 36 reducing to 1.5m deep adjacent to No. 32. The 2m depth complies with the 2:1 guide as set out in SPG5, based on measurements from a ground floor window on No. 36 and a first floor window on No. 32.

The change in depth from 2m to 1.5m is to break up the mass of the rear extension and lessen the visual impact. This brings the extension comfortably within the 2:1 guide in respect of No. 32.

It is also proposed to extend the terrace to the rear. It would be at the same level as the existing terrace (and as far as officers can ascertain, the same as terraces on either side) and would be 3m deep. It would be set in 1m from the boundary to allow planting and to prevent overlooking of neighbours gardens. No changes to the boundary treatment are shown on the plans, so a condition is recommended to ensure the boundary treatment is high enough to prevent overlooking but not more than 2m to avoid an impact on amenity.

Forecourt

A layout has been provided which shows the forecourt can accommodate two vehicles off-street and maintain a suitable amount of soft landscaping and a separate path. It is recommended that a condition be attached to widen the vehicular crossover to 4.2m at the applicants expense.

Rooflights

The proposed rooflights would be inserted into the flat crown part of the roof. It is recommended that a condition requesting further details of these rooflights be provided to ensure they do not stand so far beyond the height of the roof that they are visible from the highway.

Objections

- Loss of light
 - The extensions have been reduced to bring them into line with the normal guidance of SPG5. A site visit has been made to establish the site specific conditions. It is the opinion of your officers that the impact on light levels would be acceptable on balance.
- Over-development - including cumulative impact
 - The changes to the property are substantial, but not beyond that allowed under Brent's policy guidance. The site specific characteristics have been assessed and it is not deemed that the extensions constitute overdevelopment. In terms of the cumulative impact this concerns No. 36, and although the proposed scheme here and the recent extension at ground floor of No. 38 will no doubt have an impact on the amenity of the residents of No. 36, this must be balanced with the need to allow homeowners to alter and extend their home. This necessarily requires a balance to be struck between the conflicting needs and this is naturally a sensitive issue. This is why the Council has policies and detailed design guidance which sets out where the normally-accepted balance lies. In all cases this guidance is assessed on a site-by-site basis, and in this instance there is not considered sufficient justification to refuse the scheme or to require further reductions of the applicants.
- Out of character
 - In the opinion of your officers the proposals remain in keeping with the character of the area in design and scale.
- Height of development
 - A two-storey extension is not considered excessive and is to be expected in a domestic situation.
- Loss of air
 - It is not clear what is meant by this objection.
- Loss of privacy
 - Privacy would be at risk from the extended terrace but measures have been incorporated to avoid this. One flank window is proposed on the first floor, to a bathroom, which will be obscured glazed. Your officers do not consider the proposal would result in any significant loss of privacy.
- Potential for multiple occupancy
 - A change from a 3-bed house to a 7-bed house is significant but not contrary to any particular policy

or guidance. Your officers cannot preempt a change of use of the property, but have sought assurances from the applicant that the property would remain a single family dwellinghouse. This has been provided in writing (see letter from Mr Aslam dated 29/09/09).

- Drainage problems
 - These are not normally considered a planning consideration at the domestic scale.

Conclusion

The changes proposed are substantial and have attracted local objection. Significant amendments have been made to address these issues and the proposals are now deemed to be acceptable. This recommendation takes account of the justifiable concerns of those most likely to be harmed by inappropriate development, the residents to the north and south (though no objection was received from the residents to the south), but must be balanced with an acceptance that residents of Brent can make reasonable extensions to their homes. This proposal is therefore considered acceptable on balance, and accords with policies BE2, BE7 and BE9 of the adopted UDP 2004 and Supplementary Planning Guidance No. 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) 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.

- (3) The window on the first floor of the south face of the building as extended shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained. No further windows or glazed doors (other than any shown in the approved plans) shall be constructed in the south wall of the building as extended without the prior written consent of the Local Planning Authority.

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

- (4) Prior to completion of the development as approved the vehicular crossover must be increased to a width not exceeding 4.2m.

Reason: In the interests of the general amenities of the locality and the free flow of traffic and

general conditions of the highway safety on the neighbouring highway.

- (5) Notwithstanding the plans hereby submitted and approved, further details of the proposed soft-landscaping buffer and boundary treatment (e.g. fence height) along the boundaries with nos. 36 and 32 Oxenpark Avenue (including plant species and size) shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site and shall be implemented in accordance with the approved scheme. The approved soft landscaping shall be completed within the first planting season following completion of the building works and hard landscaping hereby approved.

Reason: To ensure a satisfactory level of amenity for the occupiers of the adjoining property.

- (6) The proposed forecourt layout, including hard and soft landscaping and parking area as shown on the approved plan, shall be completed soon after the completion of the building works hereby approved and the proposed soft landscaping, as shown on the approved plan, shall be completed within the first planting season following the completion of the approved hard landscaping. If, within 5 years of planting, any trees or shrubs die, are removed or become seriously damaged or diseased, they shall be replaced with others of the same species and size and in the same position, unless the prior written permission of the Local Planning Authority is obtained.

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

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

(a) the proposed roof lights and specifically their projection above the roof.

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

INFORMATIVES:

- (1) If the development is carried out it will be necessary for a crossing to be extended over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Application for such works should be made to the Council's Streetcare Section, Brent House, 349 High Road Wembley Middx. HA9 6BZ Tel 020 8937 5050.

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: 34 Oxenpark Avenue, Wembley, HA9 9SZ

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Officer © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

This page is intentionally left blank

Committee Report
Planning Committee on 13 October, 2009

Item No. 1/06
Case No. 09/1191

RECEIVED: 24 July, 2009

WARD: Fryent

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Red Pepper, Edgware Road, Kingsbury, London, NW9 6LL

PROPOSAL: Demolition of the existing public house and erection of a 3-, 4-, 5- and 6-storey building for use as a 83-bedroom nursing home, formation of new vehicular access, with provision of 11 car-parking spaces, including 2 disabled bays and associated landscaping to site (revised version of the scheme previously granted permission under application no. 07/2128)

APPLICANT: Macneil Limited

CONTACT: DWA Architects Ltd

PLAN NO'S: L525 - Location Plan
L525 AL(0)103
L525 AL(0)104
L525 AL(0)105
L525 AL(0)106 Rev A
L525 AL(0)107
L525 AL(0)108
L525 AL(0)109
L525 AL(0)112 Rev B
L525 AL(0)113 Rev A
L525 AL(9)900
L525 AL(9)901 Rev J
L525 AL(9)902 Rev E

L525 AL(9)910 Rev C
L525 AL(9)921
L525 SK01

Design Statement ref L0525 dated July 2009
Healthcare Development Services Ltd - Site Waste Management Plan
DWA Architects and Operon Group - Multi-Residential 2008 BREEAM
Pre-Assessment Report
Survey Site Services - Flood Risk Assessment
Compass Archaeology - An Archaeological Desk-Based Assessment
L525/2.4.3 (ACS Consulting - Arboricultural Survey & Constraints Report)

Letter ref L525/3.1.1/AJ/KW/17
Letter ref L525/3.1.1/AJ/KW/19

RECOMMENDATION

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

And, to authorise the Director of Environment and Culture, 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.

SECTION 106 DETAILS

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

- a) Payment of the Council's legal and other professional costs in a) preparing and completing the agreement and b) monitoring and enforcing its performance
- b) A contribution of £1,000 per bed unit, (**£83,000**), index-linked from the date of committee for Transportation, Air Quality and Open Space in the local area.
- c) Restrict the permanent occupiers of any bedroom to those requiring nursing care, prohibiting the occupation by students and those not requiring care.
- d) Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum score of 50% is achieved.
- e) A detailed '**Sustainability Implementation Strategy**' shall be submitted for Council approval, at Reserved Matters stage or 4 months prior to site commencement. This shall demonstrate how the development will achieve a BREEAM 'Very Good' rating, and how the indicated Brent Checklist measures (Energy, Water, Materials, De/Construction & Pollution) will be implemented within the scheme.
- f) The applicant shall include/retain appropriate design measures in the development for those energy and water conservation, sustainable drainage, sustainable/recycled materials, pollution control, and demolition/construction commitments made within Brent's Sustainability Checklist and other submitted documentation (or agreed by further negotiation), and adopt adequate procurement mechanisms to deliver these commitments.
- g) On completion, independent evidence (through a BRE Post-Construction Review) shall be submitted on the scheme as built, to verify the implementation of these sustainability measures on site, and the achievement of at least a "Very Good" rating on EcoHomes and/or BREEAM assessments.
- h) The applicant shall provide evidence that materials reclamation/recycling targets, negotiated using the Demolition Protocol (where relevant), have been implemented.
- i) If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the applicant shall either:
 - a. propose acceptable measures to remedy the omission; or, if this is not feasible,
 - b. propose acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures, to be used by the Council to secure sustainability measures on other sites in the Borough.

All contributions due on Material Start and index-linked from the date of committee.

It is to be noted that although the gross sum is £83,000, the sum of £77,000 has already been received therefore the actual net payment would be £6,000.

EXISTING

The subject site is on the corner of Kingsbury Road and Edgware Road. Construction is currently underway for a 77-bed nursing home, granted planning permission on 17/10/2007. The site has a number of protected trees. The site is not within a Conservation Area, nor is the existing building listed.

To the southwest of the site is a mix of terraced and semi detached single family houses and flats of the late, along Kingsbury Road.

To the northwest of the site is Crummock Gardens, a residential street on Laing's Springfield Estate comprised predominantly of semi-detached dwellinghouses, and immediately adjacent to the northern boundary is a children's playground. The houses around the site are of varying styles dating from the mid twentieth century, built using traditional details and materials. Immediately to the north of the site is a public footpath providing access from The Hyde to Crummock Gardens, and beyond this an area of public open space.

To the east of the site on the Barnet side of Edgware Road is Hyde House, a 12 storey 1960's-1970's office block, to the south of which is the Homebase carpark.

The site is generally flat, although Kingsbury Road rises to the west.

PROPOSAL

The description below is slightly misleading and derives from the fact that a material alteration to a scheme that has not been completed must be considered as a new full application. Therefore the correct description of the proposal is:

Demolition of the existing public house and erection of a 3, 4, 5 and 6 storey building for use as a 83-bedroom nursing home, formation of new vehicular access, with provision of 11 car-parking spaces, including 2 disabled bays and associated landscaping to site (revised version of the scheme previously granted permission under application no. 07/2128)

but in reality the proposal is:

Fourth floor extension to 77-bed nursing home to provide 6 extra bedrooms, alterations to fenestration.

HISTORY

Details pursuant applications have been submitted to satisfy the conditions imposed on the 2007 planning permission.

09/1071 Conditions 11, 13, 29 **Case officer considering**

09/0551 Conditions 8, 9, 12, 14, 18, 26, 31 **Granted** 02/06/09

Approved documents:

L525 - AL(0)009C

L525 - AL(9)910RevC;

L525 - AL(9)921

T4522-114

T4522-118

Archaeological Desk Based Study (Dated Feb 2009) and Sample Details

07/2128 Demolition of the existing public house and erection of a 3-, 4-, 5- and 6-storey building for use as a 77-bedroom nursing home, formation of new vehicular access, with provision of 12 car-parking spaces, including 2 disabled bays, refuse and recycling store, and hard and soft landscaping to site and subject to a Deed of Agreement dated 17/10/2007 under Section 106 of the Town and Country Planning Act 1990 (as amended) **Granted** 17/10/09

POLICY CONSIDERATIONS

Unitary Development Plan Adopted in 2004

Built Environment

BE2 TOWNSCAPE: LOCAL CONTEXT & CHARACTER

Proposals should be designed with regard to their local context, making a positive contribution to the character of the area.

BE6 PUBLIC REALM: LANDSCAPE DESIGN

A high standard of landscape design is required as an integral element of development schemes and mature trees and shrubs should be retained.

BE7 PUBLIC REALM: STREETScape

A high quality of design and materials will be required for the street environment.

BE9 ARCHITECTURAL QUALITY

New development should embody a creative and appropriate design solution. Extensions and alterations to existing buildings should be designed to produce a complementary and harmonious addition.

BE33 TREE PRESERVATION ORDERS

Removal of permitted trees only when (a) high level of tree coverage in vicinity; (b) the trees do not screen or separate; (c) replacement trees are provided; (d) the protected trees are not of high landscape value

H12 RESIDENTIAL QUALITY – LAYOUT CONSIDERATIONS

The layout and urban design of residential development should comply with policies in the Built Environment chapter.

H13 RESIDENTIAL DENSITY

The primary consideration in determining the appropriate density if new residential development will be achieving an appropriate urban design which makes efficient use of land. Surrounding densities

- should be at least matched unless this would harm residential amenity.
- H16 FRONTAGE DEVELOPMENT
Replacement housing must make an equal or greater contribution to the character and quality of the streetscene. The spacing around the development should be compatible with the surrounding area.
- H22 PROTECTION OF RESIDENTIAL AMENITY
Development which results in the intensification of use likely to have an adverse environmental and traffic impact will not be permitted.
- H23 SUPPORTED HOUSING/DAY CENTRES - PRINCIPLE OF DEVELOPMENT
Applications for use of this type should meet a known need within the Borough. They are acceptable in residential areas where appropriate.
- H26 ACCESSIBLE HOUSING
Site layout, accesses and circulation around new dwellings should facilitate their use by disabled and elderly people.
- TRN22 PARKING STANDARDS FOR NON RESIDENTIAL DEVELOPMENT
Development should not provide more parking than the levels as listed in standard PS15.
- TRN34 SERVICING IN NEW DEVELOPMENT
The provision of servicing facilities is required in all development.
- TRN35 TRANSPORT ACCESS FOR DISABLED PEOPLE & OTHERS WITH MOBILITY DIFFICULTIES
Access to parking areas within development should facilitate access for disabled people, and designated car parking spaces should be set aside for the exclusive use of holders of disabled persons parking permits.

Supplementary Planning Guidance

Supplementary Planning Guidance 3: "Forming an Access onto a Road" sets out guidance for traffic safety, visibility and visual factors when considering a new development.

Supplementary Planning Guidance 17: "Design Guide for New Development" sets out the Council's minimum design standards to ensure that development does not prejudice amenities of the future occupants of neighbouring properties or the occupiers of the application site.

SUSTAINABILITY ASSESSMENT

Sustainability Checklist

The original sustainability checklist has been resubmitted. The previous case officer reported the sustainability checklist thus: *"The applicant scored the checklist at positive 38% (Fairly Positive), however your officers scored the scheme at positive 4.5% (Fairly Detrimental). Little to no evidence of the identified measures was provided, and as such officers were often required to attribute the most detrimental scores."*

In spite of this, officers considered the potential for improvement and the applicants agreed to the following clauses within the S106 agreement:

- d) *Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum score of 50% is achieved.*
- e) *A detailed 'Sustainability Implementation Strategy' shall be submitted for Council approval, at Reserved Matters stage or 4 months prior to site commencement. This shall demonstrate how the development will achieve an BREEAM 'Very Good' rating, and how the indicated Brent Checklist measures (Energy, Water, Materials, De/Construction & Pollution) will be implemented within the scheme.*
- f) *The applicant shall include/retain appropriate design measures in the development for those energy and water conservation, sustainable drainage, sustainable/recycled materials, pollution control, and demolition/construction commitments made within Brent's Sustainability Checklist and other submitted documentation (or agreed by further negotiation), and adopt adequate procurement mechanisms to deliver these commitments.*
- g) *On completion, independent evidence (through a BRE Post-Construction Review) shall be submitted on the scheme as built, to verify the implementation of these sustainability measures on site, and the achievement of at least a "Very Good" rating on EcoHomes and/or BREEAM assessments.*
- h) *The applicant shall provide evidence that materials reclamation/recycling targets, negotiated using the Demolition Protocol (where relevant), have been implemented.*
- i) *If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the applicant shall either:*
 - a. *propose acceptable measures to remedy the omission; or, if this is not feasible,*

- b. *propose acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures, to be used by the Council to secure sustainability measures on other sites in the Borough.*

The Heads of Terms for the s106 legal agreement for this proposed scheme include the same control. In addition the applicant has been able to provide a preliminary report on the pre-assessment BREEAM score for the building under construction. This shows the development reaching a rating of 'Very Good'. As this is a pre-assessment this report does not constitute confirmation of such a rating, merely that it could be achieved.

CONSULTATION

Letters to residents, local councillors, internal and external consultees, including London Borough of Barnet, were sent on 04/08/2009. A site notice was posted on 12/08/2009, a press notice on 03/09/2009.

Local

3 letters of objection was received from local residents, one of which was forwarded by Cllr Crane, the main points of objection relating to:

- Loss of light
- Loss of value of property due to loss of light
- Noise nuisance arising from proposed use
- Transport nuisance arising from proposed use
- Inappropriate development for a residential area
- Out of character, excessive height

Landscape Design

Regarding T1 Poplar situated on the eastern boundary of the site your officers are in complete agreement with the comments and facts as laid out by ACS Consulting at section 3.04 of their tree report. However, attention is drawn to the final paragraph in which they accept the tree has a significant visual amenity by virtue of its height and the lack of other trees of similar stature. It is for this reason that this mature Poplar is retained within the development site. In order to bring the tree within safer parameters, your officers allowed a crown reduction of approximately 35%. This had the effect of reducing loading within the crown area. We shall continue to monitor this tree within its new surroundings and have already made provision for a replacement with the inclusion of a young Quercus ilex (Holm Oak) to be planted below the Poplar during landscaping of this site.

Transportation

The proposal complies with the Council's parking and servicing standards, and cycle storage standards. No objection raised, subject to S106 contribution and condition regarding redundant crossover.

Social Services

Social Services have indicated there is the demand for nursing care, nursing dementia and residential dementia, therefore the proposal is supported on these grounds.

REMARKS

Summary

This application is a revision of the 2007 approval to provide an additional 6 bedrooms through the provision of an additional, third storey to the top of the northern wing as approved under 07/2128 and alterations to simplify the fenestration. A small number of other alterations are also proposed, which had previously been considered minor amendments by your officers (letter dated 10/06/2008).

No changes are proposed that would:

- (a) impact on trees and their protection;
- (b) parking levels remain acceptable;
- (c) the impact on the amenity of occupants of the nearest affected property, No. 1 Crummock Gardens, is well within normal guidance and is considered acceptable; and
- (d) the visual impact of the changes is not considered harmful.

These are the matters Members considered particularly important in the last case. In addition Social

Services have confirmed there is demand in the local area for the services provided by this extension.

As a consequence your officers recommend approval, subject to a s106 legal agreement.

Introduction

Although it is under construction at the moment, because the building has not been completed a full application is required to consider the relatively minor addition of 6 bedrooms and an additional floor.

The principle of a nursing home in this location has been established with the previous application and development has commenced, therefore many of the planning considerations covered in the previous committee report can no longer be considered, such as archaeological impact. This report will therefore focus on the changes between the approved and proposed schemes.

Your officers consider the following main planning issues to be:

- (a) whether the proposed extension to create additional third-floor space on the northern wing would have an unacceptable impact on the amenities of neighbouring residents;
- (b) whether the proposed extension would have an unacceptable impact on the visual amenities of the locality; and
- (c) whether the proposed alterations to the fenestration would have an unacceptable impact on the quality of the design.

Design

The main alteration that this scheme proposes is to the number and style of windows on the Kingsbury Road and Edgware Road elevations and the addition of 6 bedrooms to the third floor of the northern wing. The proposed scheme replaces the approved glazed curtain wall on the Kingsbury Road elevation and to the left of the stair tower on the Edgware Road elevation with irregularly spaced windows with an irregular pattern of vertical and horizontal cedar cladding. This brings the scheme into line with the elevation as previously approved to the right of the stair tower.

The alteration is driven by a combination of difficulties in arranging the furniture layout of the rooms with the curtain wall and the desire for a simplified design. Your officers have no concerns with the proposed change to the elevational treatment; the proposed elevation would result in a good quality building in a prominent location.

In terms of scale and massing there is no great difference with the addition of an additional floor (15.7m in length) to the northern wing, and such an addition does not merit refusal on grounds of visual appearance.

Residential Amenity

The proposed development provides a total of 83 en-suite bedrooms with day spaces, assisted bathrooms and showers, a roof terrace, hairdresser and laundry facilities. The internal arrangements have been developed to comply with the National Care Standards which came into force in 2002. The Planning Department does not have a specific guidance for care homes, and as such the general arrangements in terms of the residential amenities of occupants have been considered with relation to this Central Government Legislation.

As before, all of the proposed bedrooms have a minimum internal floor area of 12m², and internal day space provision is provided at a minimum of 4.1m² per resident - which is compliant with the above-mentioned National Care Standards. The addition of 6 bedrooms would not harm future residents' amenity.

Amenity Space

Your officers consider that, whilst the amenity space is relatively small, the addition of a further 6 bedrooms will not affect the amenity provision for residents of the site.

Landscaping

The applicant has submitted an arboricultural survey by ACS Consulting which was previously submitted to support the application to clear condition 26 (09/0551). It recommends the removal of a large poplar tree on the north boundary of the site. This tree is subject to a TPO and is identified as T1. Removal is recommended due to the pruning treatment and its age making the tree, in the opinion of ACS consulting, not sustainable. This document was considered by the landscape team at the time of 09/0551 and again for this application.

The tree officer is in agreement with the comments and facts as laid out by ACS Consulting at section 3.04 of their tree report. However the tree has a significant visual amenity by virtue of its height and the lack of other trees of similar stature. It is for this reason that officers require the retention of this mature Poplar within the development site. In order to bring the tree within safer parameters, a crown reduction of approximately 35% was permitted as part of the tree works. This had the effect of reducing loading within the crown area. The tree officer shall continue to monitor this tree within its new surroundings and have already made provision for a replacement with the inclusion of a young Quercus ilex (Holm Oak) to be planted below the Poplar during landscaping of this site.

Transportation

No changes are proposed to the parking, access and servicing allowances which were considered acceptable for the previous planning permission. The addition of 6 bedrooms does not raise the parking standard to the level that an extra space or spaces would be required.

Impact on Neighbouring Residential Amenity

No. 1 Crummock Gardens, a semi-detached property with part two storey, part single storey side and rear extensions dating back to 1986, sits to the northwest of the subject site and is the only property in the vicinity of the proposed extension. There is a gap of approximately 1 - 1.5 metres between the flank wall of this property, and the splayed boundary with the subject site. The proposed extension sits comfortably within the 45 degree guide with relation to adjoining amenity space. 1 Crummock Gardens has one habitable-room window at first-floor level - being a secondary bedroom window, the primary of which faces onto the street. When measured from a height of 4 metres (relating to the first-floor nature of the window) the 30-degree guide is met. This property has no ground-floor flank-wall habitable-room windows overlooking the site.

The proposed additional storey would not, therefore, have an unacceptable impact on neighbouring residential amenity and this is not considered a reason for refusal.

Response to Objections

Responses to the objectors comments are provided in the context of an extant scheme for a 77-bed care home which is under construction.

- *Loss of light*
As addressed above, the scheme is considered to comply with the guidance within SPG17 with relation to safeguarding the amenities of neighbouring properties. The additional 6 bedrooms are compliant with the 45- and 30-degree rules and maintains an acceptable set off from neighbouring properties.
- *Loss of value of property due to loss of light*
This is not a material consideration.
- *Noise nuisance arising from proposed use*
It is the opinion of your officers that an additional 6 bedrooms is unlikely to generate such noise levels as to constitute a nuisance for nearby residents.
- *Transport nuisance arising from proposed use*
The proposed car-parking levels are considered appropriate for the nature of the use, and comply fully with the Council's UDP policies in this respect. The Planning Enforcement Group do not have a record of complaints regarding the unauthorised parking of vehicles within the surrounding streets, however this may be an issue which could be investigated as a separate issue. An additional 6-bedrooms is unlikely to have a material impact.
- *Inappropriate development for a residential area*
The addition of 6 bedrooms to a 77-bed care home is not considered an inappropriate form of development for the area.
- *Out of character, including height*
The additional floor is to the northern wing, which fronts the Edgware Road. This is a major transport corridor and as such a development of 4-storeys is not considered inappropriate.

Planning Conditions

Details pursuant applications have been submitted to satisfy the conditions imposed on the 2007 planning permission. As some of these have been determined, it is prudent that these conditions not be imposed on

the new planning permission but that the approved documents be included in this application. To this end it is proposed that conditions:

- 8 (materials, supported by letter L525/3.1.1/AJ/KW/17 – written confirmation of materials)
- 9 (ground-floor noise transmission, supported by drawings T4522-114 and T4522-118)
- 11 (details of walls, fencing & gateway, supported by L525 SK01)
- 12 (landscaping, supported by drawing L525 - AL(9)910RevC)
- 14 (cycle parking, drawing L525 - AL(9)921)
- 18 (archaeological work, Compass Archaeology's *Desk Based Assessment*)
- 26 (tree protection, L525 - AL(9)910RevC)
- 31 (southwest flank elevation details, L525 - AL(0)009C)

should not be duplicated as the approved details will be on file and can be enforced against accordingly. Some will require amendment to ensure the implementation of the details occurs at the correct time and that their benefits remain enforceable.

Conditions 11 (details of walls, fencing & gateway), 13 (hard landscaping material) & 29 (noise installation) are still being considered. Condition 11, which is shown on drawing L525 SK01, is supported, however, and it is recommended this condition be removed also. Conditions 13 and 29 cannot be removed as they are not yet resolved.

Condition 22 related to asbestos management during the demolition phase and is now redundant as demolition is wholly complete. It is only this and condition 18 that can be wholly deleted.

All other conditions imposed by the 2007 permission remain valid and are therefore sought for this application.

Conclusion

The proposed alterations to the development will still provide a contemporary, attractive landmark building on this prominent corner location, providing modern, high-standard and much-needed supported accommodation for Brent residents. The proposal meets the Council's parking and servicing standards and the applicants have agreed to a section 106 agreement providing a range of benefits. Your officers accordingly recommended this application is approved.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent's Unitary Development Plan 2004
Council's Supplementary Planning Guidance 3
Council's Supplementary Planning Guidance 17

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

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs
Community Facilities: in terms of meeting the demand for community services
Design and Regeneration: in terms of guiding new development and Extensions

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 by any work remaining incomplete.

- (3) Details of a management scheme relating to the care of residents, general operation of the premises and upkeep of the property shall be submitted to and approved in writing by the Local Planning Authority before the use commences, and the scheme shall be implemented for the duration of the use of the building as a nursing home in accordance with this permission.

Reason: To ensure a satisfactory management of the premises so as not to prejudice the enjoyment of the occupiers of neighbouring properties; and to ensure the facility is managed effectively.

- (4) The premises shall only be used only as a residential/nursing care home for persons with dementia, the physically frail, those requiring continuing care and the younger physically disabled, and for no other purpose without the further consent in writing of the Local Planning Authority.

Reason: To prevent a number of uses becoming established on the site and to ensure that the standards applied to the consideration of the approved development are maintained in connection with the completed development so approved.

- (5) Two parking bays of a minimum width of 3 metres shall be provided for the exclusive use of disabled people prior to the occupation of the buildings/commencement of the use hereby approved.

Reason: To ensure satisfactory access for disabled people.

- (6) In order to ensure that the premises are accessible to people with disabilities or people with buggies, the entrance doors shall have a minimum width of 900mm and a maximum threshold level of 25mm.

Reason: To ensure that the premises are accessible to all those people who can be expected to use it, in accordance with policy H26 of the adopted Unitary Development Plan.

- (7) Access and other facilities as indicated on the approved plans shall be provided prior to the occupation of the premises/commencement of the use and shall be maintained thereafter.

Reason: To enable satisfactory facilities and access for disabled people.

- (8) Materials for all external work, i.e., render, fenestration, roofing materials and means of enclosure, including samples and/or colours, shall be:

White render

Ibstock Staffs Slate Blue brick

Ibstock Cheddar Red brick

Sarnafil PVC lead grey roofing

Cedar boarding

Powder-coated aluminium windows and doors in dark slate-grey colour (RAL 7015)

unless otherwise agreed in writing by the Local Planning Authority.

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

- (9) The approved details for the insulation of the proposed ground floor bedrooms against the

transmission of noise from the adjacent carpark and amenity area shall be implemented in full and be completed to satisfaction of the Local Authority before any such units are occupied. The details shall remain unless otherwise agreed in writing with the Local Planning Authority. .

Reason: To safeguard the amenities of the occupiers.

- (10) Suitable and sufficient lighting, appropriately baffled where necessary to avoid glare, in accordance with details submitted to and approved in writing by the Local Planning Authority, shall be provided so as to ensure adequate safety and convenience on roads, footpaths and other pedestrian and vehicular routes within the site.

Reason: In the interests of safety, amenity and convenience.

- (11) All fencing, walls, gateways and means of enclosure as set out in drawing L525 AL(9)921 shall be completed prior to occupation and subsequently maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason: To ensure a proper standard of separation, and in the interest of the amenity of the area.

- (12) The landscape work set out in drawing L525 AL(9)910 Rev. C shall be fully completed during the first available planting season following completion of the development hereby approved ,and any trees or shrubs which, within 5 years of planting die, are removed or become seriously damaged or diseased, shall be replaced with others of the same species and size and in the same locations, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance, to provide a suitable setting for the development and that the proposed development enhances the visual amenity of the locality and to provide suitable tree planting.

- (13) Details of means for marking out and providing the car-parking spaces, the accessible pedestrian path and forecourt area, including samples of proposed paving materials, and any other approved hard landscaping materials, shall be submitted to and approved in writing by the Local Planning Authority. All parking spaces and footways shall be constructed and permanently marked out prior to first occupation of any of the units hereby approved. Such works shall be carried out in accordance with the approved plans and thereafter shall not be used for any other purpose except with the prior permission of the Local Planning Authority obtained through the submission of a planning application.

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

- (14) The details of the means of enclosure of the proposed cycle parking spaces as set out in drawing L525 AL(9)921 shall be carried out prior to occupation and must be maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason: To ensure satisfactory facilities for cyclists.

- (15) Details of adequate arrangements for the storage and disposal of:

- (a) refuse
- (b) food waste
- (c) paper and cardboard waste
- (d) including litter bins inside and outside the premises
- (e) means of enclosure for external bin stored including samples and drawings

shall be submitted to and approved, in writing, by the Local Planning Authority and shall be installed prior to the commencement of the use hereby approved.

Reason: To protect the amenities of the locality and in the interests of hygiene.

- (16) The applicant shall employ measures to mitigate against the impacts of dust and fine particles generated by the operation. This should include:
- (a) damping-down during demolition and construction, particularly in dry weather conditions;
 - (b) minimising the drop height of materials by using chutes to discharge material and damping-down the skips/spoil tips, as material is discharged;
 - (c) sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible;
 - (d) ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation;
 - (e) utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area;
 - (f) the use of demolition equipment that minimises the creation of dust.

Reason: To minimise dust arising from the operation.

- (17) Notwithstanding the plans hereby approved, the existing crossover to the site rendered redundant shall be reinstated to footway at the developer's expense prior to the occupation of the development hereby approved.

Reason: To ensure that the development does not prejudice conditions of safety for pedestrians on the adjoining highway, and in the interest of amenity.

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

(a) 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;

(b) The hours of demolition and construction limited to 0800 - 1830 Mondays - Fridays, 0800-1300 Saturdays and at no other times on Sundays or Bank Holidays.

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

- (19) Before the use hereby approved commences, a scheme providing for the insulation and ventilation of the kitchen and laundry rooms shall be submitted to and approved in writing, by the Local Planning Authority. Such a scheme shall include the provision of soundproofing between floors and be installed prior to the occupation/use of the premises.

Reason: To safeguard the amenities of the adjoining occupiers.

- (20) The demolition/ building works hereby approved shall not commence until vehicle wheel-washing facilities have been provided on site, in accordance with details of such facilities to be submitted to and approved, in writing by the Local Planning Authority. Such facilities shall be used by all vehicles leaving the site and no work shall take place at any time the said facilities are not present or are otherwise incapable of use.

Reason: To ensure that the construction of the proposed development does not prejudice the conditions of safety and cleanliness along the neighbouring highway.

- (21) The applicant shall ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. All asbestos-containing materials must be removed from the site prior to the commencement of the demolition works proposed.

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

- (22) No more than 77 residents shall be permanently accommodated within the premises at any given time.

Reason: To protect the amenities of adjoining occupiers which may be jeopardised by an

increase in the number of residents at the premises, due to potential noise, disturbance and a change in the character of the street; and to safeguard the amenities of occupants.

- (23) Suitable and sufficient apparatus for the neutralisation of all effluvia from the processes of cooking, etc., shall be installed prior to commencement of the use and maintained thereafter (details to be submitted to and approved in writing by the Local Planning Authority before works commence on site) and the discharge outlets shall terminate 1m above eaves level.

Reason: To safeguard the amenities of the occupants.

- (24) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any future enactment of that Order, no windows or glazed doors (other than any shown on the approved plan) shall be constructed in the flank walls of the building.

Reason: In the interests of the privacy of adjoining occupiers.

- (25) The details of the means by which existing trees on the site are to be protected from damage by vehicles, stored or stacked building materials, and building plant or other equipment, as set out in drawing L525 AL(9)910A, shall be implemented before any demolition/construction work commences on site, and such protection shall be installed and retained, as approved, throughout the period of the work, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that trees which are to be retained as part of the development are not damaged by construction works in the interests of the local environment and the visual amenity of the area.

- (26) No access shall be provided to the roof of the extension by way of window, door or stairway, and the roof of the extension hereby approved shall not be used as a balcony or sitting-out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

- (27) Notwithstanding the plans hereby approved, further details of a screening arrangement which can obscure outlook, whilst allowing for the availability of daylight and sunlight to ground-floor bedrooms 11 - 20, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the premises, and the development shall be carried out in accordance with those details.

Reason: In the interest of safeguarding the amenities of future occupants.

- (28) Adequate noise insulation shall be provided to walls and floors between units in separate occupation in accordance with the Local Planning Authority's preferred design standards, or to such other alternative specifications as may be submitted to and approved by the Local Planning Authority, and the insulation shall be installed prior to occupation of the units hereby approved.

Reason: In the interests of the amenities of residents.

- (29) Notwithstanding the plans hereby approved, the lamp-post and bench sited within the proposed crossover shall be relocated to an appropriate location at the developer's expense prior to the occupation of the development hereby approved.

Reason: To ensure that the development does not prejudice conditions of safety for pedestrians on the adjoining highway, and in the interest of amenity.

INFORMATIVES:

- (1) The applicant is advised to contact Three Valleys Water Company regarding water supply, by writing to Three Valleys Water Company, PO Box 48, Bishops Rise, Hatfield, Herts, AL10 9AL; telephone (01707) 268111.

- (2) To ensure the surface water drainage from the site will not be detrimental to the existing sewerage system, the applicant is advised that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on- or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- (3) Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Further to this it is recommended, in line with best practice for the disposal of fats, oils and grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, "Best Management Practices for Catering Establishments" which can be requested by telephoning 020 8507 4321.
- (4) The applicant is advised to contact the Director of Transportation regarding the crossover and re-siting of the lamp-post associated with the development hereby approved, on 020 8937 5128.

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: Red Pepper, Edgware Road, Kingsbury, London, NW9 6LL

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

**Committee Report
Planning Committee on 13 October, 2009**

**Item No. 1/07
Case No. 09/1615**

RECEIVED: 16 July, 2009

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 10 Grenfell Gardens, Harrow, HA3 0QZ

PROPOSAL: Demolition of side chimney next to No. 12 Grenfell Gardens, conversion of garage into a habitable room, erection of single and two storey side to rear extension, rear dormer window, two flank and one rear roof light to dwellinghouse together with an outbuilding in the rear garden of the dwellinghouse (as per revised plans received on 02.10.2009)

APPLICANT: Mr B Nayee

CONTACT: MMDBD Consultancy

PLAN NO'S: PL/01 Rev D; PL/02 Rev D; PL/03 Rev D; PL/04 Rev D; PL/05 Rev D; PL/06 Rev C; and PL/BP Rev D

RECOMMENDATION

Approval

EXISTING

The application site comprises a semi detached dwellinghouse located on Grenfell Gardens.

The property is located within the Mount Stewart Conservation Area and is controlled by an Article 4(1) Direction.

PROPOSAL

Demolition of side chimney next to No. 12 Grenfell Gardens, conversion of garage into a habitable room, erection of single and two storey side to rear extension, rear dormer window, two flank and one rear roof light to dwellinghouse together with an outbuilding in the rear garden of the dwellinghouse (as per revised plans received on 01.10.2009)

HISTORY

No relevant planning history

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.

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

Mount Stewart Conservation Area Design Guide

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation Period: 28/07/2009 - 18/08/2009

Further consultation period: 29/07/2009 - 19/08/2009

Site Notice: 04/08/2009 - 25/08/2009

Public Consultation

11 neighbours consulted - 2 letters of objection received on the following grounds:

- loss of privacy to neighbouring gardens
- close proximity to boundaries with adjoining property
- loss of light and outlook from bay window of the other pair of the semi
- drainage problems and subsidence from the outbuilding
- loss of garage leading to additional pressures for off street parking
- loss of characteristic features of the property - porch, garage doors, chimney
- removal of garage would create additional parking pressures
- need to retain the character of the area - roof tiles, wooden windows, front gardens, garages and garage doors

These issues have been addressed within the remarks section.

Internal Consultation

Transportation Unit - no objections raised.

External Consultation

Preston Amenities Protection Association (PAPA) - objections raised on the following grounds:

- loss of attractive garage and open porch
- loss of chimney
- overall amount of development appears to be an overdevelopment of the site
- overlooking from rear dormer to properties to rear
- loss of light and outlook to other pair of semi
- shed structure out of character

REMARKS

Site and Surroundings

The application site comprises a semi detached dwellinghouse located on Grenfell Gardens. It has an attached single storey gabled garage and a side extension with a lean to roof behind.

The other pair of the semi, No. 8 Grenfell Gardens, has a two storey side to rear extension (LPA Ref: P3989 3282, granted on 03/04/1967). The other adjoining property, No. 12 Grenfell Gardens, also has a single and two storey side extension (LPA Ref: C4573 693, granted on 14/05/1971).

Proposal

This application proposes to demolish the side chimney next to No. 12 Grenfell Gardens, and convert the garage into a habitable room, erect a single and two storey side to rear extension, rear dormer window, two flank and one rear roof light to the dwellinghouse together with an outbuilding in the rear garden of the dwellinghouse.

Conversion of garage into a habitable room

The open front porch is to be retained in its current form and the garage doors are to be maintained. These features are considered to be attractive and contribute towards the character of the house and the streetscene.

Side extension and demolition of the chimney facing No. 12 Grenfell Gardens

The footprint of the existing ground floor side extension behind the garage will be maintained. The first floor side extension is proposed with a set back of 1.5m from the main front wall of the house. The sill of the bathroom window will line up with the ridge of the garage roof.

The Mount Stewart Design Guide states the need to retain gaps between dwellings and to reduce visual impact. Wherever possible a gap of 2.0m should be maintained between properties at ground and first floor levels, normally by 1.0m set in from the property boundary on each side.

The ground floor element of the neighbouring property, No. 12 Grenfell Garden, is built up to the boundary across the length of the site. The first floor is built up to the boundary at the front of the house but due to the splayed angle of the site this distance increases to the rear to approx. 2.0m. The garage of the application site already provides a 1.09m gap to the side boundary. This gap decreases to 0.79m where the existing side extensions projects to the side but it is set back 4.0m from the main front wall of the house. An overall gap of 1.6m is achieved at the front of the proposed side extension to the first floor side extension at No. 12 Grenfell Gardens. This gap increases towards the rear of the site to over 2.0m. Given that the side extension will be set back from the front of the house and its roof will be at a lower level, it is considered that a sufficient gap will be maintained across the length of the site.

The first floor side extension will contain a bathroom at the front and a bedroom behind. The bathroom will have a window on the front elevation. This window is proposed to be obscured glazed. The bedroom windows are located on the flank wall. They are proposed to be obscured glazed due to their proximity with No. 12 Grenfell Gardens. Roof lights are proposed to provide light to the room. Whilst the bedroom does not meet the levels of outlook set out in SPG17, the space is required for an expanding family. The need for the additional bedroom has been identified by the applicants who are aware of the limited outlook provided from this bedroom. Given that this meets the needs of an existing family rather than a proposed occupant for a new development, your officers consider that this concern would not warrant a reason for refusal.

The proposed window to the front elevation of the side extension is a casement window matching the design, proportions and materials of the main windows to the front elevation of the dwellinghouse. Although the existing windows to the main house are in uPVC they are considered to reasonably replicate the original windows as they have even sight lines and a dentil drip rail in timber is provided between the upper and lower casements. The leaded light patterning is externally expressed. The agent has confirmed that the windows to the front elevation of the side extension will match the detailing of the existing windows. Your officers recommend that such details are secured through a planning condition.

The proposed first floor side extension results in the need for the existing chimney stack facing No. 12 Grenfell Gardens to be removed. As this chimney stack is located towards the rear of the house and is only visible in certain locations along the streetscene, officers consider that it does not significantly contribute to the streetscene and that its removal can be supported. The existing chimney between the pair of semis will be retained.

Part single part two storey rear extension

At ground floor a single storey rear extension is proposed at 3.0m deep measured from the main rear wall of the house along the boundary with No. 8 Grenfell Gardens. The depth of the rear extension increases to 3.5m with a bay window feature 0.7m from the boundary with No. 8 Grenfell Gardens. The extension is proposed across the width of the main dwellinghouse and the side extension. No. 8 Grenfell Gardens is not extended next to the boundary with the application property. It has retained its bay windows at both ground and first floors. No. 8 Grenfell Gardens is approx. 0.2m higher than the application site.

The single storey rear extension is proposed with a shallow pitched roof. It measures 3.1m at the mid point from the ground level of the application property. Whilst this is 0.1m higher than the guidance as outlined in SPG5, when measured from No. 8 Grenfell Gardens this will be slightly lower at approx. 2.9m to 3.0m. The existing timber fence between the two properties will also be retained to minimise its impact.

The location of the bay feature is considered to have no more of an impact than the existing bay window in terms of overlooking into neighbouring properties. The existing timber fence between the application property and No. 8 Grenfell Gardens will be retained together with the existing landscaping along this boundary. This will further minimise its impact.

The first floor rear extension is proposed behind the side extension and is proposed at 3.5m deep from the main rear wall of the house. It is proposed at 5.08m wide. It is located 0.5m away from the existing first floor bay window. This is considered sufficient to prevent it from overdominating this feature and the existing house. The additional sloping roof to the side also reduces its bulk and scale.

In terms of the impact upon neighbouring occupants, the flank wall of the first floor rear extension is located 5.68m from the middle of the bay window at No. 8 Grenfell Gardens. Measured from the inside of the bay window, the extension projects out by 2.84m. This complies with 1:2 guidance and maintains sufficient light and outlook for the occupants of No. 8 Grenfell Gardens. The other neighbouring property splays away from the extension. Based on the plans submitted as part of planning application ref: the nearest window at ground floor is to the kitchen but this is a secondary window. At first floor the nearest window is to the bathroom. The first floor rear extension is therefore not considered to adversely impact upon the amenities of No. 12 Grenfell Gardens.

Loss of the garage and the need for additional off street parking

The proposal has resulted in the loss of the garage parking space and the need for off street parking. The existing front forecourt has approx. 50% soft landscaping which is proposed to be retained together with existing boundary treatment. The front forecourt can accommodate two off street parking spaces which meets the Council's parking standards for a four bedroom house. A condition is recommended to secure the retention of the front garden layout and boundary treatment in its current form.

Rear dormer and roof lights

The rear dormer is proposed at 2.2m wide. It is half the width of the original roof slope. Its front face is predominantly glazed with three casements matching the window design of the windows below. It is set down from the eaves by 0.4m and set up from the eaves by 0.9m.

Two roof lights are proposed on the flank roof slope facing No. 12 Grenfell Gardens and one roof light is proposed on the rear roof slope. These roof lights are modest in size and the agent has confirmed that they will be the conservation area style ones installed flush with the roof slope.

The rear dormer and roof lights comply with SPG5 and are considered acceptable.

Outbuilding in rear garden

The proposed outbuilding has been designed to comply with the requirements of SPG20 in that it: has:

- a width of 4.2m. The overall garden width is approx. 11.4m, thus the outbuilding takes up 36.8% of the width of the garden. SPG20 stipulates that it should be no wider than 50% of the width of the garden.
- a length of 4.2m. The length of the garden from the rear extension is 19.6m. SPG20 stipulates that it should be no longer than 20% of the overall length of the garden. The outbuilding is 21.4% of the length of the garden measured from the rear extension. The additional 1.4% is not considered significant enough to warrant refusal. Furthermore had the length of the outbuilding been measured from the main dwellinghouse it would only constitute 18.2% of the length of the garden.
- a footprint of 14.8 square metres. SPG20 stipulates that it should not have a footprint of over 15 square metres.
- a height of 2.0m to eaves and maximum height of 2.5m to the ridge. This complies with SPG20.
- a set in from neighbouring boundaries by 1m
- to be clad with timber.

The garden already has mature landscaping including a fruit tree. The agent had confirmed that the fruit tree will not be affected by the proposal. Your officers however recommend that a condition is attached to secure details of existing landscaping in the garden, additional landscaping to screen the outbuilding and a tree protection method in respect to the tree in the rear garden.

Response to objections raised

- *loss of privacy to neighbouring gardens*

It is considered that overlooking to neighbouring properties will be no worse than what currently exists from first floor windows. A distance of approx. 19.5m will be maintained to the rear boundary with Trevelyan Crescent which exceeds the guidance as outlined in SPG17.

- *close proximity to boundaries with adjoining property*

The first floor side extension is sited within the ownership of the application property. As referred to in the remarks section officers consider that a sufficient gap will be maintained between the two properties to ensure that the character of the conservation area is not adversely impacted upon.

- *loss of light and outlook from bay window of the other pair of the semi*

The ground floor rear extension along the boundary with No. 8 Grenfell Gardens complies with guidance when measured from No. 8 Grenfell Gardens. The first floor rear extension can be reduced in depth to comply with 1:2 guidance to maintain adequate light and outlook.

- *drainage problems and subsidence from the outbuilding*

This is not a planning issue and therefore can not be considered as part of this application.

- *loss of garage leading to additional pressures for off street parking*

The existing front fore court can accommodate two vehicles. This is the maximum parking allowance for a 4+ bedroom dwellinghouse.

- *loss of characteristic features of the property - porch, garage doors, chimney*

The front facade including the garage, the garage doors and open front porch will either be retained or replicated on a like for like basis. This will ensure that the character of the property will be retained. As referred to in the remarks section the chimney is located to the rear of the property and is only visible from parts of the streetscene. Its removal is not considered to adversely impact upon the character and appearance of the property or the streetscene.

- *overall amount of development appears to be an overdevelopment of the site*

The extension has been adequately set back and is of an appropriate depth and width to ensure that it does not adversely impact upon neighbouring occupants and remains subservient to the main dwellinghouse.

- *overlooking from rear dormer to properties to rear*

The rear dormer is not considered to be any greater than the existing overlooking from the first floor bedrooms. There is a distance of over 20m to the boundary with the properties to the rear which exceeds the minimum guidance as outlined in SPG17.

- *shed structure out of character*

The shed complies with the guidance as outlined in SPG20, It is to be cladded in timber and existing and proposed landscaping will assist to blend it in the garden setting.

Conclusion

The proposed development is considered to be in keeping with the character of the dwellinghouse and is considered to preserve and enhance the character and appearance of the Mount Stewart Conservation Area. It is considered to comply with policies **BE2**, **BE9**, **BE25** and **BE26** of Brent's UDP 2004 and the guidance as outlined in the Mount Stewart Conservation Area Design Guide.

Approval is accordingly recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004
Central Government Guidance
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home
Mount Stewart 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) Notwithstanding the plans hereby submitted and otherwise approved, further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with these details so approved. Such details shall include:

- (a) further details of materials to be used externally (including samples)
(b) further details of the design of the proposed timber side hung garage doors

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

- (3) The windows in the flank wall of the building as extended shall be glazed with obscure glass and the windows shall open at high level only (not less than 1.8m above floor level) and top hung and shall be so maintained unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness.

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

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

- (5) Notwithstanding the submitted plans otherwise approved, further details of the windows to the front elevation of the side extension shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. Such details shall include:

- (a) Elevation of proposed windows at a scale of 1:10
(b) Cross section at a scale of 1:5 through the transom showing the relationship of opening and fixed lights and dentil drip rail, with full sized details of externally mounted glazing bars

Reason: To ensure a satisfactory development which does not prejudice the amenity of the Mount Stewart Conservation Area.

(6) Notwithstanding any details of the rear garden landscaping in the submitted application, a scheme of landscape works in the rear garden (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 construction works on the site. Any trees or shrubs planted in accordance with the approved landscaping scheme which, within five years of planting, are removed, die, or become seriously damaged or diseased, shall be replaced by trees and shrubs of a similar species and size as those originally planted, unless the Local Planning Authority agrees otherwise. Such a scheme shall include:-

(a) a site plan showing existing trees and shrubs in the rear garden indicating which ones are to be retained and removed

(b) screen planting to the front and sides of the proposed outbuilding

(c) tree protection method statement for the existing fruit tree next to the proposed outbuilding.

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

(7) The existing front garden shall be retained in its current form, particularly the front boundary wall and proportion of soft landscaping, and there shall be no increase in the amount of hard surfacing without the prior approval in writing of the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality and the Mount Stewart Conservation Area.

(8) The proposed rooflights shall be of the non-projecting Conservation Area type and installed flush with the plane of the roof.

Reason: To ensure that the proposed development does not prejudice the design and architectural importance of the existing building and is in keeping with and enhances the character of properties in the Conservation Area.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's UDP 2004

Mount Stewart Conservation Area Design Guide

Supplementary Planning Guidance No. 5 "Altering and Extending Your Home"

5 letters of objection

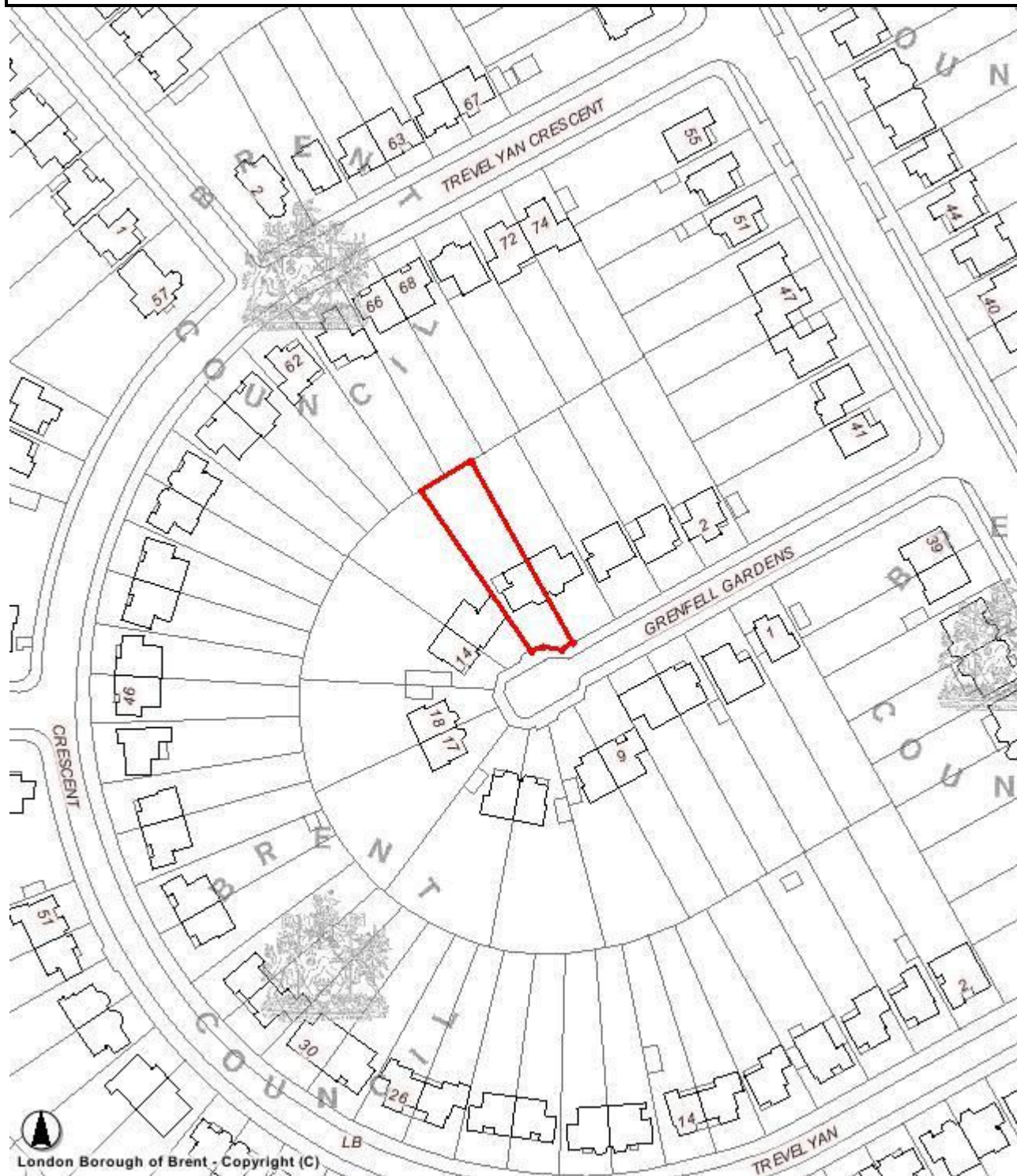
Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



Planning Committee Map

Site address: 10 Grenfell Gardens, Harrow, HA3 0QZ

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

Committee Report
Planning Committee on 13 October, 2009

Item No. 1/08
Case No. 09/1705

RECEIVED: 16 July, 2009

WARD: Fryent

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 27 Waltham Avenue, London, NW9 9SH

PROPOSAL: Erection of single and two storey side extension and single storey rear extension and installation of two front and two side roof lights and a rear dormer window to dwellinghouse

APPLICANT: Mr Kamal Sharma

CONTACT: Perry & Bell Ltd

PLAN NO'S: 0805 SK01
0805 SK02
0805 SK03
0805 SK12 Rev. E;
0805 SK13 Rev. E;

RECOMMENDATION

Approval

EXISTING

The subject site is a semi detached dwellinghouse located on Waltham Avenue. The surrounding area is residential. The subject site is not situated within a conservation area nor is it a listed building. The property is largely unaltered from its original state, with replacement windows and a hardsurfaced front garden only. The existing brick plinth and full height brick quoin detail lends character to the property, and is a characteristic shared with its pair and other properties in the area.

The unattached neighbouring property at no. 29 Waltham Avenue is located at a lower level (approximately 400mm) than the application property and its rear elevation is located 2.4m forward (towards Waltham Avenue) of the rear elevation of the application property.

PROPOSAL

Planning permission is sought for a 2-storey side, single storey rear extension, 1 rear dormer window and rooflight, 2 side and 2 front rooflights to dwellinghouse as well as landscaping and parking.

HISTORY

09/0574 - Refused

Erection of two-storey side extension with side dormer window and single-storey rear extension, rear dormer window and conversion of hipped roof to gable end over front bay of dwellinghouse

Refused on the following grounds:

- 1 The proposed two-storey side extension, by virtue of its depth and width and resulting relationship with the habitable-room windows of No. 29 Waltham Avenue, would be harmful to the amenities of the neighbouring occupiers, contrary to policy BE9 of the adopted London Borough of Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 5: "Altering & Extending Your Home".
- 2 The proposed single-storey rear extension, by virtue of its height, depth and relationship with the boundary of No. 29 Waltham Avenue, would have an overbearing impact on the amenities of the neighbouring occupiers, contrary to policy

BE9 of the adopted Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 5 : "Altering & Extending Your Home".

- 3 In the absence of a landscape plan making provision for 2 parking spaces and preventing access by vehicles driving over the pavement, the proposal fails to maintain pedestrian and highway safety, contrary to policy TRN23 and standard PS14 of the adopted Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 3: "Forming an Access onto a Road".
- 4 The proposed alterations to the facade of the property, including the loss of the tile-hanging to the bay window, the loss of the brick quoin detail at first floor, the replacement of the pitched roof of the porch and the inappropriate fenestration design, would result in the loss of features of the original property, to the detriment of the character of the dwelling and the street scene, contrary to policies BE2, BE7 and BE9 of the adopted Brent Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".

08/2004 – Refused

Erection of two-storey side extension with side dormer window and single-storey rear extension, rear dormer window and conversion of hipped roof to gable end over front bay of dwellinghouse

Refused on the following grounds:

- 1 The proposed two-storey side extension fails to provide the required set-back to the front of the property at first-floor level and thus would be overbearing and adversely impact on the appearance of the original house and the street scene. As such, the development would be detrimental to the visual amenity of the area and is contrary to policies BE2 and BE9 of the adopted Brent Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".
- 2 The proposed changes would significantly alter the existing elevation and roof profile which would be detrimental to the character and appearance of the original dwellinghouse and the streetscene, contrary to policies BE2, BE7 and BE9 of Brent's Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".
- 3 The proposed side dormer window, together with the two-storey side extension, would significantly increase the bulk and scale of the original roof plane and would be detrimental to the character of the original dwellinghouse and the streetscene in general, contrary to policies BE2 and BE9 of Brent's Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".
- 4 The proposed hip-to-gable roof extension to the frontage and the proposed fenestration design would result in the loss of features of the original property, to the detriment of the character of the dwelling and the street scene, contrary to policies BE2, BE7 and BE9 of Brent's Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".
- 5 The proposed development, due to its excessive depth, would be detrimental to the amenities of adjoining residents by reason of loss of light, obtrusive appearance, overshadowing and loss of outlook, and would be contrary to policy BE9 of Brent's adopted Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".

02/1710 – Granted

Erection of two-storey side and single-storey rear extension to dwellinghouse

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**
- **PS14 Residential parking standards**

NOTE: Since 27th 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

Consultations were undertaken by letter with 9 neighbouring occupiers on 28 July 2009, two objections were received from the occupiers of no.s 29 Waltham Road and 100 Valley Drive.

These suggested that development would result in the following issues:

- *Increased noise;*
- *Loss of light, privacy and outlook;*
- *Insufficient landscaping;*
- *Excessive size of extensions;*
- *Increased impact due to change in levels and building lines;*
- *Issues with plan dimensions (as relates to previous applications);*
- *Change in character and appearance;*
- *Excessive size of dwelling;*
- *Building layout*
- *Concerns over airvents onto neighbouring properties*

Objectors also noted issues such as Party Wall matters, damage, boundary issues inspections and surface water which cannot be considered as material planning issues

REMARKS

The subject property is a semi detached dwellinghouse located on Waltham Avenue. It is fundamentally unaltered from its original form and detailing, although the front garden has been lost to hard surfacing.

The proposals involve a two storey side extension, single storey rear extension, rear dormer, rear and side rooflights, fenestration and detailing and the landscaping of the front garden area.

Introduction

The main planning issues are considered to be (a) whether the proposed alterations and extensions would have an unacceptable impact on the amenities of neighbouring occupants; and (b) whether the proposed alterations and extensions would have an unacceptable visual impact on the character of the property and of the area.

Two storey side extension

The proposed two storey side extension is set back 250mm from the main front wall of the dwellinghouse at ground floor level. It would have a width of 2.4m and would be built up to the common boundary with No. 29 Waltham Avenue. The two storey side extension has a set-down ridge and roof form, and a first floor set-back of 2.45m behind the main front bay feature of this type of property. This setback assists the extension to appear ancillary to the main roof.

Due to its location on the boundary, and the width of the property, the proposal cannot accommodate a traditional overhanging eave and instead a "box gutter" feature has been proposed. However, further details are sought to ensure this feature relates well to the existing roof.

With regard to the relationship between the first floor side extension and the neighbouring property at no. 29 calculations are undertaken using SPG 5's 2:1 rule. This requires extensions to have a depth of no more than half the distance between them and the centre of the nearest habitable room window on the neighbouring property.

The proposed first floor side extension would project some 1.5m behind the main rear elevation of the neighbouring property at no. 29. The distance from the centre of the nearest habitable room window at no. 29 to this property is calculated as 3m resulting in a development which is compliant with the provisions of SPG 5.

Single storey rear extension

The rear extension is 3.0m deep, in compliance with the depth allowed under SPG5, and 3m high also in compliance with this guidance, it is noted that the rear part of the extension (behind the original rear elevation) has been set in from the common boundary with no. 29 by 1m. Given this set in, the rear extension would not be considered to result in harm to the amenity of No. 29 in respect of outlook, overbearing impact and impact on their amenity space.

Rear dormer window and rooflights

The rear dormer window is wider than that normally allowed under SPG5, a document used consistently throughout the borough. This states the rear dormer should be no more than half the width of the original roof, which in this case would be $((6.5m + 2.3)/2)/2 = 2.2m$. The proposed dormer is 2.7m wide. Due to recent changes to permitted development, the Council is adopting a less stringent approach to the size of rear dormer windows. By virtue of its relatively modest size, its position within the roof plane and its design, it is considered acceptable.

The rooflights are considered acceptable.

Alterations and loss of character

The proposed changes to the fenestration at the front would produce window formats which approximate those found on the main dwelling in terms of their height and proportions. The proposed side hung timber doors would be in character with the historic character of the building. It is noted that this is too narrow for the storage of a vehicle and has been utilised for access to the boiler room but would provide an attractive and coherent facade.

Transportation

A landscaping plan for the front garden has been provided, including provision for parking for two vehicles access for pedestrians and a means of enclosure to the front boundary. The drawing complies with policy BE, and provides a significant improvement in soft surfacing over that existing. A boundary hedge has been proposed to prevent excessive parking and unsafe access and egress over the pavement.

Should Members approve the application, it is recommended that a dwarf brick wall be erected on the road frontage in order to ensure that parking does not occur within the landscaped areas.

Comparison with previous scheme

It is considered that the significantly revised proposal has addressed the reasons contained within the previous applications. As such the development proposed can be supported.

Use:

It is important to note that the development would result in a significantly sized dwelling which is at the upper limits of what would be permitted on this site. The officer is concerned about the potential for uses other than as a dwelling house and should Members approve the application, it is suggested that an informative be attached to the consent informing of the authorised use of the site and that other uses or subdivision would require planning permission.

Conclusion

Given the above discussion, the application can be supported and can be approved subject to conditions.

However, further amendments to the extension roof and gutter/eaves level are being sought.

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) 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.

- (3) The landscape works shown within approved plans shall be completed in accordance with the approved details in the first planting season following first occupation of the extensions hereby approved.

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

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

- (4) Notwithstanding details hereby approved, the landscaping scheme implemented for the site shall include a dwarf brick frontage wall along the front boundary of the property (except where this would obstruct the vehicle crossover). This wall to match in height and materials

that currently existing between the site property and no. 25 Waltham Avenue.

Reason: In order to ensure a high quality development and to ensure that no detriment to visual amenity occurs through excessive frontage parking.

INFORMATIVES:

(1) The applicant is advised that this consent is based on the use of the property as a

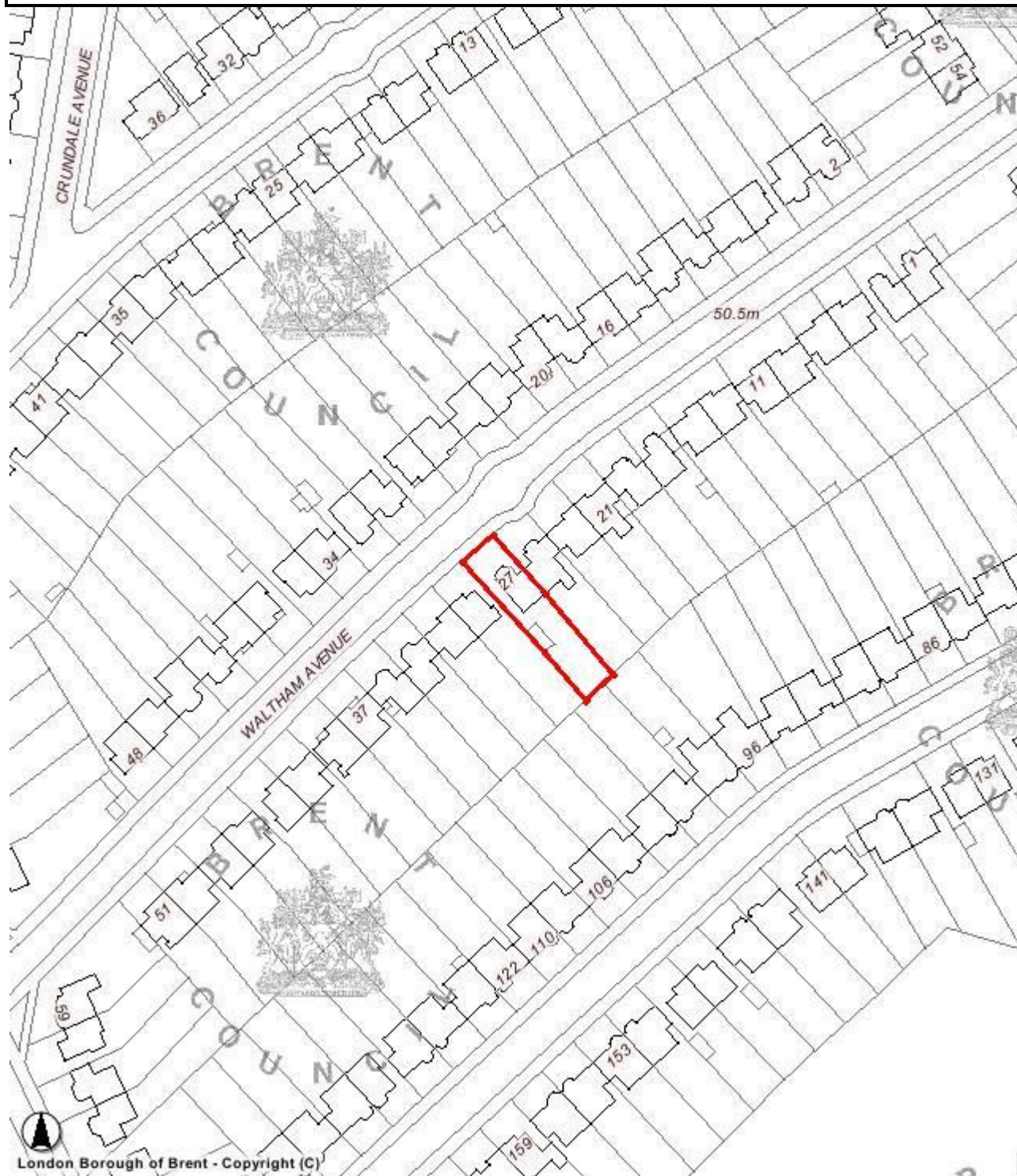
Any person wishing to inspect the above papers should contact Ian Hyde, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5241



Planning Committee Map

Site address: 27 Waltham Avenue, London, NW9 9SH

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

This page is intentionally left blank

Committee Report
Planning Committee on 13 October, 2009

Item No. 2/01
Case No. 09/2092

RECEIVED: 21 August, 2009

WARD: Harlesden

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Shrine Of Our Lady Of Willesden, Nicoll Road, London, NW10 9AX

PROPOSAL: Details pursuant to condition 7 (boundary treatment) of full planning permission reference 03/3432, dated 25 August 2005, for demolition of the existing hall and erection of a single-storey rear extension to provide a new hall with kitchen and toilet facilities

APPLICANT: Westminster RC Diocese Trustee

CONTACT: Michael Trogal

PLAN NO'S: 219/SK7

RECOMMENDATION

Approval

EXISTING

The site is a Grade II Listed Church within Harlesden Conservation Area, NW10. It is on the corner of Nicoll Road and Acton Lane.

PROPOSAL

Details pursuant to condition 7 (boundary treatment) of full planning permission reference 03/3432, dated 25 August 2005, for demolition of the existing hall and erection of a single-storey rear extension to provide a new hall with kitchen and toilet facilities

HISTORY

03/3432 Granted

Demolition of the existing hall and erection of a single-storey rear extension to provide a new hall with kitchen and toilet facilities (as accompanied by photographs, revised by plans received on 10 February 2005 and incorporating a Supporting Statement and Noise Impact Assessment)

POLICY CONSIDERATIONS

BE2 Townscape: Local Context & Character

BE9 Architectural Quality

BE25 Development in Conservation Areas

BE26 Alterations & Extensions to Buildings in Conservation Areas

Planning Policy Guidance 15: Planning and the Historic Environment

CONSULTATION

External

Members may be aware that the Council does not normally undertake public consultation on

details pursuant applications given the types of specific issues that they tend to cover. However, as the application had arisen, in part, as a result of comments from neighbouring addresses, they were consulted on 3rd September 2009.

6 letters of objections have been received and raise the following issues:

- Reduction in the height of the boundary wall which does not comply with the original drawings.
- The height of the boundary is insufficient to compliment security measures implemented by New Crescent Yard. These followed years of break-ins/theft/anti-social behaviour thousands of pounds has been spent to improve security which is now being made redundant.
- Loss of trees or other natural features, tree should be replanted.

REMARKS

The original application dated 25th August 2005 involved the demolition of the existing hall and erection of a single-storey rear extension to provide a new hall with kitchen and toilet facilities (as accompanied by photographs, revised by plans received on 10 February 2005 and incorporating a Supporting Statement and Noise Impact Assessment).

This application, 03/3432, was approved on the basis that conditions would be complied with but unfortunately it seems that the development went ahead without the required information being submitted and approved by the Local Planning Authority. Neighbouring occupiers have drawn the development to the attention of the Planning Service and this current application is in response to officers informing the applicant of their need to meet their obligations.

Condition 7 reads as:

Details of the boundary treatment shall be submitted to and approved in writing to the Local Planning Authority prior to commencement of works on site and the approved details shall be fully implemented.

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

The wall has been rebuilt already and therefore the application is for its retention.

The bricks used complement the church itself quite well, the tiles and coping treatment to the top of the wall also result in a good quality appearance. In terms of the design and appearance of the wall, and its relationship with the listed building, the wall is considered acceptable.

Where it reaches the highway the wall measures 1.15m in height on plans. The ground level slopes up away from the highway but the top of the wall is horizontal and instead of sloping, steps to gain height. Before the first step the wall is a minimum of 0.85m reaching 1.4m after the step. The height is lower than the previous wall which has led to a number of objections from residents of New Crescent Yard in terms of concerns about security.

Whilst it is somewhat unfortunate that the applicant has chosen to construct a lower wall than indicated on the approved plans given the neighbours concerns about security, this is not a planning consideration that can be taken into account for the discharge of this condition. The requirement for the submission of details was based on achieving a satisfactory appearance in the context of the Listed Building. As described above the appearance is considered to be acceptable and there is no justification on appearance grounds to insist on increasing the height, which is effectively what the objectors are seeking. The originally approved drawings indicated the removal of the almond tree fronting the road, as well as the creation of a planting bed along the boundary with New Crescent Yard. It should be possible for this bed to include defensible planting that would deter people from approaching the wall.

New Crescent Yard residents concerns about security are recognised and they may, of course, wish to consider additional measures to address this issue but as indicated above it is considered

that in planning and listed building terms the details of the wall successfully discharge the condition.

The submitted details, and the wall as built, are considered to comply with Policies contained in Brent's UDP 2004 and approval is recommended.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

CONDITIONS/REASONS:

INFORMATIVES:

- (1) The applicant should be advise that details of the gate required for condition 5 remain outstanding.

REFERENCE DOCUMENTS:

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: Shrine Of Our Lady Of Willesden, Nicoll Road, London, NW10 9AX

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



This map is indicative only.

**Committee Report
Planning Committee on 13 October, 2009**

**Item No. 2/02
Case No. 09/1853**

RECEIVED: 24 August, 2009

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 1-65 & Amenity Rooms & Laundry, Avonhurst House, Coverdale Road, London, NW2

PROPOSAL: Installation of replacement double-glazed, powder-coated-aluminium-framed windows to the building

APPLICANT: Brent Housing Partnership

CONTACT: Baily Garner LLP

PLAN NO'S: P 01
P 09

RECOMMENDATION

Approval

EXISTING

The subject site, located on the north-eastern corner of the junction between Coverdale Road and Willesden Lane, is occupied by an L-shaped three-storey residential block of flats known as Avonhurst House and a six-storey residential block of flats known as Peascroft House. The application relates to Avonhurst House.

PROPOSAL

The proposals seek planning permission for the installation of replacement double-glazed, powder-coated-aluminium-framed windows to parts of the building.

HISTORY

Planning permission (03/3610) was granted in February 2004 for the refurbishment of Avonhurst House, comprising of internal alterations to the ground and first floors, replacement of doors and windows to ground and first floors and to communal areas on the second floor, and the creation of an enclosed rear garden. .

There is also a concurrent planning application (09/1854) for the replacement of windows to Peascroft House which also appears on this agenda.

POLICY CONSIDERATIONS

London Borough of Brent Unitary Development Plan 2004

BE2 Townscape:Local Context & Character
BE9 Architectural Quality

Supplementary Planning Guidance 17:- Design Guide for New Development

SUSTAINABILITY ASSESSMENT

The application does not reach the threshold that would require the submission of a sustainability assessment.

CONSULTATION

Consultation letters, dated 3rd September 2009, were sent to 96 neighbouring owner/occupiers. At the request of Cllr Shaw letters, dated 25th September 2009 were also sent to Ward Councillors. In response two letters of objection have been received, one from a local resident and one from Cllr Shaw. Objectors are concerned that the proposed replacement windows to Avonhurst House (and those to Peascroft House, the subject of a separate application which appears elsewhere on this Agenda) will not match the existing windows to Avonhurst House that were replaced a few years ago.

REMARKS

The proposal seeks planning permission for the replacement of some of the existing windows to Avonhurst House. The remaining windows which do not form part of this application have already been recently replaced.

The existing windows to be replaced are constructed from metal and have a vertical sliding opening pattern. The replacement windows will be grey powder coated aluminium casement units similar in appearance, in terms of colour, material, and fenestration, to those that have already been replaced within the building. As such, it is considered that the proposed replacement windows would unify the appearance of the building and would serve to enhance the overall appearance of the Avonhurst House.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 - Design Guide For New Development

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

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

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 appearance of the replacement windows shall match, in terms of material, colour, and design detail; that of the windows of the existing building.

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

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan 2004
Supplementary Planning Guidance 17:- Design Guide For New Development
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: 1-65 & Amenity Rooms & Laundry, Avonhurst House, Coverdale Road, London, NW2

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

Committee Report

Planning Committee on 13 October, 2009

Item No.

Case No.

2/03

09/1854

RECEIVED: 24 August, 2009

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 1-30 Inc, Peascroft House, Willesden Lane, Kilburn, London, NW6

PROPOSAL: Installation of replacement grey-powder-coated-aluminium-framed, double-glazed windows to the building (revised description 30/09/2009).

APPLICANT: Brent Housing Partnership

CONTACT: Baily Garner LLP

PLAN NO'S: 2340 P02
23430 P08 Revision A
2340 01

RECOMMENDATION

Approval

EXISTING

A 6-storey post-war block of flats located on the northern side of Willesden Lane, close to the junction of Coverdale Road, NW6. The site does not contain a listed building and is not located within a conservation area.

PROPOSAL

Installation of replacement powder-coated-aluminium-framed, double-glazed windows to the building

HISTORY

No relevant planning history.

POLICY CONSIDERATIONS

Unitary Development Plan 2004

BE2: Townscape: Local Context & Character: Proposals should be designed with regard to their local context, making a positive contribution to the area and should respect or improve the quality of existing urban spaces, materials, townscape or historical features which contribute favourably to the character of an area.

BE9: Architectural Quality: New buildings, extensions, and alterations to existing buildings should embody a creative and appropriate design solution which respects the positive local design and landscape characteristics of adjoining development, and satisfactorily relate them, have attractive front elevations which have a direct relationship with the street at ground level with well-proportioned windows, employing materials of high quality and durability, that are of compatible and complementary colour and texture, to the surrounding area.

SUSTAINABILITY ASSESSMENT

Not applicable.

CONSULTATION

Public consultation was undertaken between 03/09/2009 - 24/09/2009. In response to comments from Councillor Shaw Ward members were also formally consulted about the application 96 neighbouring properties were consulted; 5 objections, 4 of which were from neighbouring residents and 1 from a Councillor Shaw were received which outlined the following concerns and points:

- The new windows should match the windows that were installed in Avonhurst House a few years ago, which are double-glazed powder-coated aluminium in a grey colour. The new windows should match the finish, material, pattern and profile of the units. Avonhurst & Peascroft House form an ensemble and are a single development, therefore the windows should match.
- The windows should match the mullions, transoms and opening windows of Avonhurst House.
- The new windows should be double-glazed
- The replacement windows should not be white powder coated, as this would ruin the aesthetic consistency of the group of buildings.
- Lack of detailed profiles of the proposed windows indicating dimensions of the frames.

Response to objectors comments

All of the above issues are addressed as part of the assessment of the application as detailed within the remarks section. A report into the replacement window scene at Avonhurst House appears elsewhere on this agenda.

REMARKS

Proposal

Peascroft and Avonhurst House are located in close proximity, to each other and the original windows in both developments were sliding metal frame. Peascroft is a 6-storey block of flats whilst Avonhurst forms a 3-storey block.

There are other blocks of flats in close proximity (Garfield Court to the south) with original metal windows. There are applications to replace the windows in Garfield and Avonhurst House as well as Peascroft House which are being assessed concurrently. To date, it appears the only original windows that have been replaced within the three developments are on the ground and first floors of Avonhurst House, where approval was given for replacement double-glazed grey powder coated windows which were a mixture of side and top-hung (planning reference 04/0905).

These replacement windows are considered of an acceptable quality of design and appearance. In order to ensure a uniformity of design of windows across the three blocks of flats, revised plans were requested for the colour of the windows in all three applications to match the grey colour of the windows recently approved and implemented in Avonhurst House. It was also requested that profiles of the window frames to be provided as these were omitted from the original submission. Confirmation was received from the agent by email that the shade of grey would match those used in Avonhurst House (RAL 7001) on 30/09/2009.

It was not considered necessary for the proposed windows to carry an exact match of the pattern and profile of the windows approved in Avonhurst House as it was felt the aesthetic consistency between the buildings would be retained providing a matching colour, material and approximate frame thickness was applied.

The revised plans and details indicate that the proposed windows shall be double glazed aluminium with powder coating to match the grey colour used in the ground and first floor windows of Avonhurst House.

The loss of the sliding opening mechanism is considered acceptable as all of the windows in

Peascroft, Avonhurst and Garfield House are to be replaced with side or top hung windows. In any case, it is not considered that the original sliding windows in themselves are of a high standard of design and objectors have mentioned the difficulties with ongoing cleaning and maintenance with the current sliding windows.

It is considered that the replacement windows as revised would respect the character of the block of flats and would closely match the design and proportions of the proposed replacement windows within the adjacent Avonhurst & Garfield House. The proposal is therefore considered to be compliant with policies BE2 and BE9 of the adopted Unitary Development Plan 2004, and is recommended for approval accordingly.

REASONS FOR CONDITIONS

Not applicable.

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.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

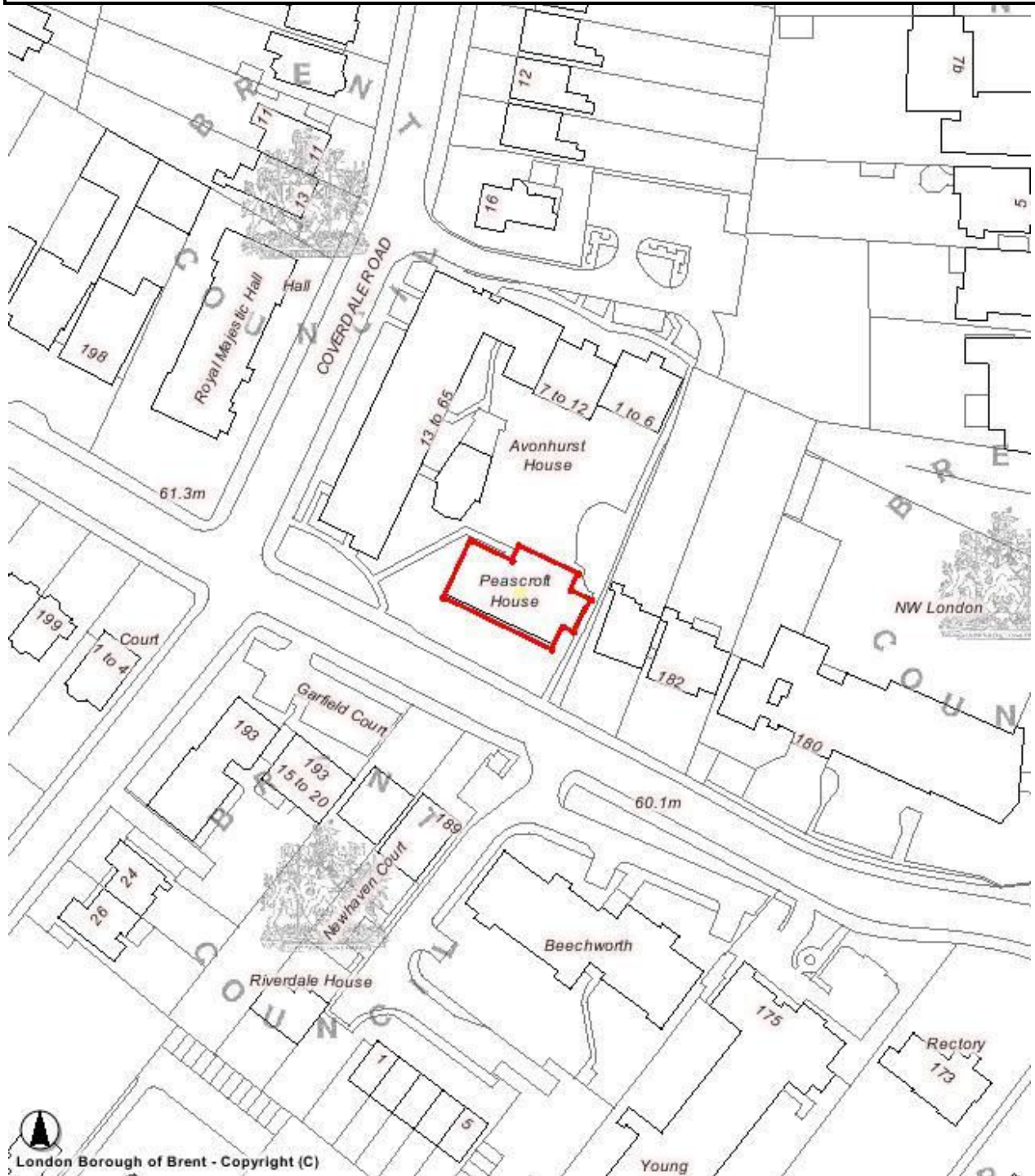
Any person wishing to inspect the above papers should contact Roland Sheldon, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5232



Planning Committee Map

Site address: 1-30 Inc, Peascroft House, Willesden Lane, Kilburn, London, NW6

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

Committee Report
Planning Committee on 13 October, 2009

Item No. **2/04**
Case No. **09/1744**

RECEIVED: 3 September, 2009

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Church Of The Transfiguration, Chamberlayne Road, London, NW10
3NT

PROPOSAL: Erection of a front porch to the church

APPLICANT: Church Of The Transfiguration

CONTACT: Anthony Delarue Associates

PLAN NO'S: 139/1.6A
 139/1.7A
 139/1.15B
 139/2.5
 2606108

RECOMMENDATION

Approve

EXISTING

The application site is situated on the north eastern side of Chamberlayne Road at the junction of Chamberlayne Road and Wrentham Avenue. The site is occupied by a Gothic Styled Church.

PROPOSAL

Erection of a front porch to the church.

HISTORY

Full planning permission (Ref No: 08/2020) for the conversion of 2 flats in church main building into community centre on ground floor and hall on second floor, removal of porch to main entrance and new entrance to rear elevation of church adjacent to car park and replacement of boundary fence and railings fronting Wrentham Avenue, NW10 was granted planning permission in September 2008.

POLICY CONSIDERATIONS

Brent UDP 2004

BE2 - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character and the opportunity for improvement or variety in an area of poor uniform character. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

BE5 - Development should be understandable, free from physical hazards and to reduce opportunities for crime, with a clear relationship between existing and proposed urban features

outside and within the site. Public, semi-private and private spaces are clearly defined in terms of use and control, informal surveillance of public and semi-private spaces through the positioning of fenestration, entrances etc., front elevations should address the street with, where possible, habitable rooms and entrances, with private areas to the rear and significant areas of blank wall and parking should be avoided on back edge of pavement locations, entrances should be overlooked by development with good lighting and visible from the street, rear gardens should not adjoin public space, parking spaces are provided within view and if not made safe in other ways and are not normally accessible via rear gardens of residential properties and accessways are through or adjoining a site are overlooked by development, provided with good lighting, set away from cover, provide clear sightlines and not run next to rear gardens.

BE7 - High quality of design and materials required for the street environment. In existing residential areas, the excessive infilling of space between buildings and between buildings and the road, the loss of paving, front walls, railings or hedges of character to the street which should be restored or reproduced where practical, the hardsurfacing of more than half of the front garden area and forecourt parking detracting from the streetscene or setting of the property or creates a road/pedestrian safety problem, will be resisted.

BE9 - New buildings should have an appropriate design solution specific to the site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design and landscape characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which have a direct relationship with the street at ground floor level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

SPG

SPG 17 – Design Guide for New Development

SUSTAINABILITY ASSESSMENT

Not Applicable

CONSULTATION

48 Neighbouring properties and ward Councillors were consulted on the 8th of September 2009. To date the Local Authority has not received any representations.

REMARKS

Context & Principle

In the past the church has undergone numerous changes, specific to this application was the erection of a porch to the east elevation some 30 years ago. This porch is currently in a state of despair. The Council granted planning permission (Ref 08/2020) for a number of alterations including the removal of the dilapidated porch and a modified level access.

The applicant now seeks to enhance the existing main entrance by way of erecting a porch for purposes that appear to be two fold.

1. Practically, the porch aims to provide a covered area for church attendees and a suitable disabled entrance.
2. Aesthetically, the porch seeks to improve the appearance of the church and clearly define the main entrance

Both of which are supported and no objection to the principle of development is raised

Design

Policy BE2 and BE9 require extensions to embody creative design solutions that are of an appropriate scale, mass and height in relation to its setting. These policies highlight the need to respect and improve the quality of historical features and further place emphasis on proposals protecting/preserving the character and appearance of an area. BE9 specifically places value on materials such works are to be undertaken with, stating that employed materials must be of a high quality and durable that are compatible and complementary in colour and texture

In light of the above the Council view the scale, form and composition of the proposal to be acceptable, however officers see the submitted information to be insufficient to ensure compatibility and quality of the proposed works for one of the Borough's more important Victorian Gothic revival churches

In order to ensure the preservation/protection of the churches character the Council will require further detailed drawings and information to ensure a coherent stylistic approach is executed. The additional information will be secured by detail and must include:

- Construction detail drawings (elevations and or sections) at a scale of 1:5 indicating
 - Eave details including junctions of roofing materials
 - Capital details with eaves
 - Plinth details
- A material palette board should be supplied in conjunction with the above details

Summary

The Council supports the principle of development, but require further detail so to ensure the host building is protected. The proposal is considered to comply with policies BE2, BE5, BE7 and BE9 of Brent's UDP 2004, as such approval is therefore recommended.

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) Details of materials for all external work, including:
- Construction detail drawings (elevations and or sections) at a scale of 1:5

indicating

- Eave details including junctions of roofing materials
- Capital details with eaves
- Plinth details
- A material palette board should be supplied in conjunction with the above detail

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

REFERENCE DOCUMENTS:

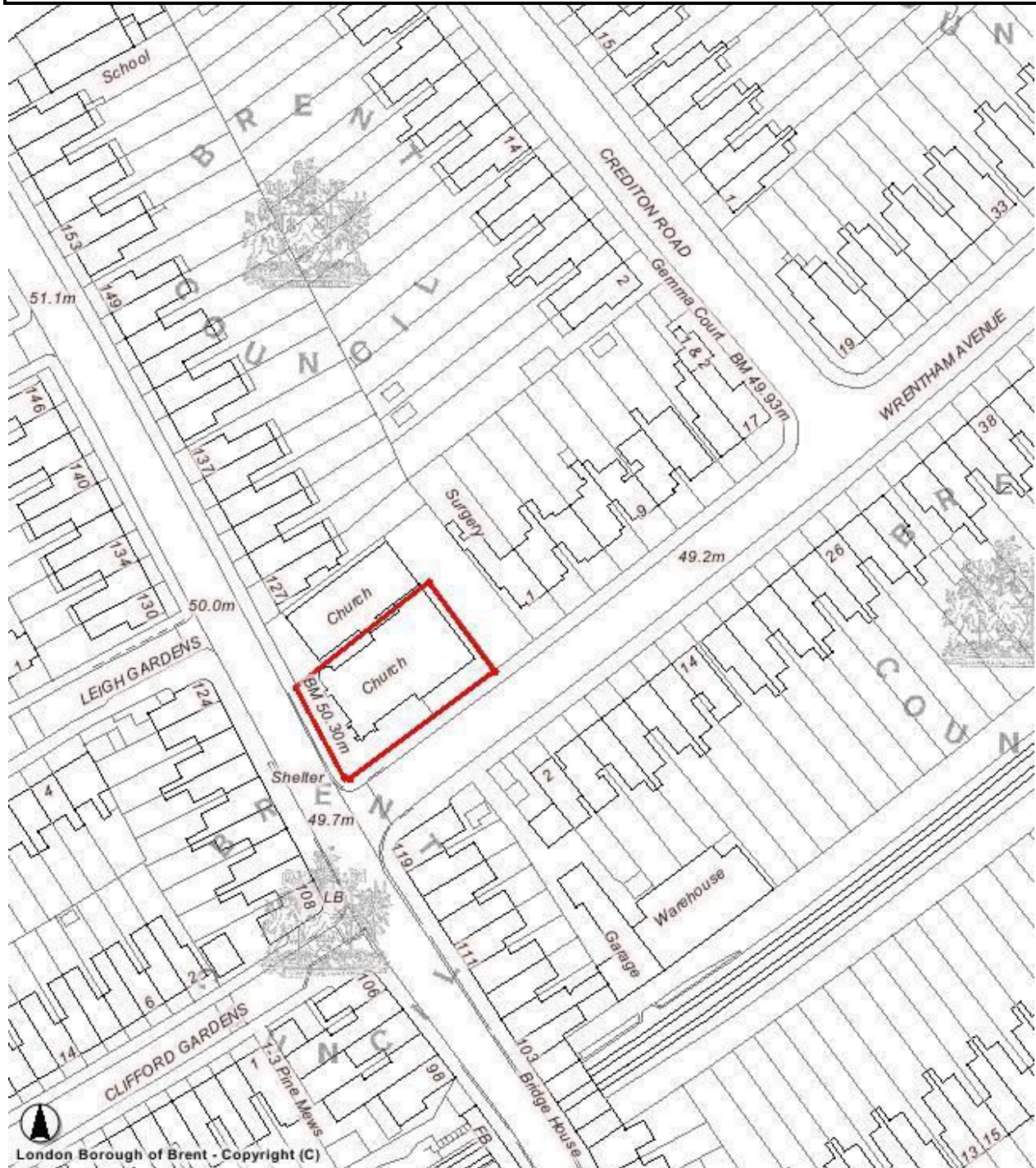
Any person wishing to inspect the above papers should contact Tanusha Naidoo, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5245



Planning Committee Map

Site address: Church Of The Transfiguration, Chamberlayne Road, London, NW10 3NT

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

This page is intentionally left blank

**Committee Report
Planning Committee on 13 October, 2009**

**Item No. 3/01
Case No. 09/1746**

RECEIVED: 3 August, 2009

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: UNIT Y, 272 Abbeydale Road, Wembley, HA0 1PU

PROPOSAL: Change of use of the vacant single storey annexe to 260 Abbeydale Road to an industrial bakery (Use Class B2) and the erection of a corridor and enclosed conveyor belt link between 260 and 272 Abbeydale Road.

APPLICANT: The Polish Bakery

CONTACT:

PLAN NO'S:

- 001 Revision 001 showing Proposed Ground Floor
- 001 Revision 001 showing Proposed Front Elevation
- 001 Revision 001 showing Existing Floor Plan
- Un-numbered A3 Size Plan showing Building Sections S-01, S-02 & S-03
- Un-numbered Ordnance Survey Map Showing the Site Location

RECOMMENDATION

Approval

EXISTING

The application site is composed of two industrial buildings located on the north side of Abbeydale Road. Part of one of the buildings (272 Abbeydale Road) is currently occupied by the Polish Bakery. Part of the other (260 Abbeydale Road) is vacant with the rest occupied by two vehicle repair garages, "Bestcare Enterprises " and "The Alexandra Motor Group". The two units are separated by a 3 metre wide passageway.

The application site is located within the Park Royal Strategic Employment Area as defined in the Unitary Development Plan 2004.

PROPOSAL

The application is for the change of use of the vacant single storey annexe to 260 Abbeydale Road to an industrial bakery, in order to allow the expansion of the neighboring Polish Bakery at 272 Abbeydale Road and for the erection of a corridor and enclosed conveyor belt link between 260 and 272 Abbeydale Road.

HISTORY

There is no planning history relevant to the proposal.

POLICY CONSIDERATIONS

Adopted Unitary Development Plan 2004

Built Environment

BE2	<i>Townscape: Local Context & Character</i>
BE7	<i>Public Realm: Streetscape</i>
BE9	<i>Architectural Quality</i>

Employment

EMP1	<i>Named Occupiers & Existing Employers</i>
EMP2	<i>Small and Medium Sized Enterprises</i>
EMP5	<i>Designation of Strategic Employment Area</i>
EMP6	<i>Employee Facilities in Strategic Employment Areas</i>
EMP8	<i>Protection of Strategic and Borough Employment Areas</i>
EMP10	<i>The Environmental Impact of Employment Development</i>
EMP11	<i>Regeneration of Employment Areas</i>

Transport

TRN3	<i>Environmental Impact of Traffic</i>
TRN4	<i>Measures to make Transport Impact Acceptable</i>
TRN10	<i>Walkable Environments</i>
TRN11	<i>The London Cycle Network</i>
TRN22	<i>Parking Standards - Non Residential Developments</i>
TRN34	<i>Servicing in New Development</i>
PS6	<i>Parking Standards for Use Class B1, B2, B8 & A2</i>
PS16	<i>Cycle Parking Standards</i>
PS19	<i>Servicing Standards for Use Class B1, B2, B8 & A2</i>

CONSULTATION

The following have been consulted on the proposal:

-Nos. 259 Water Road

-Nos. 260, 260A, 260C, Electric Sub-Station at the rear of 265, 267, Unit T, U, V, W, X, Y at 272, Unit A, B, C, D, E, F, G, H & I at 273 & 274-275, Abbeydale Road

In total 2 objections have been received from the neighbouring premises "Bestcare Enterprises Ltd" and "Alexandra Motor Group" at 260 Abbeydale Road raising objections to the proposal on the grounds of noise, dust, litter being left outside neighbouring premises and the irresponsible behaviour of the application premises in the manner they park their cars/vehicles on the road, causing obstruction and preventing free flow of traffic to the detriment of highway and pedestrian safety.

Transportation - raise no objections to the proposal based on revised plan received on 23/09/2009 showing articulated lorry bay, cycle storage area, location of waste/recycling bins and pedestrian and private footway to be resurfaced.

Environmental Health - has no objections to the proposal.

REMARKS

The application is proposing a change of use of an existing vacant single storey warehousing unit (Use Class B8) to an industrial bakery (Use Class B2) which would be used as an expansion of the Polish bakery at 272 Abbeydale Road.

The site is located within the Park Royal Strategic Employment Area as defined in Brent's Adopted Unitary Development Plan 2004 and therefore the Council's policy EMP8 relating to "*Protection of Strategic and Borough Employment Areas*" is applicable to the proposal. According to policy EMP8, in the Strategic and Borough Employment Areas, Industry (Use Class B2), Warehousing

(Use Class B8) and closely related uses not falling within a use class but which are commonly found on industrial estates (such as haulage yards, bus garages and MOT testing stations) will be permitted. The proposed change of use to industrial bakery (Use Class B2) is therefore considered to be an acceptable use within the Strategic Employment area and therefore would comply with the Council's policy EMP8. The proposed application site to be used as an expansion of the neighbouring Polish Bakery is also supported by the policy EMP 2 which seeks to encourage the expansion of small and medium enterprises provided it would not result in the loss of residential amenity or residential units. The application site is located in a wholly industrial area and therefore the proposal will not impact on residential amenity.

As the proposed unit would be used as an expansion of the neighbouring bakery, the application is also proposing to link the two units across the existing 3m wide service/emergency passageway via a corridor at ground level and a conveyor belt at a higher level (i.e. 3m above the ground level). The proposed corridor and conveyor belt link between the two units will therefore enable the bakery to carry out all its production operation within the existing two buildings.

The proposed corridor across the passageway at ground level would be constructed in bricks to match those of the existing building. The corridor (3m deep x 3m wide x 3m high) with a flat roof design with a set-back of 24.6m from Abbeydale Road frontage is not considered to have any adverse impact on the visual amenity of the locality/streetscene. The corridor will have double doors facing on to the existing passageway between the two units to allow access along the whole passage way in case of emergency.

The proposed conveyor belt (a galvanized steel box) to be position at a height of 3m across the passageway with a similar set-back from the Abbeydale Road frontage as the proposed corridor link and is not considered to have any significant impact on the visual amenity of the locality/streetscene. The conveyor belt being at a higher level is not considered to interfere with the emergency access along the passageway.

Transportation

Transportation had following comments in respect of the original proposal

The proposed development will increase the floorspace available to the premises from 960sq.m. to approximately 1500sq.m.. Parking standards are set out in PS6 of the Unitary Development Plan 2004, under which 1 car space can be permitted per 150sq.m. outside town centres. Under this provision the standard will rise from a total of 6 spaces to a total of 10 spaces therefore, a significant increase. The applicant stated on site that many of the employee live locally and walk, cycle or take public transport to get to the site. There is limited availability of parking in the locality, however on-street parking is tolerated throughout the estate and is well used.

Servicing requirement are also detailed in PS19. Units between 280sqm. and 2000sqm require a full-sized loading bay for a 16.5m articulated vehicle. This level of servicing provision is also applicable to each of the existing units and cannot currently be provided on-site. The depth of the off-street loading bay in the new facility is shown as 13.8m. However, the servicing standards for B2 units do not differ from those for B8 units and a change from B8 to B2 in itself is not likely to result in an increase in servicing demand in itself. Also, the site frontage is wide enough to allow servicing vehicles to park on-street in front of the unit, notwithstanding the issues relating to the parking of cars in this area.

Your officers consider that, given the nature and scale of the proposed change of use and extensions, the likely servicing requirement for the units does not change and the failure to introduce a full sized (16.5 m) off-street servicing bay accordingly does not warrant the refusal of planning consent as the proposal

The proposed link corridor is set well into the site and emergency access will not be affected. No other units rely on use of the passageway.

The proposed conveyor belt will be at a height of 3m and also is to be set well into the site and so will not obstruct pedestrian or vehicular movement along the service/emergency escape passageway.

Details of refuse and recycling storage have not been detailed and will be required in compliance with policy TRN34 of the adopted UDP 2004.

Cycle parking is not currently available at the site. Parking Standard PS16 recommends a provision of 1 space per 500sq.m. (3 spaces in this case therefore). Details will be sought through condition.

Research into the adoption status of the footway adjacent to the site frontage has shown that of the 5.5 m wide footway, only a 1m strip adjacent to the highway is adopted, the remainder is accordingly private.

As the premises will remain under 2,500sqm. floorspace, there will be no requirement for a Travel Plan.

Overall Transportation has no objections to the proposal provided the above requirements are met and therefore further revised plans/information was sought and this was received via e-mail on 04/09/2009 and 23/09/2009. The applicants also propose 2 Sheffield Style bicycle stands to hold 4 cycles on the western corner of the frontage of the Polish bakery, provision for storage of recycling and refuse bin at the side of application unit within 9m of the frontage of Abbeydale Road and pedestrian and private footway to be resurfaced in tarmac has now been reviewed by transportation and is generally considered to be acceptable. However, further details of the proposed provision would need to be submitted for consideration at a later date to ensure that the development is carried out satisfactorily and therefore to this effect conditions are attached.

Response to Objections

With regards to objections received from neighbouring occupiers in respect of irresponsible behaviours of the drivers of the bakery showing no respect for the other road users, it has now been confirmed by the applicant's agent that the bakery has recently implemented a new parking policy for its drivers and this will improve the drivers behaviour on the use of the road near the site and therefore would not give rise to any more complaints from occupiers of the neighbouring premises. With regards to objections relating to noise and dust from the flour of the proposed bakery, the applicant's agent has confirmed that the internal walls of the new bakery unit have now been cladded with PVC sheeting to conform to food and safety standards and this should also improve noise absorption and prevent dust from the building. Further more it has been confirmed that the machinery that would be used in the new bakery unit for slicing bread is "Hartman Bread Slicer" which is the state of the art technology and is known in the industry for its near silent operation and therefore there will be little to no noise disruption affecting the occupiers of the neighbouring premises. It should be noted that the premises are located within Strategic Employment Area where such industrial uses are permissible and with the above measures to improve the existing situation is considered to be acceptable.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004

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
- Employment: in terms of maintaining and sustaining a range of employment opportunities
- Transport: in terms of sustainability, safety and servicing needs
- Park Royal: to promote the opportunities and benefits within Park Royal
- Design and Regeneration: in terms of guiding new development and Extensions

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) 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.

- (3) Prior to the commencement of the use of any part of the approved development the proposed parking spaces, turning areas, loading bays, access roads and footways shall be constructed in concrete, tarmac or other stable dustless materials and permanently marked out in accordance with the approved plans. Thereafter they shall be retained and used solely for the specified purposes in connection with the development hereby approved and shall not be obstructed or used for any other purpose/s. No buildings shall be occupied until such works are undertaken to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory design and access to service the development and to enable vehicles using the site to stand clear of the highway so that the proposed development does not prejudice the free-flow of traffic or the conditions of general safety within the site and / or along the neighbouring highways and in the interests of pedestrian safety.

- (4) Details of arrangements for the storage and disposal of refuse and recyclable materials, and vehicle access thereto, within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. The approved arrangements shall be implemented in full prior to first occupation of the development and permanently retained as approved unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- (5) The floorspace subject of this application shall be used solely in association with the existing ground floor premises at 272 Abbeydale Road and for no other purpose whatsoever, without the prior written consent of the Local Planning Authority.

Reason: To ensure adequate parking, servicing and access can be provided in the

interests of the free flow of traffic and conditions of highway and pedestrian safety within the site and on the neighbouring highways.

- (6) The passage between the existing Polish Bakery and the application building shall not be obstructed and kept clear at all times to provide an emergency access.

Reason: To safeguard the amenities of the adjoining occupiers.

- (7) Details of the provision of a minimum of 3 secure cycle parking spaces (including details of cycle stands) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

INFORMATIVES:

- (1) The applicant must ensure that the treatment/finishing of flank walls can be implemented, before work commences, as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

REFERENCE DOCUMENTS:

1. Adopted Unitary Development Plan 2004
2. Two letters of objections from neighbouring premises at No. 260 Abbeydale Road

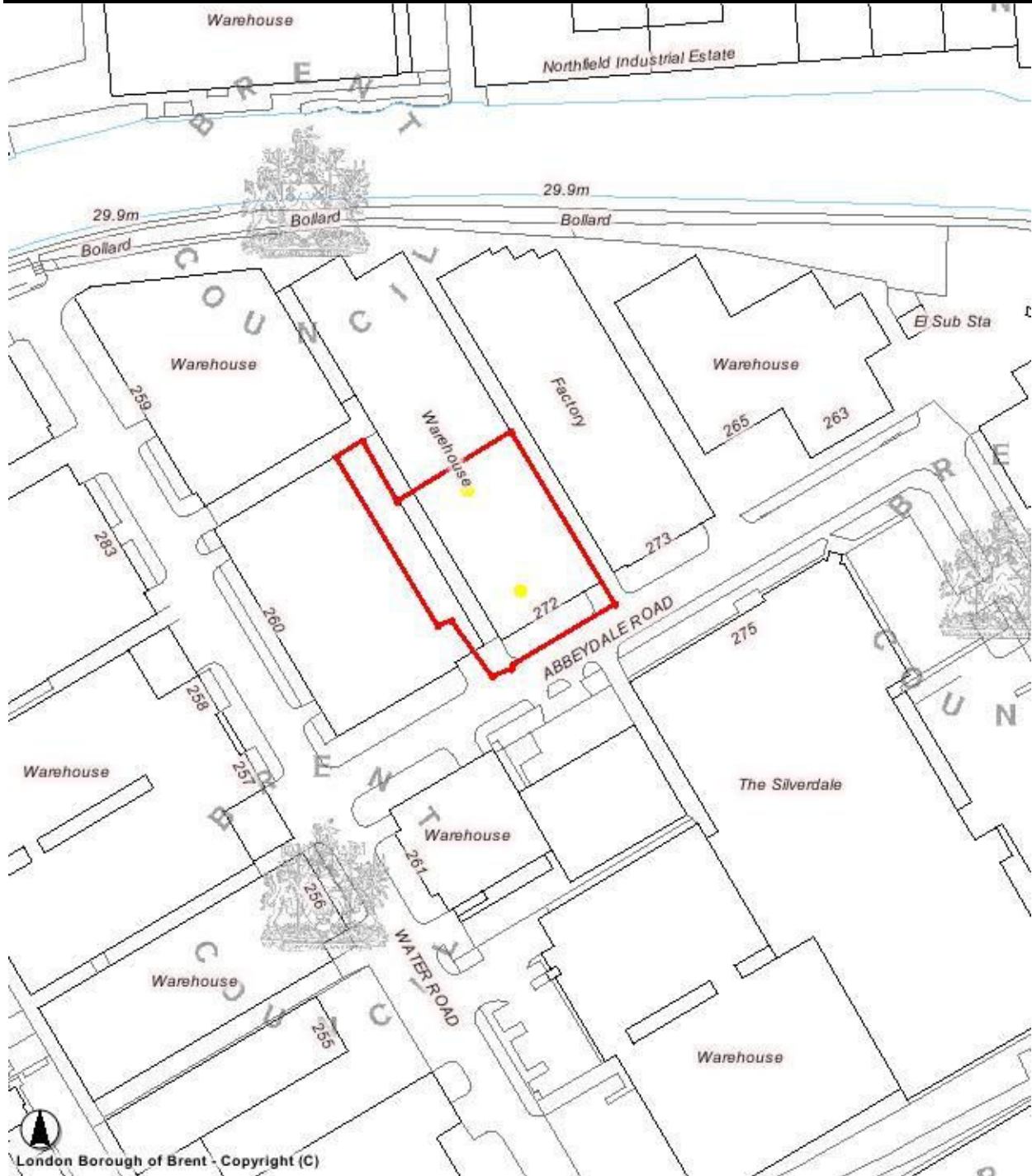
Any person wishing to inspect the above papers should contact Mumtaz Patel, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5244



Planning Committee Map

Site address: UNIT Y, 272 Abbeydale Road, Wembley, HA0 1PU

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

This page is intentionally left blank

**Committee Report
Planning Committee on 13 October, 2009**

**Item No. 3/02
Case No. 09/1659**

RECEIVED: 20 July, 2009

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: Land adjacent to Kodak Court, Nightingale Avenue, Harrow, HA1

PROPOSAL: Erection of a 4-storey building on land adjacent to Kodak Court, comprising 26 self-contained flats (11 one-bedroom, 13 two-bedroom, 2 three-bedroom) and communal garden; amended to include provision of access to the public footpath running alongside Northwick Park Golf Course via Northwick Close.

APPLICANT: London Strategic Housing

CONTACT: PCKO Architects

PLAN NO'S: 0845 PL001;0845 PL002 RevA; 0845 PL100 RevA; 0845 PL101RevB; 0845 PL102RevB; 0845PL103RevB; 0845 PL104 RevA; 0845 PL201 RevC; 0845 PL202 RevC; 0845 PL203; J40.06/02; 2167-LA-01; Design and Access Statement (revised version of this document is to be provided before committee); Energy Strategy Report by Calford Seaden; Appendix 5 to report (received 23/09/2009); Sustainability Checklist (received 23/09/2009); Arboricultural Report by Broad Oak Tree Consultants

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental Services 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
- Affordable Housing – 100% Affordable Housing-Intermediate rent with priority for Northwick Park Hospital Workers, then other public sector health workers.
- A contribution of £103, 200 (£2400 per bedroom) due on material start and, index-linked from the date of committee for Education, Sustainable Transportation and Open Space & Sports in the local area.
- Submission and approval of a 'Sustainability Implementation Strategy' at least 4 months prior to commencement, demonstrating:
 - how the development will achieve Code for Sustainable Homes Level 3 rating
 - how the measures identified within the Sustainability Checklist measures will be

- implemented
- how the proposal will offset a minimum of 20 % of the site's carbon emissions from onsite renewables or if technically unfeasible, an equivalent level of off-site renewables, provided on a local school/community facility, and maintained for the life of the development
 - details of how ICE Demolition Protocol Methodology has been applied in setting DRI &/or NBRI targets for recycled materials or content.
- Upon completion, an Independent (BRE Post-Construction) review shall be submitted on the scheme as built, verifying achievement of Sust. Homes Code Level 3 and the implementation of sustainability measures indicated on the approved Brent Checklist & subsequently negotiated/stipulated in the Strategy.
 - Join and adhere to the Considerate Constructors scheme.
 - A contribution of £1,000 for the planting of trees due on Material Start and index-linked from the date of committee
 - To allow access through the new gate on the southern boundary with Northwick Park to the public during daylight hours.

And, to authorise the Director of Environment and Culture, 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.

(1) If the legal agreement has not been entered into by the application's statutory expiry date, to delegate authority to the Director of Environment and Culture, or other duly authorised person, to refuse planning permission; and

(2) If the application is refused for the reason in (1) above to delegate authority to the Director of Environment and Culture, or other duly authorised person to grant permission in respect of a further application which is either identical to the current one, or in his opinion is not materially different, provided that a satisfactory Section 106 has been entered into.

EXISTING

The application site is located towards the eastern end of Northwick Park Hospital, within an area of residential key-worker housing known informally as Northwick Village. The precise location is on the southern side of Nightingale Avenue, between Kodak Court and Nightingale Close. A public footpath runs along the southern side of the site, adjacent to Northwick Park Golf Course. This footpath leads to Northwick Park, which is located approximately 170 metres from the site.

Kodak Court, located to the west of the site and Hodgson Court, to the north of the site, are both 4 storey residential blocks, and to the east of the site are two storey dwellinghouses, located on Northwick Close

PROPOSAL

Erection of a 4-storey building on land adjacent to Kodak Court, comprising 26 self-contained flats (11 one-bedroom, 13 two-bedroom, 2 three-bedroom) and communal garden; amended to include provision of access to the public footpath running alongside Northwick Park Golf Course via Northwick Close.

HISTORY

97/2700 - Demolition of existing staff housing and erection of replacement houses and multi-storey residential blocks together with associated site works including the provision of car parking, landscaping and layout of estate road (as revised by plans received on 10 and 19 February 1998).
Granted 30/03/1998

There have been various planning applications to the hospital site itself, which do not directly relate to the application site.

POLICY CONSIDERATIONS

The following policies and standards contained within the Council's Adopted Unitary Development Plan 2004 are considered to be relevant to consideration of the application.

Brent's Unitary Development Plan 2004

Strategy

- STR3 Development of previously developed land will be maximised.
- STR5 Seeks to promote a pattern of development that reduces the need to travel.
- STR11 Protection and enhancement of the quality and character of the borough's built and natural environment.
- STR14 New development will be expected to make a positive contribution to improving the quality of the urban environment.
- STR15 Major development should enhance the public realm by creating and contributing to attractive and successful outdoor spaces.

The following Part 2 policies apply and are briefly summarised below:

Built Environment

- BE1 Requires the submission of urban design statements.
- BE2 Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces and not cause harm to the character and/or appearance of an area.
- BE4 Accessible development for disabled people.
- BE5 Development should be designed to be understandable to users, free from physical hazards and reduce opportunities for crime.
- BE6 High standard of landscaping will be required as integral element of new development.
- BE7 High quality of design and materials required for the street environment.
- BE8 Sensitively designed proposals, which create and improve lighting, will be encouraged.
- BE9 New buildings should be designed to embody a creative and high quality design solution specific to the sites shape, size, location and development opportunity and be of a scale, massing and height appropriate to their setting, civic function and location.
- BE12 Development should embody environmental design principles commensurate with the scale of development.

Environmental Protection

EP6 – Contaminated Land

Housing

- H5 Policy for Key Worker Housing.
- H9 Dwelling Mix
- H10 Containment of Dwellings
- H12 Residential Quality – Layout Considerations

- H13 Residential Density
H14 Minimum Residential Density

Transport

- TRN1 Planning applications will be assessed, as appropriate, for their transport impact, including cumulative impacts on the environment and on the road network, and all transport modes, including: public transport, walking and cycling.
- TRN2 Development should benefit the public transport network.
- TRN4 Measures to make an unacceptable transport impact acceptable will be required.
- TRN10 The "Walkability" of public environments should be maintained and enhanced.
- TRN11 Development should comply with the Councils minimum standards for cycle parking.
- TRN14 New highway layouts should be designed to satisfactory standards.
- TRN23 Parking Standards for Residential Development (PS14)
- TRN31 Car parking should be carefully designed to be safe, well landscaped, have convenient links and not be visually intrusive.
- TRN35 Access to parking areas and public transport should facilitate access for disabled people and the mobility impaired. (PS15)

Open Space, Sport and Recreation

- OS21 Metropolitan Walks

Community Facility

- CF12 Northwick Park Hospital/Higher & Further Education (HFE) Zone

Brent Council Supplementary Planning Guidance and Documents

- SPG17 Design Guide for New Development
SPG19 Sustainable design, construction and pollution control
SPD Section 106 Planning Obligations

Planning Policy Guidance and Statements

- PPS1 Delivering Sustainable Development
PPS3 Housing
PPS1 Supplement: Planning and Climate Change
PPS12 Planning Policy Statement 12: Local Spatial Planning
PPG13 Transportation
PPS22 Renewable energy
PPG24 Planning and Noise

SUSTAINABILITY ASSESSMENT

As with most major developments the Local Planning Authority requires that the applicants consider sustainable development from an early stage, so that the maximum amount of sustainable measures can be incorporated in the proposal up-front. The applicants have submitted an Energy Demand and Sustainable Assessment and a Sustainable Development Checklist. The submitted Sustainable Development Checklist has a score of 52%. (the applicant's score was 53.5%)

On the basis that the Sustainability obligations, would include a score of at least 51% on a submitted Sustainability Checklist and "EcoHomes "Very good rating" (with appropriate compensatory measures should they not achieve the 51% rating;) the matter may be covered within agreed Heads of Terms as part of a s106 agreement.

The applicants have submitted an Energy Strategy which has demonstrated 20% reduction in

carbon emissions using solar PV panels in accordance with London Plan policies.

The submitted Energy Strategy is being evaluated by your officers and further comment regarding this will be provided within the Supplementary Report.

CONSULTATION

Consultation period: 21/07/09 – 18/08/2009.

Letters were sent to 26 neighbouring properties.

Site notices were erected on 28/7/2009 and the application was advertised in the local paper on 6/8/2009.

Re-consultation period (amended description to proposal to include the provision of access gate): 16/09/2009 – 30/09/2009. 26 neighbouring properties were notified.

No objections or comments were received from neighbouring properties.

Internal consultation responses:

Landscape – No objection

No objections to the proposal in principle

4 trees, including a dead sycamore, will be removed in total. The 3 young alder and 5 young whitebeam will be relocated within the proposed landscape scheme. The tree protection method statement is satisfactory

Along the boundary nearby the proposed building, the trees are overgrown hedgerow hawthorns. This most southerly part of the proposed building would benefit from some larger trees being planted nearby, possibly in the adjacent open space; in order to soften it visually and screen it from the adjacent open space.

A section 106 sum of £1000 is suggested in order to pay for 2 or 3 decent tree specimens to achieve this partial screening.

Conditions are recommended requiring a fully detailed landscape scheme, including all hard materials; plant species, quantities, densities and maintenance schedule.

Highways – Original plans: objection; revised scheme: no objection

Objection to original plans:

Without a formal pedestrian link between the site/Northwick Village and the existing public footpath along the southern side of the site, this proposal cannot be supported, on the grounds that it would reduce 'walkability' of the area, particularly to the nearby playing fields and South Kenton Station, contrary to Policy TRN10 of the adopted UDP 2004. In addition, the development fails to make adequate provision for disabled parking, contrary to Policy TRN34 of the adopted UDP 2004.

Regarding provision of disabled parking on the site: Parking Standard 15 requires at least two spaces to be widened and marked for disabled parking – preferably close to the building entrances. This has not been done and a minor amendment to the parking layout will therefore be required to accommodate this requirement, as a condition of any approval

Regarding provision of a pedestrian link to the public footpath which runs along the southern boundary of the site: It is considered essential to formalise a pedestrian between the site and the public footpath and it is suggested this be done by extending the path along the western side of the site to link Nightingale Close to the footpath.

No objection to the amended scheme, which makes provision of a link to the footpath and disabled parking, subject to recommended conditions and informatives.

Urban Design – Objected to the original design

Some objections to the original design of the scheme, in terms of blank facades, legibility of entrances, and provision of balconies.

Housing – No objections

Environmental Health – recommends conditions to any approval

Have also advised the applicants regarding Brent's Waste Planning Policy

External consultation responses:

Architectural Liaison Officer – No objections

The proposal is designed to take into account Secured By Design principles, and recommendations have been incorporated.

Thames Water

No objection to the proposal. A standard informative if the application is approved regarding contact details for Three Valleys Water Company is recommended.

REMARKS

Introduction

This application proposes to erect a 4-storey building comprising of 26 self-contained flats, with the provision of 24 car parking spaces (16 of which are to be new spaces), including 2 disabled parking spaces. A total of 27 secure bicycle storage spaces are proposed within the site, plus two publicly accessible Sheffield Stands.

The principle of a residential development on this site is compatible with the local land policies. An application for replacement residential development in this area was approved under planning application ref 97/2700. The application site was not developed at the time; however the proposed site plans show annotation on the area, which is the subject of this current application that this site was to be developed for future use as a nursery.

The applicants have submitted a statement to explain why there is no longer a requirement for the originally proposed nursery on this site. The existing nursery on the hospital site has capacity for additional intake and it accordingly meets the current requirements for nursery spaces.

The proposal also includes the provision of formal gated access to the existing footpath, which runs along the southern boundary of the site, adjacent to Northwick Park Golf Course. This is to enable better access for the residents of the staff accommodation at Northwick Village to the footpath which leads to South Kenton Underground Station.

Tenure / Mix of Units

The proposal provides 26 flats. All of the proposed units meet Lifetime Homes Standards. Two wheelchair accessible 3-bedroom flats are also provided with corresponding larger parking spaces. All flats proposed are to be Affordable key-worker housing, Intermediate Rent, with priority for Northwick Park Hospital Workers, and then other public sector health workers.

The proposed tenure of housing accordingly meets a specified housing need associated with the Hospital.

Design and Massing and Impact on the Streetscene

The surrounding buildings are a mixture of 4-storey residential blocks, (Kodak Court and Hodgson Court) and two storey residential dwellings on Northwick Close to the east of the application site.

The proposed building is to be an 'L' shape, with the main frontages onto Nightingale Close and Northwick Close. The building line is to be in line with Kodak Court, to the west. The south-west corner of the site is to be residential communal garden, with a footpath to run between Kodak Court and the new building.

The design of the building will respect the building lines of Kodak Court, facing Nightingale Avenue, and will form a link between the 4-storey 'dormitory' style keyworker residents of Kodak Court and Hodgson Court and the dwellinghouses on Northwick Close and other surrounding dwellings further east into Northwick Village.

The design of the elevations facing Kodak Court and Hodgson Court have been revised, and the amended scheme provides increased articulation of what were previously 'blank' elevations, (West and South elevations). Detailing for the main entrances to the building has also been made more visually prominent. A condition will be attached requiring further details of this, should the application be approved.

The revised scheme increased the size of the balconies, which further breaks up the mass of the elevations, and is considered an improvement in design terms.

Layout, landscaping and Trees

A green (Sedum) roof is to be introduced on the flat roof section on the third floor where adjacent to plot 26. This is a green roof which would improve Sustainable Urban Drainage as well as in terms of visual amenity. Further details of this will be required in the landscaping condition should the application be approved.

The proposal will involve the removal of four trees, including a dead sycamore. The proposed landscape scheme submitted by the applicants also show trees will be re-located within the site, including 3 alder and 5 whitebeam trees. The submitted Tree protection method statement has been checked by the landscape designer who is satisfied with the proposals. The Landscape Designer has recommended tree planting along the southern boundary of the site to improve the screening. Further details of this, and all communal landscaped areas, will be requested within the landscaping condition of the application should the application be supported.

Further details of low planting to serve as a buffer between the parking spaces and the northern and eastern elevations of the building will be sought from the applicants.

Quality of Residential Accommodation

The proposed unit sizes vary. There are 11x 1 bedroom, 13x 2-bedroom and 2x 3 bedroomed flats proposed. All of the proposed units comply with minimum unit size guidelines within Brent's SPG17. The indicative room layouts demonstrate that all of the units have an element of integral storage space. Room layouts are largely replicated between the floors in order to minimise stacking problems whereby living areas are over living areas, and bedrooms over bedrooms. This reduces opportunities for potential noise nuisance.

The proposed building comprises 4 floors with a total of 26 flats. All of the units have two or more aspects, with 12 of the units having a southern outlook.

It is considered that all units will have a sufficient quality of outlook, and complies with SPG17 guidelines.

Amenity Space

The proposal includes private amenity space to all 2 and 3-bed units in the form of gardens or small terraces on the ground floor and balconies on all upper floors only 1bed flat has a balcony. Whilst your officers consider that it would clearly be preferable for private amenity space to be provided for all units, there is no requirement for such provision within SPG17 and the units will benefit from access to the communal garden area. However this issue is being pursued with the applicants and is covered by condition 12.

This is compliant with SPG17 guidance.

Impact on adjoining residential development

Surrounding development comprises of residential accommodation, distances to windows to Kodak Court. No windows on elevation facing Kodak Court, except for obscure glazed windows. This is acceptable as this helps to break up the blank mass of this elevation, yet does not impact on the privacy of residents at Kodak Court.

The distance between Kodak Court and the closest wall of the new building is approximately 8.5 metres. However, there are only obscure glazed windows proposed in this part of the building facing Kodak Court and so there would be no impact on the privacy of residents of Kodak Court. All habitable room windows/balconies of the new building are over 20 metres away from all the nearby existing residential buildings, including Hodgson Court and the houses on Northwick Close. This is in compliance with SPG17 guidelines.

Transportation

The application site has a PTAL rating of 3. Northwick Park (Metropolitan line) and South Kenton (Bakerloo and London Overground lines) are within 960 metres, and there are five bus services from Watford Road, which is within 640 metres.

The proposal includes the provision of 24 parking spaces, including 2 disabled parking bays, around the perimeter of the site, which equates to 0.92 parking spaces per unit. This is in accordance with the parking standards which would allow a maximum of 29.8 spaces. (PS14 and PS15).

The proposed provision for cycle parking also meets the cycle parking standards (PS16), as sufficient storage is to be provided for 27 spaces, plus two further Sheffield stands indicated on the plans for visitors.

A revised scheme incorporates proposed gated access via Northwick Close allowing better accessibility to public transport, as formalising access to South Kenton station and 'walkability' of the proposal, to comply with UDP policy TRN10. This is to be incorporated within the S106 Heads of Terms and further details of the proposed gate and its management required in a condition.

An informative will also be attached to any approval regarding travel information for the future residents of the proposed development.

Flood Risk

The site is within Flood Zone 1 (low risk of flooding) and is less than 1 hectare in size; therefore no detailed flood risk statement is required.

Density

For density purposes, the site area of the application site is 2550m². This gives the proposed density of the development to be 345 habitable rooms per hectare.

As the development is to provide residential accommodation for keyworkers at the nearby Northwick Park Hospital, your Officers consider that the proposed density of residential development is acceptable. The proposed pedestrian link to the existing footpath to the south of the site, which will allow better access to public transport links (South Kenton Station), also helps to support the proposed residential density.

Summary

The proposal will provide Affordable Keyworker Intermediate Rented accommodation for Northwick Park hospital workers and addresses a specified housing need. The accommodation is in accordance with Brent Council policy and guidance and your officers recommend that planning permission is granted.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Unitary Development Plan 2004

Supplementary Planning Guidance (SPG) 17 - "Design Guide for New Developments".

Supplementary Planning Guidance (SPG) 19 - "Sustainable Design, Construction & Pollution Control".

Supplementary Planning Document - S106 Planning Obligations.

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

Built Environment: in terms of the protection and enhancement of the environment
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 on the date of this permission.

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

- (2) No development shall commence unless details of materials for all external work, including samples where necessary, (including choice of cladding, windows, roofing, balcony details and screens) shall be submitted to and approved in writing by the

Local Planning Authority and those details, once approved, shall be fully implemented.

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

- (3) All areas indicated for hard and soft landscape works on the approved plan including the communal roof gardens shall be suitably landscaped with trees/shrubs/plants and hard surfacing in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any construction work on the site, and such landscaping work shall be completed prior to occupation of the buildings and thereafter maintained in accordance with the approved scheme.

The scheme shall also indicate:-

- other appropriate matters within the context of a landscaping scheme, such as details of seating, and usage of areas;
- treatment of the balconies and roof terraces including (notwithstanding the details on the submitted drawings,) methods of screening the areas and the screen heights;
- details of the proposed third floor *Sedum Roof*
- potential for additional tree planting along the site boundaries
- details of boundary treatments and any other means of enclosure

Any trees, shrubs and plants planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased, shall be replaced by trees and shrubs and plants 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 area.

- (4) Prior to development commencing, further details of proposed gated access to the public footpath to the south of the site via Northwick Close shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the buildings are occupied. Details should include setting, design and materials for the gate, boundary treatment, management and security measures.

Reason: To ensure the secure and well designed and managed access.

- (5) No development shall commence unless further details of:
- a) the proposed refuse and recycling facilities
 - b) 2 private secure bicycle storage facilities
- have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out and completed in all respects in accordance with the details so approved before first occupation of any of the dwellings hereby approved.

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

- (6) Detailed drawings including, where necessary, sections and detailed elevations, of

the various elements of the facades of the building, particularly the main entrances to the building, detailing the junctions between different elements of the building, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted unless agreed otherwise in writing by the Local Planning Authority, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure the design detail for this site results in a high-quality development in compliance with the requirements of Built Environment policies within the Unitary Development Plan and Supplementary Planning Guidance 17 "Design Guide for New Development"

- (7) Prior to the commencement of the use of any part of the approved development all
- a) parking spaces
 - b) access and turning areas
 - c) footpaths and access ways
- shall be constructed and permanently marked out in accordance with the approved plans. Thereafter they shall be retained and used solely in connection with the development hereby approved and for no other purpose.

Reason: To enable vehicles using the site to stand clear of the highway so that the proposed development does not prejudice the free-flow of traffic or the conditions of general safety along the neighbouring highway.

- (8) Prior to the commencement of construction works, a site investigation shall be carried out by competent persons to determine the nature and extent of any contamination present. The investigation shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by the contamination and an appraisal of remediation options required to contain, treat or remove any contamination found. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004.

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

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004

- (10) Details of the drainage system for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site and the development shall be carried out in full accordance with the approved details.

Reason: To ensure an adequate and appropriate means of dealing with surface and foul drainage from the site is provided in the interests of the water environment and the environment of the locality.

- (11) Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any works on site and the approved details shall be implemented in full.

Reason: In the interests of safety, amenity and convenience and in the interests of the amenities of the adjoining residents.

- (12) Further details to maximise the number of balconies which the development shall be submitted to and approved in writing by the Local Planning Authority, before the development commences.

Reason: To increase provision of access to private amenity for those units above ground floor level.

INFORMATIVES:

- (1) The applicants are advised to provide travel information to residents in public areas via leaflets etc. and access provided for residents to any future Car Club at the hospital.

REFERENCE DOCUMENTS:

Brent's Unitary Development Plan 2004

Supplementary Planning Guidance (SPG) 17 - "Design Guide for New Developments".

Supplementary Planning Guidance (SPG) 19 - "Sustainable Design, Construction & Pollution Control".

Supplementary Planning Document - S106 Planning Obligations.

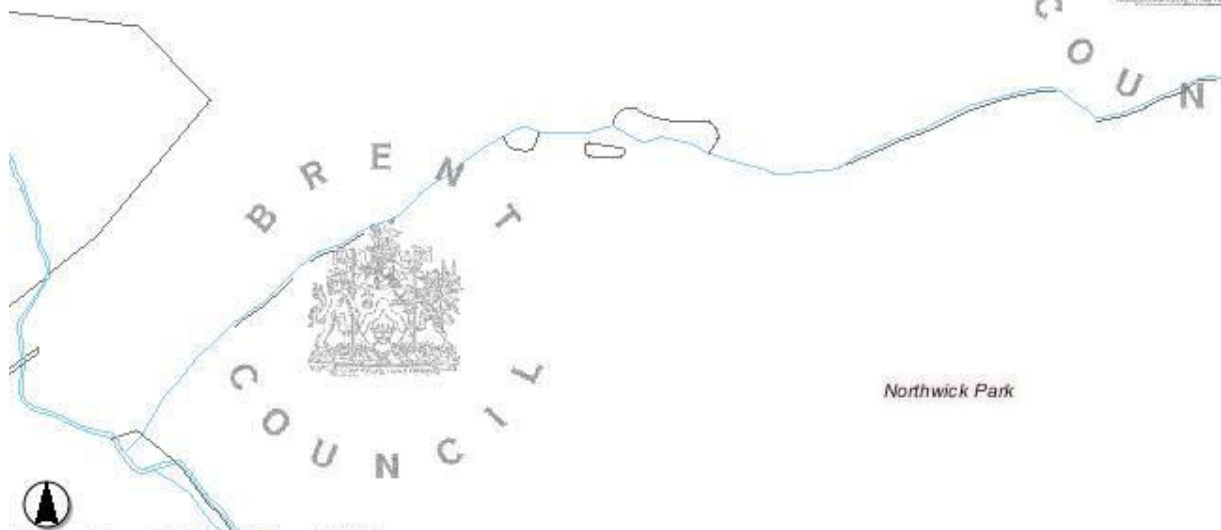
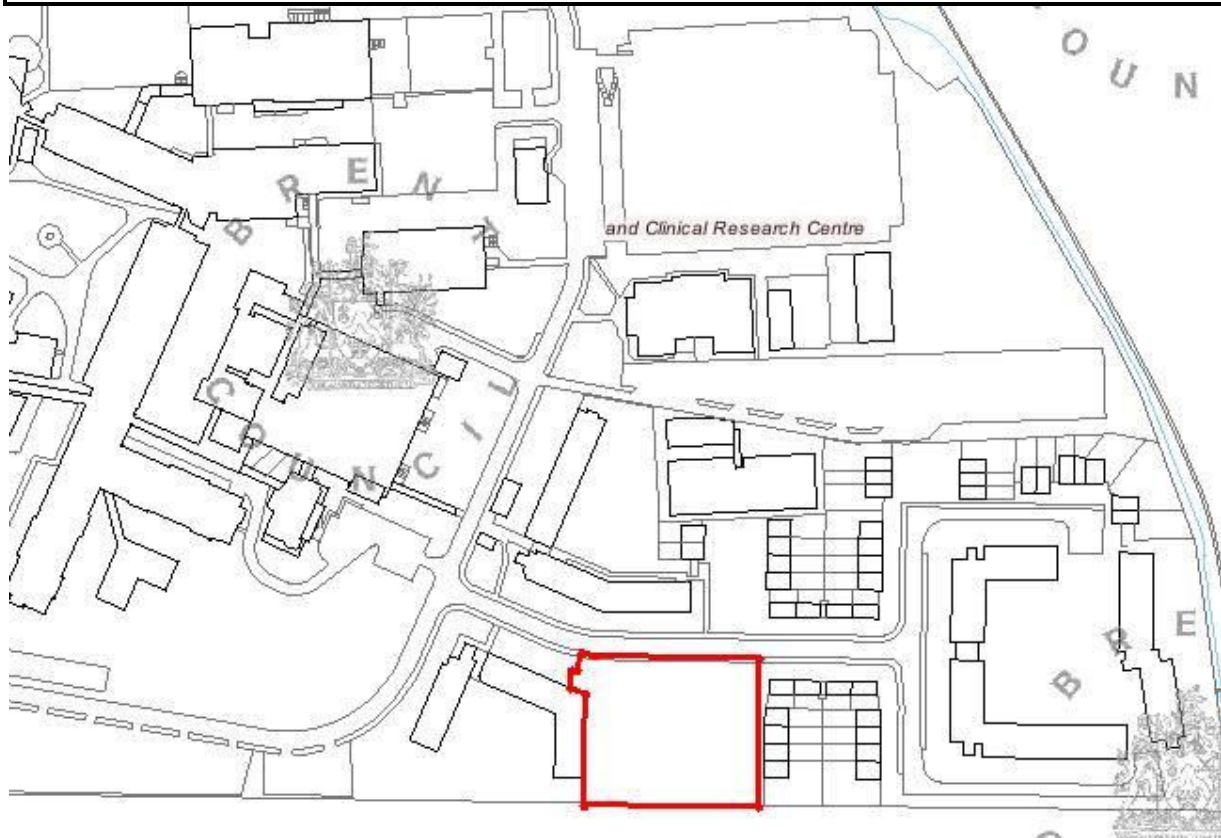
Any person wishing to inspect the above papers should contact Avani Raven, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5016



Planning Committee Map

Site address: Land adjacent to Kodak Court, Nightingale Avenue, Harrow, HA1

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

This page is intentionally left blank

**Committee Report
Planning Committee on 13 October, 2009**

**Item No. 3/03
Case No. 09/1843**

RECEIVED: 17 August, 2009

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: 57 The Fairway, Wembley, HA0 3TN

PROPOSAL: Replacement of single glazed timber framed windows and porch with double glazed upvc windows and door to front elevation of dwellinghouse (Article 4 Direction)

APPLICANT: Mr Akram Chaudhary

CONTACT: AH Architecture

PLAN NO'S: Location Plan
021 - Proposed lounge windows
019 - Existing and Proposed Elevation showing windows
042 - Plan section of bedroom and lounge windows existing and proposed
027 - Existing and proposed lounge window section
022 - Proposed box room windows
043 - Plan section of box room existing and proposed
020 - Proposed porch
022 - Proposed bedroom windows
Email dated 23 September 2009

RECOMMENDATION

Approval, subject to conditions

EXISTING

The subject site contains a two storey, semi-detached dwelling situated on The Fairway. The site is situated within the Sudbury Court Conservation Area. Surrounding properties are predominantly residential.

PROPOSAL

Replacement of single glazed timber original framed windows and porch with double glazed upvc windows and door to front elevation of dwellinghouse (Article 4 Direction)

HISTORY

None relevant

POLICY CONSIDERATIONS

Brent UDP 2004

BE2 – Townscape: Local Context & Character

BE7 – Public Realm: Street scene

BE9 – Architectural Quality

BE26 - Alterations and Extensions to Buildings in Conservation Areas

SPG

SPG 5 – Altering and Extending Your Home

Sudbury Court Conservation Area Design Guide

Window Replacement Design Guide

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Standard three week consultation period carried out between 24 August 2009 and 14 September 2009 in which 2 properties were notified. A notice was also displayed at the site. Sudbury Court Residents Association were also notified regarding the application and have raised objection to the replacement of the existing windows with UPVC windows.

REMARKS

Replacement Windows

Since the reviews of the Conservation Areas in 2004, Brent's Policies sought replacement windows to provide timber frames with original detailing appropriate to the housing type within Conservation Area Sudbury Court. More recently within Sudbury Court, a similar application in Carlton Avenue West (ref: 08/0793) approved replacement UPVC windows and porch doors as the windows of a significant number of properties in the immediate vicinity had previously been altered, removing the original (typically timber) materials and detailing. This approach includes an assessment of the context of the application site, taking into account the appearance of the existing fenestration in order to determine whether replacement upvc windows are appropriate on a case by case basis.

The recent Planning Enforcement annual report 2008/9 that was endorsed by the Planning Committee on 28th July 2009 accepted that it may be acceptable in some situations to replace windows that do not match the materials and detailing of the original windows with new windows that are not constructed of the original material. This approach related to both the context of the site in relation to the number of original windows in the vicinity together with the detailing of the proposed windows which should replicate that of the original windows.

The application property has original timber windows with lead and sections of coloured glass detailing in the fanlights. The site is most closely associated with 7 other properties as two pairs of semi detached houses. These are situated on the Fairway between the intersection with Carlton Avenue West, to the north and the intersection with Paxford Road to the south. All of the dwellings of this style of property in this section of (Nos. 53, 59, 52, 54, 56 and 58 have had their windows changed.

Whilst the applicant proposes the loss of timber windows, the quantity of non-original windows in the vicinity of the site and the ability to replicate much of the original proportion and detailing is such that your officers consider that the proposed use of uPVC does not warrant the refusal of planning permission in this situation.

On this basis, sections have been sought from the applicant to ascertain that the detailing of the

replacement windows would be sufficient to preserve and enhance the character and appearance of the conservation area. These have been provided and your officers consider that the UPVC windows proposed is considered acceptable. The windows reflect the sight lines of the original windows and drip rails have been included. The projecting profiles that are typical of openable uPVC windows has been included for all window regardless of whether they are open or fixed, thus maintaining the rhythms of the window frames and glazing.

The applicants also propose the replacement of the porch. The overall design of the windows and door replicate the existing porch. However, further information has been sought to confirm the profile of the windows and doors, including the use of externally mounted glazing bars. The further information will be discussed in the Supplementary Report.

On balance, as the proposed UPVC windows are considered to be sufficient quality given the aforementioned context of the site and the proposal is considered to maintain the character and appearance of the Conservation Area, as altered by the aforementioned existing intrusions into its original character within the immediate vicinity.

Summary

In view of the context of the application property, it is not considered appropriate to insist on the retention of the existing timber windows. The proposed design and proportions of the replacement UPVC windows are considered to be sufficient in quality to preserve the character of the dwelling and preserve and enhance the character and appearance of the conservation area. The proposal is therefore considered to be in accordance with Council policies and is duly recommended for **approval, subject to 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
- Central Government Guidance
- Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home
- 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.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

PPG15 - Planning and the Historic Environment
Brent Adopted UDP 2004 policies
Sudbury Court Conservation Area Design Guide
Window Replacement Design Guide

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



Planning Committee Map

Site address: 57 The Fairway, Wembley, HA0 3TN

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.

This page is intentionally left blank