



## Planning Committee

**Wednesday 13 February 2013 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)

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[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>NORTHERN AREA</b>		
3. Claremont High School, Claremont Avenue, Harrow, HA3 0UH (Ref. 12/2942)	Kenton	11 - 22
4. Claremont High School, Claremont Avenue, Harrow, HA3 0UH (Ref. 12/3110)	Kenton	23 - 34
5. 23 & 25 Tudor Gardens, London, NW9 8RL (Ref. 12/3201)	Welsh Harp	35 - 46
<b>SOUTHERN AREA</b>		
6. Willesden Green Library Centre, 95 High Road, London, NW10 2SF (Ref. 12/2924)	Willesden Green	47 - 88
7. Willesden Green Library Centre, 95 High Road, London, NW10 2SF (Ref. 12/2925)	Willesden Green	89 - 98
<b>WESTERN AREA</b>		
8. SKL House, 18 Beresford Avenue, Wembley, HA0 1YP (Ref. 12/3089)	Alpertton	99 - 106
<b>SPECIAL ITEM</b>		
9. Appeals Decision Monitoring: 1 January 2012 - 31 December 2012	All Wards	107 - 114
10. 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 VISITS – SATURDAY 9 FEBRUARY 2013

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

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
12/2924	Willesden Green Library Centre, 95 High Road, London, NW10 2SF	6	Willesden Green	9:45	47 - 88
12/2925	Willesden Green Library Centre, 95 High Road, London, NW10 2SF	7	Willesden Green	9:45	89 - 98
12/2924	Claremont High School, Claremont Avenue, Harrow, HA3 0UH	3	Kenton	11:00	11 - 22
12/3110	Claremont High School, Claremont Avenue, Harrow, HA3 0UH	4	Kenton	11:00	23 - 34

**Date of the next meeting: Wednesday 6 March 2013**

As that meeting will consider reports on policy issues only there will **no prior site visits**. The next meeting that will consider planning applications will take place on Wednesday 13 March 2013.



- 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 Wednesday 16 January 2013 at 7.00 pm

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

Apologies for absence were received from Councillor Daly.

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

None declared.

#### 2. **Minutes of the previous meeting - 12 December 2012**

RESOLVED:-

that the minutes of the previous meeting held on 12 December 2012 be approved as an accurate record of the meeting.

#### 3. **10 Rushout Avenue, Harrow, HA3 0AR (Ref. 12/3022)**

PROPOSAL:

Demolition of detached garage and erection of a four storey four bedroom dwellinghouse including basement, formation of 1 off street parking space and associated landscaping.

RECOMMENDATION:

- a) Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

Rachel McConnell, Area Planning Manager informed members that the applicant had submitted revised plans which corrected the overhang roof and with that in view, condition 2 had been amended. She clarified that the proposed use which would be for a gymnasium would be incidental to the use of the main residential building. By using quality materials, the proposal would be a successful addition without causing harm to the street scene.

DECISION: Planning permission granted as recommended.

**4. 141-153 High Street, London NW10 (Ref. 12/2920)**

**PROPOSAL:**

Erection of 3 storey building to provide 13 affordable flats, consisting of 4 one-bedroom, 7 two-bedroom and 2 three-bedroom units.

**RECOMMENDATION:** Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement, amended Heads of Terms 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 and Procurement.

Andy Bates, Area Planning Manager, informed the Committee that the agent had submitted amended drawings which responded to the detailed points and which would be referred to in the decision notice. He added that the amended plans raised no new issues for other parties but dealt with the queries raised by Rucklidge Avenue Residents' Association. He referred to an additional representation received from the neighbour at No. 155 High Street which raised specific issues on the relationship of the proposed building with her property, the need to clarify the boundary, the impact of the flank development to her property, the forward projection of the proposed building and its impact on the visibility of her property.

In response, the Area Planning Manager stated that he understood the matters raised by the neighbour however they were matters outside of the remit of planning control. They would in any event need to be resolved between the parties. In terms of the issue of forward projection, he advised that the matter had already been raised at appeal and the Inspector did not object to this element of the scheme. He however suggested the addition of an informative or a condition for a pre-construction site survey.

**DECISION:** Planning permission granted as recommended and the addition of a condition or an informative relating to pre-construction site survey.

**5. Land next to Stonebridge Park Hotel, Hillside, Stonebridge, London NW10 (Ref.12/3026)**

**PROPOSAL:**

Redevelopment of site to provide 117 dwellings comprising 1 studio flat, 41 one-bedroom flats, 51 two-bedroom flats, 8 three-bedroom flats, 12 three-bedroom houses and 4 three-bedroom duplex maisonettes within 1- to 9-storey buildings and associated works including basement (incorporating plant and car park), new access pedestrian and vehicle accesses, amenity space, reconfiguration and works to existing canal feeder, public realm and other ancillary development.

**RECOMMENDATION:** Grant planning permission subject to amended conditions 7, 8, 8, 10, 11, 12, 15, 18, 20, 21 and 22, additional condition on non-openable windows, revised Heads of Terms, 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 and Procurement.

Neil McClellan, Area Planning Manager drew members' attention to a number of amendments to conditions as set out in the tabled supplementary report. He also submitted the following responses to concerns raised by residents during the site visit;

In respect of community facilities, he stated that new and improved facilities which included a community hall, PCT Health Clinic, Fawood Nursery and a variety of community rooms had been delivered within the Hillside Hub which adjoined the application site.

He advised that given the decision to remove the high-rise tower blocks and provide the majority of homes as houses with front doors facing streets and private gardens (central to the regeneration of Stonebridge), it was expected that the amount of open space would decrease. He drew members' attention to facilities for children's play areas which were accessible and as such not considered to be segregated from the rest of the estate.

He submitted that the reasons why the height of the buildings was considered acceptable had been discussed in detail in the Committee report and drew members' attention to other buildings within the estate which were in excess of the limit set out in the outline consent.

He considered that insufficient evidence had been put forward thus far by the NHS in its request to secure contributions towards healthcare from the development and that a meeting to discuss Section 106 and Community Infrastructure Levy (CIL) requirements would be set up with the NHS to establish whether contributions should be sought from the development in the future.

Mrs Bridget Bainbridge in objecting to the proposed development stated that it would neither protect nor promote the interests of Stonebridge residents if planning permission was granted. She added that Stonebridge residents had expressed their objection to the scheme by submitting a 200 strong signature petition. She gave the principal reasons as follows:- inadequate communal open space, excessive height of the building (9 storey), lack of communal building and visionary landscape, all of which would result in a segregated community. She continued that charges for using the community centres available on the estate were not affordable to most of the residents. Mrs Bainbridge urged the Committee to reject the application until the concerns she had raised had been resolved by the applicant.

Nigel Swanton, the applicant's agent, stated that a number of issues that were initially misunderstood had been clarified in the officer's report. He continued that the community centres on the estate made only notional charges and did not make profits from their operations which were subsidised by Hyde Housing Association. He confirmed that the mix tenure would ensure that in excess of 50% of the units would be given for affordable housing.

In response to members' questions Mr Swanton stated that 4-bedroom properties were not a feature of the scheme as they were neither desirable nor affordable. The car parking spaces had been increased to a level that exceeded parking standards and satisfied the requirements of the Council's Highways section. In his view, the scheme would be quite open with community gardens for use by nearby residents and complied with the Stonebridge master plan in terms of height and open space and the council's SPG17, in terms of sunlight and outlook.

DECISION: Planning permission granted as recommended.

**6. Former Guinness Brewery Site, Rainsford Road, Park Royal, NW10 (Ref. 12/2862)**

**PROPOSAL:**

Full planning application for Plot 1 for the erection of 3 buildings providing a total of 14,704 sq.m. (GEA) of B1c, B2 and B8 floorspace, including a new access onto Cumberland Avenue and associated car parking, landscaping and ancillary works. Outline application for Plot 2 for the development of up to 28,111 sq.m. (GEA) of B1c, B2 and B8 floorspace with all matters reserved except the first phase of landscaping.

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 and Procurement.

Neil McClellan, Area Planning Manager, updated members that since the report was circulated the Greater London Authority (GLA) had confirmed its satisfaction with the application and therefore it would now not be referred to the Mayor's Office for a final decision. He added that the Council's Highways section had raised no issues with the scheme and that the Transportation Unit had suggested conditions to secure the matters set out in the tabled supplementary report. In response to members' questions, the Planning Manager stated that the applicant was eager to progress the scheme and that educational and medical facilities for future occupiers were located in nearby areas.

Neil McClellan advised members that the Section106 financial contribution for this scheme as set out in the committee report was incorrect and that the actual contribution being sought by officers was £800,000.

DECISION: Planning permission granted as recommended.

**7. Updated Barnhill and Queen's Park Conservation Design Guide**

Members received a report which provided an update on a review of Brent's Conservation Area Design Guides being undertaken with the overall aim of producing up to date documents to give clear guidance primarily to residents on acceptable types of development. The Draft Conservation Area Design Guides for Barnhill and Queen's Park were attached as appendices to the report.



Steve Weeks, Head of Area Planning, outlined the key elements of the design guides for both Barnhill and Queen's Park Conservation areas and added that as well as providing more clarity for residents, the guides would assist the Council in defending a decision where an appeal had been lodged. He continued that there had been discussions with residents groups on the draft Design Guides and the guides were now ready for public consultation to commence at the end of January 2013.

In response to members' questions about the form of consultation, the Head of Area Planning explained that in addition to letters to residents in those areas, a link to the council's website would be provided for on-line responses and that officers would hold drop-in sessions with residents. Consideration would also be given to consultation via Brent Connects Forums (formerly Area Consultative Committees) subject to the timescales of their meeting.

RESOLVED:

that the draft Barnhill Conservation Area Design Guide and Queen's Park Conservation Area Design Guide be endorsed for public consultation scheduled to commence at the end of January 2013.

**8. Appeals 1 November to 31 December 2012**

RESOLVED:

that the schedule of appeals for the period 1 November to 31 December 2012 be noted.

**9. Date of next meeting**

The next meeting would take place on Wednesday 13 February 2013.

**10. Any Other Urgent Business**

None.

The meeting ended at 8:00pm

COUNCILLOR KETAN SHETH  
Chair

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## **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.

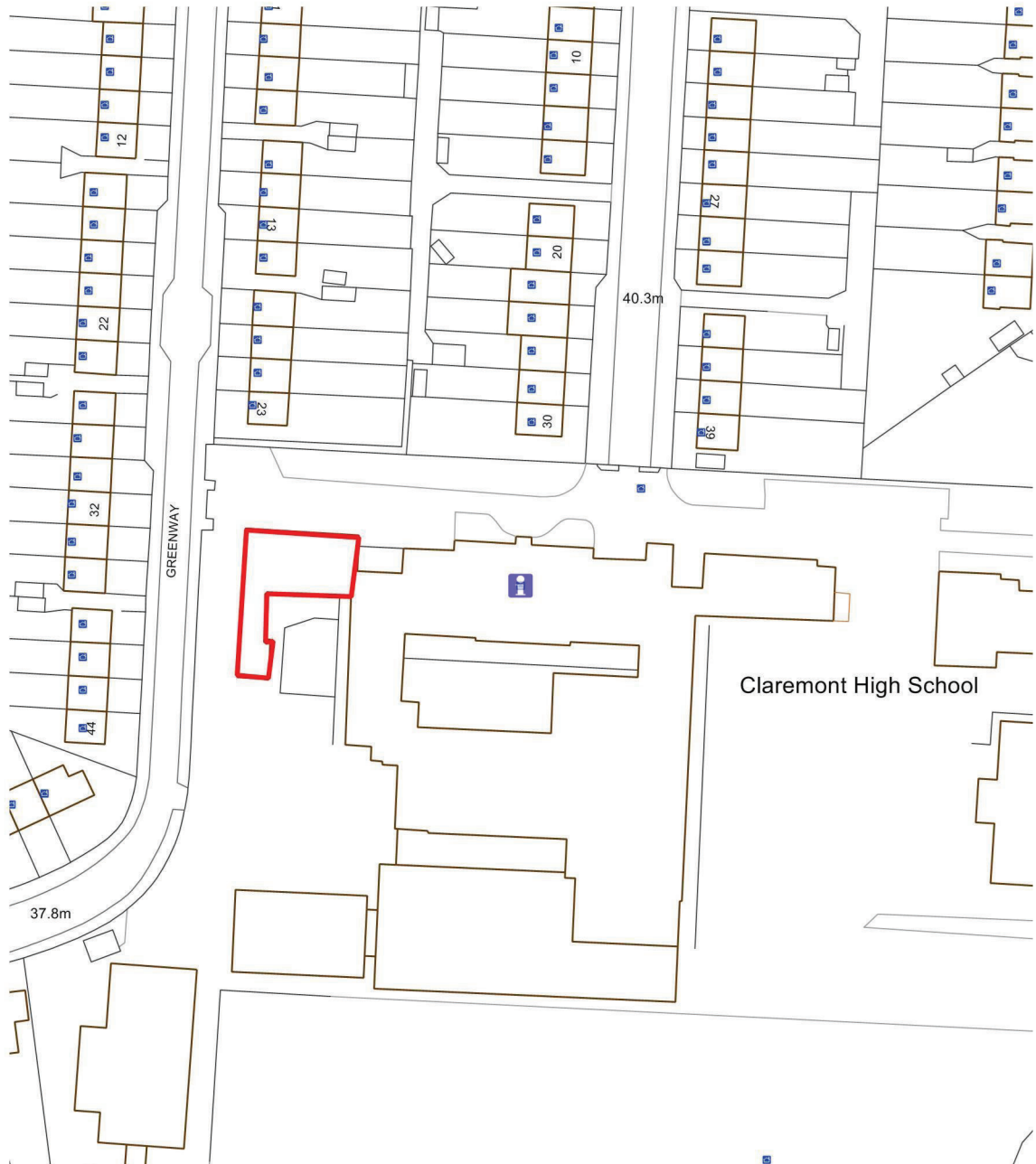
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## Planning Committee Map

Site address: Claremont High School, Claremont Avenue, Harrow, HA3 0UH

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This map is indicative only.

**RECEIVED:** 27 November, 2012

**WARD:** Kenton

**PLANNING AREA:** Kingsbury & Kenton Consultative Forum

**LOCATION:** Claremont High School, Claremont Avenue, Harrow, HA3 0UH

**PROPOSAL:** Erection of first floor extension to existing single storey western wing of Claremont High School to form Sixth Form facility comprising three additional classrooms and library at north west of school site.

**APPLICANT:** The Governors

**CONTACT:** ABA Chartered Surveyors

**PLAN NO'S:**  
See Condition 2.

**RECOMMENDATION**

Approval.

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be £0.00.

**EXISTING**

The application site, containing the Claremont Secondary school, lies within the predominantly residential suburban area of Kenton.

The site contains three main school blocks to the north and west of the 3.15 ha site, some of which have been extended in recent years (see planning history for more information). Playing fields lie to the south of the site, and directly beyond this, the Wealdstone Brook.

The site abuts Greenway to the west, for which there is vehicular access and is the main pedestrian entrance to the school. To the north lies Claremont Avenue (previously used for school access but is now used for staff parking), Salehurst Close and Kinross Close.

To the south and east are the residential properties to the rear of Chapman Crescent, Vine Court and Falcon Way. The site is not within a Conservation Area, and contains no listed buildings.

**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	non-residential institutions	school

**FLOORSPACE in sqm**

Number	Existing	Retained	Lost	New	Net gain
1	0			435	435

**TOTALS in sqm**

Totals	Existing	Retained	Lost	New	Net gain
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## PROPOSAL

This application is for the erection of a first and second storey extension to the western wing of Claremont High School to form a Sixth Form facility comprising three additional classrooms, informal learning space and library at north west of school site.

The application has been submitted as "Option 1" of two options for the accommodation of the Sixth Form facility on the site, both of which are being considered by the council's Planning Committee. Only one of the two options will be implemented.

This report should be read in conjunction with the report for application reference 12/3110.

## HISTORY

There have been a number of planning applications submitted in recent years relating to the school. A summary of the main recent applications are listed below:

**12/3110** - Erection of first and second floor extension to existing ground floor gymnasium and toilets at north eastern wing of Claremont High school, to form additional accommodation for Sixth Form Facility - to be determined in due course.

**12/1002** - Erection of first floor extension to Claremont High School to form and part two storey extension to school - Withdrawn, summer 2012.

**11/1361** - Demolition of existing two-storey structure containing workshop and classroom and erection of two-storey infill extension containing four classrooms, one workshop and new atrium to school - Approved, 20/07/2011

**10/1189** - Details pursuant to condition 5 (cycle parking) 7 (landscape buffer) of full planning permission reference 09/2520 dated 17/05/2010 for demolition of an existing single-storey extension and construction of a two-storey extension, with classrooms in the roof space, to the east wing of the main school building - Approved, 23/08/2011

**10/0705** - Details pursuant to conditions 3 (materials) and 4 (landscaping) of full planning permission reference 09/2342, dated 8 January 2010, for two-storey extension facing 44 & 46 Greenway, HA3, comprising entrance foyer and offices, and installation of canopy above entrance to sports hall of school - Approved, 23/06/2010

**09/2520** - Demolition of an existing single-storey extension and construction of a two-storey extension, with classrooms in the roof space, to the east wing of the main school building - Approved, 17/02/2010

**09/3167** - Demolition of an existing single-storey extension and construction of a two-storey extension, with classrooms in the roof space, to the east wing of the main school building – Granted 24/11/09.

**09/0304**: Proposed ground and first floor extension to east wing of main school building – Granted, 08/04/2009.

**08/1968**: Full Planning Permission sought for formation of a fenced and floodlit, synthetic-turf-surfaced soccer pitch on the existing school playing-fields – Granted, 10/09/2008.

**07/2385**: Full Planning Permission sought for two storey rear extension to the secondary school, adjacent to gardens of 60 to 64 Chapman Crescent - Granted, 12/10/2007.

**06/1476**: Full Planning Permission sought floor demolition of existing detached building and construction of a two storey building and linking walkway to the existing block for the use as adult training centre and special needs classrooms - Granted, 21/07/2006.

**05/2460**: Full Planning Permission sought for erection of new sports hall changing rooms and internal street circulation to adjoining existing school buildings - Granted, 21/12/2005.

**01/1793:** Full Planning Permission sought for erection of new arts hall for music, dance and drama ancillary to existing courtyard for school and community use - Granted, 01/03/2002.

**97/1486:** Full Planning Permission sought for demolition of existing modern languages block building and erection of replacement detached 2-storey building - Granted, 18/11/1997.

**96/0980:** Full Planning Permission sought for erection of two storey building with accommodation in roof space - Granted, 07/08/1996.

## **POLICY CONSIDERATIONS**

### ***National***

#### *National Planning Policy Framework*

The NPPF was published on 27 March and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. Its intention is 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 still be relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight. The NPPF places great importance on ensuring that sufficient school places are available to meet the needs of existing and new communities. Local planning authorities should take a pro-active, positive and collaborative approach to meeting this requirement and should give great weight to the need to create, expand or alter schools. Core Strategy and UDP saved policies referred to in the report below have been considered in the assessment of the application and the recommendation is considered to comply with the NPPF.

### ***Regional***

The development plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act is the Brent Unitary Development Plan 2004, the Brent Core Strategy 2010 and the London Plan 2011.

#### *London Plan 2011*

Strategic planning in London is the shared responsibility of the Mayor of London, 32 London boroughs and the Corporation of the City of London. Under the legislation establishing the Greater London Authority (GLA), the Mayor has to produce a spatial development strategy (SDS) – which has become known as ‘the London Plan’ – and to keep it under review. Boroughs’ local development documents have to be ‘in general conformity’ with the London Plan, which is also legally part of the development plan that has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not.

Key policies include:

- 3.16 Protection and Enhancement of Social Infrastructure
- 3.18 Education Facilities
- 6.3 Assessing effects of development on transport capacity
- 7.2 An inclusive environment
- 7.4 Local Character
- 7.5 Public realm
- 7.6 Architecture

### ***Local***

#### *Brent Unitary Development Plan 2004*

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

#### *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

#### *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.
- TRN12 Road safety and traffic management
- TRN13 Traffic calming
- 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.
- PS12 Car parking standards – Class D1
- PS15 Parking standards for disabled people
- PS16 Cycle parking standards

#### *Open Space, Sport & Recreation*

- OS9 Dual Use Open Space

#### *Community Facilities*

- CF8 School Extensions
- CF10 Development Within School Grounds

#### *Brent Core Strategy 2010*

The following spatial policies are considered relevant to this application:

- CP 6 Design & density in place shaping  
Sets out the requirements for appropriate design and density levels for development
- CP 15 Infrastructure to support development  
Requires that the infrastructure requirements of new development are met
- CP18 Protection and enhancement of Open Space, Sports & Biodiversity  
Protects all open space from inappropriate development. Promotes enhancements to open space, sports and biodiversity, particularly in areas of deficiency and where additional pressure on open space will be created
- CP 23 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*

##### *SPG 17 "Design Guide for New Development" Adopted October 2001*

Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

#### **CONSULTATION**

Kenton Ward Councillors and 154 neighbours were consulted by letter on 05/11/2012.

Two representations have been received from residents objecting to the scheme, on the following grounds:

- Loss of sunlight, daylight, privacy and amenity to adjoining residential properties
- Poor quality design, overdevelopment of site and adverse impact on existing residential character
- Disturbance and additional traffic and congestion from construction vehicles
- Lack of wider consultation on the proposal

- Usage of the school premises outside of school operating hours for which no planning permission has been given
- Increase in noise, particularly in the summer months, resulting in residential disturbance.
- It is not clear why additional classroom space is required if there is no increase in pupil numbers given that demand may increase.

Additionally the council's Transportation, Children and Families, Design, Landscape and Environmental Health departments were consulted by email; no objections have been raised by the internal consultees.

## **REMARKS**

### **Key considerations**

The main planning issues are considered to be:

1. Previous applications and principle of development
2. Design, scale and massing
3. Impact on residential amenity and street scape
4. Playspace, landscaping and trees
5. Transportation and highway safety
6. Response to objections
7. Conclusion

### **1. Previous applications and principle of development**

The subject application is for an additional 475sqm of classroom and circulation space to create a designated Sixth Form centre for the Claremont School. The accommodation, to be provided to the north west corner of the school site, would comprise a first floor extension atop an existing ground floor school building adjoining the eastern boundary of the residential road, Greenway. This application is option 1 of 2 options for the provision of the new Sixth Form Facility, and it is noted that if both options are approved, only one permission would be implemented (for more information please see application reference 12/3110 which is also being considered at the same Planning Committee).

The application, which is the re-submission of a previously withdrawn proposal in summer 2012 (LPA Ref: 12/1002), seeks to provide a similar level of accommodation as proposed within the withdrawn application but has sought to address the council's concerns in relation to design, and further detail has been provided on its potential transportation impact.

The extension seeks to meet the school's current demand for school places and is therefore acceptable in principle; the more detailed issues relating to the application are considered within the rest of the report below.

It is noted that the school seeks to implement this permission or application reference 12/3110, therefore a condition will be included to ensure that only one of these permissions is implemented should the Council resolve to grant application reference 12/3110.

### **2. Design, scale and massing**

The proposed first floor extension would be located to the north west of the main Claremont school building atop the existing single storey classrooms to the east of Greenway. The extension would be L shaped, set 8.5m off the western boundary of the site adjoining Greenway, and would span a total north south length of 22.5m. At its northernmost point, the extension would wrap around the site to the east extending a further 20m set off its northern boundary by approximately 15m. The footprint of the extension would not project any closer to its boundaries beyond that of its existing building, and the height of the building would increase by up to 3.5m compared to the existing roof.

In consideration of the constrained site, the principle of extending "up" rather than "across" is considered to be acceptable in this case, given that there is limited external space at the school.

The extension would be highly visible from the highway; as such the design of the building is very important on the streetscape and character of the area. The proposed design would replicate the existing building and match its existing proportions and materials including the roof and brick structure.

Its fenestration and proportions would generally match the lower floor and is considered acceptable. A condition will be included to ensure that full details of the proposed materials are provided.

The proposed classrooms, informal learning space and library have a regular shape and are well sized, and are considered to be of an acceptable layout for their purpose.

### **3. Impact on residential amenity and streetscape**

The Council seeks to protect the amenity of neighbouring occupants to an acceptable standard whilst recognising the need for new development. The main impacts on amenity to be considered are: overbearing impact of the size and scale of the extension; loss of outlook, which is related to overbearing impact; loss of privacy; and loss of sunlight. Following the policies contained within part 3.7 Urban Design Principles of the Built Environment Chapter of the UDP, the council has published Supplementary Planning Guidance No. 17 "Design Guide for New Development" (SPG17) which establishes generally acceptable standards relating to these matters, although site specific characteristics will mean these standards could be tightened or relaxed accordingly.

The nearest residential properties to the proposed school extension would be the flank elevation of No. 23 The Greenway to the north of the extension (19m minimum distance), and to the west of the site adjoining The Greenway (23m minimum distance). There are no residential dwellings to the south and east of the extension as these elevations are bounded by the remainder of the school therefore the proposal will not have any impact on residential amenity.

In consideration that the extension would be over 19m away from No. 23 The Greenway to the north, and over 23m to the properties on the even side of The Greenway, the extension complies with SPG17 and its impact is therefore considered to comply with the council's policies on privacy, amenity, sunlight, daylight and scale and massing.

### **4. Playspace, landscaping and trees**

Sport England is required to be consulted on any application which may affect playing pitches. The proposed extension would be atop an existing building and on part of a concreted area not currently used for playspace. Sport England, therefore, have not been consulted.

The application will not result in the loss of any existing trees and a condition will be secured for landscaping to be secured on the boundary with Greenway to reduce the development's impact.

### **5. Transportation, parking and highway safety**

UDP policy CF8 School Extensions requires proposals to have an acceptable transport impact and schemes will be subject to measures to reduce car usage. Policy TRN1 Transport Assessment ensures applications will be assessed for their transport impact and developments with a potentially significant impact on the transport network should submit a Transport Assessment. Policies TRN2, 3 and 4 relate to testing that impact and measures to make transport impact acceptable. The London Plan 2011 contains a number of relevant policies including 6.1 Strategic Approach, 6.3 Assessing Effects of Development on Transport Capacity, 6.9 Cycling and 6.13 Parking.

It is noted that the proposed extension will provide a dedicated Sixth Form Centre for the existing pupils and will not result in any additional staff or pupils. Although a Travel Plan could not reasonably be justified in normal circumstances, as the school accepted an additional form of entry in 2007 without updating the Travel Plan, and in consideration that many of the pupils accepted as part of the extra form of entry will be moving into the Sixth Form Facility once built, an updated Travel Plan will be secured through condition to mitigate these impacts alongside the extra demand from Sixth Form places arising from the upgraded facilities.

The council's Transportation Department initially objected to the proposal in consideration that no information had been provided on additional pupil numbers. In consideration that a full statement has now been provided from the applicant on this matter, the transportation issues are therefore considered to be resolved.

### **6. Response to objections**

Two objections have been received on the proposal. The case officer has responded to each of the issues raised as set out below.

Comment	Officer response
The proposal results in an overdevelopment of the site which will restrict views across the area.	The proposal complies with SPG17 in terms of its size, scale, impact on privacy and amenity. Although the proposal would be highly visible from Greenway, its design is considered to respect the existing building's character. A condition has also been included for further details of landscaping to soften the impact of the proposal.
The construction works for the extension will result in disruption to the local area, including weekend lorry traffic, noise and disruption before 8am along The Greenway and Cranleigh Gardens.	Whilst construction works may have a limited impact on adjoining occupiers within the locality, this would not be significant to warrant refusal. The applicant will be reminded within an informative of the general hours of operation and code of practice during construction.
The most recent extensions have resulted in the school being regularly being hired out at weekends and evenings for non-school purposes for adults, particularly leisure uses, for which they do not have permission.	The school falls within the D1 use class "non residential institutions" which allows for the school to be used for general purposes within this use class .
The proposal will result in an increase in road congestion which is already unacceptable. The proposal will result in further negative impacts including air quality, noise, safety and congestion.	The proposal will not accommodate any additional pupils within the development. However, it is noted that the school has increased in capacity by one form of entry since the last Travel Plan, therefore a condition will be included to ensure it is updated to promote better use of sustainable and public transport to mitigate against any additional impact resulting from the historical increase in pupil numbers.
There has been a lack of wider consultation on the proposal.	The council has a requirement to consult adjoining occupiers. In consideration that the proposal will not increase pupil numbers, the extent of the consultation is considered to be acceptable.
The school's expansion is too large for its site and cannot accommodate the level of growth proposed.	It is acknowledged the school has expanded in recent years to accommodate further growth and to meet its educational needs. In consideration of the shortage of available land for schools within London, accommodating growth on existing school sites is in line with the council's policies, the London Plan and the National Planning Policy Framework.
It is not clear why additional classroom	It is understood that the school's Sixth Form facility is currently

space is required in consideration that no additional school places are required. This appears to be at odds with the statement that “demand” may increase because of the extension.	operating in cramped and unsuitable conditions which is why the extension is needed. Although the school has not stated that the extension will increase demand for places, it is often the case that newer facilities increase the desirability for places which is why the case officer has required that impact on demand is considered as part of the updated Travel Plan.
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## **7. Conclusion**

The proposed scheme complies with the relevant policies for school development; accordingly approval is recommended.

**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:-

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

Transport: in terms of sustainability, safety and servicing needs

Community Facilities: in terms of meeting the demand for community services

Brent Core Strategy 2010

The London Plan 2011

Supplementary Planning Guidance Note 17 - Design Guide for New Development

### **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):

1202-ex-01; 1202-ex-02; 1202-pl-02 Revision A; 1202-pl-03 Revision A; 1202-pl-04; 1202-pl-01 Revision B received 15/01/2013.

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

- (3) Works for the extensions to the school hereby approved under application reference 12/2942

shall not be implemented if works to implement application reference 12/3110 are commenced.

Reason: To safeguard the amenities of the locality.

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

Such scheme shall indicate:

- Screen planting along the western boundary with Greenway.

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.

- (5) Prior to the occupation of the new development, an updated School Travel Plan shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall reflect the increase in pupil numbers resulting from additional school places since 2007 and shall be implemented in full accordance with the approved details within three months of the occupation of the development and adhered to thereafter.

Reason: In the interests of encouraging non-car modes of transportation.

- (6) Details of materials for all external work, including samples, detailed drawings and sections, 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.

#### **INFORMATIVES:**

- (1) The applicant is advised that during demolition and construction on site:
- The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site
  - The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays
  - Vehicular access to adjoining premises shall not be impeded
  - All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only
  - No waste or other material shall be burnt on the application site
  - A barrier shall be constructed around the site, to be erected prior to work commencing
- A suitable and sufficient means of suppressing dust must be provided and maintained
- (2) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)



Any person wishing to inspect the above papers should contact Laura Jenkinson, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5276

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 **Planning Committee Map**  
Site address: Claremont High School, Claremont Avenue, Harrow, HA3 0UH  
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

**RECEIVED:** 17 December, 2012

**WARD:** Kenton

**PLANNING AREA:** Kingsbury & Kenton Consultative Forum

**LOCATION:** Claremont High School, Claremont Avenue, Harrow, HA3 0UH

**PROPOSAL:** Demolition of existing single storey store and office and erection of first and second floor extension to existing ground floor girls' gymnasium at north eastern wing of Claremont High school, to form additional accommodation for Sixth Form Facility

**APPLICANT:** The Governors

**CONTACT:** ABA Chartered Surveyors

**PLAN NO'S:**  
See Condition 2.

**RECOMMENDATION**

Approval.

**EXISTING**

The application site, containing the Claremont Secondary school, lies within the predominantly residential suburban area of Kenton.

The site contains three main school blocks to the north and west of the 3.15 ha site, some of which have been extended in recent years (see planning history for more information). Playing fields lie to the south of the site, and directly beyond this, the Wealdstone Brook.

The site abuts Greenway to the west, for which there is vehicular access and is the main pedestrian entrance to the school. To the north lies Claremont Avenue (previously used for school access but is now used for staff parking), Salehurst Close and Kinross Close.

To the south and east are the residential properties to the rear of Chapman Crescent, Vine Court and Falcon Way. The site is not within a Conservation Area, and contains no listed buildings.

**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	non-residential institutions	school

**FLOORSPACE in sqm**

Number	Existing	Retained	Lost	New	Net gain
1	75		75	925	850

**TOTALS in sqm**

Totals	Existing	Retained	Lost	New	Net gain
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## PROPOSAL

This application is for the demolition of an existing single storey office and store to the south of the existing girls' gymnasium and the erection of a first and second floor extension atop the existing ground floor gymnasium to the north eastern wing of Claremont High School. The extension, which is to provide accommodation for the existing Sixth Form facility, would comprise of five additional classrooms, a reception area, two study rooms, an office, toilets, two stair cases (one emergency) and a lift at the north east of school site.

The application has been submitted as "Option 2" of two options for the accommodation of the Sixth Form facility on the site, both of which are being considered by the council's Planning Committee. Only one of the two options will be implemented.

This report should therefore also be read in conjunction with the report for application reference 12/2942.

## HISTORY

There have been a number of planning applications submitted in recent years relating to the school. A summary of the main recent applications are listed below:

**12/2942** - Erection of first floor extension to existing single storey western wing of Claremont High School to form Sixth Form facility comprising three additional classrooms and library at north west of school site - to be determined in due course.

**12/1002** - Erection of first floor extension to Claremont High School to form and part two storey extension to school - Withdrawn, summer 2012.

**11/1361** - Demolition of existing two-storey structure containing workshop and classroom and erection of two-storey infill extension containing four classrooms, one workshop and new atrium to school - Approved, 20/07/2011

**10/1189** - Details pursuant to condition 5 (cycle parking) 7 (landscape buffer) of full planning permission reference 09/2520 dated 17/05/2010 for demolition of an existing single-storey extension and construction of a two-storey extension, with classrooms in the roof space, to the east wing of the main school building - Approved, 23/08/2011

**10/0705** - Details pursuant to conditions 3 (materials) and 4 (landscaping) of full planning permission reference 09/2342, dated 8 January 2010, for two-storey extension facing 44 & 46 Greenway, HA3, comprising entrance foyer and offices, and installation of canopy above entrance to sports hall of school - Approved, 23/06/2010

**09/2520** - Demolition of an existing single-storey extension and construction of a two-storey extension, with classrooms in the roof space, to the east wing of the main school building - Approved, 17/02/2010

**09/3167** - Demolition of an existing single-storey extension and construction of a two-storey extension, with classrooms in the roof space, to the east wing of the main school building – Granted 24/11/09.

**09/0304:** Proposed ground and first floor extension to east wing of main school building – Granted, 08/04/2009.

**08/1968:** Full Planning Permission sought for formation of a fenced and floodlit, synthetic-turf-surfaced soccer pitch on the existing school playing-fields – Granted, 10/09/2008.

**07/2385:** Full Planning Permission sought for two storey rear extension to the secondary school, adjacent to gardens of 60 to 64 Chapman Crescent - Granted, 12/10/2007.

**06/1476:** Full Planning Permission sought floor demolition of existing detached building and construction of a two storey building and linking walkway to the existing block for the use as adult training centre and special needs classrooms - Granted, 21/07/2006.

**05/2460:** Full Planning Permission sought for erection of new sports hall changing rooms and internal street circulation to adjoining existing school buildings - Granted, 21/12/2005.

**01/1793:** Full Planning Permission sought for erection of new arts hall for music, dance and drama ancillary to existing courtyard for school and community use - Granted, 01/03/2002.

**97/1486:** Full Planning Permission sought for demolition of existing modern languages block building and erection of replacement detached 2-storey building - Granted, 18/11/1997.

**96/0980:** Full Planning Permission sought for erection of two storey building with accommodation in roof space - Granted, 07/08/1996.

## **POLICY CONSIDERATIONS**

### ***National***

#### *National Planning Policy Framework*

The NPPF was published on 27 March and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. Its intention is 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 still be relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight. The NPPF places great importance on ensuring that sufficient school places are available to meet the needs of existing and new communities. Local planning authorities should take a pro-active, positive and collaborative approach to meeting this requirement and should give great weight to the need to create, expand or alter schools. Core Strategy and UDP saved policies referred to in the report below have been considered in the assessment of the application and the recommendation is considered to comply with the NPPF.

### ***Regional***

The development plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act is the Brent Unitary Development Plan 2004, the Brent Core Strategy 2010 and the London Plan 2011.

#### *London Plan 2011*

Strategic planning in London is the shared responsibility of the Mayor of London, 32 London boroughs and the Corporation of the City of London. Under the legislation establishing the Greater London Authority (GLA), the Mayor has to produce a spatial development strategy (SDS) – which has become known as ‘the London Plan’ – and to keep it under review. Boroughs’ local development documents have to be ‘in general conformity’ with the London Plan, which is also legally part of the development plan that has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not.

Key policies include:

- 3.16 Protection and Enhancement of Social Infrastructure
- 3.18 Education Facilities
- 6.3 Assessing effects of development on transport capacity
- 7.2 An inclusive environment
- 7.4 Local Character
- 7.5 Public realm
- 7.6 Architecture

### ***Local***

#### *Brent Unitary Development Plan 2004*

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

### *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

### *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.
- TRN12 Road safety and traffic management
- TRN13 Traffic calming
- 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.
- PS12 Car parking standards – Class D1
- PS15 Parking standards for disabled people
- PS16 Cycle parking standards

### *Open Space, Sport & Recreation*

- OS9 Dual Use Open Space

### *Community Facilities*

- CF8 School Extensions
- CF10 Development Within School Grounds

### *Brent Core Strategy 2010*

The following spatial policies are considered relevant to this application:

- CP 6 Design & density in place shaping  
Sets out the requirements for appropriate design and density levels for development
- CP 15 Infrastructure to support development  
Requires that the infrastructure requirements of new development are met
- CP18 Protection and enhancement of Open Space, Sports & Biodiversity  
Protects all open space from inappropriate development. Promotes enhancements to open space, sports and biodiversity, particularly in areas of deficiency and where additional pressure on open space will be created
- CP 23 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*

#### *SPG 17 "Design Guide for New Development" Adopted October 2001*

Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

### **CONSULTATION**

Kenton Ward Councillors and 121 neighbours were consulted by letter on 21/11/2012. The council's Transportation, Children and Families, Design, Landscape and Environmental Health departments were also consulted by email; none of the council's internal departments have objected to the scheme.

Five representations have been received from residents objecting to the scheme on the following grounds:

- Loss of sunlight, daylight, privacy and amenity to adjoining residential properties
- Loss of views to the south of the site to Wembley Stadium
- Poor quality design, overdevelopment of site and adverse impact on existing residential character
- Increase in noise, particularly in the summer months, resulting in residential disturbance
- The council has not carried out adequate consultation procedures for this application

It is not clear why additional classroom space is needed if there are no increases in pupil numbers, which is at odds with any projected increase in demand.

## **REMARKS**

### **Key considerations**

The main planning issues are considered to be:

1. Principle of development
2. Design, scale and massing
3. Impact on residential amenity and street scape
4. Playspace, landscaping and trees
5. Transportation and highway safety
6. Response to objections
7. Conclusion

#### ***1. Principle of development***

The subject application is for the demolition of the existing single storey store and office adjoining the girls' gym to its south (rear) and the erection of a first and second storey extension atop the girls' gym to create an additional 850sqm of classroom and circulation space for a designated Sixth Form centre for the Claremont School including five classrooms, a reception area, two staircases (one for emergency) toilets, two study rooms and an office. The accommodation is proposed to be provided to the north east of the school site.

The extension is required to meet the school's current demand for school places and is therefore acceptable in principle; the more detailed issues relating to the application are considered within the assessment below. It should be noted that two applications have been submitted for consideration to accommodate the additional classrooms for the Sixth Form facility, both of which are being considered at this Planning Committee with only one permission being implemented if both applications are approved (for more information please see application reference 12/2492). It is noted that application reference 12/3110 would be the application which would be more likely to be implemented given the additional floorspace it provides in the form of an office, additional informal study room space and toilets.

A condition would be included to ensure that only one of these permissions is implemented should the Council resolve to grant both applications.

#### ***2. Design, scale and massing***

The proposed first and second floor extension would be located to the north east of the main Claremont school building atop the existing single storey girls' gym to the south of Salehurst Close. The extension would have a width of 34m and depth of 17.5m and would be set off the rear gardens of Nos. 30 and 32 Salehurst Close by a minimum of 16.5m, to 19m. The extension would be stepped slightly, following the same line as the existing building, and would have an emergency staircase adjoining the building to the east with the main access to the south. The circulation space would be located to the rear of the building alongside the lift core and foyer, which would project to the south of the site. The footprint of the extension would not project any closer to its "external" boundaries beyond that of its existing building, and the height of the building would increase by 6.4m compared to the existing roof, which is currently 5.9m and would thus increase in height to 12.3m.

In consideration of the constrained site, the principle of extending "up" rather than "across" is considered to be acceptable in this case, given that there is limited external space at the school which is not designated playspace or playing fields.

The extension would be visible from the rear gardens of the southern cul de sac end of Salehurst Close, particularly at Nos. 30 and 32, and would also be visible from the end of the cul de sac. The proposed design



would replicate the fenestration of the existing building and would effectively be a design which is replicated across the two additional storeys, with a large glazed area to the western elevation which would also cover part of the front elevation to the two study rooms. The design would match that of the existing front entrance and foyer of the school.

The council's Design Officer has been consulted on the proposal and are generally positive about the design of the extension; the proposed elevations have been designed to reflect the proportions and rhythm of the existing building and the architectural language is consistent with an institutional building. The external expression of internal uses provides legible elevations which clearly reflect the functionality of the building.

A condition will be included to ensure that full details of the proposed materials are provided.

The proposed classrooms, informal learning space and library have a regular shape and are well sized, and are considered to be of an acceptable layout for their purpose.

### ***3. Impact on residential amenity and streetscape***

The Council seeks to protect the amenity of neighbouring occupants to an acceptable standard whilst recognising the need for new development. The main impacts on amenity to be considered are: overbearing impact of the size and scale of the extension; loss of outlook, which is related to overbearing impact; loss of privacy; and loss of sunlight. Following the policies contained within part 3.7 Urban Design Principles of the Built Environment Chapter of the UDP, the council has published Supplementary Planning Guidance No. 17 "Design Guide for New Development" (SPG17) which establishes generally acceptable standards relating to these matters, although site specific characteristics will mean these standards could be tightened or relaxed accordingly.

The nearest residential properties to the proposed school extension would be Nos. 30 and 32 Salehurst Close to the north, whose gardens would be a minimum of 16.5m to 19m away from the building, and whose nearest habitable rooms would be a minimum of 25m away from the extension. The proposal therefore meets SPG17 in terms of sunlight, daylight, scale and massing given its considerable distance away from the properties and gardens which requires a minimum separation of 10m from the garden boundary, and 20m from the nearest rear habitable room. It is noted that the large glazed area to the western elevation, which would partly wrap around the northern elevation, would be only a corner of the elevation facing Salehurst Close and in consideration of school operation hours, on balance is acceptable. There are windows within the northern elevation, however taking into account the use of the extension, separation from the boundary and existing levels of privacy, the proposal is not considered to have a significant impact on the neighbouring occupants. As the school is predominantly two storey, a condition will be included to ensure that the third floor of the extension is used between 07:00 to 19:00 hours only to ensure there is no evening light spillage.

Further landscaping details will be required to be submitted to further reduce the impact to the adjoining properties to the north.

### ***4. Playspace, landscaping and trees***

Sport England is required to be consulted on any application which may affect playing pitches. The proposed extension would be atop an existing building and on part of a concreted area not currently used for playspace. Sport England, therefore, have not been consulted.

The application will not result in the loss of any existing trees and a condition will be secured for landscaping to be secured on the boundary with Salehurst Close to reduce the development's impact.

### ***5. Transportation, parking and highway safety***

UDP policy CF8 School Extensions requires proposals to have an acceptable transport impact and schemes will be subject to measures to reduce car usage. Policy TRN1 Transport Assessment ensures applications will be assessed for their transport impact and developments with a potentially significant impact on the transport network should submit a Transport Assessment. Policies TRN2, 3 and 4 relate to testing that impact and measures to make transport impact acceptable. The London Plan 2011 contains a number of relevant policies including 6.1 Strategic Approach, 6.3 Assessing Effects of Development on Transport Capacity, 6.9 Cycling and 6.13 Parking.

It is noted that the proposed extension will provide a dedicated Sixth Form Centre for the existing pupils and will not result in any additional staff or pupils. Although a Travel Plan could not reasonably be justified in normal circumstances, as the school accepted an additional form of entry in 2007 without updating the Travel Plan, and in consideration that many of the pupils accepted as part of the extra form of entry will be moving into the Sixth Form Facility once built, an updated Travel Plan will be secured through condition to mitigate these impacts alongside the extra demand from Sixth Form places arising from the upgraded facilities.

The council's Transportation Department initially objected to the proposal in consideration that no information had been provided on additional pupil numbers. In consideration that a full statement has now been provided from the applicant on this matter, the transportation issues are therefore considered to be resolved.

## **6. Response to objections**

Five objections have been received on the proposal. The case officer has responded to each of the issues raised as set out below.

Comment	Officer response
The proposal would result in a loss of sunlight, daylight, privacy and amenity and would be better located away from residential properties on the school's playing fields.	The proposal complies with SPG17 in terms of its size, scale, impact on privacy and amenity and it is noted that the extension is a considerable distance away from the adjoining residential gardens and habitable room windows to the properties adjoining the northern boundary. As such the proposal is considered to have an acceptable impact on amenity.
The proposal will restrict views across the area and to Wembley Stadium	The Council does not have a specific policy to protect these local views of the Wembley Stadium. As such, this issue would not warrant refusal.
The proposal does not reflect the residential character of the existing area and recent proposals for the school has continually eroded the residential character of the site.	Whilst it is noted that the proposal is more modern in design than many of the existing school buildings in consideration of its large glass façade to the south and west of the site, the northern elevation of the extension reflects the fenestration of the existing building and would generally be visually acceptable.
The school's expansion is too large for its site and has grown disproportionately over recent years.	It is acknowledged the school has expanded in recent years to accommodate further growth and to meet its educational needs. In consideration of the shortage of available land for schools within London, accommodating growth on existing school sites is in line with the Council's policies, the London Plan and the National Planning Policy Framework.
The proposed extension will cause noise pollution, particularly in the summer when windows within the school and adjoining property will be open.	The extension is considered far enough away from residential uses not to cause any additional noise disturbance. Furthermore as the site is already a school, it will not give rise to any additional noise based on its existing use.
The school has seen a	The level of growth of schools is

disproportionate level of growth in pupil numbers and extensions over the last few years compared to other local schools.	demand and population based and the level of demand is not something that is able to be controlled by the council. Council policy CF8 seeks to positively allow for the growth of schools where a demand is required to be met.
It is not clear why additional classroom space is required in consideration that no additional school places are required. This appears to be at odds with the statement that "demand" may increase because of the extension.	It is understood that the school's Sixth Form facility is currently operating in cramped and unsuitable conditions which is why the extension is needed. Although the school has not stated that the extension will increase demand, it is often the case that newer facilities increase the desirability for places which is why the case officer has required that impact on demand is considered as part of the updated Travel Plan.
The council has not carried out adequate consultation procedures for this application.	The council has consulted all adjoining occupiers as part of the statutory process. On some occasions the council may consult wider on applications but in this case it wasn't considered necessary in consideration that there would be no increase in pupil numbers.
The extension will result in a loss of property values in the local area.	This is not a material planning consideration.

## 7. Conclusion

The proposed scheme complies with the relevant policies for school development; accordingly approval is recommended.

**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:-

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

Transport: in terms of sustainability, safety and servicing needs

Community Facilities: in terms of meeting the demand for community services

Brent Core Strategy 2010

The London Plan 2011

**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):

1260-pl-03; 1260-ex-01; 1260-pl-01; 1260-pl-04; 1260-pl-05; 1260-pl-02; 1260-pl-06;  
1260-pl-08  
1260-pl-07 Revision A received 28/01/2013

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

- (3) Works for the extensions to the school hereby approved under application reference 12/3110 shall not be implemented if works to implement application reference 12/2942 are commenced.

Reason: To safeguard the amenities of the locality.

- (4) The second floor of the extension hereby approved shall not be used except between the hours of 07.00 hours and 19.00 hours Mondays to Friday. No additional hours of use shall be commenced without the prior written permission of the Local Planning Authority including the approval of a suitable Management Plan.

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

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

Such scheme shall indicate:

- Screen planting along the northern boundary adjoining the rear gardens with Salehurst Close.

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.

- (6) Prior to the occupation of the new development, an updated School Travel Plan shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall reflect the increase in pupil numbers resulting from additional school places since 2007 and shall be implemented in full accordance with the approved details within three months of the occupation of the development and adhered to thereafter.

Reason: In the interests of encouraging non-car modes of transportation.

- (7) Details of materials for all external work, including samples, detailed drawings and sections, 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.

**INFORMATIVES:**

- (1) The applicant is advised that during demolition and construction on site:
- The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site
  - The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays
  - Vehicular access to adjoining premises shall not be impeded
  - All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only
  - No waste or other material shall be burnt on the application site
  - A barrier shall be constructed around the site, to be erected prior to work commencing
- A suitable and sufficient means of suppressing dust must be provided and maintained
- (2) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)

Any person wishing to inspect the above papers should contact Laura Jenkinson, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5276

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## Planning Committee Map

Site address: 23 & 25 Tudor Gardens, London, NW9 8RL

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This map is indicative only.

**RECEIVED:** 30 November, 2012

**WARD:** Welsh Harp

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** 23 & 25 Tudor Gardens, London, NW9 8RL

**PROPOSAL:** Erection of two detached two storey dwellings with associated parking, turning and landscaping at land rear of nos 23 & 25 Tudor Gardens.

**APPLICANT:** Shanly Homes

**CONTACT:**

**PLAN NO'S:**  
Refer to Condition 2

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## **RECOMMENDATION**

To:

- (a) Resolve to Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, 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:-

- 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 £24,000 (£3,000 per bedroom), due on material start and, index-linked from the date of committee for Education, Sustainable Transportation, Open Space & Sports and environmental improvements in the local area.
- Join and adhere to the Considerate Contractors Scheme.

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be £13,545.00.

## **EXISTING**

The application site comprises a plot of land to the rear of Nos. 23 and 25 Tudor Gardens. It is currently accessed through the rear garden of Nos. 23 to 25 Tudor Gardens.

Whilst the site itself is not located within a conservation area nor does it contain a listed building, it does abut the St Andrews Conservation Area to the south east. The St Andrews Conservation Area includes the properties on Old Church Lane.

The site is surrounded to the north, east and south by residential properties located on Tudor Gardens, Daisy Close and Old Church Lane. To the south west is Gower House School and to the west is a care home at Nos. 27 to 31 Tudor Gardens. Daisy Close is a recent backland residential development behind Nos. 19 and 21 Tudor Gardens that was granted planning permission on 16th November 2007 (LPA Ref: 06/3412).

The land levels drop from north to south (Tudor Gardens to Old Church Lane) and also from west to east along Tudor Gardens.



## 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	housing - private

#### FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	0	0	0	387	387

#### TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	0	0	0	387	387

## PROPOSAL

Erection of two detached two storey dwellings with associated parking, turning and landscaping at land rear of nos 23 & 25 Tudor Gardens.

## HISTORY

No planning history for the application site.

The planning history for the adjacent site (Daisy Close) is provided below:

**10/2468:** Details pursuant to condition 8(b) (completion report for remedial works) of full planning permission ref: 06/3412 - Granted, 30/11/2010.

**10/2119:** Details pursuant to conditions 6 (materials), 7 (tree protection), 8 (access details) and 9 (surface water) of full planning permission ref: 09/3121 - Granted, 29/09/2010.

**10/0401:** Details pursuant to condition 3 (materials) of full planning permission ref: 08/1253) - Granted, 19/03/2010.

**10/0403:** Details pursuant to conditions 4 (b,c,d,e,f and g) (relating to hard surfacing, boundary treatment, windows, roofs, external lighting and parking) of full planning permission ref: 06/3412 - Granted, 13/04/2010.

**09/2573:** Details pursuant to conditions 5 (landscaping), 6 (materials), 7 (tree protection), 8 (access road details) and 9 (foul and surface water drainage details) of full planning permission ref: 08/2494 - Granted, 20/01/2010.

**09/3121:** Full Planning Permission sought for amendment to plot 5 of planning permission 06/3412, to provide a detached, two-storey, four-bedroom dwellinghouse with associated landscaping, as amended by revised plans received 13/11/2009, and subject to a Deed of Agreement dated 18th November 2009 under Section 106 of the Town and Country Planning Act 1990, as amended - Granted, 19/11/2009.

**08/2499:** Full Planning Permission sought for addition of a detached triple garage with first floor two bedroom flat, and alterations to parking layout of previously approved planning permission 06/3412 - Dismissed at Appeal, 02/07/2009.

**08/2494:** Full Planning Permission sought for amendments to plots 3 and 4 of planning permission 06/3412, to provide 2, two storey detached dwellings with garages and associated landscaping, as accompanied by Design and Access Statement and Draft Heads of Terms and subject to a Deed of Agreement dated 2nd July 2009 under Section 106 of the Town and Country Planning Act 1990, as amended - Granted, 31/07/2009.

**08/1868:** Full Planning Permission sought for erection of rear dormer window, 2 rooflights, internal alterations and increase in height of roof to dwellinghouse on plot 1, of planning permission 06/3412 - Granted, 14/08/2008.

**08/1528:** Details pursuant to condition 9 (details of access road) of Full Planning Permission reference 06/3412 - Granted, 27/01/2009.

**08/1253:** Full Planning Permission sought for addition of a single storey triple garage and alterations to parking layout of previously approved planning permission 06/3412 - Granted, 25/07/2008.

**08/1484:** Full Planning Permission sought for erection of attached single storey side garages to proposed two storey dwellinghouses on plots 3 and 4, of planning permission 06/3412 - Granted, 25/07/2008.

**08/1033:** Details pursuant to condition 4a of full planning permission 06/3412 - Granted, 08/09/2008.

**08/0516:** Details of condition 5 (landscape) 6 (tree protection) 10 (detail of sewerage system) of full planning permission reference 06/3412 - Granted, 16/04/2008.

**08/0406:** Details pursuant to condition 8a (site investigation) of full planning permission reference 06/3412 - Granted, 07/04/2008.

**06/3412:** Full Planning Permission sought for demolition of existing properties and erection of 5 two-storey houses with new access, associated parking and landscaping, subject to a Deed of Agreement dated 12/07/2007 under Section 106 of the Town and Country Planning Act 1990 (as amended) - Granted, 16/11/2007.

## **POLICY CONSIDERATIONS**

### ***National Level***

#### National Planning Policy Framework

The National Planning Policy Framework (NPPF) was adopted in March 2012. It establishes a presumption in favour of sustainable development: local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. 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.

Paragraph 53 of the NPPF resists inappropriate development of residential gardens, for example, where this would cause harm to the local area.

### ***Regional Level***

#### London Plan 2011

The London Plan 2011 forms the spatial development strategy for London and was adopted in July 2011. The following policies are considered relevant to this application:

Policy 3.5 - Quality and Design of Housing Development  
Policy 8.3 - Community Infrastructure Levy

### ***Local Level***

#### Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The following policies are considered to be relevant for this application:

CP17: Protecting and Enhancing the Suburban Character of Brent  
CP18: Protection and Enhancement of Open Space, Sports & Biodiversity

CP 21: A balanced housing stock

#### Brent Unitary Development Plan 2004.

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary Development Plan (UDP), which was formally adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

BE2: Townscape - Local Context & Character  
BE5: Urban Clarity & Safety  
BE6: Public Realm - Landscape Design  
BE7: Public Realm - Streetscape  
BE8: Lighting and Light Pollution  
BE9: Architectural Quality  
BE25: Development in Conservation Areas  
H12: Residential Quality - Layout Considerations  
H13: Residential Density  
H15: Backland Development  
TRN10: Walkable Environment  
TRN11: The London Cycle Network  
TRN23: Parking Standards - Residential Developments

#### SPG5 "Altering and Extending Your Home", adopted 2002.

Provides guidance on alterations and extensions to residential properties, including factors such as residential amenity.

#### SPG17 – "Design Guide for New Development" adopted October 2001

Provides comprehensive and detailed design guidance for new development within the Borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

#### SPD "Section 106 planning obligations" October 2007

Provision for a standard charge for planning obligation contributions.

### **CONSULTATION**

**Consultation Period: 13/12/2012 - 03/01/2013**

**Additional Consultation Period: 03/01/2013 - 17/01/2013**

#### Public Consultation

27 neighbours consulted - 7 neighbours objected on the following grounds:

- Loss of privacy and outlook to the garden areas of Nos. 27 to 31 Tudor Gardens.
- Existing communal area of Daisy Close not fully completed.
- Lack of adequate lighting to Daisy Close.
- Development will result in the loss of more garden space.
- Increased traffic and activity during the construction of the development resulting in potential harm to residents within Daisy Close and Nos. 27 to 31 Tudor Gardens.
- Lorries using the access from Tudor Gardens to Daisy Close could cause an accident.
- Construction lorries using Daisy Close could break down and block the access.
- Jobs have not been allocated to local people for the construction works.
- Contractors could use the parking spaces for Nos. 27 to 31 Tudor Gardens.
- Potential trespassing to Daisy Close

#### Internal Consultation

**Landscape Team** - no objections in principle. Required full details of all soft and hard landscaping and replacement trees within the site.

**Transportation** - Proposal can be supported on transportation grounds, subject to a financial contribution of

£3000 towards sustainable transport improvements in the local area.

## **REMARKS**

### Introduction

This application relates to land at the rear of Nos. 23 to 25 Tudor Gardens. The application proposes to build 2 no. four-bedroom detached houses within the site. Vehicular and pedestrian access to the site will be served via Daisy Close which is a private access road that serves Nos. 1 to 4 Daisy Close off Tudor Gardens.

### Principle of Development

Policy CP17 of Brent's Core Strategy seeks to protect the suburban character of Brent from inappropriate development, including the development of garden space and infilling of plots with out of scale buildings that do not respect the settings of the existing dwellings. In this case, the principle of a backland development has already been established to the rear of Nos. 19 and 21 Tudor Gardens, through the introduction of four detached dwelling houses known as Nos. 1 to 4 Daisy Close. This scheme was considered acceptable as it was designed to avoid creating a continuous line of development across the back of adjoining residents gardens and to allow views through the site.

This proposal seeks to extend the Daisy Close access road into the application site to serve two detached dwelling houses. The houses are set forward of the properties on Daisy Close to avoid creating a continuous line of development across the back of adjoining residents gardens. This in turn will allow for deeper rear gardens of the new houses compared to Nos. 1 to 4 Daisy Close. Once again the layout allows for views through the site. Sufficient garden depth will also be maintained for Nos. 23 to 25 Tudor Gardens which is of a similar depth to No. 21 Tudor Gardens. The proposal follows the design principles of the backland development behind Nos. 19 and 21 Tudor Gardens and is considered acceptable in principle. It complies with the requirements of policy H15 of Brent's Unitary Development Plan 2004.

### Density

A density of 166 habitable rooms per hectare is proposed for this site. This is within the lower range of the density matrix set out in the London Plan which seeks a density range of 150 to 250 habitable rooms per hectare for suburban sites in areas of moderate public transport accessibility (PTAL 3). This density is considered acceptable for this site, taking into account the shape of the site, the general open character of the area and the proximity of the St Andrew's Conservation Area.

### Design

A traditional approach has been taken in the design of the houses. They are both two storey high with hipped, pitched, tiled roofs, and have part brick part timber framed render elevations. Both houses have front bay windows with gable features above giving a sense of variety. The design approach is similar to the properties on Daisy Close and the wider area and is considered acceptable. To ensure that the quality of the external materials and the detailing of the windows and doors are acceptable, it is recommended that further details are conditioned.

### Quality of proposed residential accommodation

#### *Unit mix and size*

This application proposes two four-bedroom dwelling houses. As set out in policy CP21 of Brent's Core Strategy, there is a shortage of larger family sized accommodation in the Borough. This application will contribute towards providing family sized accommodation. The proposed mix is therefore acceptable.

Plot 1 is proposed with an internal floor area of 203sqm (including the garage). Plot 2 is proposed with an internal floor area of 184sqm (including the garage). Both houses significantly exceed the minimum internal floor space standards set out in the London Plan which requires a minimum internal floorspace of 107sqm for four bedroom dwellinghouses.

#### *Outlook and Privacy*

Good levels of outlook are provided from all habitable rooms within both plots 1 and 2.

No. 4 Daisy Close is set further into the rear garden than the application properties. To ensure that No. 4 Daisy Close does not adversely impact on outlook from plot 1, the 2:1 guidance as set out in SPG5 is taken into consideration. A distance of 7.5m is maintained between the middle of the nearest rear habitable room window (located on the ground floor) of plot 1 to the flank wall of No. 4 Daisy Close. To ensure that adequate levels of outlook are provided, No. 4 Daisy Close, should not project any more than 3.75m from this window. In this case, No. 4 Daisy Close projects 3.75m from this window and as such complies with 2:1 guidance.

A distance of over 10m is provided to the boundaries with adjoining properties. As such privacy for the new houses will not be compromised by surrounding properties. Windows are proposed on the flank wall of both houses facing into one another. These windows serve a utility room and a secondary window to the kitchen at ground floor and an ensuite bathroom at first floor level for both houses. The windows face into passageways between the houses that are divided by 2m high timber fence (a gap of 1m is maintained from the flank wall windows of both houses to the shared boundary). Given that there is a 2m high timber fence at ground level, views into the kitchen window and utility room will be restricted and it is not considered necessary for the flank wall kitchen and utility windows to be obscured. However, it is recommended that the window to the ensuite bathroom is obscured to restrict overlooking between the windows.

#### *External Amenity Space*

Both plots 1 and 2 have private rear garden spaces that are directly accessible from the houses. The gardens are 210sqm for plot 1 and 204sqm for plot 2 that significantly exceed the guidance as outlined in SPG17, which required a minimum external garden area of 50sqm for family sized houses.

#### Impact on existing properties

##### *Outlook and Privacy*

To ensure that a new development does not appear overbearing from neighbouring properties, SPG17 advises that its height should be restricted to sit within 45 degree line measured from the edge of communal and private amenity space (at a height of 2m above ground level) and restricted to sit within 30 degree line measured from rear habitable room windows (at a height of 2m from floor level). In this case, the sensitive boundary is with the communal amenity space at Nos. 27 to 31 Tudor Gardens. Plot 2 was originally proposed with a two storey side projection next to Nos. 27 to 31 Tudor Gardens. The first floor element breached 45 degree line when measured along the edge of the communal amenity space. To overcome this concern, the first floor element has been removed and the whole of plot 2 now sits within 45 degree line when measured at a height of 2m from the edge of the communal amenity space at Nos. 27 to 31 Tudor Gardens. Plot 2 is no longer considered to appear overbearing from the communal amenity space at Nos. 27 to 31 Tudor Gardens.

Good levels of outlook will generally be maintained from habitable rooms of adjoining properties. The only exception is the front bay window at No. 4 Daisy Close where outlook in a north west direction will be partially obscured by Plot 1. However, this is a marginal reduction in outlook and full views in a forward direction will be maintained, and is not considered to warrant a reason for refusal.

A distance of at least 13m is maintained from habitable room windows to the boundaries with neighbouring rear gardens (Nos. 23 and 25 Tudor Gardens and the properties in Old Church Lane). This exceeds the minimum requirements set out in SPG17 which requires a distance of 10m. No flank wall windows are proposed facing out onto No. 4 Daisy Close or Nos. 27 to 31 Tudor Gardens. As such, the privacy of neighbouring occupiers is not considered to be compromised by the new houses.

##### *Noise and Disturbance*

The existing access road to Daisy Close will be extended into the site to serve the two new houses. This section of the access road will only serve the two new houses, so activity in this area in terms of vehicle and pedestrian movement, will be limited. As such it is not considered that there will be significant noise and disturbance to the neighbouring properties as a result of this development. It should be noted that the access road and parking area is sited next to the access road and car park for Nos. 27 to 31 Tudor Gardens.

Objections have been raised in relation to construction traffic and building works. Whilst there will be some noise and disturbance as seen with all construction projects, there are measures in place that protect the amenity of neighbouring properties. Environmental Health legislation restrict the hours that noisy works can be carried out to the following: Monday to Friday - 8am to 6pm, Saturdays - 8am to 1pm, and no noisy works on Sundays and Bank Holidays. Furthermore, the Section 106 Agreement requires the applicant to enter into

the Considerate Contractors Scheme which is designed to encourage best practice beyond statutory requirements.

### Landscaping

#### *Loss of a protected tree*

The Council's records show that there is a protected tree (known as T20) within the application site. This tree is shown on the 2012 aerial photograph but it has since been removed. The applicants have advised that the protected tree was removed prior to them obtaining ownership of the site. The Council's Tree Protection Officer will need to take a view as to whether to pursue enforcement action on the loss of the protected tree, but for the purposes of this application, a suitable replacement tree is required to be planted within the application site. The Tree Protection Officer has requested that the replacement tree be a common Oak 'Quercus robur', planted with a stem girth of 18-20cm. They have requested that the tree be planted on the frontage. The tree is proposed within the landscaped area next to Nos. 27 to 31 Tudor Gardens. A management plan for the tree should be submitted along with a plan for the remainder of any proposed landscaping for the property frontages. Such details are recommended to be conditioned as part of any forthcoming planning consent.

An Arboricultural Impact Appraisal and Method Statement together with a Tree Protection Plan has been submitted showing existing trees within the site that are to be retained and removed. This also includes details of the construction exclusion zone around the trees that are to be retained. The Tree Protection Officer has advised that the submitted details are acceptable, and require two replacement trees. Such details are recommended to be conditioned as part of any forthcoming planning consent.

#### *Proposed landscaping within the application site*

An indicative landscape plan has been provided for the site showing existing and proposed trees together with areas of soft and hard landscaping. Full details of the landscaping are recommended to be conditioned.

Objections have been raised in relation to lack of adequate lighting within the site. Your officers can advise that details of lighting for the existing development at Nos. 1 to 4 Daisy Close were approved as part of application ref:10/0403. Details of external lighting for the current proposal are recommended to be conditioned as part of any forthcoming planning consent, though this will be within the application site and not extend into the existing development within Daisy Close.

### Transportation

As described above, vehicular and pedestrian access will be served by extending the existing access road to Daisy Close into the site. This is a privately owned cul-de-sac.

Officers in Transportation have confirmed that the extension of the access road is acceptable. Daisy Close has been provided with a suitably wide carriageway and turning head to accommodate service, emergency and refuse vehicles, with the proposed new houses both being within 20m of the turning head to allow easy collection of wheeled bins.

Both houses have a garage and driveway space in front to accommodate two parking spaces. This meets the parking standards as set out in standard PS14 of the UDP. As both houses have private garden space and a garage, there is space to securely store a bicycle for both properties.

Officers have requested a financial contribution of £3000 towards sustainable transport improvements in the local area. Such contributions are secured as part of the Section 106 Agreement.

### Other matters

#### *Communal areas within Daisy Close not completed*

A number of the objections have raised concerns with the existing communal areas within Daisy Close not being completed. This has also been noted by officers in Transportation who have advised that areas of block paving have not been provided and the footway into the site is interrupted by a parking bay that was not shown on the approved landscape plans for application ref: 06/3412. Officers have visited the site and can confirm that the footway into the site is interrupted by a parking bay that is not shown on the approved plan and the area of block paving and raised speed table in the centre of the site has not been constructed. Your

officers have reported the matter to the planning enforcement team for further investigation, but for the purposes of this application, as the communal areas are not directly affected by the proposal and that the principle of use of the access road is acceptable. The concerns regarding the completion of the communal areas within Daisy Close should be pursued as a separate matter.

*Response to objections raised*

A number of objections have been raised in relation to loss of garden space, impact upon outlook and privacy of neighbouring properties, noise and disturbance from increased traffic and activity during the construction of the development, the completion of the existing communal amenity areas and external lighting. These matters are discussed above.

Other concerns have also been raised which are discussed below:

Objection	Response
Lorries using the access from Tudor Gardens to Daisy Close could cause an accident.	The access has been designed to be used by larger vehicles such as refuse and emergency vehicles. The access can therefore accommodate construction vehicles entering and leaving the site on Tudor Gardens.
Construction lorries using Daisy Close could break down and block the access	As discussed above, the access has been designed to be used by larger vehicles, such as refuse lorries. The owners of the houses within Daisy Close do have a right of access, and the management of the access road during the construction of this development will need to be agreed between the applicant and the owners of the houses within Daisy Close.
Jobs have not been allocated to local people for the construction works.	This is not a planning matter as there is no requirement for the applicants to employ local people.
Contractors could use the parking spaces for Nos. 27 to 31 Tudor Gardens.	If these parking spaces are within the site boundary of Nos. 27 to 31 Tudor Gardens, then they will be trespassing onto private property. However, if parking spaces are on the public highway and there are no restrictions then they can be used by all members of the public.
Potential trespassing to Daisy Close	This is not a planning matter. The owners of the houses within Daisy Close will need to discuss these concerns with the applicants.

Conclusions

The proposal is considered to be an appropriate development of a backhand site that does not erode the suburban character of the area or have a harmful impact upon the setting of the adjoining St Andrew's Conservation Area. It provides family sized houses, adding to the Borough's housing stock. The scheme meets the current relevant standards and policies in terms of parking provision, residential amenity and the protection of adjoining residents. The proposed scheme is in accordance with local and regional policies, and therefore is recommended for approval, subject to a Section 106 Agreement.

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

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

- National Planning Policy Framework
- London Plan 2011
- Brent's Core Strategy 2010
- Brent Unitary Development Plan 2004.
- SPG5 "Altering and Extending Your Home", adopted 2002.

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

**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):

Unnumbered "Location Plan"

1000\_PLN\_501 Rev B

1000\_PLN\_503 Rev A

1000\_PLN\_504 Rev A

1000\_PLN\_505 Rev A

1000\_PLN\_506 Rev A

Arboricultural Impact Appraisal and Method Statement prepared by Barrell Tree Consultancy (dated 28 January 2013)

Tree Protection Plan - 5105-01 and 1000\_PLN\_501 Rev A prepared by Barrell Tree Consultancy (dated 28 January 2013)

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

- (3) No windows or glazed doors other than any shown in the approved plans shall be constructed in the flank wall of the building as extended without the prior written consent of the Local Planning Authority.

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

- (4) The windows on the first floor on the flank elevation of the dwellinghouses shall be constructed with obscure glazing and openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

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

- (5) No extensions or buildings shall be constructed within the curtilage of the dwellinghouses subject of this application, notwithstanding the provisions of Classes A - H 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: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- (6) The proposed tree-protection details as outlined in Arboricultural Impact Appraisal and Method Statement (dated 28 January 2013) together with the Tree Protection Plan - 5105-01 and 1000\_PLN\_501 Rev A prepared by Barrell Tree Consultancy shall be adhered to throughout all stages of the construction of the development hereby approved.



Reason: To ensure retention and protection of trees and other landscape features on the site in the interests of amenity.

- (7) Details of materials for all external work, including a sample board of the facing bricks and roof tiles, 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.

- (8) Further details of the windows and doors to the new dwellinghouses hereby approved shall be submitted to and approved in writing by the Local Planning Authority, and thereafter built in accordance with the approved details. Such details shall include:

- (a) details of the materials for the windows and doors
- (b) an elevation plan of each window type and doors at a scale of 1:10
- (c) Cross section through each window type at a scale of 1:5 with all dimensions clearly annotated through the transom, showing the relationship of fixed and opening lights, and externally mounted glazing bars

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

- (9) Further details of soft and hard landscaping within the site as set out in the indicative landscape plan "Drawing No: 1000\_PLN\_506 Rev A" shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (i) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction.
- (ii) the location of and details of any external lighting.
- (iii) proposed boundary treatments with details of walls and fencing, indicating materials and height;
- (iv) all planting including location, species, size, density and number;
- (v) details of two replacement trees within the rear gardens and a common Oak 'Quercus robur', planted with a stem girth of 18-20cm, on the frontage within the area of soft landscaping next to Nos. 27 - 31 Tudor Gardens.
- (vi) any sustainable construction methods which are to be used;
- (vii) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping including the replacement trees within the site.

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 with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

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

#### **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) During construction on site:-

- (i) The operation of site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1800 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays;
- (ii) The hours of demolition and construction limited to 0800 - 1830 Mondays - Fridays, 0800-1300 Saturdays and at no other times on Sundays or Bank Holidays.

**REFERENCE DOCUMENTS:**

National Planning Policy Framework  
London Plan 2011  
Brent's Core Strategy 2010  
Brent Unitary Development Plan 2004.  
SPG5 "Altering and Extending Your Home", adopted 2002.  
SPG17 – "Design Guide for New Development" adopted October 2001  
SPD "Section 106 planning obligations" October 2007  
Letters of Objection

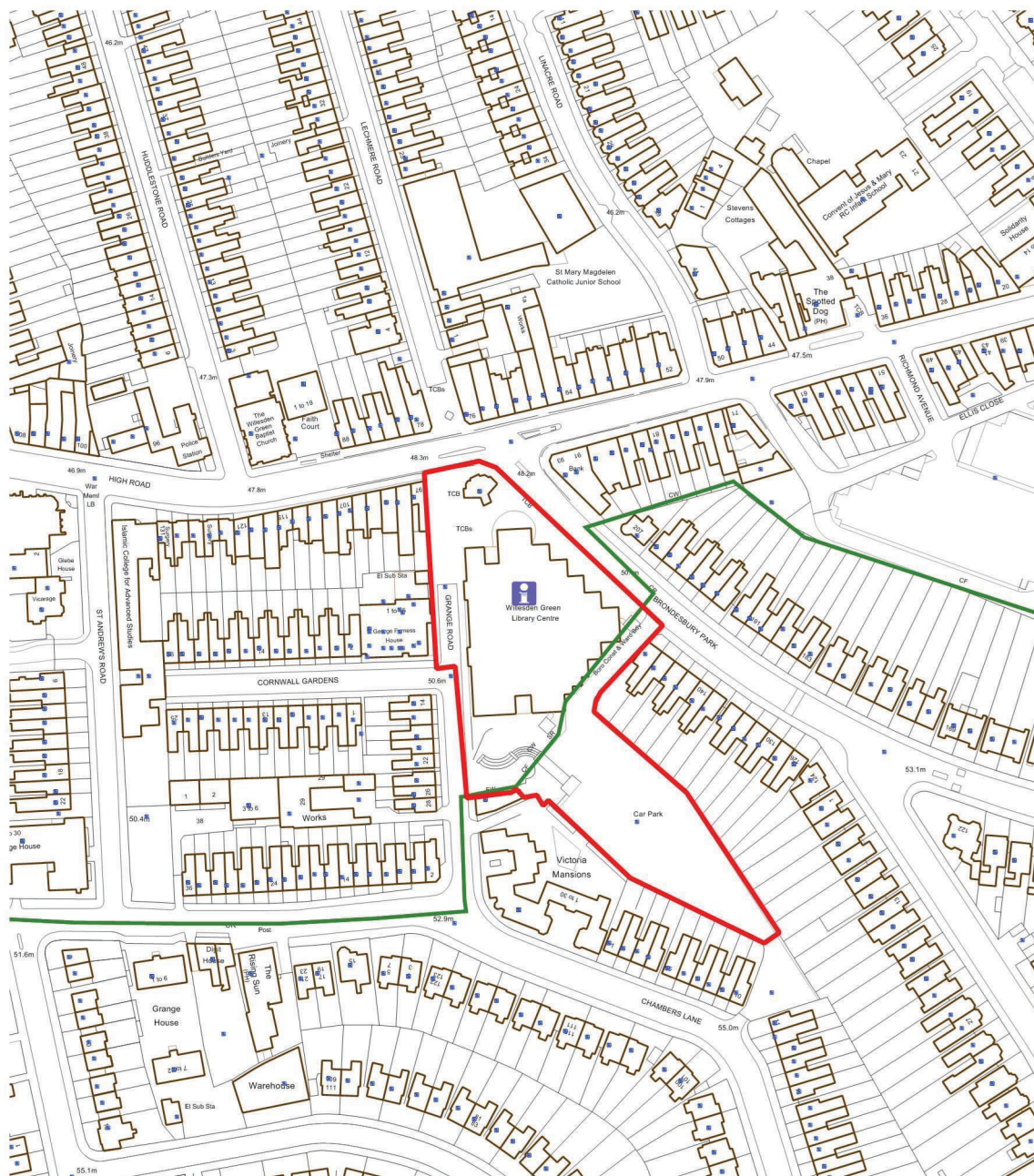
Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



## Planning Committee Map

Site address: Willesden Green Library Centre, 95 High Road, London, NW10 2SF

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This map is indicative only.

**RECEIVED:** 2 November, 2012

**WARD:** Willesden Green

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** Willesden Green Library Centre, 95 High Road, London, NW10 2SF

**PROPOSAL:** Demolition of the existing Willesden Green library building, retention of the former library building on the High Road frontage, and the erection of a new Cultural Centre, including cafe and retail space, along with 95 residential flats (46 one and 49 two bed units) to the rear of the site, with associated car parking

**APPLICANT:** Galliford Try PLC

**CONTACT:** URS

**PLAN NO'S:**  
See Condition 2.

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### **RECOMMENDATION**

The Committee resolve to agree in principle to grant but delegate final determination of the application to the Assistant Director (Planning & Development) subject to.

- (a) taking into account any further representations received on or before the 14th February 2013;
- (b) any direction by the Mayor of London to refuse the application. In accordance with Article 5 of the Town & Country Planning (Mayor of London) Order 2008 following the Council's determination of this application, the Mayor is allowed 14 days to decide whether to allow the draft decision to proceed unchanged or direct the Council under Article 6 to refuse the application;
- (c) Satisfactory prior completion of a Section 106(s) under the Town & Country Planning Act 1990 and/or other form(s) of agreement/undertaking in order to secure the S106 matters as detailed in this report.

### **SECTION 106 DETAILS**

The application requires a Section 106, or other legal, 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 phasing plan to ensure that a number of residential units shall not be occupied until WGCC built and fitted out.
- Up to £40,000 towards improvement of local bus stops.
- "Permit free" on housing element of scheme.
- Achieve sustainability checklist of a minimum of 50%, BREEAM Excellent and as far as the residential element is concerned, Code Level 4.
- Site wide CHP (Combined Heat and Power).
- Join the Considerate Contractors Scheme (CCS).
- Travel Plans for WGCC and housing element.
- Training Package "Brent in2 work."
- S278 Highway Works, relating to works to Grange Road, High Road, Brondesbury Walk and Brondesbury Park, which will include streetscape enhancements.
- Not less than £30,000 of the build cost of the WGCC element towards public art in the public areas of the building.
- up to £10,000 for the promotion and implementation of "car clubs" in the locality.
- Servicing Management Plan for WGCC.
- Mechanism for reviewing the information in the financial appraisal on which Section 106 contributions

were based, including post-sales information.

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be £218,960.00.

### EXISTING

The Willesden Green library centre is located on the southern side of Willesden High Road immediately to the west of the junction with Brondesbury Park. To the west of the site is Grange Road which is pedestrianised at its northern end.

The very northern section of the site falls within the Willesden Green Conservation Area, with the boundary of the Area falling between the old detached library and the newer library Centre. The detached old library building is a locally listed building and until recently provided accommodation for the Brent Irish Advisory Service.

The existing main library building, which has in the past incorporated, amongst other things, a café, a bookshop and a cinema, was built in the mid-1980's. In terms of its external appearance and relationship with its surroundings, the building is not considered to make a positive contribution to the locality.

There is a large car park to the south of the site that provides a total of 73 parking spaces, vehicular access to which is gained off Brondesbury Park. The existing car park is provided for visitors to the library centre and managed by a system of issuing permits within the 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	non-residential institutions	museum / library
2	dwelling houses	housing - private

#### FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	5761	4382	1379	4382	-1379
2	0	0	0	7631	7631

#### TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	5761	4382	1379	12013	6252

### PROPOSAL

This application includes the retention of the original library building at the northern apex of the site, with a new four-storey Cultural Centre building attached to the rear which provides a total of 4,382m<sup>2</sup> floor area for various uses. These include:

- Library (1,613m<sup>2</sup>)
- Museum (500m<sup>2</sup>)
- café (116m<sup>2</sup>, 35 covers)
- function rooms/"creative clusters" (339m<sup>2</sup>)

- offices (802m<sup>2</sup>)
- circulation space and toilets.
- staff numbers are proposed to increase from 39 to 69.

No off-street car parking is proposed for the centre.

The residential development to the rear is for a total of 95 private self-contained flats (46 x 1-bed & 49 x 2-bed) in four blocks. A total of 61 off-street car parking spaces (incl. ten blue badge disabled) are proposed (59 of which are in a 2.4m high undercroft car park), with access via a new access road utilising the existing vehicular access point from Brondesbury Park.

Works are also proposed within the length of Grange Road to the west of the site between Cornwall Gardens and High Road. These include provision of a new raised carriageway surface and revised landscaping, including bicycle parking and a children's' play area, together with alterations to on-street parking bays to provide some on-street disabled car parking and servicing facilities for the Cultural Centre.

A new pedestrian link, to be known as Brondesbury Walk, is shown along the rear of the Cultural Centre building. Brondesbury Walk will also serve as a public open space and the use to which it will be put is discussed further below.

As explained above, the development is formed of two discrete elements, but the phasing of the future works will need to be controlled through a legal agreement to ensure that the new Cultural Centre is provided in a timely manner.

## **HISTORY**

### 84/1334

Planning permission was granted for the new Willesden Green library centre in 1984. It opened in 1989 and the complex originally included a cinema, an arts complex, cafe/retail and commercial space, as well as the library itself. For the information of Members, the Willesden Green Conservation Area was not designated until 1993 and, consequently, the original approval was granted without having to take into account the policy issues that are relevant now and which are discussed below.

### 12/1190

This planning application proposed demolishing all buildings on the site and the erection of a new cultural centre, cafe and retail space, along with 92 residential flats. The application was withdrawn on 3 July 2012 prior to a decision being made on it.

### 12/1191

This Conservation Area Consent application proposed demolishing the old library building. It was also withdrawn on 3 July 2012.

### 12/1234

This planning application to change the use of the ground floor of the Brent archive at 2 Grange Road to a temporary lending library was granted permission on 2 January 2013.

### 12/2925

This current Conservation Area Consent application seeks consent for partial demolition works to the rear of the old library building to facilitate its link to the proposed Willesden Green Cultural Centre. A report into this case appears elsewhere on this Agenda.

## **POLICY CONSIDERATIONS**

National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

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. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The recommendation here is considered to comply with the 12 Core Principles set down in the NPPF:

- Planning should be genuinely plan led empowering people to shape their surroundings. Plans should be kept up-to-date and provide a practical framework within which decisions on planning applications can be made.
- Creation of the opportunity to be creative in finding ways to enhance and improve places in which people live their lives.
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, and thriving local places that the country needs. Plans should set out a clear strategy for allocating sufficient land which is suitable for development in their area taking account of the needs of the residential and business communities.
- Secure a high standard of design and levels of amenity.
- Promote the vitality of the main urban areas whilst protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside.
- Aim for a low carbon future in a changing climate and encourage the use of renewable resources.
- Conserve and enhance the natural environment and reduce pollution. Allocations of land for development should prefer land of lesser environmental value.
- Encourage the use of brownfield land provided it is not of high environmental value.
- Promote mixed use developments.
- Conserve heritage assets in a manner appropriate to their significance.
- Manage patterns of growth to make the fullest use of public transport, walking and cycling focussing significant development on locations which are or can be made sustainable.
- Support strategies which encourage health, social and cultural well being for all and deliver community and cultural facilities and services to meet local needs.

#### Mayors London Plan 2011

The relevant issues set down in the London Plan, and identified by the GLA, are as follows:

- Social Infrastructure
- Mix of Uses
- Housing
- Affordable Housing
- Density
- Historic Environment
- Urban Design
- Inclusive Access
- Sustainable Development
- Transport
- Crossrail.

In terms of the enabling housing development, the site is currently car parking which is being re-provided at a significantly reduced level, thus freeing up a site for housing and making more efficient use of land. The more effective use of land is a core principle of the Government's new National Planning Policy Framework (NPPF) published in March 2012. The reduction in car parking provision is appropriate to the location, which has very good public transport access, and is in accordance with policy of minimising car use and promoting the use of alternative modes of travel (London Plan policy 6.1 and UDP policy STR5). Providing additional housing to meet a growing need is a key concern of Government.

Emphasis in the NPPF is for local planning authorities to identify and update annually a supply of deliverable housing sites (paragraph 47). The publication of figures from the Census 2011 have emphasised the need to identify additional land for housing, particularly in London and in Brent where the actual population increase

has significantly exceeded all projections. Brent has a significant problem with people living in unsuitable accommodation therefore there is an imperative to maximise the supply of new homes. This need is recognised in London Plan policy 3.3, Increasing Housing Supply, which highlights the pressing need for more homes in London. The provision of 95 new homes will be a welcome addition to the housing supply in Brent. In terms of the density of housing, it is necessary to consider policy 3.4 of the London Plan, which states that development should optimise housing output for different types of location within the relevant density range shown in table 3.2.

Also relevant is Brent Core Strategy policy CP17 on Protecting and Enhancing Suburban Character in Brent. In terms of density, the number of units proposed is appropriate for the site as it is within a range considered by the London Plan to be appropriate for this type of location (urban) and which benefits from very good public transport accessibility.

Adopted in July 2010, the Core Strategy has 12 strategic objectives:

- Objective 1: to promote economic performance & regeneration
- Objective 2: to meet employment needs and aid the regeneration of industry and business
- Objective 3: to enhance the vitality and viability of town centres
- Objective 4: to promote the arts and creative industries
- Objective 5: to meet social infrastructure needs
- Objective 6: to promote sports and other recreational activities
- Objective 7: to achieve housing growth and meet housing needs
- Objective 8: to reduce the need to travel and improve transport choices
- Objective 9: to protect and enhance Brent's environment
- Objective 10: to achieve sustainable development, mitigate & adapt to climate change
- Objective 11: to treat waste as a resource
- Objective 12: to promote healthy living and create a safe and secure environment

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
- CP 6 Design & density in place shaping. Sets out the requirements for appropriate design and density levels for development
- CP17 Protecting and Enhancing Suburban Character in Brent.
- CP18 Protection and enhancement of Open Space, Sports & Biodiversity. Protects open space from inappropriate development.
- CP 19 Brent strategic climate mitigation and adaptation measures. Highlights the need for new development to embody, or contribute to, climate mitigation objectives, especially in growth areas
- CP 23 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

Unitary Development Plan 2004

#### *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 A pattern of development that reduces the need to travel, especially by car, will be achieved.
- STR11 Seeks to protect and enhance the quality and character of the Boroughs built and natural environment and resist proposals that have a harmful impact on the environment and amenities.
- STR12 Planning decisions should protect public health and safety and in particular, support the achievements of targets within the National Air Quality Strategy.
- STR13 Environmentally sensitive forms of development will be sought.
- STR14 New development to make a positive contribution to improving the quality of the urban environment in Brent
- STR15 Major development should enhance the public realm.
- STR19 New housing developments should provide adequate amenity, reduce need for car travel and improvement to public infrastructure.

#### *Built Form*

- BE2 On townscape: local context & character states that proposals should be designed with regard to



- their local context, making a positive contribution to the character of the area.
- BE3 Relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.
- BE4 States that developments shall include suitable access for people with disabilities.
- BE5 On urban clarity and safety stipulates that developments should be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.
- BE6 Landscape design in the public realm and draws particular attention to the need to create designs which will reflect the way in which the area will actually be used and the character of the locality and surrounding buildings.
- BE7 Public Realm: Streetscene
- BE8 Lighting and Pollution
- BE9 Seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.
- BE12 States that proposals should embody sustainable design principles commensurate with the scale and type of development.
- BE24 Locally Listed Buildings. The special character of buildings on the local list will be protected and enhanced.
- BE26 Alterations & Extensions to Buildings in Conservation Areas. They should retain the original design and materials or where not practicable be sympathetic to the original design.
- BE27 Demolition & Gap Sites in Conservation Areas.

#### *Environmental Protection*

- EP3 Noise and vibration
- EP3 Requires developments within Air Quality Management Areas to support the achievement of National Air Quality Objectives.
- EP6 Contaminated land

#### *Housing*

- H11 Housing on brownfield sites
- H12 States that the layout and urban design of residential development should reinforce or create an attractive and distinctive identity appropriate to the locality, with housing facing streets, and with access and internal layout where cars are subsidiary to cyclists and pedestrians. Dedicated on-street parking should be maximised as opposed to in-curtilage parking, and an amount and quality of open landscaped area is provided appropriate to the character of the area, local availability of open space and needs of prospective residents.
- H13 Notes that the appropriate density for housing development will be determined by achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.
- H14 The appropriate land density should be achieved through high quality urban design, efficient use of land, meet housing amenity needs in relation to the constraints and opportunities of the site.

#### *Transport*

- TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.
- TRN2 Development should benefit and not harm operation of public transport and should be located where access to public transport can service the scale and intensity of the proposed use
- 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, schemes should comply with PS16
- TRN12 Road safety and traffic management
- TRN14 New highway layouts, visibility splayed and accesses to and within development should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.
- 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 Loss of existing off-street parking
- TRN34 The provision of servicing facilities is required in all development covered by the plan's standards in

Appendix TRN2.

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

PS19 Servicing standards

#### *Tourism, Entertainment & the Arts*

TEA2 Location of small-scale tourist, visitor and arts, culture and entertainment facilities.

#### *Community Facilities*

CF5 Location of large scale community facilities

CF4 Community facilities capable of holding functions should have an acceptable transport impact. Where the number and/or scale of functions could have an unacceptable impact on residential amenity these will be limited by condition.

CF14 Places of worship permitted where there would be no loss of residential amenity or unacceptable transport impact.

#### Brent Council Supplementary Planning Guidance and Documents

##### *SPG 17 “Design Guide for New Development”*

Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

##### *SPG19 “Sustainable Design, Construction & Pollution Control”*

This supplementary planning guidance focuses on the principles and practice of designs that save energy, sustainable materials and recycling, saving water and controlling pollutants. It emphasises environmentally sensitive, forward-looking design, and is consistent with current government policy and industry best practice, aiming to be practicable and cost-effective.

The Council has previously received a request for an Environmental Impact Screening (EIA) on the site. It assessed other possible impacts and effects of the development, and on 31 January 2012 determined that it considered that there were none that were significant enough to warrant an EIA.

#### **SUSTAINABILITY ASSESSMENT**

Major applications need to ensure that they meet sustainability requirements in accordance with London Plan and Council policy. London Plan policy 5.2 requires that residential and non-domestic schemes should provide a carbon reduction of 25% above the Target Emission Rate (TER) outlined in Part L Building Regulations 2010. There is a presumption also for 20% renewables onsite. Council policy CP19 in the Core Strategy expects that major development will achieve BREEAM “Excellent” rating for non residential. For the residential buildings, Code for Sustainable Homes Level 3 is required outside of Growth Areas, but in this case the applicants have confirmed that they will achieve Code Level 4. The Council also requires the completion of a sustainability checklist where a score of 50% is expected.

The submitted energy strategy breaks down the expected carbon savings in accordance with the London Plan Energy Hierarchy. Respective savings are made at each stage of the hierarchy amounting to an overall saving of 40% above the 2011 Part L baseline level. Officers have checked the benchmark assumptions, stated energy outputs and respective savings, shown in the hierarchy against standard outputs, and find them to be accurate and realistic.

For Lean measures (improving the fabric of the buildings), the residential units will benefit from improved U values for floors, walls and windows and improved air tightness above Part L, and energy efficient lighting. The Cultural Centre also makes the above provisions as well as a number of other provisions such as water efficient fittings, energy metering, sensor activated lighting reacting to activity and light levels. These are shown in the BREEAM summary of sustainability commitments. The above provisions make an initial saving of 10% saving above Part L Building Regulations 2010.

In accordance with the Clean aspect (on site energy regeneration) of the London Plan energy hierarchy and

the London wide aspiration for 25% of heat and power used in London to be generated through the use of decentralised energy systems by 2025, the submission explores the feasibility of a CHP (Combined Heat and Power) and CCHP (Combined Cooling Heating & Power) system. A CHP system is proposed here in the undercroft area below Block D towards the south of the site making an estimated 29% reduction over the Lean case. The decision not to proceed with a CCHP unit is explained in the submitted energy statement.

In terms of the submitted Sustainability checklist, the submitted checklist scores 60.7. Although Officers have arrived at a lower figure, even this still meets the Councils SPG19 expectation and, in any event, the obligations signed up to in the checklist will be secured via the legal agreement where opportunities to enhance the offer still further can be explored.

## **CONSULTATION**

### **RESIDENT CONSULTATION**

Members will be aware that, as explained above, a proposal for a similar form of development was withdrawn early last year. Although no formal decision was made at that time there was a good deal of concern about the form of development and, as a result, a summary of the initial application is set out below.

#### Previous Consultation (12/1190 & 12/1191)

Over 750 individual objections to the proposal were received in early 2012 and two petitions incorporating several thousand signatures were also submitted. The main focus of the petitions was opposition to the demolition of the locally listed building and called on the Council to prevent that demolition.

A summary of the content of the main objections is set down below:

- 1 – loss of original locally listed library building.
- 2 – reduction in facilities and loss of particular uses that existed within the building.
- 3- loss of open public space.
- 4 – car parking issues.
- 5. – loss of the existing car park.
- 5 - impact of housing element on people living nearby.
- 6 – impact on tree to High Road frontage
- 7 – design of the new development and impact on the Willesden Conservation Area.

#### Consultation on Current Application (12/2924 & 12/2925)

As far as this current application is concerned a total of 2964 consultation letters were sent out on 8 November 2012. This joint letter made reference to both this planning application, but also the Conservation Area Consent application, a report into which appears elsewhere on this Agenda.

For clarity, all those who had submitted a formal response to the first withdrawn scheme were also notified of this second submission.

A total of 18 site notices (which included 9 relating to the Conservation Area Consent application) were posted at various locations around the application site advertising the proposal as a Departure to the Development Plan and affecting a Conservation Area on 13 November 2012. In addition, a Press Notice was published on 15 November 2012.

A further clarification letter was sent out to all third parties who were either on the original consultation list or who weren't on that list, but had written in subsequently, on 27 December 2012 explaining that the red line application site had been amended to correctly include land to the north of Grange Road within the site, rather than being shown separately as being highway works relating to the development. A further 18 site notices were posted in the locality on 18 January 2013 and a Press Notice appeared on 24 January 2013. There was no change, at all, to the form of the development proposed, which remained unchanged, and the letter simply sought to clarify the question of the application site which was identified in a different way in the original submission.

In response to comments from the GLA (expanded upon in the "Remarks" section) two new pedestrian gates have been introduced to the Block B boundary to Grange Road. Those residents living on the opposite side of Grange Road to these new gates were re-consulted about the change on 24 January 2013.

## Representations Received

In terms of considering representations on the proposal it is necessary to set out all those received for the sake of completeness. Although 12/2924 relates to the planning application and 12/2925 to the Conservation Area Consent, the comments received are in certain cases not only about a specific application (ie: comments could have been made about the redevelopment proposals on the Conservation Area Consent application reference) and so all representations are listed in full below.

### 12/2924

Comments (this option is given on-line) 26  
Support 72  
Objections 312

### 12/2925

Comments 3  
Support 0  
Objections 52

## OBJECTIONS

The principal issues that have been raised are set out below:

- 1. The development would have a detrimental impact on the Willesden Conservation Area. The new library building will over-dominate the area.
- 2. The new building would lose the sense of openness towards the front of the site that the existing building provides for.
- 3. The loss of the open space to the front of the existing library is unacceptable in itself. It is well used by the community. The proposed open space is hidden around the back of the new library building and will not be welcoming.
- 4. Loss of car park to the rear.
- 5. The residential element would provide for high-density accommodation in an already over-populated area.
- 6. Loss of bookshop.
- 7. The facilities in the new building will be less/worse than what is available at present. Existing building should be refurbished, not demolished.
- 8. The scheme should incorporate affordable housing.
- 9. No attempt to consult the community on the future of the site. The motives of the Council are questioned and the proposal benefits the Council and the applicants with no benefit to the community.
- 10. The development will cause traffic problems in the area.
- 11. To knock a building down only 25 years after it was built is a waste of money.
- 12. The development would have an unacceptable impact on the existing residents because of its height and its location. Certain residents have a "Right to light" protected by law, although as Members will be aware these are not material planning considerations.
- 13., The residential element of the proposal is over dense. Too many flats are being proposed.
- 14. The changes to library services that the Council has undertaken recently mean that the new library here must actually be larger to compensate.
- 15. No consideration is being given to the cumulative impact of the developments in Willesden Green on services and infrastructure.
- 16. Lack of continuity of facilities for when the development is taking place.
- 17. The quality and source of letters supporting the development are questioned.
- 18. The validation of the application and the consultation undertaken on it are queried.
- 19. The Council is giving land away to a private developer.
- 20. The works, and the manner in which they will be carried out (eg: site hoardings) will present a danger to the general public.
- 21. Health risks from electricity sub-station.

## SUPPORT

The following points have been made:

- 1. Proposal will provide a new library with improved facilities.
- 2. The development now keeps the locally listed library building which is welcomed.
- 3. The design of the building is improved.
- 4. The development will help to regenerate Willesden.
- 5. The existing facilities (eg: One Stop Shop services) do not provide the level of customer service needed for the future.
- 6. The existing open space to the front of the library building is not as welcoming as it could be.
- 7. The new building will be very sustainable and environmentally friendly.

For the information of Members, a large number of the supporting letters were submitted to the Council via the agents acting for the applicant on 14 January 2013. The letters are in semi-template form, in so far as much of the text is the same in each submission. All letters received raising material planning considerations and other issues have been summarised in this section of the report and the planning considerations are discussed more fully in the report below.

#### Representations from Councillors

Ward Councillors Jones and Hunter have written in supporting the application. Councillor Jones states that she feels that Willesden deserves a higher profile centre with good facilities. Pleased at the retention of the old library. She feels that the rebuilt centre will be a busy and vibrant place, with better services, including more Customer Service desks which are much needed. Councillor Hunter states that whilst she understands the objections to the proposals, she endorses these views and wishes to support the scheme.

Councillor Shaw has written in explaining that she is opposed to the planning application, on the grounds that it will have an unacceptable impact on her residents.

Members will be aware that in order to give them the best opportunity of appreciating the views expressed in relation to the current scheme a copy of all the representations have been made available for Planning Committee Members at the Town Hall.

#### Representations from MPs

Sarah Teather MP has written in objecting to the development on the grounds of loss of open space, inappropriate residential development, the loss of the bookshop and Brent Irish Advisory Service, as well as the interim arrangements that will be put in place whilst any new library is being built.

#### PRE-APPLICATION CONSULTATION

In February 2011 Brent Council's Executive agreed in principle to the redevelopment of the Willesden Green Library Centre, provided that it could be done at zero cost to council tax payers. Since then, both before and after the first planning application on the site was submitted, there has also been a considerable amount of consultation undertaken by the Council which falls outside the statutory planning application process. The Consultation Strategy agreed by the Executive engaged with stakeholders in a variety of ways in order to develop and refine the brief for the new building. It is evident that a number of objectors to this planning application have made a number of comments about this consultation and in their view they do not consider that it has been successful in engaging with residents.

#### CONSULTEES RESPONSES

#### SUPPORTING STATEMENTS

It is evident from the comments of the users of the current building, set out below, that it is an inefficient building with many factors limiting its performance, costing more to use than a building that was fit for purpose. As a result running costs are currently very high. A BREEAM Assessment has revealed that the current building has a very low rating, whereas the new building would achieve BREEAM Excellent rating, supporting the sustainability credentials of the new Centre.

The existing spaces are poor and inefficiently laid out, with limited waiting areas for people visiting the Customer Service Centre. There are no meeting rooms for the Customer Centre to use, which is a challenge, and the existing community spaces are considered to be of poor quality.

GLA (LONDON MAYOR)

The application has been referred to London Mayor and his comments on the proposals are set down in some detail within the report.

#### VICTORIAN SOCIETY

The Society welcomes the retention of the old library building. They are reassured that the value of the building has finally been recognised. The proposal must include full restoration of the exterior of the building, including reinsertion of front door and authentic colour scheme.

#### ENGLISH HERITAGE

No objection raised.

#### URBAN DESIGN MANAGER

No objections. Further discussion on the subject can be found in the “remarks” section below.

#### ENVIRONMENT AGENCY

The development does not meet the criteria that require the EA to be consulted, in terms of flood risk.

#### TRANSPORTATION ENGINEER

No objection to the proposal, subject to a number of conditions/amendments as set down in the “remarks” section and the applicant entering into a legal agreement for the highway/streetscape works and travel plans.

#### TREE PROTECTION OFFICER

The revised scheme should mean that less works are likely to take place within the vicinity of the important London Plane tree on the High Road frontage. Tree protection measures would need to be agreed in order to ensure that important landscaping features are retained. Conditions are suggested.

#### ENVIRONMENTAL HEALTH OFFICER

The EHO has suggested a number of conditions that they consider are necessary in order to ensure that the environmental impacts of the development are acceptable, as far as they relate to noise transmission, air quality and details of the CHP.

#### MUSEUMS SERVICE

The Brent Museum has low visibility and a poor location in the existing building, meaning that the correct environmental display conditions (eg: the amount of unfiltered light coming into the area) are difficult to achieve. The potential to secure future high profile loans from organisations such as the British Museum is limited for this reason.

The development proposal will provide opportunities to refresh the museum service and work to ensure a growth in the number of visits and levels sustained over the longer term through more comprehensive programming and product renewal. Brent Museum & Archives work with over 2000 pupils every year and there is potential to work with more schools by offering a more diverse, targeted and engaging learning experience, which can be supported by a new museum and temporary exhibitions programme.

#### Community Gallery and Education Room

These spaces are located in the entrance area of WGLC and suffer from the extreme weather changes that affect the walkway through the building. The Education Room is disjoined from the main Museum spaces and school groups are regularly disorientated in the building and clear staff guidance has to be provided to facilitate their visit to the museum. The location of the children’s library adjacent to the Education Room results in sound overspill from the library into workshops and schools sessions in the Education Room, interrupting the sessions themselves. In the new building the Education Room is next to the museum, this was a fundamental requirement of the brief.

#### Archives

The inclusion of a fit for purpose and climate controlled on-site store for Brent Archives would support the

preservation of the boroughs resources and create an environment where more people could have access to this material. The situation of the Archives on top of the children's library is distracting for researchers too, as the sounds from the library filter into the search room.

## LIBRARIES SERVICE

The Head of Brent Libraries, Arts & Heritage states that the redevelopment of the Willesden Library Centre will meet the vision for the library service. The current building is poorly designed and the relatively inflexible internal spaces cannot easily be adapted to modern library needs. Refurbishment would not provide the opportunities to provide a building that would deliver a 21<sup>st</sup> Century building, comparable in quality to the new Civic Centre. They endorse the points made elsewhere about the poor quality of existing community spaces within the building.

The proposed layout of spaces, adjacencies and functionality of the accommodation means that the new building will be far better able to meet the aspirations of the Service. It is hoped that the new building will increase the number of casual visitors (there are a limited number at present) who enter the library centre at the moment and begin to take the opportunity to explore the improved offer.

## CUSTOMER SERVICES (previously One Stop Shops)

The Assistant Director of Brent Customer Services supports the scheme as they say that the current accommodation presents a number of limitations in terms of capacity and the facilities available to customers. There are currently a total of 14 customer booths with no dedicated waiting area and no private interview rooms. There is no space in the current location to expand the number of booths and the lack of space available for a waiting area has meant that we have had to create this within the library space and at some significant distance from the booth location.

The new WGCC will provide improved facilities for customers. This will include increased number of booths (22), access to 3 private interview rooms, and a 25 seat waiting area that bleeds into the library enabling much more flexible use of the space between these 2 functions. The Customer Service centre has been located so that it is adjacent to children and family facilities in the building including play areas, toilets and baby changing areas.

## REMARKS

Following an initial assessment of the principle of the development, this section is divided up into a number of subject areas looking at the new WGCC and the residential scheme as two distinct elements.

### PRINCIPLE OF DEVELOPMENT

This application represents a revised scheme for the redevelopment of this site following the withdrawal of a scheme in early 2012 (12/1190 & 12/1191). Members will be aware that the proposal initially involved completely demolishing the existing locally listed building at the northern end of the site but the opportunity was taken to revisit the proposal, consider the points that had been made in connection with it, specifically the strong desire to retain the old library building, and revise the scheme accordingly. As mentioned above, a range of further engagement activities were held with interested parties following on from the withdrawal of the scheme.

As explained elsewhere, those who are going to occupy the new library building have confirmed that it will provide better facilities than exist at present and the new Centre will become the main customer facing hub in the south of the Borough. The applicants consider that the existing building would be less able to provide the modern, sustainable, state of the art customer services envisaged for the future, and that the physical condition of the building is such that substantial work, and cost, would have to be expended just to bring the facilities up to a minimum acceptable standard. The applicants have, therefore, concluded that it is more effective and sustainable to pursue a new facility. There is no planning, design or sustainable policy reason to justify the retention of the existing 1980's building or not to accept the position that has been reached by the applicants.

The key issue for planning policy in relation to the future of the community provision is how it reflects local needs. While the current provision in general quantitative and qualitative terms is important, community needs may change over time and it is not the role of the planning assessment to be overly prescriptive in the way that various elements are catered for. However, it seems clear that the re-provision of a modern building with the facilities envisaged meets the policy requirement and offers scope to do this in a far more effective and

flexible way.

In terms of access and use of the facilities, the applicant has reviewed how the current building and services have operated. They have confirmed that the needs of future users have been taken in account in the design of the primary facilities, the supporting facilities, access arrangements and the way in which services will be provided in the future.

As far as the loss of the existing car park is concerned, while the site is not identified specifically as a housing site in the adopted Brent UDP, or the adopted documents of the LDF, the development of it for housing purposes is acceptable in principal, subject to the discussion of relevant policies and issues that are set out below. UDP policy TRN27 states that it will resist the loss of essential off-street parking. Essential parking is defined as (c) public off-street parking strictly necessary to serve public buildings, facilities and spaces. This is not considered to be the case here, as expanded upon below.

In addition to the relative merits of replacing the existing library centre, there are a number of key planning considerations that inform an assessment of the principle of development.

- The impact of the development on the Conservation Area.
- The impact of the development on the locally listed old library building.
- Loss of the existing car park.
- The provision of outside space.
- Relationship to the public realm, highway and access arrangements
- The merits of the new residential development, in terms of standards, relationship to what is around and the absence of affordable housing.
- Scale and design of the new development
- Implications for servicing of the library.
- Continuity of library services whilst existing building is closed.

## NEW CULTURAL CENTRE

### FACILITIES WITHIN THE NEW CULTURAL CENTRE

Set out below is a table outlining the spaces within the existing building, an indication of what was proposed through the 2012 withdrawn submission (which involved the demolition of the old library building) and the current proposals.

COMPARISON OF AREAS IN EXISTING AND PROPOSED WGCC	Existing Area (m2)	Previous Proposals (m2)	Current Proposals (m2)
Library	1517	1395	1613
Customer Service Centre	138	192	194
Museum	500	500	500
Archive	71	70	70
Foyer/ Reception	454	153	70
Community Spaces	344	362	339
Commercial space	264	117	116
Localities	0	164	inc
Offices	282	327	460
Data Centre/ IT	15	97	18
Hygiene Areas	104	146	62
Front of House	12	24	24
Back of House	87	74	68
Cinema	255	0	0



Circulation and partitions	673	503	617
Plant	363	230	231
Total NET	3469	3362	3454
Total Non NET	1610	991	928
Gross Internal Area	5079	4353	4382
Net/ Gross	68%	77%	79%

The applicants have carried out a thorough analysis of the proposed building, as compared to the original client brief to ensure that the client brief can still be delivered with the inclusion of the locally listed building and a larger library. This has been achieved by reducing the size of the staff offices and the foyer/reception space from the previous proposals. The area comparison above shows that all major spaces in the new building are now either the same as existing, or larger than in the current building. The one exception is the community space which is 5 square metres smaller than previously. This reduction is as a result of the third community space being reduced in size with a view to improving affordability for prospective users. The fact that the old library building will in the future operate as an additional community space, managed in a similar way to the library lab, means that it too will be available for community use. All services are replicated, or expanded, in a more efficient, sustainable way.

#### FACILITIES OUTSIDE THE BUILDING

The development proposes to change the current open areas around the building – principally by providing the new ‘Brondesbury Walk’ and improvements to the public realm in Grange Road. In terms of the external spaces a comparison of both existing and proposed is provided within this application. The range of current outside areas includes the space to the rear of the library, the small children’s play area adjacent to it and the space to the front of the library building. It is this space that is subject to the current Village Green application awaiting a Public Inquiry in February 2013. This is discussed later in this report.

The application scheme creates a new street entitled ‘Brondesbury Walk’ to the rear of the new library which provides a single space larger than any of the single areas that exist at present. However, the space would be some 65 square metres smaller than a combination of the existing space to the rear and the open area to the front (total 565 square metres rather than 625 square metres). This small reduction is acknowledged. However, in qualitative terms it is considered that the proposed spaces will, at least, be equal to the existing offer and will be able to be used for a range of uses, as explained below. The intention is that the space will be used as a new local square for use by existing and future communities. It will be predominantly hard paved, but will include mature trees to provide visual interest and shade. The level change between the WGCC and the residential Block A will allow for a double terrace of seating to be provided for visitors of the Centre to use. The WGCC will open directly out onto Brondesbury Walk and it is this relationship that will, it is anticipated, help to encourage interaction between what happens inside and outside the building. The cafe proposed for the Brondesbury Park side of the WGCC will contribute to this interaction. At the same time the fact that the space is overlooked by residents in Block A should provide the level of natural surveillance and visibility that would serve to benefit those wishing to use the outside areas.

It is proposed that the new WGCC building will sit in a sensitively interpreted civic space which will provide a high quality setting for the building. The spaces will not only provide formal civic amenity, but interesting play facilities making the public space around the centre as much of a destination as the building. The quality of landscape interpretation, including the use of level changes, has allowed a sensitive designed progression from the civic public spaces adjacent to the Cultural Centre to the semi-private and private areas of the residential development behind.

As far as the use to which the outside space could be put, as well as the more informal activities described above, Brondesbury Walk would also allow opportunities for more formal uses to take place. Service nodes are proposed to be built into the space to allow traders (the application submission gives examples of how market stalls could be laid out) or other event hosts to draw power and have access to services close to whatever it is that they are doing within the space.

In terms of other spaces, the applicants also highlight the value of the changes to the space at the northern end of Grange Road, near to the junction with High Road. While this area is intended to provide access to disabled car parking bays the proposals also include means to promote its visual integration into the

landscaped area which should help to strengthen the look and feel of this area as being part of a pedestrian zone. The space, whilst not new, will be significantly improved by the introduction of a paving treatment that will unify all spaces around the WGCC, provide new seating and play clusters. All of these works will take place around the retained London Plane tree.

## DESIGN OF THE NEW CULTURAL CENTRE

As explained above, the scheme has developed over time, partly in response to concerns expressed previously, with virtually all of the locally listed building (and all of the original structure) now being retained and being incorporated into the new development. A discussion about the partial demolition of the rear wall of the original library building can be found elsewhere on this Agenda as it is the subject of a Conservation Area Consent (CAC) in its own right. The determination of this CAC falls to the Secretary of State because Local Authorities are unable to determine applications for Conservation Area Consent that they have submitted themselves. Although Brent Council are not the applicants here, a judgement was made that in the particular circumstances of this case, and this site, it would be appropriate to refer the matter on.

The decision to retain the old library clearly has an impact on the form of the new building and the existing and new could be linked in a variety of ways. The architects have decided on a relatively simple, low (it would be the same height as the eaves of the old library) flat roofed glazed connection that provides for entrance points on both the Brondesbury Park and Grange Road frontages. The dimensions of this link space (approx. 5.5 metres wide and a maximum of approx. 16.0 metres from Grange Road to Brondesbury Park frontages at its widest point) has increased in discussions leading up to the submission of the new application and provides a useable internal foyer area. The new entrances in this link structure are set back from the front of the old library on both frontages which helps to maintain the visual integrity of the retained original locally listed building.

The retention of the old library, and the link described above, results in the mass of the new building reading as a clearly separate form. The applicants architects have spent a good deal of time in the submission explaining their design thinking behind the latest version, including examples of other developments elsewhere. When viewed from the High Road the new 4 storey building is visible behind the lower retained building on the frontage. However, its proposed elevational treatment, the separation created by the glazed link, and the stepping in of the upper floor ensure a relationship between the two that announces the new, but does not overpower the original. When viewed from the south along Brondesbury Park and Grange Road, the new building is seen in the context of the height of commercial High Road frontage.

The retention of the locally listed building, and the fact that the new building has to provide a particular range, and level, of facilities in order to deliver the community building that is envisaged means that the size of the building is to a degree determined by this. The front of the new building is "V" shaped in form reflecting the internal layout and trying not to compete with the old library. The applicants have chosen a simple material palette for the main structure of the new building and added decorative brick within the framework of the facades of the building which are intended to reflect, and take reference from, varied Victorian buildings around. Whilst the building is relatively large, it is considered that it provides an appropriate backdrop to the retained locally listed building. As far as the proposed materials are concerned their quality is going to be key and this will be controlled by condition.

## EXTERNAL ASSESSMENT

The qualitative assessment of the proposal is informed by the views of the Council's Architects Design Review Panel (DRP), as well as Brent's own Urban Designers. Members will be aware that in July 2009 the Planning Committee approved the establishment of a Design Review Panel to help the Council secure the highest possible standards of design and innovation for the Borough's Built Environment. The membership of the DRP comprises 25 architects and designers, with 6/8 required to attend any specific meeting. Their role is to provide independent and professional design advice on a diverse range of major developments.

In their assessment of this particular proposal in December 2012 the DRP felt that, if anything, the scheme should be made even more striking in architectural terms, with the new element looking to contrast even more with the retained old library building. They felt that in pure architectural terms they could have supported the loss of the existing building, but they understood the approach been taken. The idea of linking existing and new was supported, subject to the precise detailing proposed.

The application was referred to the GLA and in their Stage 1 response they were extremely positive about the proposal. Their views are expanded upon in the Section below.

## RELATIONSHIP TO CONSERVATION AREA

The impact on the Willesden Conservation Area to the front of the site (UDP policy BE25) and the partial demolition of the locally listed building (policies BE24 & BE27) are critical material planning considerations here. As explained above, the works to the locally listed building are subject of a separate application that appears elsewhere on this Agenda, but it is considered that the proposal complies with policy and that the limited amount of demolition to the old library (particularly given the specific element that is now the subject to demolition is non-original) is now acceptable. For clarity, both the Conservation Area and the locally listed building would be defined as “heritage assets” in the NPPF.

The NPPF makes it clear that when determining applications Local Authorities need to understand the significance of any heritage asset that may be affected by the development. Furthermore, Local Authorities should account for the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic viability. New development should make a positive contribution to local character and distinctiveness.

In terms of the impact of the development on the setting of the Willesden Conservation Area, Members will be aware that even though the new library building itself will be located outside the Conservation Area, the impact that it would have on the Area still needs to be taken into consideration. It is a well established approach that development proposals outside the Area, but affecting their setting or views into or out of the Area, shall pay special attention to the preservation, or enhancement, of the character and appearance of the Conservation Area in question.

Whereas with the 2012 withdrawn scheme the complete demolition of the old library building meant that the Conservation Area preserve or enhance “test” was always going to be very finely balanced, in this case, the removal of the poorly designed 1980’s library building, and the retention of the majority of the locally listed building, means that the impact of the current development on the Conservation Area, is actually considered to be an enhancement. For clarity, the limited works to the old library building also ensures that the well-established London Plane tree, that is widely recognised to contribute so much to the area, will be unaffected by the proposals, further ensuring the overall preservation of the character of the locality.

The design of the new Centre is considered to relate well to the retained locally listed building and will constitute an improvement on the existing, in terms of its design and appearance, for the reasons set out above.

As explained elsewhere in this report, the application needs to be referred to the GLA and the London Mayor will determine whether he wishes to determine the proposal or if he is content for the Local Authority to make the final decision. The GLA have been involved in the evolution of the development and have previously expressed a number of views on it. It is considered useful to consider the views expressed by the GLA in their recent Stage 1 response, as far as they relate to design matters and the impact of the development on the locality.

They say that *“the principle of redeveloping the library site and providing an enhanced, modern community facility in a well designed flexible building space and.....is strongly supported”*.

In terms of the old library building:

*“In contrast to the withdrawn application for the site.....the proposal incorporates part of the original library building and reuses it for its original purpose, as the entrance to the library. This scheme preserves the heritage asset and allows the regeneration of the library and the wider site and the restoration and re-use of the historic building is strongly supported and welcomed.”*

As far as urban design issues are concerned:

*“The proposed development has the potential to have a transformative impact in the area and the current design successfully maximises the potential of the site, adds to the public realm network in the area and provides an impressive new cultural centre with a strong presence on the High Road”*.

*“The proposal would provide a positive architectural contrast to its setting. The current 1980’s building is a poor pastiche that detracts from the character of the conservation area and the surrounding townscape. The new building creates a strong identity that clearly signposts the civic function of the building and also civic pride in the building. The clear and bold articulation of the elevations captures the self-confident spirit of the*

*areas original Edwardian character and would signpost its rejuvenation”.*

Officers acknowledge that the re-provision of a community facility on the site is an urban design challenge. The new WGCC sits on a similar footprint to the existing library whilst retaining the locally listed building, helping to reinstate and reinforce the historic grain and structure of Willesden at this important junction. The massing of the new civic building will be mitigated by the treatment of the exterior of the building. The relatively large mass has been broken down by a strong horizontal emphasis for each floor which significantly reduces the perception of height from the street. The massing is further reduced by a series of vertical rhythms defined by combinations of windows and a special cladding system; this rhythm reflecting the proportions of building within the locality helping to help to connect the building to Willesden town centre.

As far as the old library is concerned, the integration of old and new architecture has been achieved by a simple glazed link between the original Arts and Crafts elevations of Newman and Newman and the contemporary civic architecture proposed. Officers consider that the glazed junction sensitively connects old and new and adds legibility to the entrance. The repaired old library elevations preserve and record the historic development of Willesden, whilst the contemporary super-efficient building behind is considered to enable local services fit for the 21st Century.

The palette of materials proposed for the WGCC will hopefully further underpin the design quality of the building as well as its contribution to the reinvigoration of Willesden. The quality of architecture, materials and execution will act as a catalyst stimulating others to improve the quality of their proposals for development in the area. This view is shared by the GLA, as set out above.

Elsewhere in other sections of this report it can be seen that the GLA had a number of comments about the application proposal that require further work before the matter is referred back to them through the Stage 2 response. However, in terms of their views on the old library building, the design of the new WGCC itself and the impact on the Conservation Area, it is considered extremely useful to have their views on the overall quality of the proposal. They support the conclusion of Officers that the scheme has developed over time to a point whereby the application can be supported in design and heritage terms.

#### TRANSPORTATION CONSIDERATIONS (WGCC)

Brent UDP standard PS12 allows a maximum of 1 car space per 5 employees, with visitor parking allowed for 5% of the maximum capacity of the building, giving a maximum allowance of 13 staff spaces and 30 visitor spaces (based on a capacity of 600). This gives a total maximum allowance of 43 spaces. No off-street car parking is proposed to be retained for the Centre, which is in line with the current adopted standards of the Council. These standards state that non-residential development should make provision in accordance with the maximum standards. These can be varied dependent on the level of public accessibility to the particular site and the contribution that the development would make to reduce the use of the private car.

The Council's Transportation Engineer has confirmed that given the highly sustainable location of the application site, with its high PTAL rating and location within a Controlled Parking Zone (CPZ), the absence of any on-site car parking is considered to be acceptable in principle. For the information of Members, the High Road end of the site has a rating of PTAL5, with the southern end of the site PTAL4.

#### LOSS OF EXISTING CAR PARK

Although the location is a highly accessible one, as was the case with the earlier 2012 application, the loss of the existing 73-space car park to the rear of the site does require further, careful consideration.

Officers have sought additional information in connection with this point and, to this end, detailed survey information on use of the car park and parking conditions in the vicinity of the site has been provided within an amended Transport Statement. This comprised car park occupancy surveys undertaken every two hours between 9am and 9pm on Thursday 16<sup>th</sup> and Saturday 18<sup>th</sup> August 2012. Maximum occupancy on each day was observed as 42 cars at 3pm on the Thursday and 61 cars at 9pm on the Saturday. This information has been useful in adding to the understanding of the way that the car park has operated over time.

Surveys of on-street parking in the area identified a total of 521 residents' permit parking bays, 20 disabled spaces and 124 bays for pay and display parking within about 250 metres of the site. Occupancy surveys of the pay and display bays area showed between 44 spaces (5pm) and 54 spaces (9pm) as occupied on the

Thursday and between 40 spaces (9am) and 65 spaces (9pm) as occupied on the Saturday. As such, the minimum number of available pay and display spaces in the area was observed at 59, with spare capacity being greater during the day than in the evening.

The only period during which use of the existing car park marginally exceeded the availability of spare parking space in the area was at 9pm on the Saturday. However, in the evening, there are a further 70 on-street parking spaces available on single yellow lines after 6.30pm which can be used by visitors to the Centre. The parking surveys therefore demonstrate that there is sufficient spare on-street parking capacity in the area to cater for overspill demand from library visitors at all times once the existing car park within the site is lost, without any need for visitors to use residents' parking bays. There is also the Sainsbury supermarket further east within Willesden Town Centre that has a car park available for use and may be attractive, for example, to users who make combined trips.

While the current car park is underused, those who have used it will clearly have to adapt to increase their use of public transport or make use of available parking opportunities in the local area. A similar approach is being adopted for the new Civic Centre where there will be significantly reduced car parking for staff and visitors.

CPZ's operating in the area will assist in restraining visitor parking on residential streets during weekday daytime hours. In the future, Brent's Transportation Unit will need to review whether there is any need to extend the operating hours of the CPZ into the evening and weekend to ensure that overspill parking from the Cultural Centre does not inconvenience local residents.

Retention of disabled parking close to the Centre is important and the intention is to provide four disabled spaces along Grange Road. Once again, any such bays will be subject to a Traffic Regulation Order to be progressed by the Transportation Unit in consultation with the public. For clarity, visitors with Blue Badges are able to use residents' parking bays if necessary.

#### Cycle Parking (Cultural Centre)

A total of 24 cycle parking stands are now shown along either side of the re-landscaped Grange Road, with a further eight stands indicated towards the western end of Brondesbury Walk, providing a total of 64 publicly accessible spaces for staff and visitors to the Cultural Centre. This is in line with UDP standard PS16.

Staff changing and showering facilities are indicated within the staff rooms on the third floor of the building, in line with standards.

#### Servicing (Cultural Centre)

Studies of delivery profiles for offices, libraries, museums and café/retail units from other developments across London have been provided to respond to previous issues over the developments' servicing requirements. Although the survey data is not taken from the existing library on the site the approach used is considered by Transportation Officers to be reasonably robust.

This exercise produced an estimated total of 15 deliveries to the site per day, four of which would be by large HGV's, with the remainder by cars or vans. The delivery profile is assumed to be spread fairly evenly across the course of the day, but to assist in this, it is essential that a Servicing Management Plan is produced and implemented through the S106 process and this has been acknowledged in the submitted Transport Statement. Signage and parking enforcement is also to be used to control parking in the loading area, as outlined in the proposed Travel Plan.

The new WGCC will also have access to parking for two "Escort"-sized vans which are currently available at the nearby Grange Road annex building and at a remote location.

As before, a storeroom with space for eleven 1,100 litre Eurobins is indicated along the Grange Road

frontage of the building for general waste and recycling, which will entail daily access by refuse vehicles to the northern end of Grange Road. Tracking diagrams have been submitted to demonstrate that large refuse vehicles would be able to access and turn in this area, by reversing into the western end of Brondesbury Walk. This is considered to be acceptable by the Council's Transportation Engineer and the specification for the construction detail of the resurfaced length of Grange Road will need to take these swept paths into account. This will be controlled through the Section 278 agreement.

### Pedestrian Access (Cultural Centre)

Level access is proposed to the Cultural Centre via the new glazed link from the High Road frontage and from Brondesbury Walk, with ramps provided to a 1:21 gradient where they are used. The provision of Brondesbury Walk is again welcomed as a means of retaining and improving permeability across the site. All external doors to the Centre, aside from one fire exit door, have now been amended so as not to open outwards into the public highway. This one remaining door is sited alongside the cycle stands on the eastern side of Grange Road, so has a measure of protection from direct conflict with pedestrians using the street and is unlikely to be used frequently, given that it is a fire door.

### TRANSPORT IMPACT

An amended Transport Statement was submitted with this revised application which, following previous requests now includes detailed questionnaire surveys of staff and visitors at the existing library to ascertain how they currently travel to the site and where they travel from. This is very much welcomed as providing a far more realistic representation of existing and future travel patterns than the previous exercise of looking at other sites across London and making comparisons.

The survey was undertaken between 9am and 8pm on Tuesday 21<sup>st</sup> August and counted a total of 1780 visitors leaving the building across the course of the day. The peak arrival time was 10-11am, when 226 visitors entered the building, with the peak departure time being 5-6pm when 212 people left the building.

The questionnaire survey results showed that 86% of visitors travel less than 3km to the site (with 39% travelling less than 1km), showing that the catchment area is very local. It is of course recognised that this may alter if the Centre becomes the community hub in the south of the Borough as is anticipated.

The modal split is therefore much more heavily weighted towards walking than previously assumed, with 42% travelling by foot, 28% by car, 22% by bus and 7% by other modes such as rail or motorcycle. For car journeys, 97% used the library car park. 85% of visitors solely visited the library, with 10% also visiting shops in the area.

Staff journeys were generally longer and as such, the modal split was more heavily weighted towards car use, with 44% travelling by car, 41% by public transport and 11% by foot. There are 39 staff at present meaning that applying this breakdown equates to 17 of those arriving by car at present.

The previously submitted Transport Statement concluded that the development would not have any significant impact on the local transport network, either through vehicle movements or car parking, even with the addition of enabling residential development. The data from these surveys bears this out, with the conclusion that the library actually generates less traffic and parking than previously assumed and the reduction in car parking within the site and implementation of Travel Plans should assist further to this end. As such, this proposal is considered to be generally acceptable in transport impact terms.

### TRAVEL PLANS

#### Workplace Travel Plan

A workplace travel plan has been submitted, setting out a package of measures aimed at reducing single occupancy car journeys by staff by 10%, increasing walking and cycling trips by 2% and increasing public

transport trips by 8% over the next five years, based on modal share figures gained from the staff survey which has been carried out. Surveys will be undertaken one, three and five years after opening to assess progress towards this target.

Transportation Engineers consider the content of the Travel Plan to be fine with regard to staff travel, but needs to be amended to include consideration to reducing the proportion of visitor trips to the development by car. Any consent for the site should, therefore, be subject to a S106 Agreement requiring the submission and approval of an amended Travel Plan for the Cultural Centre that also includes measures aimed at reducing visitor trips by car.

### Residential Travel Plan

The submitted Residential Travel Plan includes a series of measures aimed at reducing single occupancy car journeys by 5% and increasing walking and cycling trips by 5% over the five year period following completion of the development, based on modal share figures for the local area from the 2001 Census data. The precise figures and targets will be more firmly established following baseline surveys when the proposed residential properties are occupied to a level of 50%. These arrangements are acceptable in principle.

The Travel Plan does not include consideration of the promotion of Car Clubs in the area (including subsidisation of membership amongst residents). Officers do however acknowledge that these are highly valuable elements where they are introduced and the GLA have made reference to the concept in their submissions. As a result, a sum is now included in the proposed Heads of Terms to deal with the promotion and implementation of a Car Club. It is acknowledged that the development is proposing to a high number of car parking spaces within it, however, it is considered that the inclusion of a contribution towards a Car Club is justified. As far as the management of car parking within the site, which is a key measure in terms of looking to reduce car usage and ownership, any Travel Plan needs to be adjusted to take these measures into account.

## RESIDENTIAL ELEMENT OF THE PROPOSAL

### PRINCIPLE OF DEVELOPMENT

The discussion above responds to the issue of the loss of the existing car park. On this basis, while the site is not identified specifically as a housing site in the adopted Brent UDP, or the site specific proposals of the LDF, the use of, what may be considered a backland site for housing purposes is acceptable in principal, subject to the discussion of appropriate policies and issues set out below.

### DENSITY

As explained above the site has good access to public transport and is classified as "urban" according to the GLA. The London Plan density matrix therefore suggests a residential density of between 200 and 700 habitable rooms per hectare or 45-260 units per hectare.

The proposed density here, taking into consideration the site area, is approx. 149 units per hectare. This is in line with the density range as set down in the London Plan and the GLA have confirmed that the application complies with the London Plan in this respect.

### IMPACT ON THE CHARACTER OF THE AREA

The residential element will be located to the rear of the site and consists of 4 blocks providing for a total of 95 dwelling units. Block A (5 storeys) links Grange Road and Brondesbury Park to the south of the Cultural Centre, whilst Block B (5 storeys) fronts onto Grange Road to the south. In the centre of the site are proposed Blocks C and D (ranging from 2 to 5 storeys) which incorporate a 61 space car park below. The top floors on the taller blocks have been set back in order to reduce the overall apparent mass of the buildings. In terms of Block B, concerns were expressed that it was in excess of what is around, but the applicants have provided a range of near and long views of the proposed building which suggest that the degree of set back of the top floor would mean that it effectively reads as a 4 storey building from the streetscene.

All other elements have been designed so as to comply with the Council's adopted SPG17 guidance "Design

Guide for New Development”, in terms of physical relationship between existing and proposed buildings. However, proposal is to build on the existing car park, which has been in existence for over 20 years and so it is acknowledged that the relationship of adjoining and nearby residents to the appearance and use of the site would change. The purpose of SPG17 is to balance and mitigate changes to the existing environment in terms of overlooking, loss of privacy and avoiding overbearing impacts to acceptable levels. It is in order to respond to this that the scheme has been amended over time.

The development proposes what might be considered to be development of a backland site, albeit one which currently has access to it from a number of points, so is not a true backland proposal in the way that it would normally be understood. Nevertheless, there is a key issue concerning an assessment over the impact that the proposal would have on the character of the locality. The scale of the buildings is not considered to be out of character with what is around at present, certainly as far as the height of the proposed buildings are concerned, and sections through the application site have been provided demonstrating that, even at the highest point of Block C, it is no higher than the buildings either side of it in Brondesbury Park and in Grange Road. The taller blocks are to be found at the northern end of the site, providing a transition between the WGCC and the lower density housing further south. Blocks C and D certainly reduce in scale to reflect their more sensitive relationship with neighbours, but also the irregular shape of the southern section of the site. Again, all of this is a clear improvement as compared to earlier proposals and, particularly when considered alongside the comments about proposed density above, is considered to be an indication of the appropriateness of the form of development proposed.

One of the locations on the site that have been of long-standing concern to Officers is the eastern end of Block A where there are habitable room windows in its south-facing rear. These will need to be carefully considered in terms of impact and the applicants have sought to restrict views down into the most sensitive locations in Brondesbury Park residences, by the use of physical measures to prevent overlooking, as well as carefully thought out tree planting and taking advantage of the existing high boundary wall. It is unlikely that there will be any loss of privacy within existing residential properties, although some external garden spaces may be overlooked. The applicants are understandably keen to ensure the elevational integrity of Block A is not harmed, but by the same token it is considered that the measures do need to be in place to minimise any loss of amenity and this seems an acceptable approach. Further work would need to be controlled through a condition attached to any consent, which might consider a range of mitigation measures that restrict or limit outlook from certain windows in the most sensitive locations. This could include physical screening or the use of louvres (of an appropriate design) which would prevent any views towards the most sensitive locations.

**UNIT MIX**

The proposed development would consist of the following unit mix.

<b>Block</b>	<b>1 bed</b>	<b>2 bed</b>	<b>Total</b>
A	25	23	48
B	8	13	21
C	7	8	15
D	6	5	11
<b>Total</b>	<b>46</b>	<b>49</b>	<b>95</b>

As is evident, the development will comprise 1 and 2 bed units. Members will be aware that there is a significant demand for larger family units in Brent and that household sizes in the Borough have increased over time. The Core Strategy resists proposals that result in the loss of family sized units for precisely this reason. Officers would normally be seeking a mix of units in a development of this size that included an element of larger units and the GLA in their comments have indicated that they find the housing mix “disappointing”. However, they also say that they accept the viability information that demonstrates that the mix is predicated on the residential element enabling the new WGCC and, consequently, accept the mix. Officers endorse this view and would normally seek a different mix, but, on balance, accept the proposal for the reasons set down above, noting the town centre location.

**UNIT SIZE**

Members will be aware that the Mayor’s London Plan seeks larger flat sizes than those set down in the Council’s own SPG17 “Design Guide for New Development” and it is that standard for internal spaces that should now be used when assessing residential quality. The table below compares the unit sizes within the proposed development in comparison to the standards set out in the London Plan and SPG17.



Property Size	Proposal (m <sup>2</sup> )	London Plan (m <sup>2</sup> )	SPG17 (m <sup>2</sup> )
1-bed	50	50	45
2-bed (3 person)	61	61	55
2-bed (4 person)	70	70	65
3-bed	0	74 (4 pers) 86 (5 pers)	80

All of the proposed units would comfortably exceed the minimum standards set out in SPG17 and would comply with the London Plan, in terms of quantity of internal space. A further consideration here is the overall quality of accommodation. The 2012 withdrawn scheme included some single aspect north facing units, which Officers consider to be incapable of providing an acceptable quality of environment, and those have all been deleted from this iteration. This means that, in terms of outlook and light, all units would be able to provide adequate internal spaces fully in compliance with both SPG17 and the London Plan, ensuring a satisfactory standard of accommodation for potential future occupiers.

#### AMENITY SPACE & PLAY AREA

The proposed development would provide large communal gardens consisting of a children's play area, hard play area and general soft landscaping areas. Private amenity space is provided for occupiers of the proposed development by way of private gardens, terraces and balconies totalling 1155 square metres of space. The landscaping areas provide a further 2655 square metres of outside space. The guidance set out in SPG17 would require a total provision of 1900m<sup>2</sup> (95x20m<sup>2</sup>) of amenity space for the proposed development which is more than satisfied.

The play areas within the residential element of the proposal would include areas with equipment and hard surfacing for free play. Further details of the proposed areas, which would only be for the use of residents or their visitors should be required by way of condition.

The development shows a proposal that would allow sufficient space to provide a range of useful, useable outside amenity areas to meet the likely differing demands of future residents. The development would afford future residents a satisfactory standard of amenity.

#### URBAN DESIGN

The area surrounding the subject site is primarily residential, with the commercial High Road to the north. Brondesbury Park to the east is made up of 2 and 3 storey residential buildings which have rear gardens of reasonable length, ranging from approx. 15 metres to approx. 30 metres, where they border the application site. Grange Road to the west has similar heights of buildings but also is the site of the 4 storey Victoria Mansions which backs onto the existing car park. The car park itself is flanked by these residential properties with planted boundary walls forming the boundary to the site at the rear.

#### LAYOUT & MASSING

As explained above, the proposed residential development would involve the erection of four residential blocks, referred to as Block A, B, C and D. The shape of Block A relates directly to the WGCC with the centre of this curved block also being the centre line of the Cultural Centre. The layout also then provides a setting for the public space between the WGCC and Block A.

The layout of the proposed blocks behind Block A have been designed within their own landscaped setting (public access to the area will be restricted) which is considered appropriate as it would help to provide for an attractive environment for future occupiers and maintains security to existing rear gardens. The sites communal outside spaces will be separated from any vehicular movements whilst maintaining good levels of natural surveillance.

The layout, and siting, of the blocks has, in part been derived from ensuring that their relationship with the nearby residential development complies with adopted SPG17 standards, in terms of separation distances. In particular, Blocks C and D are located towards the centre of the site in order to ensure that the relationship with the nearest residential boundaries is an acceptable one. There is a significant change in levels within the site, with the southern end of the car park higher than the northern High Road end. This has meant that it has been possible to incorporate a lower storey of undercroft/semi-basement car parking through excavation whilst at the same time minimising the height of Blocks C and D. Viewed from the western boundary of the site they would read as 3 and 2 storey buildings respectively with the top floor of Block C set back from the

perimeter to seek to reduce massing still further.

The proposed Blocks A and B would generally be 5-storeys in height with the top storey set back. The height of Block A is considered to be acceptable, acting as a transition between the WGCC and the main residential element of the site. Block B along Grange Road is a similar height and is more of a balanced consideration given its relationship with what is found nearby. The proposed development would be taller than the existing housing opposite, and Officers have previously expressed the view that the building should be a storey lower than it is, but the top floor of the proposed Block has been reduced quite significantly from what was proposed originally (it now only incorporates 2 units) and it would be set back from the front edge of the roof by approx 6.2 metres. The top storey would also be set off the southern edge of the roof by 6.8 metres. The applicants have provided 3D street views that demonstrate that the views of this top floor will, as a result of these changes, be extremely limited from within the local area and, as a result, although it will be higher than properties opposite, and it is going to be built on the part of the site that currently has no buildings on it, given the set back of the top floor it is considered that, on balance, the scale of the proposed development along Grange Road would be appropriate in design terms. In streetscene terms, the erection of Block B does help to repair the open gap in the street that the existing library centre created along Grange Road.

## ELEVATIONAL DESIGN

The facade of the proposed residential development would be brick built, designed with a simple palette of materials in mind. The top floor on each block is, as explained above, set back from the edge of the roof and these would be clad in metal cladding panels to provide a contrast. The elevations are generally well considered helping to establish an appropriate rhythm within the development and also assisting in seeking to reduce the perceived scale of the buildings. The elevations are also treated with well proportioned windows and balconies which would add visual interest.

Officers consider that the choice of materials and the architectural approach taken is an appropriate one. In general, the materials proposed would respect the context and character of the surrounding area, but create an identity for the new development. However, to ensure adequate quality a condition should be attached to any permission requiring the submission of samples for approval.

## IMPACT ON RESIDENTIAL AMENITY

As explained above, the layout and form of the building has to a degree been derived from an assessment of residential properties that currently surround the subject site. This is most obvious in terms of the existing properties within Brondesbury Park to the east and Grange Road to the west and Blocks C and D have had to be changed quite significantly since the development was first presented in response to the application of the Council's adopted SPG17 guidance and a need to ensure that any impact would be within acceptable limits.

Members will note the new residential building at Number 15 Grange Road which would back onto the new site. This is the location where the relationship between existing and proposed is tightest, with 14 metres between buildings. However, No.15 was built with a small outside space to the rear relying on outlook across the existing car park site. The new building (Block C) has been designed so that there will be no windows facing towards No.15, and the physical impact is minimised by the siting of the new block. There will be a landscaped podium to the rear of the existing block which will help to provide a reasonable setting. The relationship is a tight one but is, on balance, considered to be acceptable.

## DAYLIGHT/SUNLIGHT & OUTLOOK

Members will have over time become familiar with the various means by which impact of developments can be assessed. Officers most often use the quantitative tests set down in adopted SPG17 which seek to minimise impact, as far as privacy, light and outlook are concerned, by using a variety of assessments. In this case, the development complies with all those assessments.

However, taking the issue a stage further, in perhaps a more technical analysis, the applicant has commissioned a daylight, sunlight and overshadowing report. This examines the impact of the proposed development on neighbouring occupiers. The assessment methodology is based on the Building Research Establishment (BRE) guidelines on "Site Layout Planning for Daylight & Sunlight" (2011) which are summarised as follows:

- If the Vertical Sky Component (VSC) at the centre of a window is 27% or greater then the window is likely to enjoy adequate daylight.
- If the VSC is less than 27% but the overall reduction in VSC from its previous level is less than 20% then

it is also considered that adequate daylighting would occur.

- If VSC is less than 27% and the reduction in VSC from the previous level is greater than 20% then adequate daylight may not be available. However, this should be confirmed through a more detailed assessment of the Average Daylight Factor (ADF).

In this case the results are fairly conclusive in that they confirm that the development will be acceptable when it is assessed against the BRE guidance. The one exception is there is one room in George Furness House on the western side of Grange Road above the existing library archive where the existing building already has a significant impact on the amount of daylight available. The assessment reinforces the conclusions of the SPG17 analysis that the impact on people living nearby will be within the acceptable range. For clarity, it does not conclude that there will be no change for people living nearby, because self-evidently there will be, but it does confirm that the loss of sunlight and daylight to existing residents, inside buildings and also in garden areas, will not be significant.

## PRIVACY AND RELATIONSHIP BETWEEN BUILDINGS

As discussed above, the various frontages of the new flats within the site would be in excess of 20m from the nearest sensitive window locations within those buildings that back onto the existing car park. In terms of the relationship with Brondesbury Park, the closest distance is approx 22 metres at the northern end of Block C and this figure increases to closer to 30 metres at the southern end of Block D. As far as Grange Road is concerned, in terms of window to window separation distances, the distance between the proposal and Victoria Mansions is approx. 24m and this reduces slightly towards the south of Block D as it backs onto Chambers Lane properties. However, in all instances, separation distances would continue to exceed 20 metres and this is the distance set down in the Council's adopted SPG17 guidance. It is, consequently, considered to be sufficient to ensure that a reasonable relationship is preserved for occupiers of all nearby properties. The form, siting and height of the development have been changed over time since the first iteration so as to now comply with the guidance.

Officers have had long-standing concerns about the relationship between the rear of the eastern end of Block A, where there are habitable room windows, and the nearest Brondesbury Park property. Although there is unlikely to be any issue of window to window relationships here, the proposed windows will need to be carefully considered. The applicants have sought to restrict views down into the most sensitive locations, by the use of physical measures to prevent overlooking, as well as carefully thought out tree planting. Although the existing library building has a significant visual and physical impact, it has no windows and the introduction of such features does require attention. As mentioned above, further work needs to be controlled through a condition attached to any consent.

In terms of the relationship between the proposed blocks within the site themselves it is noted that in general the window-to-window and window-to-balcony distances would also comply with the guidance contained in SPG17. The closest point of separation between two buildings occurs towards the west of the site where the southern elevation of Block A and the northern elevation of Block B are only approx. 5.4m apart. Five units in Block A and 4 in Block B are affected. However, whilst this relationship would perhaps be tighter than might normally be considered, the number of most affected rooms has been minimised, with any loss of privacy now being designed out by the siting of windows. There will be issues of outlook, particularly from the lower level units, but none of the affected rooms are single aspect and it is not considered that this relationship is so poor that a refusal of consent could be justified on this ground only.

## TRANSPORTATION ISSUES (HOUSING)

As explained above, the site has good access to public transport services and is also located within a CPZ. This means that the adopted UDP allows for a reduced maximum parking allowance of 0.7 spaces per dwelling to be applied to this site. This gives a slightly increased allowance of 66 spaces as compared to the withdrawn 2012 scheme. The proposed provision of 63 on-site spaces therefore accords with standards, although so would a reduced level of parking, or an entirely "car-free" development, given the sustainable location.

A "Permit-Free" agreement is required through the S106 Agreement, withdrawing the right of future occupants of the development to on-street parking permits in the area and ensuring that they are fully notified of this prior to occupying any unit. This approach is consistent with the development of other sites in this part of the Borough and is needed to ensure that overspill parking does not impact on the existing roads nearby to the detriment of existing road users.

UDP standard PS15 requires at least 1 in 20 spaces to be widened and marked for disabled people and the proposed provision of ten such bays in the basement is sufficient to meet this standard in numerical terms.

Electric car charging points should be provided for at least 10% of the parking spaces and a minimum of 13 such points are to be provided to meet London Plan policy.

#### Cycle Parking (Residential)

Bicycle parking comprising a total of 96 spaces is indicated within secure storage rooms within each block, ensuring a much better spread of provision across the site than indicated previously, to ensure convenient access to cycle parking space for residents of each block. Members will be aware that adopted policy requires one bicycle space to be provided per residential flat so as to contribute to the provision of real alternatives to the use of the private car and the scheme (95 flats) meets this policy.

#### Servicing (Residential)

Swept path diagrams have been provided showing the tracking of larger vehicles within and around the site, confirming that large refuse vehicles and fire appliances will be able to successfully enter the residential site access road, turn and leave in a forward gear.

Whilst adequate internal bin storage is shown for each of the blocks, the reversing distance shown for refuse vehicles accessing the store for Blocks C and D is again 28m, contrary to British Standard BS5906 (2005) which recommends a maximum reversing distance of 12m. However, the route is straight and should be relatively lightly trafficked. The Council's Safer Street Officers (Recycling and Waste Team) have confirmed that there are means by which this issue can be overcome (eg: re-locating a bin store or putting management arrangements into place). These arrangements will need to cover Block B as well where the wheeling distance between the store for and the loading point exceeds Brent's recommended distance of 10m. As explained, Brent's Safer Streets Unit have confirmed that all waste collection arrangements are acceptable, in principle, which should avoid difficulties in the future.

As before, the indicated reversing distance of 20m to allow fire appliances to stand within 45m of all building entrances complies with requirements.

#### Street Layout (Residential)

It is envisaged that the space within the residential element of the development will operate as a "Homezone" with a shared surface landscape. A block-paved surface treatment is proposed for the vehicular access route into the site, with a kerb or channel and bollards indicated to separate the carriageway and footways. This approach is generally fine. The carriageway is drawn as 5.2 metres wide with delineation to each edge. The shared surface will still need to ensure that vehicles can pass one another due to the relatively high levels of servicing anticipated and the minimum width of 5.5 metres carriageway width should allow this to happen.

Most doors adjacent to the footway have now been amended to open into the building or have been set back, with the sole exception of the door leading to Block C bin store. Transportation Officers will seek the alteration of this doorway to open inwards, as with all developments.

A projecting first floor balcony has also been shown from Unit C03 in Block C which encroaches very close to the kerbline of the access road, making it vulnerable to damage by service vehicles. This balcony needs to be amended accordingly. The entrance ramp to the undercroft car park below Block C needs to be amended to 4.8m plus margins and this is easily achievable.

The design of the junction onto Brondesbury Park is now shown with 6m kerb radii and a raised table, with the fob controlled entrance gates set 13.5m from the highway boundary, all of which is acceptable. Tracking has also been provided to demonstrate that large delivery vehicles would be able to turn left into and out of

the site without overrunning the opposing traffic lane, whilst sightlines will also be fine.

Pedestrian access to the residential part of the development will be available from Brondesbury Walk via ramps, with a 1.3m wide footway with gates also available alongside the vehicular access road from Brondesbury Park, which is acceptable. The previous access route from Grange Road between Blocks A and B has now been removed following concerns about security, but given the other available routes, this is also acceptable.

As before, further details of surfacing, lighting and drainage for the residential access roads and footpaths will also be required as a condition of any approval.

#### LANDSCAPING/TREES/OUTSIDE SPACE

The retention of the locally listed building means that potential impact on the well-established TPO London Plane tree to the front of the site should be minimised. This has always been one of the key aspirations of the Council and is welcomed. Confirmation about the impact of construction, workability and future management arrangements on that tree will be sought in due course, but is in now easier to make a case that the vitality of the tree would be protected

The Council's Tree Protection Officer has assessed the impact of the development on trees outside the site (particularly in rear gardens of Brondesbury Park houses). Sections through the site have been provided across the site in a number of locations, as well as along its length. This is helpful and has allowed an understanding of what is happening to the existing boundary walls that border the car park at the rear.

The ventilation required for the proposed basement car park under the residential block means that vents need to be provided within the landscaped setting around the new buildings. This means that the proposed treatment of these outside spaces, in terms of the use of contours and planting in order to mitigate their impact visually needs to be carefully considered, but also the potential noise generated from within the car park, and emanating from the vents needs to be assessed. The work undertaken by the applicant indicates that the matter is capable of being dealt with in an acceptable way and the Council's Environmental Health Officer has confirmed that problems from noise and odours are unlikely to be a problem. If specific issues did arise from excessive noise this could be covered by the Environmental Protection Act 1990 and the air quality within the car parking area itself should be covered by the Building Regulations. This would mean that the air that emanates from the vents would be unlikely to constitute a nuisance for people living nearby.

An Ecology report has been prepared that looks at the impact of the development on existing habitats and assess whether there would be likely to be any of these habitats that would support protected or otherwise notable species. The report found that although there may be nesting birds on the site, there would be unlikely to be any detrimental impacts on particular species or nature conservation sites. In any event, the need to secure BREEAM Excellent, controlled through the legal agreement, would provide opportunities for a number of enhancements (eg: green roofs, tree/shrub planting) that would serve to positively impact on biodiversity.

In terms of the proposals for the resurfacing of Grange Road further detail is required in terms of materials, but the principle of raising the carriageway surface and repaving it with block paving is acceptable. The footways along either side of the road are clearly shown retained solely for pedestrian access, which is an improvement on the withdrawn scheme.

Details of the play areas within Grange Road are also required, with the Design & Access statement describing a "play offer...set within colourful, circular motifs in paving." These could include hopscotch or snakes & ladders markings on the ground or potentially stepping stones etc. Whatever the details they are likely to add visual interest to the paving materials and create a visual link between the play areas to the front and the back of the Cultural Centre. From a highway perspective, as long as no moving play equipment (swings, roundabouts etc.) are proposed in this area, this would be acceptable in principle.

The inclusion of seating in this area is noted and welcomed and it is noted that a 3m wide emergency access route is retained through the existing pedestrianized zone for the use of fire appliances.

Transportation Engineers have confirmed that all works to Grange Road will require approval and vetting by

the Transportation Service and changes to parking spaces and access arrangements will also be subject to a Traffic Regulation Order. Delivery of the works may be undertaken by the Transportation Service at the applicant's expense or under their supervision through a Section 278 Agreement, but in either case, the works will need to pass through a detailed approval process for construction works, which will allow proposals to be firmed up.

## AFFORDABLE HOUSING

Affordable housing would normally have been sought for a development of this nature. However, the applicants have supplied a financial appraisal which shows that the objective of delivering the WGCC has to be off-set against the normal affordable housing requirement. The viability information is provided in two forms with a summary that is public, that has been part of the information consulted upon, and more detailed information that the applicants consider should be kept confidential.

Viability is material to the planning process. Commercially sensitive financial information can be submitted in confidence by an applicant. The Council's Director of Legal and Procurement has confirmed that she considers that this is a reasonable position for the Council to take.

The Council can take account of the benefits to the public of the provision of the WGCC against the lack of the provision of affordable housing, in accordance with normal planning policy where viability demonstrates that one off-sets the other, due to viability issues.

The GLA have considered the financial information and have confirmed their view that as the residential development is required to enable the redevelopment of the Cultural Centre which is of significant public benefit, at no cost to the Council, the applicant is not required to provide affordable housing.

## SECTION 106/MAYORAL CIL

The Council has accepted not to seek the normal Section 106 financial contributions (which would equate to £432,000, given the contribution of £3000 per bedroom), as set out in the adopted SPD. It has taken the view that in light of the financial appraisal here the overall benefit of securing in excess of £10 million of works, as well as the value of the items listed under the Heads of Terms set out at the start of this report, and the CIL contribution payable to the Mayor, that the package of benefits proposed is adequate in these circumstances. In addition to this, Members will be aware that a significant proportion of the normal Section 106 payments would be aimed at education contributions. The GLA have highlighted the relatively low child yield and Brent has a programme for primary and secondary school expansion.

The proposal would lead to improvements to service delivery, as explained above, as well as to the public realm and multi-functional public amenity space. It is hoped that all of this will be for the benefit of existing, and future, residents, as well as assist in the regeneration and rejuvenation of the area generally.

For the avoidance of doubt, one of the Heads of Terms will allow the Council to review the situation, post-sales, which would cover any change in circumstances since the financial appraisal was originally produced and potentially result in monies coming back to the Council.

## REFERRAL TO THE GLA

On 13 November 2012, the Council notified the Mayor of London about this planning application as being referable to him under Category 3E of the Schedule to the Town & Country Planning (Mayor of London) Order 2008. This Category states that any application which does not accord with one or more provisions of the development plan in force in the respective area and which proposes over 2500 square metres of floorspace for a use falling within a number of particular use classes (in this case Class D1) has to be referred to the Mayor.

In this case, the policy that the scheme does not accord with is UDP policy BE27 which states that consent will not be given to a building, or alteration involving demolition of part of a building, in a conservation area, unless the building, or part of the building, positively detracts from the character or appearance of the Conservation Area. The demolition in question is also the subject of a separate Conservation Area Consent application that can be found elsewhere on this Agenda. That report provides more of a detailed assessment of the demolition work proposed. In terms of the CAC, as explained above, the application needs to be referred on to the National Planning Casework Unit for their consideration. Local Authorities are not able to consider their own applications for Conservation Area Consent, along with other types of application, and

although Brent Council are not the applicant here, the circumstances of the specific case meant that the judgement was made to refer the matter on, given the Council's interest in the site. With the previous proposals (12/1190 & 12/1191) which proposed the complete demolition of the locally listed building the issue was very clear that CAC was needed. In this case, it is less so and, consequently, a matter for judgement. The proposal effectively retains the original building, with only a small element of non-original building being removed, but the view was taken to follow the referral route as demolition works, albeit of a later wing added in the 1980's as part of the current library development, were proposed.

In terms of the GLA, in the event that Members resolve, in principle, to grant consent here, the application would need to be referred back to them at Stage 2 following their Stage 1 response dated 20 December 2012. As explained above, in that letter they indicate that there are many positives that they see in the proposal (in particular the urban design, heritage and community benefits of the scheme) with support being given for it. However, the Mayor does not consider that the development fully complies with the London Plan. He does feel that with a number of changes it "could" do so and it will be necessary to explain how the Council have dealt with the Stage 1 comments if the matter is referred back.

The GLA have made comments that require additional information/changes about a number of matters. Officers have responded to the points and although it is possible that a formal response from the Mayor will not have been received in advance of the Committee meeting (Members will be updated if it is) it seems likely that the particularly issues can be resolved.

The comments included the following:

- The interface between the development and Grange Road not as successful as could be. A revised plan introducing pedestrian gates to Grange Road from Block B has been submitted and consulted on.
- Detailed comments about accessible toilets and changing places within WGCC.
- Location of wheelchair accessible housing and disabled parking to serve that housing.
- A number of highway comments have been raised including Car Club and electric charging points, cycle parking standards, "Legible London" signs, bus stop audits and the overall level of car parking.
- Measures to ensure the demand for cooling within the building will be minimised, along with route of the proposed heat network on the site requested.

## OTHER CONSIDERATIONS

### VILLAGE GREEN APPLICATION.

As explained above, Officers give little weight to the existing open area between the library centre and the locally listed old library building in planning terms. The discussion of the relative merits of the reprovided space in the application proposal is set out above.

Nevertheless, Members will be aware that there is a Public Inquiry heard in front of an independent Inspector taking place in the week of the Planning Committee to consider the application to have the open area mentioned above registered as a Town, or Village, Green. For the information of Members, although the Inquiry is being held in the same week as the Council's Planning Committee, it was, in fact, due to have taken place before Christmas. It was adjourned at that time to allow the parties more time to prepare their case.

Officers have sought legal advice on the matter and this has confirmed that, in terms of process, the Village Green application is not a consideration that should defer consideration of the planning application. The decision to resolve to grant planning consent, on proper planning considerations, subject to referral to the appropriate body, does not need to be conditional on the outcome of the Village Green Inquiry.

### INTERIM ARRANGEMENTS FOR LIBRARY USERS

It is acknowledged that the period when the Centre is closed will result in a reduction in the services that will be available on a day to day basis until the new facilities are up and running in the new building. This is inevitable in any development of this nature. However, the Council has prepared a number of temporary measures that will seek to ensure that as many of the functions that are currently provided at the Willesden Green Centre continue to be provided whilst the Centre is closed.

A temporary lending library will be provided in the Grange Road annex on the west side of Grange Road and benefits from planning permission for such a use. The Lewinson Centre to the west of the current site on the High Road will also operate in a similar way in order to ensure the continuity of service in the area.

In terms of study facilities, a total of 50 additional study spaces have been organised at locations around the Borough.

An interim strategy is in place to ensure that the council services which are currently delivered from the WGLC continue, these include Libraries, Brent Museum, Brent Archives and the Customer Services Centre. The Council is also working with consultants who are delivering regeneration projects on the High Road to investigate options for temporary services in currently vacant properties on the High Road in order to provide even more services to the community (for example a temporary Library Lab) which would be able to provide additional study space.

There are also two third party occupiers in the existing buildings. Whilst the Council does not have a statutory obligation provide alternative accommodation the Council is assisting them by exploring options for new accommodation, this includes Brent Irish Advisory Service (BIAS) located in the old Victorian library and Brent Artists Resource (BAR) located on the ground floor of the WGLC.

#### ALTERATIONS TO RED LINE SITE BOUNDARY AND PRESS NOTICE EXPIRY DATE

As explained in the Consultation Section of the report, the Council undertook a full re-consultation of all interested parties informing them of the change to the red line boundary around the application site. As was explained in the letter to third parties no other element of the scheme had changed as a result of this. A complete new round of over 2900 individual letters were sent out and 18 site notices re-posted in the vicinity of the site. The Press Notice in the Harrow Observer appeared on 24 January 2013 meaning that the 21 day period of this re-consultation will expire on 14 February 2013, the day after the Committee meeting.

As the planning application will need to be referred to the GLA for consideration (and the CAC application appearing elsewhere on the Agenda sent to the National Planning Casework Unit) the Council is not in a position to formally determine the application at the meeting. In these circumstances, if the Planning Committee is minded to support the proposal, they are asked to delegate consideration of any subsequent representations received within the consultation period to the Assistant Director (Planning & Transportation).

The Council will need to ensure that the GLA (and the National Planning Casework Unit) are fully aware of all representations that have been received in connection with the applications and this will include any that are received on 14<sup>th</sup> February 2013.

#### HIGHWAY IMPACTS OF ALTERATIONS TO RED LINE SITE BOUNDARY

One of the points raised by certain parties is that there would be a safety issue arising from the site boundary, in that it includes land that is currently used by the general public. For clarity, the red line boundary on the planning application drawings is not an indication of where any future hoardings, for example, will be located and, in fact, the location of the hoardings around the construction site will undoubtedly change as each phase of the development is undertaken.

Nevertheless, the highway safety implications of any footway closures or carriageway narrowing necessitated by the construction works are recognised to be important and this issue, along with all other logistical issues, will need to be addressed through the applicants Construction Method Statement (CMS); the purpose of which is to ensure that there is minimal disturbance/disruption to the public during the construction period. Transportation Engineers have confirmed that any planning consent that is issued through the CMS for hoardings etc. would not be sufficient by itself to allow hoardings to be erected over the footway and that the Highway Authority has a duty to ensure that the safety and convenience of pedestrians is maintained to a reasonable degree.

#### CONCLUSIONS

While this scheme, and its predecessor, has raised significant concern from some sections of the community across a range of issues highlighted in this report, the proposal is considered to provide the following principal benefits:



- There has been a significant change to the proposal that formed the basis of 12/1190 & 12/1191 responding to the substantial objections that were raised at that time, in that the locally listed library building g is now retained and incorporated into the scheme. The change also ensures the continued vitality of the important tree to the front of the site.
- Brent libraries are keen to pursue the development as part of their strategic review of library and community services. They have highlighted the need to programme the various elements within the new building to deliver the project, subject to planning approval eg: temporary re-location, customer service roll-out, etc.
- Design issues have been widely reviewed and supported by the GLA and the Council's Design Review Panel.
- The Cultural Centre would deliver a modern high quality building in its own right which would serve as a contribution to local regeneration. Again, this point was specifically acknowledged by the GLA.
- In terms of the housing element, overall the provision of good quality, well-designed accommodation which has the new blocks sitting reasonably comfortably within the site and its surroundings.

As a result, Officers consider that the application can be supported, subject to referral to the London Mayor.

**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
- NPPF
- Council's Supplementary Planning Guidance
- Mayors London Plan

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
- Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
- Tourism, Entertainment and the Arts: the need for and impact of new tourists and visitor facilities
- Transport: in terms of sustainability, safety and servicing needs
- Community Facilities: in terms of meeting the demand for community services
- Design and Regeneration: in terms of guiding new development

**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 and documents:

- Ref. 11034\_(EX)\_0001 03 – Site Location Plan
- Ref. 11034\_(EX)\_0002 02 – Site Allocation Plan
- Ref. 11034\_(EX)\_0010 02 – Masterplan: Existing Site Plan

- Ref. 11034\_(EX)\_0015 02 – Cultural Centre: Existing Site Plan
- Ref. 11034\_(EX)\_0020 02 – Residential: Existing Site Plan
- Ref. 11034\_(PL)\_1000 02 – Cultural Centre: Existing Ground Floor Plan
- Ref. 11034\_(PL)\_1010 02 – Cultural Centre: Existing First Floor Plan
- Ref. 11034\_(PL)\_1020 02 – Cultural Centre: Existing Second Floor Plan
- Ref. 11034\_(PL)\_1030 02 – Cultural Centre: Existing Roof Plan
- Ref. 11034\_(PL)\_2000 02 – Masterplan: Existing Street Elevations
- Ref. 11034\_(PL)\_2001 02 – Masterplan: Existing Street Elevations
- Ref. 11034\_(PL)\_2002 02 – Masterplan: Existing Street Elevations
- Ref. 11034\_(PL)\_4010 02 – Masterplan: Proposed Demolition Plan
- Ref. 11034\_(PL)\_4015 02 – Cultural Centre: Proposed Demolition Plan
- Ref. 11034\_(PL)\_4020 02 – Residential: Proposed Demolition Plan
- Ref. 11034\_(PL)\_0010 03 – Masterplan: Proposed Site Plan Ground Level
- Ref. 11034\_(PL)\_0011 03 – Masterplan: Proposed Site Plan First Floor Level
- Ref. 11034\_(PL)\_0012 03 – Masterplan: Proposed Site Plan Roof Level
- Ref. 11034\_(PL)\_1000 03 – Cultural Centre: Proposed Ground Floor Plan
- Ref. 11034\_(PL)\_1001 03 – Cultural Centre: Proposed Ground Floor Plan
- Ref. 11034\_(PL)\_1010 03 – Cultural Centre: Proposed First Floor Plan
- Ref. 11034\_(PL)\_1011 03 – Cultural Centre: Proposed First Floor Plan
- Ref. 11034\_(PL)\_1020 03 – Cultural Centre: Proposed Second Floor Plan
- Ref. 11034\_(PL)\_1021 03 – Cultural Centre: Proposed Second Floor Plan
- Ref. 11034\_(PL)\_1030 03 – Cultural Centre: Proposed Third Floor Plan
- Ref. 11034\_(PL)\_1031 03 – Cultural Centre: Proposed Third Floor Plan
- Ref. 11034\_(PL)\_1040 03 – Cultural Centre: Proposed Roof Plan
- Ref. 11034\_(PL)\_1041 03 – Cultural Centre: Proposed Roof Plan
- Ref. 11034\_(PL)\_2000 03 – Masterplan: Proposed Street Elevations
- Ref. 11034\_(PL)\_2001 03 – Masterplan: Proposed Street Elevations
- Ref. 11034\_(PL)\_2002 03 – Masterplan: Proposed Street Elevations
- Ref. 11034\_(PL)\_2011 03 – Cultural Centre: Proposed Elevations
- Ref. 11034\_(PL)\_2012 03 – Cultural Centre: Proposed Elevations
- Ref. 11034\_(PL)\_3000 02 – Masterplan: Proposed Site Sections
- Ref. 11034\_(PL)\_3010 02 – Cultural Centre: Proposed Section AA
- Ref. 11034\_(PL)\_3011 02 – Cultural Centre: Proposed Section BB
- Ref. 11034\_(PL)\_4000 02 – Cultural Centre: Detail Bay Study - East Willesden Green Cultural Centre & Residential Development

### **Residential**

- Ref. 2012-100 PS - RESIDENTIAL: GROUND FLOOR PLAN
- Ref. 2012-101 PR - RESIDENTIAL: FIRST FLOOR PLAN
- Ref. 2012-102 PQ - RESIDENTIAL: PROPOSED SECOND FLOOR PLAN
- Ref. 2012-103 PQ - RESIDENTIAL: PROPOSED THIRD FLOOR PLAN
- Ref. 2012-104 PP - RESIDENTIAL: PROPOSED FOURTH FLOOR PLAN
- Ref. 2012-105 PM - RESIDENTIAL: PROPOSED ROOF PLAN
- Ref. 2012-106 PG - RESIDENTIAL: PROPOSED STREET ELEVATIONS
- Ref. 2012-107 PH - RESIDENTIAL: BLOCK A – ELEVATIONAL TREATMENT
- Ref. 2012-108 PG - RESIDENTIAL: PROPOSED ELEVATIONS BLOCK B
- Ref. 2012-109 PF - RESIDENTIAL: BLOCK B – ELEVATIONAL TREATMENT
- Ref. 2012-110 PF - RESIDENTIAL: BLOCKS C & C – ELEVATIONAL TREATMENT
- Ref. 2012-111 PE - RESIDENTIAL: BLOCKS C & C – ELEVATIONAL TREATMENT
- Ref. 2012-112 PD - RESIDENTIAL: SITE SECTIONS
- Ref. 2012-113 PC - RESIDENTIAL: SITE SECTIONS
- Ref. 2012-120 PG - RESIDENTIAL: BLOCK A - GROUND FLOOR PLAN
- Ref. 2012-121 PG - RESIDENTIAL: BLOCK A - FIRST FLOOR PLAN
- Ref. 2012-122 PG - RESIDENTIAL: BLOCK A - SECOND FLOOR PLAN
- Ref. 2012-123 PG - RESIDENTIAL: BLOCK A - THIRD FLOOR PLAN
- Ref. 2012-124 PG - RESIDENTIAL: BLOCK A - FOURTH FLOOR PLAN
- Ref. 2012-125 PE - RESIDENTIAL: BLOCK B - GROUND FLOOR PLAN
- Ref. 2012-126 PD - RESIDENTIAL: BLOCK B - FIRST & SECOND FLOOR PLAN
- Ref. 2012-127 PD - RESIDENTIAL: BLOCK B – THIRD & FOURTH FLOOR PLAN
- Ref. 2012-128 PE - RESIDENTIAL: BLOCKS C & D – GROUND FLOOR PLAN
- Ref. 2012-129 PD - RESIDENTIAL: BLOCKS C & D – FIRST FLOOR PLAN
- Ref. 2012-130 PD - RESIDENTIAL: BLOCKS C & D – SECOND FLOOR PLAN
- Ref. 2012-131 PE - RESIDENTIAL: BLOCKS C & D – THIRD FLOOR PLAN

- Ref. 2012-140 PA – PODIUM BOUNDARY WALL STUDY – SECTION A:A
- Ref. 2012-141 PA – PODIUM BOUNDARY WALL STUDY – SECTION B:B
- Ref. 2012-142 PA – PODIUM BOUNDARY WALL STUDY – SECTION C:C
- Ref. 2012-143 PA – PODIUM BOUNDARY WALL STUDY – SECTION D:D
- Ref. 2012-144 PA – PODIUM BOUNDARY WALL STUDY – SECTION E:E
- Ref. 2012-145 P – PODIUM BOUNDARY WALL STUDY – SECTION F:F
- Ref. 2012-146 PA – PODIUM BOUNDARY WALL STUDY – SECTION G:G
- Ref. 2012-147 PA – PODIUM BOUNDARY WALL STUDY – SECTION H:H Willesden Green Cultural Centre & Residential Development
- Ref. 2012-SK-076 P – RESIDENTIAL BLOCK B: GATED ACCESS STUDY
- Ref. 2012-SK-077 P – RESIDENTIAL: TYPICAL 1 BED – FULLY ACCESSIBLE UNIT PROPOSAL
- Ref. 2012-SK-079 PA – RESIDENTIAL: TYPICAL 2 BED – FULLY ACCESSIBLE UNIT PROPOSAL
- Ref. 2012-SK-078 P – RESIDENTIAL: DISABLED PARKING AND APARTMENT ALLOCATION

### **Landscape**

- Drawing Ref. OX4891-P105A 07 – Schematic Landscape GA Plan
- Drawing Ref. OX4891-P105B 07 – Schematic Landscape GA Plan
- Drawing Ref. OX4891-P105C 07 – Schematic Landscape GA Plan

### **Town Planning Statements;**

- Design and Access Statement;
- Heritage Statement;
- Transport Assessment;
- Residential Travel Plan;
- Workplace Travel Plan;
- Sustainable Design and Construction Statement;
- Energy Statement;
- Operational Waste Management Strategy;
- Preliminary Site Waste Management Plan;
- Flood Risk Assessment and Drainage Strategy;
- Site Investigation Report;
- Ecology Report;
- Air Quality Screening Assessment;
- Tree Survey Report;
- Noise Assessment;
- Daylight, Sunlight & Overshadowing Report;
- Statement of Community Involvement;
- Pedestrian Safety Statement; and
- Design and Access Statement Addendum.

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

- (3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:
- i. Specification of construction works at each phase of the development
  - ii. Construction Logistics Management
  - iii. Consideration of environmental impacts and required remedial measures
  - iv. Erection and maintenance of security hoarding including decorative displays, where appropriate
  - v. Wheel-washing facilities

- vi. Parking of vehicles of site operatives and visitors
- vii. Arrangements for the loading and unloading of plant and materials
- viii. Storage of plant and materials used in constructing the development
- ix. Scheme for recycling/disposing of waste resulting from demolition and construction works
- x. Commitment to adopt and implement the Considerate Contractor Scheme

Reason: To allow the Local Planning Authority to exercise proper control over the development in the interests of amenity.

- (4) The dwellings shall achieve a Code Level 4 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide. No dwelling shall be occupied until a Certified Assessor has confirmed that the dwelling has achieved Code Level 4 and a final application has been made to obtain a Final Code Certificate.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of ensuring a sustainable form of development.

- (5) All residential units shall be designed to achieve daytime and night time internal noise levels of 30 dB LAeq. A test shall be carried out post-completion and submitted to the Local Planning Authority for approval in writing, to show that the criteria has been met.

Reason: In order to ensure an adequate quality of residential environment

- (6) All parking spaces (including disabled parking bays and electric car spaces), turning areas, loading bays, access roads and footways shall be constructed and permanently marked out prior to first occupation of the part of the development to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of amenity and highway safety.

- (7) No goods, equipment, waste products, pallets or materials shall be stored or deposited in any open area within the site and the loading areas indicated on the approved plans shall be maintained free from obstruction and not used for storage purposes (whether temporary or permanent) unless prior written approval has been obtained from the Local Planning Authority. All loading and unloading of goods and materials shall, where practicable, be carried out entirely within the curtilage of the site.

Reason: To ensure that materials or vehicles awaiting or being loaded or unloaded are parked in designated areas and do not interfere with the free passage of vehicles or pedestrians within the site and along the public highway and in the interests of the visual amenities of the area.

- (8) All residential units within the development hereby approved shall be built out in compliance with Lifetime Homes Standards.

Reason: In order to ensure an adequate quality of residential environment

- (9) 10% of all residential units within the development, hereby approved, shall be easily adaptable for wheelchair users, as defined by the Mayor's SPG (November 2012) ie: do not require structural alterations (such as removing walls to enlarge rooms) to make it suitable for wheelchair users.

Reason: To ensure a development that would meet the needs of all potential users and in order to comply with the provisions of the London Plan.

- (10) The ground floor frontages of the Cultural Centre shall remain visually open with visibility between the adjacent streets and the internal use at all times, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory development that maintains active frontages with surrounding streets.

- (11) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) the use of the area denoted as "Retail" on the ground floor plan hereby approved shall only be for purposes within Use Classes A1, A3 or A4, unless otherwise agreed in writing by the Local Planning Authority, providing that any extraction equipment required by the uses are approved by the Local Planning Authority in advance of the unit being served by the required extract equipment being occupied.

Reason: To allow an appropriate level of flexibility in the use of this floorspace and in the interests of amenity.

- (12) The ground floor commercial premises (A1, A3 or A4) shall not be used except between the hours of:

- 0700 hours and 0000 hours Mondays to Saturdays

- 0900 hours and 2300 hours Sundays and Bank Holidays

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

- (13) The heat and power systems installed shall either meet or improve upon the emissions standards and technical details described in the Air Quality Impact assessment. Prior to the commencement of the use the applicant shall provide details of tests undertaken on the installed systems to demonstrate that the emissions standards have been met and shall maintain the unit thereafter so as to ensure that the standards continue to be achieved.

Reason: To protect local air quality in accordance with Brent UDP policies EP3 and EP4.

- (14) No works shall commence on the development before an Arboricultural Method Statement for

the development has been submitted to and approved in writing by the Local Planning Authority. Such details shall include:

(i) A schedule of all works to trees on-site to facilitate the development or ensure the health of the tree(s)

(ii) For those areas to be treated by means of any hard landscape works including access Roads and pathways, provide:

- detailed drawing(s) of those areas to be so treated including identification of root-protection zones;
- details of a no-dig solution for areas within root-protection zones using a cellular confinement system to include a method statement for such works;
- attendance of a qualified and experienced arboricultural consultant during sensitive operations;
- works to trees should be carried out by an Arboricultural Association Approved Contractor in accordance with the latest industry guidance (British Standard 3998:2010);

The works shall be completed in accordance with the approved details. The applicant shall give written notice to the local planning authority of seven days prior to carrying out the approved tree works and any operations that present a particular risk to trees

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of amenity.

(15) No works shall commence for each phase of the development before a Tree Protection Plan for the development has been submitted to and approved in writing by the local planning authority. Such details shall include method statements and plans which:

(i) adhere to the principles embodied in BS5837:2012

(ii) indicate exactly how and when the retained trees on-site or off-site near the site boundaries will be protected during the construction; and

(iii) show root-protection zones

Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

(16) No development (save for demolition) shall take place until details to demonstrate compliance with the measures set out in the Sustainability Strategy, hereby approved, have been submitted to the Local Planning Authority. Once approved the development shall be fully implemented in line with those measures.

Reason: In order to allow the Local Planning Authority to exercise proper control over the

development.

- (17) Prior to the commencement of the development hereby approved, a site investigation shall be carried out by an appropriate person (approved by the Local Planning Authority) to determine the nature and extent of any contamination present. The investigation shall be carried out in accordance with a scheme, which shall be submitted to and approved by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain/treat or remove any contamination found. The results of the investigation shall be submitted to the Local Planning Authority and any remediation measures required by the Local Planning Authority shall be carried out in full.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with Brent's Unitary Development Plan policy EP6.

- (18) No above ground development (save for demolition) shall take place until details and samples of the materials to be used in the construction of all the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. These design details shall pay particular attention to the junction of the new building to the locally listed old library building. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development that does not prejudice the amenity of the locality, in general, or the Willesden Conservation Area, in particular.

- (19) No above ground development (save for demolition) shall commence until details of any external lighting shall, including the external lighting fixtures and a light contour plan for the land surrounding the building shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any works on site and the approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safety and the amenities of the area

- (20) No above ground development (save for demolition) shall take place until details of the layout and design of the cycle storage areas shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. The details shall include the configuration and layout of any such areas, and details of the cycle storage fixtures. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in full accordance with the details as approved and these facilities shall be permanently retained.

Reason: To ensure satisfactory facilities for cyclists.

- (21) No plant machinery or equipment shall be installed externally on the building unless details of the equipment, the expected noise levels to be generated and any measures to mitigate against the external transmission of that noise, have been submitted to and agreed in writing by the Local Planning Authority unless agreed otherwise in writing by the Local Planning Authority. Thereafter the plant/equipment shall be installed in accordance with the approved

details and maintained in accordance with the relevant manufacturer's guidance

The noise level from this plant together with any associated ducting, shall be maintained at a level 10 dB (A) or greater below the measured background-noise level at the nearest noise-sensitive premises. The method of assessment should be carried out in accordance with BS4142:1997 "Rating industrial noise affecting mixed residential and industrial areas".

Should the predicted noise levels exceed those specified in this condition, a scheme of insulation works to mitigate the noise shall be submitted to and approved in writing by the Local Planning Authority and shall then be fully implemented.

Reason: In order to ensure adequate insulation and noise mitigation measures and to safeguard the amenities of adjoining occupiers and future occupiers.

- (22) The Cultural Centre shall achieve a BREEAM Excellent Rating. Prior to occupation, a BREEAM post-construction review shall be submitted to the Local Planning Authority to verify delivery of this specification.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of ensuring a sustainable form of development.

- (23) The development shall not be occupied unless a detailed car park management plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include the means by which the parking spaces will be allocated, secured and enforced between the various users of the site and the approved plan shall be implemented in full for the life of the development. The car park shall be used only for the purposes set out within the approved plan and shall not be used for any other purposes.

Reason: To ensure a satisfactory form of development.

- (24) Prior to first occupation of the development, a completion report and certification of completion shall be provided to the Planning Authority, stating that the remediation scheme has been fully carried out and the site is suitable for end use (unless it has been previously confirmed by the Planning Authority that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with Brent's Unitary Development Plan policy EP6.

- (25) The development hereby approved shall not be occupied unless details of external CCTV cameras to be used on site are submitted to and approved in writing by the Local Planning Authority. Once approved the approved details shall be implemented in full and permanently maintained.

Reason: In the interests of safety, amenity and convenience.

- (26) A management plan shall be prepared in respect of the new Brondesbury Walk area and this shall be submitted to, and approved in writing by, the Local Planning Authority, prior to first occupation of the Cultural Centre.



Reason: In order to allow the Local Planning Authority to exercise proper control over the development.

- (27) The development hereby approved shall not commence (save for demolition works) unless a scheme for the landscape works and treatment of the surroundings of the proposed development, including the new Brondesbury Walk, has been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented prior to first occupation of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-
- (a) a planting plan, including (including species, plant sizes and planting densities);
  - (b) proposed walls and fences, indicating materials and heights;
  - (c) any proposed contours and ground levels, including areas around the car park vents;
  - (d) areas of hard landscape works and proposed materials;
  - (e) all seating, play equipment and other furniture, including the proposed play nodes.
  - (f) details of the proposed arrangements for the maintenance of the landscape works.

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 with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

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

- (28) In order to mitigate the possibility of numerous satellite dishes being installed on the buildings hereby approved, details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented.

Reason: In the interests of the visual appearance of the development, in particular, and the locality in general.

- (29) The development hereby approved shall not commence (save for demolition works) unless a number of additional details have been submitted to, and approved in writing by, the Local Planning Authority. Once approved, these details must be fully implemented and permanently maintained:
- (a) door to Block C bin store to open inwards;
  - (b) redesign of balcony to unit CO3 in Block C to ensure adequate clearance for vehicles using access road;
  - (c) further details of the southern elevation of Block A to incorporate physical measures to mitigate any overlooking to nearby residential properties;
  - (d) all plans to Block B to be amended in order to incorporate the alterations to the Grange Road boundary treatment (inclusion of pedestrian gates);

(e) refuse storage facilities and collection arrangements.

Reason: In order to ensure a satisfactory form of development and in order to allow the Local Planning Authority to exercise proper control over the development.

- (30) The development hereby approved shall not commence (save for demolition) unless a drainage strategy, detailing on and/or off site drainage works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved details have been implemented in full.

Reason: To ensure a satisfactory form of development.

- (31) Prior to the commencement of the development (save for demolition works) the applicants shall submit details for approval of a ventilation scheme for the development designed to protect future residents from the effects of poor air quality. The ventilation system shall be installed, and maintained, in accordance with the approved details.

Reason: To protect the amenity of residents of the development.

- (32) Prior to the commencement (save for demolition) of the development hereby approved the applicant shall provide an Air Quality Impact Assessment demonstrating the effect of the proposed heat and power systems for the development will be within acceptable limits.

Reason: To protect local air quality in accordance with Brent UDP policies EP3 and EP4.

#### **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.
- (3) The applicant is informed that, for the avoidance of doubt, this permission does not give consent for any shopfront or advertisements on the building which would require formal approval in their own right.
- (4) The applicant is advised that this case is liable to pay the Community Infrastructure Levy (CIL) and the liable party/parties should contact the S106/CIL officer Angus Saunders ([angus.saunders@brent.gov.uk](mailto:angus.saunders@brent.gov.uk), 020 8937 5237) for further information on how to pay CIL and their duties under the CIL Regulations. A separate Liability Notice has been issued to liable party/parties or those with a material interest in the land which contains greater detail.

The applicant is advised that this case is subject to a section 106 legal agreement and the developer should contact the S106/CIL officer Angus Saunders

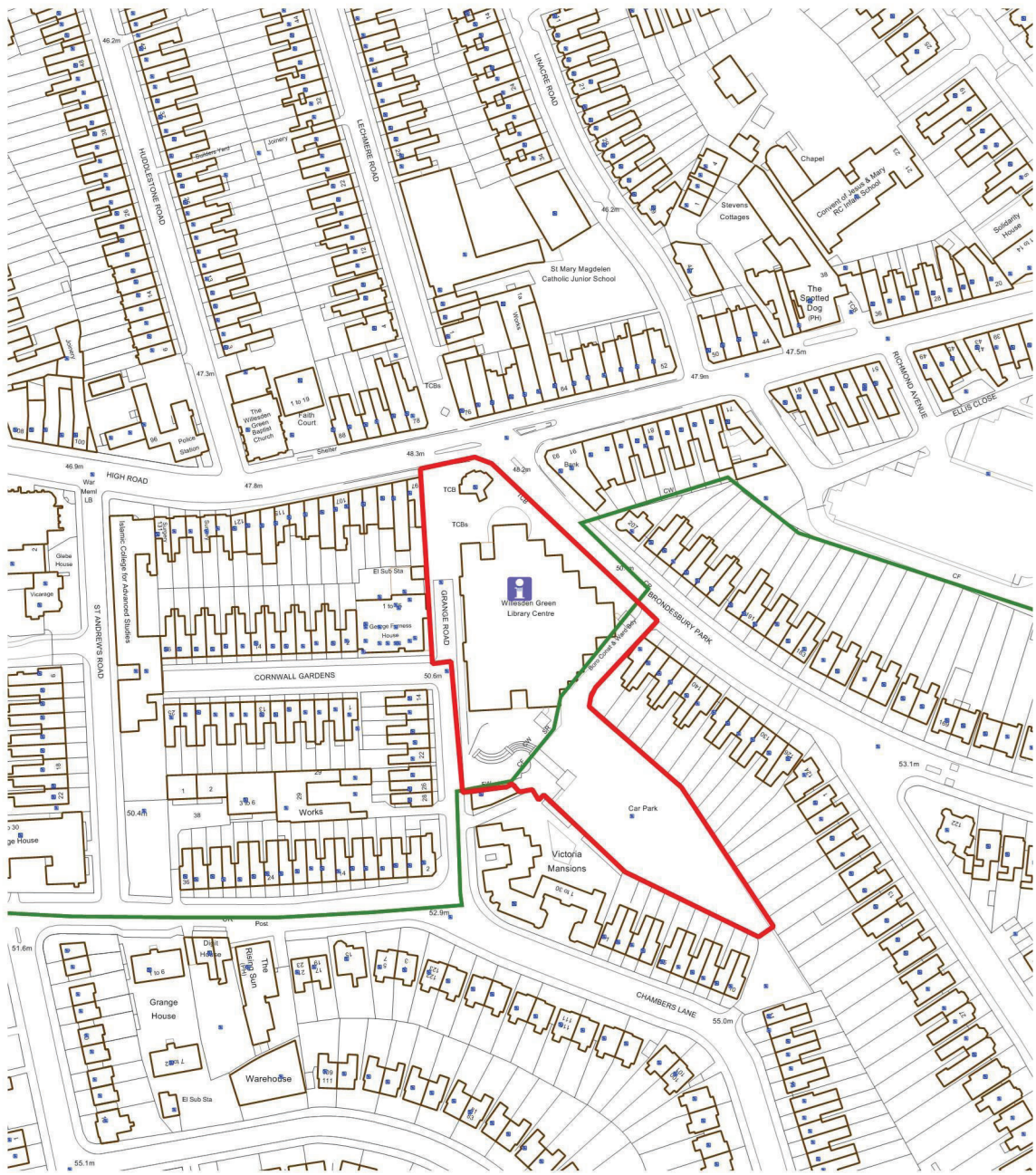
([angus.saunders@brent.gov.uk](mailto:angus.saunders@brent.gov.uk), 020 8937 5237) for further information on how to pay any financial contributions and how to address any non-financial obligations.

- (5) The applicant is informed that they should contact Thames Water Developer Services, Maple Lodge, Denham Way, Rickmansworth, WD3 9SQ in order to discuss the development.

Any person wishing to inspect the above papers should contact Andy Bates, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5228

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 **Planning Committee Map**  
Site address: Willesden Green Library Centre, 95 High Road, London, NW10 2SF  
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This map is indicative only.

**RECEIVED:** 2 November, 2012

**WARD:** Willesden Green

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** Willesden Green Library Centre, 95 High Road, London, NW10 2SF

**PROPOSAL:** Conservation Area consent for partial demolition works to the rear of the old library building to facilitate its link to the proposed Willesden Green Cultural Centre

**APPLICANT:** Galliford Try PLC

**CONTACT:** URS

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

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### **RECOMMENDATION**

The Committee resolve to agree in principle to grant conservation area consent, but delegate final determination of the application to the Assistant Director (Planning & Development) subject to.

- (a) taking into account any further representations received on or before the 14th February 2013;
- (b) any direction by the National Planning Casework Unit, the Secretary of State having considered the matter, to refuse the application.

### **EXISTING**

The Willesden Green library centre is located on the southern side of Willesden High Road immediately to the west of the junction with Brondesbury Park. To the west of the site is Grange Road which is pedestrianised at its northern end.

The very northern section of the site falls within the Willesden Green Conservation Area, with the boundary of the Area falling between the old detached library and the newer library Centre. The detached old library building is a locally listed building.

The existing main library building was built in the mid-1980's and is considered to have very few redeeming features in terms of its external appearance and relationship with what is around.

There is a large car park to the south of the site that provides a total of 73 parking spaces, vehicular access to which is gained off Brondesbury Park. The existing car park is provided for visitors to the library centre and managed by a system of issuing permits within the centre.

### **PROPOSAL**

See above.

### **HISTORY**

84/1334

Planning permission was granted for the new Willesden Green library centre in 1984. It opened in 1989 and the complex originally included a cinema, an arts complex, cafe/retail space and a bookshop, as well as the library itself. For the information of Members, the Willesden Green Conservation Area was not designated until 1993 and, consequently, the original approval was granted without having to take into account the policy issues that are relevant now and which are discussed below.

## 12/1190

This planning application proposed demolishing all buildings on the site and the erection of a new cultural centre, cafe and retail space, along with 92 residential flats. The application was withdrawn on 3 July 2012 prior to a decision being made on it.

## 12/1191

This Conservation Area Consent application proposed demolishing the old library building. It was also withdrawn on 3 July 2012.

## 12/1234

This planning application to change the use of the ground floor of the Brent archive at 2 Grange Road to a temporary lending library was granted permission on 2 January 2013.

## 12/2924

This planning application includes the retention of the original library building at the northern apex of the site, with a new four-storey Cultural Centre building attached to the rear and the erection of 95 flats on the existing car park. A report into this case appears elsewhere on this Agenda.

## **POLICY CONSIDERATIONS**

### National Planning Policy

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings are required. Of particular reference to this CAC application, the NPPF outlines policies for the historic environment and heritage assets. It emphasises the importance of being able to assess the significance of heritage assets that may be affected by a development.

Accordingly, the policies contained within the adopted SPG's, London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals.

### Adopted Brent UDP

- BE24 Locally Listed Buildings. The special character of buildings on the local list will be protected and enhanced.
- BE26 Alterations & Extensions to Buildings in Conservation Areas. They should retain the original design and materials or where not practicable be sympathetic to the original design.
- BE27 Demolition & Gap Sites in Conservation Areas. This policy is expanded on in the "Remarks" section below.

## **SUSTAINABILITY ASSESSMENT**

Not applicable.

## **CONSULTATION**

Members will be aware that, as explained above, a proposal for a similar form of development was withdrawn early last year. Although no formal decision was made at that time there was a good deal of concern about the form of development and, as a result, a summary of the initial application is set out below.

### Previous Consultation (12/1190 & 12/1191)

Over 750 individual objections to the proposal were received in early 2012 and two petitions incorporating several thousand signatures were also submitted. The main focus of the petitions was opposition to the demolition of the locally listed building and called on the Council to prevent that demolition.

A summary of the content of the main objections is set down below:

- 1 – loss of original locally listed library building.
- 2 – reduction in facilities and loss of particular uses that existed within the building.
- 3- loss of open public space.
- 4 – car parking issues.
- 5. – loss of the existing car park.
- 5 - impact of housing element on people living nearby.
- 6 – impact on tree to High Road frontage
- 7 – design of the new development and impact on the Willesden Conservation Area.

#### Consultation on Current Application (12/2924 & 12/2925)

As far as this current application is concerned a total of 2964 consultation letters were sent out on 8 November 2012. This joint letter made reference to both this Conservation Area Consent application, but also the planning application, a report into which appears elsewhere on this Agenda.

For clarity, all those who had submitted a formal response to the first withdrawn scheme were also notified of this second submission.

A total of 18 site notices (which included 9 relating to the Conservation Area Consent application) were posted at various locations around the application site advertising the proposal as a Departure to the Development Plan and affecting a Conservation Area on 13 November 2012. In addition, a Press Notice was published on 15 November 2012.

A further clarification letter was sent out to all third parties who were either on the original consultation list or who weren't on that list, but had written in subsequently, on 27 December 2012 explaining that the red line application site had been amended to correctly include land to the north of Grange Road within the site, rather than being shown separately as being highway works relating to the development. A further 18 site notices were posted in the locality on 18 January 2013 and a Press Notice appeared on 24 January 2013. There was no change, at all, to the form of the development proposed, which remained unchanged, and the letter simply sought to clarify the question of the application site which was identified in a different way in the original submission.

In response to comments from the GLA (expanded upon in the "Remarks" section) two new pedestrian gates have been introduced to the Block B boundary to Grange Road. Those residents living on the opposite side of Grange Road to these new gates were re-consulted about the change on 24 January 2013.

#### Representations Received

In terms of considering representations on the proposal it is necessary to set out all those received for the sake of completeness. Although 12/2924 relates to the planning application and 12/2925 to the Conservation Area Consent, the comments received are in certain cases not only about a specific application (ie: comments could have been made about the redevelopment proposals on the Conservation Area Consent application reference) and so all representations are listed in full below.

#### 12/2924

Comments (this option is given on-line) 26

Support 72

Objections 312

#### 12/2925

Comments 3

Support 0

Objections 52

#### OBJECTIONS

The principal issues that have been raised are set out below:



- 1. The development would have a detrimental impact on the Willesden Conservation Area. The new library building will over-dominate the area.
- 2. The new building would lose the sense of openness towards the front of the site that the existing building provides for.
- 3. The loss of the open space to the front of the existing library is unacceptable in itself. It is well used by the community. The proposed open space is hidden around the back of the new library building and will not be welcoming.
- 4. Loss of car park to the rear.
- 5. The residential element would provide for high-density accommodation in an already over-populated area.
- 6. Loss of bookshop.
- 7. The facilities in the new building will be less/worse than what is available at present. Existing building should be refurbished, not demolished.
- 8. The scheme should incorporate affordable housing.
- 9. No attempt to consult the community on the future of the site. The motives of the Council are questioned and the proposal benefits the Council and the applicants with no benefit to the community.
- 10. The development will cause traffic problems in the area.
- 11. To knock a building down only 25 years after it was built is a waste of money.
- 12. The development would have an unacceptable impact on the existing residents because of its height and its location. Certain residents have a "Right to light" protected by law, although as Members will be aware these are not material planning considerations.
- 13., The residential element of the proposal is over dense. Too many flats are being proposed.
- 14. The changes to library services that the Council has undertaken recently mean that the new library here must actually be larger to compensate.
- 15. No consideration is being given to the cumulative impact of the developments in Willesden Green on services and infrastructure.
- 16. Lack of continuity of facilities for when the development is taking place.
- 17. The quality and source of letters supporting the development are questioned.
- 18. The validation of the application and the consultation undertaken on it are queried.
- 19. The Council is giving land away to a private developer.
- 20. The works, and the manner in which they will be carried out (eg: site hoardings) will present a danger to the general public.
- 21. Health risks from electricity sub-station.

## SUPPORT

The following points have been made:

- 1. Proposal will provide a new library with improved facilities.
- 2. The development now keeps the locally listed library building which is welcomed.
- 3. The design of the building is improved.
- 4. The development will help to regenerate Willesden.
- 5. The existing facilities (eg: One Stop Shop services) do not provide the level of customer service needed for the future.
- 6. The existing open space to the front of the library building is not as welcoming as it could be.
- 7. The new building will be very sustainable and environmentally friendly.

For the information of Members, a large number of the supporting letters were submitted to the Council via the agents acting for the applicant on 14 January 2013. The letters are in semi-template form, in so far as much of the text is the same in each submission. All letters received raising material planning considerations and other issues have been summarised in this section of the report and the planning considerations are discussed more fully in the report below.

### Representations from Councillors

Ward Councillors Jones and Hunter have written in supporting the application. Councillor Jones states that she feels that Willesden deserves a higher profile centre with good facilities. Pleased at the retention of the old library. She feels that the rebuilt centre will be a busy and vibrant place, with better services, including more Customer Service desks which are much needed. Councillor Hunter states that whilst she understands the objections to the proposals, she endorses these views and wishes to support the scheme.

Councillor Shaw has written in explaining that she is opposed to the planning application, on the grounds that

it will have an unacceptable impact on her residents.

Members will be aware that in order to give them the best opportunity of appreciating the views expressed in relation to the current scheme a copy of all the representations have been made available for Planning Committee Members at the Town Hall.

#### Representations from MPs

Sarah Teather MP has written in objecting to the development on the grounds of loss of open space, inappropriate residential development, the loss of the bookshop and Brent Irish Advisory Service, as well as the interim arrangements that will be put in place whilst any new library is being built.

#### EXTERNAL CONSULTATIONS

##### VICTORIAN SOCIETY

The Society welcomes the retention of the old library building. They are reassured that the value of the building has finally been recognised. The proposal must include full restoration of the exterior of the building, including reinsertion of front door and authentic colour scheme.

##### ENGLISH HERITAGE

No objection raised.

#### **REMARKS**

This application seeks consent for the partial demolition of the rear part of the old library building in order to facilitate its link to the new Willesden Green Cultural Centre.

Members will be aware that Policy BE27 of the adopted Brent UDP states that consent will not normally be given for the demolition of a building in a Conservation Area, or demolition of part of the building, unless that building positively detracts from the character or appearance of the area. It goes on to say that where demolition is considered to be acceptable, replacement buildings should be seen as a stimulus to imaginative high quality design and an opportunity to enhance the area.

The old library building is a locally listed building, as well as being in the Willesden Conservation Area. A previous proposal (12/1191) on the site envisaged demolishing the building in totality, but was withdrawn prior to formal determination, in order to allow consideration of an approach that allowed the retention of the old library. Obviously, on the basis that the building is locally listed, there is an acknowledgement that it has merit and, therefore, cannot be said to detract from the character or appearance of the Conservation Area.

In broad policy terms, therefore, the scheme does not accord with is UDP policy BE27. Local Authorities are not able to consider their own applications for Conservation Area Consent, along with other types of application, and although Brent Council are not the applicant here, the circumstances of the specific case meant that the judgement was made to refer the matter on. With the previous proposals (12/1190 & 12/1191) which proposed the complete demolition of the locally listed building the issue was very clear that CAC was needed. In this case, it is less so and, consequently, a matter for judgement. The proposal effectively retains the original building, with only a small element of non-original building being removed, but the view was taken to follow the referral route as demolition works, albeit of a later wing, were proposed.

The NPPF makes it clear that when determining applications Local Authorities need to understand the significance of any heritage asset that may be affected by the development. Furthermore, Local Authorities should account for the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic viability. New development should make a positive contribution to local character and distinctiveness.

In respect of this, a report into the redevelopment of the site appears elsewhere on this Agenda and sets out that the retention of the old library is now a key element of the design approach. Linking the old library with the new WGCC will be a glazed lobby, aligning with the eaves of the old library building and functioning as the main entrance and community gallery for the new library. Owing to the acknowledged value of the old library building, a historic building appraisal has been carried out to allow an understanding of the impact of the proposal on the building. The appraisal concludes that although the building has an important role within the

wider streetscape which has led it to be considered of local significance this does not extend to national levels of interest.

In terms of considering this status, Members should be made aware that in early 2012, English Heritage, during the time when other alternative approaches to the development of the site were being considered, received a request from, it is understood, a local resident, to designate the Old Library as a listed building. This request was rejected at their Initial Assessment stage (16 May 2012) and the views expressed in that report are of relevance, as far as this Conservation Area Consent application is concerned and, in particular, the consideration of the overall quality of the fabric of the existing building.

The history of the building is referred to in a number of locations within this Agenda, but to re-confirm the position, English Heritage say that the library was built in 1894 by a practice that specialised in public buildings. In 1904 the wings were raised to two storeys and they were demolished in the late 1980's when the present library was built.

In their May 2012 decision, English Heritage set out the criteria that are used to assess whether, or not, libraries should be listed. Nineteenth century libraries, such as this, need to be externally little altered and have a strong architectural composition to be listed.

Willesden Green library was included in a London-wide survey of 181 pre-1914 public libraries carried out by English Heritage in 1992, which identified 23 buildings of potential special interest. Willesden Green, while noted as being "of some interest" was not among the buildings shortlisted. English Heritage does say that the old library is one of the most distinctive buildings in the area and that it does act as a focal point in the streetscape and Conservation Area. Officers consider that this will continue to be the case with this current scheme, with the vast majority of the old library now being retained and its role within the local area enhanced by what is proposed to happen around it.

The decision not to list the building was because it was considered to fall below the standard for listing for three reasons. They are repeated in full below:

"Architectural interest: as originally conceived and built this was an imaginative design which exploited the corner site to best advantage, aesthetically and functionally. The raising of the wings in 1904, although seamlessly executed, undermined the balance of the composition and it is therefore arguable whether the building would be listable had the wings survived. The architectural quality of the surviving frontage is good, but not sufficiently so as to outweigh the alterations and losses that have taken place overall.

Intactness: the loss of the entrance detracts from the elevation, while the removal of the wings has left the building with a truncated appearance.

Interiors: very few fittings or decorative features appear to survive. The library was notable for its planning, and the loss of the wings containing the main reading rooms has considerably reduced this claim to interest".

For the information of Members, English Heritage have also been consulted about this current application and, particularly given what is set out above, it is not surprising that they do not object to it. They have confirmed that they are pleased to note that the former Willesden Green Library is retained within this current proposal and that they do not wish to comment in detail on it. They do say that in the event of the Council being minded to grant consent, they feel that particular attention should be given to the quality and appearance of materials and would request that particular consideration is given to the junctions with the retained former Library. English Heritage have confirmed that they do not wish to be consulted again on the proposal.

Officers endorse the views of English Heritage. In terms of the GLA their views on the proposals are set out in full in the report on application 12/2924 but they are considered pertinent to this CAC application and are, therefore, repeated here.

In terms of the old library building they say:

*"In contrast to the withdrawn application for the site.....the proposal incorporates part of the original library building and reuses it for its original purpose, as the entrance to the library. This scheme preserves the heritage asset and allows the regeneration of the library and the wider site and the restoration and re-use of the historic building is strongly supported and welcomed."*

As far as urban design issues are concerned:

*“The proposed development has the potential to have a transformative impact in the area and the current design successfully maximises the potential of the site, adds to the public realm network in the area and provides an impressive new cultural centre with a strong presence on the High Road”.*

*“The proposal would provide a positive architectural contrast to its setting. The current 1980’s building is a poor pastiche that detracts from the character of the conservation area and the surrounding townscape. The new building creates a strong identity that clearly signposts the civic function of the building and also civic pride in the building. The clear and bold articulation of the elevations captures the self-confident spirit of the areas original Edwardian character and would signpost its rejuvenation”.*

What these external bodies are confirming is that although still playing an extremely important role in Willesden Green, the old library was substantially reduced in architectural value following works that were undertaken to it in the 1980's. The planning application proposal allows the building to be retained, and its role actually enhanced within the wider regeneration proposals in a sustainable way.

In terms of the works that are required to allow the proposals to take place, the research mentioned above has confirmed that the Old library, as exists at present, is a small proportion of what was a much larger library built in 1894. This original building was changed significantly in the late 1980's when a large amount of the original fabric was removed at the time the existing library building was built. Detailed work has been undertaken in order to confirm that the only portion of the original Old library that is still standing is approx. 25% of the existing High Road facade and there is a similarly small amount of internal works retained. The side and rear elevations of the building that exist at the moment, although built in a fairly successful attempt to match the original building, were actually built as recently as the 1984 planning approval.

As explained elsewhere, the key change to the approach to the development of the site arose around the retention of the majority of the old library facade. The historic building appraisal has provided a guide to the elements that contribute to the significance of the building, most notably the northern elevations. The majority of the external facade has now been retained in this scheme with consent been required for the demolition of the small staircase area to the rear of the building. Works will take place within the old library building to remove the existing staircase, along with internal walls and floors, in order to create the large, open space that will form an important part of the new library centre. For clarity, no planning consent is required for these internal works as the building is not listed.

Taking all matters into account, it is considered that the small element of the existing old library building that is to be demolished here, when considered in the context of the phasing analysis of the historic development of the site, does not enhance the character or appearance of this part of the Willesden Conservation Area such that it should be retained. As a result, there is no objection in principle to their removal. Indeed, as explained in the report elsewhere on the Agenda looking at the redevelopment of the site, and acknowledged by the GLA, it is considered that a redevelopment of the site would result in a visual improvement in this prominent town centre location, providing for a high quality, although clearly modern, replacement building.

However, the demolition of the buildings should not be allowed in the absence of an acceptable replacement scheme and this should be made a condition of any approval. Furthermore, as explained elsewhere, the decision to grant Conservation Area Consent cannot be made by the Council in this case and the matter needs to be referred onto the National Planning Casework Unit for their ultimate consideration.

**RECOMMENDATION:** Grant Consent

#### **REASON FOR GRANTING**

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

- Brent Unitary Development Plan 2004
- Core Strategy.
- London Plan.

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

## CONDITIONS/REASONS:

- (1) The works to which this consent relates must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To conform with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing and documents:

Ref. 11034\_(EX)\_0001 03 – Site Location Plan

- Ref. 11034\_(EX)\_0002 02 – Site Allocation Plan
- Ref. 11034\_(EX)\_0010 02 – Masterplan: Existing Site Plan
- Ref. 11034\_(EX)\_0015 02 – Cultural Centre: Existing Site Plan
- Ref. 11034\_(EX)\_0020 02 – Residential: Existing Site Plan
- Ref. 11034\_(PL)\_1000 02 – Cultural Centre: Existing Ground Floor Plan
- Ref. 11034\_(PL)\_1010 02 – Cultural Centre: Existing First Floor Plan
- Ref. 11034\_(PL)\_1020 02 – Cultural Centre: Existing Second Floor Plan
- Ref. 11034\_(PL)\_1030 02 – Cultural Centre: Existing Roof Plan
- Ref. 11034\_(PL)\_2000 02 – Masterplan: Existing Street Elevations
- Ref. 11034\_(PL)\_2001 02 – Masterplan: Existing Street Elevations
- Ref. 11034\_(PL)\_2002 02 – Masterplan: Existing Street Elevations
- Ref. 11034\_(PL)\_4010 02 – Masterplan: Proposed Demolition Plan
- Ref. 11034\_(PL)\_4015 02 – Cultural Centre: Proposed Demolition Plan
- Ref. 11034\_(PL)\_4020 02 – Residential: Proposed Demolition Plan
- Ref. 11034\_(PL)\_0010 03 – Masterplan: Proposed Site Plan Ground Level
- Ref. 11034\_(PL)\_0011 03 – Masterplan: Proposed Site Plan First Floor Level
- Ref. 11034\_(PL)\_0012 03 – Masterplan: Proposed Site Plan Roof Level
- Ref. 11034\_(PL)\_1000 03 – Cultural Centre: Proposed Ground Floor Plan
- Ref. 11034\_(PL)\_1001 03 – Cultural Centre: Proposed Ground Floor Plan
- Ref. 11034\_(PL)\_1010 03 – Cultural Centre: Proposed First Floor Plan
- Ref. 11034\_(PL)\_1011 03 – Cultural Centre: Proposed First Floor Plan
- Ref. 11034\_(PL)\_1020 03 – Cultural Centre: Proposed Second Floor Plan
- Ref. 11034\_(PL)\_1021 03 – Cultural Centre: Proposed Second Floor Plan
- Ref. 11034\_(PL)\_1030 03 – Cultural Centre: Proposed Third Floor Plan
- Ref. 11034\_(PL)\_1031 03 – Cultural Centre: Proposed Third Floor Plan
- Ref. 11034\_(PL)\_1040 03 – Cultural Centre: Proposed Roof Plan
- Ref. 11034\_(PL)\_1041 03 – Cultural Centre: Proposed Roof Plan
- Ref. 11034\_(PL)\_2000 03 – Masterplan: Proposed Street Elevations
- Ref. 11034\_(PL)\_2001 03 – Masterplan: Proposed Street Elevations
- Ref. 11034\_(PL)\_2002 03 – Masterplan: Proposed Street Elevations
- Ref. 11034\_(PL)\_2011 03 – Cultural Centre: Proposed Elevations
- Ref. 11034\_(PL)\_2012 03 – Cultural Centre: Proposed Elevations
- Ref. 11034\_(PL)\_3000 02 – Masterplan: Proposed Site Sections
- Ref. 11034\_(PL)\_3010 02 – Cultural Centre: Proposed Section AA
- Ref. 11034\_(PL)\_3011 02 – Cultural Centre: Proposed Section BB
- Ref. 11034\_(PL)\_4000 02 – Cultural Centre: Detail Bay Study - East Willesden Green Cultural Centre & Residential Development

### Residential

- Ref. 2012-100 PS - RESIDENTIAL: GROUND FLOOR PLAN
- Ref. 2012-101 PR - RESIDENTIAL: FIRST FLOOR PLAN
- Ref. 2012-102 PQ - RESIDENTIAL: PROPOSED SECOND FLOOR PLAN
- Ref. 2012-103 PQ - RESIDENTIAL: PROPOSED THIRD FLOOR PLAN
- Ref. 2012-104 PP - RESIDENTIAL: PROPOSED FOURTH FLOOR PLAN
- Ref. 2012-105 PM - RESIDENTIAL: PROPOSED ROOF PLAN
- Ref. 2012-106 PG - RESIDENTIAL: PROPOSED STREET ELEVATIONS
- Ref. 2012-107 PH - RESIDENTIAL: BLOCK A – ELEVATIONAL TREATMENT
- Ref. 2012-108 PG - RESIDENTIAL: PROPOSED ELEVATIONS BLOCK B

- Ref. 2012-109 PF - RESIDENTIAL: BLOCK B – ELEVATIONAL TREATMENT
- Ref. 2012-110 PF - RESIDENTIAL: BLOCKS C & C – ELEVATIONAL TREATMENT
- Ref. 2012-111 PE - RESIDENTIAL: BLOCKS C & C – ELEVATIONAL TREATMENT
- Ref. 2012-112 PD - RESIDENTIAL: SITE SECTIONS
- Ref. 2012-113 PC - RESIDENTIAL: SITE SECTIONS
- Ref. 2012-120 PG - RESIDENTIAL: BLOCK A - GROUND FLOOR PLAN
- Ref. 2012-121 PG - RESIDENTIAL: BLOCK A - FIRST FLOOR PLAN
- Ref. 2012-122 PG - RESIDENTIAL: BLOCK A - SECOND FLOOR PLAN
- Ref. 2012-123 PG - RESIDENTIAL: BLOCK A - THIRD FLOOR PLAN
- Ref. 2012-124 PG - RESIDENTIAL: BLOCK A - FOURTH FLOOR PLAN
- Ref. 2012-125 PE - RESIDENTIAL: BLOCK B - GROUND FLOOR PLAN
- Ref. 2012-126 PD - RESIDENTIAL: BLOCK B - FIRST & SECOND FLOOR PLAN
- Ref. 2012-127 PD - RESIDENTIAL: BLOCK B – THIRD & FOURTH FLOOR PLAN
- Ref. 2012-128 PE - RESIDENTIAL: BLOCKS C & D – GROUND FLOOR PLAN
- Ref. 2012-129 PD - RESIDENTIAL: BLOCKS C & D – FIRST FLOOR PLAN
- Ref. 2012-130 PD - RESIDENTIAL: BLOCKS C & D – SECOND FLOOR PLAN
- Ref. 2012-131 PE - RESIDENTIAL: BLOCKS C & D – THIRD FLOOR PLAN
- Ref. 2012-140 PA – PODIUM BOUNDARY WALL STUDY – SECTION A:A
- Ref. 2012-141 PA – PODIUM BOUNDARY WALL STUDY – SECTION B:B
- Ref. 2012-142 PA – PODIUM BOUNDARY WALL STUDY – SECTION C:C
- Ref. 2012-143 PA – PODIUM BOUNDARY WALL STUDY – SECTION D:D
- Ref. 2012-144 PA – PODIUM BOUNDARY WALL STUDY – SECTION E:E
- Ref. 2012-145 P – PODIUM BOUNDARY WALL STUDY – SECTION F:F
- Ref. 2012-146 PA – PODIUM BOUNDARY WALL STUDY – SECTION G:G
- Ref. 2012-147 PA – PODIUM BOUNDARY WALL STUDY – SECTION H:H Willesden Green Cultural Centre & Residential Development
- Ref. 2012-SK-076 P – RESIDENTIAL BLOCK B: GATED ACCESS STUDY
- Ref. 2012-SK-077 P – RESIDENTIAL: TYPICAL 1 BED – FULLY ACCESSIBLE UNIT PROPOSAL
- Ref. 2012-SK-079 PA – RESIDENTIAL: TYPICAL 2 BED – FULLY ACCESSIBLE UNIT PROPOSAL
- Ref. 2012-SK-078 P – RESIDENTIAL: DISABLED PARKING AND APARTMENT ALLOCATION

#### Landscape

- Drawing Ref. OX4891-P105A 07 – Schematic Landscape GA Plan
- Drawing Ref. OX4891-P105B 07 – Schematic Landscape GA Plan
- Drawing Ref. OX4891-P105C 07 – Schematic Landscape GA Plan

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

- (3) The demolition works hereby approved shall not be allowed in the absence of an acceptable replacement scheme.

Reason: In the interest of the visual amenity and character of the Conservation Area, in general, and this building, in particular.

#### **INFORMATIVES:**

None Specified

Any person wishing to inspect the above papers should contact Andy Bates, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5228



## Planning Committee Map

Site address: SKL House, 18 Beresford Avenue, Wembley, HA0 1YP

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This map is indicative only.

**RECEIVED:** 20 November, 2012

**WARD:** Alperton

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** SKL House, 18 Beresford Avenue, Wembley, HA0 1YP

**PROPOSAL:** Erection of first floor extension to front of building, with alterations to the front forecourt layout, reduction in width to existing vehicle access and change of use from office (B1a) to a mixed use with B1(c) (light industrial), B8 (warehouse & distribution) with ancillary office and kitchen showroom (as amended by revised plans dated 22/01/13).

**APPLICANT:** Mr G Singh

**CONTACT:** Mann Associates Ltd.

**PLAN NO'S:**  
Dwg 01A  
Dwg 02A

---

## **RECOMMENDATION**

Approve

## **EXISTING**

The site is located on the southern side of Beresford Avenue within the Northfields Industrial Estate which is designated as a Strategic Industrial Location. Surrounding uses here are a mixture of commercial and industrial on the southern side of Beresford Avenue, with residential properties along the northern side.

The site is mostly taken up by a mainly two storey 1950s era brick commercial building with clad elevations. Formerly a warehouse/industrial building it was converted to an entirely office use and subdivided into separate office suites sometime in the past. The building is now vacant undergoing internal refurbishment.

The site is not within a Conservation Area, nor does the application related to a Listed Building.

## **PROPOSAL**

Erection of first floor extension to front of building, with alterations to the front forecourt layout, reduction in width to existing vehicle access and change of use from office (B1a) to a mixed use with B1(c) (light industrial), B8 (warehouse & distribution) with ancillary office and kitchen showroom (as amended by revised plans dated 22/01/13).

## **HISTORY**

### **10/1604 – Refused – Appealed – Dismissed on Appeal**

Retrospective application for change of use from offices (Use Class B1) to a college of further education (Use Class D1).

#### Reason for refusal;

*The proposed change of use from offices (Use Class B1) to a college of further education (Use Class D1) is contrary to policies CP3, CP12 and CP20 of the Brent Core Strategy (adopted July 2010) and policy CF2 of Brent's Unitary Development Plan 2004, resulting in the loss of protected employment land.*

### **06/0715 - Certificate of Lawful Development - Granted**

Certificate of lawfulness for existing use for the use of the building as offices (Use Class B1(a)). This showed the building laid out internally into a number of self-contained office suites. It is now understood that this building has been gutted internally so this layout no longer exists.



## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework - 2012**

#### **Policy Considerations**

##### Brent Unitary Development Plan 2004

<i>BE2</i>	<i>Townscape: Local Context &amp; Character</i>
<i>BE4</i>	<i>Access for Disabled People</i>
<i>BE9</i>	<i>Architectural Quality</i>
<i>TRN3</i>	<i>Environmental Impact of Traffic</i>
<i>TRN22</i>	<i>Parking standards – non-residential development</i>
<i>TRN34</i>	<i>Servicing in New Development</i>
<i>PS6</i>	<i>Parking Standards – 1 space per 150m<sup>2</sup> of floor area applies.</i>
<i>PS19</i>	<i>Servicing Standards</i>

##### Brent Core Strategy – July 2010

*CP20 Strategic Industrial Locations*

##### Main Considerations:-

Acceptability of the use of the building  
Impact on neighbouring occupants/businesses  
Impact on servicing and parking arrangements  
Size, scale and design of extensions

## **CONSULTATION**

### **CONSULTATION**

Consultation letters were sent out to 21 properties on **6 December 2012**. Internally comments were sought from Brent's Transportation Unit.

Three objections have been received and a petition objecting to the proposal has been received from Heather Park Neighbourhood Watch, this is signed by 8 signatories. The reasons for objecting to the application have been summarised as:-

- The existing building works and associated vehicles are blocking traffic along Beresford Avenue.
- Existing refuse provision is inadequate.
- Parking is an existing problem on Beresford Avenue, workers and visitors to the proposed use will worsen the situation.
- Any reduction of off-street parking spaces on the application site will worsen the parking congestion on Beresford Avenue.
- Traffic is an existing problem on Beresford Avenue and this proposal will worsen the situation.
- Objection to the use of the building as an education facility (this is incorrect, there is no proposed change of use to a place of education).

##### Transportation & Highways:-

The site is currently served by up to 7 parking spaces, at the front of the site. These are accessed via an 8m wide crossover.

The application site is on the southern side of BA, a local distributor road. The site has moderate access, with a PTAL rating of level 3.

The proposed extensions will increase the total floor area of the building to 825sqm. This will not increase the parking or servicing standards applicable.

The existing depth between the front of building and back edge of highway is approximately 6m, and at present the building line is staggered which results in an area which is deeper than the rest. This is deep enough for an 8m long rigid vehicle to stand, which is required under servicing standard PS19 to stand clear of the highway.

As originally proposed the extension would have meant that it would no longer be possible for an 8m vehicle to stand clear of the highway without overhanging the footpath. The loss of this servicing was objected to on

transportation grounds. To address this objection the proposal has been amended, and the ground floor infill has been omitted from the scheme. So instead a recessed loading bay is proposed on the ground floor, with 8m depth maintained directly in front of this ensuring adequate servicing provision in line with PS19.

The front forecourt layout has also been amended, this proposes to rationalise the parking layout so that four spaces will be clearly marked out. These are easily accessible, unlike the current layout which results in vehicles illegally crossing the footpath to access certain spaces. The provision of four spaces is acceptable to Transportation as this represents 75% of the maximum parking standard, which is 5 spaces for a building of this size.

The existing 8.5m wide crossover is excessively large and the applicant has agreed to Transportations request to reduce its width. The alterations to the kerb radii as shown on the revised plan will reduce the length of crossover and prevent vehicles from illegally crossing the footpath. Furthermore a new dwarf wall is to be erected either side of the crossover, this will also help to prevent vehicles from crossing the footpath in the future. Both of these measures represent an improvement to pedestrian and highway safety.

Details of refuse and recycling storage and collection arrangements have not been supplied, and are to be requested through condition. The same applies to cycle parking details, these too will be secured through condition.

#### Summary:-

Transportation has confirmed that with the amendments that (i) see the retention of an adequate servicing bay on the frontage (ii) improved front parking layout (iii) and reduction in width to the existing vehicle crossover that they remove their objection. The proposal can now be supported on Transportation grounds.

### **REMARKS**

#### Principle of development:-

This proposal is to extend the existing building for use by a company who are in the business of kitchen production, assembly, packaging and distribution. It has been confirmed that the companies main manufacturing and production takes place from a larger premises in Hayes, this site on Beresford Avenue is much smaller in scale and will be a secondary site to help supplement their business operation. An ancillary kitchen showroom will also be included, for trade customers only.

In policy terms there is no objection to this use. The type of operation will include elements of B1(c) and B8, with ancillary office space and kitchen showroom. This is an appropriate use within Strategic Industrial Land, it will bring back into use a vacant building, and will provide an economic benefit to the area.

#### Size, scale & design of extension:-

The ground floor infill extension has been omitted from the proposal now and it is proposed to maintain a loading bay in this area (with roller shutter access). On the first floor it is proposed to extend the front building across, eastwards. The additional floor space at first floor level will provide additional office space.

The extensions are proposed to support the intended use of the building.

Materials to be used will match those found on the existing building and the visual impact of the proposed extension is acceptable.

#### Transportation impacts:-

Officer's from Highways and Transport Delivery were initially concerned about the implications of this extension. As discussed above in the 'consultation' section concerns were initially raised on servicing grounds, and to the vehicle access arrangements.

Revised plans were requested. The scheme as amended now addresses each of the concerns raised, how this has been achieved is briefly set out below:-

1. An 8m loading/servicing bay is to be maintained on the frontage. This will comply with UDP standard PS19.
2. The front parking layout is to be improved, four parking spaces are proposed. The maximum standard, applying standard PS6, is for five parking spaces. However Transportation will accept 75% of this standard being provided off-street, and they have confirmed this level of parking to be acceptable.
3. The existing vehicle crossover is excessively wide at 8.5m. The applicant has agreed to reduce the

- crossover width in accordance with drg 02B and this is welcomed.
4. A new dwarf wall is to be erected to the eastern side of the access, this will prevent vehicles from illegally crossing the footpath.

Impact on surrounding users:-

The premises are bordered on either side by industrial and commercial premises. The proposed extension would not impact directly on these neighbours.

The other main consideration would be the impact this proposal would have on highways safety. However this matter has been addressed, the revised plans have the support of Transportation Officer's

Local residents and the Heather Park Neighbourhood Watch group have objected to the proposal. The main concerns are related to traffic and parking, with concerns being raised that this will worsen traffic conditions on Beresford Avenue, and add to local parking congestion.

Response;

The use of the building is appropriate in planning policy terms for a site designated as Strategic Industrial Land. The proposed extension does not trigger an increase in the parking or servicing standards either. The application instead provides the opportunity to secure improvements to the servicing arrangements, parking layout and the access arrangements, all of which are welcomed.

The objectors refer to existing parking problems associated with nearby businesses parking vehicles along Beresford Avenue. However if other businesses locally are operating in such a manner this on its own is not a reason to resist this proposal, where it has been demonstrated that suitable parking and servicing arrangements will be provided off-street, in accordance with adopted UDP standards.

Summary:-

There is no objection in principle to extending the premises and this will bring back into use a currently vacant building, which is welcomed. The revised plans which omit the the ground floor 'infill' extension, in order to retain a suitably sized servicing/loading area are considered to be acceptable and the scheme is assessed as being acceptable on transportation grounds. It is accordingly recommended that planning permission be granted, subject to the attached conditions.

**RECOMMENDATION:** Grant Consent

**REASON FOR GRANTING**

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

Brent Unitary Development Plan 2004  
Central Government 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  
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):

Dwg 01A  
Dwg 02B (dated 22/01/13)

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

- (3) 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.

- (4) No part of the development shall be occupied until the existing vehicle access has been altered fully in accordance with the details hereby approved and as shown on drawing 02B (dated 22 Jan 2013).

Reason: In the interests of the general amenities of the locality and the free flow of traffic and general conditions of the highway safety on the neighbouring highway.

- (5) The front forecourt area shown on the approved plans shall be retained and shall be used only for the purposes of parking and loading/unloading in association with the use of the building.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to maintain specified servicing area.

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

All parking spaces, loading bays, access works and front boundary wall works shall be constructed and permanently marked out prior to commencement of use of any part of the approved development approved by the Local Planning Authority.

(B) 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.

- (7) The office floorspace hereby approved shall be used only in conjunction with and ancillary to the main approved use of the building and for no other purpose.

Reason: To ensure that no separate use commences without the prior approval of the Local Planning Authority and to ensure that any subsequent use complies with the Council's adopted policies for the area.

- (8) The kitchen showroom floorspace shall be used by trade customers only, and not visiting members of the public, and shall not be separately occupied from the main premises, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the building is not occupied by a stand alone A1 retail use in Strategic Industrial Land and an out of centre location, in accordance with policies EMP8 and SH5 of Brent's Unitary Development Plan 2004.

- (9) (a) Details of adequate arrangements for the storage and disposal of refuse and recyclable material shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to commencement of the use hereby approved.

(b) Details of the provision of a minimum of 3 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 that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure satisfactory facilities for cyclists

**INFORMATIVES:**

- (1) If the development is carried out it will be necessary for alterations to be made to the existing crossing 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.
  
- (2) Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
  - (a) illuminated fascia signs
  - (b) projecting box signs
  - (c) advertising signs
  - (d) hoardings

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

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	<p style="text-align: center;"><b>Planning Committee</b> 13 February 2013</p> <p style="text-align: center;"><b>Report from the Director of Regeneration &amp; Major Projects</b></p>
<p>Wards affected: All</p>	
<p><b>Appeals Decision Monitoring: 1 January 2012 – 31 December 2012</b></p>	

## **1.0 Summary**

- 1.1 Work is currently being carried out on a more comprehensive review of how appeal decisions are monitored. The analysis carried out to date relates solely to planning appeal decisions however it is the intention to extend this work to include enforcement appeal decisions.
- 1.2 The purpose of the analysis is to provide the following outcomes:
- To help evaluate how saved Unitary Development Plan (UDP) policies and Council's supplementary guidance (SPGs and SPDs) are currently being used in determining planning applications and help to ensure that the Council's new development plan documents (DPDs) being developed through the Local Development Framework (LDF) process are usable, effective in terms of development management and can be successfully defended at Appeal;
  - To identify areas where Appeal Statements and/or Officer Reports can be strengthened to further justify reasons for refusal;
  - To consider whether a revised approach should be taken when assessing applications if it is identified that the Planning Inspectorate consistently allows appeals on a particular ground.

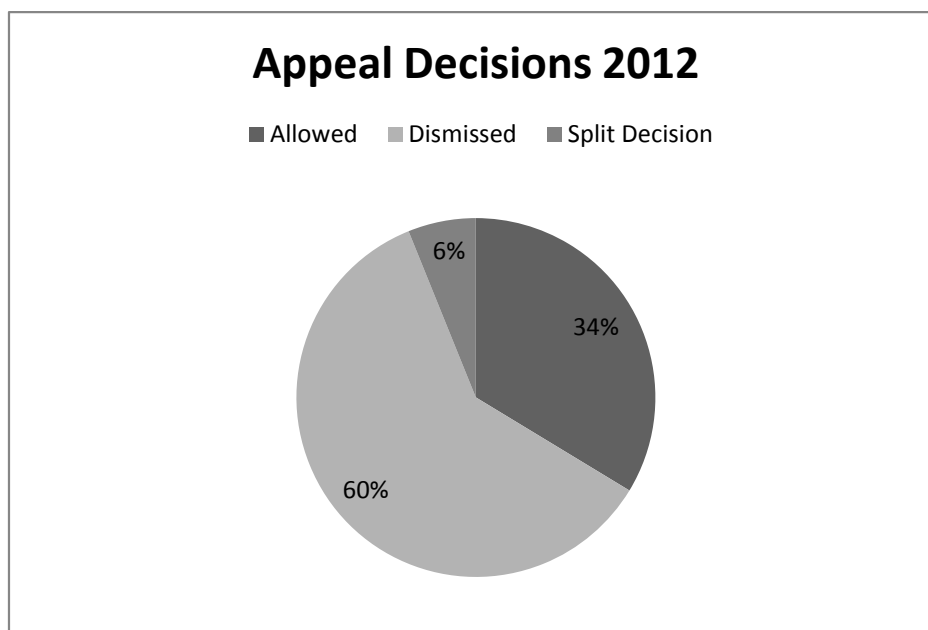
## **2.0 Recommendations**

- 2.1 This report is a summary of appeals monitoring being undertaken and is for information only.

### 3.0 Background Information

#### General Overview of Planning Appeal Decisions in 2012

- 3.1 Between 1 January 2012 and 31 December 2012, the Council determined a total of 3069 planning applications. Of these applications, 78% were granted and 22% were refused.
- 3.2 During this period, a total of 98 appeal decisions were issued by the Planning Inspectorate. 'Figure 1: Appeal Decisions 2012' below sets out the proportion of appeals which were 'Allowed', 'Dismissed' or where a 'Split Decision' has been issued. It should be noted that whilst the Planning Inspectorate has the authority to issue a 'Split Decision' (where part of the proposal is part allowed and part is dismissed) the Council is not able to issue this type of decision. In these cases, whilst the Council may have found part of the scheme acceptable, the entire proposal is refused.



**Figure 1: Appeal Decisions 2012**

- 3.3 The graph above shows that the Council was successful in defending 66% of appeals (Percentage of cases where appeal dismissed or where split decision issued) in 2012.

### 4.0 More Detailed Analysis of Planning Appeal Decisions in 2012

#### Categorising Reasons for Refusal

- 4.1 All appeal decisions during 2012 have been reviewed to enable further assessment of whether the reasons for refusal cited by the Council are 'Upheld' (where the Planning Inspectorate agrees with the Council's



assessment) or 'Not Upheld' (where the Planning Inspectorate does not agree with the Council's assessment). It should be noted that in some cases, whilst the Planning Inspectorate has dismissed the appeal, not all reasons for refusal cited by the Council have been supported by the Planning Inspectorate.

- 4.2 The reasons for refusal for all applications have been grouped into the following categories:

Use: This relates to the principle of use proposed, for example whether the change of use in a Primary Shopping Area complies with our policy to protect A1 retail shopping frontages.

Design: This considers whether the design of the proposal is appropriate in the locality. It may include consideration of the height, bulk, use of materials etc. and the appropriateness in the local context.

Residential Amenity: This relates to the quality of accommodation provided for future occupiers including provision of external amenity space, internal space standards.

Neighbour Amenity: This relates to all reasons which have cited an impact on neighbouring occupiers. This may include noise nuisance, loss of light etc. from building works and other amenity impacts on neighbouring occupiers.

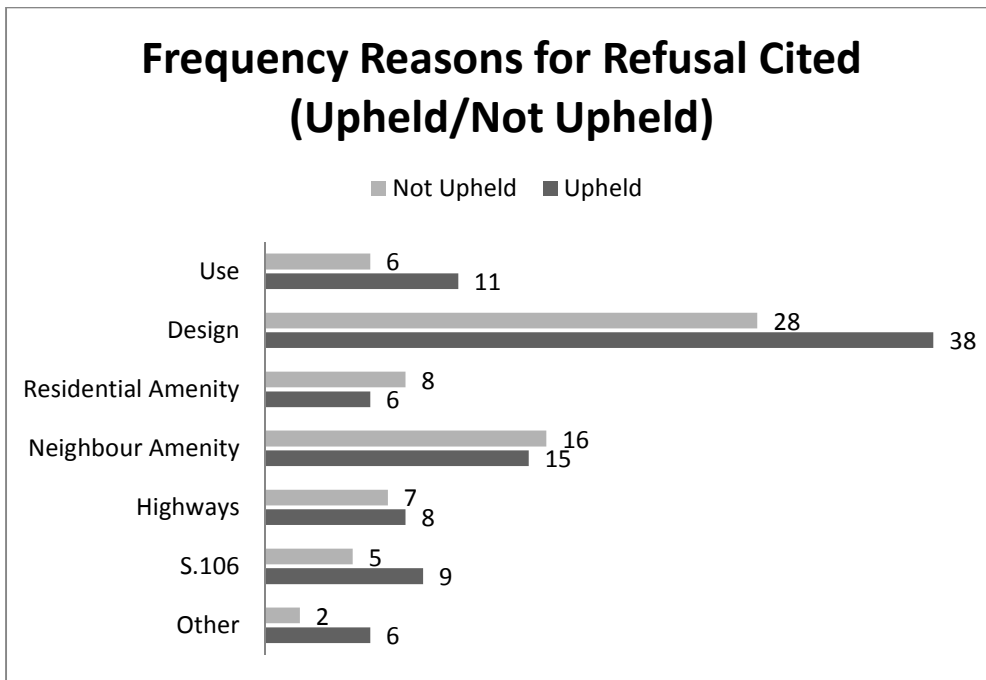
Highways: Highways impacts can be quite wide ranging and include parking, access and highway safety.

Section 106: A reason relating to Section 106 agreement is included in all cases where an obligation would be required; this generally is to accord with the Councils SPD: Planning Obligations.

Other: This includes reasons that don't fall into the above categories.

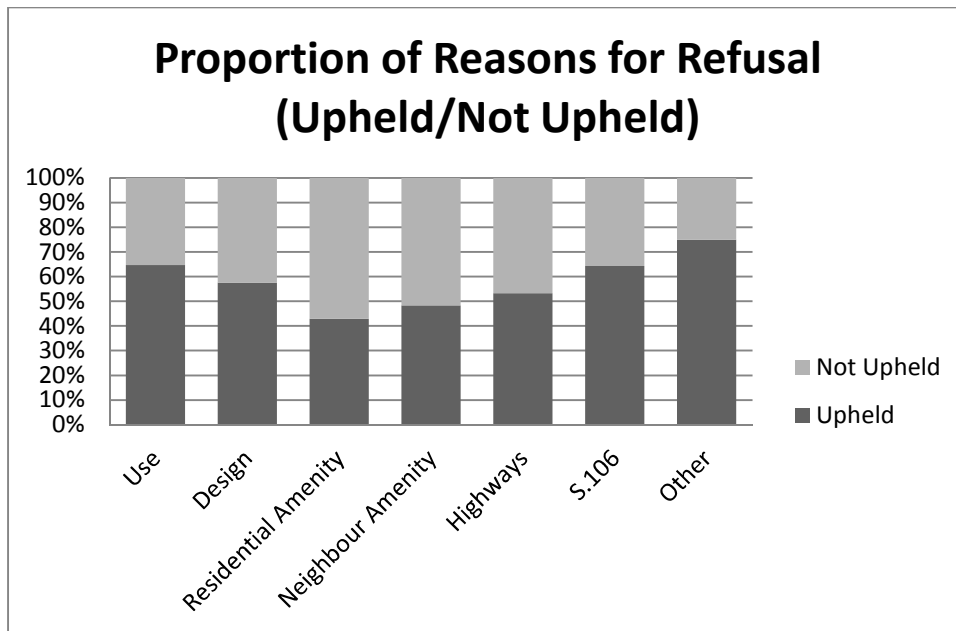
#### Comparative Analysis

- 4.3 The frequency that each category of reason for refusal is cited is set out in 'Figure 2: Frequency Reasons for Refusal Cited –Upheld/Not Upheld'; this provides an indication of how successful the Council has been in defending each category of reason for refusal at appeal.



**Figure 2: Frequency of Reasons for Refusal (Upheld/Not Upheld)**

- 4.4 The bar chart shows that a 'Design' reason for refusal was cited in 67% of appeals in 2012 and was 'Upheld' by the Planning Inspectorate in 38 cases and 'Not Upheld' in 28 cases. Given that 'Design' reasons are more frequently cited as a reason for refusal than other categories, it is recommended that further analysis is carried out to help inform the development of new guidance and when producing DPDs.
- 4.5 'Figure 3: Proportion of Reasons for Refusal (Upheld/Not Upheld)' shows which reasons for refusal the Council are more successful in defending and those where further analysis is required. The data indicates that where reasons relating to 'Residential Amenity' and 'Neighbour Amenity' have been cited, the Council has been successful in less than 50% of cases when defending these reasons for refusal at appeal.



**Figure 3: Proportion of Reasons for Refusal (Upheld/Not Upheld)**

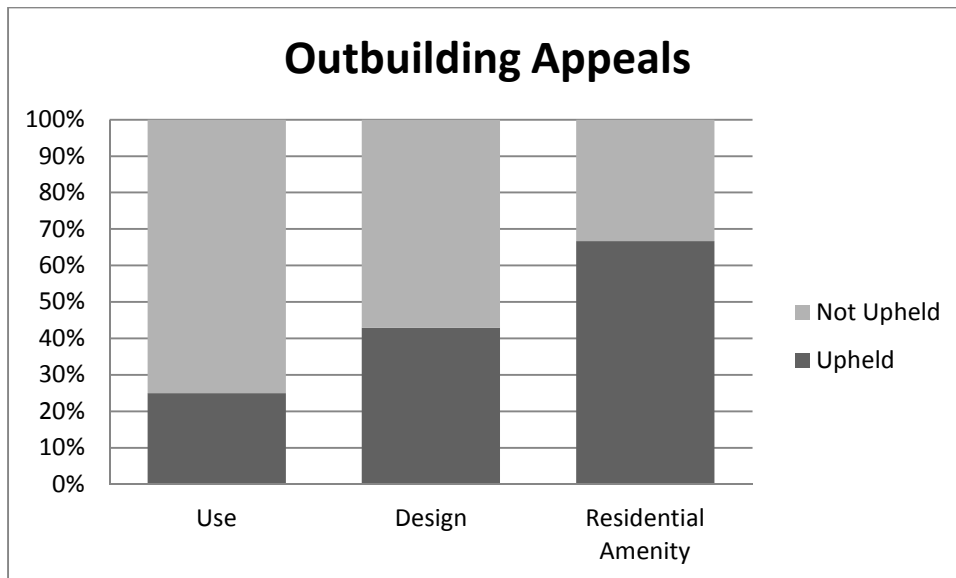
- 4.6 The general trends identified from the above analysis leads onto a need for more detailed work, including a further review of individual appeal decisions, to establish whether Appeal Statements and/or Officer Reports can be strengthened, policies should be reviewed and/or a revised approach should be taken when assessing applications.

Further Analysis of Specific Cases- Outbuildings

- 4.7 With the work currently being undertaken by Planning Enforcement to tackle 'beds in sheds', further analysis of appeal decisions relating outbuildings is of particular relevance. The types of applications relating to outbuildings that the appeal data encompasses are Certificate of Lawfulness Applications (where an assessment is made as to whether an outbuilding complies with Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 as amended) and Householder Planning Applications.
- 4.8 'Figure 4: Outbuilding Appeals' shows that WHERE applications for outbuildings refused, it is for the following reasons:
1. Use – In this case it principally relates to Certificate of Lawfulness Applications where the Council has determined that the use of the building is not considered incidental to the main dwellinghouse;
  2. Design – This is a consideration for Planning Applications where consideration is given to whether the design (scale, height, materials etc.) is appropriate;

3. Residential Amenity - This is a consideration for Planning Applications and generally relates to the relationship of the building to neighbouring residents.

4.9 The graph shows that that in 75% of appeals, the Council's assessment on the incidental nature of the use of an outbuilding has not been supported. This has already led to a change in the approach adopted by the officers when assessing Certificate of Lawfulness applications; whilst consideration is still given to the size of the building, greater weight is now given to information provided by the applicant regarding the intended use.



**Figure 4: Outbuilding Appeals**

5.10 The analysis on outbuildings indicates that in 57% of cases, 'Design' reasons for refusal were not upheld by the Planning Inspectorate. A more detailed review needs to be carried out however an initial assessment would appear to show that the Planning Inspectorate is placing greater weight on the existence of other outbuildings in the locality often constructed as permitted development. As such, consideration needs to be given to whether more detailed guidance is required on outbuildings (n.b. current SPG20 relates only to Buildings in Gardens in Conservation Areas) and/or whether revised approach should be taken when assessing applications.

## 5.0 Conclusions

5.1 The ranges of applications received are fairly broad therefore being able to simplify the information into categories to enable meaningful comparisons to be made has been challenging. However, now that the general format for the analysis has been established, it enables key issues to be identified where

further work and assessment can be carried out to better inform the decision making process. It is the intention that further work will be carried out and feedback provided periodically. This will include a review of Enforcement Appeals.

## **6.0 Legal Implications**

6.1 It is anticipated that this work will help the Council when defending reasons for refusal at appeal.

## **7.0 Diversity Implications**

7.1 It is not the intention to prevent development but to ensure that the works are appropriate in the local context.

## **8.0 Staffing/Accommodation Implications**

8.1 This work may result in a reduction in planning appeals in the future which will reduce officer workload.

## **9.0 Environmental Implications**

9.1 The aim of these documents is to ensure development is in compliance with the Council's adopted policy.

## **10.0 Background**

10.1 Sourced from Brent's IT system - Acolaid

## **Contact Officers**

Rachel McConnell, North Team Area Manager, Planning & Development 020 8937 5223

**Andy Donald, Director of Regeneration & Major Projects**

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