

 **Planning Committee Map**  
Site address: Park House, Manor Park Road, London, NW10 4JW  
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This map is indicative only.

**RECEIVED:** 18 July, 2012

**WARD:** Harlesden

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Park House, Manor Park Road, London, NW10 4JW

**PROPOSAL:** Extension to time limit of Full Planning Application reference 09/0732 dated 9th September 2009 for Demolition of existing building and erection of a 5-storey building, comprising an estate agent (Use Class A2) on the ground floor and 15 flats (3 one-bedroom, 9 two-bedroom, 3 three-bedroom) on upper floors, subject to a Deed of Agreement dated 09/09/2009 under Section 106 of the Town and Country Planning Act 1990 (as amended)

**APPLICANT:** Mr Chris Savva

**CONTACT:** Metropolis Planning Design

**PLAN NO'S:**  
See condition 2

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### **RECOMMENDATION**

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

### **SECTION 106 DETAILS**

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- (a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
  - (b) A contribution of £90,000, due on material start and index-linked from the date of committee for Education, Sustainable Transportation and Open Space & Sports in the local area.
  - (c) A contribution £50,000, due on material start and index-linked from the date of committee, towards enabling affordable housing off site.
  - (d) A contribution of £18,750, due on material start and index-linked from the date of committee, toward off site Landscaping and open space enhancements to include but not limited to street trees.
  - (e) Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and Code for Sustainable Homes level 3, with compensation should it not be delivered. In addition to adhering to the Demolition Protocol.
  - (f) Reduction on the Target Emissions Rate of 25% above Building Regulations. If proven to the Council's satisfaction that it's unfeasible, provide it off site through an in-lieu payment to the council who will provide that level of offset renewable generation.
  - (g) Enter into a S38/S278 Agreement to secure highways works to provide the proposed new lay-by to the front of the site, with an adoptable footway to the rear together with amendments to the existing waiting restrictions.
  - (h) Permit Free - Removal of the rights of residents to apply for parking permits.
  - (i) Join and adhere to the Considerate Contractors scheme.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

### **EXISTING**

The site is occupied by a vacant 3 storey office building, on the west side of Manor Park Road.

## DEVELOPMENT SCHEDULE

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

#### USE

Number	Primary Use	Sub Use
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#### FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
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#### TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
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Mayoril CIL multiplier is £35 per SQM of total net gain floorspace, therefore Amount Payable is £0.00.

### PROPOSAL

See description above

### HISTORY

09/0732 Granted subject to legal agreement

Demolition of existing building and erection of a 5-storey building, comprising an estate agent (Use Class A2) on the ground floor and 15 flats (3 one-bedroom, 9 two-bedroom, 3 three-bedroom) on upper floors, subject to a Deed of Agreement dated 09/09/2009 under Section 106 of the Town and Country Planning Act 1990 (as amended)

08/1112 Granted

Demolition of existing 3-storey building and erection of 5-storey building comprising 9 self-contained flats at third-, fourth- and fifth-floor levels, bank (Use Class A2) at ground-floor and first-floor levels, with provision of refuse and cycle storage to side entrance and widening of existing vehicle crossover to front of site ("car free" scheme) and subject to a Deed of Agreement dated 21st July 2008 under Section 106 of the Town and Country Planning Act 1990, as amended.

08/3172 Granted

Demolition of the existing building and erection of a 5-storey building, comprising Use Class A2 on the ground floor and 12 self-contained flats on upper floors and subject to a Deed of Agreement dated 27th February 2009 under Section 106 of the Town and Country Planning Act 1990, as amended.

### POLICY CONSIDERATIONS

#### UDP 2004

- BE2 Townscape: Local Context & Character
- BE6 Public Realm: Landscape Design
- BE7 Public Realm: Streetscape
- BE9 Architectural Quality
- H9 Dwelling Mix
- H12 Residential Quality – Layout Considerations
- TRN23 Parking Standards – Residential Development
- PS14 Parking Standards

*Supplementary Planning Guidance Note 17: Design Guide for New Development*  
*Supplementary Planning Document: S106 Planning Obligations*

#### Core Strategy

- CP2 Population and Housing Growth
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures

#### London Plan

Table 3.3 Minimum space standards for new development

## **NPPF**

The NPPF was published on 27<sup>th</sup> March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

## **SUSTAINABILITY ASSESSMENT**

- The development has not yet achieved 50% on the Council's Sustainability Checklist but will be required to do so
- The residential development will need to achieved Code for Sustainable Homes Level 3
- BREEAM 'Excellent' for the ground floor commercial use

A reduction in the carbon Target Emissions Rate of 25% above Building Regulations requirements

## **CONSULTATION**

### **External**

The Owner/Occupiers of the neighbouring properties were consulted on 23rd June 2012, and a site notice was posted at the site on 11th June 2012. One objection has been received.

- Too many residential units leading to overloading of the town centre.
- Lack of community space.
- Trying to improve Harlesden for pedestrians and increase facilities and social activities which this kind of central development is not helping.
- There was an application to turn this into a community area

The site is included within the 'Harlesden Plaza' site specific allocation. The recommended uses on the site are mixed and include a supermarket, residential development, community space and public space. The proposal does not conflict with this SSA as it includes a residential and commercial use and does not prejudice future development on the wider site.

Harlesden and Kensal Green Ward Councillors were consulted on 19th July 2012, 2 comments have been received.

Cllr Hector:

- Concern about over-development and lack of car parking for residents

Cllr Long:

- Not convinced that the development will be implemented rather than being sold 'with planning permission', however it is thought that the building is being squatted which reflects a need for housing.

### **Internal**

Landscape: Officers would want to see balcony provision improved and the scheme includes the loss of 2 street trees. S106 contributions required to make good the lack of both landscaping and amenity space as well as the removal of street trees.

Transport: Car free and other S106 requirements

## **REMARKS**

This application is for extension of the time limit on the original permission granted in 2009, no changes are proposed to the scheme.

The recession has had a significant impact on the development industry over the past few years. The ability for developers to raise finance to purchase and construct schemes has been restricted as bank lending has contracted. Demand for new properties has declined in the face of reduced household income and the ability of potential homeowners to secure mortgage finance has been severely limited.

As a result a number of consented schemes are at risk of not being commenced within three years of the permission being issued. The need for homes remains, however, and it is expected that the construction sector, which makes a significant contribution to the economy, will recover when the recession eases and liquidity returns to the credit markets.

## **Government response**

In 2009 the Government recognised the difficulties facing the industry and introduced legislation to help maintain the delivery of sustainable development in the face of the UK recession. As of October 2009 applicants have been able to apply to their Local Planning Authority (LPA) for a new planning permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development. This has been introduced in order to make it easier for developers and LPAs to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.

## **Procedural matters**

The process is referred to as extension for convenience. More formally, a new permission will be granted, with a new reference number, for the development granted permission by the original decision. This new permission will be subject to a new standard timescale condition and all original conditions and S106 obligations will be retained. There is scope to impose additional conditions and obligations if necessary, to overcome minor policy changes.

The Department of Communities and Local Government stresses that, although this is not a 'rubber-stamp' exercise, "development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date"

Guidance titled 'Greater Flexibility for Planning Permissions: Guidance' has been published by the Government and this document informs how LPAs are to approach these types of applications (Communities and Local Government, 2009). LPAs are instructed to take a "positive and constructive approach" towards those applications which improve the prospect of sustainable development being taken forward quickly. The focus of attention in determining the application should be on those development plan policies and other material considerations (including national or regional policies) "which may have changed significantly since the original grant of permission"

## **Policy changes since April 2008**

The significant policy developments since the 2009 approval include the adoption of Brent's Core Strategy 2010, the London Plan 2011, the NPPF 2012 and the introduction of the Mayor's Community Infrastructure Levy.

### Core Strategy

#### *CP2 Population and Housing Growth*

This policy states that a minimum of 25% of units should be family size (3 beds+), the proposal includes 3x3-bed units equating to 20% of the units in the development missing the minimum target by 5%.

Consideration of the suitability of the site for family accommodation has been given including its town centre location and its inability to provide any communal amenity space or playspace. Officers are of the opinion that the proposal and floor layouts make good use of the restricted plot, providing a reasonable amount of family size units while acknowledging that the site does not provide the most desirable family environment. For the reasons discussed above the proposal in this specific context is considered to be acceptable.

#### *CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures*

Code for Sustainable Homes level 3 is the required sustainability target for this residential development along with 50% on Brent's sustainability checklist – as the site is not within a growth area code level 4 is not required and the requirement remains as previously agreed in the Heads of Terms. BREEAM 'Excellent' should be met by the commercial use at ground floor.

### London Plan

#### *Policy 3.5 Quality and Design of Housing Developments & Table 3.3 Minimum space standards for new development*

The proposal meets Brent's guidance for internal unit sizes as set out in SPG17 and it was considered in 2009 that the proposal would result in an acceptable standard of accommodation. Since the adoption of the London Plan all new developments have been expected to meet these slightly higher internal size standards, while these targets are not met by the proposal officers are of the opinion that the development would still provide acceptable residential accommodation. An increase in the floor areas would result in a reduction in the number of bedrooms if not units that the site was providing and in the context of an extant permission

officers are minded to support the proposal as it achieves SPG17's requirements. It is only possible to extend the time limit of a permission once and a new scheme would be required to reflect the London Plan's guidance.

	Beds/Pers	LP 2011 sqm	Proposed sqm	-/+ sqm
1	3/5	86	80	-6
2	2/3	61	56	-5
3	2/3	61	55	-6
4	1/2	50	45	-5
5	3/5	86	80	-5
6	2/3	61	56	-5
7	2/3	61	55	-5
8	1/2	50	45	-5
9	3/5	86	80	-6
10	2/3	61	56	-5
11	2/3	61	55	-6
12	1/2	50	45	-5
13	2/3	61	55	-6
14	2/3	61	60	-1
15	2/3	61	55	-6

### CIL

The development would be subject to the Mayor's CIL at a rate of £35 per m<sup>2</sup>.

### **Conditions**

The same conditions attached to the 2009 approval are again recommended. The applicant has submitted information in relation to these conditions but at the time of writing the applications have not been determined. If the information is found to be acceptable prior to the determination to the application the conditions could be amended accordingly to relate to the application numbers containing the acceptable detail. Members will be updated in a supplementary report.

The report above summarises the main policy changes since the original application was granted and concludes that, on balance, it would be acceptable to approve an extension of time for the unimplemented consent.

For completeness the original report from 09/0732 is repeated in full below.

### **Original Report**

*The proposal involves the demolition of existing building which is acceptable; the building is vacant and does not enhance the character of the area. The erection of a 5-storey building is proposed in its place, comprising an estate agent (Use Class A2) on the ground floor and 15 flats (3 one-bedroom, 9 two-bedroom, 2 three-bedroom) on upper floors*

*Two previous applications have been approved as listed in the history. These 2 schemes were very similar externally but gave different proportions of internal space to A2 and residential. The more recent scheme 08/3172 proposed the ground floor only as A2 with 12 flats above. This is therefore the most similar to the current proposal but this application now proposes increasing the scale of the building and further intensifying the residential use of the site.*

### **Principle**

*The proposed ground floor A2 use is considered acceptable. The site is in a town centre location adjacent to primary shopping frontage, though it does not have a designation itself, and the A2 use will provide a service to visitors. There is no objection to the loss of the previously approved A2 use at first floor.*

*The location is also considered acceptable for the residential use, subject to the car-free agreement, as confirmed by the previous applications.*

### **Site & Layout**

The plot is 377sqm, and the proposed footprint of the building is the same as previously approved although the front balconies project further over the future public footway as they have been increased slightly in depth.

## **Design**

The proposed building, replacing the existing building which is 3 storeys in height with a pitched roof, is 5 storeys. The proposed building does not exceed the maximum height of the existing building (which is 15.3m at its highest parapet point).

To the front elevation, on Manor Park Road, the building appears as 4 storeys with a 5th storey set back by 1.7m. Although the height of the proposed building is similar to the highest point of the existing, as the existing is a pitched roof and the proposed is flat, the extent of the roof of the building reaching over 15m is far increased. This current application originally proposed a setback to the front elevation only, in terms of its overall massing and flank wall elevational appearance this was not considered to be acceptable.

The revised scheme has a set back to the top floor of a minimum of 1.5m to both side elevations, with the exception of the stairwell area, discussed below. To the rear, although set in at the side, otherwise the top floor projects directly up from the main rear elevation.

When adjacent to the building on Manor Park Road it is likely that the top floor could be difficult to see however if viewed from the north-west on Manor Park Road, where there is an open area, all storeys would be easily visible. On this elevation the stairwell does project directly up above the third floor, meaning for 6m there is no set back and this is a significant change to the design from the approved schemes. However other elevational treatments have helped to break up the bulk. At ground floor 'light grey limestone facing masonry' is proposed with red brick to the storeys above. Light grey terracotta cladding is proposed to the fourth floor and a condition is suggested to require this to also include the stairwell area at fourth floor.

The existing building is approximately 10m in depth and the proposed is increased to between 13.9m and 15.2m resulting in a much deeper flank wall. Therefore the variety of materials and set back at top floor are considered essential to ensure the building does not appear dominating in the streetscene.

The visibility of the top floor of the building from the public highway from on and around the junction of Manor Park Road, High Street Harlesden and Park Parade also necessitates the set back at top floor to the front and side elevations.

To the majority of the rear elevation the building does appear as a 5 storey building with no set in, this elevation would be visible to a number of residential properties above the commercial units on High Street Harlesden but not from other public views. The set in at either side has considerably improved the appearance and although it would be preferable to set this elevation further back the applicant is keen to retain the internal space. This elevation is considered to be the least sensitive and on balance the appearance is thought to be acceptable.

## **Mix and quality of accommodation**

The schedule of accommodation is as follows:

Flat no.	No. beds	No. persons	Internal size	Amenity space sqm
1	3	5	80	6
2	2	3	55	6
3	2	3	55	6
4	1	2	45	6
5	3	5	80	6
6	2	3	56	6
7	2	3	55	6
8	1	2	45	6
9	3	5	80	6
10	2	3	56	6
11	2	3	55	6

12	1	2	45	6
13	2	3	55	32
14	2	3	60	11.5
15	2	3	55	23

*It is considered that the mix of accommodation is reasonable, complying with Policy H9 Dwelling Mix which states that a mix of family and non-family units will be required, having regard to local circumstances and site characteristics. In this instance both 1-bed units as well as larger family sized units would be appropriate and are considered necessary to meet the housing demand in the area.*

*All units meet the minimum standards for the number of bedrooms proposed. Due to their size all of the 2-bed units are suitable for 3-persons only and it is apparent that the scheme has been driven by density.*

*In terms of amenity space the balconies provide 6sqm each with all 3 fourth floor units having more generous space on the top floor terraces. This is an intensive development with all units just meeting minimum internal size standards whilst providing a low level of amenity space in most cases. The units in the previously approved scheme on average exceeded minimum standards by 9sqm compensating for the lack of amenity space.*

*Due to its towncentre location the site is tight and there is consequently limited scope for amenity space, it would be preferable to compensate internally but on balance it is considered that the scheme would provide an acceptable level of amenity.*

*1 unit has been design with suitable access for people with disabilities and each unit is designed to satisfy Lifetime Homes standards.*

### **Affordable Housing**

*As in the previously approved scheme, a contribution towards the off-site provision of affordable housing is proposed rather than accomodating affordable housing within the scheme. As the planning history demonstrates, there is an existing approval for 9 units with 2 floors of A2 on the site which was not subject to the affordable housing requirement and the following scheme for 12 units did not produce a greater site value than this. A financial contribution towards enabling affordable housing of £30,000 was agreed.*

*For the current 15 unit scheme a financial contribution of £50,000 is proposed. Given the assessment of the toolkit and the recognition of the previously consented schemes on the site, it is your Officer's opinion that this is a satisfactory amount.*

### **Neighbouring Amenity**

*Between 89-93, which are adjacent to the site on the High Street, there is no residential accommodation. A number of the upper floors along the High Street beginning at no. 87 are residential. In the previous application to safeguard the privacy of any neighbouring residents an obscured glass screen was proposed to the side elevation of the closest balconies to prevent outlook in this direction. This has not been included in this application and a condition is proposed to ensure it is secured.*

*The proposed building projects approximately 2.5m further than the existing to the rear. This does not cross the direct line of outlook from the closest property containing residential accomodation, as such in this way the impact would not be significantly different from the existing situation.*

### **Transportation Issues**

*As with the previous scheme the pavement is proposed to be altered to allow for a loading bay at the front with the pavement behind, this would result in the loss of 2 street trees.*

*An ATM is proposed in the shop front of the proposed building. Transportation indicate that this would be acceptable and the loading bay would provide a place for cars to pull up in for a moment to use this facility. However it is more likely that the ATM would be used by people on foot given the town centre location.*

*Public Transport Access to the site is very good with a PTAL rating of 5, as such a car-free scheme would acceptable. However as the proposal has gone over the threshold within the UDP, a disabled parking space is required. The transportation department suggest that this can be accomodated within the servicing bay*



created to the front.

16 cycle storage spaces are shown on the ground floor in the rear yard though the usability of these spaces is questionable given the tightness of the space, their usability would need to be demonstrated or else a different storage space or new mechanism of storage would be necessary. 2 publicly accessible cycle parking spaces are shown to the front of the building.

Refuse storage is in a small room next to the entrance which is in accordance with the maximum refuse carrying distance, however this at present does not appear to be in accordance with levels recommended by 'Streetcare'. Recycling bins providing for 1860l of storage would be required for the number of bedrooms proposed so the 720l of bins space proposed is an underprovision. It is essential that both this and the cycle storage are satisfactorily accommodated to prevent significant nuisance to future occupiers and allow efficient recycling to take place. It is possible that this may need to encroach on the space currently dedicated to the commercial unit and a condition is suggested to ensure that acceptable details are submitted.

The scheme, a more intensive version of that approved, is considered still to comply with policies contained in Brent's UDP 2004 and approval is recommended.

**RECOMMENDATION:** Grant Consent subject to Legal agreement

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

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

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

Built Environment: in terms of the protection and enhancement of the environment  
Housing: in terms of protecting residential amenities and guiding new development  
Transport: in terms of sustainability, safety and servicing needs

**CONDITIONS/REASONS:**

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

EX100, EX101, EX102, EX103, EX104, EX105, PL/100 A, PL/101 B, PL/102 C, PL/103 C

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

(3) No water tank, air-conditioning or ventilation plant, extraction equipment or other roof structure shall be erected above the level of the roof hereby approved without the further written consent of the Local Planning Authority.

Reason: To ensure that such further structure(s) do not prejudice the amenity of the neighbouring occupiers or the appearance of the area.

(4) The A2 unit shall remain as a single unit and not be subdivided without the prior written approval of the Local Planning Authority.

Reason: Any subdivision would cause additional parking and servicing requirements to the

detriment of highway safety.

- (5) All landscaping areas shown on the approved plans shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed prior to occupation of the building.

Such a scheme shall also provide details of:-

- (i) Proposed walls, indicating materials and heights.
- (ii) Proposed planting to planter bed.
- (iii) Hard landscaping to front of site.
- (iv) Brown/green roof.

Any shrubs planted in accordance with the landscaping scheme which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced 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 standard of appearance and setting for the development and 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 and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (6) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (7) Details of adequate arrangements for the storage of refuse and recycling, in accordance with the Council's requirements contained in the document *Waste and Recycling Storage and Collection Guidance*, shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to commencement of the use hereby approved.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- (8) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-

- (a) screening to the southeastern elevation of balconies to flats 1, 5, 9 and 13
- (b) screening between the private terraces to flats 13 and 15
- (c) enclosed balcony screens (front elevation) including ventilation and operation.

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

- (9) Details of any air-conditioning systems, including particulars of noise levels, shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site. The approved details shall thereafter be fully implemented.

Reason: To safeguard the amenities of the adjoining occupiers.

**INFORMATIVES:**

- (1) 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)

Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5368