



Planning Committee Map

Site address: 17 & 19 Bermans Way, London, NW10

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RECEIVED: 23 May, 2013

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 17 & 19 Bermans Way, London, NW10

PROPOSAL: Demolition of an existing detached double garage and attached single garage, and erection of a roof extension comprising an additional two-bedroom flat, a three-storey side extension providing stair access to the new second-floor flat, with associated landscaping

APPLICANT: ANI Management Ltd

CONTACT: David Knott Architect

PLAN NO'S:

See Condition 2

RECOMMENDATION

Grant Permission.

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be is £19,078.39is £3,338.72.

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EXISTING

The subject site is occupied by a two storey detached building with a pitched roof comprising 2 no. two bed flats, an attached single garage and detached double garage, with communal amenity space to the rear To either side of the application site, are two, three, and four storey residential buildings which front onto Bermans Way, Neasden Lane, and Leeland Way.

The site has good access to public transport services, with a PTAL value of 4, with access to seven different bus routes and the Neasden underground station within walking distance. Bermans Way is with a controlled parking zone (CPZ) area NS and is close to Neasden Town Centre. The controlled parking is from Monday-Saturday between the hours of 8am to 6.30pm. It is also with the Wembley Event Day zone whereby on street parking is restricted to permit holders only. Bermans Way is a local access road and is a heavily parked street.

PROPOSAL

The proposal is to demolish the existing detached double garage and attached single garage, and erect a roof extension comprising an additional two-bedroom flat. In addition, a three-storey side extension is proposed providing stair access to the new second-floor flat.

HISTORY

09/2544 - Demolition of an existing detached double garage and attached single garage, and erection of a roof extension comprising an additional two-bedroom flat, a three-storey side extension providing stair access to the new second-floor flat, with associated landscaping, subject to a Deed of Agreement dated 8th of February 2010 under Section 106 of the Town and Country Planning Act 1990, as amended. **Granted** 08.02.10

09/0840 - Demolition of double garage next to 17 & 19 Bermans Way, erection of a roof extension and 3-storey side extension, comprising an additional 4 self-contained flats (2 x two-bedroom and 2 x one-bedroom), and formation of 2 off-street parking spaces, at 17 and 19 Bermans Way – **Refused** for the following reasons:

- 1. The proposed development, by virtue of its bulk, layout, and location, would be detrimental to the amenities of the occupants of 37 - 48 Leeland Way, by way of loss of outlook, loss of privacy, loss of daylight/ sunlight, and increase in levels of noise and disturbance, contrary to policy BE9 of Brent's Unitary Development Plan 2004, and design guidance provided by supplementary planning guidance note SPG17 - Design Guide for New Development.*
- 2. The provision of additional parking between the proposal and the street, without adequate soft landscaping, is detrimental to the appearance of the streetscene, contrary to policies BE6 and BE7 of Brent's Unitary Development Plan 2004, and design guidance provided by supplementary planning guidance note SPG17 - Design Guide for New Development.*
- 3. The proposal will result in a reduction of existing communal outdoor amenity space, and will put further pressure on that space that remains. This will be harmful to the amenities of existing residents of Neasden lane, Bermans Way, and Leeland Way who currently use this area, and will contribute to a poor standard of accommodation for future residents of the proposed flats, contrary to policy H12 of Brent's Unitary Development Plan 2004, and supplementary planning guidance note SPG17 - Design Guide for New Development.*
- 4. In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure and education, without any contribution towards sustainable transport improvements or school and nursery places; and increased pressure for the use of existing open space, without contributions to enhance open space, sports or make other contributions to improve the environment. As a result, the proposal is contrary to policies TRN3, TRN10, CF6 and BE7 of Brent's adopted Unitary Development Plan 2004 and the adopted S106 Planning Obligations Supplementary Planning Document.*
- 5. The proposed development, as a result of inadequate provision for off-street parking for residents of the proposed flats, would be likely to have an unacceptable impact on parking pressure on Bermans Way, which is a Heavily Parked Street, contrary to policy TRN3 of Brent's Unitary Development Plan 2004.*

POLICY CONSIDERATIONS

Brent UDP 2004

- | | |
|-------|---|
| BE2 | Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces, materials and townscape features that contribute favourably to the area's character and not cause harm to the character and/or appearance of an area or have an unacceptable visual impact on Conservation Areas. |
| BE3 | Proposal should the regard for the existing urban grain, development pattern and density in the layout of development site. |
| BE6 | A high standard of landscape design is required as an integral element of development schemes. |
| BE7 | A high quality of design and materials will be required for the street environment. |
| BE9 | Creative and high-quality design solutions specific to site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area. |
| H11 | Housing will be promoted on previously developed urban land which the plan does not protect for other uses. |
| H12 | Residential site layout to reinforce/create an attractive/distinctive identity appropriate to its locality, housing facing streets, appropriate level of parking, avoids excessive ground coverage and private and public landscaped areas appropriate to the character of area and needs of prospective residents. |
| TRN11 | Developments should comply with the plan's minimum cycle parking standard. |
| TRN23 | Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14. |
| PS14 | Parking standards for residential uses |
| PS16 | Cycle parking |

Brent Core Strategy 2010

CP 17 Protecting and enhancing the suburban character of Brent

Balances the regeneration and growth agenda promoted in the Core Strategy, to ensure existing assets (e.g. heritage buildings and conservation areas) are protected and enhanced. Protects the character of suburban housing and garden spaces from out-of-scale buildings..

Brent Supplementary Planning Guidance

SPG17 Design Guide for New Developments

Sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy and light of adjoining occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

The above policies and guidance seeks to ensure that development should not significantly affect the amenities of the occupiers of the neighbouring properties and should be in keeping with the design, scale and character of the surrounding area.

London Plan 2011

Policy 3.5 Minimum unit sizes

London Housing Design Guide

CONSULTATION

32 letters were sent to neighbouring properties on 13.06.13. Two letters objection have been received (including one petition with seven signatures) The objections are set out below:

Objection	Officer's response to objection
Proposal would build on a communal garden	The proposal would be situated on top of the existing roof, whilst a side extension is proposed, this is in the same location as the existing garage..
The previously approved scheme never resulted in the proposed parking being provided.	This permission was never implemented; a condition has been placed on the permission to ensure this is provided prior to occupation. Comments on the provision of parking relating to other developments in the vicinity of the site is addressed in the Remarks section of the report.
The proposal would result in noise and disturbance to the existing occupants of the building and would be detrimental to their amenity.	The extension would not prejudice the amenity of the existing occupiers of the building given that the majority of the built form would be on top of the roof. There are no existing windows on the side elevation of the proposed side extension and it would not project beyond the front and rear elevation. The extension would be required to meet Building Regulations standards in terms of insulation & noise transmission.
Proposal would de-value existing property.	This is not a material planning consideration.
Proposal would not respect character and appearance of the surrounding area.	See 'Remarks' section below.
Proposal would place a strain on local	The CIL contribution will be used for

infrastructure.	infrastructure improvements in the Borough to mitigate any impacts of the development.
Existing maintenance arrangements not being fulfilled by the freehold owner.	This is a civil matter and not a material planning consideration.

Consultees

Transportation: No objection subject to condition securing cycle parking.

Landscape: Further detail required to support application. This will be secured by condition.

Thames Water: No objection.

REMARKS

Background

1. The Council considered an identical planning application in 2010 which was granted planning permission. Since the time, the Council has adopted its Core Strategy (2010) and the London Plan (2011) has been adopted. The application therefore needs to be considered in light of these changes to the Statutory Development Plan and the adoption of the Community Infrastructure Levy, which is set out below.

Key considerations

2. The key considerations of this proposal are as follows:

- (1) Design and impact on local character;
- (2) Impact on neighbouring amenity;
- (3) Quality of proposed residential accommodation;
- (4) Parking provision; and
- (5) Community Infrastructure Levy

Design and impact on local character

3. The application property is the only detached building within the existing housing development of which it is a part. These housing developments comprise buildings which are 2 and 3 storeys high, and have elevations of a similar appearance to the application property. The existing building has a hipped roof which is more reflective of the character of the semi-detached properties on the opposite side of Bermans Way.

4. The proposal involves the removal of the existing hipped roof, and the erection of a flat-roof extension comprising one 2-bed flat. In terms of height, this will bring the building height in line with the existing 3-storey block to the east. Elsewhere in the street scene, roof top extensions to create an additional storey of residential accommodation have been undertaken, including at the adjacent blocks of flats on the junction with Leeland Way (Ref. No. 08/2774). The proposal would seek to replicate this type of development which is considered to sit comfortably within the street scene.

5. The extensions are proposed to be constructed in natural wood and glass, which are expected to complement the existing brick facing appropriately. This design approach was previously been considered acceptable in respect of the previously considered extensions described above. Finishing materials will be required to be submitted for approval.

6. The bulk, massing, and appearance of the proposal is therefore considered appropriate to the character of the existing building, the surrounding area, and streetscene.

Impact on neighbouring amenity

7. As discussed above the height and bulk of the extensions are comparable to the existing neighbouring buildings. At the nearest point, the extensions will be 14m from the existing residential block to the east, so will be unlikely to lead to harm to the outlook or receipt of light to these properties. No flank wall windows are proposed facing these properties, however the proposed roof terrace will afford some views in this direction. Due to the distance between the terrace and existing buildings (over 16m), this impact is unlikely to be harmful.

8. The proposed stairway extension to the west of the existing building will encroach toward the existing flat block on this side. A distance of 2.2m will be kept from the existing flank wall, which is the same as that maintained by the existing attached garage on this side. The existing flank wall contains some secondary windows, however these face east and are already obscured by the existing building. Although the proposal will have some impact on these windows, this is not considered significant.

Quality of proposed residential accommodation

9. The proposed 2-bed flat exceeds the minimum floor space guidance in terms of internal floor space as set out in the London Plan, and has an acceptable layout which complies with policy H12. Sufficient circulation and storage space is provided, the flat will be dual-aspect, and a small roof terrace is provided. The proposed roof terrace is less than the 20sqm amenity space per flat required by SPG17, however, the terrace has a southerly aspect and access to the communal gardens below.

10. The site has a communal amenity area to the rear, however this is shared by many residents, and is of relatively poor quality. The applicant proposes the removal of the existing detached double garage adjacent to the existing flats, and provision of a landscaped area in its place to be used by residents of the flats (existing and proposed). This is considered acceptable, however a condition will be proposed required a detailed landscape plan to be submitted for approval. An informative is proposed warning of any potential contamination resulting from the use of the existing garage. Additional front garden landscaping will also be required.

Highways

11. Car parking allowances for dwelling house are given in standard PS14 of the UDP. Brent's Crossover Policy Section 22 is also applicable. Policy BE7 may also be applicable. As this site is within a CPZ, reduced parking standards are applicable. The car parking allowance for the existing two units is 0.7 spaces per unit, totalling 1.4 spaces. The parking allowance for a new 2 bedroom flats is a maximum of 0.7 spaces and therefore the overall allowance for this site is 2.1 spaces (2 spaces).

12. As Bermans Way is a heavily parked street, 2 independently accessible off-street parking spaces should be retained for the site in line with the maximum standard. The proposed block plan shows the retention of three parking spaces within the site boundary, which are currently sited in front of the garages that are to be demolished. Although this total still exceeds standards, they are existing parking spaces and the proposed demolition of the garages will in any case bring the overall level of parking within the site more into line with standards than at present. It is also possible that these spaces may also be available to residents of the surrounding blocks in Leeland Way and Neasden Lane, which form part of the same overall development. As such, their retention is acceptable.

13. Drawing number 1699/02 also shows a further four parking spaces being created within the landscaped area between the site and flats 37-48 Leeland Way and these are proposed in connection with the provision of additional flats at Leeland Way as approved under planning reference 08/2774. It is noted that this phase of the development is currently under construction and is subject to a condition requiring them to be made available to the residents of this development.

14. Cycle parking, in line with Policy PS16, should also be provided for the additional and existing units which would generate a requirement of three spaces. Details will be secured by condition.

Community Infrastructure Levy

15. The proposal consists of a net gain of residential floorspace of 93.3 sqm and as such is liable for the Brent and Mayoral CIL at a rate of £200 and £35 respectively.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

London Plan (2011)

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

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

CONDITIONS/REASONS:

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

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

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

1699/Loc;
1699/01;
1699/02;
1699/03;
1699/04; and
1699/05

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

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

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

- (4) The building shall not be occupied until the car parking areas shown on the approved plans have been constructed, surfaced and marked out in accordance with the approved plans. The car parking areas shall be retained thereafter for use by residents of the existing properties known as 17 & 19 Bermans Way and the new residential unit hereby approved.

Reason: In the interests of free flow of traffic and highway safety

- (5) Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. Where samples are required these should be made available for inspection on site. The work shall be carried out in accordance with the approved details.

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

- (6) The remainder of the site area shown edged red on the approved plan no. 1699/5 shall be suitably landscaped with trees/shrubs/grass 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 within 12 months of commencement of the development hereby approved.

Such a scheme shall also indicate:-

(a) Provision of suitable tree and/or shrub planting between the proposed development and Bermans Way, including an appropriately positioned and screened refuse-storage area.

(b) Provision of adequate screen planting and boundary treatment between parking spaces and proposed amenity area (site of removed detached double garage), in order to provide a level of privacy to this area.

(c) Provision of adequate screen planting and boundary treatment between flank wall of 17 Bermans Way and proposed amenity area (site of removed detached double garage), in order to provide a level of privacy to this area and to reduce any noise and disturbance to occupants of 17 Bermans Way. The existing side access arrangements to the ground-floor flat shall be retained.

(d) Provision of benches, shrub and tree planting, and small areas of hardsurfacing to the proposed amenity area to the side and rear of the development where appropriate, in order to improve the quality and usability of this area for residents, and to provide adequate privacy for residents of the ground-floor flat.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, or become seriously damaged or 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.

- (7) Details of the provision of a minimum of 3 secure cycle parking spaces shall be submitted to and approved in, writing, by the Local Planning Authority prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle parking spaces have been provided in accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

INFORMATIVES:

- (1) It is important that the builders are vigilant for signs of potential contamination in the soil during excavation works. This may include obvious visual or olfactory residues, fuel or oil stains, asbestos, buried drums, buried waste, drains, interceptors, tanks or any other unexpected hazards that may be discovered during on-site works. If any unforeseen contamination is found during the works, Environmental Health must be notified immediately. Tel: 020 8937 5252, Fax 020 8937 5150, E-mail: env.health@brent.gov.uk.
- (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

Any person wishing to inspect the above papers should contact Matthew Harvey, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 4657