

Committee Report
Planning Committee on 13 January, 2010

Case No.

09/2234

RECEIVED: 29 October, 2009

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Communal Rooms & Flats 1-39inc Gordon House, Malvern Road, NW6

PROPOSAL: Demolition of a three-storey building and erection of a part three-, four- and five-storey building comprising 26 affordable self-contained maisonettes and flats (3 one-bedroom, 15 two-bedroom, 8 three-bedroom), with formation of new vehicular access onto Malvern Road, communal garden and associated landscaping

APPLICANT: Stadium Housing Association Ltd

CONTACT: PRP Architects

PLAN NO'S: AA0474/2.3/001
AA0474/2.3/020
AA0474/2.1/001
AA0474/2.1/003 C
AA0474/2.1/005 C
AA0474/2.1/006 B
AA0474/2.1/007 A
AA0474/2.1/010 B
AA0474/2.1/011 A (perspective views)

RECOMMENDATION

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

SECTION 106 DETAILS

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

- (a) Payment of the Council's legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance.
- (b) 100% Affordable Housing.
- (c) A contribution of £90,000, due on material start and index-linked from the date of Committee, for Education, Sustainable Transportation and Open Space & Sports in the local area.
- (d) Submission and compliance with the Sustainability check-list, ensuring a minimum 50% score is achieved, and Code for Sustainable Homes level 3, with compensation, should it not be delivered, in addition to adhering to the Demolition Protocol.
- (e) Offset 20% of the site's carbon emissions through onsite renewable generation. If proven to the Council's satisfaction that this is unfeasible, provide it off-site through an in-lieu payment to the Council who will provide that level of offset renewable generation.
- (f) Join and adhere to the Considerate Contractors scheme.

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

EXISTING

The site is on the east side of Malvern Road, NW6. It is not within a Conservation Area nor is it a Listed Building. The site is currently owned by Willow Housing and Care and leased to Stadium Housing Association and the existing building contains 39 bedsit units which have been used to house elderly people and now accommodates homeless families. The current occupiers of the building will be provided alternative accommodation elsewhere, most likely within South Kilburn.

The site is within the South Kilburn Regeneration Area.

PROPOSAL

Demolition of a three-storey building and erection of a part three-, four- and five-storey building comprising 26 affordable self-contained maisonettes and flats (3 one-bedroom, 15 two-bedroom, 8 three-bedroom), with formation of new vehicular access onto Malvern Road, communal garden and associated landscaping

HISTORY

No relevant planning history.

POLICY CONSIDERATIONS

UDP 2004

STR11 Which seeks to protect and enhance the quality and character of the Boroughs built and natural environment and resist proposals that have a harmful impact on the environment and amenities.

STR14 New development will be expected to make a positive contribution to improving the quality of the urban environment.

STR19 New housing developments should provide adequate amenity, reduce need for car travel and improvement to public infrastructure.

BE2 Townscape: Local Context & Character

BE6 Public Realm: Landscape Design

BE7 Public Realm: Streetscape

BE9 Architectural Quality

BE24 Locally Listed Buildings

BE25 Development in Conservation Areas

BE26 Alterations & Extensions to Buildings in Conservation Areas

H12 Residential Quality – Layout Considerations

TRN23 Parking Standards – Residential Development

PS14 Parking Standards

Supplementary Planning Guidance Note 17: Design Guide for New Development

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

Supplementary Planning Document: New Planning Obligations (s106)

SUSTAINABILITY ASSESSMENT

The development achieves a score of 48.5% in the Council's Sustainability Checklist, which is considered fairly positive in sustainability terms. A number of points have not been awarded under point 6.1, Air Quality, because they are not considered to be appropriately related to the development. The applicant will need to sign up to achieving the full 50% in the S106 agreement, for the application to be recommended for approval in sustainability terms.

Furthermore, it has been noted that although an energy options assessment has been undertaken, there has not been a commitment to provide the full 20% CO2 reduction through the use of renewable energy technology. It is essential that the applicant signs up to this through the S106 agreement to ensure that the development meets the requirements of London Plan policy 4A.7. The extra points that are needed in the checklist can be achieved by signing up to the use of renewable energy to ensure a 20% CO2 reduction.

CONSULTATION

External

218 consultation letters were sent to neighbouring occupiers on 9th November 2009 and site notices were posted at the front of the site on 11th November 2009. 1 objection has been received, which raises the following issues:

- The area has deteriorated from a residential and social perspective due to the Council erecting and collaborating too many social and government houses within a small space.
- The area has become congested, a crime hotspot and a nightmare.
- The building will impinge on the neighbours privacy from a window and security perspective.
- Its design is huge and ugly and will block daylight.
- The affordable-housing project will put a lot more strain and pressure on this road and area which already suffers from congestion and too much social housing.

Westminster Council does not wish to comment on the proposal.

Internal

Landscape officer: No objection subject to conditions discussed in report

Transportation officer: No objections subject to conditions discussed in report

Streetcare: Requirements discussed in report

Design: No objections, recommendations provided.

REMARKS

The proposal is for the demolition of a three-storey building and erection of a part three-, four- and five-storey building comprising 26 affordable self-contained maisonettes and flats (3 one-bedroom, 15 two-bedroom, 8 three-bedroom), with formation of new vehicular access onto Malvern Road, communal garden and associated landscaping.

Context

The Council produced a Supplementary Planning Document (SPD) for the area in 2005 to provide detailed guidance on the redevelopment of large parts of the South Kilburn estate. Around that time the Council had procured a consortium of housebuilders and Housing Associations to bring forward a comprehensive proposal, rebuilding approx. 1400 new socially rented homes by building and selling around 1500 private ones. This relied on government funding that was insufficient to complete the wider development, and then the downturn in economic conditions effectively halted the proposals. At the moment the Council itself is bringing forward developments including the roundabout site as well as the South Kilburn Neighbourhood Trust on the Texaco site and Network Housing Group on Gordon House. These will provide over 360 new homes, the majority of which will be for social rent. The new social rented homes will be ring-fenced to residents of South Kilburn, and the Council has agreed to give priority to residents in Bronte and Fielding Houses, two of the two bison-constructed towers. A report to the Council's Executive in February 2010 will recommend the demolition of these blocks. This will hopefully kickstart the regeneration process. The Council is also intending to procure joint venture partners that will take the redevelopment of the estate forward. It must be stressed that this is an important first phase that needs to be implemented before any wider plans can be acted upon. It will take advantage of Homes and Community Agency Funding for the next financial year if schemes are approved. It will not guarantee the long-term redevelopment of the estate but failure to start on the redevelopment now will set back any chance of moving forward substantially.

Gordon House

In the 2005 South Kilburn SPD, Gordon House was proposed to form part of a much larger redevelopment including the town houses around Stafford Road and it was also suggested that the site could accommodate a healthy living centre on the ground floor which would have been much bigger. The Council has carried out a review of the 2005 SPD which will be formally incorporated into a wider replacement SPD in 2010. The review which has been consulted on proposed that the town houses, which in any case, were very expensive to buy out and redevelop, should be kept and only the poor-quality Gordon House be redeveloped. This was strongly supported by existing residents. The Healthy Living Centre is intended to be replaced on the site of the Peel Precinct Housing office and will provide sufficient new GP's to be accommodated to serve the wider area, notwithstanding the fact that the ground floor of Gordon House could not support the scale of facility envisaged.

The masterplan involves the redevelopment of Blake Court directly to the north of Gordon House, it is proposed that the site of Blake Court will be open space and this is expected in Phase 4 of the programme (2015/16). As such, while the scheme must be assessed in terms of its relationship within the existing streetscene, it is also a significant consideration that the site would change considerably with the demolition of Blake Court.

Principle of Redevelopment

There is no objection to the loss of the existing bedsit units on the site which are currently used to house homeless families. Policy officers indicate that this need is met elsewhere in the Borough and it is the case that the standard of accommodation provided by the building is extremely poor. The provision of self-contained units on the site is supported.

Design & Scale

The existing building is three storeys in height with an additional front two-storey projection at the north end of the site and the main building is set back from the front boundary (Malvern Road) by 12m. The style of the building is similar to the three-storey terraced houses to its south and east but does not provide an attractive or active street frontage.

The proposed scheme is three, four and five storeys in height and set back from the front boundary by 3m thus increasing its prominence in the streetscene. To the north of the site the proposed building is 1m further away from Blake Court than existing and the building also projects approximately 2m less to the south. Its footprint is a horseshoe shape, its southern wing has a very similar rear building line to the existing while its northern wing projects 5m closer to the rear boundary.

The general size of the proposal respects the size and character of the existing buildings in the vicinity. The framed five-storey corner block stands out from the rest of the building and overall the design appears quite robust though not overly bulky.

The elevational treatment applies very clean forms, lines and design elements, resulting in a modern appearance. The window detail surrounding each window reflects that in the elevational detail of the Victorian properties opposite. This detail also creates the impression of larger fenestration at lower floors with smaller windows above which is characteristic of the existing Malvern Road buildings. The proportions and balconies ensure the building has a residential character. In terms of materials a dark brick is proposed alongside white cladding which creates a contrast as well as interest.

Ground-floor units have private entrances which are defined by an L shaped concrete canopy and are accessed through small private forecourts. The communal entrances are more pronounced being wider and also having "Gordon House" in stainless steel lettering on top of the entrance

canopy. The main entrance on Malvern Road will be the most defined, being open to the street while the private doors will be screened by hedging. The entrance facing Blake Court, while having the same treatment as Malvern Road will be more discrete due to its location however in the future context as described above this elevation would face a new open space and would therefore be a far more visible.

Residential Amenity

Standard of Accommodation for Future Residents

All units comply with or exceed the minimum internal floorspace standards of SPG17 and all are dual aspect.

The separation distance between Blake Court will increase by 1m from the existing to 17.6m. The situation is similar to the south of the site, the distances between the neighbouring buildings and the proposed building in some instances are below the 20m recommended by SPG17 (at the southeast corner), however, the proposed building is sited 2m further from the buildings to the south than the existing Gordon House.

All units have some private amenity space, which in some cases is only 4m², however the site also benefits from a landscaped courtyard. Amenity space is discussed further below.

Impact on Adjoining Occupiers

The proposed building in projecting closer to the highway results in a distance of between 18.5m and 19.5m between facing front elevations. SPG17 states that the distance between front elevations will be defined by the character of road widths.

Also given the existence of a significantly higher building (Blake Court) the increased height (from three to four and five storeys) fronting Malvern Road appears suitable and should not be detrimental to occupiers opposite on Malvern Road.

The relationship with Blake Court is fairly tight, as noted above, the separation distance is increased by 1m but the height is increased from two and three storeys, to three, four and five storeys. Blake Court backs onto the site and while in the long term the demolition of this building is proposed, the relationship between the buildings must still be considered, seeking to ensure the development does not harm the amenity of Blake Court's occupants. It is appropriate to apply the guidance of SPG17 (an angle of 30° measured from 2m in height on the rear elevation of Blake Court). The proposed building largely falls below this but for the 12m section where the 5-storey block is directly opposite Blake Court the proposed building projects 2.7m above the line drawn by this angle. A daylight and sunlight report submitted by the applicant demonstrates that the relationship is acceptable in terms of BRE guidelines (Building Research Establishments "Site layout planning for daylight and sunlight: A guide to good practice"). Given that this guidance is met and the guidance of SPG17 is largely met, officers do not object to this relationship, particularly given the long-term aspirations for this part of the Borough.

The northeast wing of the scheme projects to within 5m of no.10 Hampton Close which is a three-storey dwellinghouse. There is no direct conflict between windows and the scheme does not project into the direct outlook from the front of the dwelling. It is considered that high-quality material to this elevation will result in a satisfactory relationship.

To the south of the site the proposed building is three storeys as existing and four storeys where there is a distance of at least 20m between elevations. A small balcony is proposed at second-floor level on this elevation but again there is a separation of over 20m, ensuring satisfactory levels of privacy.

Mix of units & Tenure

The Council's Housing department support the redevelopment of the current poor and substandard hostel accommodation at Gordon House which forms part of the Phase 1 programme of development identified in the revised South Kilburn Masterplan. These sites will be used as decant accommodation for the first two bison blocks, Bronte and Fielding House, to be demolished and redeveloped, and therefore are key to supporting the Council's regeneration strategy to move those living in the worst housing conditions first in South Kilburn.

The proposal is for:

3 x 1-bedroom

15 x 2-bedroom

8 x 3-bedroom

While it is unusual to provide relatively few 1-bedroom units the provision of larger family-sized units is supported as it is designed to provide appropriate decant accommodation. Bronte and Fielding House currently accommodate many families in overcrowded conditions and therefore family units are required.

The applicant is a housing association and the scheme is proposed as 100% affordable for social rent.

Amenity space & Landscaping

There are a number of street trees to the front of the site which are not affected by the proposal, notably there is one of considerable size to the front of the five-storey block of the proposed building. The site layout plan indicates that the smaller trees within the frontage of the site will be removed. To the north of the site a couple of trees again will be removed, one retained and 6 more proposed to improve the quality of the landscaping between the site and Blake Court.

The private forecourts are screened by hedges as is the parking to the south of the site in the interest of residential amenity. The central courtyard is screened from the public pedestrian accessway to the east by hedging.

While ground-floor units each have a private forecourt, the UDP does not regard them as amenity space due to their proximity to public areas but they do have some amenity value and it is likely that in some cases they would be utilised by occupiers. Each 3-bedroom ground-floor unit also has a private amenity area to its rear; these range in size from 12m² to 22.5m² which are less than would usually be sought for family units but they have the added benefit of facing opening onto the communal courtyard.

The 1-bedroom units have private amenity space of up to 5m². The 2-bedroom unit balconies range in size from 4m² to 10m² or more, a large roof terrace of over 50m² is proposed to the 2-bedroom unit at the northeast end of the building. There are 2 x 3-bedroom units not at ground-floor level and therefore each relies on a balcony of 12m²; while this is not favourable for family accommodation, the occupants will have access to the communal courtyard and the units have an area of 89m², above the 80m² minimum standard of SPG17.

The communal courtyard measures approximately 187m² and low-level planters separate the private areas from the communal space. The communal courtyard consists of hardstanding pathways and space for seating, soft-landscaped areas, including 5 trees, and a children's playspace using natural materials. In order to ensure a good-quality and usable space is achieved, landscape officers have suggested a number of requirements which will be conditioned.

Overall the amount of amenity is fairly limited, however, if compared to the existing situation it is of much better quality and the provision of private amenity space, even if not particularly large, is

favourable. The site is in close proximity to Paddington Recreation Ground which is in the Borough of Westminster and South Kilburn Open Space which is under 300m from the site which will be improved in a later stage of the South Kilburn redevelopment.

Transportation

The site is PTAL4 with good access to public transport, in terms of parking standards the reduced allowance of 0.7 spaces per 1-2-bedroom and 1.2 spaces per 3-bedroom unit. Up to 22 spaces would be permitted for the new building, compared with 27 for the existing building, with the provision of 9 parking spaces on site the standards will be complied with.

This building is to be used to decant families from other housing blocks in South Kilburn and as they may already have parking permits, a "car-free" scheme removing the right for residents to obtain parking permits cannot be imposed.

It is acknowledged that an increased level of overspill parking could be generated by the site, however, while Malvern Road is identified as being Heavily Parked in Brent's UDP, it is not considered that the overspill level would be so significant as to be unacceptable.

The siting and access to the on-site parking bays is acceptable, the disabled parking bay adjacent to the site boundary to the east is acceptable as there is no proposed boundary treatment meaning there is sufficient space.

Cycle parking is provided in a communal store at ground floor. It is accessible from the communal courtyard and this can be accessed via communal or private doors or from the pedestrian highway at the east of the site. At least 1 cycle parking space per unit is provided.

Refuse and Recycling

Refuse and recycling storage arrangements are communal, they are located in accessible positions for occupiers and for collection and they are large enough for the volume required for this scheme. A refuse-collection vehicle will enter the site at the northern end.

S106 contribution

A S106 contribution of £90,000 is sought, this is based on the standard affordable-housing charge minus £1,200 for each existing bedsit.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

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

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

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

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

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

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

- (2) Details and samples of materials for all external work, including both the building itself and the hardstanding, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on site. The work shall be carried out in accordance with these approved details.

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

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

(a) the proposed boundary treatment, including all fences, walls and gateways;

(b) screening to the roof terrace.

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

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

- (4) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass (including species, size and density) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed prior to occupation of the building.

Such scheme shall also indicate:-

(i) The courtyard with at least 60% soft landscaping.

(ii) A child-friendly play space including details of proposed play elements.

(iii) A calm amenity area.

(iv) No areas of grass smaller than 3m² or less than 1m wide, in the interest of maintenance.

(v) Seating.

(vi) Plant species creating all-year-round interest.

(vii) Small ornamental trees in the courtyard.

(iii) A 5-year maintenance plan indicating how the landscape will be maintained over this period and specifying the anticipated outcome for the maturing of the landscape.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced 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 the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (5) The proposed parking facilities shown within the site on the layout plan shall be implemented and maintained for use for such purpose and shall not be obstructed or used for any other purpose(s).

Reason: To ensure the provision of adequate parking in the interests of the conditions of highway safety, the free-flow of traffic on the neighbouring highways and the general amenities of the locality.

INFORMATIVES:

- (1) The new vehicular crossover and the reinstatement of the redundant lengths of crossover to footway should be undertaken at the applicant's expense, including all associated costs involved in amending the on-street parking bays along the site frontage to suit.

REFERENCE DOCUMENTS:

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



Planning Committee Map

Site address: Communal Rooms & Flats 1-39inc Gordon House, Malvern Road, NW6

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