

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 October, 2016
03
15/2313

SITE INFORMATION

RECEIVED: 29 May, 2015

WARD: Fryent

PLANNING AREA: Brent Connects Kingsbury & Kenton

LOCATION: Land rear of 274-280, Kingsbury Road, London

PROPOSAL: Erection of two-storey building comprising 4 no. self contained flats with provision of 6 no. car parking spaces, secure cycle storage, bin store area, associated landscaping and new Vehicular access to Uphill Drive

APPLICANT: C/O VICTORIA SQUARE PROPERTY CO LIMITED AND AREA ESTATES LIMITED

CONTACT: Liam Russell Architects Ltd

PLAN NO'S: Refer to Condition 2

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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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_122292

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3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: Land rear of 274-280, Kingsbury Road, London

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This map is indicative only.

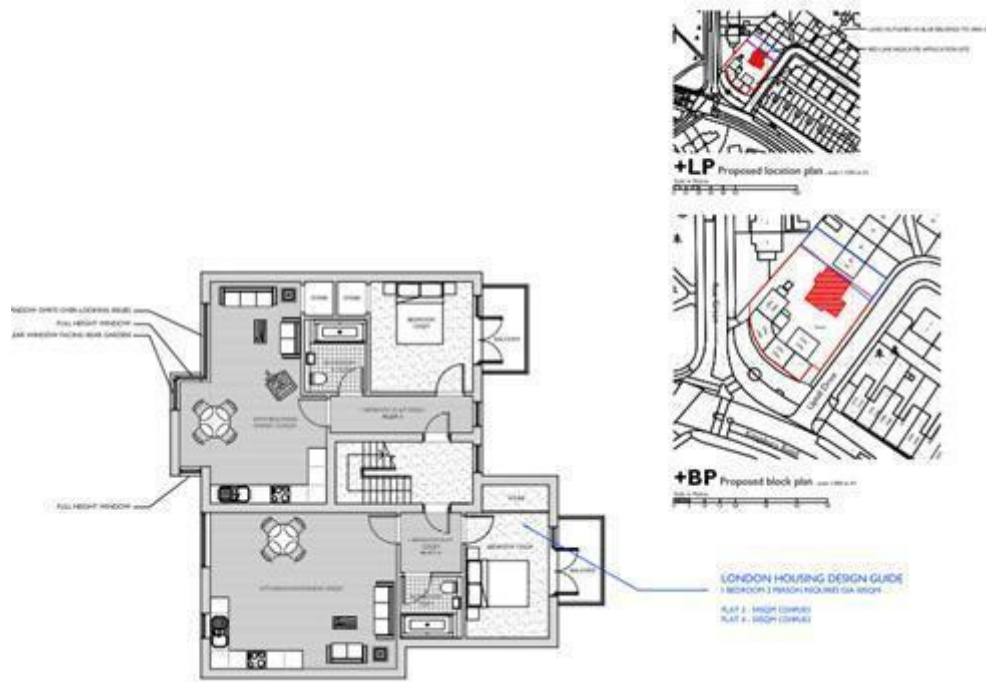
SELECTED SITE PLANS

SELECTED SITE PLANS

Proposed Site Layout Plan



Proposed First Floor Plan and application site plan



Proposed East and West Elevations



+EL Proposed east elevation 1:100 (A1)



+EL Proposed west elevation 1:100 (A2)

Proposed Artist Impressions of the proposal



INTRODUCTION

This application was previously presented to the planning committee on 19th October 2016. The discussion amongst members on whether to agree with the officer recommendation to grant the application resulted in a vote of 3 in favour, 2 against and 1 abstention. The chair used her casting vote to not support the recommendation to grant planning permission. The chair indicated that she was not in a position to formulate planning reasons for refusal, and therefore, in accordance with paragraph 38 of the Council's Planning Code of Practice, the application stood deferred.

The application was deferred for the following reason:

Members were concerned about the provision of parking, with the rear of the site considered likely to have been used for the provision of parking which would be displaced by the proposal resulting in increased parking on-street.

Officers are now providing further information that providing clarification on the proposal's impact on local parking conditions, which was the main concern raised at the previous committee.

Drawing 1066-PA-010F shows the provision of three off-street parking spaces for the four new 1-bed flats (75% of the maximum parking allowance) and also retains a parking space and two transit sized loading bays for the existing shops and flats, which is comparable to the existing parking and servicing provision available on the site. With this arrangement, transport officers do not believe there would be any displacement of parking from the site on-street, as the layout also accommodates replacement parking/loading for those 2-3 spaces that are lost at the rear of 276-278 Kingsbury Road.

The most recent parking survey of Uphill Drive was carried out in July 2013, concluding that the street was heavily parked at night. This has manifested itself in extensive obstructive footway parking along the street. It is therefore considered essential that this proposal does not increase demand for on-street parking.

The formation of the access from Uphill Drive will theoretically remove one parking space from this street. However, the narrowness of the road and resultant footway parking means that the parking that currently takes place along this stretch of road is detrimental to highway safety and there is a strong case for installing double yellow lines to address these problems. Therefore, the offer of land from the applicant to widen the footway is welcomed as it will improve the situation considerably and will ensure that unobstructed part-footway parking can be provided along the site frontage. This will also have the added benefit of improved pedestrian access into Uphill Drive and will provide better sight line visibility for the new vehicular access. This improved arrangement more than compensates for the loss of a parking space, which at present is narrow and unsafe.

The layout does rely on some vehicles reversing out into Uphill Drive, but the road is a quiet cul-de-sac, so this is not considered to be a problem. Officers are therefore satisfied that the layout of the spaces and turning area provided suitable access by cars and vans.

Whilst it is noted that there is an existing shortfall in parking provision on site which would not be improved upon by this proposal, officers consider that the existing parking capacity will be suitably replaced. It is considered to be unreasonable to require an application to improve upon an existing standard (in this case parking), however it would be necessary for an application to preserve (and not worsen) any existing standards, which this application achieves.

In conclusion, the scheme would retain the existing parking/servicing facilities for the existing shops/flats, whilst providing adequate additional off-street parking for the new flats in line with our standards, whilst also improving footway parking and pedestrian access alongside the site. Because of this, your officers recommend that this proposal is granted planning permission.

Recommendation: Officers continue to recommend that permission is granted subject to the conditions set out in the original report and supplementary report.

However, if members are minded to refuse planning permission then the following reason for refusal would reflect the concerns previously raised by members:
The proposed development results in the displacement of parking that currently occurs within the site without the sufficient provision of off-street parking to meet the needs of the proposed development in addition to those spaces that are displaced. As such, the proposal is likely to result in an increase in the level of on-street parking where such parking cannot be safely accommodated within the street. This is contrary to policy TRN3, TRN23 and TRN24 of the Brent Unitary Development Plan 2004 and policies DMP12 of the emerging Brent Development Management Policies.

The original report and supplementary report from previous Committee Agenda is set out below:

RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission.
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time Limit (3 Years)
2. Approved drawings / documents
3. Highway works along public highway
4. Construction Method Statement
5. External materials - supply details
6. Forecourt hard and soft landscaping - supply details
7. Rear garden hard and soft landscaping - supply details
8. Bicycle storage for existing and proposed residential units - supply details
9. Refuse facilities for existing and proposed residential units and commercial units - supply details
10. Sound insulation – levels
11. Provision of parking, cycle parking, refuse storage and access

Informatives

1. Paty Wall

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

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

A) PROPOSAL

Erection of two-storey building comprising 4 no. self contained flats with provision of 6 no. car parking spaces, secure cycle storage, bin store area, associated landscaping and new vehicular access to Uphill Drive, together with widening of the highway into the site to provide 4 partial footway parking bays and plus footway along Uphill Drive

B) EXISTING

The application site is located to the rear of Nos. 274 to 280 Kingsbury Road. It is accessed from a vehicular access to the side of Nos. 280 Kingsbury Road and contains hardstanding and garages. It is at a higher level to the pavement level on Kingsbury Road. To the north of the application site are two storey residential properties on Uphill Drive.

The site is not located within a conservation area nor does it contain any listed building.

C) AMENDMENTS SINCE SUBMISSION

The following amendments were sought since the submission of the application:

- Widening of the highway into the site to provide 4 partial footway parking bays and plus footway along Uphill Drive
- Relocated service and parking bays within the site
- Relocation of the building 1m away from the boundary with No. 83 and 84 Uphill Drive
- Clear glazing provided in rear windows
- Alterations to landscaping within front forecourt

D) SUMMARY OF KEY ISSUES

Design & Layout & Relationship with Neighbouring Buildings: The scheme is considered to have an appropriate relationship with the street frontage on Uphill Drive.. The building relate acceptably to surrounding buildings in terms of the amenity of neighbouring residential occupiers and the quality of accommodation provided.

Car Parking: Each flat will have the benefit of one off street parking space and two service bays will be provided for the existing commercial units. In addition, part of the site frontage will be dedicated as public highway to accommodate four partial footway parking bays plus a 2m wide footway. The level of car parking is acceptable for this scheme.

Quality of accommodation: The proposal meets the standards for internal and external space set out within the London Plan and Mayor's Housing SPG. Whilst the amount of external amenity space for the two upper floor flats meets the Mayor's guidance levels, it falls below SPG17 levels. However, this is considered to be acceptable given the size of the units (1-bedroom) and the proximity to Roe Green park.

E) MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain

POLICY CONSIDERATIONS

National Level

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was adopted in March 2012. The NPPF sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

It establishes a presumption in favour of sustainable development: local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. 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.

Section 7 (design) is of particular relevance to this application. The Government recognises that good design is a key aspect of sustainable development. It states that permission should be refused for development of poor design, that fails to take the opportunities available for improving the character and quality of an area and the way that it functions.

Technical Housing Standards - nationally described space standards

Regional Level

The London Plan consolidated with alterations since 2011

The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London. London boroughs' local plans need to be in general conformity with the London Plan, and its policies guide decisions on planning applications. The following policy is relevant:

3.5 Quality and design of housing developments

The Mayor's Housing Supplementary Planning Guidance (adopted March 2016)

This guidance relates to the housing policies within the London Plan and covers policies on housing provision and policies on affordable housing. It gives detailed guidance for boroughs on how to develop sites for housing and how to determine housing mix and density for any individual site.

Local Level

Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy now hold considerable weight. The relevant policies for this application include:

CP17: 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.

CP21: A Balanced Housing Stock - A balanced housing stock should be provided to meet known needs and to ensure that new housing appropriate contributes towards the wide range of borough household needs including an appropriate range and mix of self contained accommodation types and sizes.

Brent's UDP 2004

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary

Development Plan (UDP). The UDP was adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

BE2: Townscape - Local Context & Character

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.

BE7: Public Realm - Streetscape

A high quality of design and materials will be required for the street environment. The following will be resisted (both for existing and new developments) where they would detract from the character of the area :-

- (a) The excessive infilling of space between buildings and between buildings and the road;
- (b) hard surfacing occupying more than half of a front garden area;
- (c) forecourt parking where such parking would detract from the streetscape or setting of the property, or create a road/pedestrian safety problem.

BE9: Architectural Quality

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.

H12: Residential Quality - Layout Considerations

Seeks to ensure that all residential development has a high quality layout, has an appropriate level of car parking and features housing facing onto streets. It states that proposals should avoid having an excessive coverage of hardstanding and have an amount and quality of landscaped areas appropriate to the character of the area.

TRN3: Environmental Impact of Traffic

Applications that cause or worsen an unacceptable environmental impact from traffic generated should be refused including proposal that will cause or worsen road safety problems and or result in on street parking with traffic management problems

TRN10: Walkable Environments

The 'walkability' of the public environment should be maintained and enhanced.

TRN11: The London Cycle Network

Developments should comply with the plan's minimum cycle parking standards (PS16), with cycle parking situated in a convenient, secure and, where appropriate, sheltered location.

TRN15: Forming an access onto a road

The creation of an access from a dwelling to a highway will be acceptable where:-

- (a) the location of the access would be at a safe point with adequate visibility;
- (b) the access and amount of off street parking proposed would be visually acceptable

TRN23: Parking Standards - Residential Developments

Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.

TRN24: On-Street Parking

Proposals for on street parking should not generate traffic management problems

TRN34: Servicing in new developments

Loss of servicing facilities will be resisted.

Supplementary Planning Guidance

SPG5 "Altering and Extending Your Home"

Supplementary Planning Guidance No. 5 "Altering and Extending Your Home" was adopted by the Council in 2002. It sets out the design principles and guidance for alterations and extensions to residential properties, and considerations of extensions upon the amenities of neighbouring residential occupiers.

SPG17 "Design Guide for New Development"

Supplementary Planning Guidance No. 17 "Design Guide for New Development" (SPG17), adopted by the Council in October 2001, 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.

DETAILED CONSIDERATIONS

Site and Surroundings

1. The application site is located to the rear of No. 274 to 280 Kingsbury Road. It is currently accessed via a service road next to No. 280 Kingsbury Road. It contains hardstanding and garage. Nos. 274 to 280 Kingsbury Road contains three storey parade with commercial units on the ground floor and residential flat above. To the north of the application site are two storey terraced properties on Uphill Drive they contain maisonettes. The ground levels rise on Uphill Drive.

Relevant planning history

2. As set out above a recent planning application from 2014 was refused at the site for . The reasons for refusal as are follows:

1. The proposed development, by virtue of its height, relationship with the street and adjoining buildings, and excessive amount of hardstanding fronting Uphill Drive, constitutes an unacceptable development that will appear unduly prominent and detracts from the character of the streetscene. As such, the proposal is considered contrary to policies BE2, BE7, BE9 and H12 of the adopted Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17 "Design Guide for New Development".

2. This proposal will result in the loss of the service yard for existing retail units and residents of 274-280 Kingsbury Road without sufficient off street parking and servicing facilities provided elsewhere in the site. This will result in additional demand for on-street parking on Kingsbury Road (London Distributor Road) and Uphill Drive (heavily parked street), adding to instances of dangerous and obstructive parking on footways and along the street, to the detriment of the free and safe flow of traffic and pedestrians. The proposal would be contrary to policies TRN3 and TRN34 of the Brent's adopted Unitary Development Plan 2004.

3. The proposed development, by virtue of its excessive depth in relation to the rear habitable room window in No. 83 and 84 Uphill Drive, would have an overbearing impact on No.83 and 84 Uphill Drive, to the detriment of the amenity of the occupants of those maisonettes by loss of outlook from these windows and garden. Furthermore, the proposal fails to provide sufficient information on access arrangements to No. 83 Uphill Drive, to ensure that safe and appropriate access can still be provided to this maisonette. As such, the proposal is contrary to saved policy BE9 of the adopted Brent Unitary Development Plan 2004 and the objectives of Supplementary Planning Guidance No. 17 "Design Guide for New Development"

Proposal

3. This application seeks to address the previous reasons for refusal. The application now proposes a two-storey building to accommodate 4 x one bedroom flats. The considerations of the application are discussed below:

Siting, Scale and Design

4. The new block will front Uphill Drive with the main part of the building being in line with the building line of the neighbouring terraced properties on Uphill Drive. There is a front extension that projects forward of this building line by 2.47m. The stepped front building line is considered acceptable as it provides a transition between the properties on Uphill Drive and the parade on Kingsbury Road. The building is set in 2.2m from the flank wall of No. 83 and 84 Uphill Drive.

5. The building is designed at two storeys high with part gable part hipped roof. The character of the area includes two storey properties with pitched roof on Uphill Drive and three storey parade with a pitched roof on Kingsbury Road. Given that the building will front Uphill Drive it is considered that the scale of the building should reflect the existing scale of development on Uphill Drive which includes two storey rather than three storey buildings. It should also take into account the level changes within Uphill Drive. The building at two storeys high is considered to reflect the scale of buildings on Uphill Drive.

6. The building is proposed to be in brick with a slate roof. Whilst slate is not typically found in this part of the Borough, given that the proposed building is not located within a conservation area and is a stand alone building, there are no objections to the use of slate. There are front balconies at first floor level. The detailing of the fenestration is considered acceptable. At the rear there is projecting timber box element at first floor level.

7. The proposal is considered to accord with policy 3.5 of the London Plan 2015 and policy BE9 of Brent's UDP 2004.

Quality of proposed accommodation

8. This application proposes four one-bedroom flats. As the scheme involves less than 10 units and does not result in a loss of a family sized unit (three bedrooms or more), there is no policy requirement to provide a family sized unit within the scheme. As such the mix is considered acceptable, and is in accordance with policy CP21 of Brent's Core Strategy 2010.

8. All units meet the minimum internal unit sizes as set out in the London Plan of 50sqm for a one bedroom two person flat. Both ground floor units will have access to private external amenity space which exceed 20sqm each. The upper floor flats all have access to a balcony of 5sqm. Whilst these balconies meet London Plan requirements, they do fall short of Brent external amenity space standards of 20sqm per unit. However, it is considered in this instance, given the size of the units (1-bedroom only) and close proximity of the site to Roe Green Park, that the shortfall in external amenity space does not justify a reason for refusal. As such it is considered that the proposal complies with the objectives of the guidance set out on SPG17 "Design Guide for New Development".

9. All units have dual aspect to provide sufficient levels of outlook. A landscape buffer with a minimum depth of 1.5m is proposed in front of ground floor bedroom windows. This provides sufficient space between these windows and the car parking spaces/pathways within the site. The

Impact on adjoining neighbours

10. The site is located next to No. 83 and 84 Uphill Drive. This property contains two maisonettes with access to No. 84 from the front and access to No. 83 via the side elevation that faces the application site. The existing access to No. 83 Uphill Drive has been retained, and a new pathway will be provided between the new building and site boundary. This gap is sufficient to not create a sense of enclosure for the occupiers of No. 83 Uphill Drive and will allow visibility to be retained from Uphill Drive to this side entrance.

11. There are windows on the flank elevation of No. 83 and 84 Uphill Drive but it would appear from officer site visit that they either serve non habitable rooms or are secondary windows to habitable rooms. There are however habitable room windows on the rear elevation. This includes a door and window to No. 83 Uphill Drive which appears to serve the kitchen. This middle of this window is around 3.75m from the flank wall of

the new block. Based on 2:1 guidance set out in SPG5 this would permit a depth of around 1.875m from this window. The proposed depth from this window is 1.325m, which meets the requirements of the 2:1 guidance. As such it is not considered that the proposal will be overbearing when viewed from the kitchen window of No. 83 Uphill Drive.

12. There are residential flats in No. 274 to 280 Kingsbury Road at upper floor levels. A distance of 6.87m to 8.27m is maintained to the flank wall of the new block from these windows. No windows are proposed on the flank wall to result in overlooking to the flats within No. 274 to 280 Kingsbury Road. The new block sits within 30 degree line from the rear habitable room windows in No. 274 to 280 Kingsbury Road as set out in SPG17, and as such the new building is not considered to adversely impact on outlook or appearing overbearing from the flats within No. 274 to 280 Kingsbury Road.

13. A distance of over 10m is maintained to the boundary with the side garden of No. 2 Roe Green, thus complying with the guidance set out in SPG17. It is therefore considered that No. 2 Roe Green will not result in an undue loss of privacy as a result of this proposal.

14. It is considered that the proposal complies with policy BE9 of Brent's UDP 2004.

Transportation considerations

15. Kingsbury Road is a London distributor road and Roe Green is a local distributor road/bus route. Uphill Drive is too narrow to safely accommodate parking along both sides whilst still allowing service vehicles to pass and it is therefore defined as a heavily parked street, with recent surveys from 2013 confirming that this is still the case. The land at the rear of No. 274 to 280 Kingsbury Road is used as a rear service yard for the commercial units. There is restrictive parking along on Kingsbury Road, fronting 274-280 due to the signal controlled junction and pedestrian crossing. The shops front a large footway, over 10m wide. However, no off street parking can occur within the frontage due to the signal controlled junction and the barriers/ bollards preventing parking.

16. The existing development at the site (including the commercial units and flats on the upper floors) requires a combined maximum car parking standard of 12 car spaces and requires at least two transit sized servicing bays shared between the retail units. The proposed new two storey building, in the rear service yard, will result in 4 x 1 bedroom flats. Under PS14, 1-bed flats can be permitted up to 1 car spaces each, thus giving a combined maximum total of 4 parking spaces for the four flats.

17. Officers in Transportation have advised that there is a need to provide servicing facilities for the retained commercial use and off street parking due to the unavailability of on-street parking options. The site fronts a signalised junction and therefore double yellow line restrictions are applied as well as Kingsbury Road being a London Distributor road. On-street parking on Uphill Drive cannot be safely accommodated, as it is a heavily parked street and does not have capacity for on street parking. In addition to this the road is narrow, with majority of vehicles parking on the public footway.

18. In response to requirements of Transportation, the current scheme proposes 4 off-street parking spaces for the proposed new flats plus two transit sized loading bays for the retail shops. One parking space and one service bay will be accessed from the existing crossover on Roe Green and a new vehicular crossover (3.1m wide) is proposed onto Uphill Drive which will provide 3 parking spaces and one servicing bay.

19. Consideration also needs to be given to overspill parking onto Uphill Drive from the existing flats at 274 to 280 Kingsbury Road. Officers in Transportation have advised that the overspill of parking from this site onto Uphill Drive is not acceptable with the street in its current width being heavily parked and vehicles currently parking in an obstructive or dangerous manner. Overspill of parking onto Kingsbury Road and Roe Green is also not acceptable, as these are both London and local distributor roads with parking restrictions in place at the junction.

20. To address the concerns with overspill parking from the existing flats onto Uphill Drive, amendments were sought. These include dedicating land along the eastern boundary of the site as public highway in order to provide a wider footway and thus allow sufficient width for partial footway parking to be formalised with adequate space retained for pedestrian access along Uphill Drive and to the new development. A total of four formalised partial footway parking is proposed. Officers in Transportation have advised that the parking provision within the application site combined with the new on street spaces is sufficient to mitigate concerns regarding overspill parking.

21. It is therefore considered that the proposal complies with policies TRN4, TRN15, TRN23 and TRN34 of

Brent's UDP 2004.

Construction Management Plan

20. Whilst this application is for a small scale development, given that Uphill Drive is a heavily parked street and that no parking can take place on Roe Green or Kingsbury Road, it is recommended that a condition is secured for a construction method statement. Officers in Transportation have advised that this should include any temporary traffic management/temporary road or footway closures required for unloading/loading of materials and equipment and access must be retained for residents and emergency vehicles at all times.

Cycle Parking

22. The scheme proposes one cycle space for each of the new residential units and one cycle space for each of the existing residential units at 274-280 Kingsbury Road. There is a total of 12 cycle spaces. This meets the requirements of PS16 in Brent's UDP 2004. Further details on how the cycle spaces will be secured and covered are recommended to be conditioned to any forthcoming consent.

Refuse facilities

22. Refuse requirements for 4 x one bedroom flats are 480l for residual waste, 480l for dry recycling and 92l for organic waste. This will involve the need to have a total of 5 x 240l bins. An area is proposed at the front of the site to accommodate the bins, which is within easy collection distance for the refuse collection vehicle. The plans show provision for 8 bins which exceed requirements, and a condition is recommended to reduce this to the amount that is required within a covered bin store. This will allow the opportunity for enhanced landscaping within this area.

23. No information has been provided on refuse collection for the existing shops and residential units on Kingsbury Road. Commercial waste is collected by a private contractor. The existing flats require the provision of 960l for residual waste, 960l for dry recycling and 184l for organic waste. This can be accommodated in the form of 2 x 1100l euro bins and 1 x 240l bin. It is recommended that a condition is secured to set out details of where bin storage facilities can be provided for the commercial and residential units, together with a management plan for the collection of the bins on collection days.

Front forecourt landscaping

25. The proposal will result in the loss of the landscaped area that fronts Uphill Drive. This area includes a conifer tree and budlia. To compensate for the loss of this landscaping, it is proposed for a new hedge to be planted behind the front boundary wall and areas of soft landscaping to be provided within the front forecourt when viewed from Uphill Drive. This accounts for around 32% of the front forecourt being soft landscaped, and therefore meets the objectives of policy BE7 within Brent's UDP 2004. It is recommended that full details of the soft landscaping are conditioned together with use of permeable paving for the new hardstanding.

Response to objections raised

Point of objection	Response
There is no room within the site to accommodate construction lorries which will result in Uphill Drive being blocked.	Construction traffic could be required in the event that any property on Uphill Drive carried out any renovation/extension works, and from a planning perspective there would be limited controls. In the event that this application was supported a construction management plan could be conditioned so minimise disruption from construction traffic.
Increased demand for parking which can not be accommodated on Uphill Drive, especially if new flats have more than one car.	The site has provision for off street parking for the new flats together with two service bays for the existing commercial uses on Kingsbury Road to minimise overspill parking onto Uphill Drive. In addition, four new partial footway parking bays will be provided together with a 2m wide pavement outside the frontage of the site on Uphill Drive.

Uphill Drive is a narrow road with limited access which can only accommodate footway parking to allow larger vehicles such as refuse lorries to access the properties on Uphill Drive.	See comments above.
Access road will attract fly tipping	The scheme will provide sufficient refuse facilities of the new flats. Any fly tipping will need to be reported to the Council's Environmental Health department.
If the new flats are sold at market price they will not address the housing crisis.	As these scheme proposes four residential units, there is no requirement to provide affordable housing. The threshold is 10 units or more.
New access from Uphill Drive will result in l	The flood risk considerations of the site are discussed in paragraph 37 above.
Residents in the existing flats on Kingsbury Road will not have access to the external amenity space proposed for the new flats. Children currently play in service yard.	The residents in the existing flats on Kingsbury Road due not currently have any communal or private external amenity space. Roe Green Park is only a short distance away from the flats.
New flats are too close to fire escape to flats in Kingsbury Road	The existing external stair case access will be retained for the flats on Kingsbury Road. The new building is set in away from the external stair cases.

Conclusions

26. In conclusion, the new building to accommodate four new flats is considered to be of an acceptable design, scale and relationship to the streetscape. The new flats are not considered to adversely impact on the amenities of neighbouring occupiers.

27. The scheme provide sufficient off street parking for the new flats and servicing bays for the existing shops. In addition, highway improvement works are proposed along the front of the site on Uphill Drive to create four new partial footway parking bays and a 2m wide pavement. Opportunities for improved landscaping within the site will be sought to enhance its appearance within the streetscape.

28. The new flats provide an acceptable mix and standard of accommodation.

29. The proposal accords with the policies set out in the London Plan, Brent's Core Strategy, Brent's UDP and the guidance set out in SPG17 "Design Guide for New Development" and SPG5 "Altering and Extending Your Home" for the reasons as set out above. Approval is accordingly recommended subject to the conditions set out below.

CIL DETAILS

This application is liable to pay **£58,678.32*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 204 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	204		204	£200.00	£35.15	£49,907.14	£8,771.18

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	274	

Total chargeable amount £49,907.14 £8,771.18

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

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

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



Brent

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/2313

To: Mr Ben Harvey
Liam Russell Architects Ltd
3 Broad Reach Mews
Ropetackle
Shoreham-by-sea
West Sussex
BN43 5EY

I refer to your application dated 29/05/2015 proposing the following:
Erection of two-storey building comprising 4 no. self contained flats with provision of 6 no. car parking spaces, secure cycle storage, bin store area, associated landscaping and new Vehicular access to Uphill Drive
and accompanied by plans or documents listed here:
Refer to Condition 2
at Land rear of 274-280, Kingsbury Road, London

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:

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

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 general accordance with the:-
National Planning Policy Framework
London Plan consolidated with alterations since 2011
Brent LDF Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 - Design Guide for New Development
Mayor's Housing SPG

- 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):

1066-PA-001 Rev A - Existing Location & Block Plan & Topographical Survey
1066-PA-002 - Existing Elevations (Excluding reference to Location and Block Plan)
1066-PA-010 Rev F - Proposed Ground Floor Plan
1066-PA-011 Rev B - Proposed First Floor Plan, Location and Block Plan
1066-PA-013 Rev A - Proposed East and West Elevations
1066-PA-014 - Proposed North and South Elevations
1066-PA-015 - Proposed Artist's Impression

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

- 3 Prior to commencement of any works on site, the applicant shall make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority to provide the following highway works, as indicatively shown on drawing 1066-PA-010F at their own expense:
 - (i) widening of the adopted highway into the site to provide 4 partial footway parking bays and retention of a 2m wide footway along Uphill Drive,
 - (ii) formation of a 3.1m wide crossover onto Uphill Drive
 - (iii) all associated changes to waiting restrictions and associated TRO costs, including double yellow lines at the junction with Kingsbury Road
 - (iv) relocation of a street lighting column;
 - (v) any resultant changes to statutory undertakers' equipment or other accommodation or ancillary works as may be reasonably required by the Local Highway Authority.
The development shall not be occupied until all associated highway works have been completed to the satisfaction of the Local Highway Authority.

Reason: In the interests of highway and pedestrian safety and to provide sufficient parking provision for the site.

- 4 Prior to commencement of any works on site, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (i) The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
 - (ii) The operation of the site equipment generating noise and other nuisance causing

activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;

- (iii) the parking of vehicles of site operatives and visitors;
- (iv) loading and unloading of plant and materials including any required temporary traffic management or temporary highway closures;
- (v) storage of plant and materials used in constructing the development;
- (vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vii) wheel washing facilities and schedule of highway cleaning;
- (viii) measures to control the emission of dust and dirt during construction;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (x) Membership of Considerate Contractors Scheme

Reason: To protect residential amenity and ensure the development does not have an adverse impact on the highway.

- 5 Details of materials for all external works (including samples to be prearranged to be viewed on site) shall be submitted to and approved in writing by the Local Planning Authority before the materials are installed. The work shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
Such details shall include:

- (i) sample board of facing bricks and sample of roof tiles and timber cladding
- (ii) details of materials for all doors and windows
- (iii) details of materials for the canopy

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

- 6 Further details of the front forecourt area to the new dwellings together with the car parking area at the rear shall be submitted to and approved in writing by the Local Planning Authority within four months of commencement of the development. The hard and soft landscape works shall be completed in full accordance with the approved details prior to first occupation of the dwellings hereby approved.

Such details shall include:-

- (i) Details of materials for areas of hardstanding including marking out of the car parking/servicing spaces and pedestrian pathways (including details of materials and finishes which shall be of a permeable construction).
- (ii) Details of the soft landscaped in the front forecourt area (including location, species, size, density and number) including the provision of a hornbeam hedge along the frontage and at least three replacement ornamental trees.
- (iii) Details of bin storage to comply with Brent's Household Waste Collection Strategy 2010-2014 (including floor plans and elevations)
- (iv) Low boundary wall across the frontage of the site at no more than 0.6m high (elevation plans to be provided)
- (v) Details of any level changes across the site

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.

- 7 Further details of the rear garden layout for the new dwellings shall be submitted to and approved in writing by the Local Planning Authority within four months of commencement of the development. The hard and soft landscape works shall be completed in full accordance with the approved details prior to first occupation of the proposed dwellings hereby approved. Such details shall include:-
- (i) Patios and pathways (including details of materials, finishes and height of patio)
 - (ii) Details of existing and proposed boundary treatments (including materials and height).
 - (iii) Proposed planting (including location, species, size, density and number). The proposed planting shall include at least two ornamental tree (minimum girth of 16-18cm) in the rear gardens of the new dwellings .
 - (iv) Details of any external lighting within the rear gardens or attached to the dwellinghouses
 - (v) Details of any level changes within the site

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.

- 8 Prior to first occupation of the new dwellings, further details of a sheltered and secure bicycle storage for the new dwellings and existing flats which shall be secure and weatherproof shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details. The bike shelter shall be retained throughout the lifetime of the development.

Reason: In the interest of providing adequate cycle parking facilities.

- 9 Prior to first occupation of the new dwellings, further details of the bin store facilities for both the new dwellings and existing flats and commercial units shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details. Such details shall include:

- (i) provision of 5 x 240l bins for the new dwellings (to be provided in a covered bin store including details of the design and appearance of the bin store)
- (ii) provision of 2 x 1110l Euro Bins and 1 x 240l bin for the existing flats
- (iii) provision of suitable commercial bin facilities for the existing retail/commercial units
- (iv) a management plan on collection day for the existing commercial and residential units

The bin store facilities shall be retained throughout the lifetime of the development.

Reason: In the interest of providing adequate refuse facilities within the site.

- 10 All residential properties 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	Max levels
Day time (7:00-23:00)	Living and bedrooms	35 dB LAeq (16hrs)
Night time (23:00-7:00)	Bedrooms	30 dB LAeq (8 hrs) 45 dB LAmax

Prior to the commencement of construction (excluding any demolition and the laying of foundations), details demonstrating how these noise levels will be met shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details.

Reason: To obtain required sound insulation and prevent noise nuisance.

- 11 The new dwellings shall not be occupied until the car-parking, cycle parking and turning areas shown on the approved plans have been constructed, surfaced and marked out to the satisfaction of the Local Planning Authority. The car-parking, cycle parking and turning areas so provided shall be maintained as ancillary to the development and shall be used for no other purpose at any time.

Reason: In the interests of highway safety.

INFORMATIVES

- 1 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
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.

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