

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

8 February, 2023
05
21/2290

SITE INFORMATION

RECEIVED	18 June, 2021
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	30, 30A & 31 Stilecroft Gardens, Wembley, HA0 3HD
PROPOSAL	Partial demolition of 30 and amalgamation with 30A and erection of 3 terraced houses on the garden space at the rear, creation of a side vehicular access and associated refuse, recycling and cycle parking facilities and hard and soft landscaping
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_155674</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "21/2290" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations::

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement
3. Financial contributions (indexed from the date of committee resolution)
 - a) To Brent Council for enhancement of off-site tree planting within Vale Farm Sports Ground (£17,500).
4. Indexation of contributions in line with inflation
5. Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to impose conditions and attach the following informatives in relation to the following matters:

Conditions

1. Three year rule for commencement
2. Approved drawings and documents
3. Obscure Glazed windows
4. Permitted Development Rights removed
5. Access and highways works
6. Provision of access road and parking
7. Tree protection measures
8. Ecological protection measures
9. Flood mitigation
10. Noise and sound insulation
11. Construction Method Statement and Construction Logistics Plan
12. Materials Samples
13. Landscaping Scheme
14. Details of cycle parking and storage
15. Informal parking prevention measures

Informatives

1. Community Infrastructure Levy
2. Party Wall Act
3. Asbestos
4. Fire Safety
5. Hours for noisy works
6. Works to the highway

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.

SITE MAP



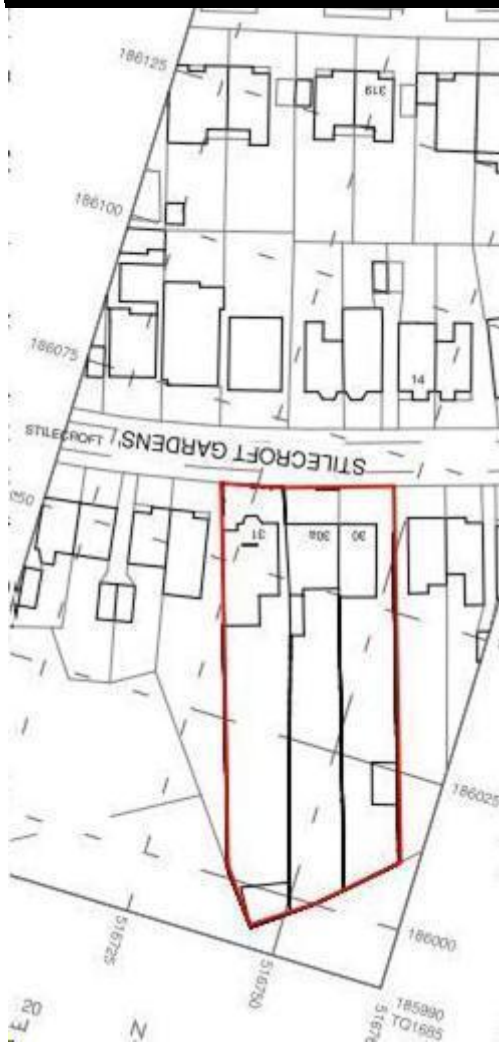
Brent

Planning Committee Map

Site address: 30, 30A & 31 Stilecroft Gardens, Wembley, HA0 3HD

© Crown copyright and database rights 2011 Ordnance Survey 100025260

This map is indicative only.



PROPOSAL IN DETAIL

Partial demolition of 30 and amalgamation with 30A and erection of 3 terraced houses on the garden space at the rear, creation of a side vehicular access and associated refuse, recycling and cycle parking facilities and hard and soft landscaping

EXISTING

The existing site consists of a set of 2 semi-detached houses and 1 detached house on the southern side of Stilecroft Gardens. It is located within the boundaries of the Sudbury Neighbourhood Plan, and also partly lies within land that is liable to surface water flooding. To the south of the site lies Vale Farm which is designated open space and local green space.

AMENDMENTS SINCE SUBMISSION

The following amendments were made to the plans during the application:

- Scheme was amended to be reduced to 3 new units

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: Representations were received from 10 neighbouring properties, and the Sudbury Town Residents Association objecting to the proposal. A summary of the objections relate to the principal of developing within a rear garden, loss of green space, impact on Vale Farm Sports Ground, inappropriate design, quality of accommodation, impact on neighbouring amenity and highway concerns. These are discussed in detail within the consultation section below.

Principle of Development: The principle of residential development is supported in this location and will provide three family sized homes.

Highway impacts: Transport officers have assessed the scheme and advised that the proposal is acceptable. It is not considered to result in a material impact upon the local highway network. Adequate provision would be made for refuse and cycle storage.

Residential amenity: The proposal would not result in any material impact on the residential amenities of neighbouring occupiers in terms of noise and disturbance, daylight and sunlight or overlooking.

Design and appearance: The proposal would not result in harmful impact on the character and appearance of the local area including the setting of the nearby Vale Farm Open Space (locally listed park).

Trees and landscaping: Landscaping has been amended to provide a more practical layout with beneficial soft landscaping. 8 trees are to be removed. However, 13 replacement trees are to be secured at the rear of the site together with 5 in the adjoining open space to ensure an acceptable appearance and provide net biodiversity gain.

RELEVANT SITE HISTORY

Relevant planning history

30 Stilecroft Gardens

07/0308: Retention and modification of single storey rear extension to dwellinghouse - Granted, 30/03/2007.

30A Stilecroft Gardens

No relevant planning history but there is a building control record for a loft conversion from 2014.

31 Stilecroft Gardens

06/1063: Erection of two-storey side extension following demolition of garage and part of rear extension, erection of single-storey rear extension and rear dormer window extension to dwellinghouse, with the installation of two front and one side rooflights - Granted, 31/07/2006.

CONSULTATIONS

Public consultation

14 addresses and the Sudbury Town Residents Association were consulted on 22nd June 2021.

A further round of consultation was sent out to the above addresses together with additional addresses who objected to the first round of consultation on 17 January 2022 (a total of 25 addresses were consulted). This consultation letter highlighted that amended plans had been received together with a Fire Statement and Ecology Report.

An additional round of consultation was carried out following receipt of the Flood Risk Assessment on 7th September 2022 (a total of 35 addresses were consulted).

10 objections were received from individual residents and the Sudbury Town Residents Association. These are summarised as follows:

Objection	Response
Principle of Development	
The area is not a growth area designated for housing, nor should it be considered a brownfield site or a small site	Discussed in Principle of Development section.
Loss of green space and impact on ecology	Discussed in Trees and Landscaping section.
Loss of view of open fields	Private views are not protected by planning policy however the impacts on outlook have been assessed and are addressed within Impact upon Locally Listed Vale Farm Sports Ground.
The proposal would set an unwanted precedent	Discussed in Principle of Development.
Loss of green space in Vale Farm/Community football pitch	The proposal would be fully located within existing private gardens. There would be no loss of the adjacent Open Space
Residential amenity concerns	
Overlooking and loss of privacy Loss of light	Discussed in Residential Amenity Section.
Noise and disturbance from new occupants	Discussed in Environmental Health section.
Potential increase in anti-social behaviour or crime	Discussed in paragraph 26
Concerns over dust, noise and pollution from	Discussed in Environmental Health Section.

development	
Design concerns	
The proposal would not be in keeping with the area	Discussed in Design and Appearance Section.
Lack of soft landscaping	Discussed in External Amenity Space.
Highways concerns	
Concerns over damage to roads	Discussed in Highways and Transport.
Overspill parking onto surrounding road network	Discussed in Highways and Transport.
Proposal has failed to take into account the additional traffic from the supermarket approved under reference 18/1149 that is currently under construction	Discussed in Highways and Transport.
Concerns over whether emergency vehicles can access the site	Discussed in Fire Safety and Highways and Transport.
Quality of proposed accommodation	
Lack of disabled parking/unsuitable access arrangements for pedestrians	Discussed in Highways and Transport.
Concerns over impacts of development on traffic and parking	Discussed in Highways and Transport.
Ecological impacts/Loss of green space	
The Council should consult Natural England	There is no statutory requirement to consult Natural England.
Objection to loss of existing trees Impact on existing habitats	Discussed in Trees and Landscaping.
Other issues	
Concerns over flood risk from development in terms of surface water and sewerage. Thames Water and drainage should be consulted	A Flood Risk Assessment has been submitted with the application and this has been discussed in Flood Risk Section.
The proposal would impact the Vale Farm Sports Land via increased flooding. It would be contrary to the Sudbury Neighbourhood Plan that seeks to protect Vale Farm for sporting purposes.	
The gardens will need to be raised in order to install sufficient sewage drains	This is not a material planning consideration and would be covered by Building Regulations, however, the gardens are not proposed to be raised
Concerns over fire safety as it is not clear that a fire engine can turn within the site, and the	Discussed in Fire Safety section.

London Fire Brigade have not been consulted.	
Restrictive covenants on the land	This is not a material planning consideration and the grant of planning permission would not take precedent over any covenants.
Residents were not consulted at pre-application stage	The Local Planning Authority does encourage applicants to engage with the local community prior to submitting an application. However, this is not mandatory.

A survey was submitted from Sudbury Town Residents Association which included the reference numbers for two application including this one, with a yes/no question for each application asking whether they want these development in their Neighbourhood Forum area. Hand written names were provided, but all addresses, signatures and contact details were blanked out. In relation to this application, 79 of the lines indicated that the person did not want this development while 1 indicating that they did want this development. The survey captured a “yes” / “no” answer, and no planning considerations relating to the view were captured in the survey.

Internal Consultees

Environmental Health – No objections received, conditions advised.

Transport - No objections raised subject to conditions requiring revised information regarding the visibility plays and increased soft landscaping to Nos. 30 & 30a Stilecroft Gardens

Flood Officer - No objection raised.

Parks and Vale Farm Sports Centre - No objection raised.

External Consultees

Sport England - No objections raised, subject to the Council being satisfied that noise is not of a concern.

Thames Water - No objection raised.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the

- London Plan 2021
- Brent Local Plan 2019-2041
- Sudbury Neighbourhood Plan 2015

Key policies include:

London Plan (2021)

D3 Optimising site capacity through the design-led approach

D4 Delivering good design
D6 Housing quality and standards
D7 Accessible Homes
D12 – Fire Safety
H1 - Increasing housing supply
H2 – Small sites
G5 – Urban Greening
T5 – Cycling
T6 - Car parking

Brent Local Plan 2019-2041

General Policies:

DMP1 – Development Management General Policy

Design Policies:

BD1 – Leading the way in good design

Housing:

BH1 – Increasing Housing Supply

BH2 – Priority Areas for Additional Housing Provision within Brent

BH4: Small Sites and Small Housing Developments in Brent

BH6 – Housing Size Mix

BH10 - Resisting Housing Loss

BH13 – Residential Amenity Space

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent

BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI2 – Air Quality

BSUI3 – Managing Flood Risk

BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

BT1 – Sustainable Travel Choice

BT2 – Parking and Car Free Development

Other material considerations

The following are also relevant material considerations:

- National Planning Policy Framework
- National Planning Practice Guidance

- Supplementary Planning Guidance / Documents:
 - SPD1 – Brent Design Guide (2018)
 - Brent's Waste Guidance (2013)

DRAFT Small Site Design Codes LPG DRAFT Good Quality Homes for All Londoners Guidance LPG

DETAILED CONSIDERATIONS

Principle of Development

Delivery of additional housing

1. Policy H1 of the London Plan identifies a target for Brent's housing stock to be increased by 2,325 dwellings per annum for the period 2019/20-2028/29, reflecting a high demand for the delivery of new homes across London. Brent Local Plan policy BH1 reflects this target.
2. Policy D3 of London Plan requires developments to make the best use of land by following a design-led approach that optimises the capacity of the site, with development that is the most appropriate form and land use for the site, with the policy recognising that small sites make a significant contribution towards increasing housing supply within London. This is also set out in policy H2 of London Plan.
3. In response to the strategic policy position above, the Council has set out priority areas for new housing under Brent Local Plan policy BH2. This policy identifies that new housing will be prioritised for delivery in growth areas, site allocations, town centres, edge of town centre sites, areas with higher levels of public transport accessibility and intensification corridors. Policy BH5 requires that developments of between 5-9 dwellings will be required to make a financial contribution for the provision of affordable housing off-site. As the proposal is for 3 dwellings, Policy BH5 is not applicable.
4. The above position is reinforced in policy BH4 of Brent's Local Plan. This policy relates to small housing sites (below 0.25 hectares or 25 dwellings in size) and recognises that such sites can assist in delivering a net addition of self-contained dwellings through the more intensive and efficient use of sites. This policy establishes priority locations for new housing, being those with a PTAL (Public Transport Accessibility Level) of 3-6 and those within designated Intensification Corridors or within a town centre boundary.
5. The site does not sit within a priority location and BH4 specifies in such locations that greater weight should be placed on the existing character of the area, access to public transport and the variety of social infrastructure easily accessible on foot when determining the intensity of development that is appropriate. The site is within approx. 270 metres of a neighbourhood parade along Watford Road and has access to public transport links towards Wembley and Harrow. Furthermore, the National Planning Policy Framework highlights that residential gardens are not included within the definition of previously developed land. This does not mean that no development can be carried out within residential gardens but that Local Planning Authorities should include policies that resist inappropriate development of residential gardens, and contain policies on maintaining an area's prevailing character and setting. Whilst there is still support for the intensification of such sites within BH4, these factors will need to more inform the intensity of development that is acceptable.
6. The objection from STRA sets out that the proposal would be contrary to policy CP17 of Brent's Core Strategy. This policy was revoked when the new Local Plan was adopted and the proposal must be considered having regard to the Local Plan 2019-2041.
7. In summary, Local Plan and London Plan policy lend support to the intensification of small sites to provide additional housing recognising their role in meeting housing need. In this instance the site is not within a priority area for housing and in such locations, local plan policy BH4 places weight on the existing character of the area. A discussion of character is set out below.

Design, Appearance and Character

8. Policy BD1 of the Local Plan sets out that all new development must be of the highest architectural and urban design quality. Innovative contemporary design will be supported where it respects and complements historic character but is also fit for the future. In delivering high quality design, development proposals will be expected to show how they positively address all the relevant criteria within London Plan

design policies and the Brent Design Guide SPD1.

Amalgamation of Nos. 30 and 30 a

9. As part of the scheme no. 30 would be partially demolished and amalgamated into no. 30a. As part of this, a hip to gable extension would be created on no. 30 and the front door would be replaced with fenestration. These alterations would be in keeping with the suburban character of the area and the guidance in SPD2, which generally supports the conversion of a hipped roof to a gabled roof outside of a conservation area. They would be acceptable in terms of appearance.
10. It is acknowledged that as a result of the partial demolition, the two properties 30 and 30a would be wider than other properties along the streetscene. However, the street features a mixed character with different types of semi-detached pairs and single storey bungalows. On balance, the proposed changes would not be harmful to the character of the area and would be acceptable.

New houses

11. The new houses would form a terrace of 3 units featuring a hipped roof design. The massing would be similar to other typical suburban houses within the locality and design cues have been taken from those properties.
12. The proposal would feature front bay windows and small front porches. They would be finished with orange brickwork at ground level which would then transition to lighter stone render for the first floor. The rear dormer of the central house would be of a modest scale and would be subordinate to the main roof and would feature a small gabled roof design.
13. The proposed houses would sit within the rear gardens of the existing dwellings and would not reflect the general patterns of development in the immediate vicinity, which typically are situated within street frontages and follow a typical development pattern with the exception of the suite of buildings within Vale Farm (the sports centre, health centre etc). Nevertheless, the houses benefit from deep gardens and it is considered that the benefits associated with the provision of the family sized homes (for which there is a significant need in the borough) outweighs the impacts associated with the divergence from the general patterns of development in the area with respect to the design and appearance of the development. Please note that potential impacts on the amenities of adjoining occupiers are discussed below.
14. A neighbour has raised concerns that development in this location would set an unwanted precedent in the area. Each application is assessed on its own merits and would need to comply with relevant policies regarding appearance, neighbouring amenity and transport impacts.
15. In this instance the proposal is located in uncharacteristically deep gardens. The proposal represents the opportunity to make a more efficient use of the site, in a design led approach.
16. Overall, the design is considered to be acceptable within context. The proposed houses are sufficiently in keeping with the typical suburban design of the local area and the approach to materiality is considered to be acceptable. While the houses to the rear do not follow the current patterns of development, the degree of harm to the character of the area is considered to be negligible and there are significant benefits associated with the provision of the family sized homes. Subject to conditions to approve the final materials, the new houses are considered acceptable in terms of design.

Impact on Locally Listed Vale Farm Sports Ground and 170-180 Watford Road

17. While the site is not situated within a conservation area, Vale Farm Sports Ground and Nos. 170 - 180 Watford Road are locally listed (non-designated heritage assets). A Heritage Statement has been submitted which sets out the proposed development would not be harmful and would preserve the setting of both these non-designated heritage assets having regard to Paragraph 202 and 203 of the NPPF.
18. The Council's heritage officer has reviewed the heritage statement and advised that whilst they agree that the proposal would not have a harmful impact on the setting of 170 to 180 Watford Road, they consider that the proposal would result in less than substantial harm with regards to the setting of Vale Farm Open Space. This is because this section of Stilecroft Gardens has deeper gardens than the other properties to the west and east and the new homes would appear more prominent. However, to mitigate this a financial contribution for additional tree planting to the immediate rear of the site curtilage within the park would be secured subject of any grant of planning consent to improve the biodiversity and ecological

value of the park, while also improving the number of trees and additional buffering from the residential boundaries within an area that has existing tree planting that currently contributes towards this aim.

19. Sport England have been consulted regarding the proposal and they have raised no objection to the additional tree planting within the open space and confirmed that it would not impact the facilities on site currently, this is discussed in more detail below. Brent's Park's team were also consulted and have also concluded that there would be no harm.

Protected views to Wembley Stadium

20. The proposals would sit within the viewing corridor of the protected view to the arch of Wembley Stadium from Elmwood Park, however, given the scale of the proposed buildings the proposal would not have a detrimental impact on this view.

Residential Amenity

21. Policy DMP1 of the local plan both emphasise that new development should not result in unacceptable harm to the residential amenities of neighbouring properties. SPD1 provides further guidance on the layout of new development to avoid such impacts.

Amalgamation of nos. 30 and 30a

22. The proposed amalgamation would not result in any extension forward of the existing building lines and as such would not result in harm to neighbouring amenity.

New houses

SPD1 states that the building envelope of new development should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of two metres.

23. The submitted section drawings demonstrate that the new houses would comply with the above guidance. The new houses would also have a distance of 13m from the rear gardens of the houses on Stilecroft Gardens and approximately 24m from the rear facing windows on those units. There would be windows in the side elevations of the new terrace of houses at first floor level which would face neighbouring gardens. However, these would serve secondary rooms such as bathrooms and subject to a condition to ensure they are obscure-glazed and high opening only (1.7m above internal floor level).
24. Given the distance from the houses along Stilecroft Gardens and the relatively low height of the new houses, it is not considered that they would result in any undue impact in terms of loss of daylight or sunlight to those neighbouring properties. Submitted drawings demonstrate that the new dwellings would accord with both the 30 degree and 45 degree lines required within SPD1 as set out above.
25. Objectors have raised concerns that the proposal would result in an increase in anti-social behaviour or crime. The new access road would receive natural surveillance from the new dwellings and the entrances to the new dwellings would be overlooked. As such, it is not considered that the proposal would result in any undue impact in terms of crime or anti-social behaviour

Mix of units and quality of Accommodation

26. The scheme proposes 3 x three bedroom houses and 1 x four bedroom house. Policy BH6 of Brent's Local Plan sets a target of 25% of new homes to be family-sized (3+ bedrooms) it also requires that 1 in 4 homes to be family sized. Exceptions to this can be allowed where the location or characteristics of the development are such that it would not provide a high quality environment for families or where its inclusion would fundamentally undermine the development's delivery of other local plan policies.

27. The proposal would result in the loss of no. 30 with the amalgamation of nos. 30 and 30a into a single dwelling. As part of this there would be a loss of 1 family-sized unit. However, the scheme would provide a total of 4 family units. As such it would exceed the requirements of the above policy and would be acceptable in this regard. Overall there would be no net loss of homes within the site.

Quality of Accommodation

Unit	Size	Proposed GIA	Minimum GIA	Proposed Amenity
Amalgamation of 30 & 301	6 bed 8 person (3 storeys)	203sqm	138sqm	155sqm
New House 1	3 bed 5 person (2 storey)	104.5sqm	93sqm	101sqm
New House 2	4 bed 7 person (3 storeys)	127.2sqm	115sqm	54sqm
New House 3	3 bed 5 person (2 storey)	104.9sqm	93sqm	154sqm

28. All of the proposed units would meet or exceed the minimum space standards and all bedrooms would meet the minimum sizes required by policy D6 of London Plan 2021. All habitable rooms would feature external windows which would provide sufficient daylight and outlook. All units would achieve a minimum of 2.5m floor-to-ceiling height across 75% of the GIA. All units would be dual aspect and well laid out.
29. The access for the three new dwellings is along the new road created adjacent to 30/30A's building line, the 2.6m wide access point allows for passive surveillance from Stilecroft Gardens and towards the dwellings, visibility of the corner is possible. The lighting conditioned to be included within the access road would be sufficient to allow for an area that is welcoming. Additionally, the service road is landscaped on the corners allowing for a buffer, and ensuring there are no redundant corners within the access road according with design principles.
30. Overall, the standard of accommodation is considered to be acceptable.

External Amenity Space

31. Policy BH13 states the following:

"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 50 sqm for family housing (including ground floor flats) and 20sqm in all other cases."

32. 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 20sqm 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 (para. 10.39) which provides that:

"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".

33. To summarise the proposed scheme requires a total of 200sqm of external amenity space (4 x 50sqm all units). The scheme would provide a total of 529sqm of external amenity space in the form of private gardens, with all gardens meeting the minimum standards. These would be well laid out and of a practical shape and all would be accessible via ground floor level access. The provision of amenity

space is considered to comply with the requirements of policy BH13 and is acceptable.

Accessibility of the units

34. In line with London Plan policy D7, the new units 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.

Fire Safety

35. Policy D12a of The London Plan (2021) requires all new development to take account of fire safety in design. The applicant has submitted a Fire Statement which sets out passive and active safety measures and identifies escape routes for future occupiers. The statement confirms that residential automatic fire suppression systems will be designed and installed to BS9251 and 9252 standards, thus complying with Policy D12 for the domestic properties. It should be noted that the scheme would still need to obtain building regulation approval.

Highways and Transport

36. Three houses are proposed together with the amalgamation of No. 30 and 30A Stilecroft Gardens.
37. The overall car parking allowance for the development of 3 x properties is three spaces, based on standards set out in the London Plan. The proposal includes the provision of three car parking spaces, one each for the new terraced houses and one for No. 31. Stilecroft Gardens is not defined as a heavily parked street.
38. Access to the new dwellings at the rear would be provided via a 5.2m wide shared driveway on the eastern side of the site, which would require 300mm margins on either side. Its use as a shared surface for vehicles and pedestrians would require surfacing in block paving. These provisions would require the relocation of the two existing car parking bays further west. With these changes to the parking along the front of the site, the existing crossover to 30a would need to be removed and reinstated to footway at the developer's expense as a condition of any approval and for the avoidance of doubt, the footpath to 30/30a entrance should be reduced below 2m in width, so that it is not confused for a car parking space. The changes to the access and parking within the frontage are to be secured through a Grampian condition (Condition 5). With regard to the path width, details of this, including the planted area, are to be secured through the landscaping condition (Condition 11).
39. Two of the spaces for the terraced houses are located in the former turning head. This does allow the amount of soft landscaping in front of the houses to be increased. The applicant has previously submitted tracking diagrams showing fire appliances using the turning head to access the rear properties and turn around. However, it was previously noted that the use of a sprinkler system could avoid the need for fire appliances to enter the site, as all properties will be within 70m of Stilecroft Gardens.
40. Similarly, a bin store along the access road was accepted as being a suitable means of avoiding refuse vehicles needing to access the site. On this basis, the revised parking arrangements and loss of the turning head are acceptable.
41. The provision of a footway crossover across the Stilecroft Gardens footway would be suitable for access, as only cars and vans are expected to need to regularly enter the site. Transport would require adequate pedestrian visibility splays to be provided at this access, and this is to be secured through the

landscaping condition. Secure storage is required for 10 bikes, with details also secured through condition. The Design and Access Statement that cycle lockers would be located in the forecourts of all houses and the new terraced houses do have adequate sized lockers however the existing houses would also require cycle lockers to be installed within their forecourts.

42. Overall, the Transport officer raise no objections to the proposals subject to the redundant crossover to 30a to be removed and reinstated to footway with full height kerbs at the applicant's expense; the relocation of the on-street parking bays to accommodate the access; details of cycle lockers for the existing houses and details of measures to prevent parking on the access road; all of which are to be secured through condition.

Environmental Health

43. The new dwellings proposed are to be built close to the Vale Farm Sports Ground, the proposal is located in a primarily residential area and as such has potential to result in impacts in terms of noise and dust. A condition is attached requiring a Construction Management Plan to be submitted and approved in order to manage the potential impact to the surrounding uses in relation to dust, noise and deliveries during construction. With regard to noise, Environmental Health officers have advised that they do not expect the new homes to be adversely affected by noise from the nearby playing pitches / sports ground, but have recommended that a condition is attached requiring details demonstrating that the specified internal noise levels will be achieved.

Trees and Landscaping

44. Policy DMP1 seeks to ensure that proposals do not result in negative ecological impacts or loss of trees without mitigation. This is supported by London Plan policy G6 which states that developments should seek net biodiversity gains and G5 which sets a target of an Urban Greening Factor of 0.4 for new residential developments. This is also reinforced in policy BH4 of Brent's Local Plan. Additionally policy BGI2 of the local plan required development to retain trees or propose replacement trees where retention is not possible. The submission has demonstrated that there is a net gain of 0.4 for the site in terms of the urban greening factor.
45. The proposal would result in the loss of some existing garden space and therefore a loss of green areas, however, it is considered that these are of low ecological value. The site is not identified as an area of high ecological value and no specific protections are designated on the site and as such a full Ecological Impact Assessment was not considered a requirement for an application of this size and location. Concerns raised by residents requested that Natural England are consulted, however, they are not a statutory consultee for this application.
46. Notwithstanding this, the applicant has provided a Biodiversity Enhancement Strategy. This notes that private gardens tend to provide low ecological value and easily replaced. The main sources of biodiversity in suburban areas comes from trees, native plants and habitats. The document identifies potential habitats for animals which would be lost as a result of the proposal and sets out mitigation measures and biodiversity enhancements which can be secured as part of the development.
47. This would include the use of bird and bat boxes and the inclusion of 13 new trees within the site, in addition to the provision of further native plants and species and a native hedge. Taking into consideration the current low ecological value of the existing gardens, the proposal is considered to result in a net biodiversity gain and would be acceptable in this regard.
48. Brent's Tree officer has advised some recommendations following further assessment on the 8 trees outlined for removal, it is noted that these are Category C trees and their retention is not required, it also noted that there are two trees and one classified as a category B tree located within 15m of the site which

are to be retained. Of these trees the submitted documents include the Root Protection Area (RPA) for the retained trees. Nonetheless, the Tree officer has advised of conditions to require further details on soft landscaping, to safeguard and enhance the character and amenity of the area, in addition to further tree planting which would be secured via an off-site financial contribution in Vale Farm Sports Ground, along with further maintenance for a period of 5 years. The tree species proposed to be installed are as follows.

49. As part of a legal agreement £17,500 for 5 trees of a sufficient size would be secured subject to the grant of the planning application for planting within Vale Farm Sports Ground. The maintenance of these trees would also be secured.
50. Sport England have raised no objection to the planting of trees within the area proposed as trees are currently in existence in this location and it would not have an impact on the ongoing or sports facility within the sports ground.
51. Moreover, a tree retention condition will also be included to ensure the protection of the trees for a period of at least 5 years. As such, the trees on site as proposed and to be retained are considered to be provide ecological, environment and biodiversity benefits which would be secured by way of the conditions noted above.
52. The proposed site plan does not detail the hard and soft landscaping for the existing dwellings. However, the Urban Greening Factor plan shows large areas of soft landscaping within the frontage including hedging and perennial flow rich planting. The plan also shows the majority of the rear gardens to be grassed. Details of hard and soft landscaping within these areas are to be secured through condition.
53. As noted previously, sufficient garden space would remain for the existing and proposed units. Overall, the loss of the garden space is considered to be outweighed by the benefits of the scheme and is considered acceptable.

Flood Risk

54. Part of the site lies within an area of Flood Risk 3a, for surface water. A Flood Risk Assessment has been submitted and Brent's Flood Officer has confirmed that the site is at low risk of tidal, fluvial, surface water, sewer and reservoir flooding. The submitted FRA adheres to the SuDS hierarchy demonstrated within the assessment, resulting in surface water run off reduction by 98% for a 1 in 100 year storm event. Moreover, the implementation of rainwater harvesting tanks and a crate system attenuation tank with 41.6 m³ of storage volume which is considered acceptable.
55. The Flood Officer has also assessed the microdrainage calculations which match with the stated volume therefore it is considered that the proposal accords with Policy BSUI3 and BSUI4 of Brent's Local Plan.

Vale Farm Sports Ground and Open Space

56. The application proposes to erect new residential dwellings closer to the playing field than the existing buildings on the site as a result the proposal could prejudice the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). It is Sport England's view, therefore that the consultation with Sport England is a statutory requirement and Sport England has duly been consulted. Sport England has considered the application in light of the National Planning Policy Framework (NPPF) (in particular Para. 99), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- *all or any part of a playing field, or*

- *land which has been used as a playing field and remains undeveloped, or*
- *land allocated for use as a playing field*

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

57. Sport England expressed some concerns with the Artificial Grass Pitch (AGP) within Vale Farm Sports Ground, and required further clarity that the AGP would not impact the resultant noise levels within the properties. It is worth noting that given it is an open space and noise from ball games would be expected, even if the AGP was not in situ.
58. Sport England have advised that they will raise no objection on the basis that the Local Planning Authority consider the level of noise to the new properties to be of an acceptable level. Additionally, Brent's Park Team have reviewed the proposal and confirmed that the new dwellings would not have an impact upon the existing facilities and the trees proposed to be secured subject to a grant of planning application would not impact upon any future facilities proposed within the centre in the foreseeable future.
59. Brent's Environmental Health Team have reviewed the proposals and confirmed that they do not expect the home to be adversely affected by the noise from the sports ground.
60. The Sudbury Town Neighbourhood Plan seeks Vale Farm to be strengthened as a regional centre for sports excellence, and the loss of green or open space should be resisted. Given the proposal does not sit within land designated for Local Green Space (LSG 3), the proposal would accord with STRA neighbourhood plan and there would be no loss of open space, nor would the proposal prejudice the ongoing sporting provision within Vale Farm.

Equalities

61. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

62. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions.
63. The proposal will bring forward the provision of three new family sized homes within a part of the Borough that is prioritised for new housing. The benefits of the scheme are considered to outweigh the loss of the existing garden space and the proposal is not considered to result in harm to neighbouring amenity, the character of the area or the local highways network.
64. The application is therefore recommended for approval subject to the conditions set out in this report.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 21/2290

To: Hollins
Hollins Planning Ltd
Tintagel House
92 Albert Embankment
London
SE1 7TY

I refer to your application dated **18/06/2021** proposing the following:

Partial demolition of 30 and amalgamation with 30A and erection of 3 terraced houses on the garden space at the rear, creation of a side vehicular access and associated refuse, recycling and cycle parking facilities and hard and soft landscaping

and accompanied by plans or documents listed here:
See Condition 2

at **30, 30A & 31 Stilecroft Gardens, Wembley, HA0 3HD**

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: 31/01/2023

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 proposed development is in material accordance with the:-
London Plan 2021
Brent Local Plan 2019-2041
The Sudbury Town Neighbourhood Plan 2015

National Planning Policy Framework 2021

- 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):

SJA TCP 21094-011 – Tree Constraints Plan

TR001 Rev B – Swept Path Analysis Fire Tender Vehicle

TR003 (1) Rev B – Swept Path Analysis

TR003 (2) Rev B – Swept Path Analysis

2029/01 A – Existing Ground Floor

2029/02 A – Existing First Floor

2029/03 A – Existing Second Floor

2029/04 A – Existing Roof Plan

2029/05 A – Existing Elevations

2029/06 – Existing Site Plan

2029/07 A – Proposed Elevation

2029/08 A – Proposed Floor Area

2029/09 – Proposed Roof Plans

2029/10 C – Proposed New Houses

2029/11 – Sections of the new houses

2029/12 A – Proposed Elevations

2029/13 A – Proposed Elevations

2029/14 E – Proposed Site Plan

2029/15 A – Proposed Plans

2029/16 A – Proposed Plans
2029/17 A – Proposed Plans
2029/18 A – Proposed Roof Plans
2029/19 A – Proposed Elevations
2029/20 A – Proposed Elevations
2029/21 A – Proposed 3D Views
2029/22 A – Proposed 3D Views
2029/23 – Site Cross Section
2029/24 - Existing Sections

Supporting Documents:

Tree Survey Schedule (Dated March 2021)

Biodiversity Enhancement Strategy (Dated November 2021)

Nimbus Engineering Consultants Flood Risk Assessment and SUDs report (Dated December 2022)

UGF Rev E

- 3 The windows in the first floor bathrooms, hallways and landing on the new houses shall be constructed of obscure-glazing which is un-openable below 1.7m above the internal finished floor levels.

These shall be retained as such unless otherwise agreed in writing by the Council

Reason: To minimise any direct overlooking or loss of privacy to neighbouring properties.

- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouses subject of this application, notwithstanding the provisions of Class(es) A, B, C, D, E and F of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason(s):

In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

- 5 Prior to the occupation of the development the works to widen the crossover to the site and the amendment to the off-street parking bay markings as approved are undertaken at the applicant's expense.

Reason: To prevent over-parking of the site and negative impacts on the local parking situation.

- 6 The development hereby approved shall not be occupied unless the access road and parking spaces have been implemented in full the access and spaces shall thereafter be made available to occupants of the approved dwellings, and not used other than for purposes ancillary to the

dwellings.

Reason: To ensure a suitable and satisfactory access is provided to the dwellings within the development.

- 7 The development shall be implemented in strict accordance with the Tree Protection Plan submitted as part of the Tree Constraints Plan (SJA TCP 21094 – 011) or subsequent approved revisions.

Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

- 8 The measures and recommendations set out in the Biodiversity Enhancement Strategy dated November 2021 shall be implemented in full throughout the development.

Reason: In order to ensure that any potential effects on protected species are adequately mitigated.

- 9 The measures and recommendations set out in the Nimbus Engineering Consultants Flood Risk Assessment and SUDs report dated December 2022 shall be implemented in full prior to the completion of the development and shall thereafter be maintained in line with the recommendations within the Flood Risk Assessment and SUDS report.

Reason: In order to ensure that any potential effects on surface water and flooding are adequately mitigated.

- 10 All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Time	Area	Maximum noise level
Daytime noise 07:00 - 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 - 07.00	Bedrooms	30 dB LAeq (8hr)

Prior to first occupation or use of the development, the results of a test carried out to demonstrate that the required internal noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To obtain required sound insulation and prevent noise nuisance

- 11 Prior to the commencement of the development a Construction Method Statement and Construction Logistics Plan shall be submitted to and approved by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development.

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

Reason for pre-commencement condition: Construction impacts can arise at any time from the commencement of works, and adequate controls need to be in place from this time.

- 12 Prior to the commencement of works (excluding demolition, site clearance, laying of foundations or any other below ground work) details of the following shall be submitted to and approved in writing:

- (a) materials to be used in the external appearance of the development including samples to be pre-arranged to viewed by the Local Planning Authority
- (b) details of window reveals, head and cill details and eaves details to be provided at scale 1:10

The works shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposals would have an acceptable appearance.

- 13 Prior to the commencement of works (other than demolition, site clearance, laying of foundations or any other below ground work) details of a hard and soft landscaping scheme for the development shall be submitted to and approved by the Local Planning Authority. Such details shall include:

(i) A planting plan, including a scaled plan showing vegetation to be retained and the provision of a minimum of a net 13 additional trees (minimum size 10-12cm diameter) together with a native hedge along the rear boundary, with the use of native and/or wildlife attracting species as per the recommendations made within the Biodiversity Enhancement Strategy dated November 2021

(ii) details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights);

(iii) details of surfacing materials to be used for hardstanding, together with any delineation of car parking spaces or pedestrian pathways

(iv) details of wildlife enhancements within the site as per the recommendation sets out within Biodiversity Enhancement Strategy dated November 2021

(v) details of lighting within the access road to the site

(vi) details of boundary treatment and soft landscaping to the existing Nos. 30, 30A and 31 Stilecroft Gardens, including a reduced footpath to Nos.30/30A and drawings detailing how adequate visibility splays will be provided to ensure pedestrian safety adjacent to the highway;

The hard and soft landscape works shall be carried out in full accordance with the approved details prior to the use of the dwellings hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales .

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

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

- 14 Prior to the first occupation of the approved units, details of secure and covered cycle parking for 10 spaces shall be submitted and approved in writing by the Council. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Council

Reason: To encourage sustainable methods of transport

- 15 Prior to the commencement of works above ground level (excluding demolition and site clearance), details of measures to prevent informal parking on the access road shall be submitted and approved by the Local Planning Authority and the approved measures shall be implemented prior to first occupation of the development and thereafter retained and maintained.

Reason: In the interest of highway safety and to encourage sustainable methods of transport.

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 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 4 The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.
- 5 Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:

Monday to Fridays	08:00 to 18:00
Saturday	08:00 to 13:00
At no time on Sundays or Bank Holidays	
- 6 The applicant is advised to contact Brent's Highways Team in relation to the works for the vehicular crossover, reinstatement of the redundant crossover and relocation of parking spaces.

Any person wishing to inspect the above papers should contact Nicola Blake, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5149