

# COMMITTEE REPORT

Planning Committee on

6 November, 2018

Item No

03

Case Number

18/3317

## SITE INFORMATION

RECEIVED	23 August, 2018
WARD	Northwick Park
PLANNING AREA	
LOCATION	Garages rear of 1-4, Keats Court, Byron Road, Wembley
PROPOSAL	Erection of a terrace of 3x two storey one bedroom dwellinghouses with associated car parking, cycle and refuse stores, landscaping and outdoor amenity space
PLAN NO'S	Refer to 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_141532">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_141532</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 "18/3317" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission.

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

### Conditions

1. Time Limit (3 Years)
2. Approved drawings / documents
3. Provision of parking spaces, cycle parking and access to highway
4. Obscure glazing of side stairwell windows for privacy
5. Restriction of permitted development rights to convert to a C4 HMO
6. Bin store provided and management arrangements within design and access statement adhered to
7. Provide details and sample of external materials
8. Submit landscaping and tree planting plan for approval
9. Submit construction method statement for approval
10. Submit flood mitigation and drainage strategy for approval

### Informatives

1. Party Wall
  2. Building within site boundary
  3. Development is CIL Liable
  4. Contamination vigilance advisory note
3. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

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

## SITE MAP



### Planning Committee Map

Site address: Garages rear of 1-4, Keats Court, Byron Road, Wembley

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This map is indicative only.

## **EXISTING**

The site is located on the western side of Byron Road and currently comprises of land adjacent to number 5 & 6 Keats Court and 6 garages behind 1-4 Keats Court which have recently been demolished. The court itself has 10 maisonette flats – four at the front of the site fronting Byron Road and six to the rear.

The site is not within a conservation area, nor is it a listed building.

## **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:

### ***1 Representations received***

Individual objection letters from 3 nearby properties and a petition containing signatures from occupiers of 11 nearby properties were received by the Council. The objections to the proposal were made on the following basis: that the proposal would lead to overcrowding, confinement, loss of daylight and sunlight to neighbours, overlooking issues, loss of amenity space and local detriment as a result of noise and pollution related to additional car movements. Your officers have considered all of these comments but do not consider that the proposal will result in undue detriment in any of the above aspects.

### ***2 Principle***

The principle of a residential development on this land has been established within previous planning applications. It was previously noted that the area being built upon is not used as communal amenity space for any of the existing residential units and that a garage cluster has been located on this plot until recently. The land parcel is adjacent to existing residential dwellings and the proposal adheres to the established building line of the surrounding developments.

### ***3 Quality of accommodation***

Overall, the proposed indoor and outdoor spaces are considered to provide a good standard of amenity and general environment for future occupants of the site and are considered acceptable. This is when tested against the relevant standards within SPG17 and draft SPD1 and the London Plan. There are no instances of standards being breached.

### ***4 Impact of extension on the character of the house and street***

The design of the building is sympathetic to surrounding building design and integrates effectively into the local area. The design is considered to meet the aims of SPG17 and draft SPD1 guidance.

### ***5 Impact on neighbouring amenity***

When tested against all immediately adjoining properties, the terrace of houses is not deemed to give rise to unduly detrimental amenity impacts on nearby residents, in accordance with the relevant SPD2 and SPG17/Draft SPD1 design parameters.

### ***6 Parking & transport considerations***

The development provides 1 disabled parking space to the front of the building and 6 parking spaces to the rear of the building in accordance with parking standards. The car parking spaces meet standard for both the existing maisonettes (5-10 Keats Court) and the new houses. The car parking spaces also replace a previous garage court that was in a state of disrepair. The layout is acceptable and appropriately manoeuvrable. Individual cycle storage is provided within the houses' rear gardens in accordance with standards.

## 7 Environmental Health

A construction method statement is to be secured to minimise nuisance to neighbouring properties during construction. The applicant is to be advised to be vigilant for land contamination during construction.

## 8 Landscaping

A number of on-site trees were lost recently during the demolition of the garage court. A landscaping and tree planting plan is to be required which achieves a similar tree canopy coverage to that of the previous situation.

## 9 Flooding

Part of the site sits within West London SFRA Zone 3a. A flood mitigation strategy and drainage strategy will be required by condition to mitigate the risks associated with this.

## MONITORING

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

### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	0	0	0	183.6	183.6

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										
PROPOSED ( Flats û Market )	3									3

## RELEVANT SITE HISTORY

### Relevant planning history

#### **18/1846. Full Planning. Granted. 09/07/2018.**

Erection of a two storey building comprising 2 self-contained flats (2 x 1 bed) with associated provision for car parking, bin stores, landscaping and amenity space.

## CONSULTATIONS

### *External*

34 properties were consulted on 24/08/2018. 3 letters of objection were received and a petition of objection were received. The petition was signed by residents of 13 nearby properties, although 2 of these properties had also seen their occupants send separate letters of objection. Two of the objectors within the petition later withdrew their objection, meaning that the petition is considered to contain signatures from residents of 11 nearby properties.

The Garden Court Residents Association were also consulted regarding this proposal although no response was received.

Objections received are summarised as follows:

Ground of objection	Officer response
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The development would lead to overcrowding	The additional number of residents that would be accommodated by this proposal can be delivered within guidance parameters for internal floor space and external amenity space. The building proposed is also a comfortable addition in terms of the surrounding built form. Officers do not therefore consider that the proposal would result in overdevelopment.
The development would make the area feel confined and cramped	In addition to the above comments, officers note that the proposal meets all guidance parameters in respect of privacy/overlooking/outlook distances to and from neighbours' properties and would therefore consider that the development is acceptable in this regard.
The development of this site has and may continue to cause disturbance for residents	This is not a material planning consideration. Nonetheless, a condition will require the applicants to demonstrate how construction will be managed to minimise disturbance to residents, by condition.
Works on site have resulted in residents' water supplies becoming contaminated with mud	This is not a material planning consideration.
The addition of a car park next to the garden of no. 35a Byron Road causes emissions of petrol fumes into the garden.	Officers would note that this area has continually been in use as a car parking area (previously a garage site)
The development would cause the loss of daylight and sunlight	The development meets all guidance parameters in relation to losses of light and is not considered to be unduly detrimental to neighbouring properties.
The development would result in neighbours' properties being overlooked	All guidance parameters in relation to this are met, officers consider the proposal is acceptable in this regard.
The development would result in the loss of external amenity space	It has been established in previous applications that the land forming the application site did not function as communal amenity space for any of the existing residential dwellings. The redevelopment will bring a significant part of this land into functional amenity space use as new gardens for the development.
The development would incur noise and pollution as a result of additional car movements	The area has long been used as a car parking area formed of hardstanding. It is not considered that this will change significantly under the development proposal.

### Internal

Environmental Health – No objections subject to conditions relating to construction management and sound insulation.

## POLICY CONSIDERATIONS

Core Strategy (2010)

CP17 – Protecting the Suburban Character of Brent

Development Management Policies (2016)

DMP 1 – General Development Management Policy

DMP 11 – Forming an Access on to a Road

DMP 12 – Parking

DMP 18 – Residential Accommodation

DMP 19 – Amenity Space

Supplementary Planning Guidance

SPG17 – Design Guide for New Development (2001)

Draft SPD1 – Design Guide for New Development (2017)

SPD2 – Domestic Extensions Guidance (2018)

## DETAILED CONSIDERATIONS

Principle of development

1. The principle of a residential development on this land has been established within previous planning applications. It was previously noted that the area being built upon is not used as communal amenity space for any of the existing residential units and that a garage cluster has been located on this plot until recently. The land parcel is adjacent to existing residential dwellings and the proposal adheres to the established building line of the surrounding developments. The new development will be viewed in the context of the neighbouring developments and, subject to the development meeting other policy objectives, the principle can be accepted.

Design, scale and massing

2. The new building will be 2 storeys high with a hipped pitched roof. It will be of a very similar scale to the surrounding buildings at 1 to 10 Keats Court, although the terrace of houses created will be much narrower (about 11.5m wide) than the established terrace of maisonettes to the west (about 25m wide).
3. The new building will sit 0.5m forward of the existing building line established by the terrace of maisonettes at 5-10 Keats Court. Given that the current building line along the frontage of the property has only been set by a single terrace of maisonettes (5-10 Keats Court) and that the frontage of the property is comprised of a pedestrian walkway off of Byron Road rather than a more formal highway front location, this minor offset with the surrounding built form (in terms of the building line) is accepted. As at the front, the rear of the building sits 0.5m further back than the building line of Nos. 5-10 Keats Court; subject to meeting the relevant tests of rear garden amenity impact below (as discussed below), this is supported and it is not considered that this would have significant implications for the character and appearance of the building as seen in its surroundings.
4. The new building is proposed to be clad in brick with a tiled roof, these materials will match with the surrounding Keats Court properties. There will be some additional interest provided through sections of protruding brick headers within parts of the façade. This is acceptable subject to a condition recommending further details of materials (including samples) to be provided. The proposed fenestration broadly follows the proportions and design of No. 5 to 6 Keat Court from the street frontage although the spacing of the fenestration has been lessened compared to its neighbour which will result in a somewhat different character for this terrace compared to the neighbours. All of the entrance doors to the houses are located on the front elevation, mirroring the arrangement along this building line.
5. Overall, despite a variation in the approach to window spacing, the proposed building will accord very closely with its neighbours in respect of scale, massing, design, materiality and fenestration proportions. The proposed design of the building is considered to be acceptable.

## Quality of accommodation

### *Size*

6. The scheme proposes 3 x 1 bedroom 2 person houses each with dedicated access from the pedestrian street. Each house has a floor area of 59sqm, with 29.5sqm on the ground floor and 29.5sqm on the first floor. These floor spaces meet London Plan standards for 1 bedroom, 2 person dwellings across two storeys. The 12sqm bedrooms on the upper floors also meet minimum space requirements.

### *Outlook*

7. All units have at least dual aspect, with good outlook to the front and back which will provide a high quality living standard. Given that private rear gardens are to be formed and edged with high level fences, this has the potential to limit rear garden outlook at ground level. However, the fences are located between 4.8m (house 3) and 5.5m (houses 1 and 2) behind the rear ground floor windows of each house which will provide a moderate, if somewhat limited, level of outlook when tested against guidance within SPD17/Draft SPD1 standards. However, it is noted that the ground floors of each house are fully open plan and provide front and rear outlook to the combined kitchen/living/dining space. Given that these rooms on the ground floor will benefit from dual aspect outlook, the somewhat limited outlook at the rear can be accepted. Some defensible planting is proposed in front of this window to maximise privacy for the occupants. It is acknowledged that a disabled car parking space near to the front of the window will sometimes impede the outlook of this window, but on balance this is unlikely to render the quality of the bedroom's accommodation unacceptable. The first floor will have very good outlook from all habitable room windows. Overall, it is considered that the outlook provided should be accepted as good quality.

### *External amenity space*

8. Three individual gardens forming the development's external amenity space are proposed. The gardens are directly accessed from within each house and are about 5m in depth and between 4.5m and 7m in width, resulting in garden sizes of 50sqm (house 1), 20.7sqm (house 2) and 20.5sqm (house 3). All of these garden spaces are in exceedance of the 20sqm standard for amenity space within SPG17/draft SPD1 guidance and are considered to provide good quality usable amenity spaces for residents.
9. Further details on the layout and boundary treatment of the external amenity spaces will be conditioned to any forthcoming consent.

### *Impact on neighbouring amenity*

10. The new building will project rearward of No. 5 & 6 Keats Court by 0.5m. It is also noted that the new building will be set in from the boundary with no. 5 and 6 Keats Court by 3.2m and from the centre of the nearest rear facing habitable room window at 5/6 Keats Court by nearly 5.7m. The protrusion of the building to the rear is very minor given the lateral separation between the proposed building and the neighbouring properties. The relationship, whilst affecting the rear garden amenity of no. 5 and 6 Keats Court to a small extent, would comfortably comply with the Council's 1:2 guidance (used to assess acceptability of upper storey rear extensions in a domestic setting). Given the protrusion alongside the neighbours' rear garden of just 0.5m in the context of a 3.2m set in from the garden boundary, officers do not consider that it is reasonable to give weight to the 45 degree line test as set out in SPG17/Draft SPD1 which would otherwise be used to assess the impact of new development on sensitive residential premises).
11. Beyond the rear garden relationship, it is noted that No. 5 to 6 Keats Court has windows on the flank elevation that will face the new building. Previous applications have noted that the upper floor windows serve landing and bathroom/toilet (evident by the soil pipes). The ground floor has a window which appears to serve a kitchen (waste pipe from sink and vent) but there are also French doors on the rear elevation to this room, suggesting that this room has dual aspect. The new building will be set in by 4m from the flank wall window. As such, given the separation between the buildings and that layout which suggest that the ground floor unit at 5 to 6 Keats Court has dual aspect, the new building is not considered to adversely impact on their amenity.
12. The new building will sit within the 45 degree line from the rear garden of No. 1 to 4 Keats Court and as such will not be overbearing. A distance of over 13m will be maintained from rear habitable room windows to no. 35a Byron Road to prevent unacceptable privacy breaches. There is a window on the



flank wall of the new building that overlooks the access road to the new car parking spaces and the rear gardens of 1 to 4 Keats Court. As this window serves a staircase/landing only, it can acceptably be obscure glazed and non-opening at low levels, as proposed on the drawings. A condition will require this, so as to ensure the development complies with the requirements of Brent's Draft SPD1 and are not considered to compromise privacy for existing units at 1 to 4 Keats Court. The same obscure glazing requirements will be imposed on the west facing side window serving house 1, which looks towards the side wall of no. 5 and 6 Keats Court at a distance of 4m.

#### Highway considerations

13. As the site does not have good access to public transport services, the higher residential car parking allowances set out at Appendix 1 of the adopted DMP 2016 apply.
14. It is assumed that existing flats 1-10 Keats Court are all 1-1/2-bedroom flats, giving a maximum parking allowance for the existing site of 10 spaces. The six former garages would have provided parking in accordance with the maximum allowance.
15. The three proposed 1-bed houses would increase the parking allowance to 13 spaces and the provision of seven spaces would be within the maximum allowance, with the provision of a disabled space meeting requirements for Blue Badge parking.
16. However, Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. In this case, Byron Road is too narrow to safely accommodate parking on both sides and is thus already noted as being heavily parked at night. It is therefore considered essential that adequate parking is able to be retained within the site to satisfy future demand from the existing and proposed flats.
17. As a general rule, parking demand is estimated to average 75% of the maximum standard, which would equate to ten cars in this case. To verify this, car ownership data from the 2011 Census has been examined for flats in the area and this also suggests that nine cars could expect to be owned by residents (average car ownership 0.77 cars/flat). An overspill of four cars from the site is therefore predicted following this development.
18. As with the earlier approved schemes though, it is noted that flats 1-4 have sufficiently sized front gardens to accommodate their own off-street parking spaces if they so wish. Those flats do not form part of the application site, so it is not possible to require additional parking in their front gardens as part of this application. However, if parking for the flats as a whole does become oversubscribed, there is the means available to address the problem.
19. The provision of 7 off-street parking spaces meets 78% of the maximum parking standard for the six existing and two proposed flats at the site and can therefore be supported.
20. It should also be noted that hardstanding car parking spaces tend to be better used for parking than garages, so the replacement of the garages with a parking court may help to relieve some of the pressure for on-street parking in the area. Indeed, the design and access statement forming part of a previous application at this site (14/3971) suggested that the garages had long been in a state of disrepair and had not been rented out for use for a number of years. Recent photographs taken before the demolition of the garages also indicates that the garages were in a poor and unused state.
21. The access to the parking spaces accommodates only single-file traffic, so does not provide space for cars entering and leaving the site to pass one another. This is far from ideal, as it would lead to cars waiting in and reversing out into Byron Road. However, this is an existing situation that pre-existed for the garage court and is not made worse by this proposal.
22. The London Plan requires a secure bicycle parking space for each of the proposed houses and a secure store has been indicated alongside the parking court, accessed from the main pedestrian route, that more than satisfies this requirement in a secure and sheltered manner.
23. Bin storage is proposed to the rear of the new houses, which is thus located more than the maximum refuse carrying distance of 20m from Byron Road. The access road is not wide enough to facilitate access by refuse vehicles.
24. To address this, the Design & Access Statement states that bins will be moved to the front of the site on

collection days, as happens for flats 5-10 Keats Court. This is not ideal, as evidenced by Google Streetview images showing bins left untidily along the public highway on either side of the access. Consideration should therefore be given to providing a proper bin storage area at the front of Keats Court. However, as this proposal simply replicates an existing arrangement that was previously accepted, this issue is not considered to be of sufficient concern to justify the refusal of the application.

- 25. The houses would both be within 45m of Byron Road to allow fire hoses to reach the premises in the event of a fire.
- 26. The development is acceptable from a highways perspective.

Environmental Health

*Contamination*

- 27. Given that derelict garages previously occupied the site, there is the potential for underlying contamination to exist. As such, an informative relating to contamination would be part of any consent given.

*Construction Impacts*

- 28. The proposed development is located close to residential properties and the developer needs to be mindful of the impacts of noise and dust on neighbours, during demolition and construction works. As such a Construction Method Statement should 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 development as a condition of any approval. This would be important in safeguarding the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Landscape considerations

- 29. Whilst the site has been cleared, there were, until recently, a number of trees within the site. It is noted that some basic indication of replacement tree planting is shown on the plans. Due to the premature removal of a number of mature trees and vegetation on site, the tree officer requires any future tree replacement scheme to be commensurate with the previous canopy cover of the pre-existing trees on site. In relation to this, a condition requiring the submission and approval of a landscaping plan with specified tree species and sizes will form part of any approval.

Flooding considerations

- 30. The site partly falls within flood zone 3a in accordance with the West London Strategic Flood Risk Assessment criteria. The actual habitable property is outside the Flood Zone but the car park and rear garden areas fall within flood zone 3a.
- 31. The developer will be required to flood proof the property by ensuring the floor level is 600mm above the flood level and also take appropriate Flood Resilience measures, ie, installing flood gates and sign up to EA Flood Warning system. The developer will also be required to demonstrate that a surface water discharge from the site can be limited to 5 litres per second.
- 32. The demonstration of these requirements will be required by means of a pre-commencement condition.

Comparison between the previously approved development and the currently proposed development

Aspect of development	Previously approved development (18/1846)	Proposed development (18/3317)
Housing	<ul style="list-style-type: none"> <li>• 2 x 1 bed 2 person flats</li> </ul>	<ul style="list-style-type: none"> <li>• 3 x 1 bed 2 person houses</li> </ul>
Development footprint	<ul style="list-style-type: none"> <li>• 8.3m wide</li> <li>• 7.89m deep</li> <li>• 5m away from neighbouring flats (5/6 Keats Court)</li> <li>• Directly accords with established front and rear building line of</li> </ul>	<ul style="list-style-type: none"> <li>• 11.26m wide</li> <li>• 9m deep</li> <li>• 2.6m away from side wall of neighbouring flats (5/6 Keats Court)</li> <li>• ~0.5m forward of established front building line and ~0.5m behind established rear building</li> </ul>

	neighbours at 5/6 Keats Court	line
Height and appearance	<ul style="list-style-type: none"> <li>Eaves and ridge height to match neighbours</li> <li>Hipped roof to match surrounding buildings</li> <li>Brick walls and tile roof, windows to match neighbours</li> </ul>	<ul style="list-style-type: none"> <li>Eaves and ridge height to match neighbours</li> <li>Hipped roof to match surrounding buildings</li> <li>Brick walls and tile roof, windows to match neighbours</li> </ul>
Amenity impact	<ul style="list-style-type: none"> <li>Complies with all relevant tests: 1:2 rule, 45 degree line, 30 degree line and privacy distance buffers from neighbouring windows and gardens</li> </ul>	<ul style="list-style-type: none"> <li>Complies with all relevant tests: 1:2 rule, 45 degree line, 30 degree line and privacy distance buffers from neighbouring windows and gardens</li> </ul>
Internal floor space	<ul style="list-style-type: none"> <li>Flat 1: 51.1sqm</li> <li>Flat 2: 53.1sqm</li> </ul>	<ul style="list-style-type: none"> <li>House 1: 58.9sqm</li> <li>House 2: 58.9sqm</li> <li>House 3: 58.9sqm</li> </ul>
External Amenity space	<ul style="list-style-type: none"> <li>Flat 1: 49sqm garden (direct access)</li> <li>Flat 2: 72sqm garden (indirect access)</li> </ul>	<ul style="list-style-type: none"> <li>House 1: 50sqm garden (direct access)</li> <li>House 2: 20.7sqm garden (direct access)</li> <li>House 3: 20.5sqm garden (direct access)</li> </ul>
Parking and refuse	<ul style="list-style-type: none"> <li>1 disabled space at front</li> <li>1 parking space at side of building</li> <li>4 parking spaces at rear of site</li> <li>Cycle stores individually provided in rear gardens</li> <li>Refuse stored at western side of building and moved to highway threshold for collection on relevant days</li> </ul>	<ul style="list-style-type: none"> <li>1 disabled space at front</li> <li>6 parking spaces at rear of site</li> <li>Communal cycle store at side of building</li> <li>Refuse stored at eastern side of terrace and moved to highway threshold for collection on relevant days</li> </ul>
Environmental Health	<ul style="list-style-type: none"> <li>Construction Method Statement secured by condition</li> </ul>	<ul style="list-style-type: none"> <li>Construction Method Statement secured by condition</li> </ul>
Landscaping and Trees	<ul style="list-style-type: none"> <li>Landscaping plan (with trees) secured by condition</li> </ul>	<ul style="list-style-type: none"> <li>Landscaping plan (with trees) secured by condition</li> </ul>
Flooding	<ul style="list-style-type: none"> <li>No obligations required as West London SFRA not adopted</li> </ul>	<ul style="list-style-type: none"> <li>Flood risk mitigation and drainage plan secured by condition</li> </ul>

### Conclusions

33. For the reasons discussed above, the proposal is acceptable and should be granted planning permission subject to conditions.

### Equalities

In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

## CIL DETAILS

This application is liable to pay **£60,327.31\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 183.6 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
	183.6	0	183.6	£200.00	£35.15	£51,309.64	£9,017.67

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>	<b>£51,309.64</b>	<b>£9,017.67</b>

\*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.**



Application No: 18/3317

To: Mr Bellis  
Bellis Architects  
RIBA Incubator  
76 Portland Place  
Marylebone  
London  
W1B 1NT

I refer to your application dated **23/08/2018** proposing the following:

Erection of a terrace of 3x two storey one bedroom dwellinghouses with associated car parking, cycle and refuse stores, landscaping and outdoor amenity space

and accompanied by plans or documents listed here:  
Refer to condition 2.

at **Garages rear of 1-4, Keats Court, Byron Road, Wembley**

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: 26/10/2018

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:-

Brent Core Strategy 2010  
Brent Development Management Policies 2016  
Brent Supplementary Planning Guide 17 - Design guide for new development 2001  
Brent Draft Supplementary Planning Document 1 - Design guide for new development 2017  
Brent Supplementary Planning Document 2 - Domestic Extensions Guidance 2018

- 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):

0498-040.01  
0498-140.01 Rev A  
0498-140.02  
0498-140.03  
0498-340.01  
0498-340.02  
0498-340.03  
0498-340.04  
0498-DAS-03

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

- 3 The development shall not be occupied unless the car parking spaces and accesses within the site and to and from the adopted highway (both vehicular and pedestrian), as well as the bicycle store as detailed within the approved drawings and documents have been implemented in full accordance with the approved drawings and details and are available for use for the residents of the development. Thereafter, the car parking spaces and vehicular and pedestrian accesses and bicycle store shall be retained and maintained for the life of the development.

Reason: To ensure the development provides appropriate infrastructure for residents in accordance with policy requirements.

- 4 The west facing window serving the stairwell of maisonette 01 and the east facing window serving the stairwell of maisonette 03 shall be constructed with obscure glazing and shall not include openings below a height of 1.7m as measured from the floor level of the room which the respective windows serve. The windows shall be thereafter retained in this condition for the lifetime of the development.

Reason: To protect the privacy of adjoining residents.

- 5 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space in the front garden to accommodate additional bin or cycle storage

- 6 Prior to first occupation of the development hereby approved, the bin stores as shown in the approved plans shall be built in accordance with the approved documents. The management arrangements as set out within the supporting Design and Access Statement (ref: 0498-DAS-03) shall be adhered to throughout the lifetime of the development.

Reason: In the interests of providing satisfactory refuse facilities.

- 7 Details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced above ground level. The development 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.

- 8 Notwithstanding the submitted details otherwise approved, full details of landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority within six months of commencement of development. Such details shall include:

- (a) Full details of all soft landscaping (including species, densities, numbers and position) including a scheme of tree planting with the proposed canopy cover of the trees commensurate with the previous canopy cover of the pre-existing trees on site.
- (b) Details of all boundary treatments (including materials and heights)
- (c) Details of all hard landscaping (including pathways and patios)
- (d) Details of any external lighting

The approved landscaped works shall be fully implemented prior to first occupation of the new residential unit hereby approved. Any trees, shrubs, flowers or grass planted in accordance with the landscaping scheme which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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

- 9 No development shall take place, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) The parking of vehicles of site operatives and visitors;
- (ii) Loading and unloading of plant and materials;
- (iii) Storage of plant and materials used in constructing the development;
- (iv) Measures to control the emission of dust and dirt during construction;
- (v) Resident access during the construction phase.

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

- 10 Prior to commencement of the development hereby approved, a flood mitigation strategy and drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The flood mitigation strategy shall outline flood resilience measures to be incorporated into the development, including the installation of flood gates, signing up to the Environment Agency's flood warning system as well as demonstration that the floor level of the development will be at

least 600mm above the flood event level. The drainage strategy shall outline attenuation measures that would result in a surface water discharge rate from the site which is limited to 5 litres per second.

Thereafter, the development shall be incorporated in full accordance with the approved details.

Reason: To ensure that local flood risk, as designated within the West London SFRA, is appropriately mitigated.

## 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 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)
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented 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.
- 4 It is important that the workers are vigilant for signs of potential contamination in the soil during excavation works. This may include obvious residues, odours, fuel or oil stains, asbestos, buried drums, buried waste, drains, interceptors, tanks or any unexpected hazards that may be discovered during site works. If any unforeseen contamination is found during works Regulatory Services must be notified immediately. Tel: 020 8937 5252. Email: [ens.monitoring@brent.gov.uk](mailto:ens.monitoring@brent.gov.uk)



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