

Committee Report
Planning Committee on 11 December,
2013

Item No.

Case No.

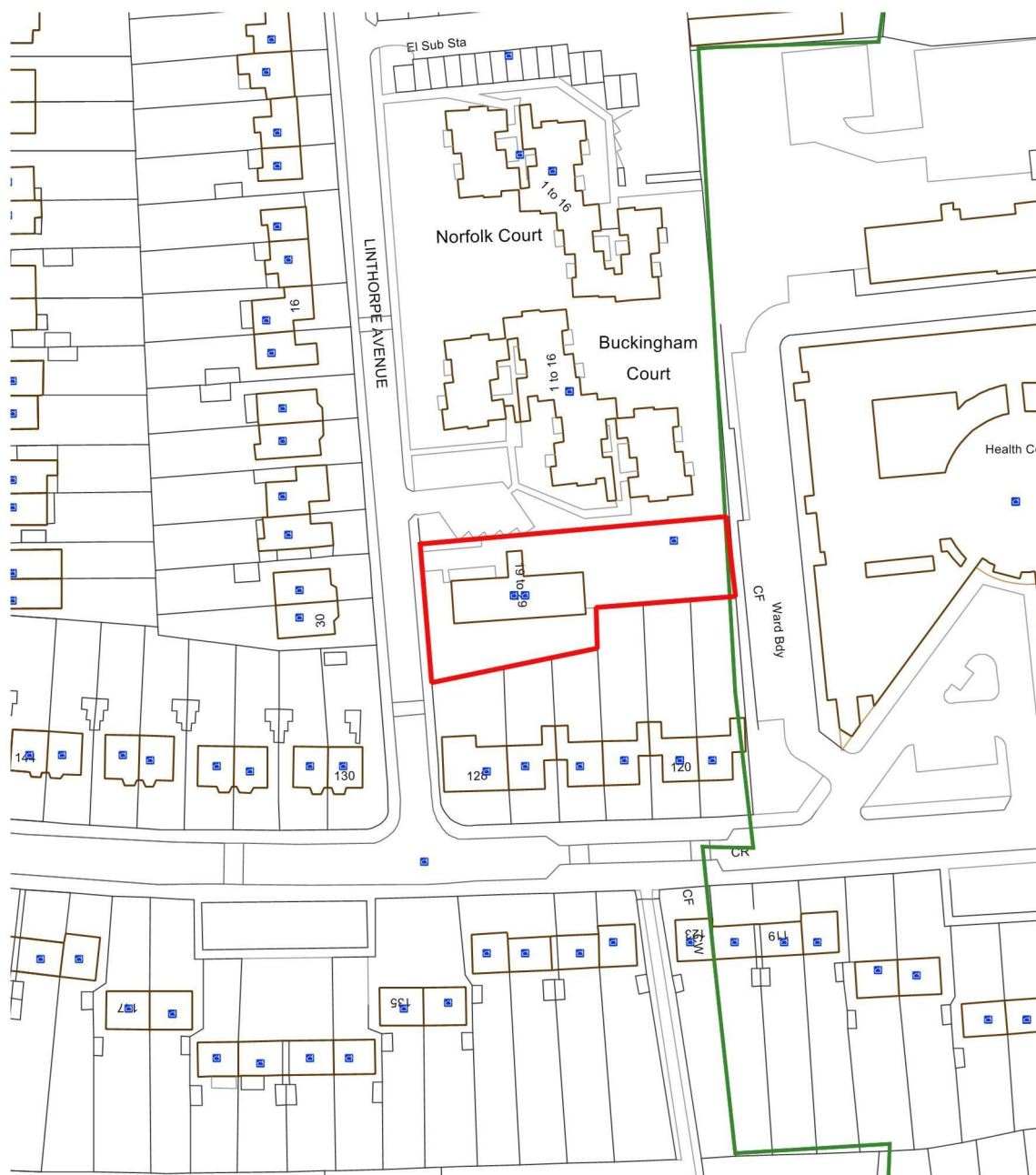
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Planning Committee Map

Site address: 19-29 ODDS, Linthorpe Avenue, Wembley, HA0 2ER

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This map is indicative only.

RECEIVED: 16 October, 2013

WARD: Sudbury

PLANNING AREA: Wembley Consultative Forum

LOCATION: 19-29 ODDS, Linthorpe Avenue, Wembley, HA0 2ER

PROPOSAL: Demolition of existing building and erection of a replacement 3 storey building comprising 9 residential flats with associated car parking, cycle storage and amenity space.

APPLICANT: Catalyst Housing Group

CONTACT: Jones Lang LaSalle Ltd

PLAN NO'S:
See condition 2

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

SECTION 106 DETAILS

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

- (a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) Provision of 9 units (100%) for Affordable Housing, comprising:
 - 9 affordable rented units (3x 1 bedroom and 6 x 2 bedroom) subject to rent controls requiring a rent of no more than 80% of market rent inclusive of service charge.

And, to authorise the Head of Area Planning, 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.

Community Infrastructure Levy – CIL

The Mayor's Community Infrastructure Levy, otherwise known as CIL became effective from the 1st April 2012 onwards.

The Planning Act 2008 gave powers to the Mayor of London which allow a London wide CIL to be charged on eligible developments in order to help fund strategic infrastructure projects. The Mayor has now decided to charge CIL in order to raise approximately £300m which will be put toward London's share of the Crossrail funding package agreed with central Government. This means that all eligible developments granted planning permission from 1 April 2012 will be liable to pay

Mayoral CIL regardless of when the application was submitted to the Council or any resolution to grant planning permission by the Council's Planning Committee.

Mayoral CIL has been set at £35 per sqm on developments involving the creation of new residential units, and this proposal would qualify as chargeable development on the basis of the floorspace being created for new development 679sqm a total of £24, 297, 85 would be sought.

The proposal would also attract a Brent CIL rate of £200sqm. A total of £135,800.

Given that the site is to come forward as Affordable Housing, it is likely to qualify for an exemption from CIL.

EXISTING

The application site is a 0.11ha in size and currently accommodates a block of vacant flats. The flats were formerly used as accommodation for National Health Service staff serving the now defunct Wembley Hospital. The existing building comprises of a three storey, brick built building finished with a concrete tiled pitched roof residential block of 6 flats.

The site is positioned south of Harrow Road (A404) and to the north side of Chaplin Road and the wider area is predominantly residential. It can be described as being rectangular in shape and approximately 56m in length. The site slopes gradually down from north west to south east by approximately 2m.

To the south of the site is Chaplin Road. The properties on this section of Chaplin Road are two storey in height and semi detached in nature with varying garden depths. To the north of the site is Buckingham Court which are two storey units with shallow pitched roofs. At the eastern end of the site is the access road for recently constructed health centre. West of the site are residential properties, predominately bungalows.

It is important to note that the site has been vacant for 8 years and is currently in a very poor state. The building itself is blocked up internally and has become a area which attracts anti social behaviour, collecting litter and relates poorly to the high standards residential quality standards of the surrounding areas..

The site is not located within a conservation area and nor is it a located within the curtilage of a listed building.

PROPOSAL

The application seeks full planning permission to demolish the existing 3 storey residential building at the site, and in the buildings current position provide a new three storey building providing 9 affordable housing units for affordable rent (3 x1 bedroom and 6x 2 bedroom units) with associated car parking, cycle parking and amenity space.

HISTORY

No relevant planning history.

POLICY CONSIDERATIONS

UDP 2004

BE2 Townscape: Local Context & Character
BE3 Urban Structure: Space & Movement
BE5 Urban Clarity & Safety
BE6 Public Realm: Landscape Design
BE7 Public Realm: Streetscape
BE9 Architectural Quality
EMP9 Local Employment Areas
H12 Residential Quality – Layout Considerations
TRN23 Parking Standards – Residential Development

Core Strategy

CP2 Population and Housing Growth

CP17 Protecting and Enhancing the Suburban Character of Brent

CP21 A Balanced Housing Stock

Supplementary Planning Guidance Note 17: Design Guide for New Development

Supplementary Planning Document: S106 Planning Obligations

London Plan

Table 3.3 Minimum space standards for new development

National Planning Policy Framework

The NPPF was published on 27th March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where PPG's, PPS's, LDF Core Strategy, SPD's and SPG's and UDP saved policies are referred to in the report below they have been considerations in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

SUSTAINABILITY ASSESSMENT

The site is classed as a minor application and therefore the requirements of policy CP 19 of the Council's Core Strategy do not apply, as the proposal is for less than 10 flats. As a minor scheme the requirements of Brent's SPG19 'Sustainable Design & Construction' also do not apply and the submission of a Sustainability Checklist is not required.

CONSULTATION

39 neighbouring properties have been consulted. Re-consultation letters (14 day) were sent to a number of properties on 27/12/2013 following the receipt of some revised drawings. Any comments received from the revised round of consultation will be presented in a supplementary report.

The initial round of consultation resulted in the Council receiving 6 letters of objection .

External

The following objections were received.

Resident Comment	Officer's response to objection
The footprint of the building increases substantially in terms of width, depth and height.	The footprint would increase by approximately 82m ² which in percentage terms is 41% greater than the original site coverage. In terms of width the property will be approximately 1.2m greater than existing, in terms of length the proposal will be approximately 0.4m greater and the height is approximately 1.2m greater than existing. The potential impacts of the proposal are discussed within this report.
Going from 6 to 9 flats is overdevelopment.	The proposed density of new development is in accordance with density standards as prescribed by adopted policies and the standards of the London Plan.
The new windows, balconies and doors are much larger than the current arrangement. This will result in overlooking	As separation distances are in accordance with SPG17 standards the proposed scheme is not considered to result in additional overlooking.

The proposal does not meet the minimum rear elevation to new build separation distances.	Plans provided by the developer show that proposed scheme adheres to the separation distances.
The tree proposed will overhang neighbouring gardens, restricting sunlight and will effect the footings of the boundary wall.	The proposed trees are to be finalised in a landscaping plan. This impact will be addressed at this stage through the selection and siting of trees.
The proposal will lead to 50% increase in occupancy. This is overdevelopment.	The levels of occupancy are considered to be acceptable given the size of the site and quality of the accommodation provided.
There is a lack of garden space within the development site.	Revised plans provide a greater amount of amenity space which exceeds the requirements for a flatted development of this size.
Will lead to increased parking demands	Transportation hold no objection to the proposed parking provision and layout.

Internal

Highway Engineer:

The site is considered to be suitably serviced and will retain and utilise the existing access point and provide the required parking spaces. No transportation objections.

Design Officer:

No objections in principle.

Environmental Health:

No objections subject to conditions.

REMARKS

Principle of Development

1. The existing site was formally used as for key worker residential accommodation for NHS staff and were used in a multi occupancy arrangement. The current internal layout would fail the requirements as laid out in planning policy and are below the minimum spaces standards as set out by the London Plan's minimum spaces standards. Redevelopment of the site would take the opportunity to produce new accommodation for 1 and 2 bedroom units, all designed to fully meet criteria improved space and quality standards. We are informed by the developer that discussions have taken place between Catalyst Housing Ground and the owners regarding a restrictive historical convenat that exists regarding the use of building. Although not material planning consideration it is considered pertinent to inform memebbers of this which will provide a greater site context.

2. The proposed scheme has attempted to replicate the scale of the existing building. The existing arrangements do not make a particularly positive contribution to the townscape and your officers are satisfied that such an approach is acceptable in principle given that proposal provides 9 residential units at 100% affordability and is located on brownfield land. Although we feel that there may be alternative forms of development that could be proposed for this site, it is acknowledged that this would have taken substantial reworking and as a result would have comprehensively changed the existing scale and site coverage. The applicant has attempted to use the footprint of the existing building as a guide and template for development which helps to limit the potential for additional impact.

Density

3.National, regional and local policies seek to optimise the potential of the site, with the NPPF and the London Plan encourage the efficient use of land. Policy 3.4 of the London Plan aims to optimise the housing potential of a site taking account of local context, London Plan design principles and public transport capacity. Policy 3.4 also provides density matrix which gives a range of appropriate density ranges related to setting in terms of location, existing building form and massing, and the index of public transport accessibility (PTAL).

4 Core Strategy policy CP6 seeks to ensure developments have proper regard to the London Plan and states that "a notional density figure is not the only consideration, and the quality of design, location of the site and the need to provide family housing are all important".

5. The site is located within an urban area with a PTAL of 3. The site has an area of 0.11ha. At 24 habitable rooms, this results in a density of 218hr/ha, in accordance with the density targets set out in the London Plan (2011) of 150-250 hr/ha.

Quality of accommodation

6. 9 new residential units are proposed comprising of 3 x 1 bedroom units and 6 x 2 bedroom units. All the flats meet the minimum floor area standards set out in the London Plan.

Flat no	No of rooms	No of occupants	Flat size
Plot1 (Wheelchair unit)	2 bed	3person	70.8 sqm (Exceeds London Plan Standards)
Plot2	1 bed	2 person	50.2sqm (exceeds London Plan standards)
Plot 3	2 bed	4 person	70.8sqm (exceeds London Plan standards)
Plot4	2 bed	4 person	70.8sqm (exceeds London Plan standards)
Plot5	1 bed	2 person	50.2sqm(exceeds London Plan standards)
Plot 6	2 bed	4 person	70.8sqm(exceeds London Plan standards)
Plot 7	2 bed	4 person	70.8sqm(exceeds London Plan standards)
Plot8	1 bed	2 person	50.2sqm(exceeds London Plan standards)
Plot9	2 bed	4 person	70.8sqm(exceeds London Plan standards)

7. All units will meet the London Plan minimum space standards for new development. As such we hold no objection to the standard of accommodation provided.

8. External amenity space is provided by balconies and communal external amenity areas. A total in excess 371sqm of amenity space will be provided with 302sqm communal amenity. In crude terms this exceeds the 20sqm per dwelling as required by SPG17 providing an average of 41sqm per unit. The amenity space includes a 137sqm area of lawn and a communal courtyard. In addition to this all units have access to an individual balconies which are considered adequate in terms of scale and orientation.

9. All living areas and bedrooms are served with windows this helps maximise the amount of light and outlook available.

10. The layout of proposed flats has been fully considered and is stacked in a manner that living areas are stacked above living areas and bedrooms are above bedrooms. This will ensure that future occupiers have a good standard of internal residential amenity.

Residential Mix

11. Policy CP21 requires the provision of family sized accommodation but this is applicable to sites providing 10 or more homes which CP2 requires an appropriate range of unit types and sizes general for the borough. Given that the proposal is under 10 units the mix of 3 x 1 bedroom units and 6 x 2 bedroom units is considered acceptable. One of the units is a two bedroom three person wheelchair unit and the proposal accords with the 10 % requirement for accessible units. All units will be built to the Lifetime Homes standards. The mix of units is considered appropriate in this instance.

Design

12. The design is basic and based on the design of the original building. In most cases we would attempt to ensure that the new development addresses the prevailing street pattern but in this instance the existing building has established a precedent for this, as such the design and orientation is largely bound by the existing arrangement. Further details of the materials will be requested via condition.

Impact to neighbouring amenity

13 Although the proposed scheme is 1m in height greater than the existing building it is not considered to result in substantial overshadowing of neighbouring properties and is largely in keeping with the scale and form of the existing building located on site.

14. SPG 17 requires a 20m separation distance directly facing habitable room windows on main rear elevations. The applicant has demonstrated via plan number 3704-P101 Rev a that a separation distance of 20.5m between the development and the properties south of the application site in Chaplin Road. Neighbouring properties have queried whether this distance is has been accurately presented, these figures have been compared with our own internal webgis system and appear accurate. We would insist that a

condition be attached requiring the developers to undertake a comprehensive site survey prior to any development commencing on the basis that the members agree with this recommendation.

15. For clarity purposes SPG 17 states that a minimum separation distance of 20m is required between directly facing habitable room windows on main rear elevations. Main rear elevations exclude additions and extensions and as such the separation distance is measured from the original rear wall of dwelling and not where occupiers have chosen to extend their property.

16. The south elevation of the proposed new development accommodates a number of habitable rooms and balconies which face the rear elevations of properties in Chaplin Road. The proposed balconies and windows achieve the required separation distance and consideration has been given to the issues of overlooking. Further to this it is important to note the existing structure has a total of two balconies on both first and second floor and had a separation distance of 22m, just 2m greater than that proposed separation distance.

17. It is acknowledged that there are a greater number of windows and balconies facing Chaplin Road but the change compared to the existing arrangement is considered acceptable. In addition to this the relationship between the proposed development and the existing dwellings on Chaplin Road is not considered to be over dominant. The proposed development is set below a line of 30 degrees from the nearest rear habitable room window of the adjoining existing property and below a 45 degree line from the adjoining residential gardens as set out with SPG17.

18. In terms of the impact on the two storey flatted properties on Buckingham Court the impact is considered very similar to existing arrangement. The only portion of the new development that would be larger in terms of bulk than the existing arrangement is the entrance and stairwell. This has been considerably located opposite the car park serving Buckingham Court. In all the proposed development is not considered to impact these properties in a manner greater than existing arrangement.

20. The proposed parking, bin storage and bike store are located in areas that would have a minimal impact on the amenity of neighbouring dwellings. Nor would the proposed layout be to the detriment of future occupiers of the proposed development as the access road is a sufficient distance from habitable rooms as is the parking arrangement which is located at the eastern end of the site away from dwellings.

Highways and Access

21. Linthorpe Avenue is a local access road with traffic calming. It is within a Controlled Parking Zone and also falls within the Wembley Stadium Event Day Protective Parking Scheme. It is only 6 metres wide though, so on-street parking is restricted to the near side of the road only, where there is a long resident parking bay that can accommodate about 5 cars. On the opposite side of the street, parking is prohibited between 9am and 6.30pm Mondays to Saturdays.

22. The parking allowance for the proposed flats new units is up to a maximum of 1 space per 1-bed unit and 1.2 spaces per 2-bed unit, giving a total allowance of 10.2 spaces. The provision of ten spaces that was originally proposed therefore meets standards. As the proposed 9 units are 100% affordable rent units, the standard does allow a reduction of 50%, so as few as five spaces would be acceptable, which may assist in providing increased amenity space for the flats. The applicant subsequently proposed a reduction to 9 parking spaces with one of these spaces provided directly adjoining the wheelchair unit. (at the time of writing the revised parking layout is out on consultation).

23. As a consequence of the revised parking arrangement the amount of landscaped amenity space has been increased. The reduction in parking has not raised any objection internally.

24. The refuse and recycling storage is acceptable as it is located within 9m of the point at which collection would take place, to ensure ease of servicing. Covered cycle parking is provided for 15 cycles and is in close proximity to the main building.

Summary

25. The proposal complies with relevant policy in the Brent Unitary Development Plan 2004 and Supplementary Planning Guidance 17 and is, therefore, recommended for approval, subject to conditions and Legal Agreement.

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 5 - Altering and Extending Your Home

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

Built Environment: in terms of the protection and enhancement of the environment

Housing: in terms of protecting residential amenities and guiding new development

CONDITIONS/REASONS:

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

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

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

3704-P1000

3704-P101 Rev A

3704-P102

3704-P103

3704-P104

3704-P105

P704-P106

3704-P107

2704-P108

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

- (3) In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- (4) The applicants shall provide a pre-construction site survey to demonstrate that the development, hereby approved, is capable of being accommodated on the site whilst retaining a 20m separation distance between the habitable rooms of the approved development and the original rear wall of the dwellings fronting Chaplin Road in accordance with the approved drawings. The development shall be fully implemented in accordance with these details unless agreed in writing with the Local Planning Authority.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development.

- (5) The developer and/or constructor must join and adhere to the requirements of the Considerate Constructors Scheme for the duration of the construction of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the amenity of the adjoining and nearby occupiers.

- (6) All parking spaces, turning areas, footways and cycle storage facilities shall be constructed and permanently marked out prior to commencement of use of any part of the approved development and thereafter maintained and used for purposes ancillary to the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

- (7) Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (8) All areas shown on the approved plans shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in prior to commencement of works on the site and the approved details shall be implemented in full. Such landscaping work shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- the planting scheme for the site, which shall include species, size and density of plants, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries and buffers around water bodies;
- walls, fencing and any other means of enclosure, including materials, designs and heights;
- treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;
- details of levels and contours within and adjoining the site;
- a landscaping maintenance strategy, including details of management responsibilities;

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- (9) Confirmation that all of the units have been constructed to the Lifetime Homes standards and one Wheelchair Accessible unit has been provided shall be submitted to the Council prior to the first occupation of the development hereby approved.

Reason: To ensure a sufficiently accessible development.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Matt Brown, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3771