

**Committee Report  
Planning Committee on 30 November,  
2005**

**Item No.  
Case No.**

**2/04  
05/1035**

---

**RECEIVED:** 7 June, 2005

**WARD:** Willesden Green

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** White House, 54 Chaplin Road, London, NW2 5PN

**PROPOSAL:** Outline Planning Permission for redevelopment of site for residential purposes  
(All matters reserved - Car Free Development)

**APPLICANT:** Mr A Crowe and Mr L Zeff

**CONTACT:** D Peddar

**PLAN NO'S:** Un-numbered site and block plan

---

#### **RECOMMENDATION**

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental Services to agree the exact terms thereof on advice from the Borough Solicitor

#### **SECTION 106 DETAILS**

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance;
- 
- Payments of £1,000 per 1-1/2- bed unit and £1,500 per 3-1/4- bed unit towards non-car access and highway safety improvements in the area;
- 
- A 'Car Free' agreement whereby residents are not to be issued with parking permits for the Controlled Parking Zones in the area, thereby maintaining the restrained parking provision for the site, and the applicants inform residents of this restriction;
- 

Contributions of £1,000 per unit towards environmental improvements in the area where the on-site amenity space provided falls below the threshold of the London Borough of Brent's Supplementary Planning Guidance Note 17 on New Development at the point of application.

#### **EXISTING**

The site is of an irregular shape, and is located on the South side of Chaplin Road and comprises of a two storey building on the Chaplin Road frontage which continues and extends beyond the rear of 46-58 Chaplin Road, to the rear of 210-224 High Road. It currently has an authorised use for storage/workshop purposes.

Chaplin Road is characterised by two storey terraced residential buildings, whereas, High Road Willesden generally has commercial uses on the ground floor frontage with residential on the floors above.

#### **PROPOSAL**

Outline Planning Permission for redevelopment of site for residential purposes (All matters reserved)

## **HISTORY**

Planning permission refused in December 2003 for the demolition of the existing building and construction of 8 three-bedroom live/work units and 1 two-bedroom cottage and construction of new access.

An application for the alterations, partial demolition, additional floor over part and conversion of the existing building to form 7 no. self-contained flats, installation of rooflights in front elevation and erection of rear dormer windows to form habitable rooms in roofspace was withdrawn in June 2002.

## **POLICY CONSIDERATIONS**

The following are policy considerations relevant to this application:

### Brent Unitary Development Plan 2004

BE1 - Outlines the need for a submission of an Urban Design Statement for any sites likely to have a significant impact on the public realm, indicating important features, existing and potential links to the site, important views, relationship with surrounding properties, how the design relates to and enhances its urban context, and contribution of the design towards sustainability and regeneration.

BE2 - Proposals should be designed with regard to their local context, making a positive contribution to the area, taking account of existing landform, and the need to improve existing urban spaces and townscape.

BE3 - Proposals should have regard for the existing urban grain, development patterns and density and should be designed so that spaces between and around buildings should be functional and attractive to their users, layout defined by pedestrian circulation, with particular emphasis on entrance points and creating vistas, it respects the form of the street by building to the established line of the frontage, unless there is a clear urban design justification.

BE4 - Development open to the general public shall include suitable access and facilities for disabled people.

BE5 - Development should be designed to be understandable to users, free from physical hazards and to reduce the opportunities for crime, incorporating the aims of both 'Secured by Design' and 'Designing-Out Crime'.

BE6 - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, boundary treatments to complement the development and enhance the streetscene.

BE9 - New buildings should be designed to embody a creative and high quality design solution specific to the sites shape, size, location and development opportunity and be of a scale, massing and height appropriate to their setting, civic function and location.

BE31 - For development involving groundwork on sites in Archaeological Priority Areas requires applicants to have the implications to their proposal assessed by a recognised archaeological group, and provision made for any finds maintenance in situ, made available for public display, or properly investigated and excavated depending of the level of importance of the site.

H2 - A net additional housing of 9600 dwellings should be provided between 1997 and 2016 (of which 4800 should be affordable) subject to suitable locations and the maintenance of a quality environment.

H3 - Housing development in the borough capable of providing 15 or more units gross, or 0.4 hectares or more in size (irrespective of the number of units) should where suitable accordingly to policy H2, include provision for affordable housing on-site (other where policy H4 applies) This should contribute towards the borough wide target for affordable housing and be available to borough residents.

H9 - On developments of 15+ units, or of 0.5HA+, a mix of family and non-family units will be required. Exceptions may be made for sheltered or supported housing, housing in or adjoining town centres or where the site is unsuitable for families. Special regard will be had to affordable housing developments designed to

meet the needs of a particular priority group.

H12 - Layout and urban design of residential development should reinforce/create an attractive/distinctive identity appropriate to the locality, housing facing streets, have access and internal layout where cars are subsidiary to cyclists and pedestrians, appropriate car parking and cycle parking, where dedicated on-street parking is maximised as opposed to in curtilage parking and avoids excessive tarmac and provides an amount and quality of open landscaped area appropriate to the character of the area, local availability of open space and needs of prospective residents.

H13 - The appropriate density will be determined by achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites and meets the amenity needs of potential residents. The most dense developments will be in areas with good and very good public transport accessibility. Surrounding densities should at least be matched unless it would harm residential amenity. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.

TRN1 - Planning applications will be assessed as appropriate for their transport impact, including cumulative impacts on the road network, and all transport modes including public transport, walking and cycling.

TRN11 - Developments shall comply with the Council's minimum cycle parking standard (PS16); with parking situated in a convenient, secure, and where appropriate sheltered location.

TRN14 - New highway layouts, visibility splays and accesses to and within developments; should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.

TRN23 - Parking for residential development should not provide more parking than the levels as specified in PS14. Lower standards apply for affordable housing and units with good and very good public transport accessibility. Exceptionally, 'car-free' housing developments may be permitted in areas with good and very good public transport accessibility where occupation is restricted by condition to those who have signed binding agreements not to be car owners. Such persons will not be granted residents parking permits.

EMP9 - Sets out the criteria for the development of local employment sites and alternative acceptable uses.

Supplementary Planning Guidance note 17 - Altering and Extending Your Home

## **SUSTAINABILITY ASSESSMENT**

Not applicable

## **CONSULTATION**

Adjoining occupiers in Chaplin Road and High Road consulted. One letter received objecting to the proposal on the following grounds:

- i) at present the existing buildings mean that there is no access to the rear of properties in Chaplin Road and these properties are thus secure. The removal of the buildings would result in greater access leading to concerns of security;
- ii) any new buildings would lead to overlooking of the gardens in Chaplin Road;
- iii) Increase in noise levels from traffic coming and going and general use of the residential properties.

## **REMARKS**

Members will note that previous applications for the development of this site have been either refused or withdrawn. These applications were however detailed proposals and the reasons for refusal related to the impact on adjoining properties in terms of loss of privacy, inadequate access for emergency and refuse vehicles, poor design and loss of employment.

The current application is in outline with all matters reserved. Thus the only point of issue is whether the loss of employment use from the site is acceptable. In relation to Policy EMP9 of the UDP, which deals with the development of local employment sites such as this, evidence is required to indicate that either (a)

unacceptable environmental problems are or would be associated with the use of the site for employment use; or (b) there is no effective demand for the premises and there is no reasonable prospect in the medium term of the re-use, or redevelopment to modern standards for B1, B2 or B8 uses of an environmentally appropriate kind. If either of the above was established, residential development would be an acceptable land use given that this is the predominant land use in the area.

The applicants have not submitted much evidence that the former use of the site for employment purposes, it being currently unused, resulted in unacceptable environmental problems other than a letter from the freeholder stating that when the use of the site was at its height it employed approximately 100 people and that deliveries by large vehicles to the site led to complaints from local residents. Your officers though are aware of at least two other employment sites in the vicinity, on Villiers Road, which do cause problems due to the presence of vehicles delivering to and collecting from the site. Neither of these sites has on-site servicing facilities and this results in vehicles parking in the road to service resulting in the road being blocked for periods of time during the day. This problem is exacerbated by the fact that the roads are classified as heavily parked, despite being in a controlled parking zone. The application site does not have on-site servicing and it is likely that similar problems would occur should it revert back to an employment use within either the B2 or B8 classification, which is its authorised use. Furthermore, with the authorised use being either as industrial or storage and distribution, it is likely that such a use in this locality would result in issues of noise and disturbance to adjoining residential property. Your officers are, thus, satisfied that the use of the site for employment purposes did in the past and could in the future result in unacceptable environmental problems.

With regard to the issue of demonstrating that there is no effective demand for the premises, evidence has been provided to show that the property has been marketed by a local estate agent since June 2004, for its authorised use and through them to 500 other estate agents around London. Approximately 20 inquiries were received of which the only sustained interest was from an organisation wishing to use the premises for a community use. It is clear from the marketing exercise that efforts have been made to find an occupier for the premises who would comply with the authorised use and that this has been attempted over a reasonable period of time, without success. In your officers view the requirement to show that there is no effective demand for the premises for its authorised use has been fulfilled.

Whilst the application is in outline form with all matters reserved, any requirements for a legal agreement under S106 need to be incorporated at this stage. Thus the council's requirements for payments towards non-car access and highway safety improvements in lieu of this being a car free development, the need to control the nature of it as car free and the possible contributions towards environmental improvements are incorporated within this application.

In conclusion, it is considered that the requirements of Policy EMP9 relating to the loss of a local employment site have been met and thus a redevelopment of the site for residential purposes, in principle, is acceptable.

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

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

Brent's Unitary Development Plan 2004

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

Employment: in terms of maintaining and sustaining a range of employment opportunities

Transport: in terms of sustainability, safety and servicing needs

**CONDITIONS/REASONS:**

(1) In the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of this permission, and

That the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990

- (2) Further details of the proposed development shall be submitted to and approved 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) the layout of the site;
  - (b) the siting of the building(s);
  - (c) the design of the building(s);
  - (d) the external appearance of the building(s);
  - (e) sections of the building(s);
  - (f) the means of vehicular and pedestrian access to and movement within the site;
  - (g) the provisions for car parking and/or garages;
  - (h) the provisions for loading, unloading and parking of service vehicles;
  - (i) the provision of refuse and waste storage and disposal facilities;
  - (j) the provision of lighting to ensure safety and convenience on roads, footpaths and accesses to buildings;

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

- (3) Details of materials for all external work including samples, shall be submitted to and approved by the Local Planning Authority before any work is commenced.

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

- (4) The development hereby approved shall be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted therewith.

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities by any work remaining incomplete.

- (5) A minimum of 1 parking bay per 10 units, of 3.6m minimum width shall be provided prior to occupation of the premises, for the exclusive use of disabled people and shall be located within convenient distance of the entrance to be used. The spaces shall be clearly marked and shall be maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure satisfactory facilities for disabled people.

- (6) Prior to the commencement of the development (hereby permitted):
- (a) a site investigation shall be carried out by an appropriate person to determine the nature and extent of any contamination present. The investigation shall be carried out in accordance with a scheme, which shall be submitted to and approved by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found and
  - (b) a completion report and certification of completion shall be provided to the LPA by an appropriate person stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for the permitted for end use

Reason: To ensure the safe development and secure occupancy of the site proposed for use.

- (7) For all undeveloped land within the site a landscape scheme shall be submitted to and

approved by the Local Planning Authority, in writing, before any works commence on site. All planting, seeding or turfing comprised in the approved details of the landscaping shall be carried out in the first planting and seeding seasons following completion of the development hereby approved. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

- (8) No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority of refuse and cycle storage facilities for the development. Once approved, the refuse and cycle storage facilities shall be installed prior to the occupation of any part of the development.

Reason: To ensure a satisfactory standard of external appearance and to preserve the setting of the listed church in accordance with the objectives of Policies BE2, BE9 and BE22A of the replacement London Borough of Brent Unitary Development Plan 2004.

- (9) Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

Reason:

To ensure a proper standard of separation from, and standard of amenity with respect to, neighbouring property.

- (10) Details of a scheme showing those areas to be treated by means of hard landscape works shall be submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of development. Such details shall include detailed drawings of those areas to be so treated, a schedule of exact materials and samples if appropriate. Such details as are approved shall be implemented as part of the development of the site.

Reason: To ensure a satisfactory standard of development in the interests of local visual amenity.

#### **INFORMATIVES:**

None Specified

#### **REFERENCE DOCUMENTS:**

Brent Unitary Development Plan 2004  
Supplementary Planning Guidance 17 "Design Guide for New Development"  
Planning Policy Guidance Note 3 "Housing"  
1 letter of representation

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



# Planning Committee Map

Site address: White House, 54 Chaplin Road, London, NW2 5PN

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.