

RECEIVED: 27 March, 2009

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Garages 1-3 next to 1, St Davids Close, Wembley, HA9

PROPOSAL: Demolition of existing garages and erection of a two-storey, three-bedroom dwellinghouse (Site B)

APPLICANT: HGQ Ltd

CONTACT: Dama Architecture Ltd

PLAN NO'S: dA.061/PL/01;
dA.061/PL/02RevE;
dA.061/PL/03.1RevD;
dA.061/PL/03.2RevC;
dA.061/PL/03.3RevC;
dA.061/PL/04.1RevE;
dA.061/PL/04.2RevE;
dA.061/PL/04.3RevD;
dA.061/PL/04.4RevD
dA.061/PL/05RevD;
dA.061/PL/06RevD;
dA.061/PL/20RevA;
dA.061/PL/21RevA

RECOMMENDATION

Refuse

SECTION 106 DETAILS

If the application is to be approved the Council would seek the following s106 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
- A contribution of £3,000 per additional bedroom due on Material Start and index-linked from the date of committee: for Education, Sustainable Transport, Open Space and Sports improvements in the local area.

And, to authorise the Director of Environment and Culture, 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.

EXISTING

The subject site is a block of derelict garages adjacent to a block of maisonettes at Nos. 1 & 3 St David's Close. St David's Close is a cul-de-sac off Chalkhill Road and next to a large open space. The garages are not located in a Conservation Area and they are not listed. The area is currently used for fly tipping.

PROPOSAL

Full planning permission is sought for the erection of a three bedroom two storey dwellinghouse of a radically contemporary design

HISTORY

08/2917. Full planning permission sought for the erection of two storey dwellinghouse with bin storage, parking and associated landscaping. Refused for the following reasons:

1. *The proposed dwellinghouse by reason of its siting, prominence in the streetscene, the large blank front elevation, lack of set-back from the main road and lack of a prominent front entrance fails to make a positive contribution to character of the local area contrary to policy BE2, BE7, BE9 and H12 of Brent's UDP 2008 and the guidance set out in SPG17.*
2. *The proposed dwellinghouse would be of a substandard residential quality by reason of the lack of daylight through to the principal habitable rooms, lack of adequate usable amenity space and lack of cycle storage, detrimental to the amenities of prospective residents, contrary to policy H12 of the adopted Brent Unitary Development Plan 2004 and the advice of Supplementary Planning Guidance No. 17: "Design Guide for New Development".*

08/0151. Full planning permission sought for the erection of two storey dwellinghouse with bin storage, parking and associated landscaping on site of former garages adjacent to 1-4 St David's Close. Withdrawn 05/03/2008

POLICY CONSIDERATIONS

Brent UDP 2004

- BE2 Local Context
- BE5 Urban Clarity and Safety
- BE6 Landscape Design
- BE7 Streetscene
- BE9 Architectural Quality
- H12 Residential Quality
- H13 Residential Density
- H14 Minimum residential density
- H15 Backland development
- TRN11 Cycling
- TRN23 Parking standards – residential development
- TRN34 Servicing Requirements

SPG

- SPG 17 Design guide for new developments

The main considerations for this application are:

- Amendments to the previous refusal
- Design and appearance
- Quality of proposed residential accommodation.
- The impact on residential amenity of neighbouring residents
- Parking

CONSULTATION

10 neighbours, the ward councillors for Barnhill, Urban Design, Policy, Landscape and Transportation have all been consulted.

Two letters of objection have been received on the following grounds:

1. There is no provision for on-street parking

2. Overdevelopment of the site
3. Excessive height in relation to neighbouring property
4. Lack of details of the disposal of foul sewerage

Transportation have no objections to the proposal

Landscape Design have concerns with regards to the quality and quantity of amenity space and boundary treatment.

- The boundary treatment has been changed from blue engineering brick to a dense green laurel hedge. The amount of amenity space has also been increased. Comments on the landscaping in relation to the proposed amendments area awaited.

Urban Design are supportive of the proposed dwelling and the design approach taken.

REMARKS

Deferral from previous committee

This application was previously on the agenda for the planning committee on 28/07/2009. It was recommended for deferral " to enable officers to review the recommendation in the light of issues raised in the report and on site and the concerns expressed above." [in the supplementary]

The issues raised include:

- Clarification regarding the ownership of the area surrounding the proposed development.
- The setback of the house from the front boundary
- That the internal layout gave rise to minimal outlook to the boundary, the impact of which depended on what was happening beyond which is outside the applicant's control.

Amendments since 28/09/2009

Following the committee meeting amended plans were received on 16/08/2009 they show:

1. An additional window through to the kitchen on the groundfloor elevation facing the park
2. Details of a proposed temporary timber fence to ensure privacy while the proposed laurel hedge matures.

Amendments from previously refused scheme

Before the previous committee meeting the application had been amended in a number of ways. As the site is quite constricted the proposed development has a similar footprint to the application that was refused, however the design has been altered in the following ways:

1. A small garden area has been proposed adjacent to the elevation facing towards the maisonette at 1-3 St David's Close
2. The development has been orientated so that the main windows are on the east and west elevations facing towards the park and the streetscene.
3. The proposed materials are now white render finish with pre-patented copper cladding for the roof projecting elements of the first floor.
4. The building has been set back on the groundfloor so that it is now 1.3m from the front boundary at the nearest point
5. Only one balcony/roof terrace is now proposed on the north elevation of the building.
6. The brick boundary wall has been replaced with a thick laurel hedge.
7. The level of private amenity space including the balcony has increased from 16.6m² to approximately 25 m²

Siting, Design and Appearance

The red line site for the proposed dwelling has an area of 107m². The proposed dwelling would have a footprint of 60.08. Thus the proposed building will cover approximately half of the site and is predominantly set up to the boundary. It is set in from the boundary at the north west corner of the site, where there is a small entry courtyard, and also set in 3m from the southern boundary, where there is a small garden area/amenity. The ownership of the land surrounding the site has not been clarified so while there is an existing setting of scrubland and dense shrubs there is no control of this space to ensure that this remains and that the privacy of the prospective residents would be maintained without creating a fortress like appearance.

The proposed building is two storeys in height with a flat roof and first floor projecting over the small

landscape garden to the front. It is of contemporary design, which is considered the most appropriate for any development of this site. The front and rear elevations have aluminium framed fenestration set in the white render framed by the pre-patinated copper. The fenestration on the front elevation will improve overlooking of this part of St David's Close and creates a more residential feel for the proposed site.

No further clarification of the ownership of the spaces directly next to the site have been provided thus the full implications of the proposed design and layout cannot fully be considered. Therefore there is no guarantee that the setting for the site including the natural landscaping will be maintained. This has a subsequent impact on the quality of the residential accommodation proposed for the reason outlined in the paragraph below.

Quality of the proposed residential accommodation

The proposed is classified as a 2 bed 3-person dwellinghouse however it includes a study that could feasibly be used as an additional bedroom, therefore it has been assessed as a three-bedroom dwelling. It has a proposed internal floor area of 100sqm, which is below the minimum residential floor areas for 3-bedroom dwellings however it is not considered to be significantly below. Approximately 25m² of usable amenity space is proposed in the form of a small garden area and a roof terrace/balcony. This level of provision while below the recommended level for a 3-bed dwellinghouse in SPG17 is considered adequate given the proximity of the proposal to the neighbouring open playing fields and the green setting of the site. Therefore it is not considered to be deficient in terms of quantity of amenity space.

However a deficiency in the size of amenity space will only be permitted if the quality of the private amenity space is high. In this situation as a result of the constrained nature of the site, the setting of the amenity space will have a significant impact on its quality in terms of daylight and sunlight and privacy. As there is uncertainty regarding the ownership external spaces surrounding the site there is no guarantee that these spaces will be maintained to ensure a high quality of amenity space. Therefore it is considered that the proposed shortfall in amenity space is not considered acceptable as a result of the inadequate quality of private amenity space proposed.

This situation also impacts on the groundfloor habitable room windows which are all set less than 10m from the boundary of the site. Again there is no certainty that an acceptable quality of accommodation can be achieved as a result of the lack of control over the outside space. There is no bin storage shown on the plans although there is space for this adjacent to the proposed cycle storage in keeping with policies TRN11 and TRN34. Further details of this would need to be sought by conditions should the application be approved. In terms of the quality of residential accommodation the proposed dwelling is not in keeping with Council policies and therefore is considered to be substandard. Therefore by reason of the lack of clarity regarding the ownership of the external space surrounding the site it is considered that the proposed dwellinghouse does not provide a satisfactory form of accommodation and fails to provide an adequate level of privacy and acceptable quality of amenity space contrary to policies BE7, BE9, H12 of Brent's UDP and SPG17.

Impact on the neighbouring residents

The nearest neighbouring residential properties are those at 1-3 St David's Close. These dwellings are located 15m from the southern boundary of the site and have habitable rooms directly facing those of the proposed development at a distance of 18m. However as the proposed development is to be well screened by the proposed laurel hedge and existing landscaping and the habitable room window is located on the groundfloor the proposed shortfall of 2m is considered acceptable given the improvement to the visual amenities of the area and proposed streetscene.

Transportation

The Councils Highways engineer has no objection to the proposed development as there is adequate on-street parking for the proposed development. They state that a condition should be attached requiring a secure cycle parking store and refuse storage. This issue is raised in the paragraph on residential quality for prospective residents and is considered to be a reason for refusal. The principle of the loss of the derelict garages is considered acceptable. While there is a planning approval for the redevelopment of the Barnhill Cottages, it is noted that there is spare capacity for parking on this section of the road and the proposed parking standard for this dwelling will not result in a significant increase in on-street parking.

S106

The proposed s106 contribution would be £3000 per bed space. The applicant has agreed to this in principle. However as no agreement has been signed it will remain as a reason for refusal

Response to Objectors

In response to the objections raised your Councils officer has the following comments. The proposed development would result in the creation of 1 additional family residential dwelling and while it is on a constrained site is not considered to be an overdevelopment. There is adequate on-street parking as there is marked parking on street up to Chalkhill Road. As there are no other developments between the development site and Chalkhill Road and as there are rarely cars parked on this section there is considered to be additional capacity on-street to provide the 1 parking space required for the proposed development.

The proposed development is of a height that is in keeping with the surroundings and given that it is north of the nearest residential accommodation cannot be considered to have a detrimental impact on the amenity of neighbouring residents in terms of loss of sunlight and daylight. The proposed sewage infrastructure is not considered to be a planning matter and should therefore be resolved between the developer and the sewage contractor.

Conclusion

The proposed dwellinghouse is considered to provide a substandard quality of accommodation for the prospective residents by reason of poor privacy, outlook and daylight and lack of usable amenity space. Accordingly it is recommended for refusal for the reason outlined below.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed dwellinghouse by reason of the siting of groundfloor habitable room windows on and in proximity to the site boundary, without information regarding the ownership of the neighbouring external space would result in a substandard form of accommodation resulting in poor levels of outlook and privacy for prospective residents contrary to planning policy BE7, BE9 and H12 of Brent's UDP 2004 and SPG 17.
- (2) In the absence of a legal agreement to control the matter, the development would result in additional pressure on transport infrastructure and education, without any contribution towards sustainable transport improvements or school and nursery places and increased pressure for the use of existing open space, without contributions to enhance open space or make other contributions to improve the environment or toward measures to monitor or improve air quality and would not result in the adequate provision of affordable housing. As a result, the proposal is contrary to policies TRN3, TRN4, TRN10, TRN11, CF6, EP3, H1, H2, H3 and BE7 of Brent's adopted Unitary Development Plan 2004.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

UDP 2004
SPG 17 - 'Design Guide for New Development

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229



Planning Committee Map

Site address: Garages 1-3 next to 1, St Davids Close, Wembley, HA9

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