

Committee Report
Planning Committee on 16 March, 2011

Item No. 13
Case No. 10/2075

RECEIVED: 6 August, 2010

WARD: Stonebridge

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Land next to 10, Tillett Close, London, NW10

PROPOSAL: Construction of 5 dwellinghouses on hardsurfaced area of Public Open Space with associated landscaping, car-parking and refuse and cycle storage

APPLICANT: London Borough of Brent

CONTACT: Assael Architecture Ltd

PLAN NO'S:
See condition 2

This application was reported to the 12 October 2010 Planning Committee. However, officers recommended the deferral of this application to allow further revisions to the design and layout of the scheme to address the relationship between the proposed houses and their gardens with the banked area to the south of the site, and to amend the provision of external amenity space.

The applicants have revised the proposal to alter this relationship, and have incorporated other associated changes to the scheme.

RECOMMENDATION

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

SECTION 106 DETAILS

The proposal is submitted by the London Borough of Brent and the application site is also owned by the Council. As such, this proposal cannot be accompanied by a Section 106 agreement and the measures and contributions normally secured through the S106 agreement have been incorporated into conditions. However, if the site is sold to a third party, such as a Registered Social Landlord, then the Council will enter into a Section 106 or other legal agreement to secure the measures and constructions, as set out within the following Heads of Terms:

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance;
- That 100% of the dwellings are provided as Social Rented Affordable;
- A contribution of £38,400 (£2,400 per additional AH bedroom)
 - i. 75% due on material start and, index-linked from the date of committee for Education, Sustainable Transportation, Open Space in the Local Area
 - ii. 25% towards the provision, prior to Occupation, landscaping (including new trees) and other environmental improvements in the locality. This shall include the provision of 5 cycle stands adjacent to the MUGA situated within St Raphaels/Tokington Recreation

Ground to the North of the subject site.

- That 100% of the homes should be constructed to Lifetime Homes Standards;
- The submission, approval and implementation of a strategy for the provision of Wheelchair Accessible or Easily Adaptable units within the St Raphaels Estate housing proposals which demonstrates the provision of such housing at a rate of 10%.

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 within a reasonable timeframe.

EXISTING

Situated within the St Raphael's Estate the subject site comprises a hard surfaced area located between two lines of terraces which front Tillett Close. The land is designated as Public Open Space within the Development Plan. However, the layout and dimensions of the site is typical of a vehicle parking area and anecdotal evidence from Officers suggests that this area was indeed used historically for parking cars.

The site is not situated within a Conservation Area and there are no listed buildings in the vicinity. Surrounding buildings are in residential use and reach 3 storeys in height.

PROPOSAL

The application proposes 5 dwellinghouses on hardsurfaced area of Public Open Space with associated landscaping, car-parking and refuse and cycle storage.

HISTORY

No relevant planning history

POLICY CONSIDERATIONS

NATIONAL

Planning Policy Statement 1	Creating Sustainable Communities (2005)
Planning Policy Statement 3	Housing (2010)
Planning Policy Statement 12	Local Spatial Planning
Planning Policy Guidance 13	Transport (2001)
Planning Policy Guidance 17	Planning for Open Space, Sport and Recreation (2002)
Planning Policy Guidance 24	Planning and Noise (1994)

REGIONAL

The London Plan

Policy 3A.1	Increasing London's supply of housing
Policy 3A.2	Borough housing targets
Policy 3A.3	Maximising the potential of sites
Policy 3A.5	Housing choice
Policy 3A.6	Quality of new housing provision
Policy 4A.11	Living Roofs and Walls
Policy 4A.14	Sustainable Drainage
Policy 4A.16	Water Supplies and Resources
Policy 4A.19	Improving Air Quality
Policy 4A.20	Reducing Noise and Enhancing Soundscapes

Supplementary Planning Guidance

Housing (2005)

LOCAL

Brent Local Development Framework Core Strategy 2010

CP1	Spatial Development
CP2	Population and Housing Growth
CP5	Placemaking
CP6	Design & Density in Place Shaping
CP14	Public Transport Improvements
CP15	Infrastructure to Support Development
CP17	Protecting and Enhancing the Suburban Character of Brent
CP18	Protection and Enhancement of Open Space, Sports and Biodiversity
CP21	A Balanced Housing Stock

Brent Unitary Development Plan 2004

Strategy

The overall strategy of the UDP has 11 key objectives which are as follows:

1. Prioritising locations and land-uses to achieve sustainable development;
2. Reducing the need to travel;
3. Protecting and enhancing the environment;
4. Meeting housing needs;
5. Meeting employment needs and regenerating industry and business;
6. Regenerating areas important to London as a whole;
7. Supporting town and local centres;
8. Promoting tourism and the arts;
9. Protecting open space and promoting sport;
10. Meeting community needs; and,
11. Treating waste as a resource.

Policies

BE2	Local Context
BE3	Urban Structure: Space & Movement
BE4	Access for disabled people
BE5	Urban clarity and safety
BE6	Landscape design
BE7	Streetscene
BE8	Lighting and light pollution
BE9	Architectural Quality
BE13	Areas of Low Townscape Quality
EP2	Noise and Vibration
EP3	Local air quality management
EP6	Contaminated land
H12	Residential Quality – Layout Considerations
H13	Residential Density
H14	Minimum Residential Density
TRN3	Environmental Impact of Traffic
TRN4	Measures to make transport impact acceptable
TRN9	Bus Priority
TRN10	Walkable environments
TRN11	The London Cycle Network
TRN23	Parking Standards – Residential Developments
TRN34	Servicing in new developments
TRN35	Transport access for disabled people & others with mobility difficulties
PS1	Parking standards – Operation of these parking Standards
PS14	Parking Standards – Residential Developments

PS15	Parking for disabled people
PS16	Cycle parking standards
OS18	Children's play areas
CF6	School places

Brent Council Supplementary Planning Guidance and Documents

SPG4	Design Statements
SPG12	Access for disabled people
SPG13	Layout standards for access roads
SPG17	Design Guide for New Development
SPG21	Affordable Housing
SPD	Section 106 Planning Obligations

SUSTAINABILITY ASSESSMENT

n/a

CONSULTATION

Standard three week consultation period carried out between 26 August 2010 and 16 September 2010 in which 70 residents and ward councillors were notified by letter.

The application was advertised in the local press on 16 September and Site Notices were erected on 22 September. The associated consultation periods will expire on 13 October and any further comments that raise additional planning issues will be discussed in the Supplementary Report.

Two letters of objection has been received which raise the following concerns:

- Loss of light to bedrooms at 21 Tillett Close
- Increased parking demand in an area with high parking demand currently
- Loss of open space for children to play
- The passage across the northern side of the site (linking Tillett Close to the green space) should be at least 3 metres wide to allow for safe pedestrian/cycle use

One letter of support has also been received from one resident who lives in a house adjoining the site specifying their support for the proposal as they consider that the land is wasting and that the use of the land by children playing football creates a mess and results in excessive noise.

Following the receipt of revised drawings, letters were sent to adjoining and nearby residents on 11 February 2011 providing notification of the receipt of revised drawings and inviting comment. This was not a statutory re-consultation process. However, any comments that are received will be considered and discussed within this and/or the Supplementary Report. No letters have been received in response to this notification letter.

Consultees

Sport England

As the proposal does not have any impact on sports facilities or playing fields, Sport England has no comments to make.

Thames Water:

No objections

Landscape Design:

No objections in principle however in commenting on the original scheme it was recommended to move the buildings as far back into the site as possible in order to maximise amenity spaces in front of the buildings away from the North Circular Road.

Officer's Note: This amendment has not been sought as this would create a problematic relationship with 10 Tillett Close (see remarks section for fuller discussion)

A scheme is also required for rear boundary treatment. More details are required for the green wall attached to the gable wall end of the neighbouring houses. Additional tree planting is recommended in the park next to the houses and shrub planting is recommended alongside and rear boundaries of the properties. More soft landscaping should be incorporated into the area between the houses and car parking.

Transportation:

Raise objection to the proposal in its current form however this can be addressed providing the parking arrangement is amended to retain the turning head.

Environmental Health:

Site Investigation: conditions are recommended regarding a site investigation, remediation strategy and validation report and certificates.

Urban Design:

No objections

REMARKS

The application continues to propose the construction of 5 new residential units on Tillett Close, and the majority of the previous Committee report accordingly remains valid. This report will discuss the changes in design and layout, whilst the text from the previous report will remain unchanged.

The revisions are discussed within the first part of the Remarks section of this report. This is followed by a verbatim copy of the Remarks Section from the previous report.

Revision to the proposal

Layout

The proposed houses and their gardens have now been revised so that they are entirely contained within the existing hardsurfaced area and no longer projected onto the grassed areas of parkland. The overall design approach remains similar to that previously proposed with each house broken into two parts, one with a mono-pitched roof and the other with a flat roof/roof terrace.

The houses previously projected a maximum of 3.7 m into the open space to the south of the hardsurfacing, while the rear gardens projected up to 5.6 m. The western extent of the development was previously set approximately 8 m in from the western edge of the existing hardstanding. Whilst the depth of the houses has been addressed to reduce the southern projection, the width has been increased to maintain the level of floorspace and number of bedrooms. The westernmost flank wall of the units as now proposed is set approximately 0.5 m in from the rear building line of No. 11 Tillett Close whilst the garden of this unit reflects the size of the existing hardsurfaced area.

As such, the proposal remains on the (relatively) level hardsurfaced area and does not project into any of the grassed areas of the park such as the banked area to the south of the site. The proposal no longer results in the need for an excessively high wall along the southern boundary as it does not cut into the bank.

Internal and external spaces

The external amenity space of the new units is provided through the incorporation of:

- South facing areas of amenity space that will receive good sunlight but will experience noise from the North Circular Road;
- North facing areas directly accessible via French doors from the living space and screened by hedges and fences that will have limited sunlight but will experience lower levels of noise
- Roof terraces that will have good levels of light and are screened from the noise through the use of glazing

This results in the following internal and external spaces:

No Beds	Internal Size (sqm GIA)	Total amenity space (sqm)
4	122	114.3
3	98.9	61.2
3	98.9	61.2
3	98.9	61.2
3(W)	130.7	49.1

The internal floorspace significantly exceeds the Council's minimum requirements. The external amenity space exceeds minimum standards for all units except the 3-bedroom wheelchair accessible unit which falls 0.9 square metres below the guidance level. It is considered that this small shortfall does not have a significant impact on the quality of accommodation, particularly given the proximity to Public Open Space.

Relationship with adjoining houses and outlook

The house that adjoins No. 10 Tillett Close now projects 1.75 m rearward of the rear wall of No. 10. If comparing the proposed development to Supplementary Planning Guidance No. 5 which sets out a level of impact that is normally considered acceptable with regard to windows of existing dwellings, the proposal projects approximately 0.75 m beyond the 1:2 line which relates to light and outlook from windows of adjoining properties. Revisions have been requested which reduce this rearward projection to 1 m in order to be in accordance with this guidance. This is likely to be accompanied by a corresponding alteration to the front wall of the dwellinghouse, within which the element adjacent to No. 10 projects 0.75 further forward. As this adjoins the flank wall of No. 10, this would not result in any impact on the light or outlook from that property.

The front walls of the proposed houses are set a minimum of 7.6 m to 8.3 m from the flank wall of No. 11 Tillett Close. There are no Habitable Room windows in this flank wall and the proposed distance accordingly does not result in a significant loss of privacy. Windows overlooking the park are also provided in the western wall of the westernmost unit providing good levels of outlook, sunlight and daylight for future residents whilst increasing natural surveillance for the park.

Other amendments

Other changes include the provision of one disabled parking space directly adjacent to the wheelchair accessible unit.

With regard to the loss of a space that is used on an informal basis for playing football (as discussed within the previous committee report, the Sports Service has specified that there is sufficient capacity at the existing MUGA, located approximately 330 m from the site. The applicants propose the erection of 5 cycle stands adjacent to the MUGA, with funding or works secured within the Section 106 or similar agreement.

Conclusion

Your officers consider that the submitted amendments to the scheme which include the revised design and layout of units to ensure that they are sited entirely within the hardsurfaced area constitute significant improvements to the scheme. The approval of this application is accordingly recommended.

The Remarks section of the previous report was as follows:

This application proposes the construction of 5 new residential units on Tillett Close. The key issues associated with this proposal relate to:

- The principle of development, in terms of the loss of public open space
- The design, appearance and layout of the proposal;
- The landscaping proposals;

- The quality of accommodation;
- Any potential impacts on adjoining residents;
- Transportation issues, including car parking, cycle parking and access;

The proposal is one of four applications for new homes within the St Raphaels Estate submitted by the Brent Council Housing Service. The other proposals relate to Lovett Way (reference 10/1764 considered at the previous planning committee meeting), Play Area at the junction of Pitfield Way & Henderson Close (reference 10/1980 - also being considered at this planning committee meeting) and Besant Way (reference 10/2076 - also being considered at this planning committee meeting).

Construction on Public Open Space

The subject site is currently designated as Public Open Space as it forms a part of the 6.79 Hectare St Raphael's Way / Tokyngton Recreation Ground Open Space. Whilst the site has an open space designation, your officers consider it likely that the site historically was used as a parking court for the surrounding houses due to the dimensions and layout of the site, the siting and size of the drains which are situated along what would have been the central isle of a parking court and the levels within the site which include a large ramped entrance from the road. When viewing an aerial photograph, the site is clearly broken down into 5 m (parking), 6 m (isle), 5 m (parking) spaces from north to south. This layout is typical of a parking court, but the area is closed off with bollards and is not used for these purposes any more. Your officers accordingly consider that the "use" value of the open space is lower than the remainder of the park. Nevertheless, the site has a Public Open Space designation and as such, any loss of the space must be justified. The application would result in the loss of approximately 1060 sqm of designated Public Open Space.

Policy CP 18 of the LDF Core Strategy 2010 specifies that Open Space of local value will be protected from inappropriate development and will be preserved for the benefit, enjoyment, health and wellbeing of Brent's residents, visitors and wildlife. This policy also specifies that support will be given to the enhancement and management of open space.

PPG 17 specifies that "Existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown the open space or the buildings and land to be surplus to requirements. For open space, 'surplus to requirements' should include consideration of all the functions that open space can perform. Not all open space, sport and recreational land and buildings are of equal merit and some may be available for alternative uses". It also allows the loss of Public Open Space if there the space if re-provided elsewhere.

Unlike the Lovett Way housing proposal that was presented to the previous planning committee meeting, the loss of public open space is justified through improvements to the open space rather than the re-provision of open space elsewhere.

The Brent Open Space Report (2009) did not highlight this element of the Public Open Space as surplus to requirements. However, the associated surveys highlighted the following information regarding the use of parks in Brent:

Respondents were also asked whether they preferred to use the park nearest to their house or a different park. 70% of respondents did use their local park whilst 18% did not. Those who did not were asked why this was. The most popular response, accounting for one fifth of responses, was because of a lack of facilities at the nearest park. Other top reasons for people not visiting their nearest park was because of a poor quality environment (20%); a preference for visiting other parks (15%); safety concerns at the local park (13%) and lack of play facilities at the local park (7%). Presence of dogs, too many young people and lack of a cafe were other reasons given for not visiting the local park.

Whilst the majority of the Tokyngton/St Raphael's Open Space provides a high quality

environment, this element of the space is faced by two blank flank elevations and thus is poorly overlooked. The proposal introduces windows facing to the north, south and west, increasing the level of natural surveillance of the park and the access way that runs along the northern element of the site. Furthermore, the easternmost element of the hardsurfacing will revert to green space and will incorporate other landscaping in the surrounding area of the park.

The proposal is also intended to provide decant housing for the NCR project, thus allowing the relocation of existing NCR tenants within the local area and the construction of new dwellings. The relocation of existing tenants is often problematic within regeneration schemes, particularly where there is no open land in the locality upon which new housing can be built prior to the demolition of the existing homes. The proposed housing accordingly would serve a vital role in enabling the North Circular Road Regeneration to take place.

A local resident has objected on the basis that part of the proposal is on green space, specifying that the remaining surfaced area should be converted to green space to compensate for the loss if the proposal is to go ahead. Your officers can confirm that this space is the case, as mentioned above. They also specify that the access along the north side of the site should be at least 3 m wide. This access way is 3.7 m wide as proposed.

Another local resident specify that local children use this piece of land to play football and other games and that these children would need to play in the street if this space was no longer available, potentially resulting in risk to their safety and damage to vehicles. It appears that a goal has been marked out in the flank wall of one of the houses (No. 10 Tillett Close) which does suggest that the space is used for ball games. However, the use of a flank wall of a house as a football goal often results in significant levels of noise and disturbance for residents of that dwelling. Your officers note that the residents of this house have written in support of the proposal, specifying that the use of land by children make a mess of this area while playing football, and that it results in excessive noise. While your officers support the provision of play opportunities for children, whether formal or informal, the current use for play appears to be causing nuisance for some adjoining residents and a MUGA is available adjacent to the Children's Centre within Rainborough Close (approximately 330 m from the site). The remainder of the park is also available for such activities. However, it is recognised that the grassed nature of the nearby areas of the park reduce its use value in wet weather.

While the proposal results in a loss of designated Public Open Space, your officers consider that the use value of the open space is considerably lower than the remainder of the park and the proposal makes improves the landscaping around the site and to public safety through improved natural surveillance.

Density

The density of the proposed development is 74 units per hectare or 310 habitable rooms per hectare. This sits comfortably within London Plan range with regard to the number of units (50-95 units/Ha), but well above the London Plan range in relation to Habitable Rooms (150-250 HRH). It should be noted that these London Plan ranges assumes a much smaller proportion of family units, and is predicated on an average of 2.7 to 3 habitable rooms per unit whereas the proposal provides an average of 4.2. The significant numerical calculation of density by Habitable Room is therefore due to the provision of large units which are required to meet housing need and are intended to provide decant housing for the North Circular Road project. Furthermore, your officers consider that the design and massing of the proposed units is in keeping with the locality (please see subsequent discussion on design). Your officers accordingly consider that the density of the proposed development is acceptable.

Layout, design and landscaping

General layout of development

The proposed dwellings front Tillett Close with the ground floor amenity space being provided mainly to the front of the dwellings in the form of courtyard gardens which are enclosed by a

mixture of boundary wall and timber bin store/cycle store structures. The rationale for this layout is justified by the location of the site within close proximity to the North Circular Road. As such, it is proposed that the buildings will form an acoustic barrier to raise the value of private amenity space. Additional amenity space is provided in the form of a private roof terrace at second floor level for each unit.

Design and appearance

The applicants propose a 3 storey terrace which will adjoin an existing 1960s three storey terrace. The scale of building proposed is in-keeping with the existing buildings adjacent to the site.

The proposed buildings are modern and simple in design, and rely on a high quality of materials and details to ensure their success. The buildings compliment rather than replicate the existing 1960s buildings which are considered an acceptable approach for the site.

Landscaping

The proposal will result in the loss of an existing cherry tree close to number 10 Tillett Close however a line of 6 new trees is proposed along the front boundary of the new development. Furthermore an additional area of soft landscaping is proposed on the western end of the site adjacent to the new dwellings in place of the existing concrete which will contain new trees and shrub planting (details of this planting can be secured by condition). Landscape Design Officers have made a number of requests for further information however this can be secured by condition. This includes the landscaping measures which are to be provided off-site. General practice is to secure this through Section 106. However, as this is a Local Authority proposal, the submission and approval of details together with the implementation of those details is to be secured through condition.

Quality of Accommodation

Unit Sizes: The proposed units exceed the Council's guidance levels for minimum internal floorspace. The units exceed the Council's guidance levels regarding external amenity space through the use of ground floor space and second floor roof terraces.

Outlook: Due to the positioning of the buildings to the rear of the site, the houses have been designed to maximise outlook on to the front amenity areas and public realm beyond with a substantial rooflight in the ground floor section at the rear providing additional daylight to a long open-plan room. The distance between habitable room windows and boundaries for three of the five dwellings is 9m. The remaining two dwellings would have a distance of 7.5m and 4m from front boundaries. Whilst the 4m distance provided is less than ideal in terms of outlook, your officers do not consider this severe enough to warrant a refusal of the scheme as this unit is afforded a better outlook to the rear looking on to a garden which has a depth of 7m. It should be noted that this unit adjoins a three storey townhouse and will have a largely enclosed garden however this can be softened through innovative planting which can be secured by condition and will provide a mews style feel for the occupants of this dwelling.

An adequate level of cycle storage is proposed together with satisfactory refuse and recycling storage facilities in individual timber storage facilities positioned on the site frontage. Details of the appearance of these stores will be secured by condition.

The applicants have confirmed that all homes will be built to Lifetime Homes standards. With regard to Wheelchair or Easily Adaptable Housing, the applicants have confirmed that 10% of the homes that are constructed as part of the St Raphaels Housing project will be Wheelchair Accessible.

Noise and Vibration: The site is situated within close proximity with the North Circular Road. A noise assessment has been undertaken which confirms the site to be within Noise Exposure Category B. As such a condition is recommended to require tests prior to occupation and

potentially further remediation depending on the results of these tests.

Play and recreational space

The child yield of the proposed development has been calculated to be 10. Given the size of the areas of private amenity space given to the units and the proximity to open space, your officers consider there to be adequate provision to support estimated child yield.

Summary

The quality of housing proposed within the development is acceptable and in accordance with the Council's policies and guidance.

Impact on adjoining residents/occupiers

Daylight and Sunlight

The property situated most closely to the proposed development is number 10 Tillett Close which is situated to the east of the site and will adjoin the new dwellings. The original submission raised concerns with officers due to the siting of the terrace significantly to the rear of 10 Tillett Close which would have an unduly detrimental impact on the amenities currently enjoyed by this property. As a result amendments have been agreed in principle re-siting two of the five dwellings in order to ensure that the ground floor projection does not exceed a depth of 3m beyond the rear wall of 10 Tillett Close in line with a typical relationship resulting from works undertaken as permitted development. At the first and second floor level a depth of 1m is now proposed which complies with the 1:2 guideline set out within SPG5.

The other terrace to the north of the site would not be unduly affected by the proposal due to significant separation from the proposal and its orientation with habitable windows only providing occupants with an oblique view of the new development.

Objections received

One objector has commented that they will suffer a loss of light, privacy and outlook as a result of this proposal. This matter has been discussed above and your officers consider that the proposal will not result in an unduly detrimental level of harm to any neighbouring properties.

Privacy and overlooking

Habitable room windows mainly overlook car parking areas to the front of the site. The siting of the proposed building is such that where the properties are closest to number 11 Tillett Close the habitable accommodation belonging to this property could only be viewed from an oblique angle. As such any potential overlooking would be minimal. Where the angle improves to potentially provide an easier view, a separation distance of 20m is achieved as advocated by SPG17. Accordingly the proposal is not considered to have an unduly detrimental impact on the amenities of existing residents in terms of privacy and overlooking.

Transportation

Car parking

Car parking is provided on street with 4 new parking spaces proposed. Transportation are satisfied that this provision is adequate and welcome the retention of an existing turning head for refuse and emergency vehicles. A condition is recommended which requires this to remain clear. As the increased parking demand resulting from the development has been accommodated within the area fronting the site, the objections raised regarding increased parking demand are not considered to raise concerns with officers.

Cycle Parking

Adequate cycle parking is proposed for future occupants in line with UDP standards.

Servicing

Refuse storage is situated within bin stores on the property frontages. This allows suitable access for residents and ensures that the bins are an appropriate distance from the street.

Summary

The car parking, cycle storage and refuse storage proposals are considered to be acceptable.

Site Survey/Contamination

A Desk Study has not been submitted in relation to this site. However, given the site history and the work that has been commissioned by Environmental Health, there is the potential presence of contamination in the proposed development area due to the historical land use. Environmental Health have accordingly recommended that conditions are attached requiring a Site Investigation, Remediation Strategy and Verification Report.

Flooding

The site is situated within Flood Zone 2 and as such a Flood Risk Assessment is required. This has been submitted and is currently being reviewed by officers. Conclusions from this assessment will be reported within the supplementary ensuring that PPS25 and Environment Agency guidelines are complied with fully.

Other matters

Concerns regarding the access to public open space and the width of the footpath are noted. The footpath is considered to have adequate width (of 4m) in order to accommodate pedestrians/cycle users.

Conclusions

The proposal, which is intended to enable the delivery of the North Circular Road project, provides a satisfactory standard of accommodation and includes adequate parking arrangements to meet the demand generated by the proposal. Your officers consider that the proposed layout, design and appearance pays the appropriate regard to its context and should result in improvements to the public realm whilst also being designed to ensure that it mitigates any unduly detrimental impacts on nearby residents or occupiers. Accordingly it is recommended that planning permission be **granted, subject to conditions**.

REASONS FOR CONDITIONS

n/a

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004
Central Government Guidance
Council's Supplementary Planning Guidance
Brent Local Development Framework Core Strategy 2010

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
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Housing: in terms of protecting residential amenities and guiding new development
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

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

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

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

A2204 200 P9
A2204 201 P9
A2204 202 P9
A2204 203 P9
A2204 400 P5
A2204 401 P5
A2204 001 P1

Design And Access Statement dated August 2010
Planning Obligations - S106 dated August 2010
Flood Risk Assessment dated 11 August 2010
Arboricultural Impact Appraisal and Method Statement dated 25 August 2010

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

- (3) All parking spaces, footways and other alterations to the highway which include the provision of an adequately sized turning head, both within and outside of the subject site (but detailed in the approved plans) shall be constructed and permanently marked out prior to first occupation of any of the units approved. Such works shall be carried out in accordance with the approved plans and thereafter shall not be used for any other purpose, except with the prior written permission of the Local Planning Authority obtained through the submission of a planning application. The turning head (detailed within the approved plans) shall be kept clear at all times for use by refuse and emergency vehicles only.

Reason: To ensure a satisfactory development which contributes to the visual amenity of the locality and which allows the free and safe movement of traffic and pedestrians throughout the site and to provide and retain adequate cycle and car parking and access in the interests of pedestrian and general highway safety and the free flow of traffic within the site and on the neighbouring highways.

- (4) Notwithstanding the provisions of Schedule 2 Part 1 Classes A to G of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the premises shall be carried out to the dwellinghouses hereby approved, unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason:

In view of the restricted size of the site for the proposed development no further enlargement or alteration beyond the limits set by this permission should be allowed without the matter being first considered by the Local Planning Authority.

- (5) Details of materials for all external work, including samples, 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.

- (6) 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 prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed during the first available planting season following completion of the development hereby approved and the details approved under item (e) below shall be implemented prior to demolition/construction commencing and retained during demolition/construction.

The submitted scheme shall include details of:

- (a) the planting scheme for the site, which shall include species, size and density of plants;
- (b) walls, fencing and any other means of enclosure, including materials, designs and heights;
- (c) treatment of areas of hardstanding and other areas of hard landscaping, including materials;
- (d) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling.
- (e) trees and other vegetation to be retained within the site and the techniques to be used to protect them during construction and the use of appropriate building foundations in accordance with British Standard 5837. This shall include construction details for the building, all hard-surfaced areas, details of routing for any underground services that may affect the trees and details of the protection of the trees during the construction period, to ensure that the development hereby approved does not damage the trees, including their roots.

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.

- (7) The development hereby approved shall not be occupied unless details of the off-site works and landscaping, including the parking areas, green wall and off-site planting all around the site have been submitted to and approved in writing by the Local Planning Authority and the approved works implemented in full. The details shall include:
- (a) the planting scheme, which shall include species, size and density of plants;
 - (b) walls, fencing and any other means of enclosure, including materials, designs and heights;
 - (c) treatment of areas of hardstanding and other areas of hard landscaping, including materials;
 - (d) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling;

- (e) The detailed design and layout of the parking spaces, footways and other highway alterations, including the turning head;
- (f) trees and other vegetation to be retained within the site and the techniques to be used to protect them during construction and the use of appropriate building foundations in accordance with British Standard 5837. This shall include construction details for the building, all hard-surfaced areas, details of routing for any underground services that may affect the trees and details of the protection of the trees during the construction period, to ensure that the development hereby approved does not damage the trees, including their roots.
- (g) the details of what the 'green wall' will consist of and how it will be attached to the gable wall end of 11 Tillett Close together with details of the size of the rooting volume available to proposed plants

The approved details shall maintained thereafter. 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 and the adequate provision of car parking.

- (8) No development shall commence unless details of any external lighting, including the lux level and a lighting contour map, are submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to occupation, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safety and the amenities of the area.

- (9) The development hereby approved shall not be occupied unless details have been submitted to the Local Planning Authority which confirm that all units have been constructed to Lifetime Homes standards.

Reason: To ensure a satisfactory development.

- (10) The development hereby approved shall not be occupied unless details have been submitted to the Local Planning Authority which confirms that 1 of the units hereby approved have been constructed to Wheelchair Accessible or Easily Adaptable, or a strategy for the provision of a minimum of 10 % of dwellings as Wheelchair Accessible or Easily Adaptable units within the St Raphaels housing proposals has been submitted to and approved in writing by the Local Authority and the approved strategy shall be implemented in full.

Reason: To ensure a satisfactory development.

- (11) Prior to the commencement of building works, a site investigation shall be carried out by suitably qualified persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning

Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by the contamination and an appraisal of remediation options required to contain, treat or remove any contamination found. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004.

- (12) Any remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004

- (13) The development hereby approved shall not commence unless details are submitted to the Council which demonstrate that the development has joined the Considerate Constructors Scheme. The developer shall thereafter adhere to the scheme for the period of construction.

Reason: To safeguard the amenities of adjoining and nearby residents and occupiers.

- (14) No development shall commence unless details of the timber refuse and recycling storage facilities have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be occupied until the agreed store has been constructed in full accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for refuse/recycling facilities

- (15) The units hereby approved shall not be occupied unless an acoustic report has been submitted to and approved in writing by the Local Planning Authority. The acoustic report shall demonstrate that "reasonable" resting levels of noise and vibration attenuation have been achieved within each of the units' habitable rooms and associated amenity space (post-completion of the building works) in line with the levels set out within PPG24.

If "reasonable" noise levels have not been achieved, the report will detail what additional measures will be undertaken to ensure that they are achieved. These additional measures shall be implemented prior to the occupation of the building in accordance with the details so approved.

Reason: To ensure satisfactory noise levels for the future occupants of the building.

INFORMATIVES:

- (1) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or surface water sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water, Developer Services will be required. They can be contacted on 08454 850 2777. Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- (2) There are public sewers crossing the site, therefore no building will be permitted within 3 metres of the sewers without Thames Water's approval. Should you require a building over application form or other information relating to your building / development work, please contact Thames Water on 0845 850 2777.

REFERENCE DOCUMENTS:

The London Plan Consolidated with Amendments Since 2004
Brent Unitary Development Plan 2004
Brent Local Development Framework Core Strategy

Any person wishing to inspect the above papers should contact David Glover, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5344



Planning Committee Map

Site address: Land next to 10, Tillett Close, London, NW10

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.