



## Planning Committee

**Wednesday 24 October 2012 at 7.00 pm**

Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

### Membership:

#### Members

Councillors:

Ketan Sheth (Chair)  
Daly (Vice-Chair)  
Aden  
Baker  
Cummins  
Hashmi  
John  
CJ Patel  
RS Patel  
Krupa Sheth  
Singh

#### first alternates

Councillors:

Thomas  
Long  
J Moher  
Kansagra  
Ms Shaw  
Cheese  
Van Kalwala  
Hopkins  
Gladbaum  
Oladapo  
Hossain

#### second alternates

Councillors:

R Moher  
Naheerathan  
Moloney  
HB Patel  
Sneddon  
Beck  
Ogunro  
Lorber  
Harrison  
Powney  
Mashari

**For further information contact:** Joe Kwateng, Democratic Services Officer  
020 8937 1354, [joe.kwateng@brent.gov.uk](mailto:joe.kwateng@brent.gov.uk)

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

[www.brent.gov.uk/committees](http://www.brent.gov.uk/committees)

**The press and public are welcome to attend this meeting**

**Members' briefing will take place at 5.30pm in Committee Room 4**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the previous meeting		1 - 6
<b>Extract of Planning Code of Practice</b>		
<b>SOUTHERN AREA</b>		
3. 72-74 Chamberlayne Road, London, NW10 3JJ (Ref. 12/2150)	Queens Park	11 - 14
4. 1-5 Opal Mews, London, NW6 (Ref.12/2292)	Kilburn	15 - 24
<b>WESTERN AREA</b>		
5. Saya Enterprise, Shree Swaminarayan Hindu Mission, 54 Meadow Garth, London, NW10 8HD (Ref.11/2628)	Stonebridge	25 - 30
6. Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ (Ref.12/1615)	Northwick Park	31 - 42
7. Land Adjacent to Morrith House, Talbot Road, Wembley, HA0 (Ref.12/1383)	Wembley Central	43 - 56
8. 280 Watford Road, Harrow, HA1 3TZ (Ref.12/2110)	Northwick Park	57 - 60
9. 280 Watford Road, Harrow, HA1 3TZ (Ref.12/0316)	Northwick Park	61 - 68
<b>PLANNING APPEALS</b>		
10. Planning Appeals - September 2012		69 - 76
11. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.		

Site Visit

## SITE VISITS – SATURDAY 20 OCTOBER 2012

Members are reminded that the coach leaves Brent House at **9.30am**

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
12/1383	Land Adjacent to Morritt House, Talbot Road, Wembley, HA0	7	Wembley Central	9:35	43 - 56
12/1615	Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ	6	Northwick Park	10.00	31 - 42
11/2628	Saya Enterprise, Shree Swaminarayan Hindu Mission, 54 Meadow Garth, London, NW10 8HD	5	Stonebridge	10:35	25 - 30
12/2292	1-5 Opal Mews, London, NW6	4	Kilburn	10:55	15 - 24

**Date of the next meeting: Tuesday 6 November 2012**

As that meeting will consider reports on policy issues only, there will be no site visits on the preceding Saturday.



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
  - Toilets are available on the second floor.
  - Catering facilities can be found on the first floor near The Paul Daisley Hall.
  - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE

Thursday 27 September 2012 at 7.00 pm

PRESENT: Councillors Ketan Sheth (Chair), Aden, Baker, Cummins, Hashmi, Hopkins (In place of CJ Patel), John, Naheerathan (In place of Daly), RS Patel and Powney (In place of Krupa Sheth).

Also present: Councillor Denselow

Apologies for absence were received from Councillors Daly, CJ Patel, Krupa Sheth and Singh

#### 1. **Declarations of personal and prejudicial interests**

None.

#### 2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 22 August 2012 be approved as an accurate record of the meeting.

#### 3. **WOODCOCK PARK, Shaftesbury Avenue, Harrow, HA3 0RD (Ref. 12/1629)**

PROPOSAL: Installation of 6 x floodlights on 6 metre high columns to serve artificial grass pitch in Woodcock Park.

RECOMMENDATION: Grant planning permission subject to conditions.

The Area Planning Manager drew members' attention to an amendment to condition 4 to revise the wording.

DECISION: Planning permission granted as recommended and as amended in condition 4.

#### 4. **16 Carlisle Road, Kilburn, London, NW6 6TS (Ref. 12/1718)**

PROPOSAL: The erection of a single storey rear infill extension and the excavation of new basement level with lightwells to the front and rear of the dwellinghouse.

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

Andy Bates, Area Planning Manager clarified that the proposal involved a rear extension to and a basement development of a mid-terraced property within the Queens Park Conservation Area. He added that the proposal complied with policies in terms of its relationship with neighbouring properties and that both aspects of the development would form an integral part of 16 Carlisle Road.

Mrs Jill Weighall an objector stated that in addition to noise nuisance and environmental pollution through dust, the proposed basement development would detrimentally affect the structural stability of her property. She pointed to instances of detrimental impact arising from basement development in Creighton Road, Windemere Road and in the Royal Borough of Kensington and Chelsea. Mrs Weighall continued that as the extent of the damage would take several years to surface, it would be necessary for the applicant to have independent hydrological tests undertaken. She added that the development would constitute an over-development within the site and requested deferral of the application until the concerns expressed had been resolved.

Ms Elaine Henderson speaking on behalf of Queens Park Residents' Association (QPRA) objected to the proposed development on the grounds that it would not preserve or enhance the character of the Queens Park Conservation Area. She also expressed concerns about the impact of lighting from the lightwell in terms of light pollution in an area with where the houses had no screen hedges. Ms Henderson added that the proposed development would alter the special character of Carlisle Road.

***In accordance with the provisions of the Planning Code of Practice, Councillor Denselow***, ward member stated that he had been approached by residents and members of QPRA. Councillor Denselow expressed concerns about the impact of the proposed development in terms of noise nuisance from the use of heavy machinery during construction, the associated dust that would be generated and in the longer term, instability to the structure and foundations of neighbouring properties. He continued that as the Conservation Area Design Guide for the area did not cover basement development, it would be advisable for the Local Planning Authority to look to practices in other boroughs and take a firm stance to clamp down on basement developments. In urging a deferral, Councillor Denselow requested the Committee to obtain an independent basement impact assessment and a full hydrological survey of the site before deciding on the application.

In the discussion that followed, Councillor John asked the Area Planning Manager to confirm if officers were aware of any of the problems referred to by the objectors and to comment on the outcome of a possible appeal. Councillor Powney added that membership of Considerate Contractors Scheme (CCS) would adequately address the anticipated detrimental impact referred to by the objectors. In his view, the cost of the survey requested by the speakers would be disproportionately high.

The Area Planning Manager responded that the structural problems referred to by the objectors were anecdotal and that any reasons for refusal should be based on sound planning grounds and policies else the Council could incur costs if the applicant appealed against a refusal. He reiterated that the condition on CCS would give some comfort on the behaviour of the contractor during construction and that the survey requested would be disproportionately high. He added that the proposed development which would enhance the conservation area complied with relevant policies as set out in the main report.

Councillors Cummins and Hashmi expressed reservations about the proposal for the lightwell and indicated their intention to vote against the application.

DECISION: Planning permission granted as recommended.

#### **5. King Edward VII Park, Park Lane, Wembley, HA9 7RX (Ref. 12/1785)**

PROPOSAL: Installation of an outdoor gym area measuring 12 metres by 8 metres, into an existing area of parkland, west of the existing tennis courts.

RECOMMENDATION: Grant planning permission subject to conditions.

Mrs J Miller objected to the proposed development on the grounds that due to its location and proximity to her garden, it would exacerbate the considerable noise nuisance that existed already. She requested that the gym be relocate centrally within the park so as to minimise noise impact.

Mr Merid Gebru an objector stated that the level of monitoring required to minimise anti-social behaviour in the park had not been carried out by officers and that health and safety issues including the need for toilet facilities raised in the past had not been addressed either. He added that the location of the gym would compromise security and give rise to loss of privacy. Mr Gebru also requested the gym's relocation centrally within the park.

Gerry Kiefer, Head of Sports started by saying that the equipment for the gym had been funded by the National Health Service (NHS) to encourage outdoor sports as well as to address the problem of obesity and lack of physical activity in the borough. She informed the Committee that the gym would be located some twenty five metres away from nearest garden and that its relocation to a central position within the park would detract from the beauty of the park. In her view noise nuisance would not result from the gym and that there were no additional resources to provide toilet facilities. She continued that interpretation boards and volunteers would be provided to minimise any likely detrimental impact.

In response to members' questions, Gerry Kiefer stated that as the playground, tennis court and the gym would be next to each other it would provide the necessary interaction in an ideal location that would not generate noise nuisance. She added that loss of privacy would not result either.

DECISION: Planning permission granted as recommended.

**6. 7A Abbey Manufacturing Estate, Mount Pleasant, Wembley, HA0 1RS(Ref. 12/1795)**

PROPOSAL: Proposed change of use of Vehicle Repair Garage (Use Class B2) to include mixed use MOT Testing Centre (Use Class Sui Generis).

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted as recommended.

**7. Northwick Park Golf Course, Watford Road, Harrow, HA1 3TZ (Ref. 11/3341)**

PROPOSAL: Reinstatement of public right of way (PROW 34) across the driving range, including raising a protective embankment along one side of the footpath and the installation of protective netting over the footpath.

RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted as recommended.

**8. Northwick Park Golf Club, 280 Watford Road, Harrow, HA1 3TZ (Ref. 12/1215)**

PROPOSAL: Details pursuant to condition 6 (details of landscaping) and condition 15 (landscape management plan) of full planning permission 06/0768 dated 22/12/2006 for retention and modification of hard surface and lighting to the north of the clubhouse to create an overflow car-park for 40 cars and a grassed area of special-events parking, with two lighting columns and associated landscaping.

RECOMMENDATION: Deferral to enable officers to assess further information from the applicant.

Neil McClellan, Area Planning Manager updated members that negotiated amendments from the applicant were not received on time to enable officers to carry out the necessary assessments before the meeting. He therefore recommended deferral to the next meeting.

DECISION: Deferred to the next meeting.

**9. 280 Watford Road, Harrow, HA1 3TZ (Ref. 12/2110)**

PROPOSAL: Submission of details pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking.



RECOMMENDATION: Deferral to enable officers to assess further information from the applicant.

Neil McClellan, Area Planning Manager updated members that negotiated amendments from the applicant were not received on time to enable officers to carry out the necessary assessments before the meeting. He therefore recommended deferral to the next meeting.

DECISION: Deferred to the next meeting.

**10. 280 Watford Road, Harrow, HA1 3TZ (Ref. 12/0316)**

PROPOSAL: Internal and external works to the existing golf centre building to enable part of the ground floor to be used as a cafe.

RECOMMENDATION: Deferral to enable officers to assess further information from the applicant.

Neil McClellan, Area Planning Manager updated members that negotiated amendments from the applicant were not received on time to enable officers to carry out the necessary assessments before the meeting. He therefore recommended deferral to the next meeting.

DECISION: Deferred to the next meeting.

**11. 1A Elmside Road, Wembley, HA9 8JB (Ref. 12/1971)**

PROPOSAL: Erection of a new first floor to existing single storey office building.

RECOMMENDATION: Grant planning permission subject to conditions.

With reference to the tabled supplementary the Area Planning Manager informed members that an officer site visit, carried out following comments from local residents alleging that construction had commenced, confirmed that the site was being cleared. There were no signs that any construction works were taking place and that the clearance involving the demolition of the smaller outbuilding previously attached to the larger building did not require planning permission. He added that since the main report was issued there had been 3 further letters of objection but none raised new issues.

DECISION: Planning permission granted as recommended.

**12. Appeals**

Noted.

**13. Any Other Urgent Business**

None.

The meeting ended at 8:00pm

COUNCILLOR Ketan Sheth

Chair

## **EXTRACT OF THE PLANNING CODE OF PRACTICE**

### **Purpose of this Code**

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

### **Accountability and Interests**

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
  - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
  - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
  - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

### **Meetings of the Planning Committee**

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.
  
25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.
  
29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
  - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
  - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.


### **STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE**

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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	<b>Planning Committee Map</b>
Site address: 72-74 Chamberlayne Road, London, NW10 3JJ	
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This map is indicative only.

**RECEIVED:** 8 August, 2012

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 72-74 Chamberlayne Road, London, NW10 3JJ

**PROPOSAL:** Change of use of the ground floor from a private members club (Sui Generis) use to a property lettings and estate agency (Use Class A2).

**APPLICANT:** James Andrew International

**CONTACT:** DHA Planning & Development

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

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## **RECOMMENDATION**

Approval

## **EXISTING**

The existing property is a commercial unit fronting onto Chamberlayne Road. It is not a listed building nor is it within a Conservation Area and forms part of the Chamberlayne Road Secondary Shopping Frontage within Kensal Rise shopping frontage.

## **PROPOSAL**

See description above.

## **HISTORY**

No relevant planning history.

## **POLICY CONSIDERATIONS**

### **Brent Unitary Development Plan 2004**

SH8 – Conditions on Non-retail Uses

SH9 – Secondary Shopping Frontages

## **CONSULTATION**

All neighbouring properties consulted.

3 objections have been received on the following grounds:

1. The proposed development will have a detrimental impact on parking in the surrounding area.
2. The proposed development will have a detrimental impact on the vitality of Chamberlayne Road as a shopping centre. There are too many similar uses already.

One letter has been received in support of the proposal:

1. The proposal will result in the renovation of a derelict shop.

## **REMARKS**

*Principle of the use*

The proposed change of use of commercial units within secondary shopping frontage are considered



acceptable where the proposed use will provide a service to visiting members of the general public subject to residential amenity and transport impact in line with UDP policy SH9. It would appear that the premises were most recently used by the Royal British Legion Social Club although they have remained vacant in recent years with the site having been marketed for the past 2 years. Notwithstanding the length of the vacancy period and that a private members club is classified as sui generis (falling outside any use-class) it is also not considered to result in the loss of a community venue as it is laid out in the form of a retail unit that is characteristic of retail street on which it is located and therefore would be more appropriately used as a commercial unit.

#### *Service to Visiting Members of the Public.*

The proposed use is as a property lettings and estate agency within the A2 use class. This type of use will provide a service to visiting members of the public wishing to purchase properties or looking for rental properties. This is considered to be an acceptable use within the town centre and perhaps more in keeping with a local retail centre than the existing use as a private members club (Use Class Sui Generis).

#### *Residential Amenity*

The use will not result in any significant amenity issues for residential uses above and neighbouring. The hours of use proposed are 08.30-19.00 Monday to Friday and 09.00-17.00 Saturday, Sunday and Bank Holidays. These opening hours are not untypical of those that would be found in any Town centre or shopping area.

#### *Transport Impact*

The property will operate within the above hours of use. As such it will be mainly open during the hours in which parking is controlled in the local vicinity which are Monday to Friday 8.30am-6.30pm for parking bays on Chamberlayne Road and neighbouring Mostyn Gardens. This will mean that most visits to the property, by visitors and staff, will be during the day in contrast to that of the private members club which was more likely to have operating hours outside of parking restrictions. It is considered that the transport impact of the proposed change of use will not have a significant impact on existing parking and highway conditions and, indeed, may represent an improvement on the situation were a fully functioning busy Members Club to operate from the premises.

#### *Officer Comments on Objections*

1. The parking standard for a private members club within a unit in a town centre is similar to an A3 type use and would therefore require one space for a unit of less than 400sqm. The proposed use is within the A2 use class and as it is below 150sqm in size it will have a parking requirement of 1space. The property also has an "Excellent" Public Transport Accessibility Level (PTAL) rating of 6b. As such most people visiting the premises will be able to access it via public transport. As such the proposal will not have a significantly detrimental impact on the existing parking in the surrounding area.

2. The existing commercial unit is vacant with the most recent authorised use as a private members club. As such it will not result in the loss of any existing retail. Furthermore the unit is within the secondary shopping frontage as defined in Brent's Unitary Development Plan 2004. Within secondary shopping frontage uses that provide a service to visiting members of the public are encouraged. An estate agency, which falls within the A2 Use Class (Financial and Professional Services), is considered to be such a use and will also re-introduce shopping frontage to a property which is presently vacant. Therefore it is considered that the proposed development will not have a detrimental impact on the vitality of the town centre. Although there are a number of other similar uses in the locality it is considered that they do not constitute an over-concentration

#### *Conclusion*

The proposed development is in accordance with the relevant planning policy and guidelines as such approval is recommended subject to the conditions set out below.

**RECOMMENDATION:** Grant Consent

**REASON FOR GRANTING**

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

Brent Unitary Development Plan 2004

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

Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness

**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 drawings:

E12-016/S01  
E12-016/P01RevA

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

- (3) The premises shall not be used except between the hours of:-

- 0830 hours and 1900 hours Mondays to Fridays
- 0900 hours and 1700 hours Saturdays, Sundays and Bank Holidays

without the prior written consent of the Local Planning Authority.

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

**INFORMATIVES:**

- (1) The applicant is advised that this permission does not relate to any external alterations and a separate planning permission and advertisement consent would be required for such changes including any alterations to the shopfront and front forecourt.

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



## Planning Committee Map

Site address: 1-5 Opal Mews, London, NW6

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This map is indicative only.

**RECEIVED:** 23 August, 2012

**WARD:** Kilburn

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 1-5 Opal Mews, London, NW6

**PROPOSAL:** Proposed change of use of upper floors to 5 residential units retaining B1 (office) at ground floors, erection of front dormer windows and replacement windows at ground and first floors, installation of 2 rear rooflights to unit 2, associated landscaping including softlandscaping and parking

**APPLICANT:** Opal Mews Business Park Limited

**CONTACT:** PPM Planning Limited

**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:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Contribution of £3000 per bedroom (£30,000)
- 'Car-free' agreement
- Considerate Constructors 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 subject site consists of 3 of the 5 units located in Opal Mews (specifically the first 2 on entering the mews and the unit at the far end), accessed from Priory Park Road. The buildings are 2-storey terrace in form, the lawful use of the mews buildings is B1, the mews is partly occupied but the buildings which are the subject of this application are vacant.

### **PROPOSAL**

See description above

### **HISTORY**

10/3274 Refused & Appeal Dismissed  
Conversion of an existing B1 building into 8 self contained residential flats with basement level

### **POLICY CONSIDERATIONS**

#### **UDP 2004**

BE2 Townscape: Local Context & Character  
BE3 Urban Structure: Space & Movement  
BE5 Urban Clarity & Safety

BE6	Public Realm: Landscape Design
BE7	Public Realm: Streetscape
BE9	Architectural Quality
EMP9	Local Employment Areas
H12	Residential Quality – Layout Considerations
TRN23	Parking Standards – Residential Development
PS14	Parking Standards

### **Core Strategy**

CP2	Population and Housing Growth
CP21	A Balanced Housing Stock

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

### **London Plan**

Table 3.3 Minimum space standards for new development

### **National Planning Policy Framework**

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.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where PPG's, PPS's, LDF Core Strategy, SPD's and SPG's and UDP saved policies are referred to in the report below they have been considerations in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

### **SUSTAINABILITY ASSESSMENT**

The scheme is not of a scale which is required to meet higher than building regulations standards. The proposal however does include some features to promote sustainability including electric car charging and rain water harvesting.

### **CONSULTATION**

Neighbouring occupiers were consulted on 12th September 2012.

12 individual representations have been received of which 7 are in support, 2 are comments and 3 are objections, a petition against the proposal has also been submitted with 17 signatures.

Comments made in support include the following:

- The mews has been empty and a dumping ground for many years, the proposal would give a new lease of life to the area.
- This will regenerate a run down street.
- The development will improve the area.
- The proposals will make a positive contribution to the local community and will provide much needed additional space for people to live and work.

Comments made in objection include the following:

- The rooflights open and will allow overlooking of houses on Aldershot Road and the proximity of new households could increase noise.
- Fear that once permission is granted the property will be converted into more flats
- The increase in activity with work starting in the mews has led to more crime and security concerns.
- Residents in the mews will mean more car journeys and associated noise.
- The introduction of a residential use will increase crime.
- Concern about design and inconsistencies in the drawings, particularly relating to the eaves line.
- If the applicant proposes to lower the roof (eaves) and set back the dormers as shown on the elevation we imagine the impact is minimal however if they are flush with the facade as shown on the section this

could be a considerable impact on massing and shadows onto neighbours.

- Concern about light pollution at night as this space is not currently illuminated
- Request clarity about proposed demolition and information about construction period.
- Concern that construction work would create an unsafe environment for the young children who live in the building around the entrance to Opal Mews.

The petition raises the following concerns:

- Loss of privacy for Aldershot Road properties
- Have not seen the site marketed with local agents
- Concern about detrimental impact on quality of life for neighbouring residents from this change of use

### **Internal**

Highways - comments discussed in report

Design - quality of materials, particularly hardstanding, will be critical to success

Landscape - Further consideration of arrangement, recommendations made and discussed below.

### **REMARKS**

#### **Previous dismissed appeal**

The refused application 10/3274 was also dismissed at appeal and proposed a very different form of development to the current proposal. The application related only to unit 1 and envisaged its conversion into 8 flats along with the formation of a basement.

The Planning Inspector found that insufficient evidence had been submitted to demonstrate that the unit had been effectively marketed to justify the loss of the employment use. The scheme was also very restricted in terms of outlook and light from basement units and windows with balconies projecting above, the limited amount of amenity space for the 8 flats was also identified.

#### **Principle**

The area is identified as being a Local Employment Site and therefore the proposal for the loss of commercial floor area and the replacement with residential needs to be considered against policy EMP9 of Brent's UDP 2004. This policy seeks to protect local employment sites unless there is a significant lack of demand for the use of the site or there are unacceptable environmental problems. Local Employment sites are important to maintain local job opportunities dispersed throughout the borough which can mean less travel to workplaces. The proposal does retain office space at ground floor in each unit.

The units which are the subject of this application are vacant and it is stated that they have been marketed unsuccessfully since 2008, Units 3 & 4 are occupied separately by a functioning business. Detail has been provided about the marketing efforts undertaken and officers are satisfied that the site has been marketed actively but unsuccessfully for 2 years. The viability report submitted includes detail of why the small number of interested organisations/businesses did not proceed to make acceptable offers, including the 'tucked away' location and inaccessibility for large vehicles.

The loss of the large existing office spaces and the proposal for 5 ground floor commercial units with 5 residential units above is considered acceptable in terms of policy EMP9.

Units 1 and 2 will each be subdivided vertically to form 1a, 1b, 2a and 2b, existing units 3 and 4 are currently in use by a business and unit 5 is situated at the northern end of the mews.

#### **Density**

While the site is within close proximity of Kilburn Town Centre the character changes quickly from the commercial centre to a residential area characterised by 2 and 3-storey traditional terrace properties with both front and rear gardens.

Policy H14 of Brent's UDP 2004 seeks to ensure that development does not under-utilise a site where there are no pressing considerations to protect the character however SPG17 and Brent's UDP 2004 are clear in stating that density should be design led. In this instance officers are of the opinion that the arrangement of the existing buildings does not lend itself easily to the efficient use of the floorspace while also providing good levels of light and outlook to numerous rooms.

While the proposal has a relatively low residential density the scale of the use would prevent a conflict with

the viability and functioning of the commercial uses. Furthermore, and as discussed below, the access to outlook and light in each unit is limited and it is considered that the arrangement could not easily provide more units.

### **Design Considerations**

The proposal utilises the shell and form of the existing buildings. The footprint and height would not alter though the eaves level, front roof form and front elevation are proposed to change.

The proposed front elevations are considered to represent an improvement on the appearance of the existing building. At ground floor the elevation is to be largely glazed with each building providing a residential entrance and a separate entrance to the ground floor commercial unit. At first floor the windows are proposed to be replaced with larger fenestration though the arrangement will follow the existing pattern. The proposal involves utilising the second floor for habitable rooms and as such dormer windows are proposed following the same pattern at the fenestration below. The impact of the alterations in terms of neighbouring residential amenity has been considered and is discussed below. The dormer are proposed to be set up from the eaves and a planter is proposed in front of each.

Suggestions are made about the materials in the Design & Access statement including metal frames for the windows, however further information of all materials would be required by condition.

### **Landscaping**

At the entrance of the site a new gate is proposed which would have video entry and be kept open during working hours, details are required of its design appearance by condition. Its exact position will also need to be identified and reviewed to ensure it is acceptable in Transportation terms.

The quality of hard and softlandscaping within the site is to be significantly improved to create an appropriate environment for the mixed use development. A grass crete style treatment was suggested for the vehicular route through the site but officers have advised that a good quality hardsurface would be preferable and a revised proposal is awaited. A living green wall is proposed along the whole length of the boundary wall and a watering system is specified, this will significantly enhance the quality of the space.

A balance of hardstanding softlandscaping is required and proposed in the forecourts of each unit. At evenings and weekends it is considered that these spaces can be attributed some weight as amenity space for residential occupants. A communal amenity space is provided at the far end of the mews, this is affected by parking requirements but high quality landscaping will nevertheless result in a useable amenity space.. A condition will require the submission of further details of all proposed hard and softlandscaping within the proposal.

At least 20sqm of amenity space is provided per unit through a combination of front forecourts and communal space. It is acknowledged that as a mixed use development within a mews occupants will understand that the space will be used flexibly, out of working hours the space will provide adequately for its residential occupants.

The location of the refuse store is within 20m of the front of the site so is accessible for collectors.

### **Quality of Accommodation**

5 residential units are proposed; 1x1 bed, 3x2 bed and 1x3 bed, each exceeds the guidance of SPG17 and the London Plan in its floor area.

At first floor the units have a generous open plan living/dining/kitchen area which has windows fronting the mews, to the rear of the first floor with only high level rooflights the units have a TV/snug room and bathroom. While the main habitable space would not normally be considered acceptable if reliant on rooflights, officers on balance feel it is acceptable for the second smaller living space to be designed in this way to make the large space more useful for future occupants.

On second floor which is to be extended with dormer windows, following a revision to the layout, in units 1a, 1b and 2b the arrangement involve 2 bedrooms fronting the mews in each unit. To the rear of the units there is a bathroom and a storeroom in each instance with a rooflight.

Unit 2a is wider and has 3 bedrooms fronting the mews, each with a dormer, to the rear is a bathroom,

storeroom and dressingroom. Unit 5 at the end of the mews is all at first floor and encompasses a living/dining/kitchen space and a bedroom to the rear.

### **Neighbouring Amenity**

The existing arrangement of the mews means the relationship of the buildings gets tighter the further into the mews the building is. Section drawings have been submitted which demonstrate the relationship of the mews buildings with St Julian's Road and Aldershot Road.

#### *St Julian's Road*

The existing buildings fall below an angle of 45 degrees set 2m from ground level at the rear garden boundary. The only alterations proposed to the roof are the additions of dormers and again these can be assessed in terms of angles set by SPG17. Drawing 09A shows the relationship at its tightest point and shows that at the furthest dormer into the mews the angle is marginally 'clipped' by the dormer, the 35 degree angle from the rear elevation of the building is not affected. The roof plane of the unit is 7.5m wide while the subject dormer is just 1.7m wide, a projection above the recommended angle of this minimal amount would not, on balance, be detrimental in terms of light to neighbouring residents and the impact of the dormer would be relative to the existing building and not overbearing.

Drawing 07 shows the distance from the mews elevations to the adjacent garden boundary. In the interest of privacy SPG17 recommends a distance of 10m to garden boundaries which in the case of unit 1a and 1b is clearly achieved. At unit 2a the distance is between 9.1m and 7.3m and at unit 2b this reduces to 5.7m, while the relationship at first floor is existing this relationship has been given further consideration at roof level. It is proposed that the windows in the dormer be obscure glazed where they are within eye level to mitigate this tight relationship.

#### *Aldershot Road*

The rear of the building forms the boundary to the rear gardens of the residential properties on Aldershot Road. At ground floor there are existing windows in the boundary wall, the ground floor plan shows their retention and notes that they will be obscure glazed and non-opening. This will not alter the existing relationship.

At first floor there are high level rooflights which, as discussed above, will provide light to TV/snug rooms and bathrooms. The section drawing shows their position in relation to the floor level and the buildings on Aldershot Road demonstrating that the rooflights will not result in a conflict of privacy as the Aldershot Road properties would not be visible from within the building. It is stated that their opening would be limited and officers also recommend that they be obscure glazed, as well as preventing any perceived feeling of overlooking this would limit any light spillage.

At roof level it is now proposed to move the rooflights higher up the roofplane to take them out of eye level of future occupants. The height and angle of the proposed second floor rooflights will not conflict with Aldershot Road and they are considered acceptable as proposed.

#### *Other*

The side elevations of the dormers are proposed to be glazed to gain further light into the bedrooms. The drawings state that the northern side will be obscure glazed and the southern will be clear, this is acceptable apart from in the case of unit 1a given its proximity to Priory Park Road - in that case the southern most dormer shall be obscure glazed on the southern side as well.

### **Highways**

The proposed parking arrangement in the site is generally as existing however to ensure that the softlandscaping scheme can be fully implemented without conflicting with parking officers will request tracking diagrams to be shown to demonstrate the workability of spaces.

The site has a PTAL of 5 which is very good and means that a car-free agreement preventing future residential occupants from obtaining parking permits on adjacent roads can be entered into, as a result there would be no over spill parking from the residential use.

Given the high level of public transport accessibility the parking standard which would be attributed to the residential units is 3.5 spaces in total. Parking is provided within the site for future residents at a rate of 1 space per unit which is considered an over provision. The arrangement simultaneously represents an under provision of "transit" sized bays for the commercial units. To mitigate this highways officers suggest the



requirement of a parking management plan which will promote dovetailing of the use of the parking spaces between office use (day) and residential (evenings and weekends).

The reduction in commercial floorspace from the existing situation will reduce servicing requirements. Highways officers note that a day time survey of the neighbouring roads has demonstrated parking occupancy levels of 60% to 70% and as such, in terms of on street parking, 1 space per business could be accommodated in the day if they choose to apply for on-street permits.

The originally submitted drawings proposed moving the parking space used by the existing occupant in the mews (to the north of unit 4) to in front of their unit, this was highlighted as a problem in a comment from the occupant of the unit and the agent has replaced the parking space.

### **S106**

Brent's SPD regarding s106 agreements requires a contribution of £3000 per additional bedroom to mitigate the impact of the increased number of residents on the areas sports facilities, open spaces, education provision and sustainable transport infrastructure in particular.

As stated above a "car-free" agreement is also required for the residential units.

Mayoral CIL will be required at £35 sqm of created residential floor space.

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

01  
02 Rev A  
03 RevA  
04 RevA  
05 RevA  
06 RevA  
07 RevB  
08  
09 RevA  
09A

10  
11  
12  
13  
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16  
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18  
19  
20

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

- (3) All windows in the rear of the buildings at ground and first floors shall be obscure glazed, windows at ground floor shall be non-opening and at first floor shall be partially openable only as shown in drawings 09 and 09A. This shall be implemented before the units are occupied and permanently maintained.

Reason: In the interest of neighbouring privacy and amenity.

- (4) The glazing in the dormers of units 2a and 2b shall be obscure glazed as shown on drawing 03 and the southern glazed elevation of the dormer of unit 1a shall also be obscure glazed. This shall be implemented before the units are occupied and permanently maintained.

Reason: In the interest of neighbouring privacy and amenity.

- (5) The ground floor premises shall be used only for uses within the B1 Use Class and for no other purpose without the prior written permission of the Local Planning Authority.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits.

- (6) Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. 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) All areas shown on the plan and such other areas as may be shown on the approved plan 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(s).

Such scheme shall also indicate:-

- (i) Entrance gate - elevational design and location
- (ii) Construction of the green living wall
- (iii) Hardstanding materials
- (iv) Planting in the boxes at first and second floors of the buildings
- (v) Maintenance details

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 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.

- (8) A Parking Management Plan, which shall include tracking diagrams to illustrate how the spaces will operate, shall be submitted to and approved in writing by the LPA before the development is occupied allowing for dovetailing the use of parking spaces at the site between office use (day) and residential use (evenings and weekends). The approved details shall be fully complied with.

Reason: In order to ensure an acceptable provision of servicing for the commercial units and to prevent conflict between the parking demands of separate uses within the mews.

- (9) Details of the provision of a minimum of 17 secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. This shall include 5 spaces for the residential units which shall be both secure and covered. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.


Reason: To ensure satisfactory facilities for cyclists.

#### **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)
- (2) Whoever carries out the works is reminded of their obligation to comply in full with s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4 which states that Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of: Monday to Friday 08:00 to 18:00, Saturday 08:00 to 13:00 and at no time on Sundays or Bank Holidays.

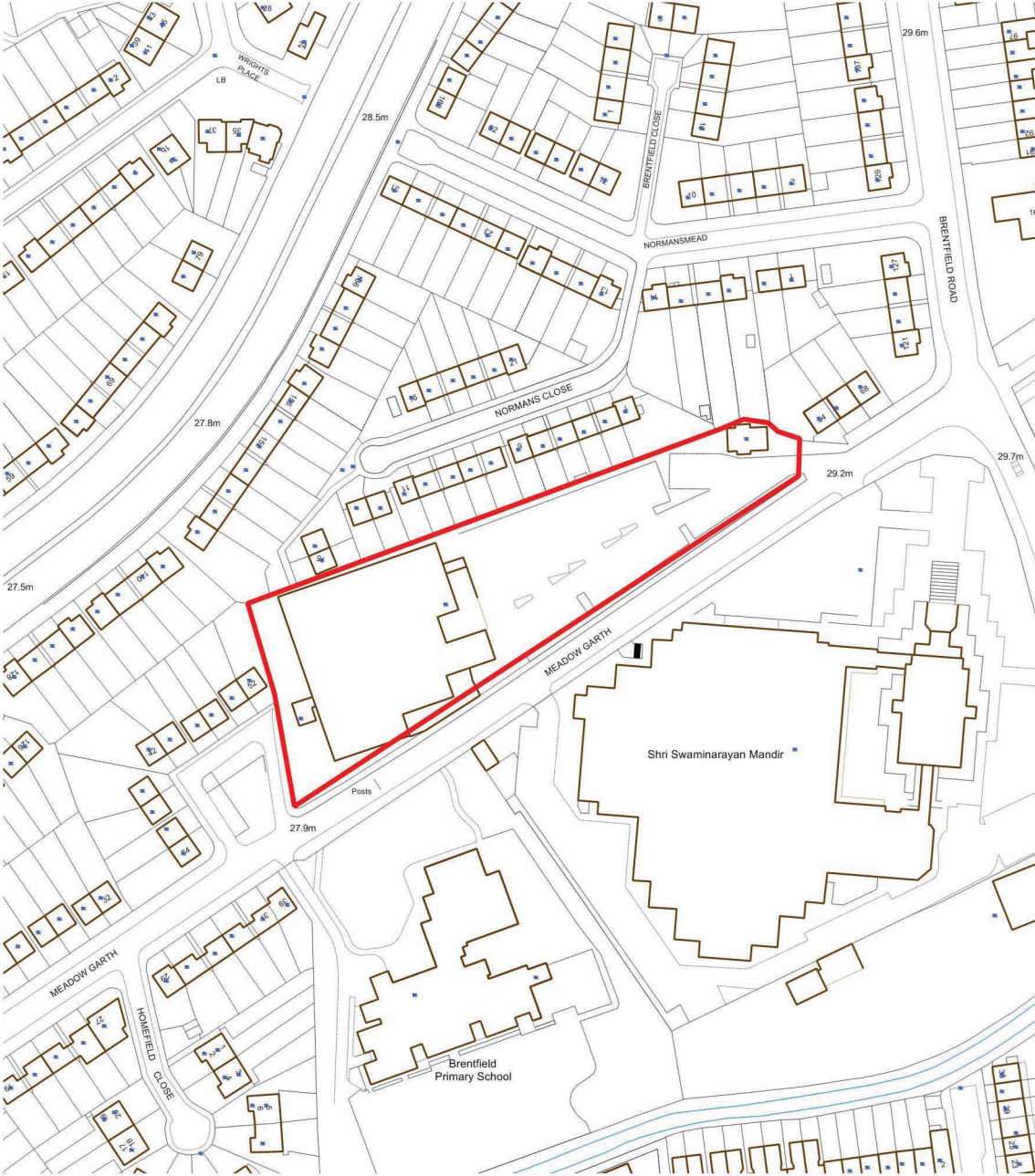
Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377

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 **Planning Committee Map**

Site address: Saya Enterprise, Shree Swaminarayan Hindu Mission, 54 Meadow Garth, London, NW10 8HD

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This map is indicative only.

**RECEIVED:** 7 October, 2011

**WARD:** Stonebridge

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Saya Enterprise, Shree Swaminarayan Hindu Mission, 54 Meadow Garth, London, NW10 8HD

**PROPOSAL:** Change of use of part of the building from ancillary storage to residential accommodation for 35 priests; with associated internal and external alterations (Revised description).

**APPLICANT:** c/o BAPS Shri Swaminarayan Mandir UK

**CONTACT:** c/o P. Munirajswami

**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:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- The transfer of existing properties owned by the Temple and used to house priests (addresses set out in remarks section of this report) to an agreed housing association to be let out at social/affordable rents.

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**

Formerly a warehouse this building was granted permission for use as a temple in 1982. With the opening of the new temple in 1995 the old temple was converted to a visitor and cultural centre for the existing temple. Facilities include a prayer hall, restaurant, retail shop, workshop and associated storage space.

This application relates to the south western corner of the building which is currently used to provide storage.

There are residential neighbours located along the northern edge of the site where it abuts the rear gardens of properties in Norman Close. A small residential square of semi-detached houses (34-52 Meadow Garth) is located to the west of the site. Opposite the site on the other side of Meadow Garth are Brentfield Primary School and the main temple complex.

### **PROPOSAL**

Part change of use of existing place of worship to a 35 bed priests hostel with associated internal and external alterations (Revised description).

### **HISTORY**

07/0464 Planning permission granted 17/12/2008 for the erection of a canopy with timber lattice screens to front elevation and over main entrance and formation of new glazed openings, new entrance doors to front side and rear elevations, landscaping to front and side elevations including seating area at side with attached

canopy and replacement security gates at entrance onto Meadow Garth, in connection with internal alterations to existing Visitor and Cultural Centre and associated increase in retail (Use Class A1) and restaurant (Use Class A3) floor space.

01/1586. Outline planning permission sought for erection of two storey visitors' building ancillary to the temple to provide information centre, meeting room, sales shop, cloakroom, cafe restaurant and theatre, and use of former sanctuary day nursery site for car parking. Withdrawn on 01/07/2002.

97/1684 Full planning permission was sought for the construction of exhibition centre and associated car park. This application was withdrawn on 19/05/2003.

97/0037 Full planning permission sought for construction of exhibition centre , visitors centre, community hall and resource centre with landscaped gardens and a two storey car park on land adjoining the Swaminaryan School and existing Temple, and including 64-68 (even numbers only) Meadow Garth, 121-27 (odd numbers only) Brentfield Road, 1-23 (odd numbers only) Normans Mead and 1-21 (consecutive) Normans Close. Withdrawn on 11/07/1997.

## **POLICY CONSIDERATIONS**

### **National**

*National Planning Policy Framework – NPPF (2012)*

### **Brent's Unitary Development Plan 2004**

**BE2** - Townscape: Local Context & Character

**BE3** - Urban Structure: Space & Movement

**BE4** - Access for Disabled People

**BE6** - Public Realm: Landscape Design

**BE7** - Public Realm: Streetscape

**BE9** - Architectural Quality

**BE12** - Sustainable Development Principles

**TRN3** - Environmental Impact of Traffic

**TRN4** - Measures to make transport impact acceptable

**TRN22** - Parking Standards - Non-residential Developments

**CF2** - Location of small scale community facilities

**CF4** - Community Facilities capable of holding functions

**CF14** - Places of Worship

### **Core Strategy 2010**

**CP23** - Protection of existing and provision of new community and cultural facilities.

## **CONSULTATION**

Consult letters sent to 53 neighbouring addresses and ward councillors.

1 comment received - does not object to the principle of a change in use but is asking if the priests wouldn't be better off living in 'normal' houses or in the temple itself.

## **REMARKS**

### **Background**

There has been a temple located on this site since 1982 when permission was granted for the change of use of the former warehouse to a temple. When planning permission was granted for the development of the Swaminarayan Temple in 1992, a condition was attached requiring demolition of the original temple building to provide car parking in connection with the temple use. However the new temple became such a popular destination not just for worshipers but also tourists from home and abroad, that the old temple buildings was retained to help support visitor numbers. It now houses a restaurant, book shop, souvenir shop and speciality foods and cultural goods shop. It also has a prayer hall which provides an over spill facility on peaks days such as the major religious festivals. There is also an element of ancillary storage within the building.

### **Proposed use.**

The temple is served by a large number of priests who are currently accommodated in various houses located in the area around the temple. The proposal is to convert a 600sqm section of the old temple building currently used as ancillary storage but now surplus requirements, to provide communal living accommodation for 35 priests serving the mandir.

The proposed accommodation will see up to 4 priests to a room with shared washing, cooking, eating and laundry facilities and a common room. This form of communal accommodation would not normally be considered acceptable for most types of housing need. However this type of accommodation is considered to be part of the priests' calling. Provided that the use is restricted to only priests only serving the mandir the proposal is considered acceptable.

One benefit of the proposal is that seven houses will be freed up to provide much needed family housing. The applicants have agreed that Genesis Housing Association take on the properties to provide family housing at social/affordable rents. A section 106 agreement will require that the following houses be transferred to Genesis:

157 Brentfield Road, NW10 8HA  
22 Kingthorpe Close, NW10 8HN  
3 Normans Close, NW10 0QL  
12 Normans Close, NW10 0QL  
19 Normans Close, NW10 0QL  
20 Normans Close, NW10 0QL  
5 Normans Mead, NW10 0QJ

#### Design and Appearance of Building

The appearance of the building will not be significantly altered. Existing windows will be replaced with double glazing.

#### Amenity Space

A landscaped external amenity space is to be provided to the side of the building. A condition is attached requiring further details of a landscaping scheme.

#### Servicing/Parking

The site has an extensive existing car park which would meet the need for any car parking required by the priests. However given that the mandir is located directly opposite the proposed accommodation it is considered unlikely that the priests would require much parking. A condition is attached requiring details of refuse/recycling and cycle storage for the new accommodation. There is considered to be enough room on site to easily meet these requirements.

#### Impact on neighbours

The accommodation will all be located at ground floor and given the site has an existing high boundary wall there will be no overlooking of neighbouring properties.

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

- (1) The proposed development is in general accordance with policies contained in Brent's Unitary Development Plan 2004 and Core Strategy 2010.

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  
Transport: in terms of sustainability, safety and servicing needs  
Community Facilities: in terms of meeting the demand for community services

#### **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):

7137-PP-083 Rev B  
7137-PP-081 Rev B  
7137-PP7082 Rev A  
7137-PP-080 Rev A  
7137-PP-070  
7137-PP-050  
7137-PP-072  
7137-PP-084  
7137-PP-071

Management Plan - 7137-PP-085 dated 01/02/2011

Design & Access Statement - 7137-PP-086 dated 01/02/2011

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

- (3) No music, public-address system or any other amplified sound shall be audible at any boundary of the subject premises.

Reason: To safeguard the amenities of the adjoining occupiers.

- (4) The area(s) so designated within the site (including the green roof) shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development 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.

- (5) The priest's accommodation hereby approved shall be used as temporary accommodation to house resident priests at the site and shall not be used independently of the Temple hereby approved or to provide general needs housing.

Reason: To ensure a satisfactory standard of accommodation in the event that permanent housing were required.

- (6) The approved accommodation shall be used for the housing of no more than 35 priests at anyone time and solely by priests carrying out their duties at the BAPS Swaminarayn Mandir located on Meadow Garth.

Reason: The accommodation is not considered to provide a sufficient enough standard of living environment to meet general housing need.

- (7) All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

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

- (8) Prior to the commencement of the development hereby approved, further details of the proposed gated access (including the design and materials) to the rear block on the southern side of the site 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 buildings are occupied.

Reason: To ensure there is secure, well-designed and managed access.

- (9) Details of arrangements for the storage and disposal of refuse and recyclable materials, and vehicle access thereto, within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. The approved arrangements shall be implemented in full prior to first occupation of the development and permanently retained as approved unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- (10) Details of any required air conditioning, ventilation and flue extraction systems including particulars of noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved details shall thereafter be fully implemented.

Reason: To safeguard the amenities of the adjoining occupiers.


- (11) Details of the provision of a minimum of 20 secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

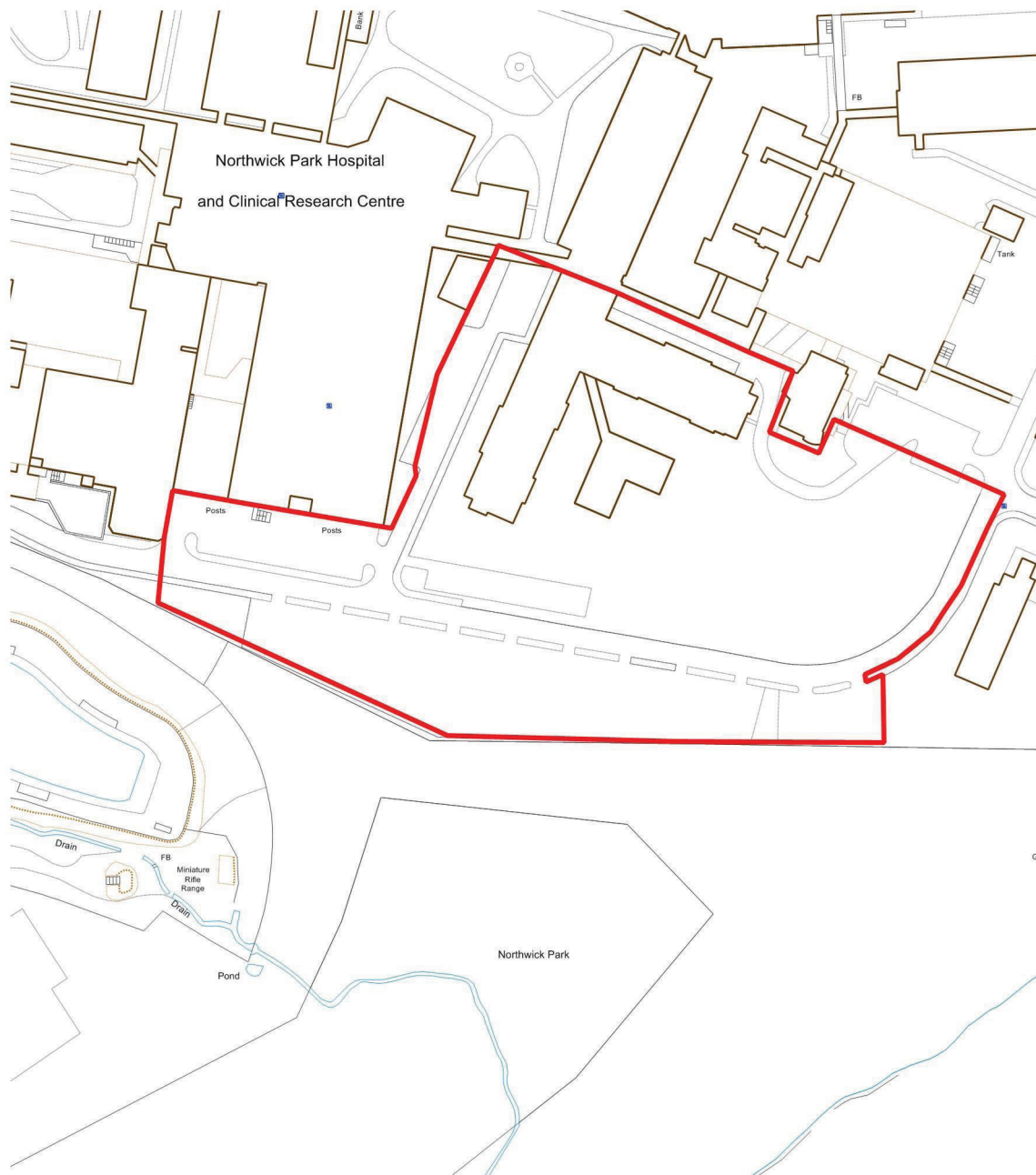
Reason: To ensure satisfactory facilities for cyclists.

**INFORMATIVES:**

None Specified

Any person wishing to inspect the above papers should contact Neil McClellan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5243

	<b>Planning Committee Map</b>
Site address: Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ	
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This map is indicative only.

**RECEIVED:** 19 June, 2012

**WARD:** Northwick Park

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ

**PROPOSAL:** Demolition of existing single storey building and the erection of a part 1, part 2 and part 3 storey building in order to provide a new accident and emergency department on land adjacent to blocks G and E of Northwick Park Hospital. Proposal includes a partial realignment of the existing site access road the creation of new access roads, new ambulance and public drop off areas, pedestrian ramps and footpaths, plant room, new retaining walls and landscaping.

**APPLICANT:** The Northwest London Hospital NHS Trust

**CONTACT:** The Northwest London Hospital NHS Trust

**PLAN NO'S:**  
See condition no 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 Borough Solicitor

If the applicant fails to demonstrate the ability to provide for the s106 terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an agreement within an appropriate timescale, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

#### **SECTION 106 DETAILS**

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

1. Payment of the Council's legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing performance.
2. Within 3 months of any occupation, submit for approval and adhere to an updated Travel Plan for the Hospital, including car sharing measures.
3. Sustainability - Prior to material start, the submission and approval of a detailed sustainability implementation strategy including BREEAM Excellent design stage assessment for the new A& E building and measures to implement material details of the approved Sustainability Checklist to achieve a minimum score of 50%, in addition to adhering to the ICE Demolition Protocol, and implementation of those approved details. Within 3 months of any occupation submission of BREEAM Post Construction Certificate to demonstrate 'Excellent' level has been achieved, with compensation should it not be delivered.
4. Prior to material start submission and approval of details demonstrating that the carbon reduction target (25% improvement over TER of 2010 Building Regulations on all systems) will be met on-site and implementation of the approved details. Where it is clearly demonstrated and the Council agrees that specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through works to other buildings within Hospital site (providing this does not represent double counting) as agreed by the Council, or an in lieu contribution to secure delivery of carbon dioxide savings elsewhere.
5. Join and adhere to the Considerate Contractors scheme and submit a Certificate of Compliance for verification within 3 months of any occupation.

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 application relates to the theatre block of Northwick Park Hospital, located on Watford Road, Harrow. To the north of the site is the Harrow campus of Westminster University, to the south lies Northwick Park 'Play-Golf' site. The hospital site itself comprises of the main hospital buildings, with residential accommodation for staff located to the south- east of the site.

The part of the site which is the subject of this current application is located to the south-east of the main hospital buildings, and includes the existing single storey building, Block 'GG' which is currently the Paediatric Academic Centre. This building is also been known as the 'Ronald McDonald' Building.

## **PROPOSAL**

The application proposes to demolish the existing single storey Block 'GG', and the erection of a part 1, part 2 and part 3-storey building in order to provide a new accident and emergency department on land adjacent to blocks G and E of Northwick Park Hospital. The proposal includes a partial realignment of the existing site access road the creation of new access roads, new ambulance and public drop off areas, pedestrian ramps and footpaths, plant room, new retaining walls and landscaping.

The total gross internal floor area to be created is approximately 4377m<sup>2</sup>.

## **HISTORY**

11/2127 – 3-storey extension and alterations to Block J to provide new operating theatres and associated plant room. Work includes building an undecroft over existing parking area and subject to a Deed of Agreement dated 14th November 2011 under Section 106 of the Town and Country Planning Act 1990, as amended. *Granted 14/11/2011*

05/1670 - Outline application for demolition of various buildings and erection of replacement hospital with ancillary facilities, including car-parking, energy centre and landscaping, and formation of altered access to Watford Road and provision of/alterations to access roads and pedestrian routes within and adjacent to hospital and university site (matters for determination: means of access) (as accompanied by a Transport Statement by Faber Maunsell dated 3 May 2005, Planning & Design Statement by Faber Maunsell dated May 2005 and Environmental Statement by Faber Maunsell dated May 2005) *Application was recommended for approval, and granted subject to S106 at Planning Committee on 11.10.2005. The application is still pending decision.*

There is an extensive history relating to the hospital site. Other than the above applications, no others relate specifically to the application site, or in proximity to the site.

## **POLICY CONSIDERATIONS**

The development plan for the purposes of S54A of the Town and Country Planning Act is the Brent Unitary Development Plan 2004, the Brent Core Strategy 2010, the London Plan 2011 and the National Planning Policy Framework.

### Brent Unitary Development Plan 2004

Within the 2004 UDP the following list of saved polices are considered to be the most pertinent to the application.

#### *Strategic*

- STR3 In the interests of achieving sustainable development (including protecting greenfield sites), development of previously developed urban land will be maximised (including from conversions and changes of use).
- STR5 Reduces the need to travel, especially by car.
- STR14 New development should make a positive contribution to improving the quality of the urban environment
- STR15 Major development should enhance the public realm

### *Built Environment*

- BE2 Townscape: Local Context & Character
- BE3 Urban Structure: Space & Movement
- BE4 Access for Disabled People
- BE5 Urban Clarity & Safety
- BE6 Public Realm: Landscape Design
- BE7 Public Realm: Streetscape
- BE9 Architectural Quality
- BE12 Sustainable Design Principles

### *Transport*

- TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.
- TRN3 Directs a refusal where an application would cause or worsen an unacceptable environmental impact from traffic, noise, pollution it generates or if it was not easily and safely accessible to cyclists and pedestrians.
- TRN4 Measures to make transport impact acceptable
- TRN10 Walkable environments
- TRN11 The London Cycle Network
- TRN22 On parking standards for non-residential developments requires that developments should provide no more parking than the levels listed for that type of development.
- TRN27 Retention of essential off-street parking
- TRN31 Design and Land Take of Car Parks
- TRN35 On transport access for disabled people and people with mobility difficulties states that development should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.
- PS12 Car parking standards – Class D1
- PS15 Parking standards for disabled people
- PS16 Cycle parking standards

### *Open Space, Sport and Recreation*

The application site is adjacent to Metropolitan Open Lane and Public Open Space.

### *Community Facilities*

- CF1 Location of Large Scale Community Facilities
- CF12 Northwick Park Hospital/Higher & Further Education (HFE) Zone

### Brent Core Strategy 2010

The following spatial policies are considered relevant to this application:

- CP 5 Place making  
*Sets out requirements for place making when major development schemes are considered*
- CP15 Infrastructure to Support Development
- CP17 Protecting and Enhancing the Suburban Character of Brent
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP23 Protection of existing and provision of new community and cultural facilities  
*Encourages new accessible community and cultural facilities and protects existing facilities. Sets a standard for the provision of new community facilities*

### Brent Supplementary Planning Guidance

- SPG17 Design Guide for New Development
- SPG19 Sustainable design, construction and pollution control
- SPD Section 106 Planning Obligations
- LDF Site Specific Allocations DPD (adopted 2011)

### Regional

London Plan 2011

London Plan SPG

The Mayor's Transport Strategy (May 2010)

Sustainable Design and Construction – Supplementary Planning Guidance (2006)

Accessible London: achieving an inclusive environment (April 2004)

Planning for Equality and Diversity in London (October 2007)

### National

National Planning Policy Framework 2012

## **SUSTAINABILITY ASSESSMENT**

As with most major developments the Local Planning Authority requires that the applicants consider sustainable development from an early stage, so that the maximum amount of sustainable measures can be incorporated in the proposal up-front. The applicants have submitted an Energy Statement and a Sustainable Development Checklist, which has been revised during the course of the application.

The latest revised submitted Sustainable Development Checklist has a score of 39.8% (applicant's score). Officers have not completed their assessment of the checklist as further information is sought and your officers are also awaiting responses from some consultees regarding the revised proposals. A minimum score of 50% is normally required. In any case, the applicants should demonstrate to the Council's satisfaction that all available credits have been maximised.

The applicants have submitted a revised Sustainability Statement (Energy Assessment) which confirms that the proposal will provide a 25% reduction in CO<sub>2</sub> (Regulated only) associated with the development. However, further information is required to demonstrate that the proposal will comply with the London Plan Energy Hierarchy. Further details have therefore sought from the developer and will be discussed in the supplementary report.

The applicant proposes that a BREEAM rating of "Very Good" will be achieved rather than the policy requirement of "Excellent". Your officers are currently assessing the applicant's case regarding this, where the applicant has set out that it is not feasible to achieve "Excellent" due to the nature of the use, the site and the fact that the facilities and equipment are being moved from the existing A&E facility rather than being newly provided.

All details requested for the Sustainability of the proposed scheme, as discussed above, will be reported in the Supplementary Committee Report.

## **CONSULTATION**

### Consultation on initial submission

Site notices, dated 23<sup>rd</sup> July 2012 were posted around the site, including at the main entrance of the hospital. No letters of representation had been received to date on this initial consultation.

*Ward Councillors* were notified. There have been no responses to date.

Initial comments received in response to initial consultation for original submitted plans and some consultee responses to further consultation carried out on 10<sup>th</sup> October 2012:

### *Landscape officer*

The initial plans submitted resulted in a proposal which would result in a net loss of trees. Any trees lost should be replaced on a one for one basis. The proposal should result in maximising landscaping, including additional trees. Full details of the green roof should be provided, including design, layout, any proprietary system, irrigation proposals and planting species should be provided.

The Landscape Officer has commented on revised plans received in October 2012. There are no objections

to the overall site layout, and indicated locations for new trees is agreed. An area is shown with dashed line as potential tree planting, the question is asked what is proposed here. Nothing has been proposed on the potential for tree planting within or at edge of existing car park to south of main site circulation road. This is an important improvement to a large open tarmac area.

No details for planting against the wall of the undercroft have been submitted. This will be a large expanse of blank wall which should be improved by climbing plants or wall shrubs.

A pedestrian crossing still leads from the existing car park into the new undercroft wall – how will pedestrians access A & E from this crossing?

No details have been provided of the green roof on the main building.

### *Highways*

No objections in principle. However, detailed drawings for the site are required, showing the layout of all car parking and bicycle parking within the site, details of pedestrian steps and ramps and details of the layout alterations to the circulatory road through this part of the site, including surfacing treatment, traffic calming measures, on-street parking, pedestrian crossing facilities, bus stops, car park access layouts, lighting and drainage.

A review of the Hospital Travel Plan is also required to be undertaken.

The Transportation Officer has commented on the revised plans, and has raised some concerns. In summary, revised detailed layout drawings for the site are required to show:

- The provision of a 2m footway along the northern side of the hospital circulatory road where it adjoins the site, with dropped kerbs and tactile paving where it crosses car park access roads
- Amendments to the kerblines of the proposed junction into the ambulance setting down zone
- Details of bus stop markings and kerb arrangements (plus a potential shelter) for the proposed new bus stop, together with the removal of any car parking spaces opposite and
- Details of three further bicycle stands to the front of the building and a shelter to the bicycle parking spaces at the rear
- There should be secure lockers provided within the proposed changing areas for staff for both sexes.
  
- There are concerns with regard to the impact that the access to the ambulance drop-off zone would have on safe pedestrian access to the building. In particular, the timber cribwall with planting between the access road and the hospital circulation road would remove any scope to continue the pedestrian footway along this length of the circulatory road.
- A statement is required regarding what will become of the existing A&E department located in Block A if the floorspace is to be re-used rather than demolished.

### *Urban Design*

The Design Officer has responded to the revised plans. The following points are raised:

- The lack of a continuous footway around the perimeter of the new building is a concern. The public realm is dominated by parking and in order to walk around the building, pedestrians would be forced to cross over the road, walk along the edge of the car park and then cross back over the road.
- Further details of the seating/planting area are required
- There is huge potential to incorporate an avenue of high quality trees around the perimeter of the new building.

### *Environmental Health*

No objection to the original consultation. A standard condition relating to noise levels from any plants is recommended.

### Statutory Consultees

*London Borough of Harrow* – Raise no objection to the original consultation. The following points, however, are highlighted:



- The development will have some impact upon traffic generation within LB Harrow. However, as the development relates to the modernisation of emergency services on the site, it is considered that any increase in traffic impacts will be moderate and primarily outside of peak hours
- Land to the west of Watford Road, adjacent to the application site is designated within the Harrow development plan as an Area of Special Character, Metropolitan Open Land and a Site of Nature Conservation Importance

#### *Environment Agency*

The initial Flood Risk Assessment was not acceptable, and therefore Environment Agency raised objection. This has since been revised, with further information, and is now acceptable, subject to a planning condition, requiring further details of surface water drainage system.

#### *Transport for London*

A response to the revised scheme from TFL has not been received as yet, and shall be reported in the Supplementary Report to Committee.

#### Consultation on revised scheme

As the scheme has been revised since the original plans were submitted, a 14 day consultation has been carried out by letters dated 10<sup>th</sup> October 2012. Responses from all consultees will be reported in the Supplementary Report to Committee.

### **REMARKS**

#### Introduction

The hospital site comprises of 1970s concrete buildings of various sizes, which have been added to over the last 40 years. Residential accommodation for hospital staff, is located to the east, Northwick Park Golf Course (Play Golf) is located to the south and the University of Westminster to the north. The adjacent Block J has recently been extended with 3-storey extension to provide additional, modern operating theatre suites.

The current application relates to the area to the south east of these buildings. The existing single storey building, known as the 'Ronald McDonald Building' – Block GG, used as the Paediatric Academic Centre, is to be demolished. The rest of the area on this corner of the site is un-developed and is open green space, with a number of trees.

The new building is to be part single storey, part 2-storey and part 3-storey building, to include an undercroft to provide a modern A & E department, with a new floor space of 4,377m<sup>2</sup> (GIA), with the scope to add further storeys in the future to accommodate expansion of the hospital. The revised scheme also proposes a new bus-stop at the entrance of the new A&E block.

The proposed development is in line with the long-term re-development plans for Northwick Park Hospital, as allocated with the Site Specific Allocations within the Local Development Framework. The general principle of the development (the renewal and expansion of hospital services at Northwick Park) is considered to be in accordance with these policies and is supported by your officers.

#### Loss of green space

The application site encompasses one of the only large remaining open green spaces left on the main hospital site. However, the needs of a modern A&E Department at Northwick Park Hospital outweighs the loss. To mitigate this loss, the proposal includes a green roof, and ensure that a good quality landscaping scheme and replacement trees are provided.

#### Design and Massing and Impact on the Character of area and adjoining properties

The main hospital site comprises concrete buildings of varying heights. The area to be developed, includes the demolition of a single storey block, (area 423m<sup>2</sup>), and the adjacent green space. Nearby blocks vary in height, including blocks E and G which are 7 storeys high. The new nearby Block J extension is 3 storeys high.

The original hospital buildings are concrete utilitarian buildings with various additions over the years. The design of the proposed new A&E block would be more modern in design and appearance to the main concrete buildings of the hospital. The proposed materials for the new A&E building are in line with sustainability requirements for the type of construction, and are welcomed.

### Transportation

The Council's Transportation Officer has raised a few issues regarding the scheme. These are summarised in the consultations section of this report. In particular, there is a requirement to update the Hospital's travel plan, as well as a statement explaining what is to become of the existing A&E within the existing block A.

A particular concern is raised regarding safe pedestrian access around the perimeter of the site, which is also raised by the Design and Landscape Officers. Revised details of this have been sought and will be discussed in the Supplementary Report.

Any relevant conditions in relation to Highways matters will be added after further revisions to the scheme have been received.

### Landscaping and Trees

The proposed development will result in the loss of 32 trees on site. The revised details do not provide sufficient information to show whether the same number of trees are to be replaced. The Council's Landscape and Tree Officers have been consulted and it is expected that a minimum of 32 replacement trees should be provided as well as a minimum of an additional 8 trees within the existing staff car park to the south of the site.

A fully detailed landscaping scheme will be required through condition, including hard materials; plant species, quantities, densities and maintenance schedule. This shall include full details of the proposed green roof.

### Conclusion

The proposed new A&E building is in accordance with Brent Council policy and guidance, subject to revisions required to satisfy issues raised by Officers. Subject to satisfactory revisions, the development is considered to be within the scale and character of the application site and adjacent buildings, and your officers recommend that planning permission is granted subject to a S106 agreement and relevant planning conditions.

Several issues still need to be resolved and further information has been sought. This will include the following:

- Details of revised plans in line with concerns raised by officers, and discussed in this report
- Further details relating to sustainability
- The formal response from Transport for London in relation to the revised proposal
- Any further relevant conditions relating to Highways matters will be reported/attached

The further and revised information together with the comments that are still to be received will be discussed in the Supplementary Report.

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

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

National Planning Policy Framework 2012

London Plan 2011

Brent's Unitary Development Plan 2004

Brent's Core Strategy 2010

**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):

NPH-JCA-DWG-16-001 Rev AP01;  
12016-SI-002;  
12016-GA-101;  
12016-GA-102;  
12016-GA-103;  
12016-GA-201;  
12016-GA-202;  
Topographical and Utility Survey Sheet 1  
Topographical and Utility Survey Sheet 2;  
NPH-JCA-DWG-16-002 Rev AP02;  
NPH-JCA-DWG-20-001 Rev AP 6;  
NPH-JCA-DWG-20-002 Rev AP 6;  
NPH-JCA-DWG-21-001 Rev AP01;  
NPH-JCA-DWG-23-001 Rev AP01;  
NPH-JCA-DWG-23-002 Rev AP01;  
NPH-WSP-SKE-95-002 Rev AP01;  
0240/ATR/010 Rev A;  
0240/ATR/011 Rev A;  
0240/ATR/012 Rev A;  
Planning, Design and Access Statement (dated October 2012);  
Sustainability Statement for Planning (Rev B, dated 11/10/12) by *Couch Perry and Wilkes*  
BREEAM 2011 New Construction Pre-Assessment Estimator  
Sustainable Development Checklist (dated 04.10.2012);  
Transport Statement by WYG Transport Planning;  
Flood Risk Assessment by WYG Engineering (dated June 2012)  
Addendum to Flood Risk Assessment by WYG Engineering (dated September 2012)  
Waste Management Policy (dated July 2010)

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

- (3) The rated noise level from any plant shall be at least 10dB below the measured background noise level at the facade of the nearest noise sensitive receptor - a positive indication that complaints are unlikely. The method of assessment should be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. Should the predicted levels exceed those specified in this condition, a scheme of insulation works to mitigate the noise shall be submitted to the local planning authority for approval. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.

Reason: To protect the amenity of nearby residents.

- (4) 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.

- (5) All areas shown on the plans shall be suitably landscaped and a scheme is 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 landscape works shall be completed prior to occupation of building(s) and commencement of the use, unless otherwise agreed in writing by the Local Planning Authority

Such details shall include but not be limited to:

- (a) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling.
- (b) Full details of hard-surfacing materials for all areas of hard surface within the site including paths, ramps, steps, parking areas, indications of the surfacing delineation of different users within any shared surface areas, and consideration of sustainable urban drainage systems (SUDs)
- (c) A plan showing the size, species and location of a minimum of 32 suitable replacement trees with minimum 14-16cm girth in appropriate locations within the site to be developed and a minimum of 8 additional tree with a minimum 14-16 girth within the existing staff car parking area located to the south of the site, adjacent to the boundary with neighbouring site at Play Golf site, with a full maintenance regime for all trees;
- (d) All planting including location, species, size, density and number with a soft landscaping planting schedule and layout plan. This shall include details of a planting (climbing plants and wall shrubs) against the undercroft retaining wall , proposed break-out system for roots, where applicable.
- (e) Any sustainable construction methods which are to be used.
- (f) A detailed (min 5 year) landscape management plan showing requirements for the ongoing maintenance of hard and soft landscaping. The management plan shall be fully implemented following approval.

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 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

- (6) Prior to demolition/construction work on-site details of the living green roof to be submitted to and approved in writing by the Local Planning Authority. Such landscape works shall be completed (a) prior to occupation of building(s) and/or (b) within 18 months of commencement of the development hereby approved.

Such details shall include:-

- (i) General arrangement of hard and soft landscape; construction details of roof; drainage; waterproofing; proposals; indicative sections across roof.
- (ii) Substrate depth to soft landscape – to be a minimum of 100mm for sedum/wildflower; 150mm for turf; 300-450mm for shrubs and 600mm for trees. Areas of soft landscape/planting should cover at least 70% of total roof space.
- (iii) All hard surfacing including locations, materials and finishes.
- (iii) The location of, details of materials and finishes of, all proposed street furniture, storage facilities, signage and lighting.
- (iv) Proposed boundary treatments including railings, balustrades, parapets, screens etc. indicating materials and dimensions.

(v) All planting including location, species, size, density and number. Native, suitable plants should be specified as much as possible, where appropriate.

(vi) A detailed (min 5 year) landscape management plan showing requirements for the ongoing maintenance of hard and soft landscape. Water points should be provided as necessary

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 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 the interests of both local biodiversity and amenity are maximised. Also to promote sustainable design, sustainable drainage, and urban cooling.

- (7) The development shall not be occupied until such time as a review of the existing Hospital Travel Plan has been undertaken and full details of the review have been submitted to and approved by the Local Planning Authority. This shall include consideration of the future use of the vacated A&E unit in Block A. The approved details shall be implemented in full.

Reason: In the interests of sustainable travel, and the conditions of highway safety, the free-flow of traffic on the neighbouring highways and the general amenities of the locality.

- (8) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to the including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site.

- (9) Notwithstanding the details submitted, full details of a further three bicycle stands (to provide storage for a total of 6 additional cycles) to the front of the new building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: To promote sustainable modes of transport and ensure satisfactory facilities for cyclists.

#### **INFORMATIVES:**

None Specified

#### **REFERENCE DOCUMENTS:**

Brent's Unitary Development Plan 2004

Brent's Core Strategy 2010

Local Development Framework, Site Specific Allocations 2011


Supplementary Planning Guidance (SPG) 17 - "Design Guide for New Developments".

Supplementary Planning Guidance (SPG) 19 - "Sustainable Design, Construction & Pollution Control".

Supplementary Planning Document - S106 Planning Obligations.

Any person wishing to inspect the above papers should contact Avani Raven, The Planning Service, Brent



 **Planning Committee Map**  
Site address: Land Adjacent to Morrith House, Talbot Road, Wembley, HA0  
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

**RECEIVED:** 28 May, 2012

**WARD:** Wembley Central

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Land Adjacent to Morrith House, Talbot Road, Wembley, HA0

**PROPOSAL:** Construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front on land to the rear of Morrith House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morrith House, with associated landscaping and refuse storage

**APPLICANT:** Mr John Lyons

**CONTACT:** Mr Brian Peppiatt

**PLAN NO'S:**  
(See condition 2 for the approved plans)

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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:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- A contribution of £3000 per bedroom, index linked from the date of committee and due on material start towards the provision and/or improvement of education facilities in the Borough, non car access/highway, sports and public space improvements in the area.
- Join and adhere to considerate constructors scheme as well as the demolition protocol.

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 application relates to a parcel of land adjacent to and lying to the south of 84 Morrith House, which is a four storey block of 16 flats fronting Harrow Road. At the present time the part of the site which the proposed development relates to houses a derelict and disused communal garage, this was originally built to serve the flats of Morrith House. In front of this garage block is an area of hardstanding large enough for the parking of 5-6 cars, and these spaces are taken up by residents of Morrith House.

To the north of the site is Morrith House, Talbot Road is to the east, No.3 Talbot Road is due south and immediately to the west is Wembley Fire Station.

There is an existing vehicle access off Talbot Road, this is sited to the rear of the block of flats.

The site is not within a Conservation Area, nor is it a Listed Building and is within close walking distance of Wembley Town Centre.

### **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
1	dwelling houses	

#### **FLOORSPACE in sqm**

Number	Existing	Retained	Lost	New	Net gain
1				192	192

#### **TOTALS in sqm**

Totals	Existing	Retained	Lost	New	Net gain
				192	192

Mayoril CIL multiplier is £35 per SQM of total net gain floorspace, therefore Amount Payable is £6,720.00.

### **PROPOSAL**

Demolition of existing garage block and erection of a pair of 2-storey, semi-detached houses, with rear gardens and associated off-street parking, on land to the rear of Morrill House, fronting Talbot Road, and formation of 6 off-street parking spaces to the rear of the site for the use of residents of Morrill House, with associated landscaping works.

### **HISTORY**

#### **05/2230 – Refused – Appealed – Dismissed on Appeal on 8 Dec 2006**

Demolition of existing block of semi derelict garages and erection of part single, part two storey and part three storey building comprising 4 x 1-bedroom flats and 4 x 2-bedroom flats, creation of four parking spaces, cycle parking and erection of bin storage on the frontage.

### **POLICY CONSIDERATIONS**

#### National

*National Planning Policy Framework – NPPF (2012)*

#### Brent UDP (2004)

- BE2** Townscape: Local Context & Character
- BE3** Urban Structure: Space & Movement
- BE5** Urban Clarity & Safety
- BE6** Public Realm: Landscape Design
- BE7** Public Realm: Streetscape
- BE9** Architectural Quality
- H12** Residential Quality – Layout Considerations
- H13** Residential Density
- H15** Backland Development
- TRN3** Environmental Impact of Traffic
- TRN11** The London Cycle Network
- TRN15** Forming an Access to a Road
- TRN23** Parking Standards Residential Developments
- TRN34** Servicing in New Development
- PS14** on residential parking standards
- PS16** cycle parking standards

#### **Brent Core Strategy – Adopted July 2010**

- CP2** – Population & Housing Growth
- CP6** – Design & Density in Place Shaping

**CP15** – Infrastructure to Support Development  
**CP17** – Protecting & Enhancing the Suburban Character of Brent  
**CP21** – A Balanced Housing Stock

Brent Supplementary Planning Guidance

**Supplementary Planning Guidance (SPG) Note 17: “Design Guide for New Development”**

**Supplementary Planning Document 'S106 Planning Obligations'**

**CONSULTATION**

A total of 34 surrounding properties were consulted by letter on **11 June 2012** (including all 16 flats in Morritt House) and consultation was sent to Brent’s Transportation Unit, Landscape Team, Environmental Health, and Local Ward Councillor’s.

To date 7 representations have been received from local residents, all objecting to the proposal. Six of the seven objections received are from existing Morritt House residents. The reasons for objecting are summarised below:-

<b>Objectors concerns</b>	<b>Number of times issue raised by objectors</b>
Loss of light	6
Development will cause overshadowing to MH	1
Loss of parking & impact of extra parking will have a knock on effect on Talbot Rd and surrounding area.	6
The increase in rubbish generated & the location of the new bin storage area for MH residents will have a negative impact on flats.	7
Development will result in overlooking & loss of privacy for residents of MH	5
The proposed design & materials are not in keeping with the area.	2
The vehicle access is inadequate in width, will cause a 'bottleneck' and is unsafe.	5
The daylight/sunlight report fails to differentiate between the impact during summer and winter months.	6
Loss of existing horse chestnut tree	2
Negative impact on visual amenities of area	1

**Statutory Consultees:**

*Landscape;* No objection is raised in principle. Landscape Officer’s welcome the proposed use of grasscrete and the native planting proposals.

- The tree retention/removal proposals are acceptable.
- Details of all hard materials type/colour/finish to be submitted as a condition of any approval
- Details of all plant species, sizes, positions and numbers to be submitted as a condition of any approval.
- Details of all storage, street furniture and boundary treatments to be submitted as a condition of any approval.

*Transportation;*

The application site is on the western side of Talbot Road, which is defined in the UDP as being heavily parked. The site lies within CPZ “c” and has very good public transport accessibility with a PTAL rating of level 5.

The existing block of 16 flats are all 2-bed or smaller. Taking the stricter standard set out in PS14 which can be applied to sites in a CPZ which have very good PTAL ratings the existing flats can be permitted 0.7 spaces each. This gives a site maximum of 11.2 spaces, which is well above the actual on-site provision (5 spaces). In addition the site frontage along Talbot Road includes 4 on-street spaces.

The two, 3-bedroom dwellings proposed can be permitted 1.2 spaces each, in addition to the existing standard generated by the flats. This is a significant increase, but the proposal does include a single, off-street parking space for each new house.

The location of the crossovers to serve each new dwelling was raised as a concern, but it has since been confirmed that the crossovers are to be sited at the northern and southern ends of each plot, this allows for the retention of an on-street parking space in between.

The inclusion of 6 parking spaces to the rear, for the sole use of Morrith House is welcomed. Revisions were requested to the aisle width in front of these spaces, and to the dimensions of the individual bays. Both matters have been addressed in the revised layout plan and the parking spaces are now of an acceptable standard.

The provision of automatic barrier to control access to these spaces is supported.

The width of the vehicle access at 4.1m with 300mm margins either side, giving a total width of 4.7m is sufficient for two cars to pass and is acceptable from a Transportation perspective.

Further details of how the spaces will be marked out on the 'grasscrete' will be required through condition.

The provision and revised location of a dedicated disabled parking bay is welcomed.

The location for the refuse and recycling bins is acceptable.

The location of the cycle parking is acceptable, but this should be conditioned to ensure these are covered from the elements.

If the application is to be approved Transportation will seek £1500 per dwelling towards improving highway safety, new parking controls and better non-car accessibility in the area.

In summary as the concerns raised with regards to the dimensions of the parking area and manoeuvring space, and the siting of the crossovers to serve each new dwelling have both been overcome there would be no objection to the scheme on transportation grounds. Further details of the marking out of parking bays and cycle parking will be sought through condition.

*Environmental Health:* No objection is raised. It is identified that the site is within an Air Quality Management Area (AQMA), and a condition is recommended to protect local air quality during demolition and construction. Also the current use of part of the site as a garage block may have resulted in some contamination of the land. In order to safeguard against this and ensure the development is safe for end users then advice is offered by way of a recommended informative.

*Ward Councillors (Wembley Central Ward);* No responses received.

## **REMARKS**

The proposal is assessed against National policy, Regional policy, the Council's UDP policies, Core Strategy policies and standards in Supplementary Planning Guidance Note 17 "Design Guide for New Development".

The main areas for consideration are whether this development is acceptable in terms of;

- the design scale and massing of the building
- the impact it has on the privacy and amenity of neighbouring residents
- the loss of garages and transportation impacts, and
- the impact this development has on the character of the area and the quality of the environment.
- the loss of trees and landscape setting

## **Background**

The part of the site to which the application relates to is now a separate title to Morrith House. This relates to the dilapidated garage block which has been vacant since circa 1973, and the hardstanding area directly in front. The size of the application site is 0.074 hectares

A proposal to redevelop the site in 2004 was unsuccessful. This scheme was also dismissed on appeal.

However it envisaged a much denser form of development with 8 flats, proposing a flatted development rising to 3-storeys, in a much more imposing way. This development proposed to occupy a much greater proportion of the site, extending all the way to the rear boundary, across the full width of the site. There was little thought as to how this scheme would impact on the accommodation on Morritt House. The scheme was refused on a number of grounds by the Council.

At appeal stage it was established by the Inspector that the main issues were (i) the impact the proposal would have on the living conditions for both prospective and neighbouring residents; (ii) the quality and quantum of amenity space proposed; (iii) the impact the development has on outlook for residents of Morritt House; (iv) the impacts on outlook and privacy for the residents of 3 Talbot Road and finally the impact the development has on the streetscene.

Having considered both sides arguments the Inspector found that the proposal would impact negatively on residents of Morritt House. Firstly the proposal would face habitable windows, at a distance of less than 10m resulting in a loss of privacy and unacceptable overlooking. The proximity of these buildings would also mean that there would be an oppressive outlook for the residents of Morritt House from ground and first floor windows (facing south). Also flats 7 & 8 in the proposal would introduce unacceptable overlooking.

In terms of the arguments to do with character and streetscene the Inspector found that the proposal had no recognisable frontage to the streetscene. The building was to be dominated by frontage parking with limited landscaping. It was said that the proposed building appeared dis-jointed, a feeling reinforced by its complex footprint, roofscape and irregular fenestration. It also had a cramped appearance, all resulting in a "jarring harmful effect on the character and appearance of the streetscene".

Turning to the issue of parking, the Inspector found there to be no evidence of any specific harm to highway safety. Presumably as it was evident then, and still is now that the garage block is long-term vacant and dilapidated, and therefore its loss does not constitute a loss of car parking spaces.

On the issue of amenity space, the Council had contended the loss of the garage block would result in the loss of communal amenity space on the roof. It had been laid out originally that this space would act as a communal roof terrace for residents of Morritt House. In the Inspector's opinion given the length of time this space had been left abandoned, unused and poorly maintained its loss would not result in material harm to the existing residents.

In conclusion the appealed scheme was dismissed because of concerns that the proposal would harm the living conditions of both prospective occupiers, and those living in Morritt House. Also it was found that the scheme would have a detrimental impact on the character and appearance of the streetscene. The Inspector did not support the Council in its efforts to refuse the scheme because of the loss of amenity space, or on the grounds it would be harmful to highway safety through increased parking generated. Critically the Inspector did not raise an objection in principle to the sites redevelopment.

### **Principle of Development**

A number of years have passed since the appeal scheme was dismissed, and in that time the policy framework has changed. The most noticeable recent changes have seen the adoption of Brent's LDF Core Strategy in 2010, and earlier this year the introduction by Government of the National Planning Policy Framework (NPPF). Both are material considerations alongside Brent's 2004 UDP (saved policies still apply) and any relevant Supplementary Planning Guidance.

Some of the key messages running through the NPPF have been highlighted below;

-Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

-A presumption in favour of Sustainable Development.

-A set of 12 core principles are identified including "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings" and also to "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value".

-Housing applications should be considered in the context of the presumption in favour of sustainable development. And LA's should identify the size, type, tenure and range of housing that is required in

particular locations, reflecting local demand.

-Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

-Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

-Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

In the current policy framework, given the site history and appeal decision and given the current use of this part of the site there can be no objection raised on the grounds of principle. The application will be assessed on its planning permits, and these are now discussed in further detail.

### **Layout, Scale, Massing & Design**

The proposal is to create a pair of semi-detached 2-storey houses with accommodation in the roof, on land adjacent to, but to the rear of Morrith House. The buildings are to respect the established building line along this side of Talbot Road, much unlike the failed appeal scheme in 2004. The buildings are set back off Talbot Road by 5.5m, giving adequate depth in front to form an off-street parking space to serve each house.

Each dwelling would be 5.3m wide resulting in 10.6m overall and depth of 12m is envisaged whilst not projecting beyond the rear of 3 Talbot Road. A traditional pitched roof design has been proposed, this is in keeping with the suburban character around the site. The semi-detached pair are to be sited approximately 2.2m away from 3 Talbot Road, to the south. To the north a distance of 9.8m is proposed to be maintained to the rear elevation and windows of Morrith House. Normally a distance of 10m is required, so as to maintain acceptable levels of outlook, as set out in SPG17. The layout broadly complies with this standard, and the shortfall is not material.

The existing garage block is to be removed in its entirety, thus opening up the rear part of the site. The layout proposed would see 9.2m deep private rear gardens to serve each house, and behind this a formal parking area for the residents of Morrith House. This parking replaces the existing hardstanding area in front of the garage block, and will formalise the parking arrangement. Six spaces (including 1 disabled bay) are proposed, meaning there is no loss of off-street parking for the residents next door. Also these new spaces are to be solely for Morrith House residents, and they will be access controlled through the installation of an automated barrier. They are to be accessed by a new vehicle access corridor, to the rear of the block of flats, and this is to be 4.7m wide.

This degree of separation, together with the roof design and the height of the dwellings (max 8.5m) means that the 30 degree angle, which is a requirement of SPG17 is comfortably complied with when the scheme is considered in terms of its relationship to Morrith House, and its windows. This test is in place, and applied to development proposal to ensure that the relationships created between (and within) buildings, and between buildings and private amenity spaces does not become detrimental because of overbearing buildings. By demonstrating compliance with this test Officer's are satisfied that the proposed development will not be overbearing, nor will it result in an unacceptable reduction in daylight/sunlight to neighbouring dwellings.

The semi-detached pair have been designed to blend in with their surroundings. A traditional pitched roof approach has been followed, with a more contemporary feel added through the glazing and balcony detailing. The buildings are well articulated front and back, and the flank walls are void of any habitable windows, so as to avoid direct overlooking or loss of privacy to neighbours. As balconies will face towards the street and rear along the length of the gardens there are no concerns about overlooking, although to safeguard privacy of neighbours then further details of privacy screens around the balcony to prevent overlooking either side will be sought through condition.

Materials are indicative at this stage, but it is proposed to select materials that are sympathetic to the neighbouring buildings. External walls will be facing brick, similar to those found at 3 Talbot Road. A contrasting brick will be used as a string course, to add interest to the elevations. Roof tiles will be to match, and upvc windows are envisaged. Further consideration to the finish and quality of external materials will be approved as a condition of any approval.

On balance Officers consider the scale and massing of the proposed house to be in keeping with surrounding forms of development in the locality. Approval is subject to a condition (submission of details) to ensure that the proposed design quality, and detailing, is carried through to the scheme once implemented.

### **Accommodation standards & Impact on Neighbouring Properties**

The proposed 3-bedroom houses will have an internal floor area of 135 square metres. This is overly generous, significantly exceeding the London Plan minimum floor area standard to provide 96 square metres for a 3-bedroom/5-person dwelling.

The internal layout ensures that all habitable rooms will benefit from reasonable levels of light and outlook and the ground floor kitchen, living area has direct access to the rear amenity space. The rear facing windows at first floor will be over 10m from the rear boundary, thus ensuring compliance with SPG17 standards to maintain reasonable standards of privacy and outlook in new development. In the absence of any habitable room windows at first floor level, within the flank wall(s) this proposal is considered to have an acceptable relationship to neighbouring occupiers in terms of maintaining privacy, and designing out opportunities for direct overlooking.

Generous private gardens are proposed to serve each family dwelling, the size and quality of these spaces will broadly satisfy SPG17.

The size and scale of new buildings should not be detrimental to the amenities of neighbouring properties and should result in acceptable relationships between buildings and private amenity spaces. To ensure new buildings do not become detrimental by being over dominant certain tests within SPG17 should be met. As has already been touched upon the scale of the proposal sits comfortably within the 30 degree angle (measured from a height of 2m at the closest habitable room window).

The footprint of the dwellings will not project beyond the rear of 3 Talbot Road, and there are no habitable windows within the flank wall of this neighbouring property.

The proposed dwelling will maintain a distance of 9.8m to the closest rear windows on the neighbouring block of flats, this reduces down to 6.8m where the access cores project out from Morrith House. As no primary habitable windows are contained within these cores then these projections do not give cause for concern. A large number of habitable windows, serving the flats on all floors face the application site and the impact on these, and the relationships these have to the application site have been given careful consideration.

Firstly these windows are kept 9.8m away from the closest point of the proposed development, thus broadly satisfying the SPG17 separation distance of 10m. No habitable windows are to face the neighbouring properties, this avoids direct overlooking and loss of privacy for both prospective and existing residents.

The building envelope has been kept within the 30 degree line, in doing so this indicates that facing windows will not be unduly harmed through a loss of light or outlook.

To demonstrate the relationships between the existing and proposed buildings a daylight and sunlight report has also been submitted. The analysis has carried out a detailed Vertical Sky Component (VSC), Daylight Distribution and Average Daylight Factor analysis and sunlight analysis to confirm this. The VSC analysis shows that all windows within Morrith House will meet BRE guidelines criteria, indeed some windows will actually experience an improved level of daylight due to the proposal seeing the removal of the garage block. The analysis also finds that all windows in neighbouring buildings which face within 90 degrees of due south receive sunlight levels which meet the BRE guidelines.

The proposed development also falls beneath a 25 degree angle, taken from a point two metres above ground level. In doing so then the BRE guidelines are that there will be adequate skylight.

In conclusion the daylight and sunlight analysis shows that in all cases the surrounding properties will meet the BRE guidelines daylight and sunlight criteria. Therefore the proposal will see acceptable levels daylight and sunlight retained for neighbouring properties. In some cases there will be a marked improvement to windows.

An existing unsightly, dilapidated garage block, which currently is an eyesore on the site will be removed in its entirety. The removal of this will have significant benefits for the occupants of flats whose, windows on the lower floors look out directly on to this block at the moment. By opening up the site, those windows will benefit

from much improved outlook, daylight and sunlight.

No loss of existing parking will follow, as parking spaces to be provided at the rear of the site are consistent with the levels achieved on the existing hardstanding area. Each new house will be provided with dedicated off-street parking to meet standards, thus not affecting the parking for Morrith House.

On balance it is considered that the layout, siting size and scale of the proposed dwellings ensures an appropriate relationship between neighbouring buildings and surrounding spaces is to be maintained.

### **Landscaping & amenity space**

The proposed requires removal of an existing rowan tree, which is a small ornamental close to the frontage along Talbot Road. Set behind this is a more substantial Horse Chestnut tree, also proposed for removal. The Horse Chestnut is found to have severe deficiencies, with trunk decay evident. Its longevity is limited and it is not justified that this tree be safeguarded at great expense. The Arboricultural Report recommends that this tree is felled. This is supported by the findings of your Tree Protection Officer, who concurs with findings on the health of this tree. Root protection areas are also proposed to ensure all trees to be retained are not damaged during demolition and construction phases.

To compensate for tree removal seven new native trees are proposed for planting, these will be trees of advanced nursery stock and they will be planted in positions both to the front and rear of the house. This approach, and the introduction of native species is welcomed by your Landscape Officer's. The species, size, and location of these trees will all be confirmed through a standard landscape condition.

The development also requires removal of small lawned areas, including a section to the rear of Morrith House that sits adjacent to the existing vehicle access. The existing vehicle access will be shifted slightly further north, and this will serve the access corridor to the rear parking space. The consequence being the loss of a small parcel of lawned area. As well, two new crossovers are proposed to serve each dwelling. The loss of these lawned areas is unfortunate, but at the same time their removal will not have a significant impact on the streetscene, or the setting of Morrith House – which still maintains a very generous landscape setting, particularly along Harrow Road and Talbot Road.

Whilst there is a degree of removal involved, the scheme is also proposing to enhance the sites landscaping features. A site wide landscaping plan is submitted which envisages the planting of seven new native trees. To provide new planting to the rear of the site, and fronting Talbot Road. To provide front gardens that achieve an appropriate balance between hard and soft landscaping, with tree planting and boundary hedges. To lay the hardstanding and access routes with grasscrete in order to soften the environment around the buildings.

On balance the site wide approach is supported, and the proposal to increase the number of trees on site is welcomed. It is recommended that any planning permission be subject to a standard landscape condition to control hard and soft landscaping and boundary treatments, and to confirm the planting species, size, location and density.

Each new house will be afforded private amenity space of circa 50 sqm, as required for family sized dwellings.

The proposal will see the removal of the dilapidated garage block, who's roof was originally intended to be an area of amenity space for Morrith House residents. This outside space has been closed off to residents for many years now, is no longer maintained and of no benefit. In any event its use as a communal amenity space is ill conceived as it would severely disturb ground and first floor flats sited close to it. In the 2004 appeal decision the Inspector accepted the loss of this amenity space, as it was clearly evident at that time of its long-term neglect. Nothing has changed in the period since, it still remains closed off and is of no benefit to existing residents. Therefore no objection is raised against its loss.

### **Parking**

Each proposed property will attract a maximum parking standard of 1.2 spaces, this can be accommodated directly in front of each and off-street. Requiring the formation of two individual crossovers, which Transportation does not object to. So the parking demand created by the development will have no additional impact on the surrounding roads.

The proposal requires the removal of an existing vacant, and dilapidated garage block. This is no longer used

by Morritt House residents, they have space to park 5-6 cars on the hardstanding area directly in front. This area would be removed to make way for the proposal, however the site layout creates the opportunity for a much improved, safe and controlled rear parking area for the sole use of Morritt House residents. This will accommodate 6 spaces (including 1 disabled bay), this ensuring existing parking levels are maintained, and that there will be no additional overspill parking on surrounding roads.

The existing vehicle access off Talbot Road needs to be shifted slightly in a northerly direction, and this will serve the 6 spaces to the rear. The width and location of this access is deemed to be acceptable from a highway safety point of view.

It has been confirmed that the proposed crossovers, off Talbot Road to serve each new dwelling will be at the northern and southern most ends of each plot, and in doing so adequate space will be maintained in between to allow for an on-street parking bay. This will compensate for the loss of an existing bay, needed to make way for the re-sited crossover.

The parking standard for the proposed dwelling can be met off-street, further to this the removal of the garage block would not result in the loss of parking for existing residents, and 6 new spaces for existing residents is included on-site. For these reasons it is not considered that the proposal would lead to unacceptable, additional levels of on-street parking or conditions detrimental to general highway safety.

New refuse storage is proposed for Morritt House. This has been moved from its initial location as this would have been too close to ground floor windows. An alternative location is proposed, to the side of Morritt House where it will be away from ground floor windows. Although this will be more visible from the streetscene with suitable screening around the bin area then its felt visual impacts can be minimised. On balance, given the need to provide this in a suitable, convenient location for residents then this option is considered acceptable.

### **Response to objections raised**

#### **Loss of light**

The scheme is able to demonstrate compliance with SPG17 standards, namely the 30 degree angle. Furthermore the daylight and sunlight analysis findings are that the BRE guidelines will be achieved and adequate levels of daylight and sunlight will be retained. In demonstrating the above then there are no grounds to resist the scheme on the grounds it would result in unacceptable loss of light to MH. In fact some flats will now benefit from greater levels of daylight and sunlight due to the opening up of the rear of the site.

#### **Development will cause overshadowing to MH**

The proposed development will be 9.8m away from windows in Morritt House. This distance, and the overall height of the buildings ensures that it comfortably sits within the 30 degree line. This test is used to establish whether buildings will have an acceptable relationship to one another, so as not to appear overbearing.

#### **Loss of parking & impact of extra parking will have a knock on effect on Talbot Rd and surrounding area.**

The existing garage block is dilapidated and hasn't been used for parking for an extremely long period of time. Its loss will have no material impact on local parking conditions. The existing spaces on the hardstanding area are to be reprovided at the rear of the site, which means that the spaces on site are maintained at current levels and there is no loss of parking involved. Furthermore the two new dwellings will each have off-street parking in the frontage, meaning that Talbot Road should not experience overspill parking as a result.

#### **The increase in rubbish generated & the location of the new bin storage area for MH residents will have a negative impact on flats.**

Residents concerns about the bin location have been taken on board and a revised location is proposed, away from ground floor windows, along the back edge of the footpath along Talbot Road. This is a better solution.

The two new dwellings each have their own dedicated refuse storage, so will not have an impact on the Morritt House facilities.

#### **Development will result in overlooking & loss of privacy for residents of MH**

No habitable windows have been included in the flank wall of the development, facing Morritt House. The only windows included are non-habitable or obscurely glazed. So it follows that the new houses do not afford the opportunity for direct overlooking.



Further details of privacy screening around the proposed balconies will be required through condition, this is to prevent overlooking at an oblique angle.

**The proposed design & materials are not in keeping with the area.**

Officers are satisfied that the design and the proposed use of materials provide a satisfactory response to local context. The quality of materials will be subject to further conditional approval.

**The vehicle access is inadequate in width, will cause a 'bottleneck' and is unsafe.**

Transportation have assessed the proposal and the access width is considered to be wide enough, just, for two vehicles to pass one another. Also the control barrier will ensure that its use is managed and only used by residents of Morritt House.

**The daylight/sunlight report fails to differentiate between the impact during summer and winter months.**

The sunlight assessment factors in annual probable sunlight hours available in both summer and winter for each window which faces within 90 degrees of due south. The findings confirm that in all cases the surrounding properties will meet the BRE guidelines for daylight and sunlight criteria.

**Loss of existing horse chestnut tree**

The arboricultural report establishes that this tree is suffering from serious decay, and due to its health has little long-term prospect of survival. This position is supported by the Council's Tree Protection Officer, who has visited the site and observed the level of decay first hand. This is categorised as a category C tree. Its loss would be compensated for by a total of 7 new trees planted on site.

**Conclusion**

The proposal is considered to be acceptable in terms of its scale, design and character and will make a positive contribution to the area as well as adding to the stock of family housing within the Borough. The proposal is not considered to be harmful to the amenity of neighbouring occupiers, demonstrated through the proposals compliance with SPG17 standards and the findings of the daylight/sunlight report. Furthermore this development will provide an acceptable standard of internal accommodation, with good quality outside space for prospective residents. The loss of the garage block is found to be acceptable on parking and highway safety grounds, and its loss would not directly affect any existing residents, in fact it will improve the living accommodation of a number of flats through an improved outlook. The removal of this block will see the welcomed removal of this eyesore from the site. To enhance the proposed setting for this development and Morritt House, site wide landscaping improvements will also be secured, which amongst other things will see the planting of seven new native trees on site.

Officers can see no compelling reasons for not supporting this proposal, it will see the reuse of a brownfield site in a sustainable location, which is in accordance with the core principles of the National Planning Policy Framework, and accordingly it is recommended that this application be approved subject to the attached conditions and signing of the S106 legal agreement to secure a financial contribution of £18, 000 (£3000 per bedroom) towards transport infrastructure, education and improvements towards open space, sports and the environment. It has been confirmed that the applicants are agreeable to the principle of this contribution.

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

**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

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  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
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):

location plan  
Dwg 1/A (revised 29/09/2012)  
Dwg 2  
Dwg 3  
Dwg 4

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

- (3) No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse(s) subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason(s):

(a) Restricted size of site

In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

(b) To prevent over development

To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- (4) No Flank Wall Windows

No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the flank wall(s) of the buildings without the prior written consent of the Local Planning Authority. All windows and doors that are approved shall be constructed with obscure glazing only and shall be maintained as such unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- (5) (a) Details including loading bays and accesses

The 6 new rear parking spaces shall be made available for use prior to the removal of the existing hardstanding area in front of the garage block and are for the sole use of Morritt House residents.

(b) Further details to be submitted

Prior to construction further details of the automated barrier and demonstration of the access control mechanism shall be submitted to and approved in writing by the Local Planning Authority

(c) Parking spaces 2.4m x 4.8m

Parking spaces shall be constructed with minimum dimensions 2.4m x 4.8m.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

- (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) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a detailed 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:-

(b) during the first available planting season following completion of the development hereby approved.

Such scheme shall also indicate:-

(i) Walls and fences

Details of proposed walls and fencing, indicating materials and heights.

(ii) Planting

Details of all new planting within the context of the landscape proposal, including details to confirm species, size, density and location, including details of all new trees to be planted on site

(iii) Physical separation

Adequate physical separation, such as protective walls, hedges and fencing, between landscaped and paved areas.

(iv) Screening of rear gardens:

Provisions for the satisfactory screening of the rear garden areas.

(v) Other

Other appropriate matters within the context of a landscaping scheme, such as details of foot ways and other paved pedestrian and vehicle parking areas.

(vi) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

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 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.

- (8) Further details of privacy screening to the rear facing balconies shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site.

Reason; To safeguard the amenities of neighbouring occupiers.

- (9) Further details of arrangements for the suitable enclosure and screening of the re-sited refuse storage area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. Such details shall also make provision for an extended pedestrian footpath so that this can be accessed from the existing footpath. The approved arrangements shall be implemented in full prior to first occupation of the development and permanently retained as approved unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- (10) Further details of safety railings to be erected along the boundary between Morrith House and the access road to the car parking area shall be submitted to and approved in writing by the Local Planning Authority prior to installation on site.

Reason; To ensure a satisfactory standard of development.


- (11) Further details of the means by which the proposed parking spaces will be marked out shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site.

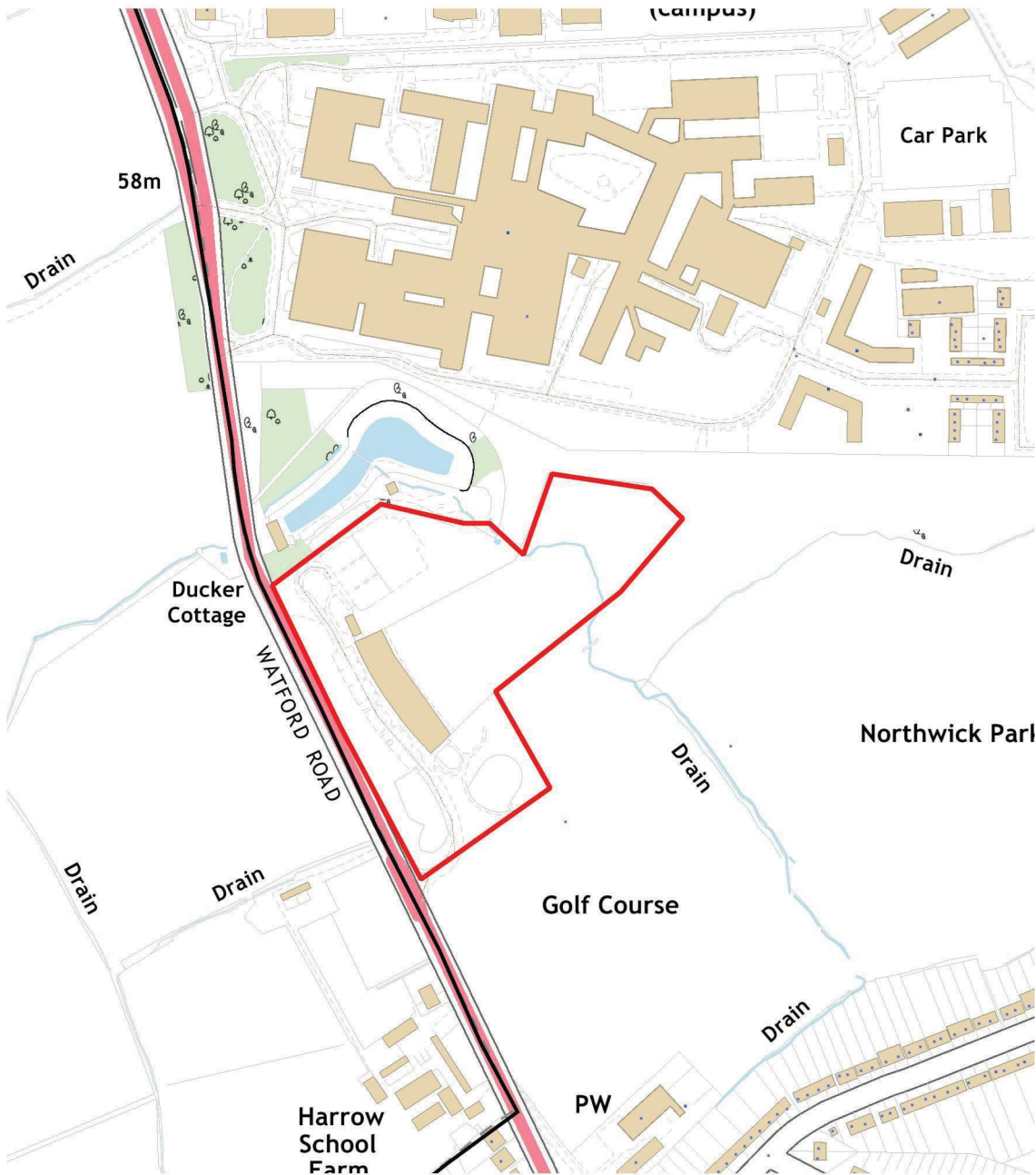
Reason; To ensure satisfactory parking provision for residents.

**INFORMATIVES:**

- (1) If the development is carried out it will be necessary for crossing(s) to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should Application for such works should be made to the Council's Safer Streets Department, Brent House, 349 High Road Wembley Middx. HA9 6BZ Tel 020 8937 5050. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

Any person wishing to inspect the above papers should contact Gary Murphy, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5227

	<b>Planning Committee Map</b>
Site address: 280 Watford Road, Harrow, HA1 3TZ	
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This map is indicative only.

**RECEIVED:** 29 August, 2012

**WARD:** Northwick Park

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** 280 Watford Road, Harrow, HA1 3TZ

**PROPOSAL:** Submission of details pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking.

**APPLICANT:** Northwick Park Playgolf

**CONTACT:** Maven Plan

**PLAN NO'S:**  
557/18 - Proposed Landscape Plan  
Special Events Schedule and Management Plan

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## **RECOMMENDATION**

Grant Consent

## **EXISTING**

See report for 12/0316 on this committee agenda.

## **PROPOSAL**

Submission of details pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking.

## **HISTORY**

See report for 12/0316 on this committee agenda.

## **POLICY CONSIDERATIONS**

See report for 12/0316 on this committee agenda.

## **REMARKS**

The following details are submitted for approval

### **Materials - Condition 3 of application 06/0768**

The patchy areas of the existing overflow car park will be top-soiled and re seeded to provide a grass surface throughout. This work shall be carried out within 3 months of the condition being discharged.

### **Landscaping - Condition 4 of application 06/0768**

The 8 existing Prunus Avium trees along the southern side of the car park are maturing well. The 5 Avium trees along the North side will be replaced in the autumn along with 6 new Alnus Avium trees in the planting bays. The hedge that has died will also be replaced. The new planting will be maintained to a higher standard than the previous trees. The applicants site the planting that was carried out last year around the baseball cage as proof of the improved maintenance regime.

### **Car Park management - Condition 6 of application 06/0768**

The Special Events Car Park is managed by a gate that is locked at all times apart from when in use. There

will be a maximum of 24 events per year with a maximum of 3 events per month during the summer months and a maximum of 1 event per month during the winter.

The number and frequency of special events proposed is considered acceptable.

One of the problems with maintaining parking levels within approved limits is the lack of control that has been exercised in the past over customers parking along the edge of site access roads and vehicles mounting the curb to park on open areas alongside the access roads. In order to overcome this problem the applicants have agreed to the Council's request that physical measures be installed to prevent such unauthorised parking from occurring. A revised drawing has been submitted detailing the introduction of a number of timber railway sleepers and 1m high metal bollards in two key areas across the site where unlawful parking has previously been a concern. The parking deterrents will be introduced at the entrance of the site and towards the main building and again at the northern end of the site towards the overflow parking area. The bollards will be located alongside the edge of the access road where cars are currently able to mount the kerb. Railway sleepers will be located along the centre line of the access road. This will narrow each lane thus making it impossible for cars to park in the access road without blocking the road.

**RECOMMENDATION:** Grant Consent

**REASON FOR GRANTING**

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

Brent's Core Strategy 2010  
Brent Unitary Development Plan 2004  
London Plan 2011

**CONDITIONS/REASONS:**


**INFORMATIVES:**

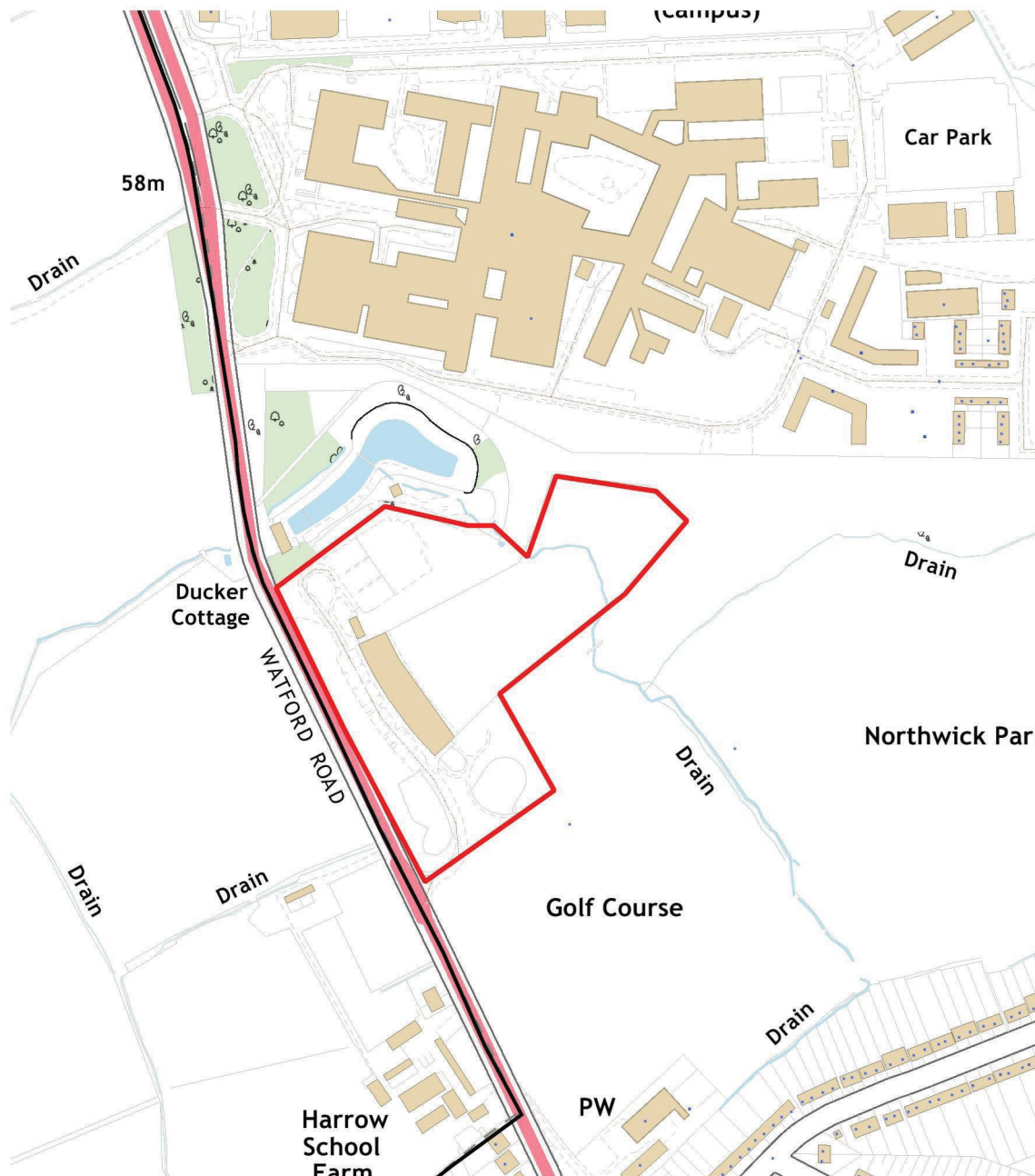
None Specified

Any person wishing to inspect the above papers should contact Neil McClellan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5243

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	<b>Planning Committee Map</b>
Site address: 280 Watford Road, Harrow, HA1 3TZ	
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This map is indicative only.

**RECEIVED:** 8 February, 2012

**WARD:** Northwick Park

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** 280 Watford Road, Harrow, HA1 3TZ

**PROPOSAL:** Internal and external works to the existing golf centre building to enable part of the ground floor to be used as a cafe.

**APPLICANT:** Play Golf Northwick Park

**CONTACT:** Maven Plan Ltd

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

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## **RECOMMENDATION**

Grant consent

## **EXISTING**

Playgolf Northwick Park is a golf centre (6-hole golf course with associated driving range) situated on Northwick Park, accessed off Watford Road. Northwick Park is designated in the UDP as Metropolitan Open Land (MOL), a site of nature conservation importance, and public open space.

There is also an adventure (mini) golf course and a baseball batting court on the site, along with associated access roads and parking areas, a drainage ditch and ponds (water hazards) and maintenance areas.

The golf centre has an existing two-storey clubhouse. The upper level comprises a lobby, restaurant (396sqm) and golf shop (478sqm) while the lower level has a gym (392sqm), meeting rooms and associated staff and storage areas. Along the eastern side of the building are two levels of covered driving bays which open out onto the netted floodlit driving range.

## **PROPOSAL**

Internal and external works to the existing club house building to enable part of the ground floor to be used as a cafe.

## **HISTORY**

The golf course and driving range is located on former playing fields owned by the Council and Brent remains the freeholder of the land. Planning permission for a golf course was first granted in 1993.

In 2001 planning permission was granted for the construction of a golf centre comprising a two-storey clubhouse, floodlit driving rang, new 9-hole golf course and ancillary fencing, landscaping, car-parking and access roads (Planning Ref: 99/2397).

The new golf centre was opened in 2005 by Play Golf Ltd. However, the development was not carried out entirely in accordance with the terms of the planning permission. Additional uses and development had taken place beyond what had been approved in 2001 permission. These included the inclusion of additional uses within the building (restaurant, shop, gym, conference facilities), the provision of a baseball batting cage, an overflow car park and a mini golf course (Adventure Golf) and the erection of higher than originally approved net fencing around the driving range. The golf course had also been laid as a 6-hole rather than 9-hole course. A number of enforcement actions and planning applications followed seeking to regularise the situation.

Permission to retain the adventure golf facility (Ref: 06/0769) and the overflow car park (Ref: 06/0768) was approved by the Council in 2006. Permission to retain the higher safety netting around the driving range was approved in 2007 (Ref: 07/0172). The Council refused permission for the retention of the baseball batting

cage but this decision was later overturned by the Planning Inspectorate in 2007 following an appeal (Ref: 06/0762). Permission for the retention of the gym (Ref: 07/2630) was granted in 2008 and retention of the restaurant (Ref: 07/2629) in 2009.

The golf centre was bought by Leisure Golf Ltd in 2010.

The most recent planning decisions relating to this site are set out below:

- |            |  |
|------------|--|
| 29/08/2012 | Details submitted pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking ( <b>Ref: 12/2110 - recommended for approval on this committee agenda</b> ).   |
| 21/05/2012 | Planning application submitted for the reinstatement of public right of way (PROW 34) across the driving range, including raising a protective embankment along one side of the footpath and the installation of protective netting over the footpath ( <b>Ref: 11/3341 - approved last committee</b> ).   |
| 11/05/2012 | Details submitted pursuant to condition 6 (details of landscaping) and condition 15 (landscape management plan) of full planning permission 99/2397 dated 14 May 2001 for construction of a golf centre ( <b>Ref: 12/1215 - pending</b> ).   |
| 22/09/2011 | Details approved pursuant to part of condition 2 (green roof- materials) (Ref: 11/1970). These details were submitted following an enforcement investigation (Ref: E/11/0504).   |
| 27/05/2011 | Details approved pursuant to conditions 1(i)(d) (paint floor of baseball cage) (Ref: 11/0628).   |
| 11/04/2011 | Details approved pursuant to conditions 6 (details of landscaping) and 15 (landscape management plan) (Ref: 11/0420).  |
| 30/07/2009 | Breach of condition 9 of planning permission reference number 99/2397 which required that the driving range and flood lights not be used before 0700 hours or after 2200 hours on any day, apart from one floodlight which may be used up until 2230 hours to aid ball collection. (Ref: E/07/0804). After repeated evening visits by members of the Council's planning enforcement team it was agreed that the breach had ceased. |
| 01/05/2008 | Planning permission granted for the retention of existing gymnasium at the Playgolf Northwick Park Golf Centre (Use Class D2) (Ref: 07/2630).  |
| 24/04/2009 | Planning permission granted for the retention of existing restaurant (Use Class A3) subject to a Deed of Agreement dated 22nd January 2009 under Section 106 of the Town and Country Planning Act 1990, as amended (Ref: 07/2629).   |

## **POLICY CONSIDERATIONS**

The relevant planning policies are set out under the Brent Core Strategy (2010) and the saved policies of the Brent Unitary Development Plan (2004), as summarised below:

### Brent Core Strategy (2010).

- CP1 Spatial Development Strategy
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity

## Brent Unitary Development Plan (2004)

BE1	Urban Design Statements
BE2	Townscape: Local Context and Character
BE9	Architectural Quality
EP2	Noise & Vibration
TN22	Parking Standards – Non-Residential Developments
TRN34	Servicing in New Development
OS1	Designation of MOL
OS2	Acceptable Uses in MOL
OS3	Development on MOL
OS6	Public Open Space
OS12	Development on Sites of Borough Grade 1 Nature Conservation Importance
OS15	Species Protection

## The London Plan (2011)

Policy 2.18	Green infrastructure: the network of open and green spaces
Policy 3.16	Protection and enhancement of social infrastructure
Policy 3.19	Sports facilities
Policy 7.17	Metropolitan Open Land
Policy 7.18	Protecting local open space

## **CONSULTATION**

### **Local residents and businesses:**

4 objections have been received from local residents and users of the golf course. The concerns raised are summarised as follows:

- Non-golfing use no longer the pre-dominant use and the building has become substantially retail in nature which is not appropriate on Metropolitan Open Land and Public Open Space.
- This is a further intensification of the use and will generate additional traffic and demand for car parking that cannot be accommodated within the existing car-parking areas.
- This proposal will add to the existing problem with food refuse generated by the existing restaurant.
- If granted the cafes opening times should be restricted to only those times that the driving range and golf course is open. It should not be allowed to open when the existing restaurant is open.
- The existing restaurant already has an area set aside as a cafe which contradicts the applicant's planning statement inference that the restaurant only caters for formal meals.
- The continued failure of the Golf course operators to comply with outstanding conditions and other breaches of control such as unauthorised signage and overspill parking by the side of access roads.

An objection has also been received from Harper Planning Consultants Ltd on behalf of Blue Ginger Bar and Restaurant Ltd who operate the existing restaurant on the site. Their concerns are summarised as follows:

- Under the terms of their lease agreement with Playgolf Northwick Park Ltd the operators of the existing restaurant have exclusive rights to be the sole caterers in respect of the application building and that no other caterers are permitted to use any part of the building.
- They also wish to point out that, contrary to the assertions made in the applicant's Planning Statement, there are existing informal dining facilities on the premises.
- Permission was only granted for the existing restaurant on the basis that it was small in scale and required to preserve or enhance activities associated with the golf course.
- It has been established by relevant case law that planning permission should only be granted if there is a 'reasonable prospect of the development being implemented. Since Blue Ginger Bar and Restaurant Ltd has exclusive rights to operate catering facilities in the building and already provides

refreshment facilities to serve the needs of the primary use, the additional café is not necessary and would be contrary to the development policies seeking to protect Metropolitan Open Land.

- The issue of pre-emption may be a material consideration when assessing applications for competing uses. The issue of the timing of decisions taken on rival applications was considered in *Chieftain Construction Ltd v Liverpool City Council* 27/03/06, which established that where similar planning applications on differing sites come forward at different times and where there is only scope for one permission in a local area due to other policy constraints, the development control system should operate on a "first come-first served" basis.
- The previous application granted permission for the existing restaurant on the basis that the use was an ordinarily incidental use of the golf centre that would be unlikely to attract further clientele or create a significantly greater parking demand or transport effects.
- The applicant has provided no evidence to support the assertion that the existing facilities are insufficient to meet the needs of the golf centre. The proposed additional catering are not necessary nor would these facilities be wholly ancillary to the golf centre use, and as such the proposals are contrary to development plan policies seeking to protect MOL.
- The proposed catering facilities will attract additional passing trade and contrary to the assertions in the applicant's Planning statement that there is surplus capacity in the existing car park the objector maintains that parking demand exceeds existing provision and that, on occasions, there is no spare car parking capacity leading to car parking on the access road. The proposals will inevitably generate some additional parking demand from passing trade – this demand cannot be accommodated within the existing car parking provision and may result in further inappropriate overspill parking on the access road contrary to highway safety. Incidental ad hoc car parking will also detract from the character and visual quality of the MOL.
- UDP policy TRN1 requires developments having a potentially significant impact on the transport network should be accompanied by a Transport Assessment (TA). This should incorporate proposed traffic reduction measures by the developer (e.g. Green Transport Plan). In this case, the applicant has not submitted a TA nor has a Green Transport plan been submitted with the application. Planning permission should not be granted in the absence of such information to ensure that there is no adverse impact on the highway safety.
- The proposed drawings do not show the existing restaurant entrance door this amendment to the layout has not been agreed by the operator.

A letter of support has been received from a local resident.

### **Brent's Highway and Transport Delivery Team**

Car parking consists of 60 spaces within the main car park to the front of the site, plus an additional overspill parking area for about 50 cars at the northern end of the building, accessed via a priority left-in/left-out junction onto Watford Road.

This application proposes internal alterations to the layout of the clubhouse to accommodate a café with seating for about 70 patrons, partly through the more efficient use of space and partly through a reduction in the size of the golf shop to 397m<sup>2</sup>. No alterations to access or parking are proposed.

On-street parking along Watford Road is prohibited at all times, with the road consequently being generally lightly parked. Public transport access to the site is moderate (PTAL 2), with five bus services within 640 metres.

This proposed café facility is intended to be ancillary to the primary use of the site as a golf centre. As such, the proposed café use should not attract significant numbers of visitors to the site in its own right and thus should not have a significant impact on trip generation to the site (although it may extend visitation hours slightly and thus increase parking demand, but there is now an overspill parking facility to cover this eventuality). In addition, the café will partly occupy space currently taken by the golf shop, which should also help to minimise the net impact of the proposal.

Deliveries to the café will be able to make use of the service yard at the northern end of the building, which is acceptable.

Highway and Transport Delivery note that there have been concerns raised by local residents about the site access arrangements and the U-turns that periodically take place in Watford Road to circumvent the ban on right-turning movements. However, this proposal is not considered significant enough to warrant the securing of funds towards major changes to the site access layout.

There are no objections on transportation grounds to this proposal.

### **Sport England**

Do not object to the proposal.

### **REMARKS**

#### Introduction

There are two applications relating to Playgolf Northwick Park on this committees agenda:

- 12/0316** Planning application for internal and external works to the existing club house building to enable part of the ground floor to be used as a cafe.
  
- 12/2110** Details submitted pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking

Both applications are recommended for approval.

#### Proposed new café

The site is within in an area of Metropolitan Open Land and a Site of Nature Conservation Importance and Public Open Space under the Brent Unitary Development Plan.

In 1993 planning permission was granted to redevelop the site as a golf course and a further permission was granted in 2001 for the erection of a clubhouse and golf driving range. The consented clubhouse building included a coffee shop of approximately 420sqm which was ancillary to the principle use of the site as a golf centre. However this was later replaced by a restaurant/bar (A3) of some 395sqm in 2008.

The proposal involves alterations to the existing building to allow part of the ground floor to be used as a cafe. The cafe would have an area of 177sqm and would occupy part of the ground floor currently used for circulation space, bathrooms and a small element of the pro-shop. In addition to the new cafe, the existing bathrooms would be repositioned and the reception relocated in front of the main entrance with seating areas opposite. Externally the only changes would be the insertion of a graphic infill wall to replace the existing brickwork on part of the frontage and two new doors to link the cafe to the upper level driving range bays. The existing ball and drinks dispensers would also be repositioned.

Given the relatively small scale of the proposed café and the fact that the applicants are willing to accept conditions restricting its operation to only when the golf centre is in operation officers are satisfied that it would be an ancillary use unlikely to attract customers other than patrons of the golf centre. The proposal does not increase the built foot print of the site and is therefore considered not to contravene policies seeking to protect Metropolitan Open Land which state that new development on MOL should be small in scale and required to preserve or enhance activities associated with the particular open space.

Concerns have been expressed by objectors that the existing car parking on the site is already often at capacity resulting in parking over access road kerbs. As stated previously the proposed café is not expected to generate significant additional visitors and is therefore unlikely to add to this problem. Physical measures to prevent cars from mounting the access road kerbs have been agreed as part of the submission of details submitted pursuant to Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking. These

details are being considered under planning reference 12/2110 on the committee agenda.

Other objections state that the new café is unnecessary and that the existing restaurant use already caters for patrons seeking refreshment. However officers do not consider this to be a material planning consideration and it is not for the planning system to intervene in matters of commercial competition. It is proposed that a number of conditions be imposed on the new café restricting access, hours of operation and the type of refreshment offered. These are intended to ensure that the use is ancillary to the golf centre and enhances the existing uses available within the site, as required by policy on appropriate development on MOL.

It has been stated that under the terms of its lease Blue Ginger Bar and Restaurant Ltd has exclusive rights to operate catering facilities in the building and already provides refreshment facilities to serve the needs of the primary use. It has also been stated that it has been established by relevant case law that planning permission should only be granted if there is a reasonable prospect of the development being implemented. However there is no physical or, in officers view policy impediment to the proposed café use being implemented. The legal restriction alone does not mean that there is no reasonable prospect of the development being implemented. Leases can be surrendered, altered or bought out. Officers do not consider that the grant of planning permission would prejudice the existing restaurant operator from enforcing the terms of their lease.

Since Blue Ginger Bar and Restaurant Ltd has exclusive rights to operate catering facilities in the building and already provides refreshment facilities to serve the needs of the primary use, the additional café is not necessary and would be contrary to the development policies seeking to protect Metropolitan Open Land.

The objector has cited case law stating that where similar planning applications on differing sites come forward at different times and where there is only scope for one permission in a local area due to other policy constraints, the development control system should operate on a "first come-first served" basis. However officers have already expressed the view that there is no policy constraint to both uses operating together.

**RECOMMENDATION:** Grant Consent

#### **REASON FOR GRANTING**

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

Brent's Core Strategy 2010  
Brent Unitary Development Plan 2004  
London Plan 2011

#### **CONDITIONS/REASONS:**

(1) The restaurant use hereby approved must not operate outside the hours of 0730 and 2300, Sunday to Thursday, and 0730 and midnight on Friday and Saturday, or at anytime the existing driving range or golf course located within the site are not in operation unless agreed in writing by the Local Planning Authority.

Reason: To ensure the use remains functionally linked to the primary use of the golf centre and to preserve local amenity.

(2) The only entrance to the cafe that customers may first enter or leave the premises shall be the main entry to the golf centre building, via its main reception area, near the centre of its western elevation.

Reason: To ensure that access remains functionally linked to the primary use of the golf centre and to preserve local amenity.

(3) No private functions, that exclude any member of the public or any golf centre user, or require purchase of a ticket to enter may be held in the cafe.

Reason: To ensure the use remains functionally linked to the primary use of the golf centre and to preserve local amenity.

- (4) The premises shall be used only for the serving of hot and cold drinks and cold or reheated snacks only and for no other purposes within Use Class A1, A2 or A3 as defined in the Town and Country Planning (Use Classes) Order 1987 as amended unless otherwise agreed in writing by the Local Planning Authority.

Reason: No separate use should commence without the prior approval of the Local Planning Authority in order to ensure that use of the premises does not prejudice the amenity of the area and conforms with Council's policies.

- (5) 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.

- (6) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s)

557/01 - Site Plan  
557/04 - Existing Sections  
557/05 - Existing & Proposed Rear Elevations  
557/07 - Existing Ground Floor Plan  
557/11 (Rev C) - Proposed Ground Floor Plan  
557/16 - Detail of New Graphic Wall  
557/17 - Alcove Detail

Planning, Design & Access Statement by Maven Plan Ltd

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

- (7) The proposed cafe use shall not commence until all the works agreed under planning reference number: 12/2110 as part of the submission of details pursuant to conditions Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking, have been fully implemented to the satisfaction of the Council.

Reason: To ensure that the parking arrangements are properly managed and in the interests of proper planning.

#### **INFORMATIVES:**

None Specified

#### **REFERENCE DOCUMENTS:**

Brent's Core Strategy 2010  
Brent's Unitary Development Plan 2004  
The London Plan 2011

Any person wishing to inspect the above papers should contact Neil McClellan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5243



Received PLANNING Appeals between 1-Sep-2012 and 30-Sep-2012

Planning Committee: 24 October, 2012

**Application Number:** 12/0566      **Team:** Southern Team      **Application Type** S78 FUL  
**Appeal Received:** 07/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 51 Willesden Lane, Kilburn, London, NW6 7RL  
**Proposal:**

Removal of existing unauthorised decking and timber fencing and installation of proposed decking with stainless steel balustrading and glazed panel screening in front of restaurant on Willesden Lane

**Application Number:** 12/0656      **Team:** Western Team      **Application Type** S78 FUL  
**Appeal Received:** 03/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 30 Lancelot Road, Wembley, HA0 2BN  
**Proposal:**

Retrospective application for the conversion of dwellinghouse into three self contained flats and erection of a single storey rear extension

**Application Number:** 12/0921      **Team:** Western Team      **Application Type** S78 FUL  
**Appeal Received:** 04/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 832 Harrow Road, Wembley, HA0 3EN  
**Proposal:**

Change of use of part of the ground floor from retail (Use Class A1) to a mini-cab office (sui-generis)

**Application Number:** 12/1014      **Team:** Northern Team      **Application Type** S78 FUL  
**Appeal Received:** 28/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 393 North Circular Road, Stonebridge, London, NW10 0HS  
**Proposal:**

Demolition of existing shed to dwellinghouse and erection of a detached two storey one bedroom dwellinghouse in rear garden with associated external amenity space accessed off Scout Approach

**Application Number:** 12/1362      **Team:** Northern Team      **Application Type** S78 FUL  
**Appeal Received:** 29/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 8 Station Parade, London, NW2 4NH  
**Proposal:**

Erection of first floor extension to existing take away restaurant (Use Class A5) to provide preparation/wash area with new extract system and flue.

**Application Number:** 12/1363      **Team:** Southern Team      **Application Type** Other ADV  
**Appeal Received:** 27/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** Kensal Green Station, College Road, London, NW10 5JT  
**Proposal:**

Erection of 4.9m x 3.9 m single sided internally illuminated advertisement hoarding on land to the east of Kensal Green station fronting Harrow Road

**Application Number:** 12/1397      **Team:** Western Team      **Application Type** S78 FUL  
**Appeal Received:** 03/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 326 Tokyngton Avenue, Wembley, HA9 6HH  
**Proposal:**

Retention of existing outbuilding to the rear of dwellinghouse, with a proposed reduction to its height and depth and change of use to store/gym

Received PLANNING Appeals between 1-Sep-2012 and 30-Sep-2012

## Planning Committee: 24 October, 2012

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**Application Number:** 12/1467      **Team:** Western Team      **Application Type** S78    FUL  
**Appeal Received:** 25/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 1 Woodside Place, Wembley, HA0 1UW  
**Proposal:**  
Change of use from unauthorised dwelling to a games room/gym/bike store and retention of existing detached single storey outbuilding in the rear garden of dwellinghouse

---

**Application Number:** 12/1552      **Team:** Southern Team      **Application Type** S78    FUL  
**Appeal Received:** 25/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 291 Kilburn Lane, Maida Hill, London, W9 3EG  
**Proposal:**  
Conversion of shop into two-bedroomed flat, including alterations to existing shopfront.

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**Application Number:** 12/1660      **Team:** Northern Team      **Application Type** S78    CON  
**Appeal Received:** 06/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 226 Walm Lane, London, NW2 3BS  
**Proposal:**  
Details pursuant to condition 4 (external materials) of full planning application reference 11/3041 dated 12/01/2012 for rebuilding of single and two storey rear projection and insertion of 3 x windows in flank elevation to dwellinghouse (as revised by plans received 11/01/2012)

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**Application Number:** 12/1661      **Team:** Northern Team      **Application Type** S78    CON  
**Appeal Received:** 06/09/2012      **Appeal Against:** Refusal of planning permission  
**Location:** 226 Walm Lane, London, NW2 3BS  
**Proposal:**  
Details pursuant to condition 5 (materials) of full planning application reference 11/1587 dated 01/09/2011 for full planning permission sought for erection of 2 x single storey rear extensions; replacement of all existing windows with timber windows including within the existing front and rear dormers, replacement of garage door and insertion of 2 new ground floor side windows as revised by plans received 01/09/2011 (revised description)

Received ENFORCEMENT Appeals between 1-Sep-2012 and 30-Sep-2012

Planning Committee: 24 October, 2012

**Application Number:** E/08/0621 **Appeal Against:** Enforcement Appeal **Team:** Southern Team**Appeal Started:** 21/09/2012**Location:** 194A Purves Road, London, NW10 5TG**Description:**

Without planning permission, the erection of a single storey outbuilding in rear garden of the premises.

("The unauthorised development")

**Application Number:** E/12/0177 **Appeal Against:** Enforcement Appeal **Team:** Northern Team**Appeal Started:** 21/09/2012**Location:** 721 and 721A North Circular Road, Neasden, London, NW2 7AH**Description:**

Without planning permission, the erection of a first floor rear extension and the installation of windows at first floor level on the side elevation

("The unauthorised development")

AND

Without planning permission, the change of use of the premises of the premises to eight flats

("The unauthorised change of use")

**Application Number:** E/12/0389 **Appeal Against:** Enforcement Appeal **Team:** Western Team**Appeal Started:** 05/09/2012**Location:** 47 Paxford Road, Wembley, HA0 3RQ**Description:**

Without planning permission, the erection of a building in the rear garden of the premises.

("The unauthorised development")

**Application Number:** E/12/0709 **Appeal Against:** Enforcement Appeal **Team:** Western Team**Appeal Started:** 12/09/2012**Location:** 45 Beaumont Avenue, Wembley, HA0 3BZ**Description:**

Without planning permission, the erection of two buildings in rear garden of premises.

("The unauthorised development")

**Application Number:** E/12/0747 **Appeal Against:** Enforcement Appeal **Team:** Northern Team**Appeal Started:** 03/09/2012**Location:** 445 Kenton Road, Harrow, HA3 0XY**Description:**

Without planning permission, the change of use of ground floor premises from professional services (Use Class A2) to a mixed use as a travel agency (Use Class A1) and a mini-cab hire business (Use Class Sui Generis).

("The unauthorised change of use")

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## Decisions on PLANNING Appeals between 1-Sep-2012 and 30-Sep-2012

Planning Committee: 24-Oct-2012

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**Application Number:** 12/0174 **PINSRefNo** A/12/2174888/NWF **Team:** Northern Team

**Appeal Decision:** Appeal Dismissed **Appeal Decision Date:** 24/09/2012

**Location:** 169 Edgware Road, Kingsbury, London, NW9 6LP

**Proposal:**

Change of Use from Newsagents (Use Class A1) to Hot Food Takeaway (Use Class A5), including the installation of an extraction duct to the rear.

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**Application Number:** 12/0282 **PINSRefNo** A/12/2182020/NWF **Team:** Northern Team

**Appeal Decision:** Appeal withdrawn **Appeal Decision Date:** 07/09/2012

**Location:** 134B Melrose Avenue, London, NW2 4JX

**Proposal:**

Erection of a rear dormer window with Juliet balcony and installation of two front rooflights to dwellinghouse

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**Application Number:** 12/0793 **PINSRefNo** D/12/2181997 **Team:** Western Team

**Appeal Decision:** Technically Deleted Record **Appeal Decision Date:** 03/09/2012

**Location:** 51 Sudbury Court Drive, Harrow, HA1 3ST

**Proposal:**

Erection of a first floor side and rear extension, a side dormer window, a rear dormer window, one side rooflight and two front rooflights to dwellinghouse

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Decisions on ENFORCEMENT Appeals between 1-Sep-2012 and 30-Sep-2012  
Planning Committee: 24 October, 2012

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**Application Number:** E/11/0708 **PINSRefNo** C/12/2171853

**Team:** Western Team

**Appeal Decision:** Appeal Dismissed

**Appeal Decision Date:** 10/09/2012

**Location:** 12 St James Gardens, Wembley, HA0 4LJ

**Proposal:**

Without planning permission, the erection of an L-shaped building in the rear garden of premises, the erection of a smaller building in the rear garden of premises and the erection of a single storey rear extension onto the back of an existing extension to dwellinghouse.

("The unauthorised development")

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