



Planning Committee

Wednesday, 25 November 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:

Mrs Fernandes
Beswick
Jackson
Eniola
Pervez
CJ Patel
Dunn
Tancred
Mrs Bacchus
Butt
Colwill
Long

second alternates

Councillors:

Mistry
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

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

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the previous meeting		1 - 12
Extract of Planning Code of Practice		
APPLICATIONS DEFERRED FROM THE PREVIOUS MEETING		
3. Brilliant Kids, 8 Station Terrace, London NW10 5RT (Ref 09/2176)	Queens Park;	17 - 22
NORTHERN AREA		
4. 18 Park View Road, London NW10 1AE (Ref. 09/2130)		23 - 28
5. School Main Building, St Margaret Clitherow JMI School, Quainton Street London NW10 0BG (Ref. 09/222)	Welsh Harp;	29 - 38
6. Ark Academy, Forty Avenue Wembley HA9 9JR (Ref. 09/3267)	Barnhill;	39 - 48
7. 557 Kenton Road, Harrow Middlesex HA3 9RS (Ref. 09/2091)	Kenton;	49 - 60
8. New Horizons Development Office, Saxon Road, Wembley, Middlesex HA09 9TP (Ref. 09/3273)	Barnhill;	61 - 72
9. 4 Tracey Avenue, London NW2 4AT (Ref. 09/2177)	Mapesbury;	73 - 80
10. 17 Waltham Drive, Edgware Middlesex HA8 5PG (Ref. 09/2181)	Queensbury;	81 - 88
SOUTHERN AREA		
11. 103A-D Malvern Road, London NW6 (Ref. 09/2153)	Kilburn;	89 - 92
12. Learie Constantine Open Space, Villiers Road London NW2 5QA (Ref. 09/3161)	Willesden Green;	93 - 98
13. 70 Donnington Road, London NW10 3QU (Ref. 09/3100)	Brondesbury;	99 - 104
WESTERN AREA		
14. 31 Pasture Road, Wembley HA0 3JB (Ref. 09/2019)	Northwick Park;	105 - 108

- | | | | | |
|-----|---|------------------|------------|---|
| 15. | 10 Littleton Crescent, Harrow, Middlesex HA1 3SX (Ref. 09/3179) | Northwick Park; | 109
116 | - |
| 16. | 111 Swinderby Road, Wembley, Middlesex HA0 4SE (Ref. 09/3191) | Wembley Central; | 117
122 | - |
| 17. | Tamil Community Centre, 253 East Lane, Wembley HA0 3NN (Ref. 09/1719) | Northwick Park; | 123
130 | - |
| 18. | Any Other Urgent Business | | | |

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 65.

Site Visit Details

SITE VISITS - SATURDAY 21 NOVEMBER 2009

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

REF	ADDRESS	ITEM	WARD	TIME	PAGE
09/1719	Tamil Community Centre, 253 East Lane, Wembley, HA0 3NN	17	Northwick Park	9:35 am	123-130
09/2091	557 Kenton Road, Harrow, HA3 9RS	7	Kenton	9:55 am	49-60
09/3273	NEW HORIZONS DEVELOPMENT OFFICE, Saxon Road, Wembley, HA9 9TP	8	Barnhill	10:20 am	61-72
09/2222	School Main Building, St Margaret Clitherow JMI School, Quanton Street, London, NW10 0BG	5	Welsh Harp	10:35 am	29-38
09/2130	18 Park View Road, London, NW10 1AE	4	Dudden Hill	11:00 am	23-28
09/2177	4 Tracey Avenue, London, NW2 4AT	9	Mapesbury	11:15 am	73-80
09/2176	Brilliant Kids, 8 Station Terrace, London, NW10 5RT	3	Queen's Park	11:40 am	17-22

Date of the next meeting: Thursday, 10 December 2009

As the next meeting will consider reports on planning policies only, there will be no prior site visits.



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

Agenda Item 2

LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday, 4 November 2009 at 7.00 pm

PRESENT: Councillors Kansagra (Chair), Powney (Vice-Chair), Baker, Cummins, Hashmi, HM Patel and Thomas

ALSO PRESENT: Councillors Crane, Dunn, Dunwell, Gupta and Mistry

Apologies for absence were received from Councillors Hirani, J Moher and R Moher

1. **Declarations of Personal and Prejudicial Interests**

Councillor Hashmi declared an interest as a Brent Housing Partnership Board member in respect of item 10, 1-82 Inc, Landau House and was not present to consider and vote on this application.

2. **Minutes of the Previous Meetings Held on 13 October 2009 and 21 October 2009**

RESOLVED:-

- (i) that the minutes of the previous meeting held on 13 October 2009 be approved as an accurate record of the meeting
- (ii) that the minutes of the meeting held on 21 October 2009 be approved as an accurate record of the meeting.

3. **37 Geary Road, London, NW10 1HJ (Ref. 09/1962)**

09/1962 Erection of a two-storey side extension to the dwellinghouse (as amended by plans received 02/10/2009).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Andy Bates (Planning Manager) advised that due to a number of issues raised during the site visit, that this application was being deferred to address the concerns that had been raised.

DECISION: Application deferred to allow for further investigations into the issues raised at the Members' site visit.

4. **Public Convenience, Victoria Road, London, NW6 (Ref. 09/0968)**

09/0968 Change of use of public convenience to staff office for street cleaning operatives (Sui Generis) and alteration to the layout of doors and windows.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Andy Bates drew Members' attention to the supplementary information circulated at the meeting, including a further representation from Councillor Arnold and confirmation from Environmental Health and StreetCare that they had no record of any complaints from residents with regard to Veolia's operation within the adjacent underground car park on Victoria Road.

Al Forsyth, a local resident, stated that a consultant employed by the Council had reported to Asset Management that the site was situated within a site that could potentially be suitable to provide housing and that it had been identified as a major opportunity site. He felt that a masterplan needed to be provided for the whole site, adding that he did think it prudent to dispose of the small parcel of land upon which this site was located because of its potential. Al Forsyth stated that the present building should be removed and that the curtilage was attracting litter. In reply to a query from the Chair, Al Forsyth stated that he understood that the applicant, Veolia, was not interested in a short term lease arrangement.

In accordance with the Planning Code of Practice, Councillor Dunn stated that he had been in contact with Veolia and Al Forsyth and that he was a ward councillor for where the site was located. Councillor Dunn stated that the site had remained in its present state for some time and that the working conditions for Veolia staff were currently inadequate, with no changing or storage facilities. He suggested that the application would improve conditions for staff and enable them to provide an improved service, whilst the other 2 potential sites that had been explored were not feasible. Councillor Dunn said he had no objection to the use proposed and that he had not received any complaints from residents objecting to this use.

During discussion, Councillor Thomas, in acknowledging that the site was within a wider site which had potential for regeneration, felt that it would not be appropriate to approve this application. Councillor Cummins enquired whether it was possible to grant a temporary lease in view of the site's potential. Councillor Powney remarked that Veolia were already 2 years into its 7 years waste and recycling contract with the Council, and that this should be taken into consideration if a temporary lease was to be agreed.

In reply to the issues raised, Andy Bates advised that Veolia were attempting to secure a long term lease of the site and that granting permission for this site would not exclude future planning applications. Steve Weeks (Head of Area Planning) stated that he understood the lease was for 7 years and that a longer term temporary planning consent could be considered. Asset Management could also consider whether to lease the site as opposed to offering it as a freehold.

Members then agreed to Steve Weeks' suggestion that planning permission be granted for temporary period, the length of which to be delegated to officers and to reflect the lease arrangements. Members also agreed to the Chair's suggestion that the reason for providing temporary permission be due to the site's location within a major opportunity site which may be required for different uses in the future.

DECISION: Planning permission granted for a temporary period the length of which to be delegated to officers and to reflect the lease arrangements, due to the site's location within a major opportunity site which may be required for a different use/s in future and subject to conditions.

5. 2A Preston Way and 283-287 odd, Preston Road, Harrow (09/2136)

09/2136 Demolition of 4 existing dwellings and erection of a two-, three- and four-storey building to provide 33 flats (17 one-bedroom, 10 two-bedroom and 6 three-bedroom) and a basement car-park, with formation of new vehicular access from Preston Way, associated services and landscaping.

OFFICER RECOMMENDATION: Refuse planning permission.

Andy Bates drew Members' attention to the supplementary information circulated at the meeting and in particular further objections that had been received, additional comments and an amendment to reason for refusal number 2.

David Pearson, in objecting to the application, confirmed that he was a resident in Preston Way and a member of Preston Amenity Protection Allocation (PAPA). He objected to the application on the grounds of excessiveness of scale, obscuring the view of dwellings to the rear of 281 Preston Way and that it would generate excessive traffic along a road that was already difficult to navigate, particularly in respect of the vehicles visiting shops in the area that used the exit of the road to turn.

Bill Kemp, in objecting to the application, confirmed that he was representing the views of PAPA as its' Chair and of local residents. He objected to the application on the grounds of excessive height, density, appearance and because it would be out of character with the area.

Frederick Akufo, the applicant's architect, circulated photographs to Members upon the agreement of the Chair. Frederick Akufo stated that an earlier application had been withdrawn to address concerns in respect of access to block B, the appearance of the flank wall on the western part of the site and the quality of the amenity space. The new application included a reduction of the flank wall from 3 to 2 storeys and an increase in the amenity space area. Frederick Akufo acknowledged that the canopy feature was still a concern, however he advised

that this could be removed from the plans. He asserted that the issues raised by residents for this application had not been received until after the application had been submitted. Frederick Akufo requested that the Committee defer the application so that the issues raised could be addressed through discussions with officers and residents.

Members considered that a deferral was not appropriate and accordingly the application was refused.

DECISION: Planning permission refused as amended in reason 2 as set out in the supplementary information.

6. 2 Highfield Avenue, London, NW9 0PA (09/1880)

09/1880 Retention and completion of single storey side and rear extension to dwellinghouse.

OFFICER RECOMMENDATION: Refuse planning permission.

Steve Weeks drew Members' attention to the supplementary information circulated at the meeting and confirmed that the application had been withdrawn. He referred to the applicant's comments made at the site meeting and to a letter received from Barry Gardiner MP.

Mr Vikaria, the applicant, stated that an earlier application that had been approved could not be carried out due to a number of impracticalities. He asserted that there was a 400mm discrepancy with regard to the measurement of the slopes within the rear garden. He felt that the application was acceptable and that Members should be minded to approve it, had it not been withdrawn.

In accordance with the Planning Code of Practice, Councillor Crane confirmed that he had been approached by local residents in respect of this application and that he was a ward councillor for where the site was located. He stated that although there had already been planning consent from an earlier application, works could not be undertaken due to the steepness of the slope. Having visited the site, Councillor Crane stated that a variation between the internal height of the ceiling and where the floor level had been a particular issue. He stated that he would have considered the application acceptable, providing that the applicant discussed with residents the possibility of removing the proposal concerning the side window.

The Chair commented that the applicant should consider the suggestions made by officers in the report before making any further applications.

DECISION: Minded to refuse the application had it not been withdrawn.

7. 110-118 inc, Kilburn Square, London, NW6 6PS (09/0410)

09/0410 Re-modelling of existing 9 second- and third-floor maisonettes into 18 new self-contained flats, two-storey front extension with new bridge, walkway and ramps to provide access, third-floor extension on top of stairs at front, new entrance and bin store doors at side with new glass canopy.

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.

Andy Bates drew Members' attention to the deletion of condition 7, an additional informative and an amendment to point (b) of the Heads of Terms of the Section 106 Agreement as set out in the supplementary information circulated at the meeting. He also highlighted the reasons why Councillor Dunn's suggestion of a financial contribution towards community space be included in the Section 106 agreement was not appropriate as the scale of the development did not justify the contribution, however the amendment to the Heads of Terms would be used to help improve facilities in this locality.

In accordance with the Planning Code of Practice, Councillor Dunn confirmed that he had been in contact with both the applicant's architect and local residents in respect of this application and that he was a ward councillor for where this site was located. Councillor Dunn stated that he understood through discussions with the applicant's architect that there it was intended to provide infilling on the 1st floor aspect facing Kilburn High Road and therefore he sought confirmation of how many units were ultimately proposed and would this have a major impact in terms of the scale of the development. He commented that otherwise he was in favour of the application as it represented an improvement to the present condition of the site.

In reply, Andy Bates advised that no proposals had been received with regards to the front aspect of the site referred to by Councillor Dunn, however he was aware that the applicant's architect was considering the possibility of additional flats. The applicant had been encouraged to submit a more comprehensive scheme, however they had chosen to take a more piecemeal approach. Andy Bates advised that any additional units would mean that more affordable housing would need to be provided and he drew Members' attention to point (e) of the Heads of Terms of the Section 106 agreement which stated that a previous planning consent for Kilburn Square could not be implemented if this application was approved.

DECISION: Planning permission granted subject to conditions, deletion of condition 7, an additional informative and on the completion of a satisfactory Section 106 as amended in the Heads of Terms as set out in the supplementary information or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor.

8. 50A & 50C, Cavendish Road, London, NW6 7XP (Ref. 09/2099)

09/2099 Conversion of garage into habitable room and erection of single storey rear extension to lower ground floor flat, removal of windows to existing rear dormer window, to create an internal balcony, installation of two side rooflights and enlargement of existing front rooflight to first and second floor maisonette.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions and an amendment to condition 3 as set out in the supplementary information.

9. Brilliant Kids, 8 Station Terrace, London, NW10 5RT (09/2176)

09/2176 Variation of condition 3 of full planning permission 06/0712, granted 29/06/2006, for change of use from Use Class A1 (retail) to mixed-use A1 and A3 (retail & cafe), to allow operating hours on Monday to Saturday 0800 to 2300 and Sunday 1000 to 2230.

OFFICER RECOMMENDATION: Grant planning permission subject to informatives.

Andy Bates drew Members' attention to the supplementary information circulated at the meeting, including details submitted by the applicant concerning the proposed sound proofing system and amendments to condition 3.

Julia Harvey, a local resident, stated that noise from the premises was a problem when it had previously been used as a café. She felt that the current application would cause further problems as it was proposed to extend the operating hours from a closing time of 20.00 to 23.00 Monday to Saturday and to 22.30 Sunday. She knew of no other restaurants within the residential area that were adjacent to a ground floor flat that were open at these times. In addition, the premises was bordered by the bedroom where her baby slept which would disrupt his sleep. Julia Harvey expressed concern that the lean-to on the site would also be used and cause excessive noise in the alleyway.

Stewart Freeman, in objecting to the application, confirmed that he was the freeholder of the property which Julia Harvey inhabited. He too queried why extended hours were being proposed in view of the noise problems reported about the premises in the past. He also enquired how the lean-to could be soundproofed and whether this feature could be removed. Stewart Freeman requested that the Committee agree to a site visit to assess the impact of the proposal.

During discussion, Councillor Cummins felt that it would be reasonable to restrict the operating hours to 20.00 considering the premises' proximity to residential dwellings. In noting that the previous owner had breached the condition

concerning non-use of the rear garden, Councillor Cummins stated that enforcement action should be taken if this condition was breached by the applicant. He sought views with regard to the lean-to and felt that the applicant should confirm its' removal and he suggested that a site visit would be useful. Councillor H M Patel sought confirmation with regard to the condition which prevented use of the rear garden by the café. The Chair sought confirmation of the location of the adjoining property's bedroom in relation to the café.

In reply, Andy Bates confirmed that there was a condition which prevented use of the rear garden as an eating area for customers and that this had been an enforcement issue with the previous owner. He did not think that the current applicant intended to make use of the rear garden as part of the café, which in any case would be difficult for customers to gain access to according to the design plans that had been submitted. Members heard that the applicant was aware that use of the lean-to did not have planning permission and that its use had not been included in his proposals. The present planning permission permitted use up to 20.00, however the new application, although would permit use up to 23.00 also included a condition requiring sufficient soundproofing. In addition, the café was not to open until 10.00 on Sundays, as opposed to 08.00 under current planning permission. Andy Bates confirmed that the bedroom of the objector was immediately adjacent to the café and that the lean-to was next to the objector's window.

Members then agreed to Councillor Cummins motion that the application be deferred for a site visit to assess the impact of the proposals.

DECISION: Application deferred for a site visit in order to assess the impact of the proposals.

10. 1-82 Inc, Landau House, Chatsworth Road, London, NW2 (Ref. 09/1691)

09/2176 Replacement of all existing aluminium-framed windows with double-glazed white aluminium windows to building (revised description 16/09/2009).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Councillor Hashmi declared an interest in this application as a Brent Housing Partnership Board member and was not present to consider and vote on this application.

DECISION: .Planning permission granted subject to a condition.

11. 46 Hillfield Avenue, Wembley, HA0 4JP (Ref. 09/2124)

09/2124 Erection of outbuilding (retrospective consent) and alterations to reduce its size.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

David Glover (Planning Manager) drew Members' attention to an amendment to condition 2 as set out in the supplementary information circulated at the meeting.

DECISION: Planning permission granted subject to conditions, an informative and an amendment to condition 2 as set out in the supplementary information.

12. 1-4 & Garages Holmfield & 2, Crawford Avenue, Wembley, HA0 2HT (Ref. 09/3080)

09/3080 Proposed erection of 2 storey residential block at rear of site forming 6 self contained flats comprising 6 x 2 bedroom flats at ground and first floor level and rear balconies with provision of 6 additional car parking bays and 6 cycle spaces to side, landscaping and associated amenities.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Chair declared an interest in that the applicant was a client of the organisation that employed him, however the applicant was not a personal client of his. The Chair also declared that he knew someone who was present at the meeting who was a member of the same political group that he was a member of. However, the Chair felt that neither of these interests were personal or prejudicial ones and he remained present to consider the application.

David Glover drew Members' attention to additional comments in respect of issues raised at the site visit as set out in the supplementary information circulated at the meeting.

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

13. 14 Blenheim Gardens, Wembley, HA9 7NP (Ref. 09/2194)

09/2194 Conversion of garage into a habitable room and erection of a single storey detached outbuilding in rear garden of dwellinghouse, as amended.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

David Glover drew Members' attention to details of an amended drawing submitted by the applicant, amendments to conditions 3, 5 and 7 and additional conditions 10 and 11 as set out in the supplementary information circulated at the meeting.

Councillor Cummins sought clarification with regard to the reference to wooden cladding to the front of the building and brick built on other elevations.

In reply, Steve Weeks advised that the outbuilding would be constructed of bricks and tiles and with additional timber cladding on the front of the building as set out in amended condition 7.

DECISION: Planning permission granted subject to conditions, informatives and amendments to conditions 3, 5 and 7 and additional conditions 10 and 11 as set out in the supplementary information.

14. Unit 1, Wharfside, Rosemont Road, Wembley, HA0 4PE (Ref. 09/2102)

09/2102 Change of use of premises from hot food takeaway (Use Class A3/A5) to a Turkish bath spa (Use Class D2).

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

David Glover advised that the applicant had withdrawn the application for reasons as set out in the supplementary information circulated at the meeting,

Steve Weeks advised of a correction to the recommendation in supplementary information circulated at the meeting to read that Members be minded to support minded approval of the application had it not been withdrawn.

DECISION: Minded to approve had the application not been withdrawn.

15. 1A-E 2A-F-14 A-F Inc, MIDDLESEX HOUSE, Northwick Road, Wembley (Ref. 09/2223)

09/2223 Proposed renovation of existing 14-storey building housing 84 flats, recladding of exterior with insulated render system, demolition and replacement of ground-floor entrance canopies, new third-floor roof terrace, 6 first-floor balconies, proposed pedestrian-access gates from Northwick Road and facing Grand Union Heights, with associated amenities and landscaping

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

David Glover drew Members' attention to additional comments, an additional condition and deletion of condition 7 as set out in the supplementary information circulated at the meeting.

The Chair confirmed that, as mentioned in the site visit, that the ground floor was being considered for the development of 3 flats with disabled facilities and that there would not be additional lighting in the kitchens.

DECISION: Planning permission granted subject to conditions and an additional condition, deletion of condition 7 and on the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor as set out in the supplementary information.

16. Date of Next Meeting

It was noted that the next meeting was scheduled for Wednesday, 25th November 2009 at 7.00 pm and that the site visit would take place the preceding Saturday, 21st November at 9.30 am where the coach leaves Brent House.

17. Any Other Urgent Business

Steve Weeks announced that Geoff Hewlett was leaving the Council shortly and that Members would have the opportunity to bid him farewell at the Planning Committee meeting on the 10th December 2009.

The meeting ended at 8.40 pm.

S KANSAGRA

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EXTRACT OF THE PLANNING CODE OF PRACTICE

Purpose of this Code

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

Accountability and Interests

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

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

Meetings of the Planning Committee

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.

25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.

29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE

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

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

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

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/2176

RECEIVED: 2 September, 2009

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Brilliant Kids, 8 Station Terrace, London, NW10 5RT

PROPOSAL: Variation of condition 3 of full planning permission 06/0712, granted 29/06/2006, for change of use from Use Class A1 (retail) to mixed-use A1 and A3 (retail & cafe), to allow operating hours on Monday to Saturday 0800 to 2300 and Sunday 1000 to 2230 (as per e-mail, dated 27th October 2009, from Chalkline Architectural Services)

APPLICANT: Hell Yes Limited

CONTACT:

PLAN NO'S: Proposed ground floor plan
John C Wilkins Silent Board Acoustic Wall System Data Sheet

This application was deferred from the Planning Committee meeting held on the 4th November 2009 in order to allow Members to visit the site.

RECOMMENDATION

Approval

EXISTING

The subject site, located on the southern side of Station Terrace, is occupied by a two-storey terraced property consisting of a vacant cafe unit on the ground floor with a self-contained flat above. This application relates to the vacant cafe unit.

To the east the site is adjoined by 9 Station Terrace which consists of a shop unit and separate self-contained flat on the ground floor and a second self-contained flat on the first floor. To the west the site is adjoined by 7 Station Terrace which consists of a ground floor shop unit and a first floor flat.

PROPOSAL

Variation of condition 3 of full planning permission 06/0712, granted 29/06/2006, for change of use from Use Class A1 (retail) to mixed-use A1 and A3 (retail & cafe), to allow operating hours on Monday to Saturday 0800 to 2300 and Sunday 1000 to 2230 (as per e-mail, dated 27th October 2009, from Chalkline Architectural Services)

HISTORY

Planning permission (06/0712) was granted in June 2006 for the change of use of the existing shop unit (Use Class A1) to a mixed use cafe/shop unit (Use Classes A3 and A1). Planning permission was granted subject to a number of conditions designed to restrict noise levels, the use of the rear garden of the premises and the hours of operation.

A breach of condition notice (E/06/0670) was served on the previous occupier of the cafe following the formation of a customer seating area in the rear garden of the premises. A subsequent

application (07/1716) to remove condition 4, which prevented the use of the garden for such a purpose, was also refused. A recent site visit confirmed that the previous occupier has vacated the premises.

POLICY CONSIDERATIONS

The London Borough of Brent Unitary Development Plan 2004

SH10 Food and Drink (A3) Uses
SH11 Conditions for A3 Uses

Relevant National Guidance

Circular 11/95: Use of Conditions in Planning Permission

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

External

Consultation letters, dated 16th September 2009, were sent to Ward Councillors and 12 neighbouring owner/occupiers. In response three letters of objection have been received. The concerns of objectors include:-

- The extended hours of operation will cause unreasonable disturbance to neighbouring occupiers. The internal transmission of noise to adjoining residential units has been raised as a particular concern.
- The applicant has recently applied for a licence to permit the sale of alcohol and to play recorded music on the premises which could give rise to unreasonable disturbance and anti-social behaviour.

The applicant has submitted a petition in support of the application containing 15 signatures.

Internal

Transportation Engineer

No objections

Environmental Health

No objections

REMARKS

Background

The use of the subject premises for the purposes of a cafe/restaurant was established under planning permission (06/0712). This planning permission was subject to a number of conditions which were agreed with the applicant at the time of the decision. Condition 3 of planning permission 06/0712 stated that:-

"The premises shall not be used or open to customers except between the hours of:

0800 to 2000 Monday to Sunday and Bank Holidays.

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

The operators of the original cafe have since vacated the premises and the current applicant now seeks to amend the terms of condition 3 before the premises are reoccupied as a cafe/brasserie. The current applicant seeks to amend condition 3 to allow operating hours of 0800 to 2300 Monday to Saturday and 1000 to 2230 on Sunday.

Impact on Residential Amenity

At present, condition 3 of planning permission 06/0712 prevents the premises from being operated after 2000 on any day of the week. The applicant proposes to extend the closing time to 2300 Monday to Saturday and 2230 on Sunday. It is also noted that the proposed variation to the condition would prevent the premises opening before 1000 on a Sunday which is currently possible under the existing condition.

The subject site is located within Station Terrace, close to the district centre of Kensal Rise. As such, there are a number of similar food and drink uses within close proximity to the site with adjoining residential properties that operate late into the night. In such a location, where a mixture of uses co-exist, it is important to ensure that local planning decisions seek to secure an appropriate balance between the viability of businesses and the protection of residential amenity. As such, where planning permission has been permitted for food and drink uses in close proximity to residential properties it is common practice for planning conditions, limiting the hours of operation, to be imposed. However, it is unusual to restrict the opening hours of such uses to the same degree of that applied to the subject premises by the current provisions of condition 3. Notwithstanding the agreement of the previous occupier to accept more restrictive operating hours, the hours of operation now being proposed would normally be accepted if full planning permission were now being applied for by the current applicant.

It is also noted that the approval of recent planning applications at 16 & 20 Station Terrace (08/3314 and 09/1107, respectively) for the formation of external customer seating to the front of the properties were both subject to conditions preventing the use of the approved seating beyond 23.00 on any night of the week. Whilst it is acknowledged that in these cases the adjoining residential accommodation has been located above the subject commercial units, the conditions attached to these previous applications are consistent with the hours proposed as part of the current application in terms of maintaining a reasonable balance between the viability of local businesses and the protection of residential amenity within the locality of Station Terrace.

As part of the proposals the applicant has agreed to fit additional sound proofing along the full length of the wall at ground floor level between the subject premises and 9 Station Terrace and to the window above the door to the storage area. Details of the proposed sound proofing were included in the Supplementary Report to the 4th November 2009 Planning Committee and are now produced here. The details include technical specifications of a JCW silent board acoustic wall system, an installation methodology and a written quotation from Hollymint Interiors for the works. The Hollymint Interiors quotation states that on-site test results show that on completion of the installation the party walls would achieve 50dB airborne sound insulation performance which would exceed the 43dB minimum requirement under Part E of the Building Regulations which controls sound insulation to new residential dwellings. The specification has been discussed with the Council's Building Control Consultancy Service who have confirmed that the proposed treatment should comply with the standards required if the proposal were related to a new development. It is considered that this additional sound proofing would serve to protect residential amenity during, both the current and proposed extension to, the hours of operation.

Consideration of Objections

The impact of the proposal on residential amenity has been addressed, in part, in the above report. However, it is acknowledged that the behaviour of the previous occupants of the site, who breached the condition that stated that the rear garden would not be used for seating or customer service, has heightened the concerns of neighbours that the current occupant will also seek to use the rear garden for a similar purpose. However, the proposed layout of the premises is

different to that of the previous occupants in that the kitchen is to the rear with the customer area contained to the front of the unit. This layout would prevent public access to the rear garden. Furthermore, for the avoidance of doubt the applicant has stated in a letter, dated 7th September, that they are not applying for the use of the rear exterior space and are aware that use of the outside space is unacceptable to the Council.

With regards to the concern that the applicant intends to play music within the premises, it is noted that a condition was attached to the previous approval stating that no sound of this sort shall be audible at the boundary of any noise-sensitive premises attached to or in the immediate vicinity of the site. The applicant has not applied to remove, or vary, this condition in any way. The Council's Licensing Officer has confirmed that the current application for a licence to supply alcohol on the site, which is under consideration, does not seek to permit the playing of recorded or live music.

At the previous Planning Committee meeting objectors raised concerns regarding the erection of a structure to the side of the property which has been used as a store by the previous occupant. Officers are in the process of seeking clarification from the applicant as to their intentions for the structure.

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:-

Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness

CONDITIONS/REASONS:

INFORMATIVES:

- (1) This approval supersedes condition no. 3 of the planning permission granted under ref. no. 06/0712
- (2) When operating the premises the applicant must have regard to all other conditions attached to planning consent 06/0712.

REFERENCE DOCUMENTS:

Brent Unitary Development Plan 2004

3 letters of objection

1 petition of support

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: Brilliant Kids, 8 Station Terrace, London, NW10 5RT

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Committee Report

Planning Committee on 25 November, 2009

Case No. 09/2130

RECEIVED: 26 August, 2009

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 18 Park View Road, London, NW10 1AE

PROPOSAL: Proposed first-floor front extension to dwellinghouse (as amended by plans received 19/10/2009)

APPLICANT: Mr & Mrs M. Boota

CONTACT: Architecture Design Partnership

PLAN NO'S: 09/01 Rev. A; 09/02 Rev. B; 09/03 Rev. A; 09/Area

RECOMMENDATION

Refusal

EXISTING

The existing property is a two-storey semi-detached dwellinghouse located on Park View Road in Dudden Hill. The surrounding properties are similar two-storey semi-detached dwellings. It is not a Conservation Area nor is it a Listed Building.

PROPOSAL

Full planning permission is sought for the erection of a proposed first-floor front extension to the dwellinghouse.

HISTORY

E/09/0563. Enforcement investigation opened to investigate a breach of condition (the proposal not built in accordance with approved plans dated 19/06/2006).

06/0772. Full planning permission sought for the erection of single-storey and two-storey side and rear extension, rear dormer window and installation of 2 front rooflights to dwellinghouse as amended by plans received 11/05/2006. Granted 19/06/2006.

05/1499. Full planning permission sought for the demolition of the existing garage and the erection of a part single-storey and part two-storey rear extension, two-storey side extension, rear dormer window and front porch extension to the dwellinghouse (as amended by plans received on 22 August 2005). Granted 13/06/2005.

04/3132. Full planning permission sought for the demolition of the existing garage and erection of two-storey side and rear extension, single-storey detached outbuilding to the rear garden of dwellinghouse. Refused 22/04/2005.

POLICY CONSIDERATIONS

Impact on residential amenity
Character and appearance of the dwellinghouse.

CONSULTATION

Five neighbours were consulted. One objection has been received from the resident at No. 16 Park View Road on the following grounds:

1. It will result in a reduction in available natural light through the stairwell window on the flank wall of his property.
2. It will reduce outlook from the side window.
3. The grounds for the exception to policy are not valid, as the cited examples, Nos. 21 and 29 Park View Road, are not relevant to this application. No. 29 Park View Road is set back 2.5m from the main front wall of the dwelling. No. 21 was approved at 1.9m but will not have a detrimental impact on the neighbouring property which already has a first-floor side extension.

REMARKS

History

The proposed first-floor side extension that is currently under construction was approved under planning reference 06/0772. This showed the first-floor side extension with a set-back of 2.5m from the main front wall of the dwellinghouse. During construction, it became apparent that the required minimum height of the internal staircase to the loft could not be achieved. As a result of this, the applicant started to complete the extension not in accordance with the approved plans. Consequently, following a neighbour objection, an enforcement investigation was opened and following that the current application was submitted for an amended proposal with the front wall of the first-floor extension set back 1m from the main front wall of the dwellinghouse.

During the planning process, the proposal was amended so that the front wall of the extension is set back 1.9m from the main front wall of the dwellinghouse rather than 1m as originally proposed.

Character and appearance of the dwelling

The proposed first-floor side extension will have a set-back of 1.9m from the main front wall of the dwellinghouse and will be set down from the main roof ridgeline. Building Control have confirmed that the staircase, as shown on the approved plans, would not provide sufficient headroom. Furthermore, the proposed staircase shown on the plan with sections does not comply with building regulations, as the landing at the top of the stairs is below the minimum 2m internal head-height required for staircases.

While the proposal is not in compliance with SPG5 specifications, the applicant has referred to a decision to allow a reduced set-back of 1.9m for a first-floor proposed extension at No. 21 Park View Road (07/0857). This was permitted to allow adequate access into the loft space and to improve the quality of the room created in the loft. In the current application the applicants have failed to demonstrate that an adequate access to the roof can be achieved as a result of the proposed reduced set-back to the first-floor extension. Building Control have been verbally consulted on this matter and have confirmed that adequate access to the loft space cannot be achieved as shown on the revised plans. Therefore it cannot be used as a justification for a reduced first-floor set-back. Accordingly this application is considered to be contrary to SPG5 and will have an unjustified detrimental impact on the character and appearance of the existing dwellinghouse.

Residential Amenity

The further forward projection of the first-floor side extension by 0.6m will not have a detrimental impact on the amenity of the neighbouring resident. The existing flank-wall window of No. 16 is through to a non-habitable room, therefore the loss of light through to this window is not considered to have a detrimental impact on the amenity of neighbouring residents.

Rear Dormer Window

The proposed rear dormer window has also not been completed in accordance with the approved plans. However, the applicants have shown that the rear dormer window and the proposed roof

extensions are in compliance with Permitted Development guidelines for roof extensions, as set out in Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 1995. The measurements shown and the site visit confirm that it has been completed and is in accordance with the Permitted Development requirements.

Response to Applicant's Examples

The applicant has cited a number of examples where Brent have approved similar-style extensions to justify the proposed reduced depth for the first-floor extension. These are listed below:

- 21 Park Avenue North – A reduced set-back of 1.9m from the main front wall of the dwellinghouse was permitted for the first-floor side extension (ref. 07/0857). It has already been noted that this decision was made in error; however, the impact of the proposed extension is limited by the fact that the neighbouring dwellinghouse also has a two-storey side extension to dwellinghouse, although with a set-back of 2.5m, which reduces the potential for a terracing effect to occur.
- 29 Randall Avenue – Full planning permission was granted for the erection of a first-floor side extension. This had a reduced set-back of 1.5m from the main front wall of the dwellinghouse (ref. 06/2326). This was in compliance with SPG5 as there was a 1m set-in from the boundary.
- 41 Oxgate Gardens – Full planning permission was granted for a first-floor side extension with a set-back of 2.5m from the main front wall of the dwellinghouse with an oversailing roof to allow for access into the loft (ref. 08/1197). A condition was attached to ensure the area below the overhang is not infilled.
- 62 Vincent Gardens – Full planning permission was permitted for a first-floor side extension with a reduced set-back of 1.9m from the main front wall of the dwellinghouse (06/1481). This was permitted as the neighbouring property had an approved first-floor side extension set-in 1m from the boundary and set-back 1.5m from the main front wall, therefore there was no risk of a terracing effect occurring, while the dwellinghouse was also detached on a street of semi-detached dwellings.
- 2 Sherrick Green Road – Full planning permission was granted for a first-floor side extension to this property on 08/09/2008 (ref. 08/2003). The first-floor extension was set in 2m from the side boundary, therefore a 1.5m set-back was in keeping with SPG5.

The applicant has shown a number of examples which he feels set a precedent. Predominantly these were in accordance with SPG5 and where they are not, planning reasons have been given as to why an exception to policy was justified or the decision was made in error. It is considered that a precedent for extensions with a reduced set-back of 1.9m has not been set and therefore the application at No. 18 should be considered on its own merits in relation to Council policy.

Conclusion

The proposed two-storey front extension is considered not to be in keeping with the aims and objectives of Council planning policy and will therefore not be in keeping with the character and appearance of the dwellinghouse and the surrounding streetscene. Accordingly the proposal is recommended for refusal for the reason outlined below.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed two-storey side extension, by reason of its inadequate set-back from the main front wall of the dwellinghouse, would not be in keeping with the character and appearance of the dwellinghouse and the surrounding streetscene, contrary to

policy BE9 of Brent's Unitary Development Plan 2004 and the specifications of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

UDP 2004
SPG 5

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: 18 Park View Road, London, NW10 1AE

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Committee Report

Planning Committee on 25 November, 2009 Case No. 09/2222

RECEIVED: 9 September, 2009

WARD: Welsh Harp

PLANNING AREA: Willesden Consultative Forum

LOCATION: School Main Building, St Margaret Clitherow Jmi School, Quanton Street, London, NW10 0BG

PROPOSAL: Demolition of existing school and erection of new single-storey school building with 12 parking spaces, refuse storage and habitat area/vegetable garden to front, hardsurfaced playground to side, seating and play areas to rear and associated landscaping

APPLICANT: The Governors

CONTACT: DHP (UK) LLP

PLAN NO'S: Letter from Rachel Banfield, DHP (UK) LLP, dated 5th November 2009
E-mail from Rachel Banfield, DHP (UK) LLP, dated 12 October 2009
Planning Statement by DHP dated 19 August 2009
Renewable Energy Feasibility Report by DHP dated July 2009
4282/01; 4282/02; 4282/03; 4282/04; 4282/05; 4282/06; 4282/07

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:-

- (i) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance;
- (ii) Prior to any occupation; submission of and compliance with an agreed management plan to cover community access to the on-site indoor facilities. The plan will include rates of hire, hours of operation and can be reviewed on a yearly basis.
- (iii) Prior to any occupation; the submission and approval and implementation of a School Travel Plan, with provision for effective implementation.
- (iv) A requirement to implement sustainability measures indicated on TP6 Form "Sustainability Checklist" dated 21/08/2009 and measures to ensure that a minimum BREEAM Excellent rating has been achieved.
- (v) A requirement to offset 20% of the developments CO2 production through the use of on-site renewables during the lifetime of the development.

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 site is located at the end of Quainton Street in Neasden, and is currently occupied by a one-form entry primary school. The site is bounded by a railway to the south, a residential flatted development, the River Brent, and a sports ground to the west, residential properties on Lawrence Way to the north, and a canal feeder and industrial area to the east. The main site access is off Quainton Street, near its junction with Lawrence Way, with an additional emergency vehicle access on Lawrence Way. The site is not within a Conservation Area, and does not contain any Listed Buildings.

PROPOSAL

Full planning permission is sought for demolition of the existing school and erection of a new single-storey school building with 12 parking spaces, refuse storage and habitat area/vegetable garden to front, hardsurfaced playground to side, seating and play areas to rear and associated landscaping. The development is proposed to be carried out in 3 phases, details of which will follow in the Remarks section below.

HISTORY

Planning permission was granted in 1975 to erect temporary classrooms for a period of 5 years, under reference LE89939975.

Permission was then granted in 1976, for the erection of extensions to complete the one-form entry primary school, under reference H1658 1144.

Planning permission was granted in 1990 for erection of a single-storey building to provide a nursery unit, under reference 89/1288.

POLICY CONSIDERATIONS

Brent's Unitary Development Plan - 2004

STR11 - The quality and character of the Borough's built and natural environment

STR12 Protecting public health and safety

STR13 - Environmentally sound

STR34 - Protection of sports facilities

STR35 - Improvements to Brent's open space and sports facilities

STR37 - Accessible community facilities

STR38 - Major regeneration should include proper provision for community facilities

BE2 - Townscape: Local Context & Character

BE4 - Access for Disabled People

BE6 - Public Realm: Landscape Design

BE7 - Public Realm: Streetscape

BE9 - Architectural Quality

BE12 - Sustainable Design Principles

TRN22- Parking Standards – Non-residential Developments

TRN34- Servicing in New Development

TRN35- Transport Access for Disabled People & Others with Mobility Difficulties

PS12 - Non-residential Institutions (Use Class D1) and Hospitals

CF8 - School extensions

Supplementary Planning Guidance

SPG17- Design Guide for New Development

SPG19-- Sustainable Design and Construction

SUSTAINABILITY ASSESSMENT

The development is acceptable in sustainability terms and achieves the required 50% on the Council's TP6 Checklist. It is recommended that the development uses a mix of technologies to achieve a 20% CO2 reduction from renewable-energy measures, specifically Air Source Heat Pumps and photovoltaic panels. This will need to be demonstrated in a detailed Sustainability Implementation Strategy. The applicant will also need to sign up to the agreed Head of Terms in the S106 agreement.

CONSULTATION

205 premises in the vicinity of the site were consulted. No objections were received. In addition, a petition comprising 455 signatures in support of the proposal was submitted with the application. A pre-application consultation exercise with residents and parents was undertaken by the applicant. Concerns raised were primarily in relation to construction traffic/hours of work; and traffic flows, particularly on Quinton Street.

The following parties were also consulted:

Internal:

Environmental Health - No objection. Conditions proposed in order to address air quality and noise concerns;

Transportation Unit - No objection. School Travel Plan to be secured by legal agreement;

Policy and Research - No objection. Sustainability comments given;

Landscape and Design - No objection. Revisions requested and conditions proposed;

Design and Regeneration - No objection. Revisions requested;

Sports Service - No comments;

Children and Families - No comment;

External:

Ward Councillors - No comments;

Brent Police Secure By Design - No comments;

Thames Water - No objection - Informative proposed;

London Underground Limited - No objection;

Environment Agency - No objection - Suggestions made for potential sustainability improvements.

REMARKS

The existing primary school is accommodated in outdated and undersized buildings which were built as temporary classrooms in the 1970s. There is insufficient space to provide adequate teaching facilities for the one-form entry (1FE) of pupils, and the facilities are of a poor quality. The proposal therefore seeks to demolish the existing buildings and build replacement buildings that will provide adequate facilities for staff and pupils into the future. The need for this development is clear. It is proposed to undertake the development in phases, which will allow the school to remain open without the need for temporary classrooms.

The proposed school will provide facilities for 1FE, as existing, therefore there will be no increase in pupil or staff numbers. As there is no change of use or increased intensity of use related to the proposal, the primary considerations are:

1. Whether the scale and layout of the proposed buildings will cause any additional impact on the amenities of neighbouring residents.
2. Whether the proposal exhibits an acceptable design and landscape quality, which is fit for its end use, is appropriate to its surroundings, and is visually attractive.
3. Whether the development is acceptable in terms of sustainability - contributing toward the Borough's sustainability objectives and providing a safe environment for staff and pupils on site.
4. Whether the development will make a positive contribution to the local community.

Phasing

The development is proposed to be built in 3 phases, for reasons relating to funding and the need to provide additional teaching space as a priority. This will also allow the school to operate during construction. Phase 1 would be undertaken without the need for any prior demolition, as this part of the development is proposed on the existing open space to the west of the site. The extent of works proposed under the proposed 2nd and 3rd phases are detailed below under *Design*.

Funding has only been secured for the first phase of the proposal. While it is accepted that the intention of the applicant is to complete all 3 phases of the development, it must be considered a possibility that funding will not be forthcoming for the second and third phases of the development immediately after the implementation of the first phase, or possibly at all. As such, it must be considered how each phase of the development would read in relation to the existing buildings, and what implications this may have on the development overall. It is also key that any conditions imposed relate back to this possibility. These themes will be explored in more depth later in the report.

Scale and massing

The existing buildings are single-storey, and are positioned toward the centre and east of the site. The most sensitive boundaries are to the north and the west, which adjoin residential properties. The eastern and southern boundaries are shared with an industrial area and the railway. The existing buildings are in close proximity to the flank wall and rear garden of neighbouring dwellinghouse at 15 Cambridge Close to the north.

The proposed layout withdraws from this boundary somewhat, but extends further to the west, resulting in a reasonably deep-plan east-west oriented building. The proposal results in an increase in the existing building footprint from 1219m² to 1572m². The proposed layout allows for adequate circulation space and outdoor play areas surrounding the buildings.

The proposed buildings are single-storey, however, the main hall, which is situated centrally, has a vaulted ceiling which results in an overall external height of 7.3m. All parts of the development comply with massing/scale guidance provided by SPG17, which is based on the angle of sight-lines from the rear windows or side boundaries of neighbouring residential dwellings.

The proposed phase 1 buildings will extend further toward the west of the site, into what is currently open space. This will be closer to the rear gardens of 16-26 Cambridge Close to the north of the site, and to the flank wall of 27-35 Cambridge Close to the west. This part of the development has a curved roof which reaches a maximum height of 5.5m above ground level. A rooflight feature in the centre extends a further 1.3m. As the height of the building is not excessive, and an appropriate space is to remain between the building and the site boundaries, no significant impact on neighbouring amenity is expected. Both the eastern and northern boundaries have significant existing vegetation which is proposed to be retained, and will provide ongoing screening of the site.

Although higher than existing, the main hall is situated further from the site boundary than its existing counterpart, meaning that the impact on the amenities of the nearest residents (at 15 Cambridge Close), will not be significantly affected. This part of the development is proposed under phase 2.

Phase 3 of the development has a similar roof design to phase 1, and being situated to the east, will not have a significant impact on any adjoining residential properties.

Design

Overall, the design of the proposed buildings is considered acceptable. The buildings are of an appropriate scale for primary children to relate to and have an interesting and contemporary design. Materials are shown as a combination of rainscreen cladding, natural wood, and render, which are considered acceptable although specific details will be required to be submitted for approval later, should permission be granted. Suggestions have also been made as to how the overall elevational design could be lifted slightly, and a condition proposed to require further submission of such details.

The buildings can be broken down into 3 distinct parts, which correspond to the various phases of the development. The Phase 1 area consists of 4 junior classrooms, 2 group rooms, and a central atrium group area. The exterior is characterised by an arched sedum roof with a domed rooflight in the centre. Rooflights and windcatchers increase natural light and ventilation to internal spaces. Classroom break-out areas are provided to the north and south. If implemented independently of the other 2 phases, this building would be free standing. As this phase would be constructed prior to demolition of the existing buildings, this would result in an additional 4 classrooms in excess of current provision. The governors of the school have given confirmation that if this eventuates, that the school will not be used to accommodate more than 1FE of pupils, and a condition is proposed to control this, the reason being that additional pupil numbers would have follow-on impacts related to transportation and neighbouring amenity, and would be considered to be inappropriate to such a constricted site.

The Phase 2 area includes the main hall (which doubles as an indoor PE area), 2 infant classrooms, WCs and a food-science room. The south side of the building, which contains the classrooms, is similar in design to the Phase 1 building. The north side (main hall) is higher, with a flat roof. A condition is proposed, requiring further details of how this roof could be used for either rainwater harvesting or as a green roof.

The Phase 3 part of the proposal incorporates the main entrance, nursery, ICT suite, library, offices, and ancillary rooms of various types. It is also similar in design to the Phase 1 building. Amendments were requested in order to make the proposed main entrance more expressive and legible, further details of which are required by condition

Landscape

The proposal results in an increased building footprint and an increased area of hard landscaping, on a relatively constricted site. Consequently, the remaining soft landscaping must be of a high quality in order to balance this and create an acceptable development overall in terms of visual amenity and sustainability. Various improvements to the scheme have been suggested, and the incorporation of these suggestions into the final landscaping scheme is required by condition.

Sustainability

As outlined above, a sustainability score of 50% is likely to be achieved by the development. The Section 106 agreement, for which the heads of terms have been agreed, will require the provision of on-site renewables to off-set 20% of the development's carbon production for the lifetime of the development, in addition to achieving a BREEAM Excellent rating. A Site Waste Management Plan has is required by condition. The development results in an increase in the proportion of the site covered by buildings and hardsurfacing, however, this additional impact is balanced by the provision of sedum roof on much of the development, which slows the overall run-off rate for the site. Details of either rainwater harvesting or green roofs for additional roof areas, and details of

Sustainable Urban Drainage Systems where possible are required by condition. The proposed draft landscape scheme indicates an increase in the overall number of trees on site, particularly natives, and the provision of a natural wetland habitat area. The final landscape scheme will be required to include these provisions and improve on them where possible. In sustainability terms, the scheme is considered to be acceptable.

Transportation

As no increase in numbers are proposed, transportation impacts will not be expected to increase as a result of the proposal. The school is currently preparing a School Travel Plan in conjunction with the Council's Transportation Unit, the implementation, monitoring, and review of which will be secured by legal agreement for the lifetime of the development. The proposed car- and cycle-parking provision has been brought in line with the appropriate parking standards for this type of development. No change to existing access arrangements are proposed, although an additional pedestrian accessway will be provided in order to improve car-free access. Servicing provision is adequate.

Noise and air pollution

The application site lies within an Air Quality Management Area. The proposal is for the same use and intensity as the existing use of the site, so would not be expected to contribute to any additional air quality impacts. Conditions are proposed, however, to ensure that construction works do not have an unacceptable impact on air quality, particularly as the school would be likely to be in use during this time. Details of how noise from the adjacent railway will be mitigated are also to be submitted.

Community use

The school is able to provide a small number of facilities which may be of benefit to the wider community. These include the ICT suite, main hall (with single indoor sports court), and meeting rooms. Existing facilities at the school are available on an ad hoc basis, however the management and availability of the proposed facilities will be formalised and secured by legal agreement in the form of a Community Use Plan.

Conclusion

The need for new school facilities at this site is accepted, and it is considered that the proposed development would be successful in terms of providing for this need. The main issues surrounding the proposal, being the quality of design and landscaping, impact on neighbours, sustainability and community benefit, have been adequately addressed.

It is considered that the delivery of only 1 or 2 of the proposed phases, while less than ideal, would result in the provision of the required educational facilities, without any significant harm to the amenities of neighbouring residents. It has been demonstrated that the required sustainability requirements can be achieved for each proposed phase. The proposed landscaping plan will be required to be implemented as part of the Phase 1 works, ensuring that the loss of existing green space would be mitigated in the event of the subsequent phases not being implemented.

The proposal is considered to comply with the relevant policies in Brent's UDP, and guidance provided by SPG17 and SPG19. Approval of the application 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
Council's Supplementary Planning Guidance SPG 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

Transport: in terms of sustainability, safety and servicing needs

Community Facilities: in terms of meeting the demand for community services

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 samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (3) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. The submitted plans shall clearly indicate the extent of landscaping that will be undertaken as part of each of the 3 proposed phases of development, and shall achieve an acceptable standard of visual appearance and amenity for each respective phase. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of the relevant part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) further details of proposed areas of additional planting, including proposed species, numbers, and densities;

(c) proposed walls and fences (both boundary and within the site) indicating materials and heights;

(d) screen planting along the boundary adjoining residential properties;

(e) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(f) existing contours and any proposed alteration to ground levels such as earth mounding;

(g) areas of hard landscape works and proposed materials, which must also provide for the sustainable drainage of surface water where practicable. Details should show the omission of hard surfacing within proposed habitat area;

- (h) additional seating, shelter, and play features;
- (i) details of the proposed arrangements for the maintenance of the landscape works.

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 with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

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

- (4) Detailed drawings showing all existing trees which are not directly affected by the building(s) and works hereby approved shall be submitted to the Local Planning Authority prior to demolition and construction works. Such trees shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted or their soil levels within the tree canopy altered at any time without prior approval in writing of the Local Planning Authority. Any such tree which subsequently dies, becomes seriously diseased or has to be removed as a result of carrying out this development, shall be replaced in the next planting season with a tree of a similar species and size in the same position, or in such position as the Local Planning Authority may otherwise approve in writing.

Detailed drawings of all underground works and additional precautions to prevent damage to tree roots, if any, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on site. Such details shall include the location, extent and depth of all excavations for drainage and other services, in relation to the trees to be retained on site, and these works shall be carried out and completed in all respects in accordance with the drawings so approved, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the existing trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained as an integral feature of the development and locality and kept in good condition.

- (5) Prior to commencement of any demolition or construction works on site, details of suitable and sufficient lighting, appropriately baffled where necessary to avoid glare, shall be submitted to and approved in writing by the Local Planning Authority. Submitted details shall include light-spill drawings and proposed hours of use. Such details shall be designed to ensure adequate security, safety, and convenience on roads, footpaths, carparks and other pedestrian and vehicular routes within the site, and so as to not harm the amenities of neighbouring residents, and shall be in accordance with "Secured By Design" guidance. The approved details shall be fully implemented.

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

- (6) Prior to the commencement of development on site, a Noise Assessment shall be submitted to and approved in writing by the Local Planning Authority, which shall conform with the guidance outlined in PPG 24 and BS 8233:1999, and shall include all attenuation measures to be incorporated into the building to protect the future occupiers from exposure to railway noise and vibration and interim measures to ensure an environment conducive to learning can be maintained during later construction phases. The approved details shall be fully implemented.

Reason: To protect the amenities of the occupiers of the building hereby approved and nearby residents from noise and general disturbance.

- (7) Prior to commencement of the development, a Demolition & Construction Method Statement, including hours of operations, measures to suppress dust and noise, measures to preserve air quality, and details of on-site wheel-washing equipment for construction vehicles, shall be submitted to and approved in writing by the Local Planning Authority. All operations shall conform with the Method Statement approved.

Reason: To ensure considerate construction and protect the amenities of the occupiers of the building hereby approved and nearby residents

- (8) The noise from all new building services and plant shall be maintained at a level 10dB(A) below the typical underlying background-noise level (LA90) during its operation at a position one metre away from the nearest habitable room in adjacent dwellings or other noise-sensitive receivers. The LA90 level shall be determined in the absence of the new plant noise. Assessment shall conform in all respects with advice in BS4142: 1997.

Reason: In the interest in preserving the amenities of neighbouring residents.

- (9) Notwithstanding the plans hereby approved, revised plans shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any demolition or construction works on site, which illustrate the following improvements to the scheme:

(a) Elevational changes to lift the overall design appearance of the proposal, in particular to make the proposed entrance more expressive and articulate.

(b) Provision of either green roofs or rainwater harvesting to flat roof elements of proposal.

These approved details shall be fully implemented.

Reason: In the interests of the visual amenity and legibility of the development.

- (10) Prior to the commencement of development, an appropriate Site Waste Management Plan shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be fully complied with.

Reason: In the interest of ensuring the sustainability of the development.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's UDP 2004;
SPG17 - Design Guide for New Development;
SPG19 - Sustainable Design, Construction, and Pollution Control.

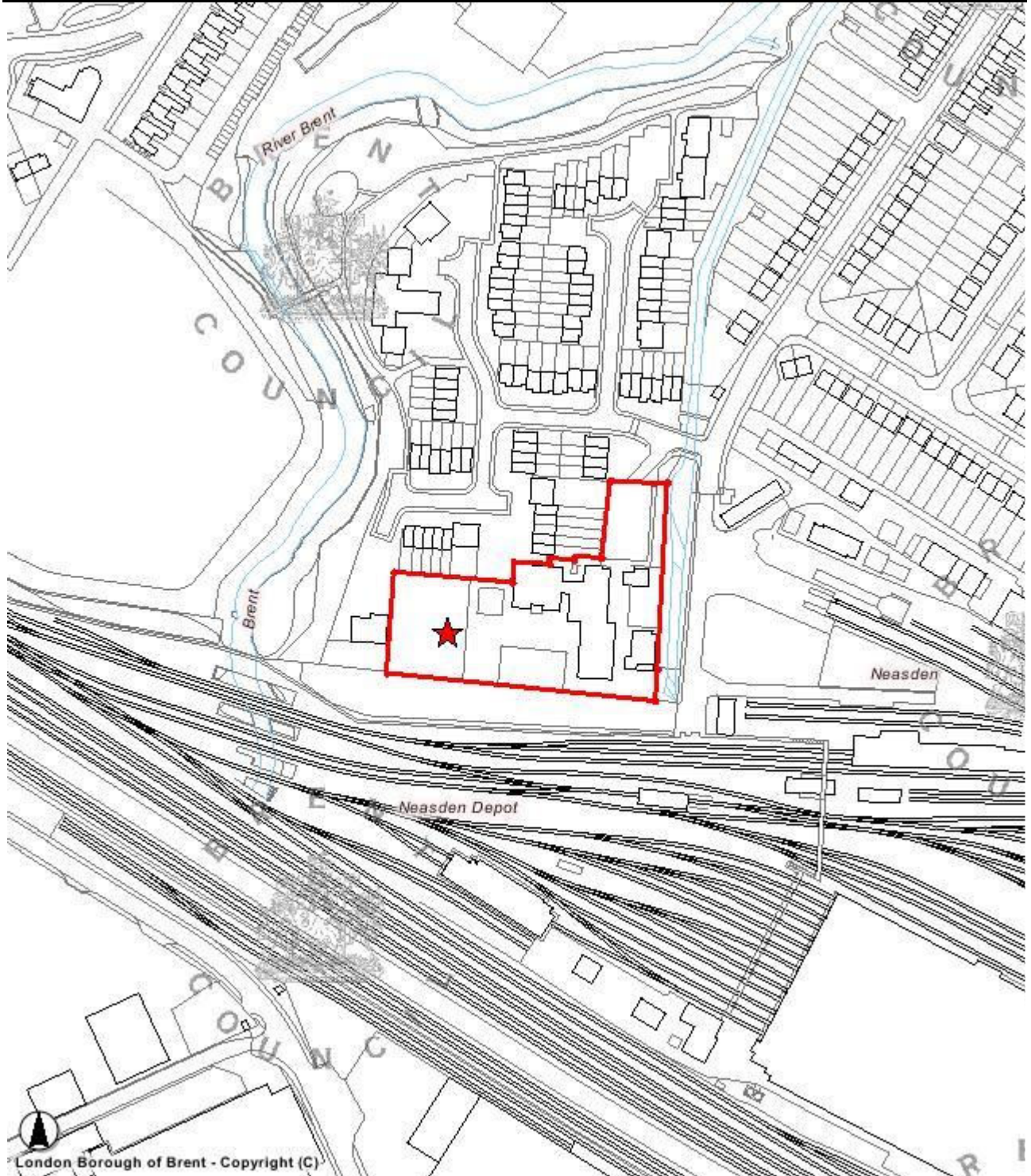
Any person wishing to inspect the above papers should contact Hayden Taylor, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5345



Planning Committee Map

Site address: School Main Building, St Margaret Clitherow Jmi School, Quanton Street, London, NW10 0BG

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Committee Report

Planning Committee on 25 November, 2009 Case No.

09/3267

RECEIVED: 9 October, 2009

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Ark Academy, Forty Avenue, Wembley, HA9 9JR

PROPOSAL: Details pursuant to condition 11 (design for access), 12 (bird & bat boxes), 14 (coach turning & parking details), 17 (external lighting), and 20 (pitch lighting) of deemed (Reg4 Council other department) reference 08/2842 dated 4 June 2009 for new school academy (6 forms of entry secondary school, 2 forms of entry primary school & nursery) comprising 2-, 3- and 4-storey main school building, 2-storey sports/drama hall with changing facilities, 3 hard play areas, all-weather, floodlit sports pitch, smaller floodlit sports pitch, outdoor play areas, soft play/natural habitat landscaped area, 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces and associated landscaping with access from Forty Avenue and Bridge Road, HA9 (as accompanied by: Revised Design and Access Statement dated February 2009; Untitled 3D visualisation drawings received 28 January 2009; Revised Transport Assessment by TPC dated March 2009; Statement of Community involvement in the process of establishing Ark Academy; Flood Risk Assessment Revision A by Dewhurst Macfarlane and Partners; Calculations confirming the proposed academy will discharge less than half the foul plus surface water drainage into the existing sewer system, by Dewhurst Macfarlane and Partners; Additional calculations, by Dewhurst Macfarlane and Partners; Flood Risk Assessment calculation sent by Smith Construction dated 24 March 2009; Energy Statement by Faber Maunsell dated 15 October 2008; Faber Maunsell letter dated 6 February 2009; Faber Maunsell Technical Note dated February 2009; Faber Maunsell document - Issue 2 - October 2008; Faber Maunsell Heat Loss and Overheating Analysis - January 2009; Desk Study and Preliminary Ground Investigation by Soil Consultants dated 14 January 2008; Draft Landscape Management Plan for Wembley Academy Natural Habitat Area along Forty Avenue Site Boundary, by Form Associates dated October 2008; Phase 1 Habitat Survey and Protected Species Assessment, by ecology consultancy dated January 2008; Tree Survey and Arboricultural Report by Challice Consulting Ltd dated 21 July 2008; Willmott Dixon Sport England Response issued 5 February 2009; 'Paper 1' - Educational need for a new secondary school with 2 form entry feeder primary; 'Paper 2' - Site selection for a new school; 'Paper 3' - Open Space Assessment; Ark Academy Access Statement by Jane Simpson Access; Ark Academy Design Challenger/ Advisor Comments dated 23.02.09; Willmott Dixon response to GLA Stage 1 comments dated 28 January 2009; Willmott Dixon response to Sport England comments dated 5 February 2009; Council's Screening Opinion and checklist dated 5 June 2008; Report to Executive 'School Places - follow up review of sites and pupil number forecasts - 15 January 2007'; Report to Scrutiny Committee 'Primary and Secondary Places Update' - 26 November 2008; Report

to Executive 'A Strategy for the Development of Primary and Secondary Schools - Options for Delivering Additional School Places' - 13 November 2006; Approved Admissions Arrangements for Ark Academy (Primary - 2009/10 school year))

APPLICANT: Mr John Christie

CONTACT: Willmott Dixon Construction Limited

PLAN NO'S: 125733/E/251 Rev 0;
1010_PL_011 Rev A;
P904-409H;
1010_PL_012 Rev A;
1193 EL103 Issue 9;
1193 EL107 Issue 9;
Ark Academy Access Statement by Jane Simpson Access;
Letter from Willmott Dixon dated 8th October 2009 regarding Condition 20;
Email from Richard Davidson dated 13 November 2009;
Sports pitch lighting specifications document by PIP Electrics Limited;
Ark Academy Technical Submission 1 External Lighting Luminaire Schedule Revision A Dated 9th September 2009.

RECOMMENDATION

Approval.

EXISTING

The site is the Wembley Park Sports Ground which is designated as a Sports Ground in Brent's Unitary Development Plan 2004 (UDP). It is located in Wembley Park, between the London Underground Line to the south and Forty Avenue to the north. The eastern boundary is formed by Bridge Road and the west by Kenbrook House, a nursing home. It extends to approximately 4.3ha and is generally flat, with a fall from 44.92-40.92m above ordnance datum (AOD) (east to west along northern boundary) to 40.48-39.05m AOD (east to west along southern boundary).

In the north-western part of the site, near Kenbrook House, a temporary school now exists. This was granted temporary planning permission for three years, following approval by the Planning Committee on 3 June 2008. Use of the school commenced in September 2008, following phase 1 of construction, and currently accommodates approximately 60 primary pupils. The facilities consist of 2 x Reception classes, 2 x Year 1 classes and 1 x Common room, with ancillary staff rooms, stores and WCs. A playground and a staff car-park are also provided, with a new vehicular access from Forty Avenue.

Permission was granted on 4 June 2009 for the erection of a new school academy on the site. Construction has now begun on this development, on the remainder of the site not occupied by the temporary school.

PROPOSAL

Details pursuant to condition 11 (design for access), 12 (bird & bat boxes), 14 (coach turning & parking details), 17 (external lighting), and 20 (pitch lighting) of deemed (Reg4 Council other department) reference 08/2842 dated 4 June 2009 for new school academy (6 forms of entry secondary school, 2 forms of entry primary school & nursery) comprising 2-, 3- and 4-storey main school building, 2-storey sports/drama hall with changing facilities, 3 hard play areas, all-weather, floodlit sports pitch, smaller floodlit sports pitch, outdoor play areas, soft play/natural habitat landscaped area, 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces and associated landscaping with access from Forty Avenue and Bridge Road, HA9.

HISTORY

09/1362 - Details pursuant to condition 6 (drainage strategy) and condition 15 (surface-water drainage system) of deemed (Reg. 4: Council's other development) planning consent reference no. 08/2842, granted 04/06/2009, for new school academy (6 forms of entry secondary school, 2 forms of entry primary school & nursery) comprising 2-, 3- and 4-storey main school building, 2-storey sports/drama hall with changing facilities, 3 hard play areas, all-weather, floodlit sports pitch, smaller floodlit sports pitch, outdoor play areas, soft play/natural habitat landscaped area, 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces and associated landscaping with access from Forty Avenue and Bridge Road, HA9 - **Granted** permission 26 June 2009.

09/1360 - Details pursuant to Condition 5 (Tree Protection), Condition 7 (Breeding Bird Survey), Condition 9 (Tree Survey Details), and Condition 10 (Wheel Wash Facilities) of Deemed (Reg4 Council's Other Development) Reference No. 08/2842 dated 04/06/2009, for New school academy (6 forms of entry secondary school, 2 forms of entry primary school & nursery) comprising 2-, 3- and 4-storey main school building, 2-storey sports/drama hall with changing facilities, 3 hard play areas, all-weather, floodlit sports pitch, smaller floodlit sports pitch, outdoor play areas, soft play/natural habitat landscaped area, 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces and associated landscaping with access from Forty Avenue and Bridge Road, HA9 - **Granted** permission on 10 June 2009.

08/2842 - Full planning permission **granted** on 04 June 2009, for 'New school academy (6 forms of entry secondary school, 2 forms of entry primary school & nursery) comprising 2-, 3- and 4-storey main school building, 2-storey sports/drama hall with changing facilities, 3 hard play areas, all-weather, floodlit sports pitch, smaller floodlit sports pitch, outdoor play areas, soft play/natural habitat landscaped area, 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces and associated landscaping with access from Forty Avenue and Bridge Road, HA9.

08/0799 - Full planning permission **granted** on 04 June 2008, for 'The erection of single storey temporary building comprising a new primary and secondary school, with provision of new hardstanding and car parking an associated landscaping on site adjacent to Forty Avenue.

POLICY CONSIDERATIONS

Brent's Unitary Development Plan - 2004

STR11 - The quality and character of the Borough's built and natural environment

STR13 - Environmentally sound

STR35 - Improvements to Brent's open space and sports facilities

STR37 - Accessible community facilities

STR38 - Major regeneration should include proper provision for community facilities

BE3 - Urban Structure: Space & Movement

BE4 - Access for Disabled People

BE5 - Urban Clarity & Safety

BE12 - Sustainable Design Principles

BE25 - Development affecting Conservation Areas

TRN22 - Parking Standards – Non-residential Developments

TRN35 - Transport Access for Disabled People & Others with Mobility Difficulties

PS12 - Non-residential Institutions (Use Class D1) and Hospitals

OS10 - Access to Sports Facilities

OS13 - Development on Sites of Borough (Grade II) and Local Nature Conservation Importance

OS15 - Species Protection

CF7 - New Schools

Supplementary Planning Guidance

SPG13- Layout Standards for Access Roads

SPG17- Design Guide for New Development

SPG19-- Sustainable Design and Construction

CONSULTATION

Public consultation was carried out in respect of the specific impacts that may be caused by the details for which permission is being sought, in particular sport pitch floodlighting (condition 20). As such, 557 premises surrounding the site were consulted, in addition to the Barn Hill and Empire and Danes Court Residents Associations, whose members may be directly affected by the proposals. 1 objection was received, which related to the principle of the development approved under reference 08/2842, and is therefore not relevant to the current application.

In addition, Councillors for Preston, Tokyngton, and Barn Hill Wards were consulted. No representations were received.

The following internal consultations were made:

- Transportation - No objection;
- Environmental Health - No comments received;
- Policy and Research - No objection;
- Streetcare - Lighting - No objection;
- Parks Service - No comments received.

The following external consultations were made:

- Brent Police - Secure By Design - No comments received;
- London Underground Ltd - No objection;
- Sport England - No objection.

Due to some delay with the postal service, and with details being scanned onto the Council website, some residents have shown concern that they may not have the full 21 day period in which to make a representation. It has been made clear to residents that have shown concern that any representations made up until the day of Committee, will be taken into account and fully reported on.

Taking into account postal delays, everyone consulted will have had at least 21 days in which to respond by the date of committee. Members are advised that it is possible that any such late representations will be reported in the supplementary report.

It has been confirmed that documents were scanned onto the system and will have been available for viewing from the 6th of November onwards. This means that they would have been available for 20 days including the day of Committee. Hard copies of the documents have also been available for viewing at Brent House during the consultation period. If Members consider this inadequate, it is suggested that Members may wish to make a recommendation that the final decision be made under delegated powers, subject to no new significant issues being raised by objection within a given time frame following Committee.

Complaints have also been received in relation to the clarity of the consultation letter sent out, and how well this conveyed to residents the scope of the proposals. The text of the letter was of the standard format used for all consultation letters, with the application description also adhering to the commonly used format. The conditions being considered were listed, with a brief description of what the condition related to included in brackets. It is not considered that specialist knowledge would be required to understand this. Details of how to contact Officers were given on the letter, and several residents used these details to discuss the proposals with Officers.

REMARKS

Planning permission 08/2842 was granted on 04 June 2009, for a new school academy (6 forms of entry secondary school, 2 forms of entry primary school & nursery) comprising 2-, 3- and 4-storey main school building, 2-storey sports/drama hall with changing facilities, 3 hard play areas, all-weather, floodlit sports pitch, smaller floodlit sports pitch, outdoor play areas, soft play/natural habitat landscaped area, 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces and associated landscaping with access from Forty Avenue and Bridge Road, HA9. This permission was granted subject to various conditions. This application seeks the discharge of some of these conditions, which will be addressed individually below.

Condition 11:

Within 3 months of the date of this permission, details of the design and layout of the proposed sports hall and external playing areas (which shall comply with Sport England Design Guidance Notes and include consideration of 'Access for Disabled People 2002'), and of the overall site, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The design and layout of the site and facilities shall provide for access by all user groups, and shall honour the commitments made in the submitted Access Statement. The proposed facilities (external and internal) shall be constructed in accordance with the approved design and layout details.

Reason: To ensure the development is fit for purpose, subject to high quality design standards and sustainable and to accord with Local Plan Policy.

This condition was imposed to address concerns raised by Sport England with regard to the original layout of the sports hall and outdoor sports facilities, which may have posed some difficulties for disabled access. In order to address this (and access issues within the rest of the school), the applicant commissioned an independent access review, which highlighted access issues. These issues were addressed by making changes to: levels within the site and gradients between these levels; disabled drop-off points within the site; access to spectate; doorway widths; sports building lobby layout; disabled toilet facilities on each floor; layout of standard change facilities.

Although some of the suggested changes (in addition to those above) could not be incorporated due to site constraints, the resulting accessibility of the indoor and outdoor sports facilities have been significantly improved. Sport England have reviewed the changes and the submitted Access Statement, and are content that the proposal now complies with Sport England guidance. The accessibility improvements do not result in any change to the external appearance of the sports hall, as considered previously by Members.

Condition 12:

Within 6 months of the date of this permission, details of proposed bird and bat nesting boxes shall be submitted to and approved by the Local Planning Authority. The installation of the approved nesting boxes shall be undertaken prior to occupation of the development.

Reason: In the interest of wildlife preservation.

Comments made by the London Ecology Unit on the Phase 1 Habitat Survey submitted as part of application 08/2842 suggested the incorporation of bird nesting boxes on the site to enhance biodiversity. To address this requirement, 5 no. bird nesting boxes are to be provided within existing trees in the Site of Local Importance for Nature Conservation to the north of the site.

Nesting boxes are to be installed in trees as opposed to within the fabric of the building in order to avoid long-term facade maintenance and management issues, and so as to provide a nesting environment as far removed as practicable from heat, light, and sound interference from the building. Nesting boxes are supplied by the Royal Society for the Protection of Birds, and are to be installed in accordance with their specifications which include height above ground, aspect, method of fixing to tree, and siting relative to flight paths.

In addition, the Bat Survey conducted as part of the initial application identified foraging bats on site, but no existing bat roosts. The recommendations to enhance the habitat for bat roosting was to retain those trees within the natural habitat area to the north of the site that may be suitable for roosting, and to introduce additional roosting boxes. 3 no. boxes are proposed toward the north of the habitat area, which comply with the specifications recommended in this report.

The submitted details are considered acceptable.

Condition 14:

Notwithstanding the plans hereby approved, a revised site layout plan shall be submitted and approved by the Local Planning Authority within 6 months of the date of this permission, showing how 2 coach parking spaces can be provided onsite as and when required, and the setting back of all vehicular gates at least 5 metres from the highway boundary. The development shall be carried out in full compliance with the approved layout.

Reason: In the interest of highway and pedestrian safety.

This condition was imposed as a result of a recommendation from the Council's Transportation Unit, to ensure that coaches (for school excursions etc, rather than regular bus services) could park and be loaded/ unloaded with passengers, without causing traffic congestion or harm to pedestrian or highway safety. The submitted details show this provision within the approved car-park area. The resultant layout is not significantly different to that previously considered by Members.

The number of car parks remains as approved, however the 3 large spaces (which are additional to the dedicated disabled spaces outside the main buildings) have been moved to the opposite side of the carpark. The proposed mounded and landscaped area between the carpark and pitch has been altered slightly, to allow a reinforced grass turning area for the coaches. This also serves as the parking space for the 2 coaches. Although the proposed plan shows one coach standing in the car-park area, Transportation have confirmed that the turning area is sufficient for 2 coaches to park in. Details of how the parking area will be managed are to be required by condition, to ensure that the parking spaces in front of the coach turning area are appropriately cordoned off on days where coaches are expected on site. As the turning area is to be reinforced grass, the proposal will have no additional impact in terms of sustainable drainage and overall provision of soft landscaping. The proposed mounded and landscaped area will be compressed slightly, with the number of proposed trees remaining unchanged.

The details are considered acceptable with regard to transportation and landscape considerations.

Condition 17:

Prior to commencement of the use details of suitable and sufficient lighting, appropriately baffled where necessary to avoid glare, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be designed to ensure adequate security, safety, and convenience on roads, footpaths, carparks and other pedestrian and vehicular routes within the site, and so as to not harm the amenities of neighbouring residents, and shall be in accordance with 'Secured By Design' guidance. Details shall indicate how light spillage into the Site of Local Interest for Nature Conservation to the north of the site shall be minimised. The approved details shall be fully implemented.

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

The proposed external lighting details have been designed to ensure the site is safe and secure outside of daylight hours, without causing harm to neighbouring amenity. The lighting details have been reviewed by the Council's Streetcare lighting specialists, and Transportation Officers.

Light intensity drawings have been provided which indicate that light spill from the exterior lighting (excluding pitch lighting) will not spill out of the site onto the Kenbrook site to the west, which is the most sensitive neighbouring residential property. Lighting to the carpark area adjacent to Kenbrook has been confirmed by Officers to be the minimum requirement to meet European Standards for outdoor carparks. This is indicative of the expected situation outside of the hours of use of the pitch, and is considered acceptable. Of course, the combined effect of the exterior and pitch lighting must be considered as well, as this will impact on neighbouring residents during the hours of pitch use. This will be addressed below, under condition 20.

Although the overall scheme is considered acceptable, Transportation Officers have recommended that an additional light be positioned near the carpark entrance to increase the light intensity here. As this is some distance from the buildings at Kenbrook (20-25m), no additional impact on residential amenity would be anticipated. A condition is proposed requiring further detail of this additional light, and a revised lightspill drawing to be submitted and approved in writing prior to the bringing into use of the carpark.

Light spill to the nature area to the north has been confirmed to be the minimum possible to achieve required safety and security, and to light fire exit routes. It can therefore be considered that the impact on foraging bats will be minimised, as recommended by the Bat Survey submitted as part of the original application. The maximum intensity is to the order of 10-14 lux. The submitted details confirm that these lights will be switched off once the school is vacated at night. The impact on the nature conservation area caused by these lights is not expected to be significantly different to existing light spill into the area by streetlights adjacent to the area on Forty Avenue.

Condition 20:

Within 6 months of works commencing on site, further details of proposed flood lighting for the all-weather pitch shall be submitted to and approved by the Local Planning Authority. These details shall include lighting specifications and positions, appropriate shielding/ baffling, hours of use, and shall demonstrate that no light pollution will affect neighbouring residential properties, or the Site of Local Importance for Nature Conservation to the north of the site. The approved details shall be fully implemented, and no alterations to the lighting/ shielding carried out without prior approval of the Local Planning Authority.

Reason: In the interest of preserving neighbouring amenity and biodiversity of the site.

Light intensity on the All-Weather Pitch is the minimum required by Football Association guidelines, therefore minimising impact on neighbouring residents. Changes to proposed light hood designs and the angle of the lights have been used to achieve this. The high columns (15m) allow for the direction of light to be more directly down on the pitch, which reduces lateral light spill. Nevertheless, a small amount of light spill to the neighbouring Kenbrook Residential Home. The extent of this expected lightspill is shown on the submitted diagrams. These indicate that the maximum acceptable lightspill intensity to residential buildings (as confirmed by Council Lighting Engineers) of 7 lux would not be exceeded. The lightspill calculations do not take in to account the reduction in lightspill which would result from the implementation of the proposed landscaping scheme, which includes mounding and the provision of a mixture of evergreen and deciduous trees and shrubs between the pitch and Kenbrook. The resultant impact in terms of lightspill of the expected intensity would be no worse than on habitable rooms facing a normal street frontage lit by streetlights, and would be easily mitigated with the use of regular curtains or blinds.

The proposed pitch lighting is therefore unlikely to cause significant harm to residential amenity, and will only be during hours of pitch use (below). As reported to Members previously, this level of light spill to neighbouring residential properties is similar to that approved recently for similar schemes such as that at Claremont School, under reference 09/0894. As discussed above, the amount of lightspill across this boundary outside of pitch hours will be zero.

Proposed hours of use of the pitch are confirmed as the following:

Monday - Friday	17:00 to 22:00;
Saturday	09:00 to 18:00;
Sunday	09:00 to 20:00.

These hours are comparable to approved hours of use for similar floodlit sporting facilities in the Borough which adjoin residential properties, and are necessary to achieve a satisfactory level of community use (45 hours per week). The proposed hours do not exceed those previously considered by Members as part of the Draft Community Use Agreement. A recent example of such details approved by the Planning Committee is at Claremont High School, where hours of use of the approved floodlights are restricted to 22:00 Monday - Saturday, and 21:00 on Sundays. It is therefore considered that the use of floodlights for the hours specified above for pitch use, and no more, would be acceptable.

It has been indicated that lightspill from the proposed pitch lighting into the nature conservation area to the north of the site would be zero.

The submitted pitch lighting specifications and proposed hours are considered acceptable.

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 SPG13

Council's Supplementary Planning Guidance SPG17

Council's Supplementary Planning Guidance SPG19

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

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

Transport: in terms of sustainability, safety and servicing needs

Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

- (1) Prior to the bringing into use of the carpark area, further details shall be submitted and approved in writing by the Local Planning Authority, which show an additional column and light near the proposed carpark entrance. Such details shall be accompanied by a revised lightspill drawing which indicates that the combined lightspill from the exterior lighting and pitch lighting will not have a significant impact on the amenities of neighbouring residents. Approved details shall be fully implemented.

Reason: In the interest of pedestrian and highway safety, and the protection of residential amenity.

- (2) Prior to the bringing into use of the proposed carpark, further details shall be submitted to and approved in writing by the Local Planning Authority, outlining how the car park will be managed to ensure that parking spaces 42, 43, 44, and 45 (as shown on approved plan 1010_PL_011 Rev A) will be kept vacant on days when coaches will be expected on site. Approved details shall be fully complied with.

Reason: In the interest of pedestrian and highway safety.

- (3) The floodlighting for the All-Weather Pitch hereby approved, shall not be operated no later than 22:00 hours Monday - Friday, 18:00 hours Saturdays, and 20:00 hours on Sundays.

Reason: In the interest of preserving amenity.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

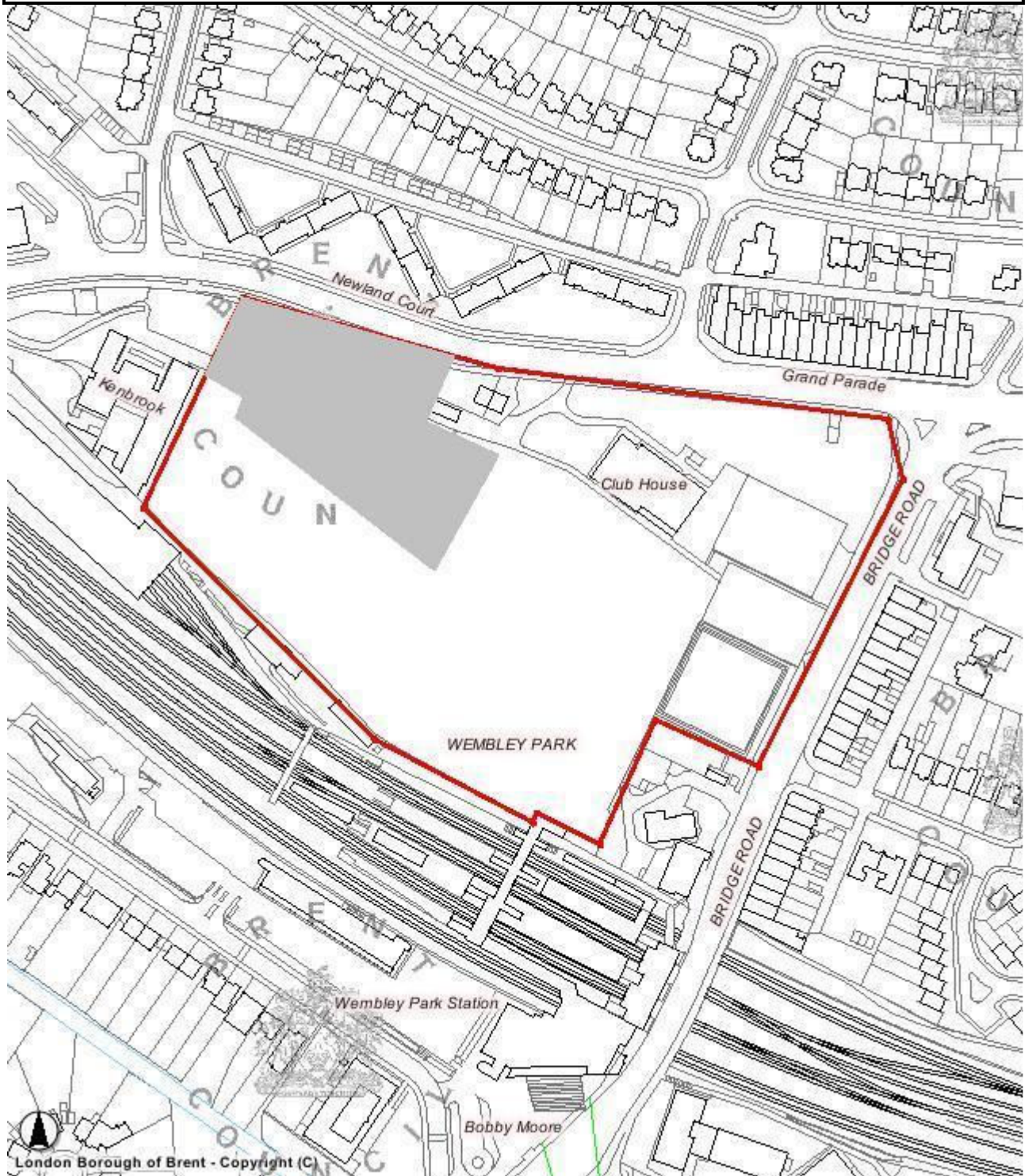
Any person wishing to inspect the above papers should contact Hayden Taylor, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5345



Planning Committee Map

Site address: Ark Academy, Forty Avenue, Wembley, HA9 9JR

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/2091

RECEIVED: 21 August, 2009

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 557 Kenton Road, Harrow, HA3 9RS

PROPOSAL: Erection of single-storey and two-storey side and rear extension to religious institution, formation of basement with lightwell to rear and associated landscaping (as accompanied by Apcar Smith Planning Design & Access Statement ref. CA/2349A and Three Counties Flood Risk Assessment dated 19/08/2009)

APPLICANT: Mahavir Trust

CONTACT: Jagdish Tolia Architects Ltd

PLAN NO'S: 738/1 Rev B; 738/2 Rev B; 738/3 Rev B

RECOMMENDATION

Grant planning permission

EXISTING

The property is a 2-storey detached house on the south side of Kenton Road. It is not a conservation area nor is the building listed. The surrounding area is predominantly residential. The property was formerly a single family dwellinghouse but now has a self-contained flat on the first floor; the ground floor is in use as a place of worship (Class D1), a Jain Temple operated by the Mahavir Foundation, a situation confirmed by a certificate of lawfulness in 2006.

Kenton Road is a major London Distributor Road and the borough boundary.

PROPOSAL

The proposal involves the erection of a single and two storey side and rear extension and the creation of basement with light well to rear and associated landscaping to increase the area available for worship and supporting facilities.

HISTORY

09/0892 Erection of basement, single storey rear and side extensions, single storey extension to front entrance and associated landscaping of religious institution **Application Withdrawn** 04/06/2009 withdrawn due to significant design concerns and lack of response from Environment Agency.

06/2973 Certificate of Lawfulness for proposed use of the ground floor as a place of worship **Granted** 08/02/2007

95/1559 Change of use of ground floor of property from residential to part non-residential educational use and part residential. (As revised by letters dated 12/11/95 and 10/12/95 and plan dated 12/95 received on 08/01/96) **Refused** 13/02/1996 for following reasons:

1. *The proposed change of use would be contrary to the Greater London Development Plan*

Written Statement, Para 3.37 which states that "so long as an overall shortage of housing persists in London, planning permission will not normally be given for a change of use of any residential building that can still be used, with or without adaptation, for residential purposes". There is currently a serious shortage of housing within the London Borough of Brent and there are no special circumstances to justify the loss of residential accommodation in this instance.

2. *The proposed development would result in an over-intensive use of the premises by virtue of increased noise and activity that would be detrimental to the residential amenities of the area.*

86/0515 EREC OF S/S SIDE EXTN & CAR PORT **Granted** 24/06/1986

POLICY CONSIDERATIONS

Brent UDP 2004

STR37 Accessible community facilities to meet the needs of the Borough will be permitted, existing community facilities will be protected

BE2 Townscape: Local Context and Character

BE7 Public Realm: Streetscape

BE9 Architectural Quality

H22 Protection of Residential Amenity

EP2 Noise and Vibration

TRN3 Environmental Impact of Traffic

TRN4 Measures to Make Transport Impact Acceptable

TRN22 Parking Standards: Non Residential Developments

PS12 Non-Residential Institutions (Use Class D1) and Hospitals (Use Class C2)

CF2 Location of Small Scale Community Facilities

CF4 Community Facilities Capable of Holding Functions – proposals should have an acceptable transport impact and noise impact

SPG5 Altering & Extending Your Home

CONSULTATION

Neighbours

Neighbours were consulted on 27 August 2009. One objection received on following grounds:

- Current use only lawful due to a certificate of lawfulness
- Current use of 30-50 people with hours limited to a few a week – this proposes to increase the hours considerably and to do so all week
- Increase in gross internal floor space of nearly 300%
- There are several specific occasions when attendance is considerably higher and attendees arrive by coach
- This will result in further traffic hazard – incidents have occurred in the near vicinity
- Flood risk arising from basement, supported by photos of flooding in the garden of 565 Kenton Road

The consultation area was widened to ensure all residents on Kinross Close were consulted. Additional properties along Kenton Road and opposite within Harrow were also consulted. Any additional representations will be reported to members in a supplementary report.

Internal

Transportation: The site has 4 off-street parking bays. It is located in an area of PTAL1. Kenton Road is a London Distributor Road, with restricted parking during the day time. Onstreet parking on Kinross Close and Clifton Road is unrestricted. Clifton Road is used by parents picking up school children at school opening and closing times. Night time parking on these roads is low. Close to the building are parking, waiting and loading restrictions effective from Mon-Fri 08:00-09:30 and 16:30-18:30.

The parking allowance for Use Class D1 is in PS12 of the UDP. The maximum allowance is 2 spaces per 5 visitors, which for 30-50 people would be 12-20 spaces. Four are available. The main peak of 30-50 people is for the lunch time meditation session, which means local parking restrictions are not in operation and school activity is minimal.

As the predicted maximum attendance at the temple will remain below 200 there is no need for a Travel Plan.

Subject to a condition to provide 2 cycle parking spaces, the application can be supported on transportation grounds.

External

Environment Agency: No specific objection, directed to the Flood Risk Standing Advice. Advised that the basement be tanked to provide a barrier to flood water, provide uninhibited internal access to a higher floor and have raised thresholds or demountable barriers around the basement to delay or prevent flood to the basement.

London Borough of Harrow

Comments awaited.

REMARKS

Key considerations

- Need to provide adequate community facilities for a diverse Borough
- Visual impact of extensions and alterations
- Implication of extension of a community facility on neighbouring residential amenity
- Transport implications of extensions to a community facility
- Impact on the residential unit on the first floor
- Flood risk potential

Need to provide appropriate facilities

Brent is one of the most ethnically diverse boroughs in Britain, with the majority of residents from a wide range of ethnic and cultural minority communities. This diversity gives rise to a high demand for community facilities, many of whom cannot compete in the market for land and buildings. Brent's policy guidance seeks to reflect this situation by protecting existing facilities and ensuring new or expanded facilities can be accommodated, subject to any impact being minimized, mitigated or controlled.

On this basis, therefore, the local objection that this is an extension of use that would not normally have been granted permission is not considered a reason for refusal.

Visual impact

The property has an existing single storey side extension with a flat roof. The proposal is to develop the other side of the property with a single and two storey side extension and to extend the rear with a single storey extension. In addition there would be a newly landscaped garden to facilitate rear access to the new basement.

The side extension is flush at ground floor and set back 2m at the first, to avoid the loss of an interesting flank bay window on the first floor. The roof of the extension is set down from the ridge of the main roof, but only by 400mm. To set it down further would require a crown roof, which is not considered appropriate since the property is detached and the roof would be visible from No. 555 and from views along Kenton Road.

The side extension is set 1.4m off the boundary with No. 555, thus minimising its visual impact.

The rear extension is also set off that boundary by 1.4m. It is 3m deep and 12m wide, running the full width of the property and both side extensions (existing & proposed). It is angled at the eastern end to follow the property boundary and is 1.1m off that boundary. Between No. 565 and the property is a watercourse (not a main river).

The rear garden would be landscaped to include a 3.2m deep patio and a landscaped terrace to the lightwell for the basement. It would have a low wall (0.8m high) around it and there are proposed to be removable barriers installed, further details of which will be sought.

The extensions are considered acceptable in terms of the visual impact and the impact on neighbouring residential amenity. Further details of the landscaping proposals for the rear garden including boundary treatment to minimise disturbance to the garden of No. 555 shall be sought.

Implication of extension of a community facility on neighbouring residential amenity and traffic

The ground floor is used on a daily basis as a place of worship. Between 10 to 15 people attend prayer between 19:00 and 21:00 daily. 3 or 4 days a week there are meditation meetings between 10:00 and 12:30, attended by between 30 and 50 people, who arrive via car, bus and foot. Up to 10 times a year a maximum of 100 people attend special events. The existing hours of operation are 10:00 to 21:00, though closed in the afternoon. This is not controlled by the Council as the use is granted by a Certificate of Lawfulness. The proposed times are 09:00 to 22:00, an additional two hours per day.

These are the existing activities but understandably there is concern amongst local residents that an increase in the floor space from 88.9sqm to 167.2sqm would result inevitably in an increase in the congregation and increased disruption to local residents in terms of noise impact and traffic.

The existing prayer room is 61.5sqm, the remaining space is a given over to a kitchen, WC and circulation areas. The proposed prayer room on the ground floor would be extended by 16.9sqm to 78.4sqm, which is a 27% increase. Downstairs would be a 49sqm space identified on the plans as a library/reading room. It is stated in the design and access statement that this would be used for private study. No formal use of the garden is proposed.

The increase in size of the building is not a concern in terms of neighbouring amenity and traffic implications provided no significant change to the nature of operation occurs following the increase (e.g. number of visitors, changes in patterns of worship, increase in number of functions).

It is unlikely that the pattern of worship would change from that described in the design and access statement. An increase in the hours of operation does not seem sensible given this could alter that pattern, although logically it follows that if the congregation numbers remain static they could spread their visits over a longer period of time. This might reduce the impact at other times of days. The question is whether it is appropriate for worshippers to be using the property up until 22:00. As the property is detached and located on a busy main road the impact of such an extension would not be as significant as in a quieter location, albeit the predominant character of the area is residential.

The facilities to support the use amount to:

- On the ground floor 5 WCs (2 female, 2 male and 1 disabled) and shower. A small lobby for shoes is provided.
- In the basement a further WC, a cleaners store, a store and a plant room.
- On the first floor an office is proposed.

These facilities do not appear to be sufficient to support a significant number of visitors on a regular basis, however they are substantially more than the existing facilities, which comprises of 1 WC and a kitchen. It is not logical, however, to believe that a substantial increase in the facilities will mean a corresponding increase in the congregation. It is logical that a costly building

programme such as this would include an increase in the number and quality of facilities to such a level as is required to support the existing congregation.

This application is supported by a letter written by Vinod Kapashi, dated 05/04/09, in which the method of worshipping is explained. In brief, worshippers move around idols and therefore require adequate space to do so. In addition, male and female worshippers are separated, hence the proposed moveable partition on the ground floor. The basement would house a library of significant books and scriptures, with a quiet area for reading.

On the basis of the above information and consideration, the Council does not believe that the proposed extensions and alterations are intended to facilitate any significant change to the existing pattern of usage of the site. On this basis the proposal can be supported, subject to conditions.

Those conditions should ensure that possible changes in the future do not result in harm to the amenity of the area or to the traffic situation. Consideration should also be given to the potential that the facility could be sold at a later date and purchased by a group who may wish to operate it in a different manner.

Therefore condition(s) will be sought which:

- (a) Limit the hours of operation
- (b) Limit the number of special events (as these would clearly involve a very large number of people)
- (c) Limit the use within the D1 class
- (d) Include a green travel plan

A green travel is proposed following further consultation with transportation officers who agree that a means of advising worshippers on non-car modes of transport and the formation of a plan to manage visitor arrivals on special event days (those 10 days a year when up to 100 people are present), amongst other items, would provide a proportionate response to the local objectors concerns that the site may generate additional traffic harm as a result of its extension.

Impact on the residential unit on the first floor

The residential unit on the first floor is not permanently occupied. It is used by the Mahavir Foundation to house visitors, including teachers for the temple who stay up to 3 months at a time. Therefore the amenity of the unit is an important consideration but the needs will be different to those of a wholly independent residential use. Its nature has changed over the years since the ground floor became used regularly for worship and religious instruction. It is not reasonable to demand the normal standards for such a unit as it is no longer a conventional residential unit and it would not be desirable if it were.

Therefore the assessment of the likely impact on the amenity of the residential unit, and the provision of normal requirements such as amenity space and dedicated parking, is made with this distinction in mind. It would not be the case that other examples of such shared facilities as this would result in the same decision nor is it reasonable that this example might be used as a precedent for conversion of dwellinghouses to substandard self-contained flats.

Flood Risk

A flood risk assessment has been submitted and the Environment Agency has reviewed this and the proposed basement from a technical perspective. They have no objections to the proposal but recommend that:

- (a) the basement be tanked to provide a barrier to flood water;
- (b) provide uninhibited internal access to a higher floor; and
- (c) have raised thresholds or demountable barriers around the basement to delay or prevent flood to the basement.

This will be secured by condition.

The objection that the basement could be flooded, supported by photos of flooding in the garden of No. 565, is not considered a reason for refusal. The lack of objection from the Environment Agency and the provision of flood protection measures mean it would be unreasonable of the Council to refuse permission and it is not clear that the ground levels in No. 557 are the same as those affected by flooding in No. 565.

Other

To the front of the property it is proposed to remove the existing tall hedge with close boarded fences. Also the proposal does not provide for other soft landscaping to meet the requirements of policy BE7. A condition will therefore be sought to ensure the retention of the hedge, albeit it may be reduced in height, and the planting of a similar hedge on the other side of the crossover. A landscaping layout should also provide for soft landscaping to the forecourt.

Conclusion

The proposed extensions would provide improved facilities for an existing lawful community facility. The need to provide such facilities within an ethnically diverse borough is a weighty consideration. In any event the proposal is not expected to have a detrimental impact on the amenity of neighbouring occupants. As the proposal involves an increase in the size and quality of available facilities it may result in a change in the established pattern of use; on this basis it is considered necessary to seek additional protection in terms of number of visitors, the hours of operation and the means by which people travel to the site.

The proposal is deemed to comply with the relevant policies of the 2004 UDP and approval is recommended.

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

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

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Transport: in terms of sustainability, safety and servicing needs
Community Facilities: in terms of meeting the demand for community services

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) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) the landscaping of the rear access terrace;
- (b) proposed means of enclosure, indicating materials and heights, along the boundary with No. 555;
- (c) screen planting along the boundary with No. 555;

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

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

- (4) Notwithstanding the approved plans, details of the front garden layout shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the use of the building/extension hereby approved. Such details shall include:

- (i) planting of the front garden area with shrubs and/or trees;
- (ii) the retention of existing hedges and shrubs;
- (iii) provision of additional front boundary planting or other form of boundary treatment;
- (iv) car parking space for 4 cars including 2 disabled spaces, the defined points of access and the surfacing materials to be used;
- (v) waste and recycling storage facilities

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

- (5) No music, public address system or any other amplified sound shall be installed on the site which is audible at any boundary outside the curtilage of the premises.

Reason: To safeguard the amenities of the adjoining occupiers.

- (6) Activities within the building shall only be permitted between 0900 - 2130 hours Mondays to Saturday and 1000 - 1700 Sundays and Bank Holidays, with the premises cleared within 30 minutes after these times (unless the Local Planning Authority agrees other hours in writing).

Reason: To ensure that the proposed use does not prejudice the enjoyment by

neighbouring occupiers of their properties.

- (7) The basement, ground floor and first floor office extension shall be used only for the purpose of worship and religious instruction and ancillary activities and for no other purpose (including any other purpose in Use Class D1 specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written permission of the Local Planning Authority.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits.

- (8) The existing boundary hedge/tree screen situated on the north and west boundaries of the site shall be retained at a minimum height of 1.5m. Should any part die or be damaged during the course of development, replacement planting shall be undertaken in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

Reason: Permission is granted having regard to the present screening and boundary planting in existence, the retention of which will ensure a satisfactory visual appearance.

- (9) Details of the provision of a minimum of 2 secure cycle parking spaces 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.

- (10) The whole or any part of the premises shall not be used/occupied by more than 50 persons (including staff) at any one time on any given day of the week, Sundays to Saturdays inclusive (except where events for up to a maximum 100 people are approved on either permanent or temporary basis by the Local Planning Authority) without the further prior written consent of the Local Planning Authority.

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

- (11) Notwithstanding the provisions of Condition 8 above this permission shall allow no more than 10 days per calendar year where up to 100 persons (including staff) are present without the prior written consent of the Local Planning Authority.

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

- (12) The development or any part of it shall not be used or occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be used or occupied in compliance with the plans so approved.

Reason: To ensure that a satisfactory management of the parking and to ensure that the proposed development does not prejudice the enjoyment of the neighbouring occupiers in the area

(13) The Green Travel Plan shall set out objectives to encourage persons visiting the site to use alternative forms of transport to the private motor car and to address the detailed traffic and parking implications the usage of the development creates. The travel plan shall include details of the matters listed below which directly link to the usage/occupation of the development in accordance with the maximum occupancy numbers controlled by Condition No. 8 of this consent. The plan shall also set out and include details of specific targets for the various objectives, the arrangements for monitoring and implementation of the objectives the responsibility of which rest with the developer/occupiers. The plan shall also include details of a system for reporting the monitoring information to the Local Planning Authority for reviewing/comment and approval:

- (a) measures to encourage the use of public transport facilities organised coach travel for large groups, car sharing and cycling;
- (b) arrangements for the uses set out in Condition No. 9 where persons using/ occupying the development will exceed 100, which shall include details on the following matters:
 - stewarding of the pedestrian and vehicular traffic in particular at times of arrival and departure from the site.
 - use of any park and ride/off site facilities to provide adequate offsite overspill parking during the Special Events Days.

Reason: To ensure that the usage/occupation of the development is in accordance with the maximum occupancy numbers controlled by other conditions of this consent and to protect the residential amenity and highway safety of the local area.

(14) The approved Green Travel Plan shall be implemented on the first use and occupation of the development (the date of first use and occupation shall mean a day previously notified at least 14 days in advance in writing to the Local Planning Authority stating that the development is intended to be brought into use), and the development or any part of it shall not be used or occupied thereafter unless the Management and Green Travel Plan are fully adhered to unless modification or relaxation of it is agreed in writing by the Local Planning Authority.

Reason: To protect the residential amenity and highway safety of the local area.

(15) Further details of a raised threshold or demountable barrier around the basement to delay or prevent flooding to the basement 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 building is occupied.

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

(16) The uninhibited internal access from the basement to a higher floor shown on drawing No. 738/2 Rev B shall be provided in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the escape route from the basement is permanently maintained.

INFORMATIVES:

- (1) In addition to the requirements of Condition No. 16 the applicant is advised to take note of the Environment Agency's advice that the basement be tanked in accordance

with guidance such as CIRIA Report 139 'Water-Resisting Basement Construction - A Guide (CIRIA, 1995), NHBC Standards (2006).

- (2) The assessment of the impact on the residential amenity of the first floor self contained flat and its lack of provision of normally required facilities such as amenity space and dedicated parking is made on the specifics of this case and is therefore a departure from normal practices. It is not expected that these particular circumstances would be a precedent for substandard residential accommodation being granted permission elsewhere.

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: 557 Kenton Road, Harrow, HA3 9RS

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/3273

RECEIVED: 14 October, 2009

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: NEW HORIZONS DEVELOPMENT OFFICE, Saxon Road, Wembley, HA9 9TP

PROPOSAL: Erection of a terrace of 2 two-storey, three-bedroom dwellinghouses and a two-bedroom bungalow with garden space and refuse-storage area to front and garden space to rear of proposed dwellings (as accompanied by Design & Access Statement prepared by Katherine Hughes Associates), subject to a Deed of Agreement dated xx/xx/xxxx under Section 106 of the Town and Country Planning Act 1990, as amended

APPLICANT: Metropolitan Housing Trust

CONTACT: Patrick Keegan Architect

PLAN NO'S: L3832, 161/1 Rev. B, 161/60 Rev. K, 161/61 Rev. H, 161/62 Rev. D, and 161/SK1

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) 100% affordable housing - the level to be agreed with the Council's Affordable Housing officer
- (c) Contribution of £19,200 (£2,400 per additional bedroom), due on material start, index-linked from the date of Committee for Education, sustainable Transportation and Open Space & Sports 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 site is located at the junction with Saxon Road and Chalkhill Road. It was previously occupied by single-storey portakabins for temporary office use by Metropolitan Housing Trust (MHT). These portakabins have been removed and the site is currently vacant.

The site abuts the rear gardens of Nos. 2 to 12 The Leadings and Nos. 151 to 155 Chalklands. These properties are 1960s three-storey town houses. To the north of the site lies the detached two-storey dwellinghouses on Chalkhill Road. To the west of the site is a more recent three-storey development on Chalkhill Road and Rawlings Crescent.

The site is not in a Conservation Area nor is it a Listed Building.

PROPOSAL

Erection of 2 no. three-bedroom, two-storey dwellinghouses with rear garden amenity space and 1 no. two-bedroom bungalow with garden amenity space, together with associated landscaping and refuse storage.

HISTORY

07/3370: Full Planning Permission sought for removal of existing portakabins and erection of a part two-storey, part three-storey building comprising 3 x 1-bedroom and 5 x 2-bedroom self-contained flats, including associated landscaping, hardstanding and 8 bicycle stands and bin store to the rear of the building (as per revised plans received on 7 November 2008) - Refused, 17/12/2008.

03/0625: Full Planning Permission sought for renewal of temporary conditions 95/1867 for use of building as temporary projects office - Granted, .29/04/2003

02/2832: Full Planning Permission sought for three separate single-storey extensions to rear of temporary office - Granted, 07/02/2003.

POLICY CONSIDERATIONS

Planning Policies

Brent UDP 2004

- ***BE2 – Townscape: Local Context & Character***
- ***BE5 – Urban Clarity & Safety***
- ***BE6 – Public Realm: Landscape Design***
- ***BE7 – Public Realm: Streetscene***
- ***BE9 - Architectural Quality***
- ***H12 - Residential Quality***
- ***TRN15 - Forming an access to a road***
- ***TRN23 - Parking standards – residential development***

SPG

- ***SPG17 Design Guide for New Development***

Site Specific

- ***Chalkhill Conceptual Design Guide***
- ***Chalkhill Master Plan***

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation Period: 19/10/2009 - 10/11/2009

Additional Consultation Period: 28/10/2009 - 19/11/2009

Public Consultation

43 neighbours consulted - one letter of support received and seven letters of objection received on the following grounds:

- direct overlooking to rear garden and bedroom windows of properties to the rear in The Leadings
- additional parking pressure in an already heavily parked area
- building will make the garden feel smaller, dark and crowded
- more noise and less privacy
- adversely impact upon the value of neighbouring properties
- loss of light
- land ownership issues

A public meeting was also carried out on 20th October 2009. Representatives of MHT, Patrick Keegan Architects and 7 residents attended. A summary of the main issues raised by residents at the meeting is listed below:

- whether tree roots would be affected by the buildings
- potential disturbance from the proposed family units
- development will create further problems with the sewer as there are already issues with drainage
- parking issue in the area
- land not for development, originally used for parking and has never been built on
- loss of light to neighbouring properties
- visual impact from blank wall view
- two storey building too high and claustrophobic feeling
- issues with social housing tenants
- issue with fence along the bottom of Saxon Road, residents on the estate take down the fence to cut through
- why the land can not be used as green space
- a resident wanted to convert his garage but was refused planning permission as there was not enough parking

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

Internal Consultation

Transportation - no objections raised subject to a financial contribution of £4,000 towards non-car access/highway safety improvements and/or parking controls in the area.

Environmental Health - no objections raised subject to conditions on material transfer and general control over works as the development is in an air quality management area.

Urban Design - Although the quantum of development and the quality of the living spaces has significantly improved, the external appearance of this building still lacks a clear and distinctive identity. Recommended that further work is done on the size and arrangement of the fenestration and massing analysis.

Thames Water - no objections raised. Recommended an informative.

REMARKS

Introduction

This application forms part of the wider regeneration of the Chalkhill Estate and comprises the final phase of the area's redevelopment. The disposal of this site to Metropolitan Housing Trust for this scheme will generate a small receipt to be used to fund the new park proposed on the old health centre/portacabin site on Chalkhill Road. Metropolitan Housing Trust will also take receipt and responsibility for the maintenance of, the remaining strips of land on the estate still owned by the Council.

Relevant planning history

A previous application for a part two-storey, part three-storey building comprising 3 x 1-bedroom and 5 x 2-bedroom self-contained flats was presented to the Planning Committee meeting on 09/12/2008 with a recommendation for approval, subject to the completion of a Section 106 Agreement. Members resolved to refuse planning consent on the following grounds:

The proposed development, by virtue of its height, design, massing and bulk would appear as an obtrusive and overbearing development that relates poorly to the existing buildings around it, in particular Nos. 2 to 12 The Leadings and Nos. 151 to 155 Chalklands, significantly impacting upon the outlook from the existing dwellings. The proposal is therefore considered to result in a cramped form of development and an overdevelopment of the site, contrary to policies BE2, BE3, and BE9 of the adopted London Borough of Brent's Unitary Development Plan 2004 and the Council's adopted Supplementary Planning Guidance 17: 'Design Guide for New Development'.

Current application

The current application has sought to address the previous reason for refusal. The key differences between the two schemes are set out below:

	Previous Scheme (07/3370)	Current Scheme (09/3273)
Unit Mix	8 no. flats	1 no. bungalow and 2 no. houses
No. of Bedrooms	3 x 1-bed and 5 x 2-bed	1 x 2-bed and 2 x 3-bed
Density	approximately 346 h.r.h.	approximately 186 h.r.h.
Height of building	min height - approximately 4.6m max. height - approximately 8.8m	min. height - approximately 3.0m max. height - approximately 6.0m
Distance from boundary with The Leadings	<ul style="list-style-type: none">• 1.5m to 2.3m from Nos. 2 to 6 The Leadings• 2.3 to 4.0m from No. 8 The Leadings• 5.0m to 7.5m from Nos. 10 to 12 The Leadings	<ul style="list-style-type: none">• 1.5m to 2.3m from Nos. 2 to 6 The Leadings• 1.5m to 5.2m from No. 8 The Leadings• 7.6m to 7.9m from Nos. 10 and 12 The Leadings
Distance from boundary with Chalklands	<ul style="list-style-type: none">• built up to boundary at ground floor and set in 1.5m at first and second floors from Chalklands	<ul style="list-style-type: none">• 1.4m at ground and first-floor levels from Chalklands

A detailed assessment of the current scheme is addressed below:

Site Layout and Access

The scheme being considered proposes three social rented residential units. Each of the properties are accessed from Saxon Road with the entrances facing onto Saxon Road. Both the house on the southern end of the site and the bungalow have a separate direct access to the rear garden amenity space from Saxon Road.

The buildings have been set back by at least 2.0 metres from the Saxon Road frontage. Due to the splayed angle and stepped arrangement, the majority of the building is set back further than 2.0 metres which allows opportunities for soft landscaping within the front gardens.

Design Scale and Massing

The site has an awkward and unusual shape with restrictions and tapers from a width of 20 metres at its southern edge to 8m at the narrowest point towards the northern end of the site.

One of the main concerns that was raised by Members during the previous application concerned the height, design, massing and bulk of the proposed development and the impact upon the outlook from Nos. 1 to 12 The Leadings and Nos. 151 to 155 Chalklands. The current application has sought to address these concerns in a number of ways.

The overall height of the development has been reduced from two storeys on the northern end to one storey and three storeys to two storeys on the southern end of the site. Improved outlook is now afforded in a northeastern direction from The Leadings. The bungalow is also proposed with a green roof to provide an attractive outlook for the occupiers of the properties on The Leadings.

SPG17 sets out general guidance for the massing of new buildings, to ensure they do not have an overbearing impact on the neighbouring properties. Two such considerations are the 30-degree line from the nearest rear habitable-room window of adjoining existing residential development, measured from a height of 2.0m above floor level. The other consideration is the 45-degree line from the adjoining private garden/amenity space taken at the garden edge, measured from a height of 2 metres.

The scheme fully complies with both the 45-degree line and 30-degree line in relation to the properties on The Leadings. The height and scale of the building is considered appropriate and would not appear overbearing from either the habitable rooms or rear gardens of the properties in The Leadings. It complies with a 30-degree line from the properties in Chalklands but fails to comply with a 45-degree line, with the top 1.7m of the building failing this guidance. This affects the bottom 2 metres of the rear garden of the properties on the Chalklands. The proposed building is set-in 1.4 metres from the boundary and the bulk of the building will be relieved by the boundary treatment between the rear gardens on Chalklands and the application property. On balance, the proposal is considered acceptable in terms of its impact upon the amenities of the properties in Chalklands.

The scheme is articulated adequately to ensure it will appear as an interesting feature within the streetscene. The materials that are proposed will match The Leadings and Chalklands with the use of yellow London stock brick, and aluminium -clad timber windows. The roof line will be finished with pre-cast concrete copings on a 1500mm high cornice to reflect the eaves details of The Leadings. The palette of materials is considered appropriate, however, it is recommended that a condition is attached to any approval, securing the submission of materials prior to works commencing on site. In addition, the eastern element is broken up visually through the use of soft landscaping including new trees, a green roof to the northern block and planting along the boundary.

Residential Amenity

Unit size

All three of the units will be affordable. SPG17 sets out guidance for new developments, in order to ensure development will provide an acceptable standard of amenity for future occupants. The guidance suggests a minimum unit size, depending on the number of rooms and people within a dwellinghouse. The breakdown of such for the proposed scheme is noted in the table below:

Unit	Flat type	Proposed (m ²)	SPG17 (m ²)
A (bungalow)	2 bed/4-person	67.0	65.0
B	3-bed/5-person	85.0	85.0
C	3-bed/5-person	85.0	85.0

Both of the two-storey dwellinghouses meet the minimum guidance as outlined in SPG17. The bungalow is one floor level only and as such is considered to be assessed against the unit size for flats rather than houses.

Outlook and Privacy

SPG17 suggests that there should be a distance of 20 metres between directly facing rear habitable-room windows and a minimum distance of 10 metres to the rear boundary with neighbouring properties to allow for adequate levels of privacy. SPG17 goes on to suggest that a distance of 10 metres should be provided to allow for adequate levels of outlook from habitable rooms.

One of the other main concerns with the previous scheme was its poor relationship to the existing buildings around it, in particular Nos. 2 to 12 The Leadings and Nos. 151 Chalklands. The scheme has sought to address these concerns by reducing the height of the building, rearranging the internal layout and increasing the distances of the building from the boundaries with The Leadings and Chalklands.

Regarding the bungalow, pre-application discussions with officers raised concerns with the poor outlook from the rear bedroom. This is because it is a habitable room with a distance of only 1.5 metres from the window to the rear boundary (with the overall distance reduced by planting along this boundary). To overcome this concern, the plan has been revised to include a glazing to both the flank and rear wall, allowing outlook to the north. The open-plan kitchen, dining/living area also has windows on the rear elevation but outlook is considered acceptable as additional windows are provided on the northern and western elevations to provide outlook in three directions. The rear boundary is to be planted to enhance the visual amenities from these windows. As the bungalow is single storey it is not considered to overlook the properties in The Leadings as there is an existing brick garden wall at 2.0 metres high with proposed landscaping to act as a further screen.

Unit B (the middle house) proposes a distance of 7.5 metres from the ground-floor rear habitable-room window to the rear boundary fence. Outlook is considered acceptable as the living/dining area is dual-aspect with a window on the front elevation. A bedroom is proposed at first-floor level with a distance of approximately 5.3 metres from the rear window to the rear boundary. This window is a high-level, clerestorey-style window. Outlook from this bedroom window is considered acceptable as it is dual-aspect with a window to the front elevation. In terms of privacy with the properties to the rear, it does fail the guidance as outlined in SPG17. There is a distance of approximately 17.6 metres between directly-facing habitable rooms and a distance of approximately 5.3 metres to the rear boundary. However, as the window is high-level only, it is not considered to result in direct overlooking as outlook would be oriented to the sky.

Unit C (the house on the southern end of the site) proposes a distance of approximately 7.2 metres from the ground-floor rear habitable-room windows to the rear boundary fence. Outlook is considered acceptable for the living/dining room as it has dual aspect. The kitchen, however, has a sole aspect facing out to the rear garden. Whilst it fails to comply with SPG17 the level of

outlook from the kitchen window is not considered to be so severely restricted as to warrant a reason for refusal. At first floor, a distance of approximately 7.5m is proposed from the bedroom window to the boundary with the properties in The Leadings. The distance from the bedroom window to the habitable-room windows on the rear elevation of the properties on The Leadings is approximately 22.0 metres and meets SPG17. Whilst the distance to the boundary with the properties on The Leadings fails SPG17, three silver birches are proposed along this boundary to reduce overlooking into the gardens of the properties on The Leadings. With such measures, the impact upon the neighbouring properties is considered acceptable and as such does not warrant a reason for refusal.

A high-level, clerestorey-style window is proposed on the flank wall facing Chalklands. It is set-off the boundary by over 1.0m and is considered acceptable. A condition is recommended to require this window to be obscure-glazed.

Amenity Space

General guidance suggests amenity space should usually be provided at a rate of 50m² per family unit. Each of the units has a minimum rear garden amenity space of 50m². A small garden shed is also proposed for each of the units. Details of its height and design and recommended to be secured via condition.

Transportation

On-street parking in the vicinity of the site is generally unrestricted, other than on Wembley Stadium Event days when residents' parking permits are required to park on-street. The area is generally lightly parked, at approximately 60%. Public transport access to the site is moderate with a PTAL of 3, with Wembley Park Station within 960 metres (12 minutes' walk) and 6 bus services within 640 metres (8 minutes' walk).

Car-parking allowances for residential units are set out in standard PS14 of Brent's UDP 2004. No off-street parking is proposed within the scheme. However, consideration should also be given to the impact of any overspill parking from the development on traffic flow and road safety and in this respect, the affordable dwelling units are estimated to generate parking demand at 50% of the maximum standard, giving an estimated demand for a maximum of 4 spaces.

Saxon Road is not designated as a Heavily Parked Street and the houses/flats provided opposite as part of Phase III of the Chalkhill Development have adequate parking provision within parking bays along the site frontage to meet demand. As such, there is spare capacity along the site frontage to safely accommodate 4 cars, thus satisfying likely demand from this development. This is less than the demand required for the eight flats proposed as part of the previous scheme. Your officers in Transportation Unit did not raise any objections to the previous scheme in terms of the impact of the additional cars.

Your officers in Transportation recommended a standard financial contribution of £4,000 towards non-car access/highway safety improvements and/or parking controls in the area. This would be secured through the Section 106 Agreement.

Standard PS16 requires at least one secure cycle-parking space per unit. The provision of private gardens with sheds for each dwelling provides a secure storage facility for bicycles.

The positioning of the bins along the site frontage allows easy collection by Brent's contractors.

Landscaping

A soft edge to a proportion of the site frontage is provided through the reinforcement and enhancement of the existing hedge around the private garden area of the bungalow. Hedging (Escallonia red hedger) has been agreed with a minimum height of 1800mm to provide a secure and attractive form of enclosure. Existing trees within the site are to be retained. Officers recommend that a Tree Protection Method Statement is submitted to include trees within the site

and in close proximity to the site. Such details are recommended to be secured by a condition.

Landscaping and boundary treatment is also proposed on the Saxon Road elevation, improving the visual amenity of the streetscene. Details of which are recommended to be conditioned.

A green roof is also proposed to the northern block. This should provide an attractive outlook for the occupiers of the properties on The Leadings.

It is recommended a condition is attached to secure the submission of a detailed Landscape Plan prior to the commencement of works on site.

Response to Objectors

- *direct overlooking to rear garden and bedroom windows of properties to the rear in The Leadings.*

Whilst there are a couple of windows on the rear elevation that do not need the minimum guidance as outlined in SPG17, one of these windows is a high-level window with outlook afforded to the sky rather than directly to the rear gardens and bedrooms to the properties in The Leadings, and mitigation measures have been taken with the second window with planting of silver birch trees along the rear boundary to restrict direct overlooking to the properties on The Leadings.

- *loss of light to neighbouring properties*

The height of the development has been reduced so that it does not adversely impact upon the properties in The Leadings and Chalklands. Whilst it does fail the 45-degree guidance from the bottom end of the rear gardens in Chalklands, its orientation will not affect light to these gardens.

- *visual impact from blank wall view*

The rear elevation includes a number of windows to break up the massing of the rear elevation and maintain adequate visual amenity when viewed from neighbouring properties.

- *two-storey building too high and claustrophobic-feeling*

The height of the development has been reduced. It will not appear overbearing and outlook will now be afforded in a northeasterly direction from the properties in The Leadings.

- *additional parking pressure in an already heavily parked area*

The amount of existing on-street parking is considered acceptable to accommodate an additional four cars for the new development. The amount of parking proposed for the current scheme is less than required for the previous one. Parking requirements were considered acceptable for the previous scheme and this scheme is considered to reduce the pressure on street parking.

- *whether tree roots would be affected by the buildings*

Officers recommend that a full Tree Survey is carried out prior to any works commencing on site.

- *potential disturbance from the proposed family units*

The potential disturbance from the new occupiers upon the existing properties is not considered to be any worse than what is currently experienced. There are many situations in an urban area where gardens back on to one another and side passageways to the rear garden area run alongside the rear garden of neighbouring properties.

- *development will create further problems with the sewer as there are already issues with drainage*

This is not a planning consideration and as such, can not be considered as part of this proposal.

This is a matter which is dealt through the Building Regulations.

- *land not for development, originally used for parking and has never been built on*
Restrictive covenants and other such land restrictions are not planning matters and as such, cannot be considered as part of this application.

- *issues with social housing tenants*

This is not a planning consideration and as such can not be considered as part of this proposal.

- *issue with fence along the bottom of Saxon Road, residents on the estate take down the fence to cut through.*

This is not a planning consideration and as such, cannot be considered as part of this proposal.

- *why the land can not be used as green space*

As part of the Masterplan for the regeneration of the Chalkhill Estate the site was designated for housing. A park is proposed within the estate on the former health-care site.

- *a resident wanted to convert his garage but was refused planning permission as there was not enough parking*

Planning permission was refused in November 1995 at the residents' property for the conversion of the garage into a habitable room. The Council's policies on parking standards have since changed. It may now be the case that planning permission would be granted for the conversion of the garage, subject to it complying with the Council's current policies on parking and front garden landscaping.

- *adversely impact upon the value of neighbouring properties*

This is not a planning consideration and as such, cannot be considered as part of this proposal.

Conclusion

The proposed development has taken the opportunity to provide an appropriately designed building on this awkward and constrained site. The scheme has been substantially reduced both in terms of height and proposed unit numbers. Adequate levels of outlook and light are maintained to the surrounding neighbouring properties. Whilst there are instances where distances to boundaries and neighbouring windows are short of those normally required, a scheme has been designed which specifically addresses the impact on neighbours which, on balance, addresses the concerns your officers may have had. As such, the scheme is not considered to be an overdevelopment of the site and it is your officers' opinion that it has addressed the concerns previously raised at the Planning Committee.

The redevelopment of this site for social rented housing will help meet the pressing need for affordable family accommodation in the borough. 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.

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 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) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on site. 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.

- (3) Notwithstanding the plans hereby approved, a tree-protection method statement for the proposed works, specifying the method of tree protection in accordance with BS 5837:2005 shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing on site.

Reason: To ensure the preservation of protected trees.

- (4) Notwithstanding any details of landscape works referred to in the submitted application, a scheme of landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) within the front forecourt area 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) details of soft landscaping within the front and rear garden areas
- (b) screen planting along the side and rear boundaries
- (c) proposed walls and fences indicating materials and heights
- (d) areas of hard landscape works and proposed materials
- (e) details of the landscaping for the green roof
- (f) details of the proposed arrangements for the maintenance of the landscape works.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development.

- (5) Details of the sheds within the rear gardens of the three units (including their design, materials and heights) shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site and implemented in accordance with the approved details.

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

- (6) A dustbin enclosure, providing for the storage of one dustbin and a recycling bin, shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to occupation of the premises.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- (7) No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse(s) subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification), unless a formal planning application is first submitted to and approved in writing by the Local Planning Authority.

Reason: In view of the restricted nature and layout of the site for the proposed development, 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.

- (8) The window to the bathroom of Units B and C in the rear wall of the building and the flank-wall window to Unit C facing Chalklands shall be glazed with obscure glass and the windows shall open at high level only (not less than 1.8m above floor level) and be 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.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent Unitary Development Plan 2004
SPG17 - Design Guide for New Development
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: NEW HORIZONS DEVELOPMENT OFFICE, Saxon Road, Wembley, HA9 9TP

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/2177

RECEIVED: 1 September, 2009

WARD: Mapesbury

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 4 Tracey Avenue, London, NW2 4AT

PROPOSAL: Erection of first-floor rear extensions, increase in height of existing roof, installation of two rear dormer windows and two front rooflights, two flank rooflights facing No. 3 Tracey Avenue and one flank rooflight facing No. 5 Tracey Avenue to dwellinghouse

APPLICANT: Ms Emma Goodrick & Mr Daniel Green

CONTACT: Brill & Owen Architects

PLAN NO'S: 09/689/Loc01; 09/689/Sur01; 09/689/Sur02; 09/689/Sur03;
09/689/Sur04; 09/689/Sur05; 09/689/Sur06; 09/689/P01; 09/689/P02;
09/689/P03; 09/689/P04; 09/689/P05; 09/689/P06; 09/689/P07;
09/689/P08; and 09/689/P09

RECOMMENDATION

Approval

EXISTING

The application site comprises a detached dwellinghouse located on Tracey Avenue. It is located at the head of the cul-de-sac. The surrounding uses are predominantly residential. The site is not located within a Conservation Area nor is it a Listed Building.

PROPOSAL

Erection of first-floor rear extensions to the dwellinghouse, increase in height of existing roof, installation of two rear dormer windows and two front rooflights, two flank rooflights facing No. 3 Tracey Avenue and one flank rooflight facing No. 5 Tracey Avenue

HISTORY

03/0723: Full Planning Permission sought for removal of existing garden store, erection of single-storey rear extension, conversion of garage to habitable room and installation/replacement of windows to dwellinghouse - Granted, 07/05/2003.

91/1343: Full Planning Permission sought for erection of rear and side dormer windows - Granted, 01/09/1991.

85/1892: Full Planning Permission sought for erection of single-storey side and rear extensions and alterations to front elevation - Granted, 21/01/1986.

POLICY CONSIDERATIONS

Brent's UDP 2004

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.

BE9 - Architectural Quality

New buildings, extensions and alterations to existing buildings, should embody a creative and appropriate design solution, specific to their site's shape, size, location and development opportunities, and should be designed to:

- (a) be of a scale, massing and height that is appropriate to their setting, civic function and/or townscape location;
- (b) respect, whilst not necessarily replicating, the positive local design and landscape characteristics of adjoining development, and satisfactory relate them;
- (c) exhibit a consistent and well considered application of the principles of any chosen style;
- (d) have attractive front elevations which have a direct relationship with the street at ground level, with well proportioned windows, and habitable rooms and entrances on the frontage, wherever possible;
- (e) be laid out to ensure that buildings and spaces are of a scale, design and relationship to each other, which promotes the amenity of users, providing a satisfactory level of sunlighting, daylighting, privacy and outlook for existing and proposed residents; and
- (f) employ materials of high quality and durability, that are compatible or complementary colour and texture, to the surrounding area.

Supplementary Planning Guidance

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

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation Period: 09/09/2009 - 30/09/2009

Public Consultation

13 neighbours have been consulted - 4 objections were received during the consultation period on the following grounds:

- substantial increase in size and bulk unacceptable
- overdevelopment in terms of putting pressure on parking, access and creating the wrong precedent especially in raising the height of the roof
- overlooking issues to adjacent properties and their gardens
- whether the house will remain as a single family dwellinghouse with 9 bedrooms
- loss of light and outlook to rooms and garden of neighbouring property
- adversely impact upon the character of the cul-de-sac

REMARKS

Site and Surroundings

The application site is a detached dwellinghouse located on Tracey Avenue. It is located at the head of the cul-de-sac. Prior to any extensions carried out on either properties, its original design would have been "handed" with No. 6 Tracey Avenue.

The original dwellinghouse had four bedrooms in the main house with an additional bedroom in the side projection. At ground-floor level, the side projection included a garage. The application property has had a number of extensions over the past 23 years. These include a single-storey

extension in front of the original garage to form a new garage (now converted into a habitable room) and a single-storey rear extension behind the main rear wall of the house, projecting 4.6m in depth from the main rear wall (LPA Ref: 85/1892). A subsequent application was granted for rear and side dormer windows to the property (LPA Ref: 91/1343). The most recent application was for a wrap-around side/rear extension next to No. 3 Tracey Avenue which projected approximately 5.2m from the existing two-storey outrigger, together with the conversion of the garage into a habitable room and replacement windows (LPA Ref: 03/0723).

The neighbouring property, No. 3 Tracey Avenue, has two small rear extensions. There is no planning history for these extensions but the aerial photographs indicates that the extensions have been there for more than four years. There are no windows on the flank wall facing the application property.

The other neighbouring property, No. 5 Tracey Avenue, has had its garage extended up to the boundary with the application property, together with a small glazed rear extension to the garage. A Certificate of Lawfulness was granted for these works (LPA Ref: 99/2118). No. 5 Tracey Avenue has a window on its flank wall to the kitchen. There is also a window and door on the rear elevation to the kitchen/dining area.

Pre-application discussions

Officers have been in lengthy pre-application discussions with the agents for this application. Officers initially advised the agents to explore the option of building on top of one of the "wings" rather than on top of all of the rear extension. This was because officers were concerned with the volume of extension that was proposed. Officers subsequently prepared an indicative sketch plan of a more simplified roof form, reflecting what was approved at No. 6 Tracey Avenue. This was with the aim of providing gaps between the properties and maintaining a sense of openness. The amount of extension was also reduced so that it was more in proportion with the original dwellinghouse. It was also requested for the side dormer to be removed and for the number of roof lights to be reduced.

Proposal

The application, as submitted, has taken on board some of the comments provided at the pre-application advice stage. These include removing the first-floor side extension on top of the converted garage, reducing the number of roof lights and amending the design of the rear dormers. However, the original proposal at the pre-application stage, building directly on top of the existing rear extensions, is still proposed.

Impact upon the original dwellinghouse and the streetscene

Officers raised objections to the proposal at the pre-application stage as it was considered that the amount of extension was excessive in scale and out of proportion with the original dwellinghouse. Excluding the floor space within the roof, the floor area of the combined extensions (existing and proposed) would increase the floor area of the original house by approximately 100%. The proposal will increase the number of bedrooms from five bedrooms to nine bedrooms. Whilst the extensions are considered to be large, they do not increase the building footprint as there are already significant extensions to the ground floor, which have altered the character of the original form. It is therefore difficult to demonstrate how the first-floor extensions would be harmful enough to recommend refusal, given that the house has already lost a significant amount of its character. The splayed angle of the rear garden allows for a larger extension than what would normally be allowed for a typical property and garden layout seen within the borough.

Building on top of the existing rear extensions results in a substantial roof extension to the dwellinghouse. This results in the roof of the existing side projection increasing in height by approximately 3.3m and a large crowned roof extension next to No. 3 Tracey Avenue. Whilst the resulting roof extension is considered to be bulky and excessive in scale, its impact from the streetscene is relatively minimal and the properties to the rear are over 17.5m away. Existing landscaping within both the rear gardens of the surrounding properties and the application property will assist in screening the extension.

The gaps between the properties is one of the important features which contribute towards the character of the streetscene. There is currently a gap between the application property and No. 3 Tracey Avenue. The first-floor extension on top of the ground-floor wrap-around side-to-rear extension would partly be seen within this gap. This view will however be limited to certain position along the streetscene. On balance, the impact upon the streetscene is considered acceptable.

The first-floor rear extensions will result in the roof of the existing side projection increasing in height. This side projection is set back 6m from the front wall of the dwellinghouse and is an original feature which is subservient to the main house. A side dormer has been built in front of the side projection. Whilst officers do have concerns with the additional height of this roof and that it will not appear as subservient to the main house, given that the majority of it will be screened by the existing side dormer and that it will still retain its set-back from the front wall of the house, on balance, officers consider its overall impact upon the character of the house and streetscene is acceptable.

The proposed rear dormers are modest in size in relation to the roof. They are adequately set up from the eaves and set down from the ridge. The front face is predominantly glazed, reflecting the design of the window below. Two front roof lights are proposed, together with two roof lights on the flank roof slope facing No. 3 Tracey Avenue and one roof light on the flank roof slope facing No. 5 Tracey Avenue. The size of the roof lights is considered acceptable.

Impact upon the amenities of neighbouring occupiers

No. 3 Tracey Avenue does not have any windows on the flank wall facing the application property. The existing wrap-around side-to-rear extension does not project beyond the main rear wall of No. 3 Tracey Avenue. The first-floor rear extension is not considered to adversely impact upon No. 3 Tracey Avenue.

In terms of the 1:2 rule guidance, with windows to habitable rooms on the rear elevation at both ground-floor and first-floor levels of No. 5 Tracey Avenue, the proposed first-floor rear extension complies with this guidance. It should also be noted that No. 5 Tracey Avenue has a flank-wall window to the kitchen facing the application property. This window was queried at the pre-application stage; officers advised that, subject to the window not being the sole window to the kitchen, the first-floor extension next to No. 5 Tracey Avenue would be acceptable in principle. The agent later advised that it was a secondary window to the kitchen with a larger window on the rear elevation.

During the assessment of this application, officers have visited the site to further assess the impact from the kitchen of No. 5 Tracey Avenue. It was observed from the site visit that this window appeared to be the larger of the windows to the kitchen. It is, however, not considered to be the primary window as there is a window and patio doors on the rear elevation to the kitchen/dining area. The house was originally designed with a door and small area of glazing on the flank wall. The current window is a later addition. The view from the flank-wall kitchen window is currently out onto the existing two-storey side projection. The proposal will result in an additional two-storey wall at 4.8m in depth. The splayed nature of the site results in the extension being further away from the boundary with No. 5 Tracey Avenue as the extension projects further into the rear garden. Whilst the height of the roof of the existing two-storey extension will increase and the outlook from the flank-wall window of the kitchen at No. 5 Tracey Avenue, will be restricted, as outlook will still be available from the rear window and patio doors, on balance the extension is considered acceptable in terms of the impact upon the amenities of the occupants of No. 5 Tracey Avenue. It is also noted that No. 5 Tracey Avenue has a good amount of landscaping along the boundary with the application property to assist in screening the extension when viewed from the rear garden.

Your officers have received a number of objections from properties to the rear, concerning overlooking into these properties and their rear gardens. SPG17 requires a minimum of 10m from

rear habitable rooms to the rear boundary and a minimum distance of 20m between directly-facing habitable-room windows. There is a minimum distance of over 20m from the extension to the boundary with the rear gardens of the properties in Melrose Avenue with a distance of over 45m between rear habitable-room windows. There is a minimum distance of 17.5m from the rear extension to the boundary with the properties on Henson Avenue with a minimum distance of 25m to the rear habitable rooms (including rear extensions) of the properties in Henson Avenue. These distances exceed the minimum guidance as outlined in SPG17 and as such, the first-floor extension and rear dormers are not considered to adversely impact upon the properties on Melrose Avenue and Henson Avenue through overlooking and a loss of privacy.

Due to the splayed angle of the site, overlooking will also not occur into the rear gardens of Nos. 3 and 5 Tracey Avenue.

Conclusions

Your officers do have concerns with the excessive scale of extensions proposed and their lack of proportion with the original dwellinghouse. However, given that this property has been substantially extended and as such, has already lost a significant amount of its character, and since the impact of the current proposal upon the streetscene will be limited, officers consider that there are not strong policy grounds to refuse this application and subsequently defend such a decision in the event of an appeal. The splayed angle of the site assists in facilitating a larger-than-average extension.

On balance, for the reasons as outlined above, the application is considered to comply with policies BE2 and BE9 of Brent's UDP and is considered to be acceptable in terms of its impact upon the character of the dwellinghouse and streetscene and the amenities of neighbouring occupiers.

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) 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.

- (4) The existing trees and shrubs within the rear garden shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted or have their soil levels within the tree canopy altered at any time without the prior written approval of the Local Planning Authority. Any such tree which subsequently dies, becomes seriously diseased or has to be removed as a result of carrying out this development, shall be replaced in the next planting season with a tree of a similar species and size in the same position, or in such a position as the Local Planning Authority may otherwise agree in writing.

Reason: To ensure that the existing trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained as an integral feature of the development and locality and kept in good condition.

- (5) The extension hereby approved shall not be occupied at any time other than for purposes ancillary to the existing house.

Reason: To ensure that the premises are not sub-divided or used for multiple occupation without the prior written permission of the Local Planning Authority.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's UDP 2004

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

4 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: 4 Tracey Avenue, London, NW2 4AT

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/2181

RECEIVED: 8 September, 2009

WARD: Queensbury

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 17 Waltham Drive, Edgware, HA8 5PG

PROPOSAL: Erection of a part single and part two storey side and rear extension to dwellinghouse

APPLICANT: Mr Patel

CONTACT: Saloria Architects

PLAN NO'S: 9244-00-P0;
9244-11-P1 (Received 28.10.2009);
9244-10-P3 (Received 28.10.2009).

RECOMMENDATION

Approval

EXISTING

The application site is a corner property located on the western side of Waltham Drive. The property shares a common side boundary with Calder Gardens to the south.

The site has a vehicular access to the rear (from Calder Gardens) and the front garden area has no parking facility but is partially hard surfaced (which appears to have been in place for a significant period of time).

PROPOSAL

The application proposes the erection of a two storey side and rear extension. The ground floor element would have a width of 3.5m and a depth of 3.3m behind the main rear elevation of the dwelling.

The first floor element would also have a width of 3.5m and would have a depth behind the main rear elevation of 3.3m. The first floor rear extension would be set away from the common boundary with the attached twin dwelling by 4.75m.

One parking space is proposed within the front garden of the property.

HISTORY

- A full planning application under reference 06/1647 for a 2 storey side and rear extension was granted planning permission under delegated authority on 25/07/06, there were no objections received to this proposal.

The main variances between the former scheme and that currently under consideration were that the previous proposal involved a two storey side element which was 200mm narrower (at 3.3m wide) than within the application under consideration and that the first floor rear extension was of a lesser depth but had its side elevation closer to the attached twin dwelling (although

still compliant with Supplementary Planning Guidance No. 5 and the 2:1 rule). Also of note was that parking would have been provided solely within the rear garden.

Other planning history onsite includes the following:

- Certificate of lawfulness 09/1420 for a vehicular access to front was approved on 27/07/2009.
- A full planning application under reference 07/3027 for the demolition of an existing garage and shed and the erection of a single storey rear extension and a 2 storey attached dwelling house with a width of 4.6m, to the side of the dwelling, was refused planning permission under delegated authority on 03/09/2008 on the basis of its size and the intensification of use on the site. Three objections were received to this scheme.
- A full application under reference 06/3165 for a 2 storey rear extension and two storey side and basement extension for creation of an additional dwelling house was refused under delegated authority and was subsequently dismissed at appeal on 03/12/2007 due to the intensity of the proposed development.
- A full planning application under 06/0147 for a 2 storey side and rear extension to form a two and three bedroom house was refused under delegated authority on 25/07/2006. This was on the basis of the design of the extensions and the standard of accommodation provided.
- A full planning application under 05/1500 for the erection of side (with a width of 4.6m) and rear extensions to form an end of terrace dwelling was refused under delegated authority on 18/08/2005. This was on the basis of its inappropriate impact on the area and transportation impacts arising from the development.

A certificate of lawfulness application under reference 05/1883 for a detached rear outbuilding was declined on 25/07/2005.

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.
- **BE9 Architectural Quality**
 - relates to extensions and alterations to existing buildings and requires them to embody a creative and appropriate design solution specific to the site's shape, size, location and development opportunities. They should be designed to be of a scale, massing and height appropriate to their setting and the townscape location. It also requests that development respects without necessarily replicating the positive local design characteristics and satisfactorily relate to them. The design should exhibit a consistent and well considered application, and be laid out to ensure that building and spaces are of a scale design and relationship to each other that promote the amenity of users, provide satisfactory levels of sun and day light, privacy and outlook for existing and proposed residents.
- **TRN23 Parking Standards - Residential Development**
 - relates to the restriction of parking to levels no greater than listed in standard PS14 of the Adopted Unitary Development Plan.

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

Ten neighbouring properties were consulted by letter on 22 September 2009.

- Two objections were received as a result of this consultation from occupiers in Calder Gardens and Waltham Drive, which can be summarised as follows:
- Restriction of access to the objectors property due to the new crossover, the proximity of two churches and the railway station;
- Overlooking and loss of privacy;
- Extension would be out of character with the area;
- Additional parking requirements as a result of the extension would result in parking congestion on the street;

One objection also referred to a loss of value for their property which cannot be considered to be a planning consideration.

REMARKS

Proposed 2 storey side extension:

The proposed side extension would be set back 225mm behind the main frontage of the dwelling. Whilst this would be less than the 250mm provided for within Supplementary Planning Guidance 5 (SPG 5), the depth is considered to be sufficient to retain any quoin detail and to differentiate the extension from the main dwelling, in conjunction with the intentions of Adopted London Borough of Brent SPG 5.

The first floor element of the extension would be setback 1.5m behind the main front building line at first floor level, and would be in compliance with the Requirements of SPG 5.

The extension at ground and first floor side would be 3.5m in width, it is noted that the width of the building would be slightly greater than SPG 5 allowances which suggest a width no greater than the width of the main front room (3.4m in this case) however the 100mm non-compliance resulting from the extension would not be sufficient to result in an overly dominant or out of character extension with the character of the area.

The roof style of the building would be a traditional pitched roof with hipped ends which is common in the area. A similarly pitched roof is also proposed between the ground and first floor side extensions. Given the prominence of the location, it is recommended that should members be

inclined to approve the consent, that a condition be attached to require details of the tiles to be used on this roof to ensure that they correspond with the main roof type, and that if this is impossible, that a flat roof and parapet be installed instead.

The development proposes side elevation windows serving bedrooms 1, 4 and 5 and also the kitchen. An external door serving the kitchen would also be installed in this side elevation and would serve the kitchen. The configuration of the fenestration of doors and windows within this side elevation would be restrained and it is not considered that the introduction of these openings would present the appearance of an independent dwelling. Also, given the orientation of the side elevation towards a highway, the development would not result in detriment to the privacy of neighbouring occupiers. The officer would note that similar openings were approved under the previous application on this site.

Future conversion:

The internal layout of the building, in particular the open plan kitchen and lounge, would indicate that conversion of the unit into separate dwellings would be difficult. However should Members approve the application, it is suggested that an informative be attached informing the applicant that the conversion of the dwelling into separate units would require planning permission.

Single storey rear extension:

The development proposes the erection of a single storey rear extension with a depth of 3.00m on the common boundary with the neighbouring property at no. 19 Waltham Avenue, which itself benefits from a single storey rear extension. The extension would increase to 3.3m (3.296m on plans) in depth some 5.4m from this common boundary.

Whilst the depth of the extension is greater than that indicated within SPG 5, the separation from the non compliant element is considered to mitigate any adverse impacts arising from such an extension and, given its location on a corner, this element of the development would not result in detriment to neighbouring occupiers or the character of the area.

First floor rear extension:

The proposed development would have a depth of 3.296m behind the rear elevation of the dwelling. The applicant's agent has provided confirmation of the compliance of the development with Councils 2:1 Guidance which requires that a first floor rear extension be only half the depth between it and the nearest habitable room on an adjoining property (6.586m). As such, the development is considered to be acceptable in this respect. It is noted however that this compliance is very tight and that should the constructed building exceed these figures, the development would not be compliant. It is recommended that an informative to this effect be attached to any approval.

Parking and landscaping

Documents submitted in support of the application indicate that the front garden area of the property would be used to provide one parking space (a certificate of lawfulness application earlier this year permitted the formation of a crossover on this frontage but this has not yet undertaken). The application notes that an additional parking space exists in the rear garden of the site. It is recommended that a front parking layout requiring at least 50% of the front garden area be soft surfaced so as to ensure appropriate amenity in this prominent location.

Conclusion:

The proposed development would be complementary to the main dwelling and would not be detrimental to the character of the area, as such the development would be considered to be acceptable and can be recommended for approval.

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 with 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, as closely as possible, 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) Notwithstanding the provisions 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 plans, shall be constructed in the flank walls of the building, as extended.

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

- (4) Prior to commencement of works onsite, a front and rear garden plan of the site shall be submitted providing space for no more than 2 parking spaces and indicating at least 50% of the front garden in soft surfacing and at least 50 square metres of amenity space in the rear garden. Such details shall be approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development, to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990 and to ensure that onsite parking is in accordance with the intentions of the Adopted London Borough of Brent Unitary Development Plan.

INFORMATIVES:

None Specified

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: 17 Waltham Drive, Edgware, HA8 5PG

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/2153

RECEIVED: 28 August, 2009

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 103A-D, Malvern Road, London, NW6

PROPOSAL: Proposed installation of wheelchair lift (including railings) and new raised steps to stairs at front of building

APPLICANT: Mrs Evelyn Etienne

CONTACT: Private Housing Services

PLAN NO'S: D/0818/07.

RECOMMENDATION

Approval.

EXISTING

The subject site, located on Malvern Road, is occupied by a three-storey semi-detached residential property which has been converted into four self-contained flats. The property is not located within a conservation area but is a locally listed building.

PROPOSAL

Proposed installation of wheelchair lift (including railings) and new raised steps to stairs at front of building.

HISTORY

- 00/2606: Full Planning Permission- Refused, Formation of a vehicular access and hardstanding, rebuild front wall and provide gate.

POLICY CONSIDERATIONS

Brent Unitary Development Plan 2004

BE4: Access for Disabled People

BE9: Architectural Quality

BE24: Locally Listed Buildings

H18: The Quality of Flat Conversions

Supplementary Planning Guidance

SPG12: Access for Disabled People: Designing for Accessibility

SUSTAINABILITY ASSESSMENT

Not applicable.

CONSULTATION

Consultation letters, dated 3rd September 2009, were sent to 152 neighbouring owners/occupiers. Re-consultation was required due to an incorrect description (failure to mention raised steps), letters dated 16th October 2009, were sent to 9 immediate neighbouring owners/occupiers. Two letters of objection were received, the following issues were raised:

- The proposal will cause noise and disruption in addition to temporarily blocking access to the main entrance of the property.
- The hallway is very narrow and such a pathway would impinge on the entrance space.
- The internal alterations, removing one bedroom, apart from the noise and building waste, is absurd when there are a number of suitable properties in the area.
- The proposal will decrease the value of residents properties.

It has been recognised that the proposal would temporarily obstruct the entrance to the property and therefore a temporary access/stairwell will be required. The applicant will be advised that a temporary staircase/access may require planning permission.

In consideration of the issues raised above, it must be noted that the proposed internal works do not form part of this planning application as such works do not require planning permission. Furthermore, the effect of proposals upon property value is not a planning consideration. Remaining issues will be discussed in detail below.

REMARKS

The applicant proposes to install a wheelchair lift to the main entrance of the property which also involves the erection of railings and raised steps. The proposal has been made to provide suitable disabled access for an existing occupant on the ground floor of the premises, policies BE4 and H18 of the UDP 2004 recognise the importance of providing accommodation which is accessible and adaptable for disabled persons. Therefore, the principle of installing a wheelchair lift, for disabled access, to the front elevation of a locally listed building is considered acceptable.

Design and appearance

The proposed wheelchair lift will be directly mounted on the right elevation of the existing stairwell and attached by metal posts and railings, extending the full length of the stairwell. The proposed wheelchair lift, when folded is approximately 1.6m in height, 0.53m higher than the existing stairwell wall. Although, the proposed wheelchair lift and fixtures are greater in height than any boundary wall to the front elevation of the property, it is situated approximately 6.5m from the public footway and thus should not be too visually obtrusive within the street-scene.

As the existing top external landing is restricted and the step angle is too steep for a wheelchair lift, the proposal involves raising the front steps and extending the top landing area. The existing steps will be raised by one step, 200mm, and although this alters the front elevation of the original property the alteration is considered minimal, and does not result in the steps being higher than the existing stairwell walls.

In terms of appearance, the proposed wheelchair lift, metal railings and fixtures will be painted white, matching the colour of the lower ground floors and stairwell borders. This will ensure that the proposed wheelchair lift does not appear dominant within the local street scene and front elevation of the locally listed building. This is considered acceptable particularly given that a condition is suggested that would require the wheelchair to be removed when it is no longer required.

Impact upon residential amenity

The stairwell is 1.6m wide and the proposed wheelchair lift "XPress II" has a platform size of 800mm x 1250mm, this leaves 514mm clearance for dual use. In discussion with Building Control Officers, the width of the staircase should not be compromised by the wheelchair lift. Subsequently, further information has been submitted confirming that the proposed wheelchair model will automatically fold away, when folded the wheelchair lift and railings occupy 325mm. Therefore, the proposed wheelchair lift should not compromise the safety or amenity of existing and future occupiers.

In summary, in consideration that the proposal does not involve the harmful alteration of the locally listed building and the importance to provide accessible housing the proposal is deemed acceptable, on balance, in relation to policies BE4; BE9; BE24; H18; of the UDP 2004 and Supplementary Planning Guidance 12.

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 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.

(3) The wheelchair lift and fixtures hereby approved shall be removed from the stairwell as soon as it is no longer operational or required by the applicant.

Reason: To safeguard the amenities of occupiers and the character of the locally listed building within the streetscene.

INFORMATIVES:

(1) The applicant is informed that the temporary obstruction of the main front entrance would require a temporary access/stairwell. This structure may require planning permission and therefore the applicant is advised to seek advice from the Planning Department prior to the commencement of works.

REFERENCE DOCUMENTS:

- Brent UDP 2004
- Supplementary Planning Guidance 12
- Design specification "XPress II, Garaventa Wheelchair Lifts"
- 2 letters of objection

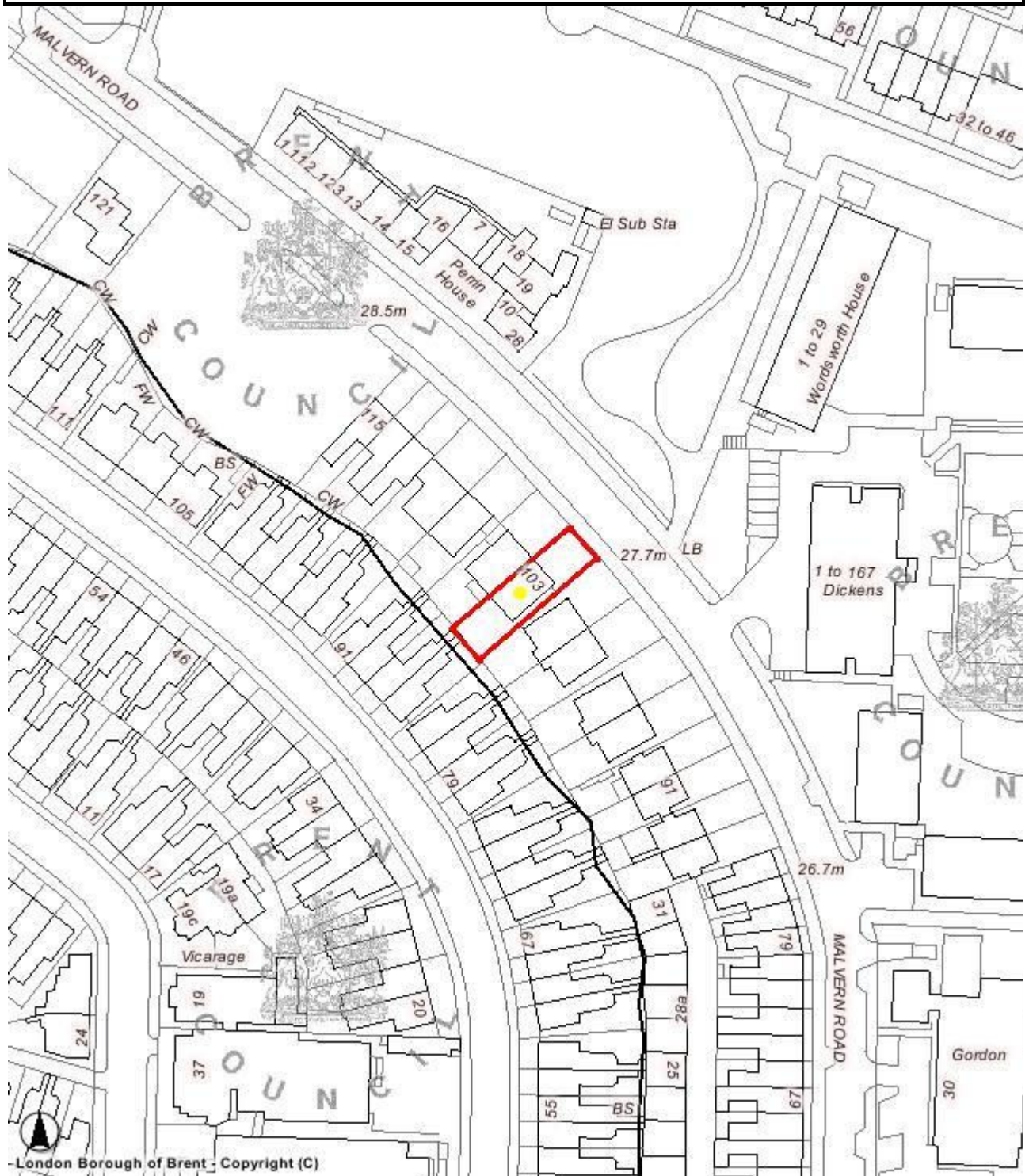
Any person wishing to inspect the above papers should contact Nicola Butterfield, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5239



Planning Committee Map

Site address: 103A-D, Malvern Road, London, NW6

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/3161

RECEIVED: 7 October, 2009

WARD: Willesden Green

PLANNING AREA: Willesden Consultative Forum

LOCATION: Learie Constantine Open Space, Villiers Road, London, NW2 5QA

PROPOSAL: Creation of a public park with installation of children's play equipment, sand pit, seating, associated landscaping and installation of mesh fence, brick wall and wooden board fence to perimeter of site.

APPLICANT: London Borough of Brent

CONTACT:

PLAN NO'S: Location Map
Block Plan
1 Existing
2 Proposed
3 Hard Landscaping
4 Soft Landscaping
5 Tree Survey
5 Drip Detail
6 Tree Protection
7 Boundaries

RECOMMENDATION

Approval

EXISTING

The site is on Villiers Road on the west side of the northern junction with Chaplin Road, NW2 5QA. The site adjoins the rear of Dudden Hill Lane properties at its south west side and is adjacent to no 114 Chaplin Road at its south east side. The site is not in a conservation area.

PROPOSAL

Creation of a public park with installation of children's play equipment, sand pit, seating, associated landscaping and installation of mesh fence, brick wall and wooden board fence to perimeter of site.

HISTORY

There is no direct planning history for the site since the 1970's when there are records of a day nursery.

The site has previously been used as a park but became derelict and has been so for approximately 10 years.

POLICY CONSIDERATIONS

UDP 2004

BE2 Townscape:Local context
BE5 Urban clarity & safety
BE6 Public realm: Landscape design

OS7 Provision of Public Open Space
OS18 Children's Play Areas

London Plan SPG: Providing for young people's play and informal recreation

"Design for play: A guide to creating successful play spaces" (Play England)

SUSTAINABILITY ASSESSMENT

Not Applicable

CONSULTATION

Neighbouring occupiers were consulted on 15th October 2009 and a site notice was posted at the site advertising the site as being of public interest on 22nd October 2009. 1 objection has been received, raising the following points:

- the site was previously a 'play area' which failed and was boarded up due to anti-social behaviour.
- repeating previous mistakes is not an appropriate expenditure of borough funds.
- the area should be considered for a project that would provide benefits such as a 'sure start' centre, this would have greater stewardship and leading to greater security.

Groundwork were commissioned by the Parks Service to carry out consultation with the Local Community between February and April 2009, involving 3 community consultation events, a trip with young people, 2 design workshops with young people and 600 questionnaires to residents in the area. Outcomes included:

- Priorities in terms of playspace equipment
- Concern of antisocial behaviour in park
- Secure fencing and locked at night
- Regular patrols from police/wardens
- Separate area for dogs
- Lighting and CCTV
- Local ownership

Internal

Environmental Health: Conditions required regarding land contamination and remediation.

Parks Service: No objections to proposal

REMARKS

The proposal is for the creation of a public park with installation of children's play equipment, sand pit, seating, associated landscaping and installation of mesh fence, brick wall and wooden board fence to perimeter of site.

Funding for the redevelopment has been awarded as part of the 'playbuilder' scheme run by the Department of Children, Schools and Families.

Principle

As indicated above the Council have commissioned consultation with the local community to try to find out who to bring the site back into use.

No use is currently made of this site and the boarding which surrounds the site for security reasons is detrimental to the local streetscene and character. This site of approximately 0.14ha would be classified as a 'pocket park' by the London Plan which recommends that these should be accessible to all residents within 400m of their homes.

Map OS1 of Brent's UDP 2004 identifies this site as falling within an area of more than 400m from public open space of more than 2ha. The Learie Constantine Open Space is far smaller than this but will nevertheless enhance local provision. It is clearly a positive step to bring this site back

into use but it is also vital to prevent the park becoming derelict as has happened in the past.

The games court on Dudden Hill Lane (which was a brownfield site with temporary permission as a play space in 1981) is in close proximity to this site but has been identified as a site specific allocation for a mixed use development. Comparatively it is in poor location with little overlooking and adjacent to a main road and neighbourhood retail shopping.

Layout and landscaping

Ground level is used to improve the visibility of the parts of the open space furthest from the street, ground level raises as distance increases from the centre front of the site. This is designed to prevent the formation of areas which feel secluded and as such become used for anti-social activities, all of the open space would be exposed to the street discouraging such uses.

Fencing is proposed around the whole frontage of the site which is a mesh wave shape, this continues around the boundary of the Learie Constantine Centre Car Park meaning that whilst these spaces are individually defined there is clear visibility between them. To retain the increase in the ground level around the site a low red brick wall is proposed with the fence above. It has been confirmed by landscape officers that the fence will range in height from 1.8m to 2.4m.

The play area is located at the centre front of the site, away from the residential properties that border the site to minimise nuisance in the form of noise. The play area is centred around a landscape feature based on a spike from a drip into water which reaches approximately 3.5m in height and play equipment is positioned around this including a slide, climbing net and climbing boxes. Away from this focal point other individual elements are proposed including a musical area (gaspipes tambourine, drainpipe drum etc.), again located away from direct neighbours. As distance increases the play equipment is replaced with trees and some blocks for seating.

The surfacing of the majority of the play space is proposed as sand, which as well as providing some safety in terms of its impact absorbency also allows for play in itself, beyond this the area is grassed. Paths within the area are proposed as 'resin bound recycled glass' and are red.

At all boundaries with residential properties a buffer is proposed in the form of hedging/shrub planting. Trees are also proposed within the site, which when grown will provide more screening to neighbouring properties, they also have the additional interest of being 'edible fruit trees'.

Management

The reason for past failings has been the lack of management and maintenance, the revamped park will be maintained by the Parks Service. The fencing proposed allows the site to be closed to public use, this will take place at dusk 7 days a week and be reopened at 8am every morning. As such it will not be an area in which anti-social behaviour takes place after dark. It cannot be ruled out that people will may climb over the railings but it is considered that their presence and scale would act as a very effective deterrent.

Furthermore the opening and closing of the area will be undertaken by Parks staff qualified as safety inspectors for play equipment meaning that any problems, including damage, litter, vandalism etc. will be identified and dealt with immediately. This will prevent the space falling into disrepair or being unsafe for use on a daily basis. It is considered that the benefits that the park will bring to the locality firmly outweigh the concerns over possible antisocial activity.

Lighting

The proposal includes uplighters, dispersed around the outer limits of the park. It will light the seating which is away from the front of the site, all lights are also positioned below trees to limit the extent of the light. However a condition is also recommended for the provision and approval of details of the illuminance of the uplighters. The applicants have indicated that there have been discussions between the Parks service and local residents and Councillors regarding the use of

lighting. The proposed plans do include uplighters and no objections have been received to this aspect of the proposal.

The proposal is considered to be an enhancement to the visual amenity of the area and the recreation of local residents, it complies with policies contained in Brent's UDP 2004 and the London Plan SPG: Providing for young people's play and informal recreation, as such approval is recommended.

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

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) Prior to the park opening for use, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with 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 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 UDP 2004.

(3) Any remediation measures required by the Local Planning Authority shall be carried out in full. A verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and 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 UDP 2004.

(4) The open space shall not be used between dusk and 8am and gates will be closed between these times.

Reason: In the interest of neighbouring residential amenity.

- (5) Details of uplighting, of a level not harming neighbouring amenity, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The approved details shall be fully implemented.

Reason: In the interests of amenity and convenience.

- (6) Notwithstanding the hereby approved plans the boundary fence to Villers Road and Chaplin Road will not exceed 2.4m in height from pavement level.

Reason: In the interest of the amenity of the visual appearance of the site.

- (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 before the building(s) are occupied. Such details shall include:-

(a) Size trees to be planted in height and trunk diameter.

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

INFORMATIVES:

None Specified

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: Learie Constantine Open Space, Villiers Road, London, NW2 5QA

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/3100

RECEIVED: 22 September, 2009

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 70 Donnington Road, London, NW10 3QU

PROPOSAL: Erection part two-storey, part single storey rear extension, two rear dormer windows, new front porch and installation of two front and one side rooflights to dwellinghouse

APPLICANT: Mr Ayoub

CONTACT: Pereira-Walshe Partnership

PLAN NO'S: PWP/662,01 Rev A
PWP/662,02 Rev A
PWP/662,03 Rev C
PWP/662,04 Rev C
PWP/662,05 Rev C
PWP/662,06 Rev A
PWP/662,07 Rev A

RECOMMENDATION

Approval

EXISTING

The subject site, located on the northern side of Donnington Road, is occupied by a two-storey detached dwellinghouse. The adjoining sites are also occupied by detached dwellinghouses.

PROPOSAL

Erection of part two-storey, part single storey rear extension, two rear dormer windows, new front porch and installation of two front and one side rooflights to dwellinghouse

HISTORY

No planning site history

POLICY CONSIDERATIONS

London Borough of Brent Unitary Development Plan 2004

BE2 Townscape: Local Context & Character

BE9 Architectural Quality

Supplementary Planning Guidance 5:- Altering & Extending Your Home

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation letters, dated 24th September 2009, were sent to six neighbouring owner occupiers. In response one letter of objection was received. The objector is concerned that the proposal will block daylight to their property and obstruct existing views.

REMARKS

Rear Dormer Windows & Rooflights

The proposal would involve the erection of two rear dormer windows to the dwellinghouse, one to the original roof and one to the roof of the proposed two-storey rear extension. Whilst, dormer windows to the roof of two-storey extensions are not usually permitted, it is considered that as the overall design of the proposed dormers would be more sympathetic to the character of the property than other roof extensions that may be permitted without planning permission that, on balance, the principle of the proposed dormer window to the roof of the extension should be accepted.

The combined width of the proposed dormer windows (2.9m) is less than half the average width of the original roof (8.05m). Both dormer would be set up from the eaves line by more than 0.5m and would be set down from the ridge of their respective roofs by more than 0.3m. The main faces of the proposed dormer windows would be mainly glazed. The proposed dormer windows are considered to be in general accordance with the guidance contained in SPG5 and would therefore have an appropriate impact on the character and appearance of the existing property. The installation of two front and one side rooflights is also in accordance with SPG5 and are considered to have a relatively minor impact on the appearance of the property.

Part two-storey, part single storey rear extension

The proposal involves the erection of a part single, part two storey rear extension to the property. The single-storey element will be located towards the side of the property closest to 72 Donnington Road, with the adjoining two-storey element located towards the boundary with 68 Donnington Road.

The proposed single-storey element would be 4.24m in width and 3.5m in depth in compliance with the guidance contained in SPG5. The glazed roof of the single-storey element would be pitched away from the existing property and would be enclosed on the flank by a raised parapet wall. This parapet wall would have an eaves height of 2.8m which slopes up to a height of 3.2m against the rear wall of the existing dwelling. The average height of this parapet wall (3m) would also comply with the guidance contained in SPG5.

The proposed two-storey element of the rear extension would adjoining the single-storey element and also have a depth of 3.5m. The neighbouring property at 68 Donnington Road has two flank wall windows at ground floor level. However, judging by the presence of obscured glazing and the likely layout of the neighbouring property, on balance, these windows do not appear to be the sole windows to a habitable room. The closest rear facing habitable room window on the ground floor of 68 Donnington Road is sited within a single-storey rear projection. As such the proposed two-storey extension would only project 2.5m beyond this window. The centre of this window is located 6.5m from the flank wall of the proposed two-storey extension which comfortably exceeds the 1:2 guidance contained in SPG5. The closest rear facing habitable room window to 68 Donnington Road at first floor level is set further in and further back than the window on the ground floor. As such, the proposed two-storey extension would project beyond this window by 3.5m. However, the first floor window is also set further away from the flank wall of the proposed extension, by a distance of approximately 7.5m, and the 1:2 guidance is fully satisfied.

The proposed part two storey, part single storey rear extension complies with the guidance contained in SPG5 and, therefore, it is considered that the proposed rear extension would have a reasonable impact on the amenity, in terms of daylight and outlook, on adjoining occupiers.

The ridge of the proposed two-storey extension would be set down from the main ridge and, in general, the pitch angle would match that of the original roof in accordance with SPG5. Overall it is considered that the design of the proposed extension would complement the character and appearance of the original house.

New Front Porch

The existing property would have a first floor balcony located above the main entrance to the dwellinghouse. The proposal seeks to infill the underneath the existing balcony to form a porch around the main entrance. The porch would be 1.65m in width and 0.6m in depth, less than the footprint of the balcony above. The height of the porch is restricted by the existing balcony but would be approximately 3m above ground level. The porch will have a mainly glazed appearance consisting of a number of smaller glazing panels.

Overall, the design of the porch is considered to complement the appearance of the property and wider streetscene.

Consideration of Objections

The concerns of objectors with relation to daylight and outlook have been considered in the main report above. It is also noted that the right to any particular view is not normally a material planning consideration.

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:

Brent Unitary Development Plan 2004
Supplementary Planning Guidance 5:- Altering & Extending Your Home
One letter of objection

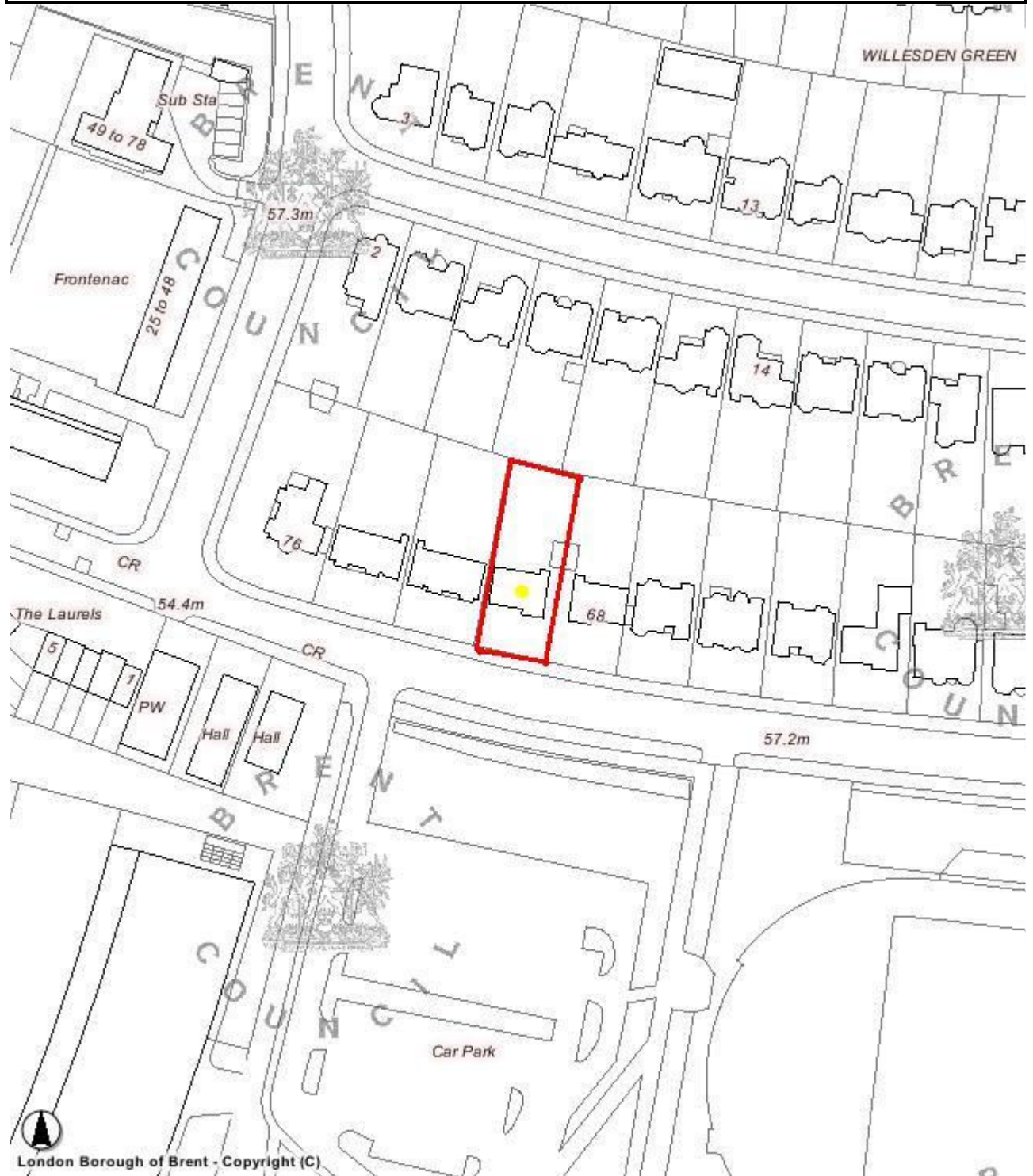
Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: 70 Donnington Road, London, NW10 3QU

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Committee Report

Planning Committee on 25 November, 2009

Case No. 09/2019

RECEIVED: 3 September, 2009

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: 31 Pasture Road, Wembley, HA0 3JB

PROPOSAL: Replacement of existing timber-framed windows with UPVC-framed windows to dwellinghouse (Article 4 Direction)

APPLICANT: Mr Hiten Shah

CONTACT:

PLAN NO'S:

- Attachment 1 - showing Photographs of the Existing Dwellinghouse
- Attachment 2 - showing Details of Proposed Windows to the Dwellinghouse
- Attachment 3 - showing Photographs of the neighbouring dwellinghouse windows at No. 25 & 33 Pasture Road and No. 32 Stapenhill Road
- Un-numbered A4 Sheet showing Details of the Proposed Lounge Window
- Un-numbered A4 Sheet showing Photograph of the Existing Lounge Window
- Un-numbered A4 Sheet showing Details of the Proposed Front Bedroom Window
- Un-numbered A4 Sheet showing Photograph of the Existing Front Bedroom Window
- Un-numbered A4 Sheet showing Details of the Proposed Front Box Room Window
- Un-numbered A4 Sheet showing Photographs of the Existing Box Room Window
- Un-numbered 2 x A4 Sheet showing Details of the Box Room Side Window
- Un-numbered A4 Sheet showing Photographs of the Existing Box Room Side Window
- Un-numbered A4 Sheet showing Photograph of the Front Full View of the Dwellinghouse
- Un-numbered A4 Sheet showing Details of the Proposed Rear Patio Doors/Windows and Photograph of the Existing Rear lounge Patio Doors/Windows
- Un-numbered A4 Sheet showing Details of the Proposed Back Bedroom Window and Photograph of the existing Back Bedroom Window
- Un-numbered A4 Sheet showing Details of the Proposed Side Lounge Window and Photograph of the Existing Side Lounge Window
- Un-numbered A4 Sheet showing Cross-Section of the Proposed Window
- Ordnance Survey Map showing the Site Location

RECOMMENDATION

Refusal

EXISTING

The proposal relates to a two-storey "Curton" style dwellinghouse with enclosed front porch area situated on the west side of Pasture Road located within Sudbury Court Conservation Area served with Article 4 Direction.

PROPOSAL

The proposal is to replace the original timber frame windows to the dwellinghouse with UPVC double glazed windows.

HISTORY

- 13/07/1998 Renewal of front garden surfacing and new boundary wall - Approved (ref: 98/0951)
- 06/07/1998 Detail pursuant to condition 4 (details of garage door) of full planning permission ref: 97/1343 dated 19/08/97 for demolition of existing garage and erection of new detached garage at the side - Appeal Dismissed (ref: 98/0815)
- 19/08/1997 Demolition of existing garage and erection of new detached garage at side - Approved (ref: 97/1343)
- 06/05/1997 Demolition of existing garage and erection of new detached garage and paving of front garden - Refused (ref: 97/0521)

POLICY CONSIDERATIONS

Adopted Unitary Development Plan 2004 Policies

- BE2 Townscape: Local Context & Character*
BE9 Architectural Quality
BE25 Development in Conservation Area
BE26 Alterations & Extensions to Buildings in Conservation Areas

Sudbury Court Conservation Area Design Guide

SUSTAINABILITY ASSESSMENT

Not Applicable

CONSULTATION

The application has been advertised by both Press and Site Notice and the following has been consulted on the proposal:

- Nos. 29 & 33 Pasture Road
- Sudbury Court Conservation Area

A letter has been received from Sudbury Court Residents' Association raising objections to the proposal on the grounds that the UPVC windows are not appropriate for the properties within Sudbury Court Conservation Area. However, there may be properties in the area where Aluminium and UPVC windows are installed but they may have been there prior to the setting of the Sudbury Court Conservation Area.

REMARKS

Since 2004 it has been the Council's policy to require replacement windows in all its conservation areas to be made from timber and to match the proportions and appearance of the original windows associated with the particular style of house in which they are being installed. This approach has been reviewed and officer's have come to the view that in a number of Brent's conservation areas including Sudbury Court the proportion of houses that have either original or replacement timber windows is relatively small and that the slow rate of change of means that the character of Sudbury Court Conservation Area is likely to be dominated by non timber windows for

the foreseeable future. It is also apparent that the majority of residents wanting to change their windows are seeking UPVC replacements rather than timber. It is also the case that the Council's insistence on timber windows is preventing some residents from replacing their current poor quality windows because of the perceived additional cost associated with wooden windows compared to UPVC. Consequently the Council has decided to revise its policy and allow UPVC windows provided that they match the style, appearance and proportions of the original windows associated with the particular style of house.

In the case of the application site, the property has the least complicated type window found in Sudbury Court Conservation Area. The dwellinghouse that is the subject of this particular application still has its original timber frame single glazed windows. Because of their poor condition and a desire to have double glazing the applicant is seeking to replace them with a new UPVC system. Under the new approach to window replacements set out above UPVC would now be acceptable. However in this particular instance officers are not satisfied that the replacement windows will adequately reflect the style and appearance of the originals.

The windows in question are the simplest style of window found on the Sudbury Court Estate - casements divided into equal rectangular sections. The frames are unadorned. The upper section has a leaded pattern while lower section has clear glazed area with no leaded pattern. Given that the application dwellinghouse has the most simplistic type window of the Sudbury Court Conservation Area it is believed that this type of windows can be replicated in UPVC material. However the applicant has not submitted sufficient detail for the officers to be satisfied that the replacement windows will be an appropriate match for the originals. No details or plans of the existing windows have been submitted. Furthermore the plans of the proposed replacements do not indicate the depth or width of the frames and do not show the correct leaded pattern. Officers are therefore concerned that the replacement windows would fail to preserve or enhance the character and appearance of the Sudbury Court Conservation Area. Consequently this application is recommended for refusal.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposal by virtue of failing to provide plans shows details of the existing windows, and by failing to provide sufficiently detailed plans of the replacement windows, will result in replacement windows that would significantly detract from the appearance and character of the original dwellinghouse, the visual amenity of the locality and as such would fail to preserve or enhance the character and appearance of the Sudbury Court Conservation Area contrary to policies BE2, BE9, BE25 and BE26 of Brent's adopted Unitary Development Plan 2004, advice contained in the Sudbury Court Conservation Area Design Guide and the provisions of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

1. Adopted Unitary Development Plan 2004
2. Sudbury Court Conservation Area Design Guide
3. A letter of objections from Sudbury Court Residents' Association

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: 31 Pasture Road, Wembley, HA0 3JB

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Committee Report

Planning Committee on 25 November, 2009 Case No. 09/3179

RECEIVED: 29 September, 2009

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: 10 Littleton Crescent, Harrow, HA1 3SX

PROPOSAL: Erection of a two-storey side extension and single-storey rear extension to the dwellinghouse

APPLICANT: Mr Chris Hall

CONTACT: North Shore Consulting

PLAN NO'S: 001; 002 A; 003 A; 004 A

RECOMMENDATION

Approval

EXISTING

The subject site is a two storey detached dwellinghouse located on Littleton Crescent Harrow.

The surrounding uses are predominantly residential. The property is not within a Conservation Area, nor is it a listed building. However, it is located within an Area of Distinctive Residential Character as allocated within Brent's Unitary Development Plan.

PROPOSAL

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

HISTORY

No relevant history

POLICY CONSIDERATIONS

BE2 – Townscape: Local Context & Character
BE7 – Public Realm: Streetscape
BE9 – Architectural Quality
BE29 – Areas of Distinctive Residential Character

SPG

SPG 5 – Altering and extending your home

- Size and scale of the development
- Impact on residential and visual amenity of neighbouring occupiers
- Impact on the character and appearance of the dwellinghouse and surrounding streetscene.

CONSULTATION

Consultation period: 08/10/2008 – 29/10/2008. 3 neighbouring properties have been notified. One letter of objection has been received to date. The concerns raised are summarised as follows:

- The proposed new ground floor window in the flank wall facing no 12 would be overlooking the kitchen door of no 12, resulting in a loss of privacy, unless obscured glazing is used
- The proposed rooflight will be opposite and overlooking the bathroom window of no 12 resulting in a loss of privacy
- The proposed size of the ground floor extension is large in both depth and height which will affect the amount of light received in the kitchen of no 12 and it will be of an overbearing visual appearance.
- The top of the proposed lantern rooflights aligns itself half way down the upstairs window, adding to the overbearing visual impact of the rear ground floor extension.

Sudbury Court Residents Association has objected to the proposal. Concerns raised are summarised as follows:

- A proposed new flank wall window which would face no 12 Littleton Crescent
- The impact of the proposed single storey rear extension on the sunlight to the garden of no 8.
- Any proposed patio beyond the proposed rear extension would have an impact on the privacy of the neighbouring gardens as it would enable overlooking.
- All other issues are issues for Building Regulations and not planning issues.

REMARKS

The subject site is a 2-storey detached dwellinghouse with an integral garage, located on Littleton Crescent, Harrow. The property is located within an Area of Distinctive Residential Character, as allocated within Brent's adopted Unitary Development Plan (2004). (UDP)

The existing house has 4 bedrooms. The proposal is for the erection of a two-storey side extension and single-storey rear extension to the dwellinghouse. No additional bedrooms are proposed and the single storey rear extension is to create a larger kitchen/lounge.

At the rear of the property, the ground level slopes towards the rear boundary. The ground also slopes down towards the neighbouring property at no 8 Littleton Crescent, which means that no 10 is on higher ground than no 8 and no 12 Littleton Crescent is on higher ground than no 10. Many of the properties along this side of Littleton Crescent have patio areas at the rear, including no 8, 10 and 12 Littleton Crescent.

During the process of the application, minor amendments have been made to comply with relevant UDP policies as well as guidance within *Brent's Supplementary Planning Guidance 5 on Altering and Extending Your Home*.

Two-storey side extension

The 2-storey side extension is to extend forward of the existing first floor side extension, over the existing attached garage in order to form en-suite bathrooms to two of the existing bedrooms. The integral garage will be retained.

The extension is to be set in approximately 0.8 m from the neighbouring boundary with no 12 Littleton Road, excluding the roof overhang. The proposed first floor extension is to be set back 2.0 metres from the main front wall of the house. The original plans proposed the first floor of the side extension to be set back 1.5 metres from the main front wall of the house.

SPG5 guidelines stipulate that a 1.5 metre setback can be permitted if the extension is set in by 1.0 metre or more from the side boundary, otherwise there should be a setback of 2.5 metres from

the boundary. As the applicants can only achieve a set in of 0.8 metres from their neighbours boundary they have accepted a compromise setback of 2.0 metres.

The proposed 2-storey element of the development is to extend forward from an existing 2-storey element of the original house, where the roof is already set down from the main roof of the dwellinghouse. There is no change to the height of the roof proposed, as the existing set down of approximately 1.4 metres is to be maintained.

It is considered that the proposed 2-storey side extension would be subordinate to the main house and in keeping with the character of the surrounding area.

The proposed extension is to have 2 new proposed windows on the side elevation wall facing no 12 Littleton Crescent. However, the proposed ground floor window is for the proposed store room at the rear of the garage, and is to be obscurely glazed, and the proposed first floor side window is to a bathroom, which is also to be obscurely glazed. A condition will be attached to any approval for this application requiring these windows to be obscurely glazed and maintained as such, and that no further windows be created in this elevation without prior consent.

Amended plans show a proposed rooflight on the proposed new roof on the proposed 2-storey side extension. There would be no impact on the privacy of the neighbouring dwelling at no 12 Littleton Crescent, as the rooflight is to be on a roofslope. A sun pipe is also proposed, as shown in the proposed roof plan. The applicants have confirmed that there are currently no proposals to extend into the roofspace to provide living accommodation, and that the proposed rooflight and sun pipe are to provide natural light into the staircase area and bedroom at first floor.

Single storey rear extension and patio

The proposed single storey extension is to have a depth of 4.0 metres from the original rear wall of the house. It is to have a flat roof to a height of 3.0 metres when measured from the existing patio level which is a reduction from the 3.3 metre height originally sought by the applicant. The extension will have two lantern style rooflights. The extension is to be set in 1.0 metres from both neighbouring boundaries.

The property at no 12 Littleton Crescent is set further back (towards the rear boundaries of the dwellings) than the property at no 10. This means that the proposed rear extension at no 10 would project less than 4.0 metres beyond the rear wall of no 12, and it is also to be set in from the shared boundary by 1.0 metre. The property at no 10 is further back than the property at no 8, which means the proposed rear extension at no 10 will project over 4.0 metres from the original rear wall of no 8. However, the proposed extension at no 10 is to be set in 1.0 metres from the shared boundary with no 8, and no 8 also has an existing single storey rear extension, where adjacent to no 10, and so the impact of the proposed extension at no 10 on the property at no 8 is reduced.

As the ground level of the garden slopes down towards the rear boundaries of all the gardens on this side of the road, most of the dwellings, including no 8, 10 and 12 Littleton Crescent, have patio areas giving 'level' access from the ground floor at the rear of the house into the rear garden with steps leading down to the lower garden level. The ground level is also higher at no 12 than at no 10, and the ground level is higher at no 8 Littleton Crescent.

Amended plans show the different ground levels, including patio levels and internal floor levels (ground floor only) of the house at 10 Littleton Crescent, as well as a proposed new patio required as a result of the proposed rear extension. The new patio area is to be 2.0 metres beyond the proposed rear extension, which is to have a depth of 4.0 metres. The height from the garden level (measured immediately adjacent to the existing patio) of the existing patio is approximately 0.64 metres. The height of the new patio from the garden level is to be just under 0.6 metres where adjacent to no 12 Littleton Crescent, and approximately 0.5 metres where adjacent to no 8 Littleton Crescent.

The proposed new patio area is to be set in 2.0 metres from both neighbouring boundaries. To mitigate against the impact on the privacy of neighbouring properties, 1.8 metre high hedges are proposed along both neighbouring boundaries, flanking the proposed patio. However, in order to maintain the existing footpath access around the perimeter of the house, there is a gap of 1.0 metres on either side of the patio which is not to be screened. A condition will be attached to any approval requiring the proposed hedges to be provided and maintained.

It is considered that the proposed single storey extension would be lawful development if the ground level was not sloping down towards the garden.

Impact on residential amenities and comments on objections received

It is considered that the main impact of the proposed single storey extension would be on the privacy of the two neighbouring properties, as a result of potential overlooking from the patio area proposed beyond the proposed single storey extension. This issue will be mitigated by the proposed 1.8 metre high hedges along both these boundaries, as well as the proposed new patio to be set in by 2.0 metres from both these boundaries.

The original plans for the proposed single storey extension have been amended, and a reduced height of 3.0 metres is now proposed, and the proposed lanterns have also been reduced in size.

The proposed new flank wall windows on the proposed 2-storey side extension are to both be obscure glazed, and a condition will be attached in order to maintain this. This should alleviate any concerns regarding the impact on the privacy of the neighbours at no 12.

As the property at no 12 is at a higher ground level than that at no 10, and the proposed single storey extension at no 10 is to be set in 1.0 metres from the boundary, it is considered that the impact of the extension would be reduced. The rear building line of the property at no 12 is also set further back than that of no 10, which means the proposed extension would project less than 4.0 metres beyond the rear wall of no 12. In any case, if there was no change in ground levels at the rear, then the proposed single storey extension at the rear would be lawful development.

Although the property at no 8 is on a lower ground level than that at no 10, there is an existing single storey extension at no 8 where adjacent to no 10, which means that the extension at no 10 would project less than 4.0 metres from the rear wall of the extension at no 8.

It is considered that the proposed 1.8 high hedges would provide sufficient screening along both neighbouring boundaries to mitigate against any potential overlooking issues.

Other concerns raised by objections have already been raised elsewhere in this report.

Summary

The proposed extensions are of a scale, size and design that would be in keeping with the character and appearance of the original house and is in keeping with the surrounding area. As such it is in compliance with the Council's policies BE2, BE7, BE9 and BE29 of Brent Unitary Development Plan 2004, as well as *Supplementary Planning Guidance 5 on Altering and Extending Your Home*. It is subsequently 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
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 proposed 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 side walls 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 details in the plans hereby approved, further details of the proposed screen hedging along the boundaries with neighbours at 8 and 12 Littleton Crescent, shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site, and the hedging will be completed during the first available planting season following completion of the development hereby approved. If, within 5 years of planting, any part of this hedging dies, or is removed or becomes seriously damaged or diseased, it shall be replaced with the same species and size and in the same position, unless the prior written permission of the Local Planning Authority is obtained.

Reason: in the interests of the privacy and amenities of the occupants of the application site and neighbouring properties.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Planning application papers ref 09/3179

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: 10 Littleton Crescent, Harrow, HA1 3SX

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Committee Report

Planning Committee on 25 November, 2009

Case No.

09/3191

RECEIVED: 8 October, 2009

WARD: Wembley Central

PLANNING AREA: Wembley Consultative Forum

LOCATION: 111 Swinderby Road, Wembley, HA0 4SE

PROPOSAL: First floor side extension to dwellinghouse

APPLICANT: Mr P Shah

CONTACT: Mr Brian Berlemont

PLAN NO'S: Location plan (1:1250)
Drg 210909 (1:100)
Drg 061109 (1:100)

RECOMMENDATION

Approve

EXISTING

The subject site is in a suburban residential street which comprises a variety of property types. The 3-bedroom semi-detached property sits within an unusually wide plot, this results in a significant gap between the flank wall of the property and 113 Swinderby Road (5m wide), which is currently laid as hardstanding and utilised for off-street parking.

It is proposed to demolish an existing garage and extend the property at ground floor level and to construct single storey side and rear extensions utilising permitted development rights. An application for a Certificate of Lawfulness has been submitted at the same in order to confirm the ground floor extensions are lawful (ref; 09/3190). Officers have assessed the certificate and recommend that a certificate be granted for the ground floor extensions.

PROPOSAL

Planning permission is sought for the erection of a first floor side extension.

HISTORY

- 09/3190** Certificate of Lawfulness for the proposed demolition of a single storey attached rear garage and erection of single storey side and rear extension to dwellinghouse. **Recommended for approval.**
- 06/0045** Erection of a part single-storey and two-storey side extension to provide a one-bedroom flat on the ground floor and a studio flat on the first floor, with 3 car-parking spaces on the frontage of the existing property. **Refused 07/03/2006**
- 02/3171** Erection of 3-storey detached house with 2 car-parking spaces. **Refused and Appeal Dismissed**

POLICY CONSIDERATIONS

Brent Unitary Development Plan [UDP] 2004

- **STR11** the quality and character of the Borough's built and natural environment will be protected and enhanced; and proposals which would have a significant harmful impact on the environment or amenities of the borough will be refused.
- **BE2** on townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to and should not harm the character and appearance of the area.
- **BE7** seeks a high quality of design and materials for the street environment and to resist development detracting from the character of area involving the excessive infilling of space between buildings or involving hardsurfacing covering more than half the front garden or excessive forecourt parking.
- **BE9** seeks to ensure new buildings, alterations and extensions should embody a creative and appropriate design solution and should be designed to ensure that buildings are of an appropriate scale and design and respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.

Brent Supplementary Planning Guidance

Supplementary Planning Guidance (SPG) Note 5: "Altering and Extending Your Home" provides comprehensive and detailed design guidance for extensions to residential properties and seeks to raise the design quality of extensions, and to protect the character of properties.

CONSULTATION

7 surrounding properties were consulted on **14th October 2009**.

Two neighbouring objections have been received, with the following concerns raised;

1. *The proposed extensions will cast a shadow over the rear garden of 113 Swinderby Road, resulting in a loss of enjoyment of that space.*
2. *Windows will overlook the rear garden of 113 Swinderby Road*
3. *A party wall agreement will be required as the proposed extensions are within 3m of neighbouring dwelling 113, on this basis objection is raised.*

REMARKS

The scheme is assessed against the Councils policies and standards in Supplementary Planning Guidance Note 5 'Altering and Extending Your Home'.

First floor side extension;

The first floor side extension is to be built along the southern flank wall of the property. It is to be constructed directly on top of the ground floor side extension which the applicant intends to construct as permitted development (*see section below*). The first floor side extension is fully compliant with SPG5 in the following respects;

1. It is 3.5m wide, this is no wider than the internal width of the main front living room.
2. The front wall of the extension is set back 1.5m from the main front wall, as required by SPG5. This reduced set back is supported as the extension maintains a set in of 1.5m from the boundary with 113 Swinderby Road.
3. The extension projects 1.75m beyond the rear building line of 113 Swinderby Road. This projection complies with the "1:2" rule as the closest habitable window to the rear of 113 is positioned 3.5m away.

SPG5 refers to the "1:2" rule, with this being the test to determine whether or not a first floor extension beyond the rear of a neighbouring building line will have an unacceptable adverse impact on neighbouring occupiers due to loss of light and outlook. In terms of Council policy on such extensions there is no conflict as the projection beyond the existing rear building line, is half the distance between the extension and the mid-point of the closest habitable room window, for the avoidance of doubt the distance is 3.5m. As a result of compliance with the "1:2" rule, and in the absence of any windows in the flank wall of 113 Officer's do not consider the extension will result in harm by way of loss of light, outlook or privacy.

Comments on Objections Received:

The proposed extensions will cast a shadow over the rear garden of 113 Swinderby Road, resulting in a loss of enjoyment of that space.

The objections raised are in relation to the extensions overshadowing the rear garden of 113 Swinderby Road. Whilst due consideration has been given by your Officer's these concerns are not shared as the first floor extension demonstrates full compliance with SPG5. The extent to which it projects beyond the rear of 113 has also been discussed in the above 'remarks' section. The ground floor extensions are permitted development, and the first floor extension is considered to be of a size and scale which is in keeping with the original property. Whilst there may be a degree of overshadowing to the rear garden it is important to note that the bulk of the extensions are sited to the side of the property and refusal on these grounds alone would be unreasonable.

Windows will overlook the rear garden of 113 Swinderby Road.

Windows are proposed at first floor level. These will directly face the garden, however the window is to a bathroom and would be obscure glazed, therefore there will be no overlooking of the neighbouring rear gardens.

A party wall agreement will be required as the proposed extensions are within 3m of the boundary shared with 113, on this basis objection is raised.

Objection has been raised in terms of the implications such extensions have on the Party Wall Act as digging of foundations will be carried out within 3m of the neighbouring building. However this is not a material planning consideration and neighbour's concerns in relation to this cannot be controlled through the planning process. This matter will have to be pursued by the objector through the Party Wall Act.

Lawful Development Certificate (09/3190):

Members should note that the applicant proposes to extend the ground floor of this property, utilising permitted development rights. A side extension which is 3m high and 3.5m wide is intended, this will run along the flank wall of the property. To the rear of the original kitchen projection a 3m deep and 3m high extension is also intended. Upon assessment of the extensions proposed as permitted development Officer's consider these to be lawful, and accordingly planning permission is not required for these. The applicant is reminded by way of informative of the need to complete the ground floor extensions in their entirety prior to commencement of any other approved extensions.

Conclusion:

The proposal is compliant with policies BE2, BE7 and BE9 of the UDP, the amount of development is considered to be in keeping with the scale of the existing dwelling and surrounding streetscene and will not result in a loss of amenity to the neighbouring occupiers.

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 extension hereby approved shall not be occupied at any time other than for purposes ancillary to the existing house.

Reason: To ensure that the premises are not sub-divided or used for multiple occupation without the prior written permission of the Local Planning Authority.

- (4) No access shall be provided from first floor level to the roof of the ground floor 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.

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

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

INFORMATIVES:

- (1) The applicant is advised that the works granted under certificate of lawfulness application, reference 09/3190 for a single storey side and rear extension must be fully completed on site prior to the commencement of works hereby approved under planning reference 09/3191, or any subsequent planning permissions for that matter. Failure to do so may render the ground floor extensions unlawful, and planning permission may be required.

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan, Adpoted 2004
Supplementary Planning Guidance 5 'Altering & Extending Your Home'

Any person wishing to inspect the above papers should contact Gary Murphy, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5227



Planning Committee Map

Site address: 111 Swinderby Road, Wembley, HA0 4SE

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Committee Report

Planning Committee on 25 November, 2009

Case No. 09/1719

RECEIVED: 14 September, 2009

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: Tamil Community Centre, 253 East Lane, Wembley, HA0 3NN

PROPOSAL: Erection of single-storey rear extension and first-floor side and rear extensions to drop-in day centre (as amended by revised plans dated 12/11/2009)

APPLICANT: London Tamil Centre

CONTACT:

PLAN NO'S: LTC:01 (1:50, 1:100, 1:500 & 1:1250)
LTC:02, revC (1:50 & 1:100)

RECOMMENDATION

Grant planning permission

EXISTING

The subject site is on the southern side of East Lane opposite Wembley High Technology College. Originally this was a detached dwelling, but the property has been converted into a community day centre for elders of the Tamil community. Planning permission for the day centre use (Use Class D1) was granted on a temporary 2 year consent (ref; 96/0781). This temporary permission was renewed for a further 12 months (ref; 98/2335) to enable further monitoring of the use. Following expiry of this temporary consent a permanent consent for the continued use of the ground floor as a day centre was granted, with conditions related to noise, hours of use and parking attached in order to safeguard the amenities of surrounding occupiers (ref; 00/0308), these conditions remain extant. The existing ground floor rear extensions were approved through planning application 96/0781.

The applicant's advise that the Tamil community centre is used as a drop in day centre for elderly members of the Tamil community. The centre organises therapy sessions, recreational activities, yoga and keep fit classes and meetings for elderly members of the Tamil community, Monday to Sunday. Nurses and social workers also drop in to visit elders. The first floor is retained in part for residential accommodation for the centre caretaker, this accommodation was approved as part of the previous 00/0308 consent.

PROPOSAL

Planning permission is sought for the erection of a single storey rear extension and first floor side and rear extension to Tamil community centre (as amended by revised plans dated 11/11/09).

HISTORY

96/0781 Demolition of existing garage, erection of single-storey front, side and rear extension and change of use of ground floor from residential to day centre for the elderly, and provision of one-bedroom self-contained flat on the first floor (as amplified by further information received 06.08.96). **Granted**

- 98/1598** Removal of condition 10 of full planning permission reference 96/0781 dated 04/09/96 to allow permanent use of the premises as a day centre for the elderly on the ground floor and the provision of a one-bedroom self-contained flat on the first floor. **Refused**
- 98/2235** Renewal of condition 10 of planning permission reference 96/0781 dated 04/09/96 for demolition of existing garage, erection of single storey front, side and rear extension and change of use of ground floor from residential to day centre for the elderly and provision of one bedroom self-contained flat on the first floor. **Granted**
- 00/0308** Continued use of the ground floor as a day centre for the elderly without complying with condition 10 (two years' temporary use) of planning permission reference 96/0781 dated 04/09/1996. **Granted**

POLICY CONSIDERATIONS

Brent Unitary Development Plan 2004

- STR11** The quality and character of the Borough's built and natural environment.
- STR37** Accessible community facilities to meet the needs of the Borough will be permitted, existing community facilities will be protected
- BE2** Townscape: local context & character
- BE7** Public Realm: Streetscape
- BE9** Architectural Quality
- H22** Protection of Residential Amenity
- TRN22** Parking standards non-residential development.
- PS12** Parking standards for Use Class D1
- CF2** Location of Small Scale Community Facilities
- CF4** Community Facilities Capable of Holding Functions

SPG5 'Altering and Extending Your Home'

CONSULTATION

25 Surrounding properties were consulted on **18th September 2009** and internal consultation was sent to Brent's Transportation Unit and Environmental Health and ward councillors Baker, Patel and Detre were also consulted.

Objection has been received from the resident's of the neighbouring block of flats (255, 256, 277 & 277A East Lane), with the following grounds of objection raised;

- *Parking associated with the existing centre is already a problem, and this is particularly bad on Sunday's. What proposal has the centre put forward to manage parking?*
- *There are parking and traffic problems associated with other uses nearby, namely a church on the corner of East Lane and Sudbury Avenue and an Indian community centre also on East Lane. There is a concern that granting of this permission will worsen the situation.*

Transportation comments;

- The site has moderate access to public transport (PTAL Level 2)
- East Lane is a Local Distributor Road within the Wembley Event Day Controlled Parking Zone
- Otherwise parking on-street close to the site is unrestricted.
- The parking standard for the community day centre which is a D1 use is set out in PS12, and this is 1 space per every 5 workers. Accordingly one space is required for the caretaker, who is the only member of staff. For visitor parking 2 spaces are required per every 5 visitors, resulting in a requirement for 10 spaces. However the proposed extension to add 48m² should not increase the parking standard and the present parking allowance will remain unaffected by the proposed extensions.

-The proposal can be supported subject to the provision of 2 off-street spaces, one of which should be wide enough for a disabled space.

Environmental Health;

-No comments provided.

REMARKS

Key policy considerations

- Need to provide adequate community facilities for a diverse Borough
- Visual impact of proposed extensions
- Implication of extension of a existing community facility on neighbouring residential amenity
- Transport implications of extensions to a community facility

Need to provide appropriate facilities

Brent is one of the most ethnically diverse boroughs in Britain, with the majority of residents from a wide range of ethnic and cultural minority communities. This diversity gives rise to a high demand for community facilities, many of whom cannot compete in the market for land and buildings. Brent's policy guidance seeks to reflect this situation by protecting existing facilities and ensuring new or expanded facilities can be accommodated, subject to any impact being minimized, mitigated or controlled.

Principle of extending the community centre

The continued use of the ground floor of this property as a drop in day centre for elderly members of the Tamil community has been established through the granting of planning application 00/0308. This followed a monitoring period of 2-3 years, during this time two temporary permissions were granted, this allowed monitoring of the community centre use in order to assess its impacts in the surrounding area. The day centre is now a long established use in the area, and there is no objection to the principle of extending the existing centre, subject to further consideration of the proposed extensions visual impact, impact on neighbouring amenities and to any transport impacts that may be associated.

Design of proposed extensions:

It is proposed to extend to the rear of the existing ground floor rear extension to create a larger meeting/activity room space. The existing single storey extension projects 5.2m (adjoining 251) and 4.2m (adjoining western boundary), through this application it is proposed to extend the ground floor by a further 3.5m. The plans have been amended through the course of this application to secure the removal of a semi-circular rear conservatory feature and to set the extension in from both boundaries in order to reduce its impacts. In addition to this a landscaping condition is recommended to secure appropriate screening along both boundaries, in order to minimise the visual impacts.

A first floor side extension is proposed above the existing garage, this will provide an additional meeting room. This is set back 1.5m from the main front wall of the property, and SPG5 supports a reduced set back of 1.5m if a set in of 1m from the boundary can be achieved. In this situation an average set in of 1.1m is maintained, and therefore Officer's consider the extension to be SPG5 compliant. The 1.5m set back and the 400mm set down of the roof below the main ridge are sufficient in this case to ensure the extension is subservient to the original property.

A 2.7m deep first floor rear extension is also proposed to provide a larger 'meeting room 1'. It is centrally positioned and this will be acceptable as this does not contravene the "1:2" rule due to its central position and relationship to the rear building line of 251 East Lane.

Impact on neighbouring properties:

Neighbour 251 East Lane which is to the east is separated by a distance of between 2.9m and 3.3m . Along the shared boundary is a standard 1.8m high timber fence with further screening coming from existing planting along the boundary. The proposed ground floor extension by virtue of its depth is contrary to SPG5, it exceeds 3.5m deep (from the original rear wall) and will result in an extension to an existing extension.

One of the primary considerations here is the impact of this additional single storey rear extension on the occupiers of number 251 East Lane. With the issue of neighbourly impact in mind the extension was originally designed with a splay adjoining 251 instead of having a straight edged flank wall. Officers have requested further amendments to remove the splay design and set the extension in further, resulting in the current stepped design. The rear extension is now set off the boundary by a distance of 4.5m, this is quite a generous distance and in doing so reduces the visual impact. As a further measure a landscaping condition is recommended to secure details of a landscaping scheme along the boundary to screen the extension and help reduce its visual impact along this side, this is considered reasonable given the size of extension that is being supported.

Along the western boundary is a drive way, this access serves a two-storey block of four flats and leads to a rear communal parking area. The neighbouring block which is situated over 5m away does include windows at ground and first floor along the flank wall (facing the application site), these windows appear to be either obscure glazed or non-habitable. The extension has also been stepped in at ground floor along this edge, resulting in a set in from the boundary. The landscaping condition will also secure a planting scheme along this boundary to reduce the visual impact.

The proposed first floor side extension does not restrict light or outlook to any flank wall windows to the neighbouring block of flats (to the west), this is due to the siting of this block further back within the site, and secondly any windows which do exist appear to be non-habitable.

Your officers do not consider that the proposed extensions, although contrary to SPG5 (on the ground floor) will have an adverse effect on surrounding occupiers neighbouring amenities. The amendments to the proposal reduce the size and the visual impacts of the extensions, resulting in an acceptable impact on neighbouring properties.

Planning conditions that were imposed on the original planning permission 00/0308 concerning operating hours; maximum numbers of people accommodated within the centre per session; no music or amplified sounds to be audible within any noise-sensitive premises adjoining or in the vicinity of the application premises; and a personal permission for the London Tamil Centre only, remain extant and are in place to control and appropriately manage the use and its impacts on the surrounding area.

Transportation impacts/considerations:

Parking standards for uses within class D1 are found in PS12 of the Adopted Unitary Development Plan, the proposed extensions being only 48m² do not trigger an increase in the parking standards. Accordingly there is a parking requirement for 1 space for employees and 1 space for disabled persons. This parking standard can be met off-street within the property frontage. There is currently space for 3 cars in the frontage, with access via two vehicle crossovers, as well as a further space within the integral garage (4 in total). Highways engineers have advised that there is unlikely to be an increased demand for visitor parking given the size of extensions proposed, but there is a requirement for a wide disabled parking space. Further details of a front parking layout to illustrate this will be secured by condition.

Overall officers do not consider the proposed extensions with an increase in floor area of 48m², which represents a 27% increase will lead to an increase in parking or a worsening of highway safety conditions, as the extensions will simply provide additional floorspace in which to conduct the various centre activities. It seems unlikely that the increase in floor area will lead to a noticeable or significant increase in visitor numbers, or lead to an intensification or change in the

nature of the use. This view is backed up by the design and access statement regarding the use of the building. In any event extant conditions from the previous consent (00/0308) remain as a means of controlling the, use of the premises, hours and days of use, numbers of visitors and a personal consent for the London Tamil Centre.

Objectors have raised the issue of visitor parking associated with the day centre being a problem for the neighbouring block of flats. Your Officer's note on site that this problem is managed successfully by the neighbouring residents as they have put a controlled access barrier in place, which would prevent visitors to the centre from accessing the site.

The Tamil centre have an agreement with Wembley High Technology College (opposite the site), which allows for visitor parking within the school grounds.

Conclusion:

The proposal extensions are considered to be in keeping with the scale, design and character of the existing detached property and the surrounding streetscene and are not considered to be harmful to the amenities of adjoining residential occupiers. Furthermore the proposed extensions will provide improved facilities for an existing lawful community use. The proposal is therefore considered to be consistent with the requirements outlined by policies within the London Borough of Brent Adopted Unitary Development Plan 2004. Accordingly, it is recommended that this application be granted with relevant conditions attached.

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

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

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) No access shall be provided to the roof of the ground floor 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.

- (4) Details of the front garden layout shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved. All detailed works shall be carried out as approved prior to the use of the building/extension hereby approved. Such details shall include:

(i) marked car parking bays for 2 cars, including 1 disabled parking space

Reason: In the interests of highway safety.

- (5) Details of a landscaping scheme along the eastern and western boundaries of the rear garden, to screen the extension and/or reduce its visual impact, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the approved soft landscaping shall be planted within 3 months of the date of permission.

Reason: To ensure that the development does not prejudice the amenity of the locality and to ensure a proper standard of separation from neighbouring properties.

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

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

- (7) No music, public address system or any other amplified sound shall be installed on the site which is audible at any boundary outside the curtilage of the premises.

Reason: To safeguard the amenities of the adjoining occupiers.

- (8) The extensions hereby approved shall be used for purposes ancillary to the approved use of the ground floor of the application premises (with the exception of the integral garage), and the first floor meeting rooms, which is solely for the purpose of an elderly day-centre, primarily as a social centre and for no other purposes of Use Class D1 (non-residential institutions) specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), nor for any other purpose without the prior written permission of the Local Planning Authority.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits.

INFORMATIVES:

- (1) The applicants attention is drawn to condition 5 of planning permission 00/0308 for the continued use of the ground floor as a day centre for the elderly. This condition limits the number of users within the centre at any one session to no more than 15. If the number of users at any one session exceeds the limit of 15 or it is anticipated that it may in the future then an application should be made for the variation of condition 5 of planning permission 00/0308.

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan, Adopted 2004

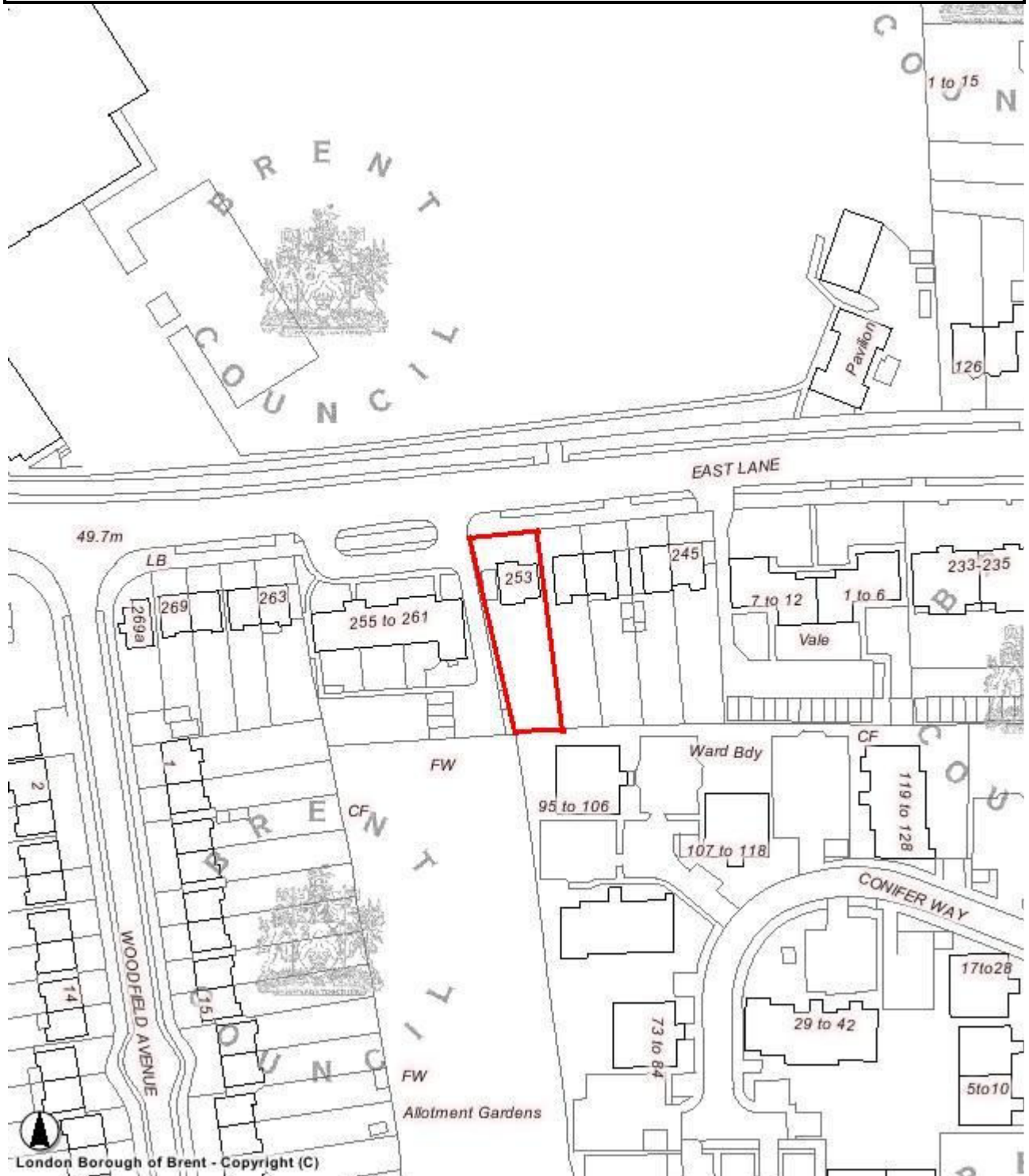
Any person wishing to inspect the above papers should contact Gary Murphy, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5227



Planning Committee Map

Site address: Tamil Community Centre, 253 East Lane, Wembley, HA0 3NN

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