



Planning Committee Map

Site address: Melrose House, 201 Melrose Avenue, London, NW2 4NA

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This map is indicative only.

RECEIVED: 12 April, 2011

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: Melrose House, 201 Melrose Avenue, London, NW2 4NA

PROPOSAL: Variation of condition 2 (development to be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted) to allow minor material amendments, comprising:

- Enlargement of window on rear elevation to comply with smoke ventilation requirements
- Roof covering to the bicycle stores for compliance with the ECO Homes requirements.

of full planning permission reference 10/2142, dated 25/11/2010, for demolition of 3-storey care home and outbuilding to rear of site and erection of three-, four- and part five-storey building comprising 21 flats (9 three-bedroom, 9 two-bedroom and 3 one-bedroom with accessible units), new vehicular and pedestrian access onto Melrose Avenue NW2, provision of 17 car-parking spaces, bin store, bicycle store and associated landscaping (variation of planning permission 07/2019).

APPLICANT: Bouygues (UK) Ltd

CONTACT:

PLAN NO'S:
Refer to Condition 2

RECOMMENDATION

Grant Consent

EXISTING

The application site comprised a former care home located on Melrose Avenue. Planning permission was granted on 04/10/2007 for the demolition of the care home and erection of three, four and part five storey building comprising 21 flats.

The site is not located within a conservation area nor is it a listed building. The surrounding uses are predominantly residential.

PROPOSAL

Minor material amendments to full planning permission reference 10/2142, comprising the following:

- Enlargement of windows on rear elevation to comply with smoke ventilation requirements
- Roof covering to the bicycle stores for compliance with the ECO Homes requirements.

HISTORY

10/2142: Variation of condition 3 (development to be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted) of full planning permission ref: 07/2019 to allow minor material amendments, comprising alterations to elevations including resizing, repositioning and removal of windows at all floors (ground to fifth); and replacement of boundary wall alongside 199 Melrose Avenue with Armco Barrier with Escallonia "Red Hedge" in front, extending rear garden of 199 Melrose Avenue and omitting some planting - Granted, 25/11/2010.

08/2586: Details Pursuant to condition 2 (external materials) of full planning permission ref: 07/2019 - Granted, 17/10/2008.

08/1722: Details Pursuant to condition 2 (external materials) of full planning permission ref: 07/2019 - Withdrawn, 06/08/2008.

08/0787: Details Pursuant to condition 4 (landscaping) of full planning permission ref: 07/2019 - Granted, 09/09/2008.

07/2019: Full Planning Permission sought for demolition of 3-storey care home and outbuilding to rear of site and erection of three-, four- and part five-storey building comprising 21 flats (9 three-bedroom, 9 two-bedroom and 3 one-bedroom with accessible units), new vehicular and pedestrian access onto Melrose Avenue NW2, provision of 17 car-parking spaces, bin store, bicycle store and associated landscaping, subject to a Deed of Agreement under Section 106 of the Town and Country Planning Act 1990 - Granted, 04/10/2007.

POLICY CONSIDERATIONS

Brent's UDP 2004

BE9: Architectural Quality
TRN11: The London Cycle Network

Supplementary Planning Guidance

SPG17 "Design Guide for New Development"

CONSULTATION

Consultation Period: 15/04/2011 - 06/05/2011

Site Notice Displayed: 24/05/2011 - 14/06/2011

Public Consultation

7 neighbours consulted - 3 letters of objection received objecting to the proposal on the following grounds:

- Overlooking from the rear of the new building to the rear gardens and rear windows of the properties on Park Avenue North. Enlargement of windows will make the situation worse
- Screen planting should be provided along the rear boundary to provide some screening to the residential properties on Park Avenue North
- Loss of value to surrounding residential properties
- Building works causing disturbance to surrounding residential properties
- Local residents did not fully understand the plans submitted as part of the original application and the impact that it would have on them

REMARKS

Introduction

Planning permission was granted at this site on 04/10/2007 for the demolition of the existing care home and its replacement with a three, four and part five storey building containing 21 flats, with new vehicular and pedestrian access onto Melrose Avenue, provision of 17 car-parking spaces, bin store, bicycle store and associated landscaping. The application was presented to the Planning Committee meeting on 25/09/2007 and was approved by members of the Planning Committee, subject to the completion of a satisfactory Section 106 Agreement.

The Section 106 Agreement proposed as part of this application secured a number of benefits including the provision of 100% affordable housing; financial contribution of £112,800, due on Material Start and index-linked from the date of committee, to be used for improvements to the education, sustainable transports, sports and open space in the local area; implement sustainability measures to achieve a "Very Good" BREEM rating; join and adhere to the Considerate Contractors scheme; and provide no less than 15 units for Adults with Learning Difficulties, including physical and sensory impairments and mental health needs in the Borough.

Work has commenced on implementing the 2007 planning permission.

Relevant planning history

Since 2009 applicants have been able to submit applications for amendments "whose scale and nature results in a development which is not substantially different from the one which has been approved." (CLG, 2009). These amendments are known as minor material amendments. The Council has already approved an application for minor material amendments to this scheme (LPA Ref: 10/2142). The application was reported to the Planning Committee on 24/11/2010 where members resolved to grant planning permission for the following amendments:

- alterations to elevations including resizing, repositioning and removal of windows at all floors (ground to fifth)
- replacement of boundary wall alongside 199 Melrose Avenue with Armco Barrier with Escallonia "Red Hedge" in front, extending rear garden of 199 Melrose Avenue and omitting some planting

An updated decision notice was issued to reflect the minor material amendments.

Current application

This application is also for minor material amendments. It involves two amendments to the scheme including:

- Enlargement of windows on rear elevation to comply with smoke ventilation requirements
- Roof covering to the bicycle stores for compliance with the ECO Homes requirements.

Proposed changes

The first of the proposed changes involve alterations to the size of the windows on the rear elevation (south west elevation). The three windows in question are marked on the plans as MEL-TF-W89, MEL-SF-W67 and MEL-FF-W42. These windows serve the communal lobby area and lift area for the new development. The windows will be increased in height and divided into two panes of glass. The alteration to these windows is required to comply with smoke ventilation requirements.

It is considered that the enlargement of these windows is acceptable in visual terms and does not substantially differ from the approved plans. Furthermore, the alterations will not have an adverse impact upon neighbouring occupiers as a result of overlooking or a loss of privacy. Windows were approved as part of the original application on the rear elevation facing the properties on Park Avenue North. The windows will not be closer to the properties on Park Avenue North than the approved scheme. The impact upon neighbouring properties was assessed as part of the original planning application and it was considered that the development would not adversely impact upon neighbouring properties as a result of overlooking and loss of privacy. Furthermore, these windows were originally designed to serve non habitable space and the internal layout has not been altered as part of this proposal.

Landscaping is to be provided along the rear boundary of the site in the form of a variety of hedge species. The landscaping was approved as part of condition 4 of the original planning permission ref: 07/2019. The approved species included "ligustrum ovalifolium", "cornus sanguinea", "corylus avellana", "viburnum opulus" and "ilex aquifolium" which grow in the region of around 3 - 5m high. The landscaping will assist in screening the development from the properties on Park Avenue North.

The second of the changes involves providing a roof over the bicycle stores. This amendment is required to comply with ECOHomes requirements. The roof of the bicycle store has a small pitch measuring 2.207m at its highest point. This alteration is not considered to be substantially different from the approved plans. It is considered to be visually acceptable and not adversely impact upon the amenities of the residential properties both within the site and to the rear of the site.

Conditions and s106

The conditions attached to updated decision notice (LPA Ref: 10/2142) are repeated.

The scale and nature of the amendments proposed as part of this application do not result in the Heads of Terms for the Section 106 Agreement to be varied. The Section 106 Agreement remains as per the approved

application.

Response to objectors

A number of objections have been received. These primarily relate to the development overlooking the rear gardens and properties to the rear on Park Avenue North. This issue has been discussed above and as part of the original application in 2007. Additional issues that have been raised and which have not been discussed above are addressed below:

- Loss of value to surrounding residential properties

This is not a planning consideration and therefore can not be considered as part of this application.

- Building works causing disturbance to surrounding residential properties

The Section 106 Agreement for this development required the applicants to join and adhere to the Considerate Contractors scheme. Amongst other considerations, it requires the contractors to be considerate and good neighbours. Details of the construction company or site manager are required to be clearly displayed so that local residents can contact the relevant person in the event that any problems arise.

In addition noisy works are restricted to the hours of Monday to Friday 8am to 6pm and Saturday 8am to 1pm. No noisy works are allowed on Saturday afternoons, Sundays or Bank Holidays. If works are being carried out outside of these times, the matter needs to be referred to the Council's Environmental Health Team.

- Local residents did not fully understand the plans submitted as part of the original application and the impact that it would have on them

Your officers can advise that local residents were consulted on the original application. The impact of the development upon local residents was considered as part of the assessment of the original application and objections taken into account. Details are set out in the report that went to the planning committee on 25/09/2007.

Conclusion

The application complies with the relevant UDP policies and supplementary planning guidance; approval is recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent's Unitary Development Plan 2004
Council's Supplementary Planning Guidance 3
Council's Supplementary Planning Guidance 17

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

Built Environment: in terms of the protection and enhancement of the environment
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
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 with the date of permission 07/2019, dated 4th October 2007.

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):

ALL-GND-A1 MELFLU-GA 000050 Rev H
ALL-GND-A1 MELFLU-GA 000060 Rev H
ALL-SL-A3 MELFLU-ELV 000142 Rev H
ALL-GND-A3 MELFLU-GA 000372 Rev D
ALL-GND-A3 MELFLU-GA 000374 Rev A

Please refer to 10/2142 for the following:

ALL-SL-A3 MELFLU-ELV 000140 Rev G
ALL-SL-A3 MELFLU-ELV ---141 Rev C
ALL-SL-A3 MELFLU-ELV ---143 Rev D
ALL-SL-A1 MELFLU-GA 000070 Rev H
ALLGND-A1 MELFLUGA 000105 Rev H
ALLFIR-A1 MELFLUGA 000110 Rev H
ALLSEC-A1 MELFLUGA 00115 Rev H
ALLTHR-A1 MELFLUGA 000120 Rev H
ALLFOR-A1 MELFLUGA 000125 Rev H

Please refer to 07/2019 for the following:

AHB-MELA SK (9) 4012E - refer to planning 07/201
AHB-MELA SK (9) 4013C
S07-219-100

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

- (3) The existing cross over shall be made redundant and the kerb reinstated prior to any occupation of the units hereby approved.

Reason: To ensure satisfactory highway safety

- (4) The proposed bin enclosure and cycle storage shall be constructed prior to occupation of the premises as self-contained flats.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- (5) All parking spaces, turning areas, and footways shall be constructed and permanently marked out prior to commencement of use of any part of the approved development, or upon further application within such longer period as may be approved by the Local Planning Authority. Such works shall be carried out in accordance with the approved plan(s) and the non-disabled parking spaces shall be constructed with minimum dimensions 2.4m x 4.8m

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

- (6) All external work, shall be carried out in accordance with the details approved as part of application ref: 08/2586 dated 17th October 2008. A list of the approved materials is listed below:

- Off-white render sample;
- Terca Aldbury Red Multi Stock brick sample;
- Aldus window sample.

Unless otherwise agreed in writing by the Local Planning Authority.

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

- (7) Notwithstanding the details of the hard and soft landscaping as set out in submitted Plan Ref: ALL-GND-A1 MELFLUGA ---060 Rev B, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority within three months of the date of this approval. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed, in writing, with the Local Planning Authority. Such a scheme shall include:-
- (a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained
 - (b) proposed walls and fences indicating materials and heights
 - (c) screen planting along the site boundaries
 - (d) adequate physical separation, such as protective walls and fencing between landscaped and paved areas
 - (e) areas of hard landscape works and proposed materials
 - (f) details of the proposed arrangements for the maintenance of the landscape works.
 - (g) any installation of lighting

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 to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species

Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.

INFORMATIVES:

- (1) The applicant is reminded that the Section 106 Agreement secured as part of the original application ref: 07/2019 is also applicable to this application.

REFERENCE DOCUMENTS:

Brent's UDP 2004
SPG17 "Design Guide for New Development"
Letters of objection

Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337