

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

6 June, 2018  
05  
18/0354

## SITE INFORMATION

RECEIVED	29 January, 2018
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	40 Sudbury Court Road, Harrow, HA1 3SH
PROPOSAL	Demolition of existing residential building and erection of a four storey building to provide 8 self-contained flats (4x 2bed and 2x 3bed and 2 x studios) with associated alterations including dropped kerb, provision for car parking spaces, bicycle store, bin stores, hard and soft landscaping and fencing
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_138301">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_138301</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> _</p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "18/0354" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

**RECOMMENDATION** That the committee resolve to grant planning permission subject to the conditions set out below.

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 for commencement
2. Approved drawings/documents
3. Provision of parking, cycle parking and refuse storage
4. Construction Method Statement
5. Revised site layout plan
6. Materials samples

### Informatives

1. CIL Liable
2. Crossover works
3. Party Wall
4. Building near boundary
5. Living Wage
6. Fire safety
7. Notify highways before works commence

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.

## SITE MAP



### Planning Committee Map

Site address: 40 Sudbury Court Road, Harrow, HA1 3SH

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This map is indicative only.

## PROPOSAL IN DETAIL

The proposal is for the demolition of the building and the construction of a four-storey building comprising eight flats (two x 3bed, four x 2bed and 2 x 1bed studios), with associated parking, landscaping and cycle storage.

## EXISTING

The existing site consists of a two-storey detached house and its residential curtilage. Ground levels rise sharply from the road and a garage is provided beneath and projecting forward from the ground floor of the house.

The site is on the southern side of Sudbury Court Road within an established residential area. It is not in a conservation area or the curtilage of a listed building, but is within an Archaeological Priority Area and adjacent to Elmwood Park, a designated open space and site of importance for nature conservation.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

**Neighbour objections:** these relate to neighbour consultation on the previous application on the site, the principle of a flatted development in this location, the height and bulk of the proposed building and its impact on the character of the area, impacts on neighbouring properties, construction impacts, traffic and parking issues.

**Planning history and background:** the site has a recent extant permission for a building of the same height, scale, bulk and design providing six flats. This was decided under delegated powers and is a material consideration in the determination of this application.

**Principle of development:** residential redevelopment of the site for a greater number of units is supported by current policy, and the emerging policy context strongly supports proposals that optimise the development potential of small previously developed sites such as this.

**Design, scale and appearance:** the height, scale and bulk of the building are only marginally greater than the existing dwelling and the building would not appear incongruous or out of scale with the site or other buildings in the surrounding area. The contemporary design approach is considered to be of high quality and in keeping with the mixed character of the surrounding area.

**Relationship with neighbouring properties:** the proposal complies with all relevant guidelines set out in the Council's policies and supporting documents and it is not considered that any neighbouring properties would be adversely impacted.

**Residential living standards:** the proposed flats all exceed minimum floorspace requirements and amenity space is provided in excess of the Council's standards. The two studio flats, although single-aspect and north-facing, would receive good levels of internal daylight and the proposal is considered to provide a high standard of accommodation overall.

**Transportation:** the site has low access to public transport and the application proposes six off-street parking spaces to comply with the Council's maximum parking standards. A minimum of four spaces would be considered to meet the likely need for off-street parking given the capacity for overspill parking demand to be accommodated on street and this reduction in the level of parking would allow changes to the frontage to reduce the width of crossovers to an acceptable level. A revised site layout providing four parking spaces is accordingly recommended to be secured through condition.

## RELEVANT SITE HISTORY

**17/4940**

Full planning permission

Demolition of existing residential building and erection of a four storey building to provide 6 self-contained flats (4x 2bed and 2x 3bed) with associated alterations including dropped kerb, provision for car parking spaces, bicycle store, bin stores and hard and soft landscaping

Permission granted 23/01/18

This application was decided under delegated powers, in accordance with the Council's constitution.

## CONSULTATIONS

15 neighbouring properties were consulted by letter on 15 February 2018 for a period of 21 days, and a site notice was posted on 26 March 2018. Five letters of objection and a petition from eleven signatories were received and are summarised as follows:

### Comment

### Officer response

Previous application approved without residents' knowledge.

Neighbouring properties were notified of the previous application 17/4940 by letter and site notice. The extent of the consultation exceeded the statutory requirements for notifying neighbouring properties of planning applications and no objections to that application were received.

Flats are not appropriate to the area and additional residents could increase noise in quiet residential neighbourhood.

See 'Principle of development', paragraphs 4-8

No urgent need for this kind of housing in the area, as St George Square is in close proximity and is partly unoccupied.

See 'Principle of development', paragraphs 4-8

Proposal would obstruct neighbours' views.

Loss of views is not a material planning consideration. However, the relationship to neighbouring properties is considered under 'Impact on neighbouring properties' (paragraphs 33-35)

Proposal would ruin character of area as there are no other four storey buildings and architecture of current houses harmonises with landscape.

See 'Design, scale and appearance', paragraphs 9-18

Four-storey block would tower over neighbouring properties.

See 'Design, scale and appearance', paragraphs 9-18

Proposal would create overshadowing, loss of daylight and sunlight to properties adjoining and opposite the site, eg due to increased height compared to opposite side of road.

See 'Impact on neighbouring properties', paragraphs 33-35

Proposed building would be closer to the road than existing house and would impact on privacy of neighbours opposite, causing overlooking.

See 'Design, scale and appearance' (paragraphs 9-18) and 'Impact on neighbouring properties' (paragraphs 33-35)

Construction process would cause inconvenience to neighbours and have negative impact on health of disabled

See 'Environmental Health', paragraphs 39-40

neighbours.

Proposal would increase traffic, noise and congestion in area, and would disrupt access to the park. See 'Transportation', paragraphs 41-52

Increased width of dropped kerb could increase flow of rainwater into properties opposite. See 'Transportation', paragraphs 41-52

Parking Survey refers to six flats not eight. Poor availability of public transport would lead to higher demand for private car ownership and create increased demand for parking. Parking demand estimates are based on Census 2011, which is not necessarily up to date. See 'Transportation', paragraphs 41-52

### ***Statutory consultees***

**Greater London Archaeological Advisory Service (GLAAS):** No objection

## **POLICY CONSIDERATIONS**

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is Brent's Core Strategy 2010, Brent's Development Management Policies 2016 and the London Plan 2016. The relevant policies include:

### Brent's Core Strategy 2010

CP2: Population and Housing Growth  
CP17: Protecting and Enhancing the Suburban Character of Brent  
CP18: Protection and Enhancement of Open Space, Sports and Biodiversity

### Brent's Development Management Policies 2016

DMP1: Development Management General Policy  
DMP7: Brent's Heritage Assets  
DMP8: Open Space  
DMP11: Forming an Access on to a Road  
DMP12: Parking  
DMP16: Resist loss of housing  
DMP18: Dwelling Size and Residential Outbuildings  
DMP19: Residential Amenity Space  
Appendix 1 - Parking Standards

### The London Plan 2016

Policy 3.3: Increasing Housing Supply  
Policy 3.4: Optimising Housing Potential

The following are also relevant material considerations:

- The National Planning Policy Framework 2012
- Technical Housing Standards – Nationally Described Space Standard 2015
- SPG 17 Design Guide for New Development 2002
- Basement SPD 201
- Brent Waste Planning Guide 2013
- Brent's Crossover Policy
- Mayor of London's Housing SPG 2016

All of these documents are adopted and therefore carry significant weight in the assessment of any planning

application. In addition, the Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17, whilst the Draft New London Plan has recently been subject to public consultation and once adopted will supersede the 2016 London Plan. These emerging documents are given more limited weight in the assessment of planning applications at this time.

## DETAILED CONSIDERATIONS

### Planning history and background

1. The site benefits from an extant planning permission (17/4940) decided under delegated powers, which is similar to the current proposal. This forms a material consideration which must be taken into account in the determination of the current application. The following sections of this report will highlight the relevant similarities and differences between the two applications.
2. Objections have been raised that the previous application was granted permission without neighbouring residents' knowledge. However, both applications have been advertised by way of letters sent to adjoining and other neighbouring residents and by way of a site notice posted nearby, exceeding the statutory notification requirements for applications of this type.
3. No responses were received in relation to the previous application, and responses received in relation to this application have been considered in detail in the relevant sections of this report.

### Principle of development

4. Core Strategy Policy CP1 seeks to concentrate housing growth in well located areas, and Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period, including a target of 25% family sized accommodation. Policy DMP16 resists the loss of homes, including family sized homes.
5. Furthermore, the NPPF expects the planning system to significantly boost the supply of housing and to consider applications for new housing in the context of the presumption in favour of sustainable development, which requires applications to be approved where they are in accordance with local planning policies. The Draft New London Plan adds further weight to this policy context, proposing substantially increased housing targets across London and a range of measures aiming to deliver these increased targets. Specifically, Policy H1 requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites, while Policy H2 expects them to pro-actively support well-designed new homes on small sites.
6. The site is previously developed land in existing residential use, in a primarily residential area, and currently provides one 5 bedroom house. The proposal would provide eight dwellings including two x 3 bed units to accord with the requirement to provide family-sized dwellings set out in Policies CP2 and DMP16.
7. Neighbours have raised concerns about the appropriateness of flats in this area and the need for further housing of this type locally. However, flats are homes and planning policy does not distinguish between the need for houses rather than flats (or vice versa) at either a national or a local level. The consented scheme would also provide flatted accommodation (six dwellings including two x 3 bed units) and the current proposal seeks to increase the number of dwellings provided by reconfiguring the internal floorspace in order to optimise the development of the site.
8. Residential redevelopment of the site is strongly supported by the NPPF, by Policy CP2, by London Plan Policy 3.3, which supports sensitive renewal of existing residential areas, and Policy 3.4 which seeks to optimise housing output within the relevant density range, and by the emerging policy context given in the Draft New London Plan. Consequently the proposal is considered to be acceptable in principle subject to the consideration of the remainder of the material planning considerations.

### Design, scale and appearance

9. Policy CP17 aims to protect suburban areas from inappropriate development including infilling of plots with out-of-scale buildings that do not respect the settings of the existing dwellings, while Policy DMP1 requires the scale, type and design of development to complement the locality. The NPPF also emphasises that good design involves responding to local character and history and reflecting the identity

of local surroundings and materials, while not discouraging appropriate innovation.

10. The existing building is of a 1970s style with a shallow gable roof, which sits alongside a terrace of six houses of a similar period but having gable end roofs. The site and the adjoining properties make use of changing ground levels to provide three stories of accommodation. The ridge height of the existing building is approximately 0.7m greater than that of the terrace, although the difference in height is not readily obvious due to the different roof forms. The front building line is approximately in line with that of the terrace, although both are broken up by forward projecting garages at lower ground floor level. There is only a minimal separation distance to the side boundary with the terrace and the rear building line (which is readily visible from Elmwood Park) is set in from that of the terrace. Overall the building appears modest in width and bulk in comparison to the terrace, although the plot density is comparatively very low as the terrace consists of a number of smaller dwellings.
11. The wider street scene is more strongly characterised by more traditional hipped roof styles, although there is substantial variation in plot size, building height and bulk. Extensive set backs from the road, pronounced changes in ground levels and the open expanse of Elmwood Park also contribute to the varied and spacious character of the area.
12. The proposed building would be identical in height, scale, form and design detail to the consented scheme, which is a material consideration in the determination of this application. The consented scheme was considered to be acceptable in terms of its design approach and impact upon the character of the area.
13. The proposed building would be four stories high with a flat roof at approximately 1m higher than the adjacent terrace. The additional height would be only 0.3m greater than the ridge of the existing building, whilst the greater height and bulk of a flat roofed building compared to a gable roof would be minimised as the top storey would be set back from the front and side building lines by 1.5m.
14. The front building line would project forward of the adjoining terrace by approximately 1.3m and this is considered acceptable given that there is no strong building line along the street and the building would retain a very substantial set back from the street. Inset balconies at first floor level and the 1.5m set back at second floor level would also reduce the impression of additional bulk, whilst the forward projection at lower ground floor and ground floor levels would be less pronounced than that of the existing garage and the garage projections on the adjoining terrace. Furthermore, the visual impact of the lower ground floor elevation would be minimised by landscaping to maintain the existing rising ground levels across most of the frontage whilst providing level pedestrian access to the entrance core.
15. The separation distances to the sides would remain as existing whilst the rear building line would be extended slightly beyond that of the terrace. As with the existing dwelling, the rear and one side elevation of the building would be visible from Elmwood Park. However the visual impact of the slightly larger building when viewed from this open space would be softened by the steeply rising ground levels and retained tree cover, and by the overall size of the open space compared to the size of the site.
16. The flats would be accessed from a central core which would present a strong and legible sense of arrival and would also provide access to cycle storage and to the communal garden at the rear, at lower ground and ground floor levels respectively. The elevations would be principally in white render, with the central core and set back second floor highlighted in timber cladding, and this approach is considered to be acceptable within the context of the surrounding area. Further details of materials and landscaping are required by condition, to ensure a high quality development.
17. Objections have been raised to the proposal for a four-storey building, however the visual impact of the additional height compared to the existing building is considered to be minimal and to be well modulated by the design and layout, and is therefore acceptable in this instance. Your officers consider that contemporary flatted buildings can be acceptable within traditional residential areas, provided they can be accommodated on the site and contribute to the diversity and visual interest of the street scene. On corner or end of terrace locations in particular such buildings can add focal points of interest where they are well designed and of an appropriate scale.
18. Overall, whilst the building would be slightly larger than that existing it would remain of a domestic scale and in keeping with the scale and bulk of neighbouring properties. The simple modern design would provide strong horizontal articulation to complement the style of the adjacent terrace, whilst the projecting entrance core in contrasting materials would provide vertical articulation, break up the mass and bulk of the building and provide a strong sense of arrival to the proposed units. The existing building is not of

any particular architectural merit, and the proposal is considered to be of a high standard of design to complement the surrounding area.

### **Relationship with neighbouring properties**

19. Any development would need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the following guidance set out in SPG17 and draft SPD1. The development should remain within a 30 degree line at a height of 2m from the nearest rear-facing habitable room windows and be at a distance of 20m or more from them, and within a 45 degree line at a height of 2m from the nearest front or rear boundary and at a distance of 10m. The rear building lines should not extend further than half the distance between the flank wall of the proposed building and the midpoint of the nearest window serving a habitable room on the adjacent property (the '1:2 rule'). A distance of 1m should be retained between side-facing non-habitable room windows and the side boundary.
20. The bulk, scale and layout of the building are identical to that of the consented scheme, which was considered to fully comply with the Council's guidelines and to be acceptable in terms of its impact on neighbouring properties.
21. The site is bounded to the rear and western side by open parkland, with the only neighbouring properties potentially affected by the proposed building being the adjacent house on the eastern side, No 42 Sudbury Court Road, and the houses directly opposite on the north side of Sudbury Court Road (Nos 37, 39 and 41).
22. Both the front building line and the rear building line would comply with the 1:2 guidance in respect of No 42 and no significant overshadowing to its rear garden would occur given the limited additional bulk of the building.
23. Objections have been raised on grounds of overlooking and overshadowing of properties on the north side of the road, due to the height of the building being greater and the front building line being further forward than the existing dwelling. However, the proposed building would be sited approximately 12.6m from the front boundary and 36m from the front elevation of No 39, compared to the existing building which is approximately 16.6m from the front boundary and over 40m from the front elevation of No 39. Nos 37 and 41 are at the same distance from the site, although only at an oblique angle. Given the distances involved, and notwithstanding the marked fall in ground levels from south to north, the proposal would comply with the 30 degree and 45 degree requirement from the front elevation of No 39 and its front boundary.
24. The side elevation facing onto No 42 would have small kitchen and bathroom windows at ground, first and second floors, however these would face onto a blank side elevation of No 42 and would not allow for overlooking onto the rear garden due to their positioning and the minimal separation distance between the two buildings. Consequently it is not necessary that they be obscured and fixed shut to protect the privacy of neighbouring residents. There are no external areas of flat roof that could be used as balconies to overlook the neighbouring rear garden.
25. In conclusion, the relationship with neighbouring properties is acceptable.

### **Residential living standards**

26. Development should comply with standards set out in the Mayor's Housing SPG (including minimum internal space standards based on Technical Housing Standards – Nationally Described Space Standard 2015), and with Brent Policy DMP19, which requires private amenity space of 20sqm per 1bed or 2bed flat and 50sqm for family housing including ground floor 3bed or 4bed flats. Balconies should have a minimum width and depth of 1.5m to be considered usable, and single aspect units should be avoided, particularly if north-facing.
27. The previously consented scheme was considered acceptable in terms of residential living standards, meeting relevant standards.
28. With regard to the proposed development, all of the proposed homes exceed the minimum standards for internal space. The size of all bedrooms also meets the standards. Each home has an area of private external amenity space of between 7 and 10 square metres, with a total of 70 square metres of private amenity space provided. This is supplemented by a 166 sqm communal garden to the rear, bringing the total external amenity space provision to 236 square metres. This exceeds the minimum policy

requirement of 220 square metres excluding the landscaped areas to the front of the building which will act as visual amenity space but will have much lower value as usable amenity space.

29. Compared to the consented scheme, the two 3bed flats would be smaller, however they would still be generously sized in relation to minimum floorspace requirements. The two studio flats (which were not in the consented scheme) would also exceed minimum floorspace requirements. The layout of the four 2 bed flats would remain as in the consented scheme, comfortably exceeding minimum requirements.
30. The two studio flats would be single-aspect and north-facing, and the floor level of these units would be set below the natural ground level on this part of the site. The Mayor's Housing SPG advises against single-aspect north-facing units, and the Council's Basements SPD advises against self-contained basement dwellings. However the floor level of the studio flats would be only 0.7m below the ground level of the landscaped front garden at this point, and they would be accessible via a level access path from the street to the front entrance of the building, with 2m deep lightwells provided to increase levels of daylight received. Their outlook would be limited in scope due to the lower ground level but would be enhanced by looking over the landscaped front garden.
31. Furthermore, the application has been supported by an Internal Daylight Assessment carried out in accordance with the nationally accepted BRE guidelines for ensuring acceptable levels of daylight are provided in new developments. This demonstrates that the Average Daylight Factor for the two flats would be over 7%, which comfortably exceeds the recommended 2%. As the flats would have direct level access from the street and adequate levels of daylight, it is considered that they would provide an acceptable standard of accommodation in this instance.
32. Each of the remaining six flats would be dual aspect including south-facing rooms looking onto the rear garden. Each of the proposed flats would have private amenity space and, in combination with communal amenity space provision, this would comfortably exceed the requirements of DMP19, notwithstanding the increase in amenity space required as a result in the increase in the number of units compared to the consented scheme. The landscaping scheme would be conditioned to include frontage planting to increase the privacy of the front garden areas.

#### **Impact on heritage assets**

33. The site lies within an Archaeological Priority Area, which the NPPF considers to be a non-designated heritage asset, and Policy DMP7 requires a heritage statement to be submitted in proportion to the significance of the asset.
34. The footprint and layout of the proposed building are identical to that of the consented scheme, which was considered to be acceptable in terms of its impact on heritage assets.
35. A short statement has been provided as part of the Planning, Design and Access Statement, which notes that there are no known archaeological findings or records on the site. Greater London Archaeological Advisory Service have been consulted and have advised that, as the proposed building lies predominantly on the footprint of the existing building which will already have impacted upon any archaeological remains, it is unlikely that there would be a significant archaeological impact at this location. No further assessment or conditions are required and there are no concerns in relation to heritage assets.

#### **Impact on trees and ecology**

36. There are no trees of note on the site and the use of the residential garden is considered to preclude any significant ecological interest on site. However, the site adjoins a designated open space and site of importance for nature conservation (Elmwood Park). Policy DMP8 protects open spaces from development that would compromise their biodiversity or recreational function, whilst Policy CP18 also protects open space from inappropriate development.
37. The footprint and layout of the proposed building are identical to that of the consented scheme and consequently the potential impact on trees and ecology is considered to be the same. An ecology statement has been included in the Planning, Design and Access Statement, and an Arboricultural Impact Assessment has been submitted.
38. The scheme is considered to be acceptable with regard to the potential impact on trees and ecology subject to a condition preventing any construction works from taking place within the designated open

space and compliance with the arboriculturalist's recommendations, in order to prevent any adverse impacts to trees or ecological interests.

## **Environmental health**

39. Objections have been raised in relation to the inconvenience caused by the construction process. These matters are controlled under environmental nuisance regulations, however additional measures are considered appropriate in the case of developments involving the demolition of a building and construction of a new building in close proximity to neighbouring residential properties.
40. A condition is recommended, requiring a Construction Method Statement to be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the construction process in order to minimise any adverse impacts on neighbouring residents.

## **Transportation**

41. As the site has a low PTAL rating of 2 and does not have good access to public transport, the higher residential parking allowance set out at Appendix 1 of the Development Management Policies 2016 applies. The existing house would therefore be allowed up to two off-street parking spaces and the existing provision of at least four spaces exceeds standards in this respect.
42. The consented scheme for six flats would have a maximum parking allowance of seven spaces, and permission was granted on the basis of a site layout plan showing four on-site parking spaces and 50% soft landscaping on the frontage. Highways officers considered four spaces to be appropriate, on the basis that average car ownership figures for flats in this area indicate that parking demand is likely to be 75% of the maximum allowance, suggesting a demand of five spaces. Sudbury Court Road is not noted as being a heavily parked street and has sufficient width to accommodate parking along both sides, so could safely absorb some overspill parking from the site, consequently one space could be accommodated on the road in front of the site.
43. The same reasoning has been applied in respect of the current proposal. The proposed eight flats would be allowed up to nine car parking spaces. The application is supported by the results of a parking survey, including the results of two overnight parking beats undertaken at 3.30am on 20 October and 31 October 2017. These surveys found a parking stress of 69% on 20 October and 59% on 31 October. Although the parking stress east of the property was found to be greater than 70%, the section of road west of the property, which fronts the open space and allotments, had a lower stress of 40%-52%. This survey supports the Council's own data showing that the road is not heavily parked and could support overspill parking.
44. The proposal would result in a significant increase in parking standards compared to the existing dwelling, and a slight increase compared to the consented scheme. However, as noted above, average car ownership figures for flats in this area suggest that parking demand is likely to be 75% of the maximum allowance, requiring six to seven spaces. Highways officers consider that overspill parking for two or three cars could be accommodated on-street either along the site frontage or on the open space frontage to the west, and consequently that only four off-street parking spaces are required in this case.
45. The application proposes the widening of the existing crossover to 7 m to provide three off-street parking spaces on the western side of the frontage, with a new 7 m wide crossover on the eastern side to access a further three off-street spaces, giving a total of six spaces. Due to the depth of the front garden, soft landscaping is also proposed at the rear of the parking spaces, to cover about 35% of the front garden area.
46. The gradient of the parking spaces is proposed at 8.5%, which is acceptable. However, the two proposed 7m wide crossovers are unacceptably wide and do not comply with the Council's Crossover Policy Section 10, whereby the crossover should not exceed 4.2 m in order to maintain the safety of pedestrians on the footway, and together exceed 50% of the width of the site frontage. In addition, the proposed two crossovers would provide excessive off-street parking and consequently would not comply with London Plan Policy 6.10 whereby the quality of the pedestrian and street environment should be maintained.
47. In order to address this concern, highway officers have requested that a maximum of four off-street parking spaces, accessed via two 4.2m wide crossovers, are provided, with 50% soft landscaping

retained for natural drainage and a drainage channel located at the highway threshold to capture surface water before it reaches the public highway. Details of a front boundary wall are also required, including pedestrian visibility splays (2m x 2m above a height of 850mm) at both accesses. These details will be required by condition on a revised site layout plan.

48. Objections have been raised by neighbours on the basis that the applicant's Parking Survey refers to a development of six flats rather than eight (paragraph 3.3) and that its reliance on Census data (paragraphs 3.13 to 3.15) is not robust as these data are not current. However, submission of a Parking Survey is not a requirement for applications of this scale, and Census data are generally regarded as highly robust due to their comprehensive coverage. The Parking Survey applies the same reasoning in interpreting the Council's Policy DMP12 as the Council's highways officers, who are satisfied that the provision of four parking spaces is appropriate in this case. Consequently it is considered that only limited weight needs to be given to the applicant's Parking Survey, and that its inaccuracies are not a material consideration on this occasion.
49. Highway works to widen the existing crossover and create a new crossover would need to be provided by the Highways and Infrastructure Unit at the applicant's expense. An informative is recommended to remind the applicant of this.
50. The London Plan requires one secure cycle parking space per 1 bed flat and two spaces for larger flats, giving a total requirement for 14 spaces in this case. A cycle store for 14 cycles is proposed at the rear of the building on the lower ground floor to satisfy this requirement.
51. Two Eurobins are proposed within the front garden of the site for refuse alongside the entrance path to the building. These are sufficient to meet storage requirements and as the pathway would be excavated into the front garden to provide a level approach to the building, there are no concerns over the gradient along which bins need to be wheeled.
52. Concerns have been raised by neighbours on the basis of increased traffic, increased rainwater runoff onto the road and downhill to properties on the north side of the road caused by the greater width of dropped kerbs, and impacts on access to Elmwood Park. However, the increase in traffic likely to be caused by the development is considered to be marginal and not to give rise to any congestion, whilst the revised plans required by condition would make adequate provision for soft landscaping and a drainage channel to allow drainage on site and the proposal would not have any impact upon access to Elmwood Park. In conclusion there are no objections on transport grounds, subject to the condition above and an informative regarding new crossover works.

## Density

53. Development of the site must have regard to the density range set out in the London Plan of 150-250 hr/ha for suburban sites (or 40-80 units/ha) with a PTAL score of 2, unless a higher density can be justified as a result of a scheme being acceptable in planning terms.
54. The proposed density of approximately 288hr/ha or 105 units/ha marginally exceeds the London Plan density range, however in this case the proposal is considered to make effective use of the site to offer a high standard of design and residential living standards without any adverse impacts in planning terms, and the proposed density is therefore acceptable.

## Conclusion

55. The proposed development is considered to accord with relevant policies and guidance and result in the provision of additional homes within the borough. It is recommended that Planning Permission is granted.

## CIL DETAILS

This application is liable to pay **£146,546.74\*** 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): 280 sq. m.  
Total amount of floorspace on completion (G): 726 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	726		446	£200.00	£35.15	£124,641.07	£21,905.67

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)	313	
<b>Total chargeable amount</b>	£124,641.07	£21,905.67

\*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.**

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 18/0354

I refer to your application dated **28/01/2018** proposing the following:

Demolition of existing residential building and erection of a four storey building to provide 8 self-contained flats (4x 2bed and 2x 3bed and 2 x studios) with associated alterations including dropped kerb, provision for car parking spaces, bicycle store, bin stores, hard and soft landscaping and fencing

and accompanied by plans or documents listed here:  
See Condition 2

at **40 Sudbury Court Road, Harrow, HA1 3SH**

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: 25/05/2018

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 policies contained in the:-  
  
London Plan 2016 (Policies 3.3 and 3.4)  
Brent Core Strategy 2010 (Policies CP2, CP17, CP18 and CP21)  
Brent Development Management Policies 2016 (Policies DMP1, DMP7, DMP11, DMP12, DMP18, DMP19).
  
- 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):  
  
SCR40-02-1001  
SCR40-02-1002  
SCR40-02-1003  
SCR40-02-1004  
SCR40-02-1005 Rev A  
SCR40-02-1006 Rev A  
SCR40-02-1007 Rev A  
SCR40-02-1008  
Arboricultural Impact Assessment and Method Statement (Trevor Heaps, ref TH1537)  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The parking, cycle parking and refuse storage areas shall be provided as approved prior to first occupation or use of the development, and shall be retained in use solely for the purposes approved thereafter.  
  
Reason: In order to ensure the development provides adequate on-site parking, cycle parking and refuse storage.
  
- 4 The tree protection proposals as contained within the Arboricultural Impact Assessment and Method Statement prepared by Trevor Heaps Arboricultural Consultancy Ltd (dated 11 December 2017) shall be adhered to in full throughout the full period of construction of the development hereby approved. Subsequent to the erection of tree protective fencing but prior to commencement of the development (including demolition of the existing property), a meeting shall be arranged between the site manager and Brent's tree protection officer to allow the fencing to be observed by Brent's tree protection officer before works are undertaken.  
  
Reason: For assurance that trees are to be protected to minimise negative external impacts of the development.
  
- 5 Prior to any works commencing on site (including the demolition of the existing building) a Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 6 Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition of existing property). 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.

- 7 Notwithstanding Condition 2 of this permission, and prior to development commencing (excluding demolition of the existing property), a revised site layout plan and a scheme of hard and soft landscaping shall be submitted to and approved by the Local Planning Authority to supersede Drawing No SCR40-02-1005 Rev A. The site layout plan shall show:

- four parking spaces arranged at right angles to the highway and accessed via two dropped kerbs each of 4.2m width;
- soft landscaping on half of the area of the site frontage;
- a drainage channel located at the threshold of the highway to capture surface water drainage;
- details of a front boundary wall;
- pedestrian visibility splays (2 x 2m at a height of 850mm at both accesses).

The landscaping scheme shall demonstrate proposed ground levels across the site and shall incorporate measures such as planting of small ornamental trees to prevent the use of garden areas on the site frontage for informal parking and planting to increase the privacy of remaining front garden areas, and shall include details and proposed materials for all hard landscaping, boundary treatments and walls including retaining walls.

The development shall thereafter be carried out in accordance with the approved details. The soft landscaping works shall be completed during the first available planting season following completion of the development. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development, 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, to ensure adequate on-site parking to meet the needs of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 8 Prior to development commencing (excluding demolition of the existing property), further details of the rear garden landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- details of soft landscaping (including species, locations and densities)
- details of boundary treatments
- details of hard landscaping and any patio areas
- details of ground levels including any retaining walls

The development shall thereafter be carried out in accordance with the approved details. The soft landscaping works shall be completed during the first available planting season following completion of the development. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development, 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, to ensure adequate on-site

parking to meet the needs of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for these works should be made to the Council's Head of Highways & Infrastructure via <https://www.brent.gov.uk/services-for-residents/transport-and-streets/vehicle-crossings-and-dropped-kerbs/>, tel 020 8937 5600 or [transportation@brent.gov.uk](mailto:transportation@brent.gov.uk). The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- 3 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](http://www.communities.gov.uk)
- 4 The applicant must ensure that the treatment/finishing of flank walls can be implemented, before work commences, as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 5 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 8 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 9 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.



Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration,  
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233