

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

4 November, 2020
04
18/2006

SITE INFORMATION

RECEIVED	24 May, 2018
WARD	Kenton
PLANNING AREA	
LOCATION	97 Woodcock Hill, Harrow, HA3 0JJ
PROPOSAL	Demolition of existing sheltered housing (Use Class C2) and erection of a three storey building to provide 9 residential flats with associated landscaping, car parking and amenity space
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<u>When viewing this on an Electronic Device</u> Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_140119 <u>When viewing this as an Hard Copy _</u> Please use the following steps 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "18/2006" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

Compliance

1. Time Limit (3 Years)
2. Approved drawings / documents
3. Car parking and cycle parking to be provided prior to first occupation
4. Accessible units to be provided (M4(2) fit out)
5. C4 use restriction
6. Environmental restriction on non-road mobile machinery
7. Adherence to submitted arboricultural methodology, including tree protections
8. Adherence to the measures set out in the flood risk mitigation and drainage improvement strategy

Pre-commencement

9. Approval of a Phase 2 bat survey prior to commencement of the development
10. Approval of a construction method statement for implementing biodiversity enhancements and carrying nesting bird checks
11. Approval of observations made by arboriculturalist in erecting the protective fencing for trees
12. Approval of a construction method statement for limiting the environmental impacts of construction

Post-commencement

13. Approval of external materials
14. Approval of landscaping details, including a planting plan, hard surface materials, fences/walls, drainage, contouring and screen planting.

Pre-occupation

15. Approval of a car parking management plan
16. Approval of details of bin stores and suitable screening and provision of bin storage prior to first occupation

Post-occupation

17. Approval of details of external lighting

Informatives

1. CIL liability
2. Party Wall agreements
3. Building near to the boundary
4. London Living Wage
5. Fire Safety
6. Encouragement to implement carbon savings measures

7. Natural England licensing requirement

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

**Brent**

Planning Committee Map
Site address: 97 Woodcock Hill, Harrow, HA3 0JJ
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This map is indicative only.

EXISTING

The existing site is located on the east side of Woodcock Hill in Kenton. The subject site contains a large, two storey post-war property used as sheltered accommodation (C2 use class) with 18 residential rooms using shared shower and WC facilities.

The property is surrounded by large detached dwellinghouses dating from the inter-war period, which characterise much of the street. The property is not located within a conservation area, nor is the building listed. The site does border with the Mount Stewart Conservation Area, along the rear garden boundary with properties along Sheridan Gardens. The Northwick Circle Conservation Area is also nearby, the boundary of which is about 70m to the west of the site, part of the way down Ashridge Close, a cul-de-sac which is directly opposite the neighbouring property at no. 95 Woodcock Hill.

AMENDMENTS SINCE SUBMISSION

The changes made to the proposal since the original submission in 2018 are as follows:

- The third floor enabling roof access has been removed and replaced with a ladder and hatch so as to improve the appearance and reduce the scale of the building
- The building's massing has been reduced by redesigning the second floor and setting this floor in from the edges of the building
- The rear garden surface parking has been removed and replaced with a subsurface parking area – the number of parking spaces has remained at 10 spaces, with one of these spaces provided at surface level as a blue badge parking space - the development's cycle storage has also been incorporated within this subsurface parking area
- The bin storage area has been relocated to the front of the site for ease of collection
- The applicant's daylight and sunlight report has been revised to include 'No Sky Line' assessments
- The applicant's flood risk and drainage assessment has been revised to account for the subsurface car parking and cycle parking area

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

Representations received: 41 neighbouring properties, the Northwick Park Residents' Association and two local ward Councillors objected to this application. Objections raised centre around concerns over the character and appearance of the proposal, the scale of the proposal and its potential to harm surrounding privacy and light, the impact of the proposal on parking capacity and the impact of the development on local infrastructure capacity. Your officers have considered the objections raised but consider that the development proposal is acceptable and in material accordance with policies set out in the development plan.

Provision of new homes: The proposal would secure the provision of nine new homes, contributing towards the Borough's housing stock. Six of the new homes will be family sized (three bedroom homes). The loss of the existing care home can be supported as discussed within the main body of the committee report.

The impact of a building of this height and design in this location: The proposal replaces a post-war building which is out of keeping with the local character. A building of modern, rectilinear form is proposed in its place, although its materiality and scale would adhere with the prevailing patterns of development in the locality. The development has acceptable architecture and a residential material palette and maximises the site's potential whilst respecting surrounding development. Furthermore, it would not have a harmful impact on the Mount Stewart or Northwick Circle Conservation Areas.

Quality of the resulting residential accommodation: The residential accommodation proposed is of sufficiently high quality. The mix of units is in accordance with the standards within the London Plan and exceeds Brent's policy requirements for the provision of family housing, which is strongly welcomed given the local need for family housing. The flats would have good outlook and light and a policy compliant amenity space offer.

Neighbouring amenity: The development would have only minor impacts on the amenity of neighbouring properties compared to the impact currently experienced through the presence of the existing building on site. In many instances, the impact to the neighbouring properties results in a betterment compared to the existing impact given the gaps from the boundaries with neighbours that this proposal establishes.

Highways and transportation: The development provides an acceptable level of parking, close to the maximum parking standard within Brent's policy, reflecting the suburban location and poor public transport access locally. The car park is contained within a basement car park so as to ensure that the benefit of the garden space, and the suburban nature of the plot, is retained in full. 20 secure cycle parking spaces are to be provided. Bin storage is proposed at the front of the site to enable an easy street collection by Brent's refuse contractors.

Trees, landscaping and public realm: The development will include the loss of some trees of moderate benefit along the edges of the site but will ensure the retention of the majority of the trees on site through tree protection measures. Full landscaping of the site will be expected and secured by condition. Suitable ecological safeguards have been proposed in the interests of protecting local ecosystems and these measures will be secured through conditions.

Flooding and Drainage: Given the inclusion of the basement, a flood resilient design has been accordingly incorporated within the development. A flood mitigation strategy and drainage strategy will be secured by condition to mitigate the risks associated with this. Despite not being a formal planning requirement in the context of this minor planning application, the development will also substantially improve the drainage capacity of the site through attenuation measures.

RELEVANT SITE HISTORY

Relevant planning history

02/3202: Certificate of lawfulness for retention of Class C2 Usage - Lawful, 03/04/2003.

CONSULTATIONS

Public Consultation

22 neighbouring properties, the Northwick Park Residents' Association and the local ward Councillors were consulted on 18/06/2018.

6 of the 22 consulted properties submitted letters of objection to the application. In addition, 34 letters of objection were received from nearby households outside of the consultation scope. Objections were also received from the Northwick Park Residents Association and two ward councillors for Kenton ward.

A summary of the objections and officer response to the objections is set out below:

Ground of Objection	Officer Response
Design	
3 storey buildings not allowed on this part of Woodcock Hill	Refer to paragraphs 8 to 12
Too large and out of character with the area.	Refer to paragraphs 8 to 12
Loss of trees on Woodcock Hill and within the application site	Refer to paragraphs 79 to 81
Over crowded	The development satisfies relevant residential space standards and provides outdoor amenity space for all flats in compliance with Brent's policies. As such,

	it is not considered that the development would be overcrowded.
Over development and too dense for character of the area	The development satisfies relevant residential space standards and provides policy compliant outdoor amenity space for all flats within a building that would be of an appropriate scale and massing for its location. The development is therefore not considered to be too intensive or overly dense.
Height exceeds the height of surrounding houses and not in line with top of the roofs of 93, 95 and 99 Woodcock Hill	Refer to paragraphs 10 to 11.
The site is close to two conservation areas and the characteristics of the area should be replicated in the design of the new building.	Refer to paragraphs 8 to 15
Existing character of the area should be preserved	
Footprint different to existing building and projects forward onto Woodcock Hill.	Refer to paragraphs 9 and 24
Neighbouring amenity	
The development affords less privacy to the adjacent houses with particular reference to the balconies on each floor at the rear of the property	Refer to paragraphs 21 to 24
Increased noise and loss of privacy from the access way alongside the neighbouring garden	The southern part of the site has long been used as a vehicle access to the site. Whilst the access would extend deeper into the site than at present, vehicles will be traveling slowly and it would not result in a materially different scenario to a garden on a corner plot where the side of the garden abuts a street. The access road will slope downwards, resulting in a further separation from the higher level garden at no. 99. In relation to the privacy along the access way, refer to paragraph 23
Loss of light and overshadowing to neighbouring properties	Refer to paragraphs 25 to 52
Highway considerations	
Woodcock Hill is very busy in terms of traffic and is used as a bus route	Refer to paragraphs 67-70. The proposal is not considered to result in a material impact to the level of congestion on Woodcock Hill, and the proposed vehicular access is considered to be safe.
The location of the site close to the brow of hill increases safety concerns. It is also close to the crossing point for Mount Stewart School	Refer to paragraph 75
One accident has occurred and there have been near misses as a result of parking on Woodcock Hill	Refer to paragraphs 67 to 69
Overspill parking issues from existing residents of No. 97 Woodcock Hill and other car users (such as those associated with St Gregory's school. Haridham temple and commuters) parking on surrounding residential roads, leading to lack of parking for residents and visitors on surrounding roads	Refer to paragraphs 67 to 69
The addition of 9 flats will result in the area becoming too congested through increased traffic and parking stress	Refer to paragraphs 67 to 69 and 75

Pressure on surrounding stations (Northwick Park and Kenton)	These stations are 0.6 miles and 0.7 miles from the application site respectively. The impact of 9 additional flats would be very unlikely to materially affect capacity and footfall through the stations.
No provision for visitor parking	There is no requirement for visitor parking on a development of this scale. The residents' parking bays could be used for both long term residents and for their visitors. Details of allocations of parking bays are to be secured by condition.
Other considerations	
There are no flats nearby and there is no need to set a precedent in this regard	There are no relevant planning policies which require the delivery of houses instead of flats, subject to the character and appearance of the building being appropriate to the setting.
9 flats existing in such close proximity will result in additional noise and disturbance for local residents as well as other nuisance such as smells from dustbins and increased dust	The proposed housing and associated external amenity space and bin storage meets Brent's standards and can be accommodated suitably on the site. Any disturbances associated with specific resident behaviour would be a matter for address by the Council's Environmental Health service.
An open access to the property will reduce security to adjacent homes – security gates or CCTV should be provided to prohibit intruders	The access into the site will benefit from natural surveillance, with windows of the flats overlooking this area. The basement car park does not benefit from natural surveillance, and a condition has been recommended requiring the provision of gates to this area.
Scheme results in “garden grabbing”. Loss of significant amount of garden space resulting in overdevelopment, that should not be compensated for by balconies.	The scheme originally saw a large part of the garden being repurposed for car parking. This has since been removed and a full garden space reinstated atop a sub-surface car park. The garden is very large in size, will be useable by residents of all flats and will supplement the private balcony provision for all flats.
Loss of view (green space turned into concrete jungle) from neighbours rear gardens	Screen planting along the boundaries will be required through a landscaping condition, as well as additional tree planting. The view of the site from neighbouring properties will change but the impact of the building will be acceptable, as discussed in paragraphs 25 to 52 below.
Pressure added to over prescribed services such as schools/hospitals/GPs	The developer will pay towards the Community Infrastructure Levy towards wider local infrastructure upon which developments rely.
Lack of community cohesion	The development will provide just nine flats, six of which are to be family homes. The Mayor's Housing SPG includes guidance on community cohesion, stating that no more than eight flats per core per floor should be proposed in the interests of ensuring community cohesion. This

	development would propose three flats per core per floor, thus meeting this guidance.
Lack of public consultation	The development has been subject to consultation with local residents on three occasions between 2018 and 2020.
Council should reply to objections before the scheme is presented to Planning Committee. No transparency	Each of the objections have been received and are discussed within the committee report.
Safety issues with children playing	It is not considered that the design of the proposal would be unsafe for children compared with other schemes/housing.
Anti-social behaviour of the existing property	The existing property is to be removed and replaced with private housing.
No affordable housing proposed	There are no requirements in policy for affordable housing as the development is minor in scale (i.e. fewer than 10 homes proposed).
Lack of information on how construction works would be managed to minimise impact on neighbouring properties	This information will be required by condition through a construction management plan.
Lack of section plans provided	These plans have now been submitted and have formed part of the available submission documents in the 2020 consultation.

Revisions were made to the scheme and further consultation with the originally consulted neighbours as well as additional properties who had submitted objections was carried out on 15/01/2020, 3 additional objections were received following this, 2 of these objections were from households who had previously objected, whilst the third was from a household that had not previously objected but which was one of the 22 originally consulted properties.

New grounds of objection received since the previous round of consultation is summarised below:

Grounds of objection	Officer response
The area has strict conservation area rules that need to be adhered to	Refer to paragraphs 13 to 15
Revised plans have not addressed the previous comments submitted by residents	Officers consider that the proposal is acceptable following revisions to the plans

Following a final set of changes being made to the plans, a final round of consultation with the same neighbours was carried out on 21/08/2020. Consultation with the two local Councillors who had objected and the Northwick Park Residents' Association was carried out by email on 18/09/2020. Following this consultation, three further objections were received, although two households from which the comments were received had previously objected to the proposal. The third objection was received from Northwick Park Residents' Association which had also previously objected to the scheme as well.

New grounds of objection received since the previous rounds of consultation is summarised below:

Grounds of objection	Officer response
The existing building is at a low level and does not dominate or impose. The new building will dominate and will detract from the area if materials are not treated harmoniously with surrounding houses. The materials should be comprised of facing brick at ground floor and white plastering/rendering at upper floors.	The materials palette is considered to be acceptable as proposed and is largely brick led. Specific material choices will need to be reviewed by officers before they are used to ensure a harmonious appearance and this is to be required by condition. Refer to paragraph 16
The bin area should be reconsidered as placing them at the front of the building will cause several	Bin placement has been considered carefully and further improvements will be

issues and smells.

required by condition.

Refer to paragraph 74

Internal consultation

Environmental Health - no objections raised subject to conditions being secured in relation to construction management plan and method statement , air quality (dust) risk assessment, and non road mobile machinery.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies DPD, the 2011 Site Specific Allocations Document and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

London Plan (2016)

- 3.3 – Increasing Housing Supply
- 3.5 – Quality and Design of Housing Developments
- 6.9 – Cycling
- 7.21 – Trees and woodlands

Brent's Core Strategy (2010)

- CP 2 – Population and Housing Growth
- CP 17 – Protecting and Enhancing the Suburban Character of Brent
- CP 21 – A Balanced Housing Stock

Brent's Development Management Policies (2016)

- DMP 1 – Development Management General Policy
- DMP 7 – Brent's Heritage Assets
- DMP 9b – On site Water Management and Surface Water Attenuation
- DMP 12 – Parking
- DMP 18 – Dwelling Size and Residential Outbuildings
- DMP 19 – Residential Amenity Space
- DMP20 - Accommodation with Shared Facilities or Additional Support

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released an "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

Relevant policies in the 'intend to publish' London Plan include:

- D3 Optimising site capacity through the design-led approach
- D6 Housing Quality and Standards
- G1 Green infrastructure
- G7 Trees and woodlands
- SI 1 Improving air quality
- T5 Cycling

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can

now be applied to policies contained within the draft Brent Local Plan. Relevant policies include:

General:

DMP1 – Development Management General Policy

Place:

BP4 – North West

Design:

BD1 – Leading the way in good design

BD3 – Basement development

Housing:

BH1 – Increasing housing supply

BH4 – Small sites and small housing developments in Brent

BH6 – Housing size mix

BH7 - Accommodation with Shared Facilities or Additional Support

BH13 – Residential amenity space

Heritage and Culture:

BHC1 – Brent's Heritage Assets

Green Infrastructure and Natural Environment:

BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI4 – On site water management and surface water attenuation

Transport:

BT1 – Sustainable Travel Choice

BT2 – Parking and Car Free Development

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)

SPD1 Brent Design Guide 2018

Brent's Basement SPD

DETAILED CONSIDERATIONS

Principle of Development

Loss of existing building

1. The existing building on site is of post-war construction and of low townscape value in comparison to the other neighbouring properties. Its loss would be of minimal detriment to the character and appearance of the wider street. The proposed building retains a large garden to the rear, adhering to a suburban pattern of development, which is welcomed.
2. The existing building is used as a sheltered accommodation and this proposal would represent the loss of C2 (residential institutions) floorspace. Policy DMP20 supports the supported accommodation where one of the following is met:
 - a. demonstration of no Brent need for the accommodation type, or residents' needs can be better met by other existing accommodation; or
 - b. unsatisfactory existing accommodation cannot be improved to achieve current standards.

3. The Local Planning Authority have consulted the Council's adult social care services to consider whether the existing sheltered housing is currently fulfilling a need. Adult social care services (ASCS) have confirmed that the existing building is not used as part of a sheltered housing scheme or supported accommodation commissioned by the Council. ASCS consider that the existing building provides hostel style accommodation which is not generally sought after in the modern day – the shared kitchens and bathrooms would not be appropriate for the needs of today's residents of sheltered housing. The location of the building and the reliance on staircases would also preclude the accommodation from being easily usable for older residents and those with disabilities. Whilst the long walking distance from local amenities is considered to be a factor that reduces its overall usefulness, the main issues identified are a lack of personal space, reliance on shared facilities and the lack of disabled access adaptability.
4. Given the above shortcomings, it is not considered that the loss of the existing building will have a negative impact on Brent's ability to appropriately meet the needs of residents in the borough. The loss of the sheltered accommodation would be considered to comply with policy DMP20, and emerging policy BH7.

Delivery of additional housing

5. The principle of replacing a residential building with a new residential building can be supported given the surrounding residential character of the area. The wider area is predominantly residential in nature. The principle of residential use on the site would be supported.
6. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the current London Plan includes a minimum annual monitoring target for Brent at 1,525 additional homes per year between 2015 and 2025. This target is proposed to increase to 2,325 dwellings per annum for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London. Emerging local plan policy BH1 reflects this target.
7. This site would be considered as a small housing development (below 0.25 hectares or less than 25 homes). Whilst policy BH4 seeks to promote an intensification of self-contained dwellings in priority locations (i.e. in locations of PTAL 3 to 6, intensification corridors and town centres) through the efficient use of small sites, the policy recognises that outside of these priority locations, greater weight will be placed on the existing character of the area, access to public transport, impact on social infrastructure and the ease of accessibility on foot when determining the intensity of development appropriate. Therefore, whilst the site is outside of a priority location for small scale residential development, the policy does not preclude the redevelopment of the site to provide additional homes, but that this needs to be consistent with other policies in the development plan, and greater weight needs to be placed on the existing character of the area in considering acceptability.

Design and Layout of Building

Massing and appearance

8. The proposed building will sit between two detached houses within an established street-frontage. The proposal seeks to erect a 3 storey rectilinear building in its place, with the 3rd storey set in from the edges of the building to soften the building's appearance. The character of the block would notably differ from the traditional forms of the surrounding houses, however it is acknowledged that the existing building is already a largely rectilinear building that is out of keeping with the neighbouring buildings. Furthermore, Brent's policy DMP1, which seeks good design, does not necessarily require strict reproductions of surrounding buildings and welcomes additions of a contrasting character, subject to good design. The approach to replacing the existing building with a building of modern character is therefore supported in principle.
9. It is noted that the proposed building would be positioned further forward in the plot compared to the existing building. This would result in the proposed building adhering to the established building line of the street and that of its neighbours. It is considered that this is an acceptable alteration that would enhance its contribution to the character and appearance of the street.
10. The maximum height of the proposed building would sit in between the ridge heights of the two

neighbouring houses, no. 95 Woodcock Hill and no. 99 Woodcock Hill. The building's main roof would be set up from no. 95's main roof ridge by 1.05m and down from no. 99's main roof ridge by 0.48m, following the pattern of development in this sloping location. Accordingly, the height of the slightly wider first floor sits in between the eaves levels of these two neighbours, being set up from no. 95's by 1.54m and being set down from no. 99's by 0.42m.

11. The building has an appropriate height for its setting and is suitably sympathetic to the scale of surrounding houses, with the prevailing roof form being no higher than the neighbour's roof lines. The setting in of the second floor has a similar softening visual effect to the hipped roofs of the neighbouring houses, but through the use of a rectilinear reduction in form rather than through sloping roofs which achieve a similar effect. The full proposal has been clearly demonstrated in its context through a front facing streetscene elevation which shows that the proposed building would sit comfortably in the context of its surroundings.
12. It is acknowledged that the building's significant width (at 22.6m wide) is at odds with the surrounding house's proportions. However, it should be noted that the proposed building is about a fifth narrower than the existing building (which is 27.6m wide). Furthermore, the additional height of the proposed building would reduce the perception of the width of the proposed building compared to the existing situation. Given that the proposal presents a reasonable reduction in width compared to the existing situation and that this has established suitable open spaces between the proposed building and its neighbours (6m gap with no. 99 and 3.5m gap with no. 95), it is considered that the proposal is acceptable, and suitably punctuates its unique design and setting within the street.

Heritage considerations

13. The development is close to the Northwick Circle Conservation Area and the Mount Stewart Conservation Area immediately adjoins the development site to the rear.
14. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to pay "special attention" to the desirability of preserving or enhancing the character or appearance of a conservation area. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 195 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. London Plan Policy 7.8, Policy HC1 of the Mayor's Intend to Publish London Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.
15. Given the proximity of designated heritage assets, Brent's principal heritage officer has reviewed the scheme and considered the development's potential impact on the heritage value of the nearby conservation areas. The applicants have demonstrated that the development would not be visible from public spaces within Mount Stewart Conservation Area, and this includes from the public highway along Sheridan Gardens, as seen from between dwellinghouses. Officers note that the development would be partially visible from within the Northwick Circle Conservation Area, although this would only be from the very edge of the Conservation Area at the Conservation Area boundary line on Ashridge Close. Brent's heritage officer has considered the potential for the development to impact on the character and appearance of Northwick Circle Conservation Area, but notes that the existing building is seen only from a glimpse view at the periphery of the Conservation Area, and that the small part of the building which is visible appears largely as a backdrop and is largely obscured by foliage and other built form. The heritage officer notes that, were the proposed development to be constructed, the site would appear materially the same as it does now from within the Conservation Area boundary, even if it would be slightly taller. Furthermore, these considerations affect only a minor road within the Conservation Area which is a significant distance from the focal point of the Conservation Area at Northwick Circle itself. As a result, the principal heritage officer concludes that the proposal would result in no harm to the character and appearance of the Northwick Circle Conservation Area or the Mount Stewart Conservation Area.

Architecture and materials

16. The proposed building will be externally clad in brick, a good quality material which will foster a residential feel for the building. The brick will be of a dark red colour and a different darker shade will be used to further contrast the lower floors from the second floor. Dark red brick is also the prevailing colour of surrounding dwellinghouses. Timber inserts will be used as a projecting feature across ground and first floors to allude to the bay features of the neighbouring dwellinghouses. Lighter timber panelling will be used at some intervals between windows to further animate the facades of the building and to provide some colour contrast with the darker materials. A condition will require samples of these materials to be submitted for officer approval ahead of building works. It will be important to ensure that a brick is proposed which is a good colour match when set in the context of the surrounding brick houses and a condition can ensure this.

Basement and access

17. A basement for parking is to be provided under a part of the property's garden. This will be reached by an access road and footway along the southern edge of the site. The Brent Basement SPD specifies that basement development should consider the context of the site and the scale of the building and garden and should not extend further than 3m from the rear of the property. However, in this particular instance, the proposed basement would occupy a modest part of the garden and would allow a significant proportion of the property's garden to continue to be soft landscaped. Brent's Basement SPD (2017) also specifies that basement proposals should achieve the following:

- Sustainable development and design including protection and reinforcement of green infrastructure and biodiversity (especially trees)
- Not to be used for residential accommodation
- To not include external features (such as lightwells, railings, rooflights) which would detract from the character and appearance of an area
- To not unduly intensify the site
- To include suitable flood resilience measures

18. The basement proposed will meet all of the above requirements and this will be discussed in sections below where relevant.
19. The basement would require significant excavation in the centre and on the southern side of the property. Plans confirm that the basement level will not raise the garden level and will only reduce the garden level on the southern side of the property, adjacent to no. 99 Woodcock Hill.
20. The main entrance to the building is proposed to be positioned on this access road along what is a side elevation of the building. This is a legible location for an entrance and there is a clear accessibility advantage in locating the entrance in this location, immediately adjacent to the blue badge parking space. The entrance in this location also enables the access road to serve a dual access function and afford maximum amenity value and soft landscaping coverage to the front garden location. This will be particularly beneficial given that the forecourt of the property at present is largely comprised of hard surfacing. Whilst there will be no clear entrance feature along the street elevation, this elevation will retain a clear prominence with its bay features and other facade animation ensuring it reads appropriately as the principal elevation.

Amenity Impact of the Building (Privacy, Outlook, Sense of Enclosure):

Privacy

21. SPD1 requires a distance of 18m to be maintained between directly facing habitable room windows and a distance of 9m to be kept between gardens and habitable rooms and balconies. In this case, a distance of over 30m is maintained to the boundary with the rear gardens of the properties on Sheridan Gardens and over 50m between direct facing rear habitable room windows.
22. There are no flank wall habitable room windows on the northern elevation of the proposed building facing onto 95 Woodcock Hill, and the nearest balcony is located over 13m from the boundary with the rear garden of No. 95 Woodcock Hill.
23. In relation to the property to the south (No. 99 Woodcock Hill), there are flank wall windows on the southern elevation facing the side boundary. Closest to the Woodcock Hill frontage, a distance of 5.95m is maintained between windows in the southern elevation of the new building and the boundary with No.

99 Woodcock Hill. The distance is below the SPD1 target of 9 metres, however, the windows face the garage and side wall of No. 99 Woodcock Hill which does not contain any habitable room windows facing onto the application site. Allowing these flank wall windows to be cleared glazed would allow natural surveillance onto the access into the development and basement car park. Further into the site, there are habitable room windows facing the rear garden of No. 99 Woodcock Hill that maintain a distance of more than 10 metres to the boundary. As such, it is not considered that the occupants of No. 99 Woodcock Hill would be unduly compromised through a loss of privacy or overlooking from the proposed development.

24. With regards to the properties on the opposite side of Woodcock Hill, a distance of over 27m would be maintained between directly facing windows. The building line of the proposed development follows the established building line along the street and the prevailing distances maintained between street facing properties.

Outlook and overbearing appearance

25. SPD1 requires new developments to sit below a line drawn at 30 degrees from the nearest rear habitable room windows of adjoining existing properties, measured from a height of 2m above floor level. In addition, where a proposed development adjoins private garden areas, the height of the new development should normally be set below a line of 45 degrees at the garden edge, measured at a height of 2m.
26. In this case, the development sits below the 30 degree line from the rear habitable room windows of the properties on Sheridan Gardens to the rear.
27. When applying the 45 degree line criteria from the rear garden of No. 95 Woodcock Hill, a minor 0.95m high section at the edge of the second storey would breach the 45 degree line for a part of the garden serving no. 95. This breach of the 45 degree guidance is minimal and is far less severe than the breach of the 45 degree line incurred by the existing building. For comparison, the existing building is in breach of the 45 degree line above a height of 3.95 metres until its maximum height of 7.25 metres and as near to the boundary with no. 95 as about 1.15 metres, whereas the proposed building is in breach of the 45 degree line above a height of 9.05 metres until its maximum height of 10 metres and at a distance to the boundary of at least 6.6 metres. The daylight and sunlight assessment of the windows at the rear of this property (discussed below) show that daylight and sunlight levels to the affected windows would improve in the proposed scenario compared to the existing, which would correlate with these observations.
28. In relation to No. 99 Woodcock Hill, the proposed development comfortably complies with the 45 degree guidance in full. By contrast, the existing building is in breach of the 45 degree line at its uppermost extremities and this development would therefore improve the neighbour relationship between no. 99 and 97 in this regard.
29. The new building sits below the 45 degree line when measured from the gardens of the properties on Sheridan Gardens.

2:1 guidance

30. SPD1 also requires new developments to generally not project beyond 2:1 guidance. This is when the depth of a rear projection does not project more than half the distance when measured from the nearest rear habitable room of the neighbouring property to the flank wall of the proposed development. In this case, at the rear of the development, the proposal's upper floors project beyond the rear elevation of no. 95 as follows:
- For the first 2.25m out from the rear elevation, the separation distance to the middle of the nearest rear habitable room is 9.65m (this element complies with 2:1 guidance).
 - For the next 4.05m out from the rear elevation the separation distance to the middle of the nearest rear habitable room is 11.4m (this element fails to comply with 2:1 guidance by 0.6m).
 - For the final 5.80m out from the rear elevation, the separation distance to the middle of the nearest rear habitable room is 12.9m (this element fails to comply with 2:1 guidance by 5.65m).
31. It is noted that the existing building has the following relationship with no. 95:
- Projects 4.55m out from the rear elevation with a separation distance to the middle of the nearest

habitable room window of between 4.2m (minimum) and 4.65m (maximum) (this element fails to comply with 2:1 guidance by about 2m)

32. Whilst the proposed building does technically breach the 2:1 guidance by a significant amount in the deeper parts of its projection, the very significant separation of the building from the windows it would impact at this depth must be taken into account. The 45 degree guidance would be a far more appropriate judge of impact given the level of separation that is being considered at this distance. Moreover, the existing building breaches the 2:1 guidance from a significantly closer distance (as close as 4.2m) to the windows at no. 95 compared to the proposed building (no closer than 9.65m) and therefore incurs a more significant impact with regard to the sense of enclosure that would be experienced close to the affected windows. As is also mentioned above in relation to the 45 degree guidance, the improved daylight and sunlight results to the affected windows (discussed below) in the proposed scenario compared to the existing correlates with these observations.

33. When applying the 2:1 rule from No. 99 Woodcock Hill:

- The 13.7m projection at upper floor level is 14.4m away from the middle of the nearest rear habitable room window of No. 99 (this projection fails to comply with 2:1 guidance by 6.5m).

34. Furthermore, the existing building has the following relationship with no. 99:

- For the first 8.43m out from the rear elevation, the separation distance to the middle of the nearest habitable room window is between 6.6m and 7.48m (this projection fails to comply with 2:1 guidance by 5.13m)
- For the next 2.32m out from the rear elevation, the separation distance to the middle of the nearest habitable room window is between 8.67m and 8.93m (this projection fails to comply with 2:1 guidance by 6.42m)
- For the next 0.68m out from the rear elevation, the separation distance to the middle of the nearest habitable room window is between 11.85m and 11.98m (this projection fails to comply with 2:1 guidance by 5.42m)

35. Whilst the proposed building does technically breach the 2:1 guidance by a significant amount in the deeper parts of its projection, the very significant separation of the building from the windows it would impact at this depth must be taken into account. The 45 degree guidance would be a far more appropriate judge of impact given the level of separation that is being considered at this distance. Moreover, the existing building breaches the 2:1 guidance from a significantly closer distance (as close as 6.6m) to the windows at no. 95 compared to the proposed building (no closer than 14.4m) and therefore incurs a more significant impact with regard to the sense of enclosure that would be experienced close to the affected windows.

Summary

36. The proposal is not be considered to result in a harmful impact upon the amenities of neighbouring properties in terms of overlooking, loss of privacy, overbearing appearance or loss of outlook. The proposal complies with DMP1 in this regard.

Amenity impact of the Building (Daylight, Sunlight and Overshadowing):

37. The applicants have produced a daylight, sunlight and overshadowing report which numerically assesses the affect the development would have on neighbouring properties in line with BRE (Building Research Establishment) guidance.

38. The applicant's analysis has been prepared by a suitably qualified specialist and includes the following tests of amenity impact:

Vertical Sky Component (VSC)

39. The VSC method measures the amount of light available on the outside plane at the centre of a window, as a ratio (expressed as a percentage) of the amount of total unobstructed sky visible following the introduction of visible barriers such as buildings. The BRE guidelines at paragraph 2.2.6 and 2.2.7 state:

"Any reduction in the total amount of skylight can be calculated by finding the VSC at the centre of each main

window.” and “If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight.”

40. The VSC test has been carried out for east (rear) facing windows serving 93, 95, 99 and 101 Woodcock Hill. 95 and 99 Woodcock Hill have also seen the side windows facing towards the development site tested. In addition, east (front) facing windows serving 100, 102 and 104 Woodcock Hill, west (rear) facing windows serving 17 and 19 Sheridan Gardens and south (front) facing windows serving 2, 4 and 6 Ebrington Road have been tested for impact.
41. The testing shows that, with two exceptions, all windows will only be impacted negligibly, with a ratio of 0.94 between existing and proposed values being the worst instance of impact to any of these windows. In addition, none of the windows whose starting VSCs were 27 or greater will see their VSC value drop below this in the proposed scenario. The two exceptions relate to the upstairs side elevation windows serving 95 Woodcock Hill which will see a severe reduction in daylight compared with the existing scenario (starting/ending ratios for the windows of 0.41 and 0.42, and reductions in VSC from 29-31 to 12). However, these windows serve a non-habitable room (bathroom) and the reduction in light to this room would not be considered significantly detrimental to the quality of life at this property. This is also reflected in the BRE guidance “The guidelines given here are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms.”. In addition, the two rear facing upstairs windows which are closest to the boundary with no. 97 at this property will actually see an improvement in daylight levels experienced under the proposed scenario, with a starting/ending VSC ratio of 1.12 and 1.03 respectively equating to an increase in VSC values from the late twenties to the early thirties.

No Sky Line (NSL)

42. The No Sky Line method of assessment is a test to indicate how good the distribution of daylight is in a room, taking into account external obstructions and divide those areas of the working plane that can receive direct skylight and those that cannot. The BRE guidelines suggest that the daylight distribution test is carried out to existing surrounding properties when the internal room arrangements are known. To assess the impact of any reduction the BRE guidelines at paragraph 2.2.9 state:

“If, following construction of a new development, the no sky line moves so that the area of the existing room, which does receive direct skylight, is reduced to less than 0.8 times its former value this will be noticeable to the occupants, and more of the room will appear poorly lit.”

43. The NSL test has been carried out for potentially affected rooms at 100-104 Woodcock Hill, 93, 95, 99 and 101 Woodcock Hill, 17-19 Sheridan Gardens and 2-6 Ebrington Road. Floor plans for 99 Woodcock Hill were available to the applicant whilst the floorplans to the other houses had to be estimated based on a desktop review of the facade and window positions.
44. The testing shows that none of the rooms will be affected in terms of their No Sky Line impact, with all tested rooms retaining their original NSL%. As such, no losses of amenity through daylight distribution to rooms are to be experienced as a result of the development.

Sunlight (APSH/WPSH)

45. The BRE guidelines “Site layout planning for daylight and sunlight” recommend that access to sunlight is assessed with a development proposal. Potential impacts on available sunlight were assessed using the BRE’s Annual Probable Sunlight Hours (APSH) method. This method involves the forecasting of sunlight availability throughout the year and in the winter months, for the main window of each habitable room that faces within 90° of due south. The buildings surrounding the site that do not contain windows that face within 90° of due south has been excluded from the sunlight assessment. The sunlight criteria given within the BRE guidelines have been used as a basis to assess the potential impacts of the development:

“A window may be adversely affected if a point at the centre of the window receives in the year less than 25% of the Annual Probable Sunlight Hours (APSH) including at least 5% of the APSH during the winter months (21 st October to 21 st March)”.

46. The APSH/WPSH test has been carried out for relevant windows at 100-104 Woodcock Hill, 93, 95, 99 and 101 Woodcock Hill, 17-19 Sheridan Gardens and 2-6 Ebrington Road.

47. The testing shows that all windows (with the exception of one) will retain at least the benchmark 25% annual and 5% winter sunlight hours in the proposed scenario (in most cases, significantly in excess of these percentages) except for where the starting value for the window falls below these benchmarks. There are two instances (two upper floor side windows to 95 Woodcock Hill) where the winter probable sunlight hours value would drop from 23/25 to 5/3 respectively, however, as before, these windows serve a bathroom and are not considered to significantly affect the quality of life to this property. It is also noted that the windows across the ground and first floor of the rear/east elevation of this property (which serve habitable rooms) would see significant improvement in terms of the APSH results, with two of the ground floor windows seeing a 3% and a 27% increase respectively in annual probable sunlight hours and two of the first floor windows seeing a 3% and a 42% increase respectively in annual probable sunlight hours.

Overshadowing

48. The BRE guidelines "Site layout planning for daylight and sunlight" provide sunlight availability criteria for open spaces. In particular it gives guidance for calculating any areas of open space that may be in permanent shadow on 21 st March. In summary the BRE document states:

"It is suggested that, for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 st March. If as a result of new development, an existing garden or amenity area does not meet these guidelines, and the area which can receive two hours of sun on 21 st March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable".

49. The overshadowing test has been carried out for six existing rear gardens located at the rear of 95 & 99 Woodcock Hill, 4 & 6 Ebrington Road and 17 & 19 Sheridan Gardens.
50. Testing showed that the gardens at 2 & 4 Ebrington Road and 99 Woodcock Hill would see no increase in overshadowing as a result of the new development. 19 Sheridan Gardens' garden would see a fractional increase in overshadowing (0.001%) whilst the garden at 17 Sheridan Gardens would see a 2% increase in overshadowing and 95 Woodcock Hill an 11% increase in overshadowing. Nonetheless, all gardens will continue to receive 2 hours of daylight across at least 50% of their extent and there will be no increase in overshadowing from the baseline position by 20% or more, meaning that the development fully meets BRE criteria and the decreases in direct sunlight to the gardens are not likely to be noticeable in any scenario.

Summary

51. The proposed development meets all BRE guidelines to habitable room and habitable room windows in respect of daylight, sunlight and overshadowing impact criteria. This means that any such impact to surrounding properties habitable rooms and gardens is unlikely to be noticeable.
52. As a result, the development is considered to be acceptable on this basis, and comply with policy DMP1.

Housing Delivery and Standard of Housing:

53. Brent's DMP1 policy requires high levels of internal amenity to be achieved in new developments. Policy DMP18 requires new residential units to meet the residential quality standards set out in policy 3.5 of the adopted London Plan.

Mix of units

54. The proposal is for 5x 3b6p flats, 1x 3b4p flat and 3x 2b4p flats. The proposal to provide six of the nine new dwellings as larger family homes is welcomed and responds positively to Brent's shortage of such housing. Brent's CP2 policy sets out an expectation that at least 25% of new housing should be family sized housing (i.e. 3 bedrooms+) and this scheme would provide 67% of its homes as 3 bedroom family homes which is strongly welcomed.
55. So as to ensure that these large flats are not re-purposed to become homes in multiple occupation (HMOs) and continue to offer the benefits of being single family homes, a condition will impose a restriction on the use of the flats as single family dwellinghouses (C3 use class) and prevent the conversion of the use of the flats to homes in multiple occupation (C4 use class).
56. The proposed residential unit sizes vary but are generally in excess of the minimum standards stipulated within the London Plan, including meeting all minimum bedroom size standards. With the exception of flat

3 on the 2nd floor (which has a shortfall against guidance of 1sqm), all flats otherwise exceed standards, often by generous amounts. The flats also all provide in excess of the expected standards for private amenity space. The table below sets out the provisions:

Unit Type	Unit Composition	Unit GIA	London Plan Guideline GIA
Ground floor – Unit 1	3 bedroom 6 person	105sqm	95sqm
Ground floor – Unit 2	3 bedroom 6 person	106sqm	95sqm
Ground floor – Unit 3	2 bedroom 4 person	93sqm	70sqm
1st floor – Unit 1	3 bedroom 6 person	105sqm	95sqm
1st floor – Unit 2	3 bedroom 6 person	106sqm	95sqm
1st floor – Unit 3	2 bedroom 4 person	93sqm	70sqm
2nd floor – Unit 1	3 bedroom 4 person	75sqm	74sqm
2nd floor – Unit 2	3 bedroom 6 person	106sqm	95sqm
2nd floor – Unit 3	2 bedroom 4 person	69sqm	70sqm

57. In line with draft London Plan policy D7, the flats would all be delivered to an M4(2) level of fit out, as defined within Part M of the Building Regulations. This will ensure that step free access is provided between the street to all flats and that the flats meet the needs of occupants with differing needs, including some older or disabled people and to allow adaptation of the dwelling to meet the changing needs of occupants over time. A condition will secure the M4(2) fit out across the scheme.
58. The amenity space provision accords with the requirements of Brent's DMP19 policy (and emerging BH13 policy). Policy DMP19 states that *"all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats)."*
59. The policy requirement in relation to external private amenity space is for it to be "sufficiency of size". Whilst there is a normal "expectation" for 20qm per flat and 50sqm for family housing (including ground floor flats), that is not an absolute policy requirement in all cases. This is reinforced by the supporting text to the policy which provides that: *"10.39 New development should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space"*.
60. In meeting the above requirements, it is expected that at least a part of each flat's required amenity space will be private space and as such, all units should be provided with a London Plan/Housing SPG compliant balcony/terrace.
61. All flats will be provided with a private amenity space, in the form of a good sized balcony that exceed London Plan standards for private amenity space provision.
62. The space is clearly of a higher quality for the ground floor flats, which benefit from large rear gardens (flats 1 and 3) and front gardens of a less private nature (also for flats 1 and 3). The upper floor flats rely on smaller balcony spaces. It should be noted that the balcony spaces for units 2 and 3 on the second floor do have a reduced depth (about 1m) for much of the balcony extent and therefore fall short of the requirements for London Plan compliant balconies (1.5m deep balconies as a minimum), however these balconies are significantly oversized (18sqm and 19sqm respectively) which does help to mitigate this shortcoming to an acceptable extent on balance. There is a communal garden space of 783sqm, providing a very substantial communal amenity offer for residents which more than compensates for the smaller private spaces provided for upper floor flats in line with the allowances of policy DMP19. The communal garden is accessible from the side access route, with one access being a 24 metre walk from the main entrance to the building and another being a 36 metre walk from the entrance. The communal

garden would not be step free accessible given the significant level changes that need to be addressed owing to excavation for the basement. Any disabled ramp that could achieve access would require a significant number of 'switchbacks' to meet the required angle of incline and this would materially reduce the green space to the rear of the site prejudicing the enjoyment for those living on the upper floor flats. Any occupants with mobility impairment could however occupy the ground floor units which have level access to the front and rear gardens.

63. The amenity space provisions in the context of the policy requirements are set out below:

Unit	Unit Type	Amenity Space Policy Amount	Private Amenity Space Provision	Shortfall against Policy Amount	Communal Amenity Space Provision	Cumulative Shortfall against Policy Amount
Gr floor – Unit 1	3b6p	50sqm	9.75sqm terrace	40.25sqm		
Gr floor – Unit 2	3b6p	50sqm	104sqm garden	0sqm		
Gr floor – Unit 3	2b4p	20sqm	11sqm terrace + 100sqm garden	0sqm		
1st floor – Unit 1	3b6p	20sqm	8.2sqm balcony	11.8sqm		
1st floor – Unit 2	3b6p	20sqm	7.8sqm balcony	12.2sqm		
1st floor – Unit 3	2b4p	20sqm	7.4sqm balcony	12.6sqm		
2nd floor – Unit 1	3b4p	20sqm	18sqm balcony	2sqm		
2nd floor – Unit 2	3b6p	20sqm	7.8sqm balcony	12.2sqm		
2nd floor – Unit 3	2b4p	20sqm	19sqm balcony	1sqm		
Total		240sqm	292.95sqm	92.05sqm	783sqm	0sqm

64. The flats largely stack directly atop one another, meaning that there is unlikely to be any concern over unacceptable transference of noise between flats. All of the flats also benefit from dual aspect outlook.

65. The south facing windows serving the kitchen to unit 1 on the ground floor are immediately adjacent to the pedestrian and vehicular access route to the site. This may result in an uncomfortable privacy relationship when the access route is being used by other residents of the building. As these are not the sole windows to this room windows and the kitchen and wider flat would still benefit from the windows in the western elevation, the relationship to the access route is considered on balance to be acceptable. Furthermore, the use of windows overlooking the access would provide natural surveillance over the access route.

66. The roof level will contain a photovoltaic array. Given that the scheme is a minor development, there are no formal planning requirements in respect of sustainability and carbon savings, however the addition of renewable technologies within the development is positive.

Transport considerations:

Parking

67. Given that this part of the borough has poor access to public transport (PTAL 1), the proposed development would have a maximum parking allowance of 12 car parking spaces (1.5 car parking spaces per 3-bedroom flat and 1 car parking space per 2-bedroom flat) and a minimum allowance of 9 car parking spaces (75% of the maximum). The provision of 9 car parking spaces within a covered basement area and 1 surface level blue badge car parking space next to the building entrance would be within this range and would therefore be acceptable.

68. This development will provide suitable car parking space that sits between the minimum and maximum standards. Census data suggests that locally, only 32% of flatted dwellings are occupied by vehicle

owners and only 77% of all dwelling types (flats and houses) are occupied by vehicle owners. Nonetheless, the car parking provision remains within maximum parking standards and is therefore considered to be at an acceptable level.

69. Given the above, overspill parking would be very unlikely, nonetheless Woodcock Hill has been identified as a lightly parked street on the Council's most recent overnight parking beat surveys (2013), at only 10% occupancy. The lightly parked nature of the street is also visible on Google street view imagery, whereby all eight photographs of this part of Woodcock Hill between 2008 and 2018 indicate a very lightly parked street. As such, highway officers are satisfied that overspill parking (of which only a small amount would be likely) could be safely accommodated on street if there ever were a need to rely on it. Some comments have been raised by neighbours suggesting that the road is heavily parked owing to local school and temple attendance. As discussed, the evidence available to the Council shows that this part of Woodcock Hill is generally very lightly parked. Any periods of heavier parking owing to attendance at nearby schools or places of worship (although no such venues are located within near proximity to the site) would be intermittent and for short periods of time only. Moreover, the amount of parking to be provided on site is in excess of what census data would suggest the likely level of car ownership/usage would be at this site. As such, it is very unlikely that the development would need to rely on on-street parking or result in additional stress to parking availability on the street.
70. The car park basement area will be accessed by an approximately 50m long access road which will have a minimum width of 4.1m. This would be wide enough to allow two cars to pass each other whilst the intermittent use of vehicles larger than cars would not give rise to concerns. The basement car park is also shown with suitable spacings and aisle widths to enable easy use by most domestic vehicles. The existing site has a forecourt parking area accessed by a crossover on the southern side of the property and the proposed access arrangements would therefore be similar to the existing.
71. Aside from the disabled parking space adjacent to the entrance, it will be important that the car parking is managed to ensure that no cars park along the access road or within the turning head. A car parking management plan will be secured by condition so that the developer can set out how this will be managed prior to occupation of the building. The car parking management plan condition will also require details of how the 10 car parking spaces will be allocated between the flats to be set out
72. The minimum cycle parking requirements for the proposal would be 2 for each unit requiring a total minimum of 18 spaces. 18 such spaces are shown within the covered basement area in an acceptably secure and weatherproof arrangement. A Sheffield hoop for visitors' cycle storage is also provided adding two extra spaces.

Servicing

73. In regards to servicing by delivery vehicles, servicing along the street would be supported in this quiet residential location. Alternatively, delivery vehicles could safely reverse into the site from the street in this location in situations where vehicles need to make deliveries closer to the building entrance.
74. Given the difficulty that would be encountered by Brent's refuse contractors in driving refuse collection vehicles into and out of the site in a forward gear, suitably sized bin storage has been provided at the front of the site to enable a simple street collection. The bin storage would be located adjacent to one of the front garden amenity spaces and a condition will require that this bin store is suitably minimised in size so as to minimise the impact on this amenity space. A large tree is situated in front of the proposed bin store which will help to naturally screen the bin store from view, nonetheless given the sensitive positioning of this bin storage, a condition will require that further details of refuse storage are submitted and approved to ensure that it will have an acceptable visual impact on the street.

Safety

75. Concerns have been raised by some neighbours in relation to highway safety risks stemming from the brow of a hill being close by along Woodcock Hill to the south of the site. Highways officers have considered this and would note that the Manual for Streets advises that clear visible sightlines should be established for 43 metres in either direction from the vehicle access in order for that vehicle access to have a good level of safety for road users. The site would achieve this standard, with the brow of the hill being located more than 60 metres from the vehicle access. Whilst vehicular trips into and out of the site will likely increase compared with the existing situation, the change that is likely as a result of the addition of nine flats is not considered to raise a concern and would not likely have a material impact on highway

flow or safety in this location. The Council's accident data indicates that the last vehicular accident to occur along this part of Woodcock Hill was in 2007.

Environmental Health Considerations:

76. The application has been reviewed by Brent's Environmental Health officers. The application is supported subject to the imposition of conditions covering the following matters:
77. Construction Methodology – This condition will require the submission of a statement outlining measures that will be taken to control dust, noise and other environmental impacts of the development.
78. Non-Road Mobile Machinery – Brent is currently part of the 'London low emission construction partnership'. Therefore, the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. A condition will impose this restriction on the developer.

Trees and Ecology:

79. The applicant has submitted an arboricultural impact assessment to consider the impact to trees within the site. In order to facilitate the development it is proposed to remove four individual trees and one tree group which are all category C 'moderate value' trees and all located within the site. None of these trees are considered to have a high amenity value and would not have a significant impact on local amenity. Tree protection measures are set out within the arboricultural report to ensure damage to the remainder of the trees which are to be retained is avoided which will mainly involve the erection of protective fencing to close off the root spread areas of these trees to prevent the potential for the roots of the trees to be damaged through compaction. Arboricultural surveys confirm that both the building foundations and subsurface car parking do not sit within the root protection areas of the retained trees around the edge of the garden.
80. Brent's tree officer agrees with the details of the submitted report and has requested the imposition of a condition that requires the measures set out in the arboricultural impact assessment to be adhered to in full. The landscaping condition will also require that details of 5 replacement trees are submitted, approved and implemented, to ensure that the loss of the 4 trees and group of trees on site is appropriately mitigated. A condition will also require that the applicant's tree consultant visits the site prior to commencement to ensure that the tree protective fencing is erected adequately and in precisely the correct location and for the observations made in this respect to be submitted to and approved in writing by the Local Planning Authority.
81. The tree officer has also reviewed the applicant's plans for basement construction and notes that a suitable soil depth above the basement structure will be retained to ensure that the green infrastructure within the garden (once re-established) would not be compromised, thereby satisfying an aspect of Brent's Basement SPD criteria..
82. The applicant has also submitted a Preliminary Ecological Assessment and Bat Building Inspection. The site has been investigated through a detailed desktop study and a Phase 1 Habitat, External Bat Building and Ground Level Tree Inspection survey. The only important ecological feature that may potentially be impacted by the development is the local bat assemblage. Whilst the site's suitability to bats is low, it is possible that bats are present within the existing building and if confirmed present through further survey, they could be detrimentally impacted by the proposal by loss of a roost as well as a minor loss of foraging habitat. The report recommends Phase 2 work for bats in determining their presence at the site.
83. In addition to the additional bat survey, the ecologist has recommended the following measures to avoid or reduce impact and to also deliver biodiversity gains:
 - Surrounding boundary vegetation retained in order to reduce disruption to bat flight lines and maintain existing foraging habitat for bats and birds;
 - If any vegetation is highlighted for removal during March to September, it will be subject to a nesting bird check
 - Planting of more native species post-development to provide enhanced foraging opportunities for bats and birds

- Minimise disturbance effects of light on nocturnal wildlife including bats by design of an appropriate lighting strategy; and

- Installation of bat and bird boxes on retained trees or on new building.

84. No commencement may occur until the phase 2 bat survey is submitted (along with any necessary mitigation) to the LPA and approved in writing. A condition will also require this. A condition requiring the submission of a Construction Environment Management Plan will also be required, to set out the details of nesting bird checks. The implementation of the other biodiversity mitigation and enhancement measures identified above will be secured through a landscaping strategy condition.

Flood Risk

85. The site is located in Flood Zone 1 which corresponds with an annual risk of flooding that is less than 1 in 1000. The site is shown to be at 'very low' and 'low' risk of surface water flooding, however, it is recommended that threshold levels are raised by a minimum of 150mm above surrounding ground levels as a best practice measure. In addition, flood resilience measures such as basement tanking are recommended to be incorporated into the construction of the basement level car parking. Geocellular storage and a flow control chamber are proposed to be restrict runoff rates from the site to 5l/s for all storm events up to 1 in 100 year plus 40% climate change allowance. Given that the scheme is a minor development, there are no formal planning requirements in respect of incorporating a site wide drainage improvement strategy, however the addition of sustainable urban drainage measures to achieve a greenfield runoff rate has been included nonetheless and is strongly supported.

86. The recommendations of the flood report are to be secured by condition to ensure an acceptable flood risk given the basement construction proposed within the scheme.

Conclusion:

87. The proposed development will deliver nine additional high quality homes, including six family homes towards the borough's overall stock. The building containing these homes would be of a suitable scale, massing and design for its setting and would not unduly compromise the amenities of neighbouring properties. A suitable number of car parking and cycle parking spaces would be provided within an acceptable arrangement, making use of a basement so as not to reduce the current benefit provided by the garden.

88. The proposal is considered to materially accord with the development plan. Approval of the proposal is accordingly recommended.

CIL DETAILS

This application is liable to pay **£227,377.29** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): 651.78 sq. m.

Total amount of floorspace on completion (G): 1285.57 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	1285.57		633.79	£200.00	£0.00	£189,005.23	£0.00
(Mayoral) Dwelling houses	1285.57		633.79	£0.00	£60.00	£0.00	£38,372.06

BCIS figure for year in which the charging schedule took effect (Ic)	224	331
BCIS figure for year in which the planning permission was granted (Ip)	334	

TOTAL CHARGEABLE AMOUNT	£189,005.23	£38,372.06
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*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

**Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/2006

To: Miss Sexton
Create Planning Limited
Wigglesworth House
Second Floor
69 Southwark Bridge Road
LONDON
SE1 9HH

I refer to your application dated **24/05/2018** proposing the following:

Demolition of existing sheltered housing (Use Class C2) and erection of a three storey building to provide 9 residential flats with associated landscaping, car parking and amenity space

and accompanied by plans or documents listed here:
Refer to condition 2.

at **97 Woodcock Hill, Harrow, HA3 0JJ**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 27/10/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposal is in general accordance with the following documents:

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)

Emerging Policy

- The Intend to Publish London Plan (2019)
- Brent's Local Plan (Reg 19 Version – 2019)

Supplementary Planning Guidance / Documents

- Mayor of London's Housing SPG (2016)
- SPD1 Brent Design Guide (2018)
- Brent's Basements SPD (2017)

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

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

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

386-B-(10)-P-00 – Existing OS Map
386-B-(20)-P-00 – Existing Ground Floor Plan
386-B-(20)-P-01 – Existing First Floor Plan

16066 PGF – Existing Ground Floor Plan & Topographical Survey

386-CDA-ZZ-00-DR-A-0100 Rev 03 – Proposed Basement Plan
386-CDA-ZZ-00-DR-A-0101 Rev 09 – Proposed Ground Floor Plan
386-CDA-ZZ-01-DR-A-0102 Rev 07 – Proposed First Floor Plan
386-CDA-ZZ-02-DR-A-0103 Rev 08 – Proposed Second Floor Plan
386-CDA-ZZ-03-DR-A-0104 Rev 05 – Proposed Roof Plan

386-CDA-ZZ-00-DR-A-0200 Rev 05 – Proposed West Elevation
386-CDA-ZZ-00-DR-A-0201 Rev 05 – Proposed South Elevation
386-CDA-ZZ-00-DR-A-0202 Rev 05 – Proposed East Elevation
386-CDA-ZZ-00-DR-A-0203 Rev 05 – Proposed North Elevation
386-CDA-ZZ-XX-DR-A-0204 Rev 06 – Street Elevation

386-CDA-ZZ-XX-DR-A-0400 Rev 02 – Section
386-CDA-ZZ-00-DR-A-0401 Rev 02 – Section and View
386-CDA-ZZ-XX-DR-A-010018 Rev 03 – Rear Sections

386-CDA-ZZ-XX-DR-A-0800 Rev 02 – Proposed Street View
386-CDA-ZZ-XX-DR-A-0801 Rev 01 – Rear Aerial View – North
386-CDA-ZZ-00-DR-A-0802 Rev 02 – Rear Aerial View – South

Supporting Documents:

- BS 5837 Arboricultural Report – Impact Assessment & Method Statement at 97 Woodcock Hill Harrow HA3 0JJ, prepared by Crown Consultants, dated 18th April 2018
- Flood Risk Report for Ash Shah, prepared by RPS Planning & Environment, dated August 2020 (ref: HLEF/001R)
- Preliminary Ecological Assessment & Bat Building Inspection, prepared by Ecological Planning & Research Ltd (EPR), dated February 2018 (ref: 17/66-1A)

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

- 3 The car parking spaces and cycle storage spaces as shown in approved drawing 386-CDA-ZZ-00-DR-A-0100 Rev 03 shall be provided and made available for use prior to the first occupation of the development hereby approved. These car parking and cycle parking spaces shall continually be made available for the use of residents in perpetuity and shall only be used for purposes ancillary to the residential use of the site.

Reason: To ensure the development effectively mitigates its transport impacts.

- 4 The development hereby approved should be built so that all of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’.

Reason: To ensure that the development achieves an inclusive design.

- 5 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 6 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA’s supplementary planning guidance “Control of Dust and Emissions During Construction and Demolition” dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1 and London Plan policies 5.3 and 7.14.

- 7 The development hereby approved shall be implemented in full accordance with the method statement contained in the submitted BS 5837 Arboricultural Report – Impact Assessment & Method Statement at 97 Woodcock Hill Harrow HA3 0JJ, prepared by Crown Consultants, dated 18th April 2018, unless alternative details are first approved in writing.

Reason: To ensure suitable provisions are made for the protection of trees.

- 8 The development hereby approved shall be implemented in full accordance with the recommendations set out in paragraph 12.3 of the submitted Flood Risk Report for Ash Shah, prepared by RPS Planning & Environment, dated August 2020 (ref: HLEF/001R), unless alternative details are first approved in writing.

Reason: To ensure suitable provisions are made in addressing the risk of flooding.

- 9 No development shall commence unless a Phase 2 habitat survey for bats, prepared by a suitably qualified professional, has been submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The submitted survey shall set out:

- Details of a bat dusk emergence survey of the existing building on site which shall have been undertaken between the months of May and September
- Details of a further bat emergence/re-entry survey of the existing building which shall have been undertaken between the months of May and August.

Any development thereafter shall be carried out in full accordance with the recommendations of the approved survey.

Reason: To ensure suitable provisions are made for protecting bat habitat.

Pre-commencement Reason: The aspect being protected by this condition has the potential to be compromised during demolition works and must therefore be addressed prior to any commencement of works on site.

- 10 Prior to the commencement of the development, a Construction Ecology Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The CEMP shall set out details of any necessary bird nesting checks to be undertaken and measures to be implemented to mitigate impact to biodiversity and to enhance biodiversity as part of the development.

The development shall thereafter be carried out in full accordance with the approved CEMP, unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure suitable provisions are made for protecting and enhancing local ecology.

Pre-commencement Reason: Some measures set out in this condition (notably bird nesting checks) will require clear mitigation measures to be established prior to the commencement of the development in order to mitigate harm.

- 11 Subsequent to the erection of protective fencing as required within the arboricultural method statement but prior to the commencement of the development, the applicant's tree consultant shall visit the site to ensure that the tree protective fencing is erected adequately and in precisely the correct location. Observations made by the tree consultant shall be catalogued and submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition prior to the further commencement of development.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to damage to trees.

Pre-commencement reason: Trees have the potential to be damaged from the earliest stages of works and the effectiveness of the protective measures to safeguard trees therefore needs to be assured at this pre-commencement stage.

- 12 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The Construction Management Statement shall outline measures that will be taken to control dust, noise and other environmental impacts of the development. The construction of the development shall be carried out in accordance with the approved statement.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Pre-commencement reason: The impacts being controlled by this condition are likely to be

relevant from the earliest stages of works and the effectiveness of the mitigation measures in this respect therefore needs to be assured at the pre-commencement stage.

- 13 Details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition before any work is commenced (excluding demolition and the laying of foundations). The development 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.

- 14 A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition within six months of the commencement of the development hereby approved. The approved scheme shall be completed in full prior to first occupation of the development hereby approved and thereafter retained for the life of the development.

The landscaping scheme shall include:

- Details of plants, including 5 new trees, including location, species, planted size and density/number;
- The planting of native species to provide enhanced foraging opportunities for bats and birds
- Details of screening between the private and communal garden spaces
- The retention of surrounding boundary vegetation to reduce disruption to bat flight lines and to maintain existing foraging habitat for bats and birds;
- Materials used for hard landscaping;
- Details of drainage of the areas of hard landscaping, demonstrating that those areas will drain to area of soft landscaping within the site;
- Screen planting along all boundaries;
- Details of fences/gates/other means of enclosure;
- Any contouring and all alteration of the ground levels;
- An appropriate lighting strategy to minimise disturbance effects of light on nocturnal wildlife
- Installation of bat and bird boxes on retained trees or on new building.
- Details of gates which shall be installed to prevent unauthorised access to the basement car parking area.

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

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

- 15 Prior to the first occupation of the development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The car park management plan shall set out details for preventing car parking from occurring along the access road (aside from the designated blue badge space) or outside of designated parking bays. The car park management plan shall also set out details of how the 10 car parking spaces will be allocated between the flats. The approved details shall thereafter be adhered to in full,

unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate parking arrangement and system of parking management for the development.

- 16 Prior to first occupation of the development hereby approved, further details of the means of bin storage at the front of the site shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The submitted information shall set out a suitable means of screening the bins from the street and for minimising proximity to and enclosure of nearby private amenity spaces within the development.

The development shall thereafter be implemented in accordance with the approved plans and the bin storage space shall be completed and made available prior to the first occupation of the development.

Reason: To ensure that the development provides effective and usable refuse infrastructure.

- 17 Prior to the installation of any external lighting, details of the external lighting, including details of lux levels and light spillage diagrams, shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The external lighting shall thereafter be installed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory visual amenity impact from external lighting.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 In the interests of environmental sustainability, the applicant is strongly encouraged to implement all carbon savings measures outlined within the submitted Energy Strategy Report, prepared by Syntegra Consulting (Ref: 16-2113), dated February 2018.
- 7 The applicant is advised that they should apply for and have granted Natural England licences as required prior to the commencement of works on site.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903