



Planning Committee

Wednesday 26 August 2015 at 7.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Marquis (Chair)

Agha

S Choudhary

Colacicco

Ezeajughi

Mahmood

Maurice

M Patel

Substitute Members

Councillors:

Chohan, A Choudry, Hoda-Benn, Hylton, Khan
and W Mitchell Murray

For further information contact: Joe Kwateng, Democratic Services Officer
020 8937 1354, joe.kwateng@brent.gov.uk

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

The press and public are welcome to attend this meeting

Members' briefing will take place at 6.00pm in Boardrooms 7 and 8

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 (to follow)		
Extract of Planning Code of Practice		
APPLICATIONS DEFERRED FROM THE PREVIOUS MEETING		
3. 24-51 inc, John Barker Court, 12-14 Brondesbury Park, Kilburn, NW6 7BW (Ref. 15/1539)	Brondesbury Park	5 - 32
4. All Flats at Jubilee Heights, Shoot Up Hill, NW2 3UQ (Ref. 15/0064)	Mapesbury	33 - 64
5. Garages rear of 32, Crownhill Road, London (Ref. 14/4241)	Harlesden	65 - 100
6. 58 Neasden Lane, NW10 2UJ (Ref. 14/1544)	Dudden Hill	101 - 128
NORTHERN AREA		
7. 66 Llanover Road, Wembley, HA9 7LT (Ref. 15/2093)	Preston	129 - 146
8. 51-67 INC, Poplar Grove, Wembley, HA9 9DB (Ref. 15/1438)	Barnhill	147 - 162
9. 429 & 431 Kingsbury Road, London, NW9 9DT (Ref. 15/1709)	Fryent	163 - 176
10. Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX (Ref. 15/1934)	Kenton	177 - 192
11. Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX (Ref. 15/0977)		193 - 206
SOUTHERN AREA		
12. 2 Dawson Road, NW2 6UA (Ref. 15/0643)	Mapesbury	207 - 228
13. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.		

Site Visit - 22 August 2015

SITE VISITS – SATURDAY 22 AUGUST 2015

Members are reminded that the coach leaves the Civic Centre at 9.30am

REF.	ADDRESS	AGENDA ITEM	WARD	TIME	PAGE
15/2093	66 Llanover Road, Wembley, HA9 7LT	07	Preston	9:40am	129
15/0977	Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX	10	Kenton	10:15am	177
15/1934	Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX	11	Kenton	10:15am	193
15/1709	429 & 431 Kingsbury Road, NW9 9DT	09	Fryent	10:55am	163
15/1438	51-67 inc, Poplar Grove, Wembley, HA9 9DB	08	Barnhill	11:25am	147
15/0643	2 Dawson Road, NW2 6UA	12	Mapesbury	12:05pm	207

Date of the next meeting: Thursday 24 September 2015

The site visits for that meeting will take place the preceding Saturday 19 September at 9.30am when the coach leaves the Civic Centre.



Please remember to switch your mobile phone to silent during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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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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COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 03
Case Number 15/1539

SITE INFORMATION

RECEIVED: 1 May, 2015

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

PROPOSAL: Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

APPLICANT: London Borough of Brent

CONTACT:

PLAN NO'S: See condition 2

SITE MAP



Planning Committee Map

Site address: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

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This map is indicative only.

INTRODUCTION

The Planning Committee resolved to grant planning permission after considering the proposal at its meeting on 2nd July 2015 and following a site visit on 27th June 2015.

Following this, and before the actual decision notice was issued, it was confirmed that an error had been made in that 1-19 Alan Preece Court had not been sent initial consultation letters. However, the intention had been to consult these residents, along with 20-37 Alan Preece Court, John Barker Court and other nearby residents and neighbouring properties. In total, 112 local residents were consulted in two tranches on 5th May and, at the request of Ward Councillors, on the 11th May. When the issue was raised at Committee, it was mistakenly understood that all of Alan Preece Court had been consulted and this was partly re-inforced by some representations being received from these properties.

On this basis, the application was not progressed. To ensure all neighbouring residents have an opportunity to comment on the proposal and have their comments taken into account, letters were hand delivered to 1-19 Alan Preece Court on 7th July giving a full 21 day consultation period.

Further Representations

One objection had been received from 1-19 Alan Preece Court in advance of the original committee meeting and at the point of writing objections have been received from 9 properties within this block. These are detailed below. In total now 55 objections have been received and 2 comments in support.

Member's will be updated in a supplementary report regarding any further representations which are received.

Additional correspondence has also been received from Cllr Shaw with the following points:

- The objections raised by a representative of adjoining residents were omitted from the report
- Query the details on savings stated by the applicant in the previous committee meeting
- Enviro chem test report should be made available for health and safety reasons

Officers have reviewed the objection letter referred to and are satisfied that material considerations were discussed both in the body of the Appendix report and at the Planning Committee itself. For completeness these are also included within the table below.

Designing Out Crime Observations

As set out in the main report officers have discussed the application in detail with the Metropolitan Police's Designing Out Crime Officer, the points made and discussed are summarised below:

The entrance of the subject building is not immediately visible leading to a recommendation of signage to prevent confusion:

The applicant has drawn up a plan for directional signage which will clearly direct future residents around the side of the building assisting with the legibility of the site and ensuring future residents aren't directed near to existing residents ground floor windows. Another recommendation was that lighting should be reviewed to the undercroft entrance through the site. However this route is not intended to be used by future residents of the application site and officers do not consider that a lighting scheme is required in planning terms.

The low boundary wall to the rear of existing resident's rear terraces and windows were highlighted:

While the suggestion that there could be scope to amend the boundary treatment, this is beyond the scope of the application. Appropriate and clear management, including signage, is considered appropriate to reflect this issue.

Future residents use of rear open area:

The scope for a fence as a physical way of defining the boundary of the dedicated amenity space was recommended. However, officers consider that appropriate signage can be used to clarify the use of the

amenity space for the hostel as well as providing management contact details. This is also considered proportionate for a temporary use. However, a fence in this location would be permitted development if the management decided to pursue it in the future.

3 ground floor units within the proposed temporary accommodation would have front patio doors which do not have a private curtilage and lead directly onto the front amenity space:

In the interest of the security and safety of future ground floor residents a recommendation to add boundary treatments to these units has been made. However, these reflect the existing situation and it is not considered, in the context of the temporary use, that these are a reasonable planning requirement.

Some needles were identified within the site although this situation may be attributed to it having been vacant. In addition an external stairwell leading to meter rooms to the rear of the front block are unprotected as the doors including a fire exit gate are insecure: Occupation and management should deter misuse and the security of the stairwell and meter rooms has been referred to the applicant.

In summary, the physical additions to the site now proposed include directional signage and a sign providing the name and management details at the frontage of the rear block. Subject to their size of the sign and lettering, both types of sign discussed above can be installed under permitted development rights. While CCTV may be proposed as part of the management plan for the site, this is not considered to be a planning requirement and permitted development rights exist for the installation of CCTV provided it complies with the requirements.

The Proposal

The existing building consists of 27 studio type rooms with shared facilities, a small guest room and a two bedroom caretakers flat. One of the studio rooms is to be used in association with the management of the site and the guest room on the first floor will be utilised for storage only. The proposal is therefore to use 26 of the studio rooms with a maximum occupancy of 2 persons as well as the former caretaker flat for accommodation. As stated in the original report, this will provide for between 12 and 18 family units depending on the family sizes and ages (which affects whether bedrooms would be in double or single occupancy).

Consideration of objections referred to above

Issue	Officers Comments (paragraph numbers refer to original report)
<p>The site is inappropriate for a homeless hostel with elderly people and children nearby. Children and their mothers going to local schools could be subject to harassment. The sites are currently very safe and friendly while temporary homeless residents could create hostility, crime, noise, traffic and parking issues</p>	<p>Para's 9-10 & 15-17 The experience of Knowles House is very different to this assumption where no associated problems have been reported. The same experienced management operator will be permanently on hand to prevent any issues.</p>
<p>No guarantee that this will be a temporary facility</p>	<p>Para 14. The building is owned by another party, LSH, who intend to redevelop it and are only making it available for a short period of time. In addition to this, a condition will limit the permission to 1 year, although the length of the use is likely to be much less.</p>
<p>The short periods that people will stay means they won't integrate with the local community</p>	<p>The site is proposed for households who have become homeless and this will include young families and a residential environment with good management in place is appropriate.</p>
<p>That it will house the homeless on a temporary basis and in shared rooms suggests that residents will be more like the "down and out" variety than needy homeless families.</p>	<p>The site is proposed to accommodate mainly families.</p>

Increase in the number of people at the site; Is there an increase in the number of units?	There is no increase proposed in the number of units. 26 of the existing 27 studio rooms and the self contained flat will be used and will accommodate between 12 and 18 households. Full occupation of the units would result in an increase in the number of residents at the site however this in itself is not a concern as the necessary refuse storage and management arrangements will be in place to accommodate the use
CCTV implies anti social behaviour is anticipated. CCTV would invade privacy	Para 10 confirms that CCTV is proposed by the applicants. However, this can be installed under permitted development rights and it is not considered to be required for a temporary use..
The alleyway between John Barker Court and Alan Preece Court will become dangerous and Alan Preece Court windows facing the site could be easily accessed from the path below.	The applicant has agreed to direct residents to access the rear block around the side of the front building. This route is over 4m wide and laid out as an access road. It can be overlooked from upper floor windows at Alan Preece Court and there is also a high boundary treatment between the 2 sites.
The emergency route will not be kept free resulting in a fire risk.	The proposal does not introduce any obstructions to the vehicular route around the building.
Street signage will go up to identify where the block is	As set out above signage, is proposed to improve the legibility of the site and guide future residents. The signage is proposed within the site.
If there haven't been asbestos checks homeless people shouldn't be living there.	No building work is to be carried out but it is the responsibility o the applicant to ensure resident safety.
Parking and traffic issues due to the additional residents, staff etc.	Para 18 considers the parking standard for the proposed use and confirms that there would be no increase in demand anticipated.
Improper consultation was carried out	Officers have set out above the consultation which was carried out. It is confirmed that regrettably in the initial consultation some neighbouring properties in Alan Preece Court were omitted and this has now been rectified.
BHP did not carry out initial consultation	Officers are not aware of any pre-application consultation undertaken by the applicant as this is not a statutory requirement. However full planning application consultations have now been undertaken.
Seeking a 12 month permission does not make sense as the site is required back by LSH	Para's 3 and 12-13 set out the timescales involved in the use of the site and factors which affect it.
Bathroom and boiler facilities need replacement as the earlier residents were advised	Para's 1-2, 6-7 Officers understand the that the facilities require replacement in the long term which LSH have decided against and instead seek to redevelop the site. This does not mean that the building is unfit in the short term and full safety checks will be undertaken prior to occupation.
No financial details are provided to substantiate savings	Para's 11-12 set out, for information, that the use of the site even for a short time would represent a significant saving in terms of the cost of private B&B accommodation which otherwise the council would have no option put to homeless families in to. However it should be noted that such details are not a material planning consideration.
A location further out or secluded would be more appropriate to lessen the negative effect that short term residents would have on the neighbourhood. Aware of the need for shelters for the	The application needs to be assessed on its merits.

homeless but creating a temporary one in a residential block will not solve this.	
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Members will remember that this application was due to go back for further consideration at the Planning Committee of 29th July 2015, but was deferred from the Agenda by Officers prior to any Member discussion in order to ensure that all people who have made representations on the application had adequate notice of the Planning Committee meeting.

The report that was due to be considered at the 29th July meeting had incorporated the Supplementary report that was presented to Members at their meeting on 2nd July and, consequently, a copy of that report is attached as **APPENDIX 1**.

Recommendation : Remains approval subject to the conditions set out in the original report.

, subject to the conditions set out in the Draft Decision Notice.



Brent

DECISION NOTICE – APPROVAL

=====

Application No: 15/1539

To: Mr Zaheer Iqbal
London Borough of Brent
Civic Centre
Engineers Way
Ha9 0fj

I refer to your application dated 10/04/2015 proposing the following:
Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

and accompanied by plans or documents listed here:

See condition 2

at 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

- 1 This permission shall be for a limited period of 1 year only, expiring on 2nd July 2016 when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) the use hereby approved shall be discontinued..

Reason: The proposed use is considered to be acceptable only on a temporary basis to accommodate an existing and exceptional need for accommodation of this type in accordance with Policy CP21 of the London Borough of Brent LDF Core Strategy 2011.

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

OS Map
00147_1_01

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

- 3 The development is granted on the basis that the pedestrian access route on the site to be used by future residents of the development is included in any licence, lease or agreement, and that all residents are duly informed of these arrangements by the applicants or the management company.

Reason: In the interests of residential amenity.

- 4 Prior to the first occupation of the building, directional signage, within the provisions of the General Permitted Development Order, shall be installed near the entrance to the property, along the route to the rear building and on the front of the rear building to direct people to the entrance in addition to a sign, within the same provisions, erected at the front of the rear building and displaying management information.

Reason: In in the interests of amenity and the legibility of the site.

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

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Appendix 1

Previous Committee report

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

29 July, 2015

15/1539

SITE INFORMATION

RECEIVED: 1 May, 2015

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

PROPOSAL: Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

APPLICANT: London Borough of Brent

CONTACT:

PLAN NO'S: See condition 2

SITE MAP



Planning Committee Map

Site address: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

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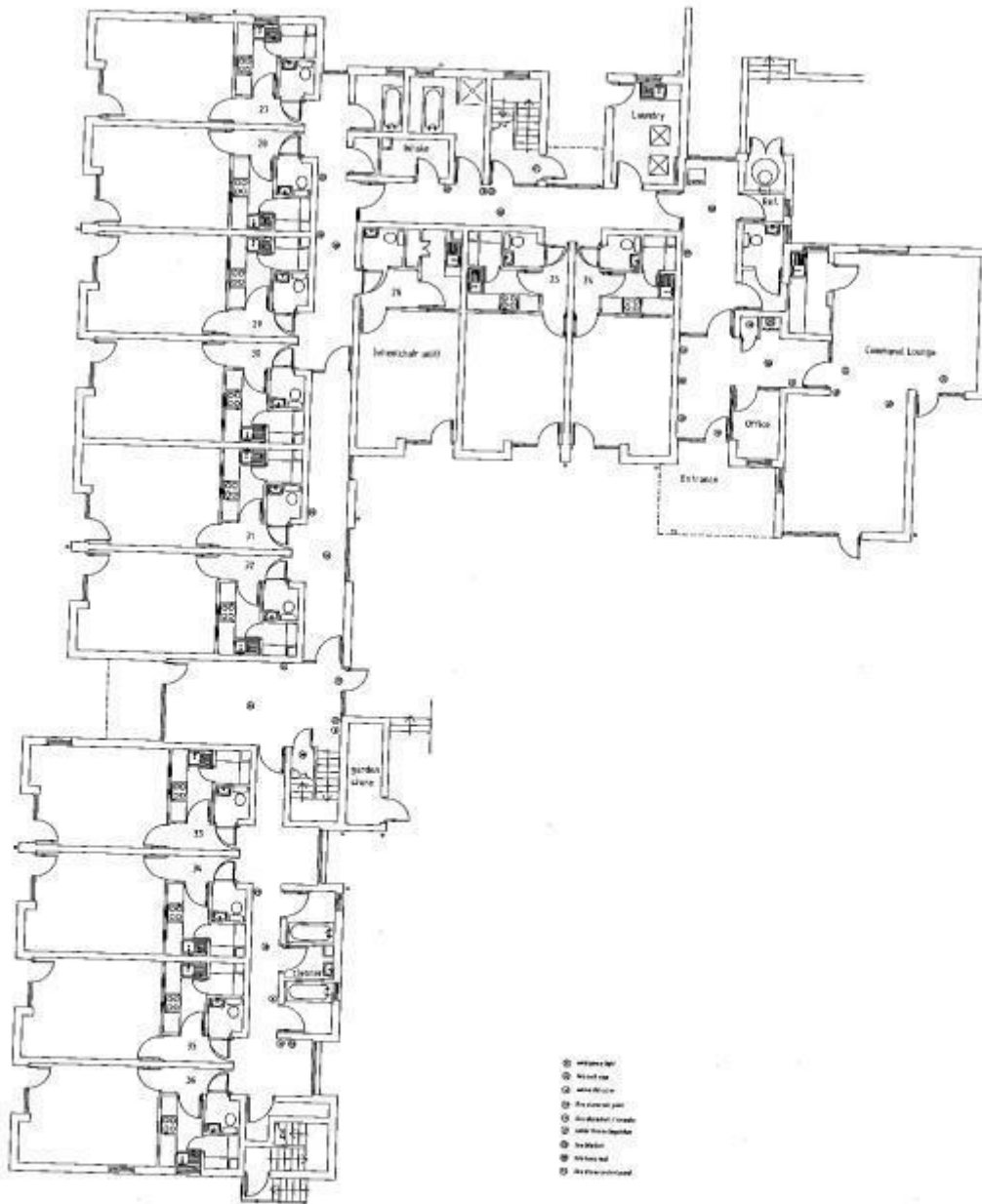
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

Site Location Plan



Ground floor plan



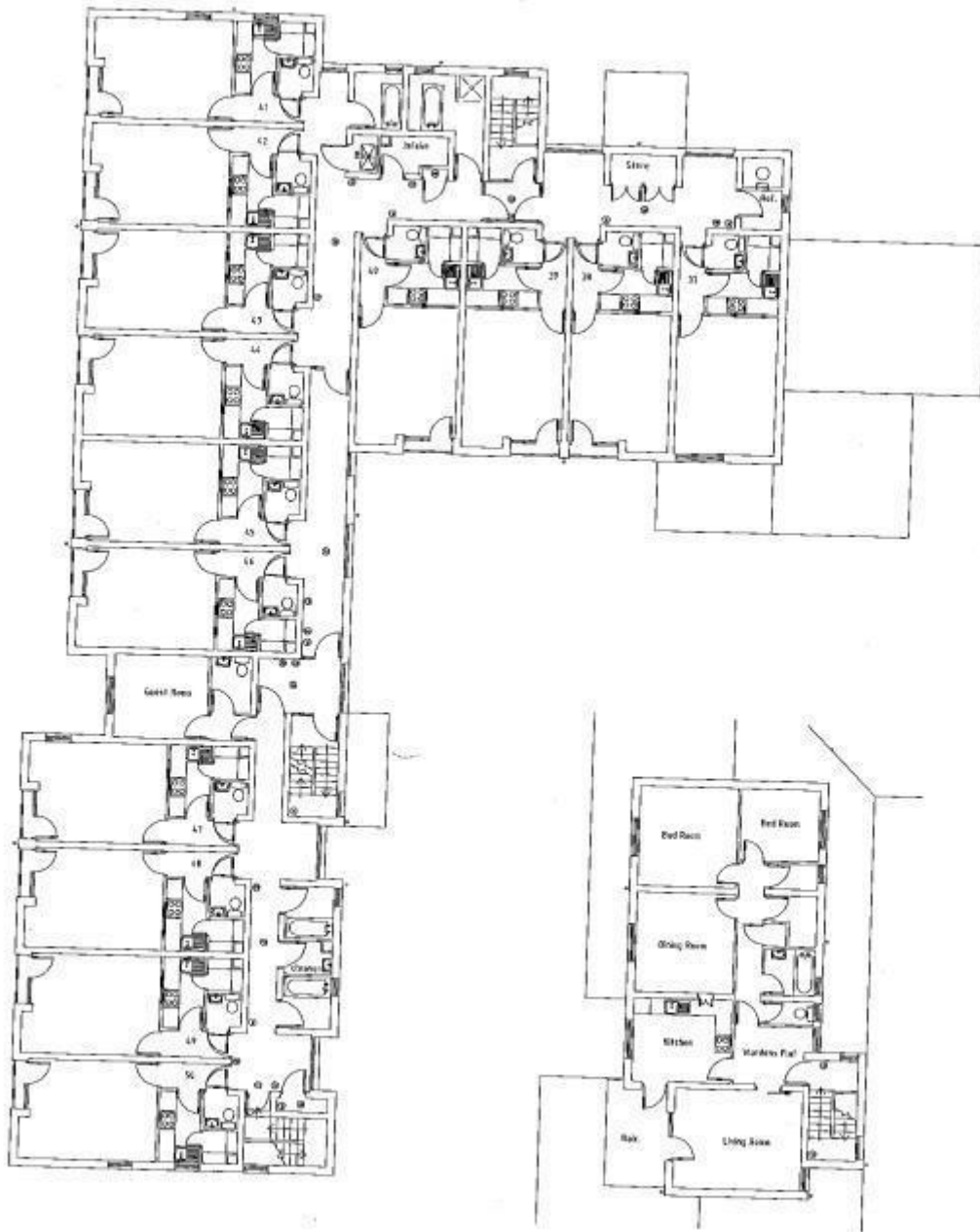
GROUND FLOOR PLAN

- ⊙ kitchen fit
- ⊙ kitchen cup
- ⊙ kitchen floor
- ⊙ kitchen pan
- ⊙ kitchen counter
- ⊙ kitchen cupboard
- ⊙ kitchen sink
- ⊙ kitchen wall
- ⊙ kitchen window

PROJECT	DATE	1/100
BRENT SHELTERED SCHEMES	DATE	Oct. 2006
JOHN BARKER COURT	PROJECT	CSJ
	CREATED	
TITLE	PROJECT NO.	00147_1_01
FLOOR PLANS	REVISION	
AS EXISTING		

ATP ATP Group Partnership
 Architects & Building Surveyors
 Brook House Coventry Road Ilford Essex IG1 4QJ
 T 020 8532 4141 F 020 8532 4140 E
 atp.ilford@atpgroup.co.uk

First and second floor plan



FIRST FLOOR PLAN

SECOND FLOOR PLAN

INTRODUCTION

Members resolved to grant the application which was discussed thoroughly at planning committee on Thursday 2nd July 2015 following a site visit on 27th June 2015.

Following this, upon investigating a concern raised by a neighbouring resident regarding consultation, officers unfortunately identified that 1-19 Alan Preece Court had not been sent consultation letters.

Immediate neighbours including 20-37 Alan Preece Court, which are the properties situated towards the rear of the plot, were consulted in the original consultation exercise on 5th May and the consultation area was expanded to include 112 addresses on 11th May. Regrettably officers did not identify at this point that the front block of Alan Preece Court was not included in the original consultation list.

To ensure all neighbouring residents have an opportunity to comment on the proposal and have their comments taken into account officers hand delivered letters to 1-19 Alan Preece Court on Tuesday 7th July giving a full 21 day consultation period to the 27th July.

One objection had been received from 1-19 Alan Preece Court in advance of the original committee meeting and to date a total of 5 objections have been received from this block. A number of representations have come in from other addresses leading to 49 objections and 2 in support.

Concerns raised include the following:

- The site is inappropriate for a homeless hostel with elderly people and children nearby
- The sites are currently very safe and friendly while temporary homeless residents could create hostility, crime, noise, traffic and parking issues
- No guarantee that this is a temporary facility
- The short periods that people would stay for means they won't be able to integrate with the local community
- Increase in the number of people at the site
- CCTV will go up to monitor anti social behaviour
- Parking and traffic issues due to the additional residents, staff etc
- Improper consultation was carried out

Member's will be updated in a supplementary report regarding any further representations which are received.

Additional correspondence has been received from Cllr Shaw with the following points:

- A material planning consideration submitted by a resident was omitted from the report
- Query the details on savings stated by the applicant in the previous committee meeting
- Enviro chem test report should be made available for health and safety reasons

Officer's have reviewed the objection letter referred to and are satisfied that all material considerations have been discussed in the body of the report but for completeness are included within the following table.

As set out in the main report officer's have discussed the application in detail with the Met Police's Designing Out Crime Officer, the points made and discussed are summarised below:

The entrance block of the subject site is not immediately visible leading to a recommendation of signage to prevent confusion, details of this have been required by condition. Another recommendation was that lighting should be reviewed to the undercroft entrance through the site, officers understand that at the previous committee it was agreed that access to the rear block would instead be directed around the side of the building so that new residents aren't directed near to existing resident's ground floor windows however a condition is recommended to ensure appropriate lighting to the undercroft.

The low boundary wall of existing resident's rear terraces were pointed out as an area which could be utilised for seating and as this is private property this would not be appropriate, the boundary is also near to ground floor windows. While the suggestion was that the boundary treatments should be raised in height this is beyond the scope of the application. Appropriate and clear management is key to ensuring future residents use the site in an appropriate way and understand the site boundaries. Officers have further discussed the appropriateness of defining the boundary of the amenity space of the rear block which will encourage future residents not to use the space around the frontage block and assist with the management of the site. Our recommendation is that signage be used to define the amenity space for the hostel and the signage state detail about the management of the area.

The Designing Out Crime Officer recommended a fence as a physical way of defining the boundary. A fence in this location would be permitted development and would therefore not require planning permission however officers remain of the opinion that a condition for signage will suitably define the ownership and appropriate use of the space and assist with the successful management of the use.

Within the subject block ground floor 3 units have front patio doors which do not have a private curtilage and lead onto the front amenity space. In the interest of the security and safety of future ground floor residents a recommendation to add boundary treatments has been made. Financial implications and time constraints on the use of the site prevent the introduction of physical alterations however the arrangement is an existing situation and officers are minded that the approach to the site which will include a sensitive letting policy and 24 hour on site management and CCTV will create a situation where residential amenity is protected. Future residents should also be advised that they must use the main entrance to the site adjacent to the office.

The Designing Out Crime Officer noted on site that there were some needles within the site, this situation may be attributed to it having been vacant for the last few months and not easily viewable from the street. In

addition an external stairwell leading to meter rooms to the rear of the front block are unprotected as the doors including a fire exit gate are insecure.

Consideration of comments received

Issue	Officers Comments
The site is inappropriate for a homeless hostel with elderly people and children nearby	Para's 9-10 & 14-15
The sites are currently very safe and friendly while temporary homeless residents could create hostility, crime, noise, traffic and parking issues	The experience of Knowles House is very different to this assumption where no associated problems have been reported. The same tried and tested management operator will be permanently on hand to prevent any issues.
No guarantee that this will be a temporary facility	The building is owned by another party, LSH, who intend to redevelop it and are only making it available for a short period of time. In addition to this a condition will limit the permission to 1 year, the length of the use is likely to be much less.
The short periods that people will stay means they won't integrate with the local community	The site is proposed for households who have become homeless this will include young families and a residential environment with good management in place is appropriate.
Increase in the number of people at the site	There is no increase proposed in the number of units, full occupation of all rooms could result in an increase in the number of people at the site however this in itself is not a concern as the necessary refuse storage and management arrangements will be in place to accommodate the use
CCTV will go up to monitor anti social behaviour	Para 10 confirms that CCTV will be installed. CCTV acts to deter anti social behaviour and improve people's confidence in the safety of spaces. However if anti social behaviour did occur it would be viewed and recorded on CCTV and addressed as appropriate.
Parking and traffic issues due to the additional residents, staff etc.	Para 18 considers the parking standard for the proposed use confirming that there would be no increase in demand anticipated.
Improper consultation was carried out	Officers have set out above the consultation which was carried out, it is confirmed that regrettably in the initial consultation some neighbouring properties were omitted and this has now been rectified.
BHP did not carry out initial consultation	Officers are not aware of any pre-application consultation undertaken by the applicant as this is not a statutory requirement. However full planning application consultations have now been undertaken.
Seeking a 12 month permission does not make sense as the site is required back by LSH	Para's 3 and 12-13 set out the timescales involved in the use of the site and factors which affect it.
Is there an increase in units from 26 to 28?	Para 4
Bathroom and boiler facilities need replacement as the earlier residents were advised	Para's 1-2, 6-7 Officers understand the that the facilities require replacement in the long term which LSH have decided against and instead seek to redevelop the site. This does not mean that the building is unfit in the short term and full safety checks will be undertaken prior to occupation.
No financial details are provided to substantiate savings	Para's 11-12 The use of the site even for a short time would represent a significant saving in terms of the cost of private B&B accommodation which otherwise the council would have

	no option put to homeless families in to
Harm to amenity	Para's 15-17

RECOMMENDATIONS

Approval, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

See description above

B) EXISTING

The subject site consists of the block accommodating 24-51 John Barker Court. The building which has been vacant since February was used as sheltered accommodation for elderly people.

The site is to the rear of 1-23 John Barker Court on the north western side of Brondesbury Park NW6. The site is not within a conservation area nor is it a listed building.

The surrounding context of the site includes residential blocks and houses as well as 2 schools and a wooded area to the rear who's trees are protected and it is identified as a site of importance for nature conservation.

D) SUMMARY OF KEY ISSUES

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Residential institutions					
Sui generis					

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Sheltered Housing û Social Rented)	26									26
EXISTING (Bedsits/Studios û Social Rented)										
EXISTING (Flats û Key Worker)	1									1
PROPOSED (Sheltered Housing û Social Rented)										
PROPOSED (Bedsits/Studios û Social Rented)	27									27
PROPOSED (Flats û Key Worker)										

RELEVANT SITE HISTORY

02/1809 Granted
Installation of replacement UPVC windows, doors and screens

CONSULTATIONS

Consultation letters were sent to neighbours on 5th May 2015, subsequently the consultation area was

expanded and additional neighbours were also consulted on 11th May 2015, in total 85 neighbouring properties were consulted by letter. 44 representations have been received including 2 in support and 40 in objection, comments made include the following:

- London has 6500 people sleeping rough on its streets which is a travesty in a developed country
- The provision of a home for vulnerable people is one of the most empowering elements towards self sustainability
- John Barker provides a beautiful quiet retreat to help integrate people back into housing and the community
- Offer to donate time and support to the initiative
- Applaud the Supreme Court's ruling upholding the legal duty of the council to provide accommodation for the homeless but object to this application in this location.
- The location is not suitable, it is enclosed and secluded.
- To access the flats they are expected to walk through the common areas where vulnerable and elderly residents live.
- Noise and disturbance is likely to be much greater than before.
- The hostel will introduce into this established community a transient group of people and with it an increase in crime
- A bail hostel is located nearby on the junction of Brondesbury Park and Christchurch Avenue, this location on a busy junction can be easily monitored by Police and passers by.
- Residents in the hostel may be in extremely difficult life circumstances which is often sadly linked to particular social behaviour
- Concern for the safety and security of the schools and a college practically next door and lots of families with young children nearby who will be at risk
- The large nearby elderly community feel very much ill at ease with the likely outcome of challenging social behaviour on their doorstep
- No formalised separation between the front block and the rear block proposed as a hostel.
- Existing residents at ground floor and with windows close to the pedestrian route are concerned for their safety.
- Concern regarding antisocial behaviour including vandalism, drugs and alcohol, break-ins, robbery etc. which it is proven will rise when a hostel is introduced.
- The transient population will have little care or responsibility to the area and it will bring fear and unrest to neighbours
- The original tenants were rehomed against their will using the excuse that the flats did not have adequate bathroom facilities, why should homeless people be expected to use flats that also have inadequate bathroom facilities.
- Previous tenants were told the boiler system was beyond economical repair and would create an increased risk for the control of Legionella; the application effectively moves homeless people out of accommodation where their health and safety is not at risk into accommodation where there is a significant risk.
- Why move tenants out who have been there for over 20 years in order to accommodate the homeless on a temporary basis?
- The proposal is meant to be temporary for one year, what is to say it will not continue for many more years.
- There are 2 hostels in the area (Willesden Lane and Salusbury Road) where apparently there are a great deal of problems
- There is already a concentration of social and affordable housing in proximity to John Barker Court.
- Residents of 1-23 John Barker Court were not consulted prior to the application.
- The submission suggests that LSH are planning to demolish the building and redevelop and want to start the redevelopment in August/September subject to approval, this only allows 2-3 months so a planning application for 1 year does not make sense.
- The application states that John Barker Court is a 26 unit scheme but 28 units will be provided which would increase the concentration.
- BHP has just removed asbestos from 1-23 John Barker Court to take forward the installation of independent heating and hot water per unit quoting £5500 per unit and 3 person days effort, the stated saving of £75000 over 5 months doesn't factor in this cost or work time. Its use will cost more than bed and breakfast.
- There is no more space for car parking and emergency access might get blocked.

Objections have been received from Brondesbury Park Ward Councillors Cllr Shaw, Cllr Davidson and Cllr Warren:

- The change of use will result in more antisocial behaviour

- There will be a significant increase in noise
- The location, especially its closeness to two schools, is inappropriate
- The use is incompatible with the front block where vulnerable residents including elderly and children live
- Risks for environment including rubbish, pollution, noise, parking problems.
- Physical infrastructure - the application only suggests light refurbishment and no independent heating
- Increase strain on parking
- Residents of John Barker Court should have been consulted prior to the application
- There is no evidence of a local link to the ward for the new tenants
- Antisocial behaviour in the enclosed courtyard will distress residents
- The savings should be removed from the application as they are misleading
- The submission states that there will be 28 units while the existing is 26

Statutory Consultation

Highways Officers - no objection:

- The use as sheltered elderly persons' housing is permitted between 0.1 and 0.5 spaces per flat depending on the level of care provided. In this instance it is assumed the care is reasonably minimal and therefore up to 14 spaces would be permitted.
- The parking standard for hostels allows just one space per 16 rooms and on this basis the standard is 1-2 spaces.
- No changes are proposed to the parking or access.
- Car ownership amongst homeless families is likely to be very low and there is no concern regarding overspill in this lightly parked area.

Met Police Crime Prevention Officer - recommendation provided regarding management and in particular signage to direct people to the entrance to the block

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

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.

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.

London Plan 2011 (FALP)

3.8: Housing Need - Borough should identify the range of needs taking account of housing requirements including supported housing needs

3.14: Existing Housing Stock - promote efficient use of the existing stock reducing the number of vacant dwellings

London Borough of Brent LDF Core Strategy 2010

CP21 A Balanced Housing Stock

DETAILED CONSIDERATIONS

Background

1. The existing sheltered housing scheme is owned by London Strategic Housing (LSH). The arrangement and facilities in the existing building are dated and it has been deemed unviable to bring the current building up to modern standards. As such the former residents of the scheme have recently been decanted into other suitable accommodation and LSH intend to redevelop the site with a new scheme of affordable housing for over-50's.

2. The layout of the units shows that they currently have kitchen facilities and a WC while other bathroom

facilities are shared. The site also has a dated heating system which LSH have decided is beyond economical repair for continued long term use. The former BHP units at the front of the site, 1-23 John Barker Court, have been or are in the process of being disconnected from the communal supply and replaced with individual heating systems within each flat.

3. While preparation for a planning application is underway the vacant site has been offered free of charge to the Council on a temporary basis to be utilised as accommodation for homeless people. Sheltered accommodation is Use Class C2 while the proposed temporary accommodation is Sui Generis which means that planning permission for a change of use is required.

Proposal

4. John Barker Court will be used as a resource to house households who have become homeless. The vast majority of these households will be families, it is envisaged that only a small number of single households will be housed at the site. The proposal will provide 26 double rooms, with shared facilities, communal kitchens and bathrooms. There would be between 12 and 18 households at any one time depending on the family sizes and the number of rooms they would need.

5. The aim would be for households to not need to remain in the scheme for more than 6 weeks moving on into settled accommodation or '2nd stage temporary accommodation'.

6. LSH have decided that the site cannot be suitably modernised for permanent accommodation for over 50's because of the cost of replacing the heating system and the structural changes that would be required to provide suitably sized self contained accommodation which is now desired. However this does not mean that it is unfit or unsafe for residential use.

7. The proposal involves the building being lightly refurbished with no external structural changes. Essential work will be undertaken to ensure that the building is safe and fit for purpose as temporary accommodation which will include, for example, the boiler being commissioned by a Gas Safe Qualified Engineer and the site not occupied until a Gas Safety Certificate is issued.

8. The site also benefits from communal amenity space specifically for the rear block which is a significant benefit not available in many other sites for temporary accommodation.

9. Importantly, the proposal also includes a management arrangement with Altwood who currently and successfully manage Knowles House which is another temporary accommodation scheme on Longstone Avenue with 48 rooms. Knowles House has been well refurbished from former C2 accommodation and runs successfully with no detrimental impacts on neighbouring amenity having been reported. The experience of operating Knowles House will inform the management of John Barker Court.

10. The management of the site will include the guarantee that the scheme will have 24 hours a day 7 days a week staffing and CCTV will also be incorporated for additional security. The building would provide a secure residential environment for households who have become homeless and will be managed so as to ensure the use operates without causing disturbance to neighbouring residents. Upkeep of the site will be undertaken by the maintenance team who will carry out a litter pick daily.

Housing Need

11. Brent has experienced a dramatic increase in the number of homeless approaches to the Council since 2010. While Brent is one of the leading authorities in using new powers to discharge its housing duty by making private sector offers to applicants it is still required to accommodate people in emergency accommodation when they first apply as homeless and their case is assessed. A significant gap between the demand for and supply of emergency accommodation has developed in London resulting in increasing costs and reliance on emergency accommodation outside of London in some cases.

12. The site represents a good quality and cost effective option for the Council to use for the accommodation of households while the Council assesses the household's statutory homeless application (1st stage temporary accommodation). The application statement was prepared some time in advance of the application being submitted and the applicant's have been advised that the site could be required to be returned to the site owner at the end of October which will mean it could be available for 3 or so months. While the site is available for a very limited amount of time even if only used for a matter of months the Council's accommodation officers have identified that its use would result in significant savings. The estimate is that the use of the site for 5 months would result in a £75,000 saving so a period of 3 months

could save approx. £45,000. The costs of CCTV and management arrangements have been within these considerations.

13. The application was submitted for a temporary period of 1 year. If the application process for the redevelopment takes longer than anticipated the site may be available for slightly longer than the 3 months though it is unlikely to increase significantly, however in order to enable the maximum savings officers suggest maintaining the 1 year condition. If at the end of the period it was intended to extend the use (notwithstanding the fact that the applicants have indicated that there is no intention to do this) it would be necessary to submit a new planning application to be considered at that time taking into account anything that might have happened in the intervening period.

14. As the proposal is for a temporary use the loss of accommodation for older people does not require detailed consideration, officer's are assured that a planning application for the redevelopment of the site for over-50's accommodation will be forthcoming. The proposal for temporary homeless accommodation is tailored to meet a specific housing need in the borough and as such is in compliance with policy CP21.

Residential Amenity

15. The site is in a residential area and represents an appropriate and compatible use. Access to the site is gained via the route through the opening in the ground floor of the frontage building which clearly defines a residential character and no changes are proposed to this. The site is in an attractive green setting and would provide a good quality environment for occupiers.

16. Neighbouring residents have expressed concern about the impact of the use on their amenity as set out above in the consultation section. Many residents stated that they acknowledged the great need for homeless accommodation and the pressure for housing in the borough but felt the location was inappropriate. The proposed use will result in a very similar number of people occupying the building and no additional flats are proposed to be created.

17. Objectors suggest that a residential area close to schools should not be selected as a site for temporary accommodation however many of the future occupiers are likely to be young families who have lost their previous accommodation and the residential location would be entirely appropriate. While the concerns of residents are understood the proposed management arrangement will be permanently in place to deter any behaviour which may cause a nuisance to neighbouring residents and in the event that any anti social behaviour were to occur the management arrangement would be available to address it. The applicant has confirmed that only sensitive lets will be made to John Barker Court and any clients with a history of anti-social behaviour will not be referred to the scheme.

Transport

18. The impacts of the development on transport have been considered by the council's Highways officer as set out above. The parking standard associated with a hostel use is very low at only 1 per 16 rooms and therefore no overspill parking or increased demand for parking on site would be anticipated.

Consideration of Representations

19. The following table sets out to address the summarised issues raised in the submitted representations.

Issue	Officers Comments
The secluded location is not suitable and will put neighbouring residents and schools at risk	Para's 9-10 & 14-15
The bail hostel location on busy junction which can be easily viewed is a more appropriate location	The site is proposed for households who have become homeless this will include young families and a residential environment with good management in place is appropriate
The accommodation was vacated as it was said to be inadequate so should not now be used for homeless people	Para's 1-3 & 6-7
The hostel will introduce a transient group of people and with it an increase in crime, anti social behaviour, drugs etc.	The experience of Knowles House is very different to this assumption where no associated problems have been reported.

	The same tried and tested management operator will be permanently on hand to prevent any issues.
No formalised separation between the front block and the rear block proposed as a hostel.	The frontage block is largely private through right to buy and the rear including the communal area is in separate ownership, it is the case that there is no formal separation.
The work required will take considerable time and cost so the temporary use of the site will not be cost saving	Para's 6-7 & 12 It is not proposed that the heating system be replaced prior to the site's redevelopment, thorough checks and light refurbishment will ensure the building is safe and fit for purpose.
How can it be guaranteed that the use will not continue	The building is owned by another party, LSH, who intend to redevelop it and are only making it available for a short period of time. In addition to this a condition will limit the permission to 1 year, the length of the use is likely to be much less.
Environmental problems - rubbish, pollution, noise and parking	Refuse storage and collection will function as it has done as on site management will be able to move bins as required. There is no increase in the parking standard for the proposed use. The age groups housed in the building may result in more general activity creating general noise however noise disturbance would not be permitted by the management.
The submission states there are 26 existing units and 28 are proposed which would result in an increase in concentration	Para 4.
Value of homes will be affected by the proposal	While this isn't a material planning consideration it should be noted that the use is temporary for only a matter of months.

Conclusion

20. The building will provide a secure residential environment for households who have become homeless and have submitted statutory homeless applications to the council and a management arrangement will be permanently in place to ensure that the use operates without any conflict with existing residents and other surrounding uses. The use will be temporary, for no more than a year, while the owner of the site seeks permission for its redevelopment for permanent over-50's accommodation.



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 15/1539

To: Mr Zaheer Iqbal
London Borough of Brent
Civic Centre
Engineers Way
Ha9 0fj

I refer to your application dated 10/04/2015 proposing the following:
Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

and accompanied by plans or documents listed here:

See condition 2

at 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

- 1 This permission shall be for a limited period of 1 year only, expiring on 2nd July 2016 when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) the use hereby approved shall be discontinued..

Reason: The proposed use is considered to be acceptable only on a temporary basis to accommodate an existing and exceptional need for accommodation of this type in accordance with Policy CP21 of the London Borough of Brent LDF Core Strategy 2011.

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

OS Map
00147_1_01

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

- 3 The development is granted on the basis that the pedestrian access route on the site to be used by all future residents of the development is set down in any licence, lease or agreement, and that all residents are duly informed of these arrangements by the applicants or the management company.

Reason: In the interests of residential amenity.

- 4 Further details of the siting and appearance of directional signage to be erected on the site in order to direct people to the main entrance of the building shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation of the building. Once approved the signage must be installed, as approved, and permanently maintained for the lifetime of the use."

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

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 04
Case Number **15/0064**

SITE INFORMATION

RECEIVED: 8 January, 2015

WARD: Mapesbury

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: All Flats at Jubilee Heights, Shoot Up Hill, London, NW2 3UQ

PROPOSAL: Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers with access from Exeter Road

APPLICANT: Abbeymews Ltd

CONTACT: David Lock Associates

PLAN NO'S: See condition 2

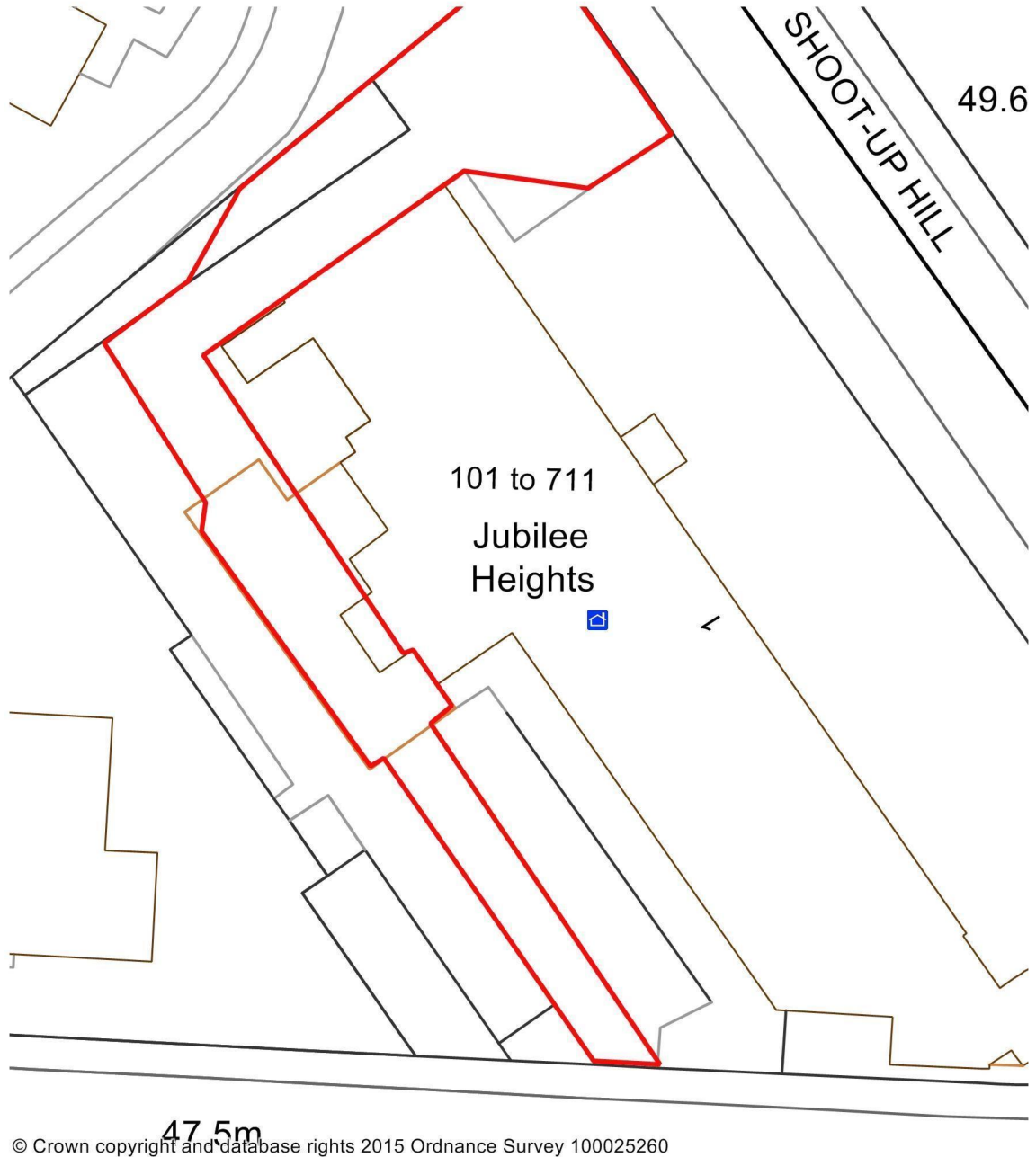
SITE MAP



Planning Committee Map

Site address: All Flats at Jubilee Heights, Shoot Up Hill, London, NW2 3UQ

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This map is indicative only.

INTRODUCTION

The application is reported to the Planning Committee under the provisions of Clause 24 of the Planning Code of Practice following the resolution at the previous meeting on 2nd July 2015 of 'minded to refuse', contrary to the Officer recommendation to grant consent.

In making this resolution, Members raised concern about the development related to the two issues below. If the Planning Committee is still minded to refuse consent then they are invited to consider the possible reasons for refusal outlined below. Members are reminded that a previous similar scheme on the site was refused, but only on the basis of absence of affordable housing. For the avoidance of doubt, this decision was determined under Officers delegated authority.

Since the Planning Committee meeting, the applicants have requested confirmation of the reasons for refusal and whether, or not, any amendments could be produced to overcome these. They have also indicated that it is likely that they would submit an appeal in the event that the planning application was refused.

Concern about massing, design and the implications of another phase of development on an increasingly cramped site.

In terms of design, the report considers these issues under "Relevant Planning History" which refers specifically to the appeal decision on the southern end of the site, as well as under "Design, scale and massing" within the "Remarks" section. In terms of the appeal decision this related to a prominent corner site near to Kilburn Station whereas this proposal in-fills the remaining gap to the north, creating a long frontage as far as the side boundary with the adjoining site at Watling Gardens. Furthermore, the proposed building would be higher than that considered, and built out, at the opposite end of Jubilee Heights. If Members are minded to refuse on this ground then the following is a possible reason for refusal:

The development, by reason of its prominence, siting and height, as well as the relationship with the already extended building, would be detrimental to the character of the existing building impacting on the sense of spaciousness around the site which defines its setting in the streetscene and would result in a cramped form of development detracting from the visual amenities of the wider area. As a result, the proposal is contrary to policies BE2, BE3 and BE9 of Brent's UDP 2004, as well as SPG17: Design Guide for New Development.

Concern that implications of reducing access at the same time as increasing the population density of the development.

Transportation Officers have reconfirmed that they are strongly supportive of the principle of reducing vehicular access points on the A5 and consider that the development can be serviced from one access point in safety and servicing terms. However, in view of the fact that there is an existing access point they may not wish to support a refusal on this ground alone. Members did, however, raise concerns about the proposed on site arrangements:

The application has failed to demonstrate that the development would provide the appropriate space and management arrangements for servicing/bins etc and arrangements would be likely to lead to an over spill of bins into the access route detrimental to the free flow and safety of vehicular and pedestrian safety, in addition the storage of bins for collection adjacent to a residential entrance would lead to the deterioration of the quality of the residential environment through the incremental development of the site, contrary to policies TRN34 and SPG17: Design Guide for New Development.

Additional comments from agent

The agent for the application has submitted comments in response to the issues raised at the previous Planning Committee.

Regarding design and scale:

- 1) The design is in accordance with the Council's policy and guidance.
- 2) The previous similar application was refused solely on the affordable housing issue.
- 3) The design of the southern block was considered to be acceptable by the Planning Inspector.

- 4) The density is appropriate for an urban site
- 5) The design completes and balances the eastern elevation.

Regarding access and the increase in density:

- 1) The proposal involves a very modest addition. An extra 5 units taking the total up to 126 (or 4% increase).
- 2) The council's transport officer does not object to the removal of the Shoot Up Hill access. The applicant is prepared to retain the access and make a key available.
- 3) Given the modest increase in dwellings it is not considered necessary to widen the access on to Exeter Road.
- 4) Provision for bin storage is made in the new development and management arrangements could be made for collection from Shoot Up Hill
- 5) The car parking has been misunderstood - the applicant purchased a site with 11 spaces and leased 3 back, 2 additional spaces are also proposed on the northern boundary. It is suggested that the 5 remaining spaces can be allocated on a first come first served basis.

The benefits of the proposal are:

- Market housing (5 units)
- Affordable housing contribution - £250,000
- CIL contribution - £126,754
- Access improvements
- More effective use of the site
- Sustainable location and development

Refuse collection

Officers would not support the proposal for collection of the bins from Shoot Up Hill given its status as distributor road. Refuse collection should be within the site as discussed in the main report. A condition for the management of this arrangement has been recommended ensuring bins are moved to the existing collection location on the appropriate days and returned to the proposed store the same day. This will only involve the storage requirements for 5x2bed households.

Parking

This was not considered to be an outstanding issue during discussions at the previous planning committee. The site has a very good PTAL and lower on site parking provision could be considered. The disagreements between the residents and applicant are understood and sympathised with but in planning terms the proposal provides more parking spaces than recommended in a very sustainable location.

Other

Cllr Colacicco has since the Planning Committee on 2 July 2015 requested further information regarding the density of the site and availability of amenity space to be provided.

Density

It has been calculated that the density of the site as follows:

Cedar Lodge	90 habitable rooms
Jubilee Heights	242 habitable rooms
Rear block	18 habitable rooms
South block	15 habitable rooms

TOTAL	365 habitable rooms
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The current proposal is for 5 x 2bed units:

North block	15
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TOTAL	380 habitable rooms
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The agent calculates this to result in densities of 588 hr/ha (at present) and 612 hr/ha (if the development is

implemented) respectively. Officers consider these figures to be broadly accurate. The London Plan density matrix in an urban location with a good PTAL anticipates densities of up to 700 hr/ha and in central locations the range is between 650-1100 hr/ha. The site as existing, and proposed, falls within the density appropriate for urban locations and does not approach the density suggested for central areas. The difference between the existing and proposed density is minimal within the overall scale of the site and the density matrix.

Amenity space

As discussed in the main report, the original permission for the residential use of the site acknowledged a shortfall in amenity space with the available spaces being to the front of Jubilee Heights and to the rear of Cedar lodge. Officers do not have an accurate measurement of the existing communal amenity across the site but have estimated these 2 areas to contribute approximately 1600sqm.

The new 5 units to the south and the current proposal meet their own amenity space requirements leaving this space shared between 121 units which is approximately 13sqm per unit.

The issue of the availability of amenity space for units was considered by the Planning Inspector regarding the southern block which was proposed within the soft landscaped area. The main consideration was that the new development would provide sufficient amenity space to not adversely affect the quality of the existing amenity land.

As set out in the report, taking into account the private balconies of 7sqm and the communal roof garden which is approximately 75sqm (with 25sqm dedicated to soft landscaping and 49.8sqm as usable space) the total provision of approximately 110sqm for the 5 flats exceeds the minimum requirements as outlined in SPG17 for the new flats. In addition to this officers consider the most important issue to be that the proposal is not on an area of existing communal amenity space as it is proposed above the vehicular access route, car parking and a strip of landscaping and as such it would not be detrimental to the availability of amenity space for existing residents.

Members will remember that this application was due to go back for further consideration at the Planning Committee of 29th July 2015, but was deferred from the Agenda by Officers prior to any Member discussion in order to ensure that all people who have made representations on the application had adequate notice of the Planning Committee meeting.

The report that was due to be considered at the 29th July meeting had incorporated the Supplementary report that was presented to Members at their meeting on 2nd July and, consequently, a copy of that report is attached as APPENDIX 1.

Recommendation : Remains approval subject to legal agreement, with the conditions set out in the original report.

, subject to the conditions set out in the Draft Decision Notice.



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 15/0064

To: Mr Duncan Chadwick
David Lock Associates
50 North Thirteenth Street
Central Milton Keynes
Milton Keynes
Buckinghamshire
MK9 3BP

I refer to your application dated 08/01/2015 proposing the following:
Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers with access from Exeter Road and accompanied by plans or documents listed here:
See condition 2
at All Flats at Jubilee Heights, Shoot Up Hill, London, NW2 3UQ

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

- 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):

PL/310/100 A
PL/310/101 A
PL/310/102 A
PL/310/110 A
PL/310/111 A
PL/310/112 A
PL/310/113 A
PL/310/114 A
PL/310/115 A
PL/310/116 A
PL/310/133 D
1004/001
1004/002
Daylight, Sunlight and Overshadowing
Waste Management Plan
Arboricultural Report

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

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

The scheme shall specifically include a tree at ground level to replace T4 which will be a tree species capable of attaining medium sized tree proportions and should have a minimum stem girth of 12-14cm when planted. Full details of the planting specification shall be provided.

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.

- 4 The restoration of the redundant vehicular crossover on the site frontage to kerb-and-channel and repainting of appropriate markings along the frontage shall be undertaken at the applicant's expense in accordance with the details hereby approved, prior to occupation of the development.

Reason: In the interests of highway and pedestrian safety.

- 5 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 6 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 7 Prior to the commencement of any work on site the following shall be submitted to and approved in writing by the LPA:
a detailed arboricultural method statement and tree protection plan with regards to all nearby trees and specifically
- the hand dig in proximity to T6, cat B Pyrus.
- a method statement and pruning specification with regards to the third party owned T2, cat B Acer. The pruning specification should be in accordance with BS3998:2010 Tree Works-Recommendations.

Reason: In the interest of tree protection.

- 8 Prior to the occupation of the development detail of the management arrangements for the movement of bins to and from the collection point on appropriate days shall be submitted to and approved in writing by the LPA. At all other times the bins shall be kept in their designated store at the ground floor of the hereby approved extension.

Reason: In the interest of the amenity of existing and future residents.

- 9 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development and detailing how construction vehicles will be managed to minimise impact on-site parking.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

INFORMATIVES

- 1 The applicant is advised to contact the Head of Transportation in order to arrange for the necessary works to remove the vehicular crossover.
- 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
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The applicant is advised that it is their responsibility to ensure that all those parties who have an interest on the land are involved in decisions relating to any construction work that might take place on the site and that they also need to be aware that it is their responsibility to rectify any damage, including wear and tear, caused to the site during those construction works. The granting of planning permission does not override any legal, or ownership rights, that might exist on any piece of land.

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

Appendix 1

Previous Committee report

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

29 July, 2015

15/0064

SITE INFORMATION

RECEIVED: 8 January, 2015

WARD: Mapesbury

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: All Flats at Jubilee Heights, Shoot Up Hill, London, NW2 3UQ

PROPOSAL: Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers with access from Exeter Road

APPLICANT: Abbeymews Ltd

CONTACT: David Lock Associates

PLAN NO'S: See condition 2

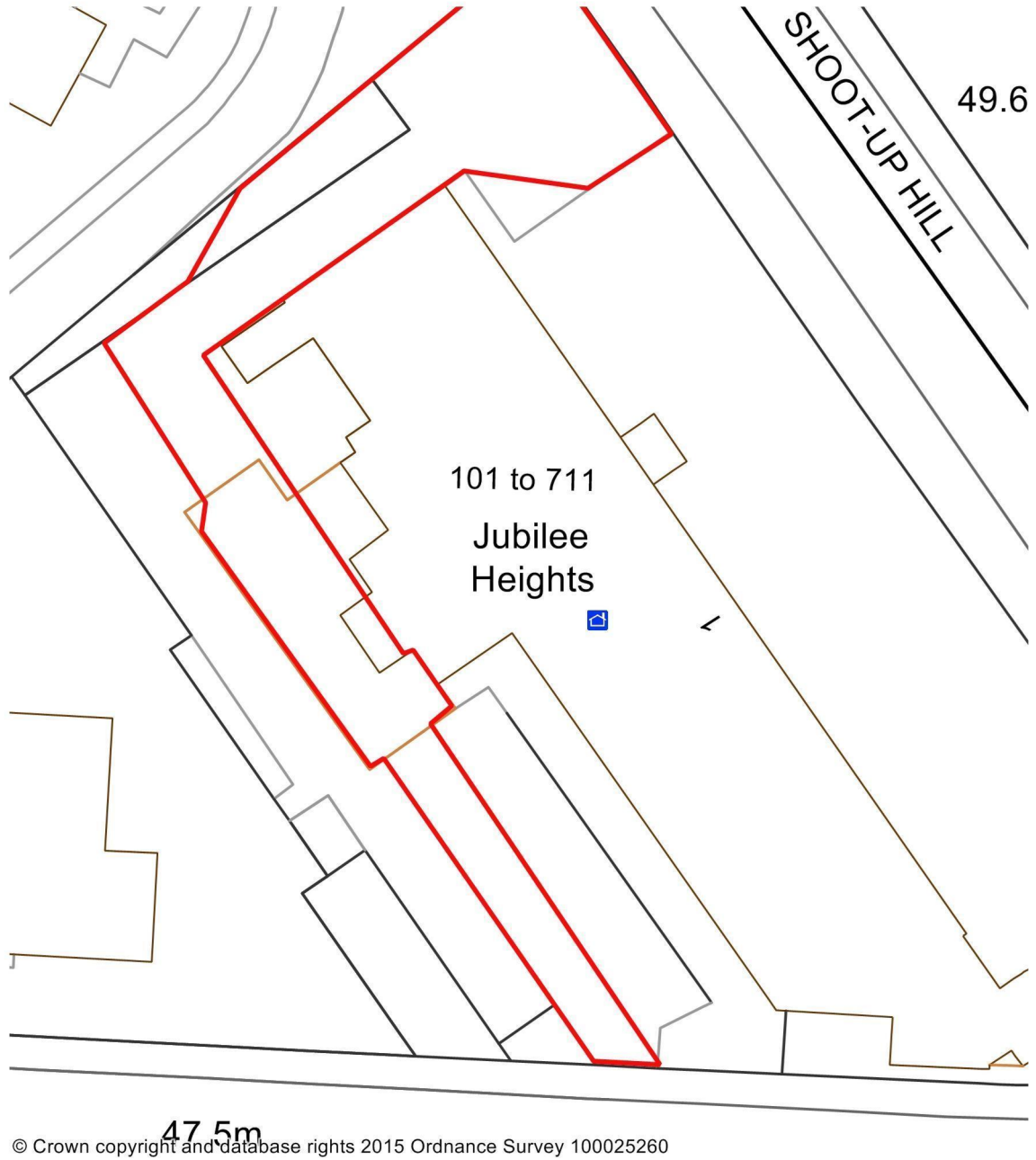
SITE MAP



Planning Committee Map

Site address: All Flats at Jubilee Heights, Shoot Up Hill, London, NW2 3UQ

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This map is indicative only.

SELECTED SITE PLANS
SELECTED SITE PLANS

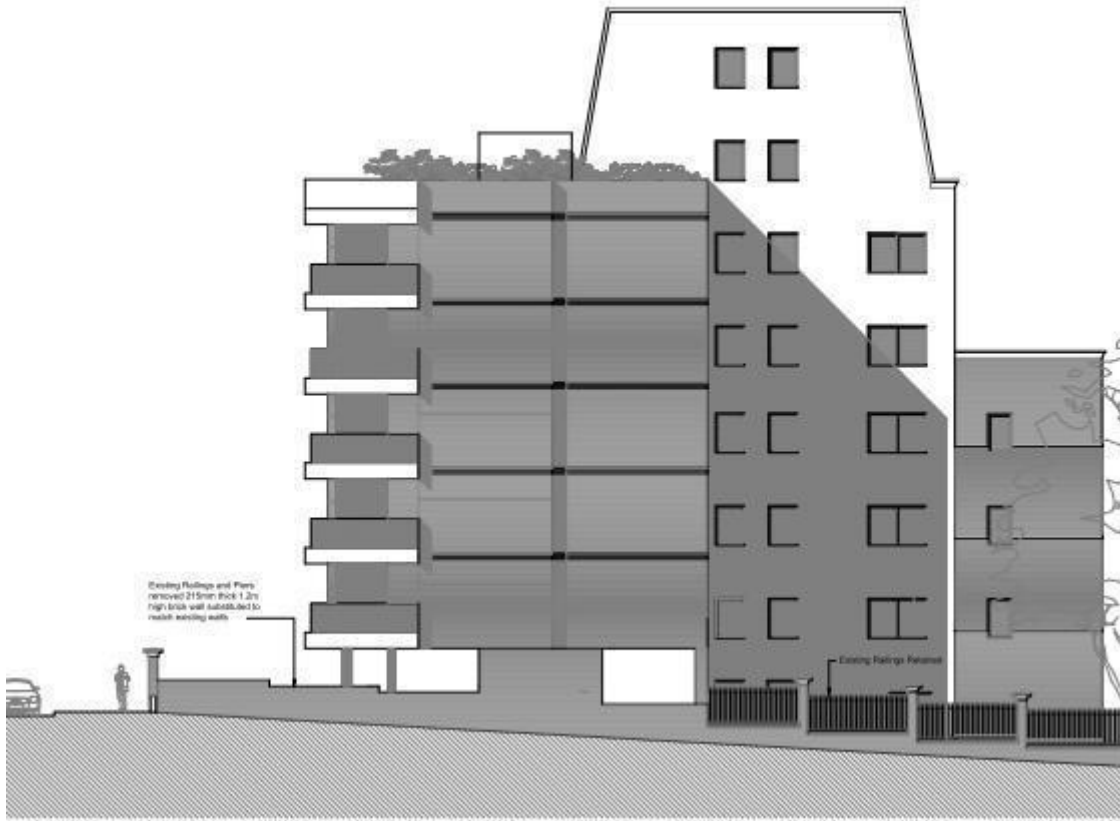
Site plan



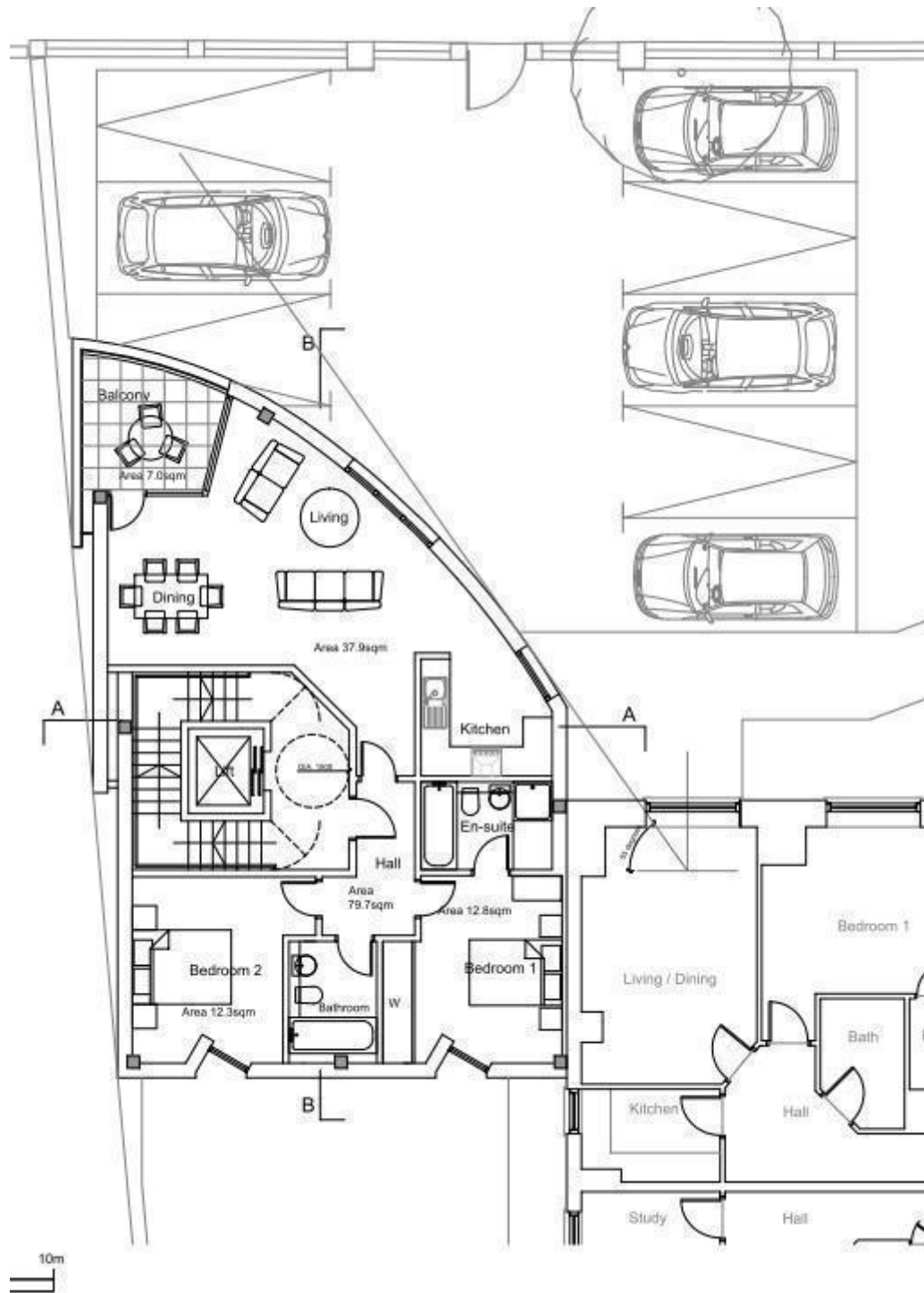
Shoot Up Hill Elevation



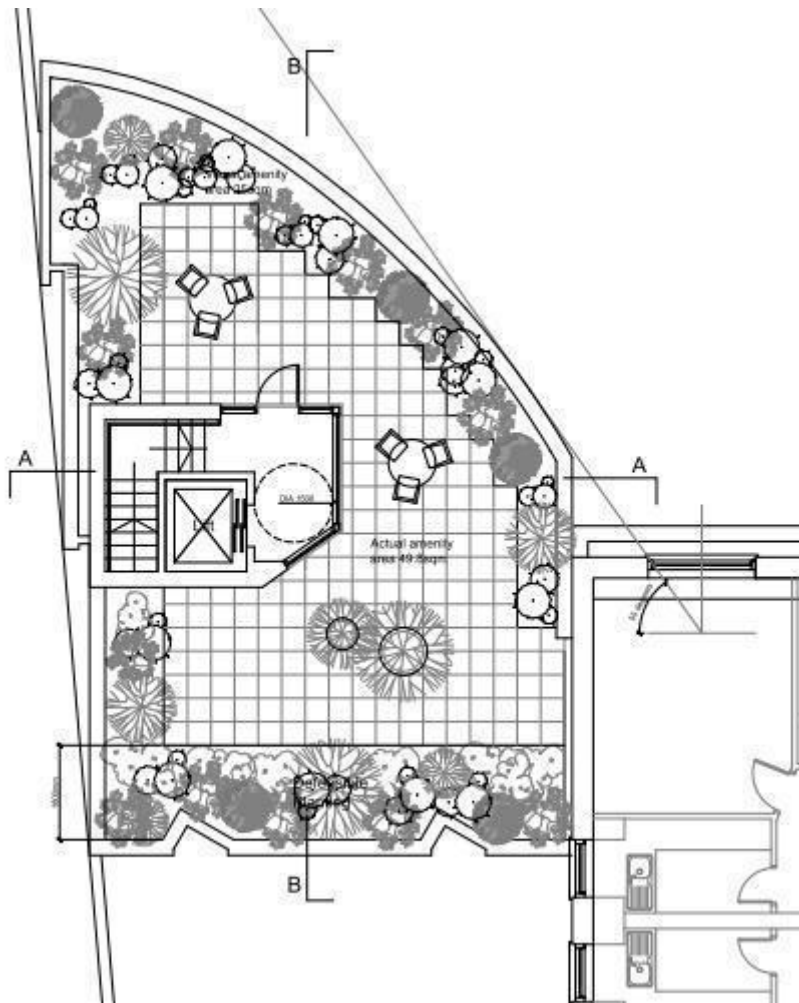
North Elevation



Typical floor plan



Roof terrace plan



INTRODUCTION

At the Planning Committee on 2nd July 2015 Councillors resolved to refuse planning permission and raised concern about the development covered by the two issues below. If the Planning Committee is still minded to refuse consent then they are invited to comment on the possible reasons for refusal outlined below. Members are reminded that a previous similar scheme on the site was refused, but only on the basis of absence of affordable housing. For the avoidance of doubt, this decision was determined under Officers Delegated Powers.

Since the Planning Committee meeting the applicants have requested confirmation of the reasons for refusal and whether, or not, any amendments could be produced to overcome these. They have also indicated that it is likely that they would submit an appeal in the event that the planning application was refused.

Concern about massing, design and the implications of another phase of development on an increasingly cramped site.

In terms of design, the report considers these issues under "Relevant Planning History" which refers specifically to the appeal decision on the southern end of the site, as well as under "Design, scale and massing" within the "Remarks" section. In terms of the appeal decision this related to a prominent corner site near to Kilburn Station whereas this proposal in-fills the remaining gap to the north, creating a long frontage as far as the side boundary with the adjoining site at Watling Gardens. Furthermore, the proposed building would be higher than that considered, and built out, at the opposite end of Jubilee Heights. If Members are minded to refuse on this ground then the following is a possible reason for refusal:

The development, by reason of its prominence, siting and height, as well as the relationship with the already extended building, would be detrimental to the character of the existing building impacting on the sense of spaciousness around the site which defines its setting in the streetscene and would result in a cramped form of development detracting from the visual amenities of the wider area. As a result, the proposal is contrary to policies BE2, BE3 and BE9 of Brent's UDP 2004, as well as SPG17: Design Guide for New Development.

Concern that implications of reducing access at the same time as increasing the population density of the development.

Transportation Officers have reconfirmed that they are strongly supportive of the principle of reducing vehicular access points on the A5 and consider that the development can be serviced from one access point in safety and servicing terms. However, in view of the fact that there is an existing access point they may not wish to support a refusal on this ground alone. Members did, however, raise concerns about the proposed on site arrangements:

The application has failed to demonstrate that the development would provide the appropriate space and management arrangements for servicing/bins etc and arrangements would be likely to lead to an overspill of bins into the access route detrimental to the freeflow and safety of vehicular and pedestrian safety, in addition the storage of bins for collection adjacent to a residential entrance would lead to the deterioration of the quality of the residential environment through the incremental development of the site, contrary to policies TRN34 and SPG17: Design Guide for New Development.

RECOMMENDATIONS

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer., subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

See description above

B) EXISTING

The subject site is an eight-storey residential block which has been converted and extended over the past 19 years from its original function as offices. It is located on the corner of Shoot Up Hill and Exeter Road adjacent to Kilburn Underground Railway Station. Shoot Up Hill forms the borough boundary with London Borough of Camden to the east.

The building contains 96 residential units (including the recent conversion of the ground floor from offices to residential flats, the erection of a 6 storey extension and a 5 storey extension attached to the south side of the building, divided as follows: 15 x 1-bed, 71 x 2-bed, 10 x 3-bed.

The surrounding uses are predominantly residential although to the south there is a short section of Secondary Shopping Frontage. The property is not a listed building, although its curtilage abuts the Mapesbury Conservation Area.

The application site as defined by the red line is limited to the access route through the site, the area where the extension is proposed and the open car parking area in front. The area where the extension is proposed consists of an access road, car parking and a strip of landscaping and the applicant owns the freehold of this.

It is understood that during the timescale of the current application residents have purchased the freehold of the wider site. While the concern of residents regarding the previous development within the site are obviously understood, any issues with the previous freeholder cannot be considered as relevant to the consideration of this application which needs to be determined on its individual planning merits.

C) AMENDMENTS SINCE SUBMISSION

The proposal has not been amended since its submission however Officers have sought and received further information to better explain and understand the proposal. This specifically includes additional visual information about the form of the proposal and additional detail setting out the parking and access

arrangements within the wider site.

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
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Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

08/1728 Granted

Erection of a six-storey rear extension to provide an additional 6 two-bedroom flats to the existing block of flats, and subject to a Deed of Agreement dated 2nd December 2008 under Section 106 of the Town and Country Planning Act 1990, as amended

09/0755 Granted

Erection of a part six- and part seven-storey rear extension to provide an additional 6 two-bedroom flats to the existing block of flats (revised version of scheme previously approved under ref. 08/1728), subject to a Deed of Agreement dated 23/03/2010 under Section 106 of the Town and Country Planning Act 1990 (as amended)

10/1566 Granted

Erection of a 5-storey building, comprising 5 self-contained flats with roof garden, attached to southern elevation of Jubilee Heights, and provision of 20 additional cycle spaces

11/1307 Allowed at appeal

Erection of a 5-storey building, comprising 5 self-contained flats with roof garden, attached to southern elevation of Jubilee Heights

This is located at the opposite end of Jubilee Heights from the application proposal.

Planning Inspector comments: *I consider that the size, design and siting of the proposed development would be acceptable. Bearing in mind the location of the development, which is adjacent to the Jubilee Line station and is well served by bus routes, I do not consider that additional parking facilities are necessary at the site.*

13/0377 Granted

Variation of condition 2 (development to be carried out in accordance with approved plans) to allow minor-material amendment comprising:

- provision of 1 x 2 bedroom and 4 x 3 bedroom flats (instead of 5 x 2 bedroom flats)
of full planning permission 11/1307 approved under appeal dated 27/02/12 for erection of a 5-storey building, comprising 5 self-contained flats with roof garden, attached to southern elevation of Jubilee Heights, subject to a Deed of Variation dated 20th June 2013 under Section 106 of the Town and Country Planning Act 1990, as amended

The following 2 cases relate to the proposal which is the subject of the current application:

13/3351 Refused 4th March 2014

Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building (revised description)

Reason for refusal: *In the absence of a recognised affordable housing toolkit, the proposed development does not provide sufficient affordable housing on site or make satisfactory provision to compensate off site, contrary to Policies 3A.9, 3A.10, 3A.11 of the London Plan 2008, policies CP2 and CP21 of Brent's adopted Core Strategy 2010*

14/1950 Withdrawn 19th January 2015

Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers

The application was withdrawn pending a Unilateral Agreement to cover an affordable housing contribution.

CONSULTATIONS

Neighbouring residents were consulted and 33 objections have been received, as well as a petition with 79 signatories.

The reasons for objection are set out below:

- Leaseholders feel so strongly about their estate that they are trying to purchase the freehold. The solicitor acting on their behalf discovered that the land to which the application pertains was transferred to a subsidiary in 2010 and sold to a third party in 2014. The footprint of the building would result in the loss of 11 parking spaces currently designated to specific leaseholders. Leaseholders were not consulted or informed.
- The removal of the emergency access from Shoot Up Hill means no vehicular access will be possible. In addition the current unimpeded access around the jubilee heights building would be compromised as the plan includes the creation of a parking space that juts out. The entrance gate recently couldn't be opened for 30 minutes.
- The design will lead to an unrelenting mass on the streetscene when combined with the existing block. It is incongruous in its architectural approach. The curvature jars with the main building and requires the removal of trees exacerbating the damage to the street scene.
- The proposal will destroy the graceful symmetry of the original building
- The existing character is one of tall buildings set back from the road with appropriate space around the perimeter which would be lost with the proposal.
- The D&A statement suggests there is a problem with the design of the current building that the new building will resolve which is not the case.
- The site is in an area of open space deficiency and the area of amenity space provided is below that required.
- Kitchen opposite will fail BRE guidance, as they are already below guidelines this is dismissed by the applicant but it should be all the more reason to protect the levels.
- The proposal indicates the removal of trees and vegetation which would have adverse implications for air quality.
- Noise generated by the roof terrace may result in noise disturbance for neighbours.
- Refuse storage - where would the bins be placed on 'day of collection'. The end result would be likely to be littering of the area due to inaccessibility of the bins.
- The proposal will remove parking spaces without providing additional parking for the new dwellings. The development will remove 11 spaces from the 128 available for 136 leaseholders, leaving 117 spaces.
- The new residents will not be authorised to use the communal facilities but it will be impossible to prevent them accessing communal gardens and they may also gain access to the gym and pool.
- Potential impact on the stability of the existing structure from excavation work
- The proposal will result in overlooking and a loss of privacy.
- The southern extension has failed to sell half of the units over 6 months demonstrating the type of housing is not suitable.
- The estate has been overdeveloped
- The rubbish shoot which served the whole building was removed to enable the freeholder to turn the bin area into an apartment and residents have to enter the bin area used by 100 flats.
- Residents have not been provided with access to the roof terrace on the southern extension as was agreed.
- Impact on the cohesiveness of the community of the estate
- Disturbance and disruption from the development

- Additional vehicles driving through the estate causing more noise, dirt pollution, damage and wear and tear.

Watling Gardens Management Board

- Jubilee Heights is already highly developed
- It will cause a reduction in privacy to Watling residents
- Reduction in vegetation and planted areas
- Increased demand for parking

Internal

Highways - No objection. Recommendation that vehicular access be increased in width and further detail of cycle storage and refuse storage required.

Affordable Housing Officer - A contribution is required because of the incremental nature of the development of the site. Given the scale of the development the provision of a cash in lieu contribution is acceptable, the contribution is also reasonable and greater than secured for the previous extension.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

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.

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.

The London Plan

3.12: Negotiation Affordable Housing on Individual Private Residential and Mixed Use Schemes - the maximum reasonable amount of affordable housing should be sought. Negotiations should take into account individual circumstances such as phasing. In exceptional cases it may be provided off site or a cash in lieu contribution provided.

3.13: Affordable Housing Thresholds - on sites with a capacity to provide 10 or more homes.

Core Strategy

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 relevant policies for this application include:

CP2: Population and Housing Growth - The borough will aim to achieve the London Plan target that 50% of new homes should be affordable.

CP18: Protection and Enhancement of Open Space, Sports and Biodiversity: Support will be given to the enhancement and management of open space for recreational, sporting and amenity use and the improvement of both open space and the built environment for biodiversity and nature conservation. New or improved provision (including improved access) will be sought in areas of deficiency and where additional pressure on open space and outdoor play facilities would be created.

CP21: A Balanced Housing Stock - A balanced housing stock should be provided to meet known needs and to ensure that new housing appropriate contributes towards the wide range of borough household needs including an appropriate range and mix of self contained accommodation types and sizes.

Brent's UDP 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: 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 relevant policies for this application include:

BE2: Townscape: Local Context & Character - Proposals shall be designed with regard to their local context, making a positive contribution to the character of the area.

BE3: Urban Structure: Space & Movement - Proposals should have regard to the existing urban grain, development patterns and density in the layout of development sites, and should be designed to ensure that particular emphasis is placed on prominent corner sites, entrance points, and creating vistas and public areas; and respecting the form of the street by responding to established lines of frontage, unless there is a clear urban design or planning justification.

BE6: Public Realm: Landscape Design - A high standard of landscape design is required as an integral element to development schemes including an adequately landscaped frontage and boundary treatments which complement the development and enhance the streetscene.

BE9: Architectural Quality - Extensions and alterations to existing buildings shall be designed to:- (a) be of a scale, massing and height that is appropriate to their setting, civic function and/or townscape location; (b) have attractive front elevations which have a direct relationship with the street at ground level, with well proportioned windows, and habitable rooms and entrances on the frontage, wherever possible; (c) be laid out to ensure that buildings and spaces are of a scale, design and relationship to each other, which promotes the amenity of users, providing a satisfactory level of sunlighting, daylighting, privacy and outlook for existing and proposed residents; and (d) employ materials of high quality and durability, that are compatible or complementary colour and texture, to the surrounding area.

EP2: Noise & Vibration - Noise sensitive development will not be permitted where users would suffer noise levels above acceptable levels, and if this cannot be acceptably attenuated.

H12: Residential Quality - Layout Considerations - Residential developments should have a site layout which reinforces or creates an attractive and distinctive identity, appropriate to its locality creating a clear sense of place, have housing facing on to streets; have an appropriate level of car parking and cycle parking; and avoid an excessive coverage or hard landscaping and have an amount and quality of open landscaped area appropriate to the character of the area, and local availability of open space, and needs of prospective residents.

H13: Residential Density - New residential development shall make an efficient use of land and meet the amenity needs of potential residents. Higher densities are supported in areas of good or very good public transport accessibility. The density of a site shall also have regard to the context and nature of the proposal, constraints and opportunities of the site and the type of housing proposed.

CF6: School Places - Contributions to build new school classrooms and associated facilities will be required where new housing development would worsen or create a shortage of school places.

TRN2: Public Transport Integration - Development proposal should benefit and not harm the operation of the public transport network.

TRN3: Environmental Impact of Traffic- Proposals should not cause or worsen an unacceptable environmental impact from traffic.

TRN11: The London Cycle Network - Developments should comply with the plan's minimum cycle parking standards (PS16), with cycle parking situated in a convenient, secure and, where appropriate, sheltered location.

TRN23: Parking Standards - Residential Developments - "Car free" housing developments may be permitted in areas with good or very good public transport accessibility.

Supplementary Planning Guidance

SPG5 "Altering and Extending Your Home"

DETAILED CONSIDERATIONS

Introduction

1. This application seeks planning permission for 6-storey extension to be attached to the north of Jubilee Heights located at the front of the building facing Shoot Up Hill. The extension will accommodate 5 x 2-bedroom flats.

Background

2. A five storey extension of a similar design has been constructed on the southern end of Jubilee Heights on the front corner of Shoot Up Hill and Exeter Road. This extension was allowed on appeal and reference to this will be made later on within this report.

3. In an earlier iteration of the scheme submitted in 2013 originally 5 x three bedroom units were proposed within an extension that overhung the boundary with Watling Gardens. Concerns were raised with the building over sailing the boundary with Watling Gardens. In design terms it was considered to result in a poor and awkward relationship between the two sites with poor detailing to the ground floor and undercroft area. The extension was considered to appear overbearing when viewed from Watling Gardens and would also reduce the sense of openness of the site when viewed from Watling Gardens and Shoot Up Hill.

4. In response to the above concerns, the size of the extension was reduced so that the whole extension sat within the ownership of the application site and did not overhang the boundary. This in turn reduced the mix of units from three bedroom units to two bedroom units. This application was, as indicated above, refused for the sole reason of the insufficient contribution towards affordable housing which is discussed further below. The application as currently proposed is discussed below.

Design, Scale and Massing

5. Council guidance SPG17 and policy BE9 of the UDP 2004 state that proposals should be of a scale, massing and height that are appropriate to its setting.

6. An elevation has been provided by the applicant which shows the full Shoot Up Hill elevation including the southern extension. The northern extension takes on board the horizontal rhythm seen within the existing building, the glazing also takes on board the proportions of the glazing within the main building. A similar approach was taken with the southern extension. It is considered that full details of external materials should be conditioned as part of any forthcoming planning consent however they would be expected to match the materials used in the southern extension.

7. The ground floor will have a central undercroft to allow access to the car parking spaces within the front of the site. Whilst the floor of the first floor is lower to the main building this is considered to assist in allowing the extension to read as a subservient addition. The extension is to be built up to the boundary with Watling Gardens at ground floor level acting as the boundary wall. The extension will be higher than the southern extension however, the additional height is considered appropriate in this location given that it is between Jubilee Heights and Watling Gardens which are both taller buildings and the ground level rises to Watling Gardens. It is also noted that while the proposal is similar to the southern extension it is not identical but as the context is different at this end of the site this is considered to be appropriate. The extension is a contemporary interpretation of the architectural style of the original building and, particularly having regard to the existing extension, is considered to sit comfortably in the site.

8. The proposal does result in the removal of some softlandscaping and a tree. Objectors are concerned about the projection of the extension up to the boundary and the loss of greenery. It is the case that the tree to be removed and the landscaping are not of significant value as identified in the tree survey and this is considered in more detail below. In principle the area proposed to be developed is currently primarily a vehicular route and parking area rather than a green buffer around the site. The prominent trees are in the site frontage and in the neighbouring site and also in the street.

Landscaping

9. While one tree of minimal value will be removed a category A tree and 3 category B trees in the adjacent site and in the site frontage are to be retained. A replacement within the application site is required by condition for the lost category U tree. In order to protect the trees adjacent to the proposed development a condition requires a *detailed arboricultural method statement and tree protection plan*.

10. The development will require some significant pruning of the category B T2 which is in the adjacent site as well as on going maintenance so that the tree does not result in a nuisance to future occupiers, while officer and the applicants consultant are of the opinion that this can be successfully undertaken a condition is recommended to require a full set of details of the work including the pruning of the tree and work near its roots.

11. There is scope for additional softlandscaping particularly to accommodate a replacement tree within the frontage car park.

Affordable Housing Provision

12. There has been incremental development of the site in the form of conversions and extensions that has seen the development of 19 flats since 2007. Affordable housing planning policy requirements apply to development opportunities which would normally provide capacity for 10 or more homes and this threshold has clearly been breached if the phased development of the site is viewed as a whole. The proposal for the erection of another 5 flats on the Jubilee Heights site is therefore subject to affordable housing planning policy requirements. In line with planning policy, the Council will seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes, having regard to a number of factors including development viability. The strategic borough target is that 50% of new homes should be affordable.

13. Affordable housing is normally required on-site. Only in exceptional circumstances may off-site affordable housing or a cash in lieu sum ring fenced for the delivery of off-site affordable housing be provided. For a number of practical reasons officers are minded to accept a cash in lieu sum on this site. The development is a small block of 5 flats with a single core, for management practicalities and to maintain low service charges for affordable units, registered providers recommend strongly against sharing cores with private units therefore an RP would be unwilling to manage one or two units within the development. Given the small scale of this development officers are of the opinion that a cash in lieu sum can provide a valuable contribution towards the delivery of affordable housing elsewhere in the borough.

14. Under the 2013 submission an offer of £90,000 was made by the applicant. Officers considered that this was unsatisfactory and instead sought and agreed £250,000 based on consideration of the cost of delivering affordable housing and the borough target that 50% of new homes should be affordable. The current application is recommended for approval alongside the applicant's drafted legal agreement securing the £250,000 affordable housing contribution. It should be noted that a contribution of £100,000 was accepted towards the off-site provision of affordable housing from the development at the south of the site which also proposed 5 units.

15. The contribution of £250,000 towards affordable housing is considered essential by officers and will be ring fenced for the provision of off-site affordable housing. A viability assessment has not been provided however the proposal is in line with the previous recommendations made in earlier applications and based upon practical assessment of the cost of providing affordable housing. The proposal is considered to be in compliance with policies 3.12 and 3.13 of the London Plan 2011, policies CP2 and CP21 of Brent's adopted Core Strategy 2010.

Residential Quality for Future Residents

Mix of Units

16. This application proposes 5 x two-bedroom self contained flats. The mix of units is broadly considered acceptable for the site. Residents have advised that a number of flats in the southern extension have remained vacant for a significant time post completion and suggest this demonstrates that the proposed type of accommodation is unsuitable for the area. Officers do not have any factual information regarding how the properties were advertised or at what price however Brent has a high housing target set by the London Plan and 5 x 2-bed units which meet the Housing SPG requirements are supported in principle.

Unit sizes

17. The London Plan sets out the minimum internal floor space standards for residential units. These standards require two bedroom 4 person flats to have a minimum floor area of 70sqm. The proposed units have a gross internal area of 75sqm which exceeds the minimum requirements set out within the London Plan. In addition the size of the living/dining/kitchen area and bedrooms exceed the minimum requirement as set out in the Housing SPG. These are set out below:

- Living/Kitchen/Dining - 37.9sqm (Housing SPG requires 27sqm)
- Bedroom 1 - 112.8sqm (Housing SPG requires 12sqm)
- Bedroom 2 - 12sqm (Housing SPG requires 12sqm)

Access arrangements

18. The new flats will have their own entrance with no direct access from the main building of Jubilee Heights. The entrance for the new flats is on the ground floor accessed from the communal pathway. This communal pathway already exists and provides access to the car parking spaces to the front of the site.

Outlook and light

19. All of the units have dual aspect. To ensure that the bedrooms have improved levels of light whilst maintaining adequate levels of privacy for existing flats within Jubilee Heights and Watling Gardens it is recommended that the rear elevation includes some obscured glazing. This could be conditioned as part of any forthcoming planning consent.

Privacy

20. The existing flats will not directly overlook the new extension. The nearest habitable room windows within No. 13 to 56 Watling Gardens is over 20m away. Privacy levels of the new extension are considered acceptable.

External amenity space

21. SPG17 requires 20sqm of external amenity space for 2 bedroom units. All five units are provided with a balcony of 7sqm and they also have access to a communal roof garden which is approx. 75sqm (with 25sqm dedicated to softlandscaping and 49.8sqm as usable space). The total provision of approx. 110sqm which exceeds the minimum requirements as outlined in SPG17 for the new flats.

Impact on the existing residents within Jubilee Heights

Impact of the extension upon habitable room windows within the existing building of Jubilee Heights and neighbouring flats within Watling Gardens

22. A daylight, sunlight and overshadowing assessment has been undertaken. It considers the impact of the extension upon existing flats within Jubilee Heights and surrounding developments. In terms of existing flats within Jubilee Heights the nearest windows serve small galley kitchens to existing flats 103 to 703. These flats have dual aspect with the kitchen window facing Watling Gardens and the other windows facing Shoot Up Hill. The report advises that these kitchens already experience Average Daylight Factor (ADF) below the recommended BRE guidelines, and that the reduction in daylight that will occur will not have a material effect on the use of the galley kitchens. The report goes on to say that the removal of trees along the northern boundary will improve outlook from the galley kitchens at lower levels. A sunlight assessment has not been undertaken for the existing flats and amenity space in Jubilee Heights as windows are either within 90 degrees of due north or positioned to the south of the extension. The Daylight, Sunlight and overshadowing assessment has considered the impact of the extension upon Nos, 1-8 and 13-56 Watling Garden. This advises that two windows will experience reductions in daylight and sunlight beyond the BRE guidelines but these windows are set back from the main elevation under balconies. In accordance with BRE guidelines further tests were carried out discounting the effects of the balconies which concluded that the reduction in daylight and sunlight will be within BRE guidelines. The plans submitted with the application also show the height of the extension sitting within a line drawn at 30 degrees from the nearest habitable room window within 13 to 56 Watling Gardens (located at first floor level), complying with SPG17. The drawing shows the lift shaft in its previously proposed location however this does not raise concerns as the structure is less than 3.5m in width meaning its impact will be minimal. It should be noted that a Daylight, Sunlight and Overshadowing Assessment was considered by the Inspector as part of the appeal for the southern extension, whereby the Inspector took into account this document as a material consideration when assessing the impact of the southern extension upon the amenities of existing flats within Jubilee Heights and

the communal external amenity space.

Impact of the extension upon the existing communal amenity space

23. It is recognised within the original planning application from 1994 that the site has a shortfall in external amenity space. It is also apparent through reviewing the planning history of the site that the Council has expressed concern about the intensification of use of the external amenity space as a result of increased population on the site, particularly as the site is within an Area of Open Space Deficiency. This matter was considered as part of the appeal for the southern block which was sited on part of the external amenity space. The Inspector took the view that the southern extension would not significantly affect the quality of the existing amenity space from Shoot Up Hill that would remain and that the extension would provide sufficient amenity space for the occupiers within the southern extension.

24. In this case, the northern extension will be sited over an area of hardstanding that is used as car parking. It will not result in the loss of communal amenity space and would not impact upon the functioning of the communal amenity space as it is located to the north. The new flats will have their own balcony and communal roof garden which meets SPG17 requirements. As such, the proposed northern extension is not considered to adversely impact upon the communal amenity space for Jubilee Heights.

25. The landscaped area to the front of Jubilee Heights (fronting Shoot Up Hill) which was developed as part of the 2007 application is considered to be of high amenity value that makes an important contribution to the overall provision of external amenity space on the site, particularly as it is fairly well screened from the road.

Highway Considerations

26. The subject site is located in an area with good access to public transport and is located within a Controlled Parking Zone. Exeter Road is not defined as being heavily parked. The site has on-site parking at both ground and basement level.

27. The plans proposed show a total of 131 car parking spaces on site including the ground and basement car parks to Jubilee Heights and Cedar Lodge. A significant level of concern has been expressed by existing occupiers regarding the loss of parking and the impact this will have on residents. The agent has provided additional clarification regarding the number of spaces and their allocation. Ground floor flats 3 and 4 in the converted business centre do not qualify for parking, as set out in their leases therefore on a 1:1 unit to parking ratio there is an existing demand for 124 parking spaces. Taking the 5 proposed flats into account there is a need for 129 spaces and as the proposal provides 131 on the wider site the need is met on site.

28. Information has been provided to demonstrate that on site spaces have already been allocated to the 5 flats in the southern extension and the applicant states that they own spaces 45-49 which would be available for the flats proposed here.

29. Given the good access to public transport in this location the parking standard for the flats is less than 1 space per unit. For Jubilee Heights Highways officers states that the parking allowance would become 73.2 spaces while there are 96 available. Also the most up to date and reliable data which is the 2011 Census suggests that average car ownership is 0.62 cars per flat meaning that there is an overprovision of parking on the site.

30. There have been disagreements between the applicant and the existing residents regarding the allocation of spaces and objectors have stated that their allocated parking spaces are lost as part of the development. In planning terms as set out above the exceeds the parking allowance for an area with such good public transport. Nevertheless due to the extent of concern expressed by residents officers have sought to ascertain that across the site there will be a space available to each flat and are able to confirm that the parking capacity of the site meets a ratio of 1:1 spaces to units.

31. While residents are understandably upset by the lack of communication from the applicant the proposal must be considered on its planning merits and it is apparent that there is sufficient parking capacity.

32. Adjacent to the entrance to the new flats a separate cycle store and bin store are proposed. The cycle store has capacity for 5 bikes, 1 per unit, which achieves the required standard. The bin store has an acceptable capacity but is in an inaccessible location given its distance from the point within the site that refuse vehicles can reach. A waste management plan has been submitted which states that the bins will be placed at the collection point before 6am on the relevant collection days and that this will be the responsibility of the applicant or their agent. The collection point is detailed on the proposed site plan. This arrangement

would be acceptable however a condition is recommended to seek additional information regarding the management of this and to ensure that bins are always stored in the designated store apart from on the collection day.

33. The vehicular access from Shoot Up Hill which is located directly in front of the proposed extension is proposed to be removed. Residents have expressed concern about this and are of the opinion that it is essential that there are 2 accesses into the site. When visiting the site officers have noted that this gate is padlocked shut and is therefore not available as an emergency vehicular route. Highways officers have reconfirmed that they are supportive of the removal of the vehicular route as Shoot Up Hill is a major London Distributor Road and it is generally a benefit in road safety and traffic flow terms to reduce the number of access points. It is however recommended that the vehicular access from Exeter Road be widened to at least 4.8m to provide sufficient width for 2 vehicles to pass one another.

34. The Shoot Up Hill entrance will be replaced with a pedestrian gate which is acceptable. Fire access requirements can be catered for without bringing the vehicle onto the site.

Noise and Vibration

35. Given the proximity of the proximity to the building to the train line Environment Health officers have suggested noise and vibration testing should be undertaken. However it is noted that this was not sought by the inspector on the southern extension which is much closer to the train line and 2 roads, in this instance for consistency further detail is not sought.

Neighbour comments

Issue	Officers Comments
The removal of the Shoot Up Hill entrance would remove emergency access	Para 33
The design is incongruous in its siting and size, its would be harmful to the existing building.	Para's 5-8
The proposal provides insufficient amenity space	Para 21
The proposal is harmful to existing amenity in terms of light, outlook and privacy	Para's 23-24
Impact on air quality from the removal of trees	Para's 9-11
Noise generated from roof terrace may disturb existing residents	The roof terrace arrangement is very similar to the allowed by the Planning Inspector at the southern end of the site. Softlandscaping is proposed around the periphery setting any activity towards the centre of the terrace and away from neighbouring windows.
Where would bins be stored on the day of collection	Para 32
Loss of parking spaces for existing leaseholders	Para's 26-31
Impact on the structural stability of the existing building	The development would need to comply with building regulations which would ensure it is carried out correctly and safely. An informative is recommended advising that a Party Wall agreement would be required.
The southern extension failed to sell half of its units in 6 months of marketing showing that the type of accommodation is not suitable in the area	Para 16
The estate is overdeveloped	The acceptable density of a development should be led by whether an acceptable design is achieved and whether a good level of amenity can be achieved without harming existing residents. The proposal does not result in the loss of existing amenity space.
The development will result in further disruption and disturbance	While it is understood that work can be disruptive for residents this is not a reason upon which planning

	permission can be withheld. Officers recommend a condition requiring the developer to sign up to the considerate constructors scheme.
The proposal will impact on the community and cohesiveness of the estate as the application site is in separate ownership and residents won't contribute to the upkeep of the site or pay for access to facilities	Officer's understand that issues of service charge and using communal facilities need to be worked out between owners however again it is an issue beyond the remit of the planning system. The proposal provides a good level of amenity for future occupiers.
Additional vehicles driving through the estate causing more noise, dirt pollution, damage and wear and tear.	The proposal won't create additional parking.
Previous applications removed the rubbish shoot to the communal store	It is understood that residents are unhappy with the bin store arrangement which was altered as part of a previous development. However the proposal doesn't affect the communal store. Para 32
Residents have not been provided with access to the roof terrace of the southern extension as was agreed	Again, this does not affect the current application however officers will explore the situation.

Conclusion

36. In conclusion, officers are understanding of residents concerns such as additional building works and activity within the site and impact on parking. It is clearly the case however that in planning terms, and subject to a number of conditions, the proposal is acceptable. The previous application for the same design was refused only for its insufficient affordable housing contribution. The requested contribution has now been agreed to and as such the proposal is recommended for approval.

S106 DETAILS

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

1. Payment of the Council's legal and other professional costs on completion of the deed in (i) preparing and completing the agreement and (ii) monitoring its performance;
2. Notification of material start 28 days prior to commencement; and
3. Off-site affordable housing contribution of £250,000 to be paid within 7 days of the commencement of the first beneficial occupation of a unit on the undertaking land.

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

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£126,754.25** of which £107,807.14 is Brent CIL and £18,947.11 is Mayoral CIL.

CIL DETAILS

This application is liable to pay **£126,754.25*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 468 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	468	0	468	£200.00	£35.15	£107,807.14	£18,947.11

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	258	
Total chargeable amount	£107,807.14	£18,947.11

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 05
Case Number 14/4241

SITE INFORMATION

RECEIVED: 30 October, 2014

WARD: Harlesden

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Garages rear of 32, Crownhill Road, London

PROPOSAL: Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)

APPLICANT: The New Model School Company Ltd. & Mr J.Griffin

CONTACT: Christopher Wickham Associates

PLAN NO'S: See Condition 2.

SITE MAP



Planning Committee Map

Site address: Garages rear of 32, Crownhill Road, London

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This map is indicative only.

INTRODUCTION

The application is reported to the Planning Committee under the provisions of Clause 24 of the Planning Code of Practice following the resolution at the previous meeting of the Planning Committee on 29th July 2015 of 'minded to refuse' contrary to the Officer recommendation to grant consent.

After considering the proposal, the Planning Committee resolved to refuse planning permission and raised concerns about the development which are summarised below:

- overdevelopment of a restricted site
- over-intensive use of the site
- noise impact on neighbours from extra activity
- transportation impact
- concerns over fire safety and emergency access

This report discusses the Committee's resolution and maintains the original recommendation to grant. The recommendation was a balanced one and the proposal was considered to be an acceptable form of development, in principle, in terms of expanding primary school provision. However, the fact that this a constrained site is acknowledged, as is the fact that, as seen at the Members site visit, there are already a number of other schools in the immediate locality which already create a significant level of activity, including vehicular movements. If the Planning Committee is still minded to refuse consent then they are invited to consider the possible reasons for refusal outlined below;

The proposal, by reason of the scale and intensity of the proposed development coupled with restricted nature of the site and close proximity to neighbours, would result in an over-intensive use and development of the site to the detriment of the amenities of neighbours, by virtue of the noise, disturbance and activity associated with the use. The proposal is therefore considered contrary to saved policy BE9 of the Brent Unitary Development Plan (2004) SPG17 'Design Guide for New Development' and the NPPF (2012).

The proposal, by reason of the scale and intensity of the proposed development, would increase parking and traffic pressure in an already congested and heavily parked area which does not have the capacity to safely accommodate the additional parking demand and traffic movements generated by the proposal. Furthermore, no detail has been provided of proposed fire safety and emergency access arrangements. The proposal would therefore cause detriment to the free and safe flow of traffic in the area, contrary to saved policies TRN1 and TRN3 of the Brent Unitary Development Plan (2004), policies 3.18 and 6.3 of The London Plan (2011) and the NPPF (2012).

A copy of the reports that went to the 29th July Planning Committee are attached as APPENDIX 1.

Recommendation : Remains approval with the conditions set out in the original report.

, subject to the conditions set out in the Draft Decision Notice.



Brent

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 14/4241

To: Mr Christopher Wickham
Christopher Wickham Associates
35 High Street
Highgate
London
N6 5JT

I refer to your application dated 24/10/2014 proposing the following:
Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)
and accompanied by plans or documents listed here:
See Condition 2.
at Garages rear of 32, Crownhill Road, London

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

1 Overall and subject to conditions, the proposal is considered an acceptable form of development in principle which would expand primary school provision and have an acceptable impact in terms of visual and neighbouring amenity and in terms of transportation. The proposal therefore accords with policies in the Brent Unitary Development Plan (2004), Core Strategy (2010), London Plan (2011) and the NPPF (2012).

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):

A-101

A-01 Rev.A

A-02 Rev.C

A-04 Rev.C

A-05 Rev.C

Planning, Design and Access Statement dated October 2014 from Christopher Wickham Associates

Transport Assessment from Paul Mew Associates dated October 2014

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

3 No development shall be carried out until what time as the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy

4 The boundary treatments identified on the approved plans listed in this notice shall be erected on site prior to the first occupation of the development hereby approved and thereafter retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity.

5 Notwithstanding the provisions of Class M, Part 7, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement, addition or structure other than those approved by this permission, shall be constructed on the site unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an overdevelopment of the site and in the interests of neighbouring amenity.

6 The school annexe hereby approved shall not be open to pupils before 8am or after 5pm Mondays-Fridays and shall not be open to pupils at all on Saturdays or Sundays.

Reason: In the interests of neighbouring amenity.

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

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

- 8 Prior to the first occupation of the development hereby approved, an updated Travel Plan incorporating the school annexe hereby approved, shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full.

Reason: To ensure the annexe is incorporated into the existing Travel Plan and to ensure the development is acceptable in transportation terms

- 9 Prior to the commencement of the development hereby approved, a detailed Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority outlining measures that will be taken to mitigate dust, noise and other environmental impacts of the development. Development shall thereafter take place in accordance with the agreed details.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance

- 10 A scheme of sound insulation measures shall be submitted to the Local Planning Authority and approved in writing prior to the first occupation of the development hereby approved. The insulation shall be designed so that noise from the premises shall be at least 10 dB(A) below the measured background noise level at the nearest noise sensitive premises. The approved measures shall thereafter be implemented in full prior to the first occupation of the development hereby approved.

Reason: In the interests of neighbouring amenity.

- 11 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured 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'. It should be assumed that each item of plant incurs a +5dB(A) penalty to account for tonal qualities, unless it can be demonstrated that tonal qualities do not apply. An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to an approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: In the interests of neighbouring amenity.

- 12 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site

- 13 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full prior to commencement of building works on site. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use prior to the first occupation of the development hereby approved unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 14 The development hereby approved shall have a green roof as indicated by the approved plans. Prior to the commencement of occupation of the proposed unit, details of the green roof layout, construction and planting shall be submitted to the Local Planning Authority. Such details/considerations will include:
- Biodiversity based with extensive substrate base (depth 80-150mm);
 - Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage) and details of maintenance.

Development shall thereafter be carried out and maintained in accordance with the agreed details.

Reason: In the interests of visual and neighbouring amenity.

- 15 A hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. All detailed works shall be carried out as approved prior to the occupation of the building hereby approved. Such details shall include:
- (i) details of soft landscaping including the planting of trees, shrubs and climbing plants and species and pot sizes/spacing
 - (ii) details of materials to be used in areas of hard surfacing

Any trees or plants planted in accordance with the approved landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

- 16 Prior to the first occupation of the development hereby approved, the existing dropped kerb serving the site shall be removed and the kerb and footpath reinstated and safety railings provided at the cost of the developer and to the satisfaction of Transportation Section at Brent Council, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

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
- 2 You are advised that that construction and demolition work is controlled by the Council under Section 60 and 61 of the Control of Pollution Act 1974, and the British Standard Codes of practice 5228:1997 Parts 1 to 4. In particular, building work that is audible at the boundary of the site shall only be carried out between the following hours:

Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all

- 3 The removal of a crossover fronting Crownhill Road including the reinstatement of the public footpath shall be carried out by the Council as the Local Highway Authority at the applicant's expense. Such application should be made to the Council Highway Consultancy. The grant of planning permission, whether by the Local Planning Authority or on appeal does not indicate that consent will be given under the Highways Act.

Any person wishing to inspect the above papers should contact David Raper, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5368

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Appendix 1

Previous Committee report

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

29 July, 2015

14/4241

SITE INFORMATION

RECEIVED: 30 October, 2014

WARD: Harlesden

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Garages rear of 32, Crownhill Road, London

PROPOSAL: Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)

APPLICANT: The New Model School Company Ltd. & Mr J.Griffin

CONTACT: Christopher Wickham Associates

PLAN NO'S: See Condition 2.

SITE MAP



Planning Committee Map

Site address: Garages rear of 32, Crownhill Road, London

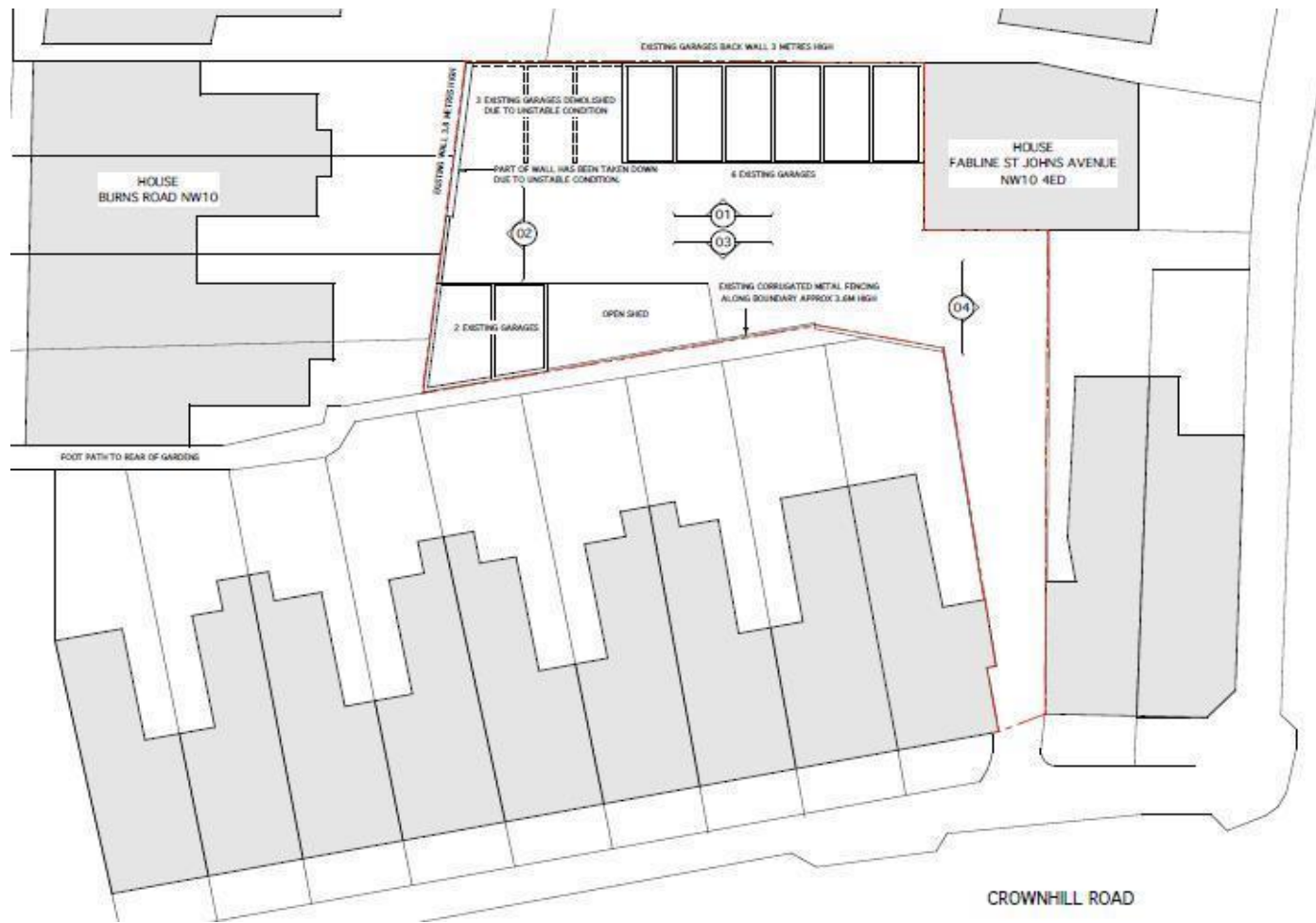
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This map is indicative only.

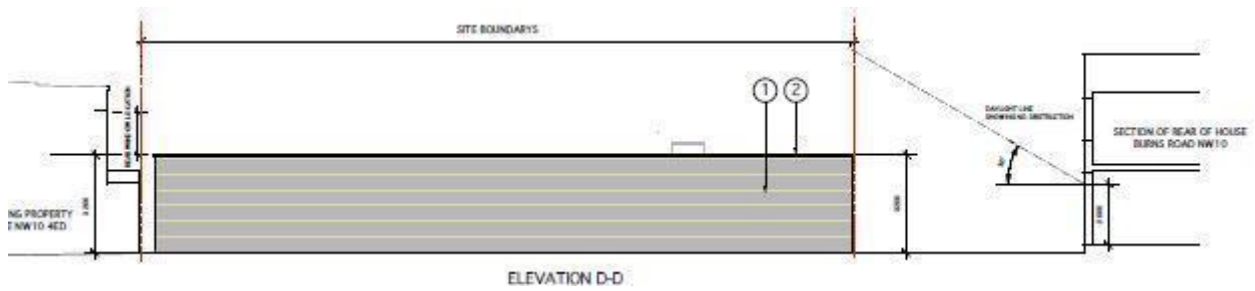
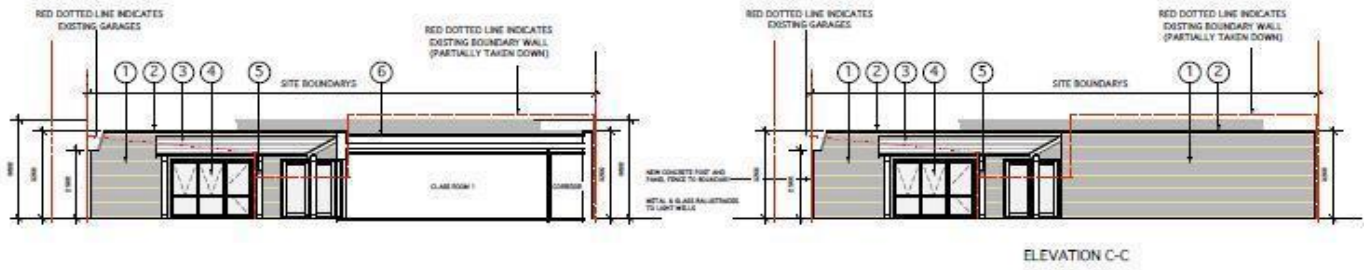
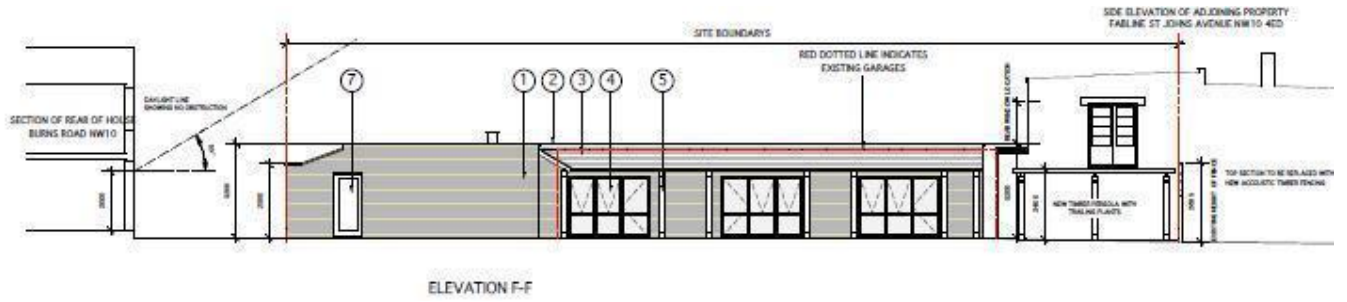
SELECTED SITE PLANS SELECTED SITE PLANS

Existing Site Plan

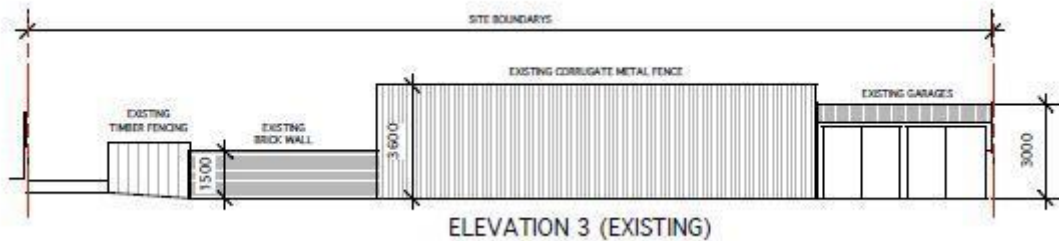
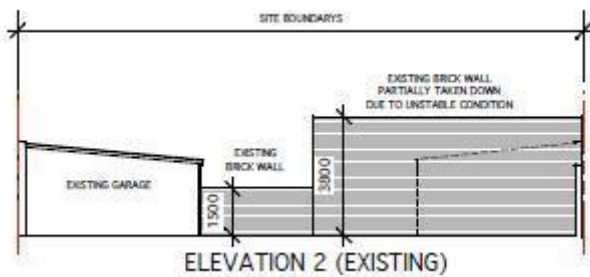
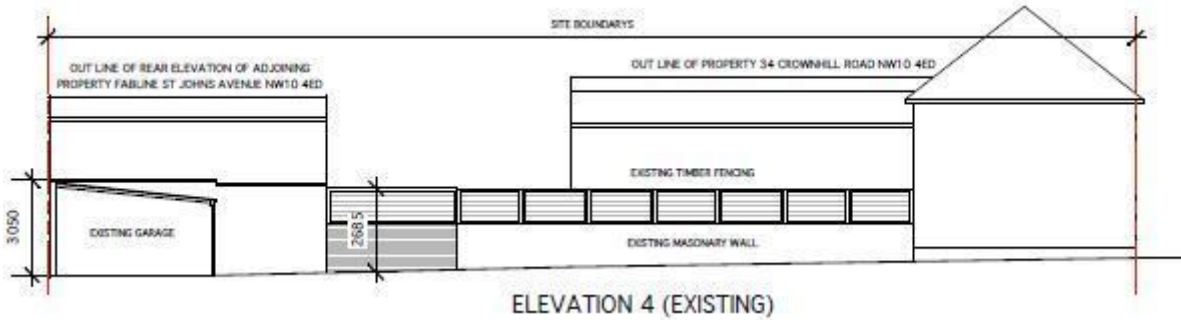
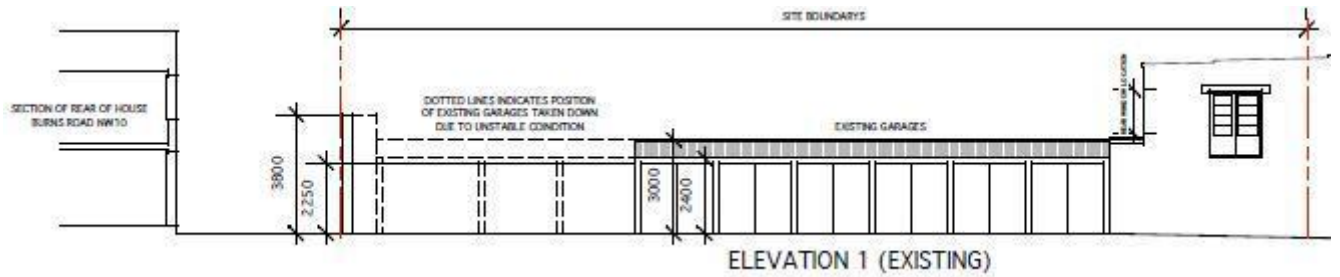


Proposed Site Plan

Proposed Elevations



Existing Elevations



RECOMMENDATIONS

GRANT planning permission, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

The proposal is for the demolition of existing garages and erection of a single storey building to provide an annexe school building with four classrooms to the nearby Maple Walk School with associated play area, waiting shelter, cycle storage, new fencing and landscaping.

B) EXISTING

The proposal site is a piece of land occupied by garage structures and hardstanding accessed via Crownhill Road in Harlesden. The site is bounded on all sides by the rear gardens of residential properties on Crownhill Road, St John's Avenue and Burn's Road. The surrounding area is predominately residential in nature and

characterised by terraced dwellings. The proposal site is not within a Conservation Area and the proposal would not affect the setting of any listed buildings.

C) AMENDMENTS SINCE SUBMISSION

The originally submitted proposal was for a larger, part two storey building with a lower ground floor level and capacity of 88 pupils. Amended plans have been received which reduce the height and scale of the building and removed the lower ground floor level. The capacity of the proposed annexe has been reduced to 72. Acoustic fencing is also identified on the proposed plans to boundaries with adjoining neighbours and soft landscaping introduced. The proposal has been assessed based on these plans.

D) SUMMARY OF KEY ISSUES

The key planning considerations in this case are as follows:

- Principle of Development – The loss of the storage (B8) use and redevelopment to provide a school annexe is considered acceptable in principle
- Impact on Neighbouring Amenity – Subject to conditions, the proposal is considered to form an acceptable relationship with neighbouring occupiers in terms of noise disturbance, loss of light, overlooking and overbearing impacts
- Transportation Impact – The proposal is considered acceptable in transportation terms subject to the submission of an updated Travel Plan
- Contamination – Potential contamination in the soil can be adequately addressed by condition
- Impact on Character – The proposal is considered to result in a visually acceptable development which has an acceptable impact on the character of the area

RELEVANT SITE HISTORY

There is no relevant planning history relating to the site itself but the following relates to the nearby Maple Walk School:

Reference No	Proposal	Decision
08/2168	Demolition of single-storey sports & social club and erection of a part single-storey, part two-storey school building, formation of games pitch and 3 car-parking spaces, cycle storage and associated hard and soft landscaping and subject to a Deed of Agreement dated 12th February 2009 under Section 106 of the Town and Country Planning Act 1990, as amended	Granted

CONSULTATIONS

Statutory neighbour consultation period (21 days) started on 04/11/2014, in total 40 properties were consulted. To date six representations have been received objecting to the proposal plus a petition with 70 signatures. One objection has also been received from Ward Councillor Bobby Thomas. The grounds for objection are summarised below:-

Objection raised	Response
The surrounding area is already congested with limited parking due to the number of schools in the area. The proposal would worsen the situation	See paragraphs 23-35
Many of the pupils will be driven to school and are from outside of the area	See paragraph 31
The proposal would cause noise disturbance and loss of amenity	See paragraphs 6-22

The site is constrained and the size, bulk, mass and scale of the development is inappropriate and incongruous for the site	See paragraph 36
The existing Maple Walk School has no sewerage connection and have a septic tank which requires emptying which causes smells	It is not clear whether the proposal would include connection to sewers however adequate sewerage arrangements would be a requirement of Building Regulations
The proposal should incorporate the shared access to the rear of dwellings on Crownhill Road to allow for an extra pedestrian access, fire escape and allow connection of the site to sewers	The access path is not within the red line on the submitted Location Plan and does not form part of the proposal
Proposed building would be out-of-character with the surrounding Victorian development	See paragraph 36
The proposal should be considered a new stand-alone school	The proposal would act as an annexe to the main school nearby with functions such as PE lessons and assemblies taking place in the existing main school building
The scale of the development would require an Environmental Impact Assessment	The proposal is not in a 'sensitive area' and is not considered to result in significant effects on the environment as defined by the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and is not considered to warrant an Environmental Impact Assessment
The use of the site should be considered 'sui generis' and not B8 use	Officers do not accept that the site is used for the storage of minerals and is satisfied that the use is best described as B8. In any case this is not considered crucial in determining this application

Neighbours were re-consulted for 21 days on 09/06/2015 with amended plans which reduced the scale of the proposal. Two further objections were received reiterating their objection which are summarised above.

CONSULTEES:

Transportation: 'There are no objections on transportation grounds to this proposal, subject to conditions requiring: (i) the submission and approval of an updated School Travel Plan to incorporate the proposed school annex extension; and (ii) removal of the existing vehicular crossover to the site and reinstatement to footway with guard railings and a review of the need for School Keep Clear markings along the site frontage to be undertaken at the applicant's expense prior to occupation of the development.'

Environmental Health: Concerns initially raised regarding noise disturbance. Amended plans introduced acoustic fencing to the boundaries and reduced the number of pupils. Recommend attaching conditions securing noise mitigation measures and contaminated land conditions.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012):

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces planning

Policy Guidance and Planning Policy Statements with immediate effect. This 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.

Section 7 – Requiring Good Design

Section 8 – Promoting Healthy Communities

The London Plan (2011):

Policy 3.18 – Education Facilities

Policy 6.3 – Assessing effects of development on transport capacity

Policy 7.4 – Local character

Policy 7.6 – Architecture

Policy 7.15 – Reducing noise and enhancing soundscapes

Core Strategy (2010):

CP17 – Protecting and Enhancing the Suburban Character of Brent

Brent's UDP (2004):

BE2 – Townscape: Local Context and Character

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

CF8 – School Extensions

EP2 – Noise and Vibrations

EP6 – Contaminated Land

TRN3 – Environmental Impact of Traffic

TRN22 – Parking Standards – non-residential developments

Supplementary Planning Guidance:

SPG17 – Design Guide for New Development

DETAILED CONSIDERATIONS

Introduction:

1. The proposal relates to a piece of land located to the rear of residential dwellings on Burn's Road, St Johns Avenue and Crownhill Road. There is a vehicular access to the site from Crownhill Road. The site is currently occupied by hardstanding and garages and has been used in the past for storage (B8 Use). Maple Walk School is an independent primary school located on a similar 'backland' site approximately 55m to the north-east which is accessed from Crownhill Road. The school was permitted under application ref: 08/2168 and is operated by The New Model School Company which is not-for-profit.
2. The proposal is to demolish the existing structures on the site in order to erect a single storey 'L-shaped' building containing four classrooms as an annexe to the main school. The building would have four classrooms with a capacity of 18 pupils each meaning there would be no more than 72 pupils and 4 members of staff using the proposed annexe at any one time. The annexe is intended for use by the upper years of the school (Years 5 and 6 ages 9-11). In addition to the four classrooms are ancillary rooms such as stores, bathrooms and a staff room. The classrooms would look out onto a courtyard area. Bin and cycle storage would be accommodated on the access path to the site and there would be no vehicular access to the site. In terms of how the school would operate, the annexe would open to pupils from 8am with school day ending at 3:45pm and after school clubs ending and the last pupils leaving by 5pm. Pupils would attend the main school building for both PE lessons and assemblies three times a week. No canteen facilities would be provided and the applicant has indicated that pupils would have packed lunches.

Principle of Development:

3. The proposal would involve the expansion of an existing Primary School. Paragraph 72 of the NPPF (2012) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. The NPPF states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education and that they should:
 - give great weight to the need to create, expand or alter schools; and
 - work with schools promoters to identify and resolve key planning issues before applications are submitted.

4. London Plan (2011) policy 3.18 is supportive of the development of new schools and the expansion of existing schools and states that:

“Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes...In particular, proposals for new schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.”

5. The site is currently occupied by garages and partially demolished garages and the site is used for storage and open storage (B8 use). Saved UDP (2004) policy EMP9 seeks to protect local employment sites except where the use has unacceptable environmental impact or there is no effective demand for the premises. In the case of the proposal site there are no employees based on the site itself and appears to be only used for storage. The site is not considered ideal for a B8 use given its relatively close proximity to residential neighbours on all boundaries and the relatively narrow vehicular access to the site of 2.5m which is inappropriate for servicing arrangements and the vehicles entrance itself is bounded on both sides by the flank walls of two dwellings. In this instance, considering the positive policy support for the expansion of schools, the proposal is considered an acceptable use on the site in principle subject to the material planning considerations set out in this report.

Impact on Neighbours:

6. The site is bounded on all sides by residential dwellings with the side boundary of No.1a St John's Road forming the northern boundary of the site, the rear gardens of neighbours on Burn's Road abut the western boundary of the site and the rear gardens of dwellings on Crownhill Road abut the site to the south. 'Fabline' on St John's Road is a two storey dwelling which has its rear and side elevation directly abutting the site. Neighbours typically have relatively shallow rear gardens and the impact on neighbours resulting from the proposed building and use compared to the existing situation need to be considered:

Neighbours on Crownhill Road:

7. No.32 and No.34 Crownhill Road are positioned adjacent to the access to the site and have existing wooden side boundary fences and rear boundary wall with the site of varying heights. The proposal includes the erection of a 2m high acoustic fence on the side boundaries of these neighbours and 2.5m high acoustic fencing on the rear boundary of No.32.
8. No's 24-30 have rear gardens which abut the site and the boundary is formed by corrugated metal fencing approximately 3m high and a shared access path to the rear of these properties around 1m in width. The boundaries of the site with No.28 and No.30 would be a 2.5m high acoustic fence and the proposed building would be positioned between 13m-15m from the rear elevations of neighbours at No.28-32 and the proposed rear boundary fence would be positioned between 7.3m and 8.6m from the rear elevations of these neighbours which is considered acceptable. Soft landscaping is proposed on the boundaries with these neighbours and further details of this can be secured by condition.
9. Part of the proposed building would abut the boundary of No.24-26 and would have a maximum height of 3.2m on the boundary. There are existing garages in the same position 3m in height and bearing in mind the separation distance of between 7.8m and 9.4m, the proposal would comfortably pass the 30° test as set out in SPG17 and is considered acceptable.
10. Considering the points discussed above, the proposal is not considered to form an unacceptable overbearing or loss of light impact on neighbours on Crownhill Road.

Neighbours on St Johns Avenue:

11. The side boundary of No.1a St John's Avenue forms the majority of the northern boundary of the site. The largest structure on the site is a garage block which is positioned on the boundary with this neighbour with a depth of 15.2m and height of 3m. Further garages previously existed beyond these but have been partially demolished for safety reasons. The proposed annexe building would be in the same position as the existing garages and would extend the full depth of the side boundary with No.1a with a maximum height of 3.2m. Compared to the existing situation, an increase in height of 0.2m is considered marginal and it is borne in mind that the dwelling at No.1a is orientated slightly away from the proposal site with a rear garden larger than most surrounding gardens tapering from approximately 11m to 9m in width. Coupled with the introduction of a green roof on the proposed building, the proposal is not considered to have an unacceptable loss of light or overbearing impact on this neighbour compared to

the existing situation.

12. 'Fabline' on St Johns Avenue is a two storey dwelling which was converted from light industrial use under permission 12/2662. The dwelling has its rear side boundary on in close proximity to the site boundary and features first floor side and rear windows looking out onto the site. The dwelling features no ground floor windows however ground floor habitable rooms are served by rooflights in the flat roof of a single storey element on the rear elevation.
13. Officers have visited this neighbour and it is evident that the first floor of the dwelling contains an open-plan kitchen and living area with rear-facing windows and side-facing French doors looking out onto the site.
14. The rear-facing windows currently look out onto the roof of the garage block to the rear which is currently approximately 5.3m in width and the proposed building would be 9m in width. The outlook of these windows would inevitably change as the size of the building and plot coverage would increase. However bearing in mind the proposed green roof of the building, and the open-plan and dual aspect nature of the first floor accommodation of this neighbour, the proposal is not considered to result in an unacceptable impact on the quality of the outlook of this neighbour compared to the existing situation. Concern has also been raised about potential noise disturbance from the proposed use to the ground floor habitable rooms of 'Fabline' due to the close proximity of the external walls to the site. The amended proposal have moved the proposed electricity sub-station and bike store away from these walls and measures to prevent direct contact of pupils with the external wall can be incorporated into the landscaping condition.
15. The side-facing French doors overlook the access road to the site which would act as the pedestrian access to the site. A pergola with climbing plants is proposed over part of this access which is considered sufficient to avoid undue overlooking into the dwelling from pedestrians entering the site. It is also borne in mind that the original permission for the dwelling (12/2662) required these doors to be obscurely glazed and fixed shut.
16. The proposed building would be positioned 0.5m from the single storey rear element of this neighbour and 0.2m higher than this element which means lighting to the ground floor habitable rooms served by rooflights would not be unduly affected by the proposal.

Neighbours on Burn's Road:

17. Neighbours at No.2-8 Burn's Road back onto the site with rear gardens with minimum depths ranging from 4.9m deep to 6.4m deep. The proposed building would be positioned on the boundary at the end of these gardens with a maximum height of 3.2m. The building would have a reduced height of 2.5m on the boundaries with the neighbours with the shallowest gardens at No.2 and No.4 Burn's Road. The existing boundary comprises a garage structure 3m high and a partially demolished wall which was 3.8m high. Overall the proposal would pass the 30° test with these neighbours and the proposal is not considered to result in an unacceptable loss of light or overbearing impact compared to the existing situation.
18. Overall the proposed building would be single storey with a relatively low profile and a maximum height of 3.2m which is comparable with existing structures on the site. It is acknowledged that there would be an uplift in the scale of development on the site however this is not considered to result in an unacceptable neighbour impact as discussed above. The proposed green roof of the building is considered to soften the appearance of the building when viewed from neighbouring occupiers. All window openings would face the courtyard area within the site and due to the single storey nature of the building, the proposal is not considered to result in an undue overlooking impact.
19. In terms of noise disturbance, it is acknowledged that school uses can generate noise during breaks and when school starts and finishes. The proposal is for the annex to open to pupils from 8am and the school day ending at 3:45pm and after school clubs ending and the last pupils leaving by 5pm. Throughout the day there will be four breaks of no more than 30minutes each. Acoustic fencing and landscaping is proposed for the boundaries with external areas. Pupils at the annexe would walk to the main school building three times a week for both PE lessons and assemblies. Whilst it is acknowledged that there would be inherent noise impacts resulting from the proposed use, these would be confined to the daytime on weekdays and in term time only. It is also borne in mind that the existing B8 use is unrestricted and has the potential to generate noisy activities at all hours for example. The hours of use of the school can be restricted by condition to ensure that the site is not used in the evenings or weekends.
20. Environmental Health have requested that conditions are attached relating to noise insulation for the building, acoustic details of any plant equipment and details of a Method of Construction Statement for

the construction stage of the development.

21. It is acknowledged that the site is relatively constrained with neighbours in relatively close proximity. The contractors carrying out the development can be required to be part of the Considerate Constructors Scheme by condition and a detailed Method of Construction Statement can be secured by condition detailing how the impacts on neighbours would be mitigated.
22. Overall the proposal is not considered to result in an unacceptable noise disturbance impact which would warrant refusal of the application.

Transportation Impact:

23. The existing school is attended by 204 pupils and has a capacity of 242. The proposed annexe would have capacity for 72 pupils which would increase the capacity of the school by around 30% which is considered significant. The resulting transportation impact therefore needs to be carefully considered.
24. The site lies within Controlled Parking Zone (CPZ) which operates between 8am-6.30pm Mondays to Saturdays. On-street parking in the area is generally restricted to residents' permit holders only during those times, but parking close to the site is further constrained by zig-zag markings for a zebra crossing to the east, 'School Keep Clear' markings for the Convent of Jesus & Mary College nearby, double yellow lines across the site access and at the junction with St. John's Avenue and a kerb build-out to the west.
25. Crownhill Road is not listed in Appendix TRN3 of the Brent UDP (2004) as a 'heavily parked street', but nearby residential side roads, including St. John's Avenue and Burns Road, are. The public transport accessibility to the site is good (PTAL 4).
- 26.
27. Parking standards for schools are set out in policy PS16 of the Brent UDP (2004) which allows up to one space per five staff, plus 20% for visitors parking with a minimum of one space. The proposed annexe is identified as employing four staff and so the maximum parking standard is considered to be two spaces. No off-street parking is proposed which means the standard would be complied with. Standard PS12 also requires consideration to be given to the impact of vehicles parking at the start and finish of school sessions on traffic flow, highway safety and residential amenity.
28. The existing School operates a Travel Plan which has been awarded 'Gold' status for three consecutive years which is the highest accreditation under Transport for London's STARS accreditation scheme which recognises the efforts of schools in promoting sustainable travel and colleagues in Brent's Transportation Unit regard Maple Walk School as being one of the most proactive in the borough in promoting non-car travel. The school does this by discouraging parents from arriving by car at the school gates, promoting car pooling and operating a 'walking bus' whereby pupils are dropped off nearby in Longstone Avenue and are walked to the school in groups.
29. The applicant has provided the results of a Travel Plan Survey for 2013/2014 which suggests that 72% of pupils reached school by non-car means. Of those who arrived by car, 17.5% parked and walked, 5.5% shared cars with others and 5.5% arrived by car alone.
30. The applicant provided a Transport Assessment and Parking Survey covering one weekday which found that there was sufficient capacity for on-street parking in the area. The Transport Assessment predicted that the original proposal (with a capacity of 88 pupils) would generate 25 additional car trips a day, 15 of which would be 'park and walk' trips and a further 5 being in shared cars on existing trips, leaving 5 additional trips to the school itself. Overall the Transport Assessment found that the proposed annexe would have an acceptable transportation impact when viewed in the context of the operation of the existing Travel Plan.
31. Additionally the applicant has provided details of the current catchment of 194 of the 204 pupils at the school. Out of 194 pupils 166 reside in Brent which equates to 86%. Officers determine that the majority of these pupils live within a two mile radius of the school which suggests that it is realistic that pupils arrive predominately by non-car modes. Clarification has been sought as to the remaining 10 pupils not included in the catchment information, in any case this number of pupils would not change the overall percentage figure significantly.
32. Officers requested additional Parking Surveys covering an entire week which were carried out by the applicant and submitted. The additional parking surveys were consistent with the previously submitted survey in showing an acceptable level of parking availability in the area. It subsequently came to Officers' attention however that parents may have been alerted to the operation of the parking surveys and

advised to not park in the surveyed streets which would distort the findings of the survey. The school maintains however that it is their policy to discourage parents from arriving at the school by car.

33. Whilst the integrity of the additional parking surveys can be called into question, it should be borne in mind that the school already operates a good quality Travel Plan and 86% of pupils live within Brent and most of these within two miles of the school. The Council's Transportation Unit has been consulted and raised no objection to the original proposal (which was for a larger annexe with a capacity of 88 pupils) and visited the site themselves on at least two occasions during the morning 'school run' period. Officers in Transportation have been made aware of the situation regarding the additional parking standards and reiterate that they do not object to the proposal subject to the Travel Plan being updated.
34. The site has an existing vehicle crossover with a relatively narrow entrance of 2.5m in width. It is intended that vehicles would not have access to the site with the access serving pedestrians only. The Transportation Unit therefore require the existing crossover to be re-instated as a footpath and recommend that railings are erected outside the site entrance in the interests of pupil safety. This can be secured by condition. As discussed earlier in the report, as the building would act as an annexe to the main school building there would inevitably be movements of pupils between the two sites, the entrances of which are approximately 100m away from each other and separated by St John's Avenue. The immediate area already features traffic calming measures including raised table and tactile paving and the Transportation Unit are satisfied that these arrangements are acceptable in terms of safety. Storage for 12 bicycles and 10 scooters would be provided which would exceed minimum standards and is considered acceptable. Bin storage is identified on the access path and collection would be arranged with a private contractor as is the case with the existing school site.
35. Considering the points discussed above and subject to conditions, the proposal is considered to have an acceptable transportation impact.

Design:

36. The proposed building would be single storey and would not be prominent in the street scene due to its position to the rear of existing dwellings. The proposed building would be finished in brickwork with aluminium windows and a green roof would be provided. Details of proposed materials and details of hard and soft landscaping can be secured by condition. A flat roofed building of the size proposed is considered appropriate for the site and the proposal is considered a visually acceptable building which has an acceptable impact on the character of the area.

Contamination:

37. Due to the historic use and storage of materials on the site, there is potential for contamination of the soil. Officers in Environmental Health therefore recommend conditions are attached to ensure adequate investigation and remediation of any contamination.

Conclusion:

38. Overall and subject to conditions, the proposal is considered an acceptable form of development in principle which would expand primary school provision and have an acceptable impact in terms of visual and neighbouring amenity and in terms of transportation. The proposal therefore accords with policies in the Brent Unitary Development Plan (2004), Core Strategy (2010), London Plan (2011) and the NPPF (2012) and is recommended for approval.

CIL DETAILS

The proposed development would not be liable to pay Community Infrastructure Liability (CIL) contributions as there is a nil charge for education facilities under both the Mayoral and Brent charging schedule.



Brent

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====
Application No: 14/4241

To: Mr Christopher Wickham
Christopher Wickham Associates
35 High Street
Highgate
London
N6 5JT

I refer to your application dated 24/10/2014 proposing the following:
Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)
and accompanied by plans or documents listed here:
See Condition 2.
at Garages rear of 32, Crownhill Road, London

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 Overall and subject to conditions, the proposal is considered an acceptable form of development in principle which would expand primary school provision and have an acceptable impact in terms of visual and neighbouring amenity and in terms of transportation. The proposal therefore accords with policies in the Brent Unitary Development Plan (2004), Core Strategy (2010), London Plan (2011) and the NPPF (2012).

- 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):

A-101
A-01 Rev.A
A-02 Rev.C
A-04 Rev.C
A-05 Rev.C
Planning, Design and Access Statement dated October 2014 from Christopher Wickham Associates
Transport Assessment from Paul Mew Associates dated October 2014

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

- 3 No development shall be carried out until what time as the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy

- 4 The boundary treatments identified on the approved plans listed in this notice shall be erected on site prior to the first occupation of the development hereby approved and thereafter retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity.

- 5 Notwithstanding the provisions of Class M, Part 7, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement, addition or structure other than those approved by this permission, shall be constructed on the site unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an overdevelopment of the site and in the interests of neighbouring amenity.

- 6 The school annexe hereby approved shall not be open to pupils before 8am or after 5pm Mondays-Fridays and shall not be open to pupils at all on Saturdays or Sundays.

Reason: In the interests of neighbouring amenity.

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

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

- 8 Prior to the first occupation of the development hereby approved, an updated Travel Plan incorporating the school annexe hereby approved, shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full.

Reason: To ensure the annexe is incorporated into the existing Travel Plan and to ensure the development is acceptable in transportation terms

- 9 Prior to the commencement of the development hereby approved, a detailed Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority outlining measures that will be taken to mitigate dust, noise and other environmental impacts of the development. Development shall thereafter take place in accordance with the agreed details.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance

- 10 A scheme of sound insulation measures shall be submitted to the Local Planning Authority and approved in writing prior to the first occupation of the development hereby approved. The insulation shall be designed so that noise from the premises shall be at least 10 dB(A) below the measured background noise level at the nearest noise sensitive premises. The approved measures shall thereafter be implemented in full prior to the first occupation of the development hereby approved.

Reason: In the interests of neighbouring amenity.

- 11 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured 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'. It should be assumed that each item of plant incurs a +5dB(A) penalty to account for tonal qualities, unless it can be demonstrated that tonal qualities do not apply. An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: In the interests of neighbouring amenity.

- 12 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site

- 13 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full prior to commencement of building works on site. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use prior to the first occupation of the development hereby approved unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 14 The development hereby approved shall have a green roof as indicated by the approved plans. Prior to the commencement of occupation of the proposed unit, details of the green roof layout, construction and planting shall be submitted to the Local Planning Authority. Such details/considerations will include:
- Biodiversity based with extensive substrate base (depth 80-150mm);
 - Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage) and details of maintenance.

Development shall thereafter be carried out and maintained in accordance with the agreed details.

Reason: In the interests of visual and neighbouring amenity.

- 15 A hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. All detailed works shall be carried out as approved prior to the occupation of the building hereby approved. Such details shall include:
- (i) details of soft landscaping including the planting of trees, shrubs and climbing plants and species and pot sizes/spacing
 - (ii) details of materials to be used in areas of hard surfacing

Any trees or plants planted in accordance with the approved landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

- 16 Prior to the first occupation of the development hereby approved, the existing dropped kerb serving the site shall be removed and the kerb and footpath reinstated and safety railings provided at the cost of the developer and to the satisfaction of Transportation Section at Brent Council, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

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
- 2 You are advised that that construction and demolition work is controlled by the Council under Section 60 and 61 of the Control of Pollution Act 1974, and the British Standard Codes of practice 5228:1997 Parts 1 to 4. In particular, building work that is audible at the boundary of the site shall only be carried out between the following hours:

Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all

- 3 The removal of a crossover fronting Crownhill Road including the reinstatement of the public footpath shall be carried out by the Council as the Local Highway Authority at the applicant's expense. Such application should be made to the Council Highway Consultancy. The grant of planning permission, whether by the Local Planning Authority or on appeal does not indicate that consent will be given under the Highways Act.

Any person wishing to inspect the above papers should contact David Raper, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5368

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Supplementary Information Planning Committee on 29 July, 2015

Case No.

14/4241

Location	Garages rear of 32, Crownhill Road, London
Description	Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)

Agenda Page Number: 59

The Members of the Planning Committee visited the site on Saturday 25th July. A number of points were raised which require clarification and these are set out and addressed below.

Outdoor space and fire safety standards:

The level of outside space provided for the annex was raised and whether this meets guidelines for outside space for schools.

The Education Act 1996 places a duty on the Secretary of State to prescribe standards for the premises of all maintained schools in England and Wales. Those for England are set out in The School Premises (England) Regulations 2012 and they apply to all existing and new schools maintained by a local authority. Similarly, the Education Act 2002 empowers the Secretary of State to prescribe standards for the premises of independent schools, which include Free Schools. These are set out in Part 5 of The Education (Independent School Standards) (England) Regulations 2010. Both of the above pieces of legislation now require:

“Suitable outdoor space must be provided in order to enable—

- (a) physical education to be provided to pupils in accordance with the school curriculum; and*
- (b) pupils to play outside.”*

The Government’s 2015 ‘Advice on standards for school premises’ guidance document recognises that ‘Some schools will be on restricted sites and will not have enough outdoor space to meet requirements. In these situations pupils will need to be provided with access to suitable off-site provision’.

The applicant has indicated that Physical Education lessons would take place at the main school site as set out in paragraph 2 of the report. The applicant has also confirmed that the school uses off-site sporting facilities for example. The site would have an area of outside space approximately 118m² in area (excluding the access to the site) with staggered play times and it should be borne on mind that the proposed building would act as an annex to the main school site. In any case, the above legislation operates separately from the planning system and the school would need to comply with the above standards regardless of a planning decision.

The issue of fire safety and access to the site for emergency vehicles was raised. Returning the vehicular crossover to footpath obviously removes the possibility of access for emergency vehicles. Officers have discussed the point with Building Control Officers again. Any building which is erected would be required to comply with Building Regulations, as well as relevant Fire Safety legislation. The site is, as Members saw, a tight backland site which will present a number of challenges as far as fire safety is concerned. However, the applicants are aware that they need to discuss the proposal with the Fire Brigade and that a full Fire Risk Assessment would be required before any development takes place. The Assessment may conclude that a range of measures, including sprinkler systems and/or introduction of on site fire hydrant, may be required and this would need to be addressed in due course. It is suggested that an Informative Statement be attached to any permission stating that:

ADDITIONAL INFORMATIVE

"The applicant is informed that they must contact Brent Council's Building Control Service to discuss Fire Safety issues relating to this development as a matter of urgency."

Impact on neighbours:

Clarification was sought about the height of the proposed building in relation to neighbours. The building would have a maximum height on the boundaries of 3.2m, reducing to 2.5m at the boundaries with No.2 and No.4 Burn's Road. Considering the height of existing structures and boundary treatments on the site and the separation distance to neighbours, the proposed building is considered of an acceptable scale and is considered to form an acceptable relationship with neighbours as discussed in paragraphs 6-22 of the report.

It has been suggested that the access to the site could be fully enclosed with a tunnel-type structure. Whilst this would have the potential to alleviate the noise impact of the development, such a structure could have its own implications in terms of the impact of the structure itself on neighbours, in terms of loss of light and overbearing impacts and such a structure would require planning permission in its own right. For the avoidance of doubt such a structure does not form part of the current proposal.

Further clarification was sought as to the potential impact on the rooflights of the neighbour at 'Fabline' which is the building that Members visited and which serve ground floor habitable rooms. The proposed building would be positioned 0.5m from this neighbour and 0.2m higher than the level of the rooflights in question. This relationship is not considered to create an unacceptable loss of light or overbearing impact on these windows.

Further concern was raised about the noise impact on 'Fabline' in terms of noise transmission through walls. It is acknowledged in paragraph 14 of the report that the flank walls of 'Fabline' directly abut the site. As set out in the report, potential direct contact between users of the site and the walls can be addressed by the introduction of landscaping features. For clarity and the avoidance of doubt, it is recommended that condition 15 is amended to specifically mention the requirement for a landscape buffer around the external walls of 'Fabline'. It is therefore recommended that Condition 15 is re-worded as follows:

A hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. All detailed works shall be carried out as approved prior to the occupation of the building hereby approved. Such details shall include:

*(i) details of soft landscaping including the planting of trees, shrubs and climbing plants and species and pot sizes/spacing, **including details of landscaping adjacent to the flank wall of the neighbour at 'Fabline'***

(ii) details of materials to be used in areas of hard surfacing

Any trees or plants planted in accordance with the approved landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

*Reason: To ensure a satisfactory appearance **and in the interests of visual and neighbouring amenity.***

Reassurance was sought that the proposed acoustic fencing would mitigate the noise impact of the development. Acoustic fencing was introduced as part of the amended scheme and was welcomed by Environmental Health Officers. Acoustic fencing would not eliminate all noise emanating from the site, but Officers consider that they would help mitigate the impact on neighbours and contribute to making the scheme acceptable in terms of neighbouring amenity.

Transportation Issues:

The applicant states that 86% of pupils at the school live in Brent. The applicant has provided Officers with the postcodes of pupils at the school which demonstrates this to be the case and Officers further calculate that the majority of these live within a 2 mile radius of the school. The applicant has requested that the postcode information is treated confidentially. As detailed in paragraphs 23-35 of the report, Officers are satisfied that the proposal would, as far as it is possible to assess, be to the benefit of the provision of school places in Brent and that for this reason the transportation impact of the development would be within acceptable limits.

Sewerage arrangements:

Concerns about sewerage arrangements for the development were reiterated with concerns over the impact on neighbours that emptying septic tanks could have. The applicant has confirmed, as was mentioned at the site visit, that the intention is to connect the proposed development to mains sewers. For clarity, the provision of adequate infrastructure to deal with sewerage would be a requirement of Building Regulations.

Asbestos:

It was mentioned that the buildings on site may contain asbestos. The removal of asbestos would be controlled separately by the Control of Asbestos Regulations 2012. Contractors would have to comply with these regulations and may require a licence from the Health and Safety Executive (HSE).

Side-facing window at 'Fabline'

The issue of the first floor side-facing French doors as mentioned in paragraph 15 of the report was raised. Enforcement Officers have confirmed that one complaint has been received, but no action has been taken at this time. In any event, the treatment of this window opening is not considered material to the determination of this application, save for the fact that it should lawfully be obscure glazed and fixed closed, in accordance with the original approval. The proposal is considered to be acceptable in terms of its relationship with this window for the reasons set down in the report.

Recommendation: Remains approval, subject to amended condition 15 and additional Informative.

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COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 06
Case Number 14/1544

SITE INFORMATION

RECEIVED: 4 June, 2014

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 58 Neasden Lane, London, NW10 2UJ

PROPOSAL: Partial demolition and change of use of the retained building from light industrial (Use Class B1) to 69 room hotel (Use class C1), including ancillary restaurant, 11 car-parking spaces, 1 coach parking bay, 1 taxi bay, 1 servicing bay, 14 cycle parking spaces and associated landscaping, alterations to windows, metal railing and fire escape stairs.

APPLICANT: Skyelady Neasden Limited

CONTACT: AndArchitects

PLAN NO'S: 370(0)001
370(0)002
370(0)003
370(0)004
370(0)005
370(0)006
370(0)010
370(0)011
370(0)012
370(0)101 Rev B
370(0)102
370(0)103
370(0)104 Rev B
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370(0)111
370(0)112
370(0)120
2014-1287-AT-108 Rev A
2014-1287-AT-109 Rev A
2014-1287-AT-110 Rev A

SITE MAP



Planning Committee Map

Site address: 58 Neasden Lane, London, NW10 2UJ

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This map is indicative only.

INTRODUCTION

The application is reported to Planning Committee under the provisions of Clause 24 of the Planning Code of Practice following the resolution at the previous meeting of the Planning Committee on 2nd July 2015 of 'minded to grant' consent for the partial demolition and change of use of the retained building from light industrial (Use Class B1) to 69 room hotel (Use class C1), including ancillary restaurant, 11 car-parking spaces, 1 coach parking bay, 1 taxi bay, 1 servicing bay, 14 cycle parking spaces and associated landscaping, alterations to windows, metal railing and fire escape stairs., contrary to the Officer recommendation to refuse consent.

This report discusses the implications of the committee's resolution, maintains the original recommendation to refuse, but sets out the planning conditions and Section 106 Agreement, that should be attached should the Planning Committee confirm their intention to grant planning permission. A copy of the reports that went to the 2nd July Planning Committee are attached as APPENDIX 1.

At the 2nd July Planning Committee, Members indicated that they were minded to grant planning permission contrary to officers recommendation for refusal because:

- a) The building has been unsuccessfully marketed over a long period of time
- b) The site is close to Neasden tube station.
- c) Difficulty in servicing the site

Employment Land Demand Study Update

The site is allocated in the Local Plan as part of a Locally Significant Industrial Site (LSIS), a designation which is supported by Brent's Employment Land Demand Study (ELDS). Employment land designations are made in order to ensure that the borough plans positively to meet the anticipated needs of business over the planning period, as set out in the NPPF. It is acknowledged that paragraph 22 of the NPPF sets out that where there is no reasonable prospect of a site being brought into use, the long term protection of sites allocated for employment should be avoided and that land allocations should be regularly reviewed.

Since members previous consideration of the proposal, at the committee meeting on 2nd July 2015, the Council's ELDS has been updated in order to take account of a recent update to the GLA's 2015 Industrial baseline review which considers the London-wide demand for industrial land. This work replaces the previous GLA baseline which was established in 2010. The Council's updated ELDS suggest that the need to protect designated industrial sites has increased significantly since 2013. This is due, in part ,to reduced vacancy levels and the reduced supply of industrial employment sites within Brent and across London due in part to the earlier losses of employment land. In view of this, the updated ELDS now recommends that Brent significantly reduce the previously proposed levels of industrial employment land to be released for alternative uses.

The marketing report submitted by the applicant is noted but has limitations in so far as it only considers demand for letting the building in its current form with little regard for alternative redevelopment or disposal options. In any case, the marketing report is a backward looking document, that considers the historic demand for letting the building with little consideration for likely future demand for the site. As members may be aware, significant amounts of employment land have already been identified for released within the West London region. particularly at Old Oak Common where approximately 100ha of designated employment land is likely to be released for mixed use residential-led development. This has contributed to the increased demand for employment land, as evidenced in the GLA's industrial baseline review, as existing businesses seek to relocate to suitable alternative premises which are becoming increasingly scarce. These factors are considered in the Council's Employment Land Demand Study but are not referred to in the applicants marketing report. As such, it is considered that additional weight needs to be given to the wider employment land demand context and the implications of approving the current proposal on safeguarding sufficient employment land to meet future demand.

In terms of precedence, whilst every proposal should be assessed on its individual planning merits, if the current proposal were to be approved it would make it more difficult for the Council to resist similar forms of development on other sites with similar designations. In particular, this could apply the other sites within the LSIS on Neasden Lane and other employment sites close by. This could have a cumulatively negative impact on the Council's ability to ensure an appropriate supply of employment land to meet future needs.

In view of the original discussion and the factors above, officers remain of the view that the proposal is contrary to the NPPF and Local Plan and should be resisted.

Consultation

A site notice has been erected outside of the site advertising the proposal as a departure from the development plan. No further representations have been received to date.

Community Infrastructure Levy

In the event that Members were minded to grant consent for this proposal, the development could potentially be liable for CIL.

Suggested conditions in the event that approval is granted:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with 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 approved shall be carried out in accordance with the following drawings:

- 370(0)001
- 370(0)002
- 370(0)003
- 370(0)004
- 370(0)005
- 370(0)006
- 370(0)010
- 370(0)011
- 370(0)012
- 370(0)101 Rev B
- 370(0)102
- 370(0)103
- 370(0)104 Rev B
- 370(0)105 Rev A
- 370(0)106
- 370(0)110
- 370(0)111
- 370(0)112
- 370(0)120
- 2014-1287-AT-108 Rev A
- 2014-1287-AT-109 Rev A
- 2014-1287-AT-110 Rev A

Reason: In the interests of proper planning.

3. Prior to the commencement of the use, hereby approved, the highway works to enable the relocation of the existing pedestrian crossing on Neasden Lane, indicated on plans 2014-1287-AT-108 Rev A, 2014-1287-AT-109 Rev A and 2014-1287-AT-110 Rev A, shall be completed in full.

Reason: In the interests of highway and pedestrians safety.

4. Further details of the treatment of the forecourt to the front of the development, including details of surfacing materials, soft-landscaping and planting, lighting, drainage and pedestrian access routes shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the commencement of the use, hereby approved.

Reason: To ensure a suitable setting for the development, to ensure suitable provisions for processing surface water and in the interest of highway and pedestrian safety.

5. Further details of all external materials to be used on the development shall be submitted to and approved

in writing by the Local Planning Authority prior to the installation any external materials or finishes to the building and the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity of the surrounding area and the appearance of the development.

INFORMATIVE

1. The applicant is advised to contact the Council's Transportation Unit in respect of compliance with condition 3.

Recommendation : Remains refusal, for the reasons set out in the original report. However if the Planning Committee resolves to grant planning permission, the conditions and Informative set out in this report are recommended.

, subject to the conditions set out in the Draft Decision Notice.



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – REFUSAL

Application No: 14/1544

To: Mr Manuel Nogueira
AndArchitects
16 Mandeville Courtyard
142 Battersea Park Road
London
SW11 4NB

I refer to your application dated 24/04/2014 proposing the following:
Partial demolition and change of use of the retained building from light industrial (Use Class B1) to 69 room hotel (Use class C1), including ancillary restaurant, 11 car-parking spaces, 1 coach parking bay, 1 taxi bay, 1 servicing bay, 14 cycle parking spaces and associated landscaping, alterations to windows, metal railing and fire escape stairs.

and accompanied by plans or documents listed here:

- 370(0)001
- 370(0)002
- 370(0)003
- 370(0)004
- 370(0)005
- 370(0)006
- 370(0)010
- 370(0)011
- 370(0)012
- 370(0)101 Rev B
- 370(0)102
- 370(0)103
- 370(0)104 Rev B
- 370(0)105 Rev A
- 370(0)106
- 370(0)110
- 370(0)111
- 370(0)112
- 370(0)120
- 2014-1287-AT-108 Rev A
- 2014-1287-AT-109 Rev A
- 2014-1287-AT-110 Rev A

at 58 Neasden Lane, London, NW10 2UJ

The Council of the London Borough of Brent, the Local Planning Authority, hereby REFUSE permission for the reasons set out on the attached Schedule B.

Date:

Signature:

Note

Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.

DnStdR

PROACTIVE WORKING STATEMENT

REASONS

- 1 The proposed development would result in the inappropriate loss of employment land, for which there is an identified demand, within a Locally Significant Industrial Site to the detriment of the function and viability of the designated Locally Significant Industrial Site and to the objective of ensuring an appropriate supply of employment land for businesses within the borough contrary to policy CP20 of the London Borough of Brent Core Strategy 2010, policy 4.4 of the London Plan 2015 and the objectives of the National Planning Policy Framework 2012.

- 2 In the absence of evidence to demonstrate otherwise, the proposed development would result in the inappropriate siting of a hotel, a main town centre use, in an out-of-centre location to the detriment of the vitality and viability of preferred locations including nearby town centres and the Wembley Strategic Cultural Area contrary to saved policy TEA6 of the London borough of Brent Unitary Development Plan 2004, policy 4.5 of the London Plan 2015 and the objectives of the National Planning Policy Framework 2012.

Any person wishing to inspect the above papers should contact Ben Martin, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231

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Appendix 1

Previous Committee report

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

2 July, 2015
11
14/1544

SITE INFORMATION

RECEIVED: 4 June, 2014

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 58 Neasden Lane, London, NW10 2UJ

PROPOSAL: Partial demolition and change of use of the retained building from light industrial (Use Class B1) to 69 room hotel (Use class C1), including ancillary restaurant, 11 car-parking spaces, 1 coach parking bay, 1 taxi bay, 1 servicing bay, 14 cycle parking spaces and associated landscaping, alterations to windows, metal railing and fire escape stairs.

APPLICANT: Skyelady Neasden Limited

CONTACT: AndArchitects

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370(0)112
370(0)120
2014-1287-AT-108 Rev A
2014-1287-AT-109 Rev A
2014-1287-AT-110 Rev A

SITE MAP



Planning Committee Map

Site address: 58 Neasden Lane, London, NW10 2UJ

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This map is indicative only.

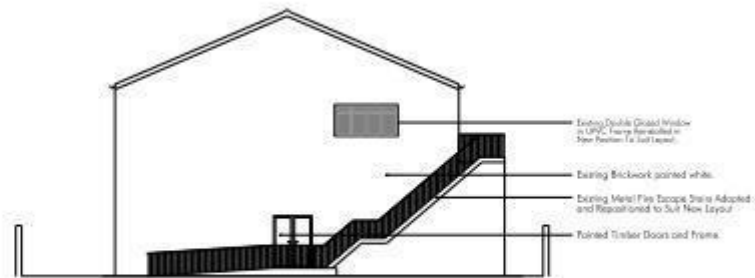
SELECTED SITE PLANS

SELECTED SITE PLANS

Proposed front and rear elevations

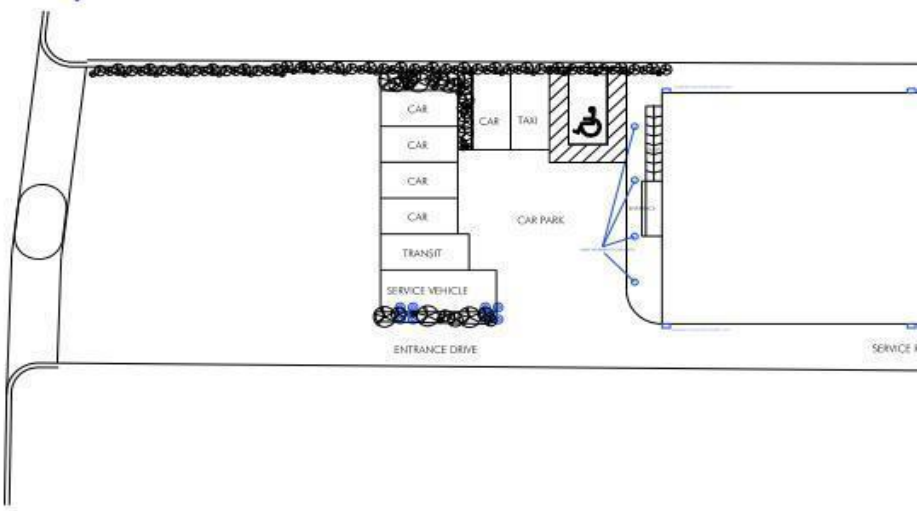


Front Elevation

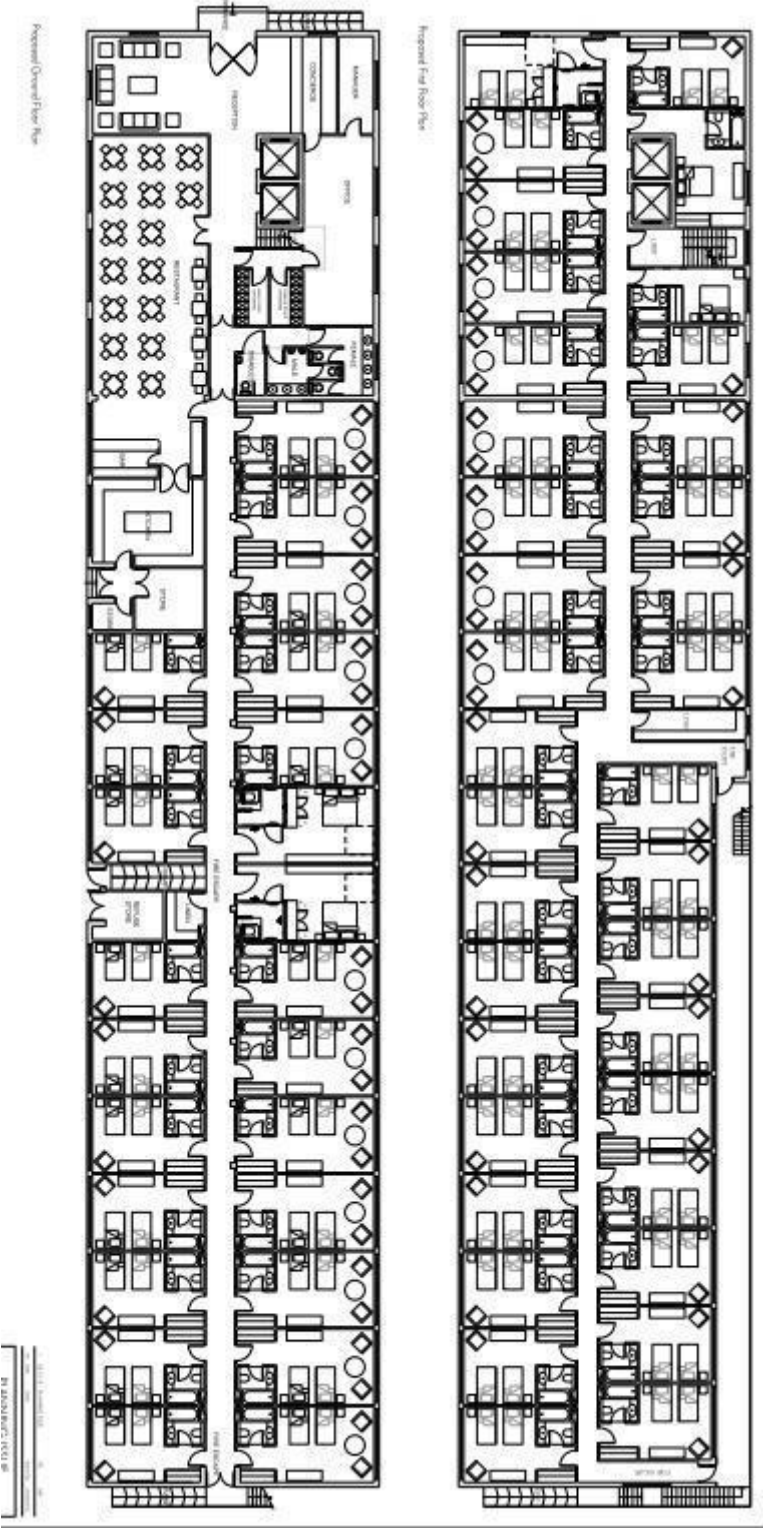


Rear Elevation

Proposed Forecourt



Floorplans



RECOMMENDATIONS

Refusal, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

As above

B) EXISTING

The subject site, located on the eastern side of Neasden Lane, has an area of 0.2ha and is currently occupied by a 1/2/3-storey light industrial building.

The site is located within a designated Locally Significant Employment Site which also includes the adjacent buildings on either side of the subject site. The site is located approximately 140m from Neasden station.

C) AMENDMENTS SINCE SUBMISSION

Follow submission the proposed forecourt and vehicular access arrangements have been amended to address transport issues relating to the servicing of the site by coaches.

D) SUMMARY OF KEY ISSUES

The proposed development would involve the partial demolition and conversion of the existing industrial building to provide a hotel on the site. The site is designated in the Local Plan as part of a Locally Significant Employment Site and therefore there is a general presumption in favour of retaining industrial employment uses on the site. The key issues are considered to be:-

- 1) Whether there are any material considerations that would justify the loss of the existing employment use given that the building is within a Locally Significant Industrial Site.
- 2) Notwithstanding point 1, whether a hotel would be an acceptable alternative use.

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	3015		3015	0	-3015
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	2611	2611
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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RELEVANT SITE HISTORY

Reference No	Proposal	Decision	Reason
05/0008	Demolition of existing commercial building, erection of five-storey building, consisting of B1 and B8 uses, with ancillary coffee bar (A3) and retail unit (A1), provision for 32 standard and 3 disabled parking bays (as accompanied by project report with reference REL/01.DOC and photographs with reference DOCFOT/01.DOC)	Withdrawn	
92/0231	Certificate of Lawful Development for "CHANGE OF USE FROM GENERAL INDUSTRY (B2) TO LIGHT INDUSTRY (B1). (B1)."	Certificate Grant	Planning permission not required for the proposed change of use

CONSULTATIONS

Letters, dated 9th June 2014, were sent to Ward Councillors and 39 neighbouring owner/occupiers. In response 1 letter of support and 1 letter of objection were received. The objector is concerned that the proposals would add to traffic congestion on Neasden Lane. This objection is considered at paragraph 9 within the 'Detailed Considerations' section of the report.

Consultees

Transportation Unit - Following revisions to the proposed access and parking arrangements for the site the Council's Transportation Unit do not object to the current proposal.

Planning Policy - Planning Policy Officers object to the principle of the proposed development as it would result in the loss of a Locally Significant Employment Site and proposes a hotel use in an inappropriate location. These concerns are covered in more detail in the 'Detailed Considerations' section of the report.

Thames Water - No objection to the proposal.

POLICY CONSIDERATIONS

National Planning Policy Framework (NPPF) 2012

National Planning Policy Guidance

London Plan 2013

4.4 Managing Industrial Land and Premises

London Borough of Brent Core Strategy 2010

CP16 Town Centres and the Sequential Approach to Development

CP20 Strategic Industrial Locations and Locally Significant Industrial Sites

London Borough of Brent Unitary Development Plan 2004 ('saved' Policies)

TEA6 Large Scale Hotel Development

DETAILED CONSIDERATIONS

Land Use Principles

1. The site is located within a Locally Significant Industrial Site (LSIS), which has been designated due to its significance to Brent's economy in terms of ensuring an appropriate supply of land for industrial employment uses. The site also incorporates the vehicle repair facility at 60 Neasden Lane to the north and the cluster of industrial units known as Falcon Park Industrial Park to the south of the subject site
2. Policy CP20 of the Council's Core Strategy, seeks to protect LSIS's for industrial employment uses characterised by use classes B1, B2 and B8, or closely related Sui Generis uses. The proposed change of use of the site to a hotel (Use Class C1) would not generally accord with policy CP20 and would result in the loss of employment land required to meet anticipated need. The introduction of a hotel use in this location would also threaten the character and function of the wider LSIS.
3. As set out in the National Planning Policy Framework the planning system is to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support economic growth. Paragraph 21 of the NPPF outlines the requirement for local planning authorities in their Local Plan to; *'meet the anticipated needs of businesses over the planning period'*. In order to ensure that the borough is planning properly to meet the anticipated needs of businesses, whilst also ensuring that where appropriate employment land is released for other important uses such as affordable housing, the Council commissioned an Employment Land Demand Study (ELDS) in 2013 to undertake a quantitative and qualitative review of existing employment land within the borough in terms of ensuring an appropriate supply sites to meet the current and future demand of local businesses.
4. The ELDS sought to not only assess the overall supply of land for industrial employment purposes but also to consider the qualities of particular sites in terms of their appropriateness for continued employment use. The ELDS scores the Neasden Lane site highly and recommends it is retained in employment use in order to help meet forecast demand for employment land. This managed approach to retaining employment land to meet business need, whilst releasing those sites which score poorly against criteria in the GLA Transport and Industry SPG, is an approach to industrial land management which is very much in keeping with the NPPF and London Plan policy 4.4 (Managing Industrial Land and Premises).
5. The applicant highlights the poor condition of the existing building and points to the fact that the building has been largely vacant for some time in support of the proposals. A marketing report has been provided which seeks to demonstrate that the building remains vacant despite reasonable marketing efforts to lease the premises. Whilst the content of the marketing report is duly noted, officers would advise that unlike undesignated local employment sites, the planning policy position in respect of LSIS's does not allow for the release of such sites for alternative uses on the basis of such marketing information. The policy designation as a LSIS is concerned with the overall supply of industrial employment land and even if the applicant were able to demonstrate that there is little demand for the existing building on site this does not preclude the possibility of the site being brought forward for redevelopment to provide alternate employment premises for which there may be a greater demand.
6. Similarly, it is acknowledged that a hotel use would provide employment, in terms of the staff required to run and maintain the hotel. However, again, the policy position in respect of the LSIS is intended to protect an appropriate amount of land for industrial uses and employment in order to ensure that the borough provides a balanced and diverse range of job opportunities for local people. Whilst it could be argued that the proposed use might provide a greater number of jobs than would be provided by some forms of industrial use, such as warehousing, the release of the site would reducing opportunities for employment within the industrial sector, whilst providing jobs which could be provided for in more appropriate locations
7. Notwithstanding the position in respect to the loss of the existing employment use, even if the loss were accepted there are concerns regarding the proposed hotel as an alternative use for the site. The NPPF identified hotels as a main town centre use, and therefore a sequential test should be applied to ensure that there are not more appropriate sites available in town centre, or edge of centre, locations that could be utilised to provide hotel accommodation. In the first instance main town centre uses, such as hotels, should be directed to town centres, then in edge of centre locations. Saved UDP policy TEA6 which states large-scale hotel developments should be located within town centre, edge-of-centre of the Wembley Strategic Cultural Area. Furthermore, London Plan policy 4.5 (London's visitor infrastructure) states outside of the Central Activities Zone hotel development should be directed to town centres. The site is located over 300m from Neasden town centre boundary, the closest centre, and would therefore be considered an out-of-centre location. The applicant has failed to demonstrate that sequentially there are no preferable sites available that could accommodate the proposed use and therefore it is not

considered that the provision of a hotel in this out of centre location should be supported. In the absence of evidence to suggest otherwise, allowing a hotel use in this location would undermine efforts to ensure the vitality of town centres.

Transportation

8. The subject site has good access to public transport (PTAL4) being approximately 140m from Neasden station with 6 bus services running locally. The site is located within a controlled parking zone operating on weekdays between 8.30am and 6.30pm.
9. The original submission would have included some 26 parking spaces which would have exceeded the Council's maximum parking standards for the proposed use. The proposals have now been amended to reduce the level of on-site parking to 11 spaces which would comply with the parking standard and would help reduce the impact of the proposal on traffic levels within the locality of the site. Given the reduced levels of parking and access to public transport it is not considered that the proposal would give rise unacceptable traffic problems within the vicinity of the site.
10. The original proposal did not present a feasible solution in terms of allowing coaches to enter and exit the site which is required as it would be unacceptable to service coaches from this busy section of Neasden Lane. In order to address this issue the proposal has been revised, including the proposed relocation of an existing pedestrian crossing, to ensure that coaches can safely service the site. The Council's Transportation Unit have confirmed that they are now happy with the proposed access arrangements, although the relocation of the pedestrian crossing would require the applicant to enter into a s278 agreement with the Council.
11. The proposals would; provide disabled parking, servicing, taxi parking and cycle storage to plan standards.

Design

12. The proposed development would generally involve the partial demolition of the three-storey front section of the existing building, to provide an enlarged forecourt area, and the conversion of the existing building. The conversion works would involve alterations to the existing building, which is of limited architectural merit. These would include changing the facades of the existing building, remodeling the front three-storey section including the provision of a pitched roof and extending the central section upwards to provide two-storeys. The alterations would not significantly change the scale or siting of the building and overall the changes would be appropriate within the context of hotel development.

Impact of Neighbouring Properties

13. The site is adjoined on either side by industrial buildings and therefore there is unlikely to be any significant impact on these sites. To the rear the site adjoins Northview Primary School. The proposed rear elevation, facing the school, would include a single window serving a fire escape corridor and therefore if overlooking were a concern this window could be treated with obscured glazing. Overall, it is not considered that there would be any significant impact on the adjoining school.

Summary

14. Officers have fundamental concerns regarding the principle of the proposed change of use of the site and the impact that this would have on the boroughs ability to ensure an appropriate supply of employment land for businesses. If the proposal were to be allowed this could undermine the policy protection on other employment premises within this Locally Significant Industrial site and may harm the viability and function of this important employment area. As such, refusal is recommended.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – REFUSAL

Application No: 14/1544

To: Mr Manuel Nogueira
AndArchitects
16 Mandeville Courtyard
142 Battersea Park Road
London
SW11 4NB

I refer to your application dated 24/04/2014 proposing the following:
Partial demolition and change of use of the retained building from light industrial (Use Class B1) to 69 room hotel (Use class C1), including ancillary restaurant, 11 car-parking spaces, 1 coach parking bay, 1 taxi bay, 1 servicing bay, 14 cycle parking spaces and associated landscaping, alterations to windows, metal railing and fire escape stairs.

and accompanied by plans or documents listed here:

370(0)001
370(0)002
370(0)003
370(0)004
370(0)005
370(0)006
370(0)010
370(0)011
370(0)012
370(0)101 Rev B
370(0)102
370(0)103
370(0)104 Rev B
370(0)105 Rev A
370(0)106
370(0)110
370(0)111
370(0)112
370(0)120
2014-1287-AT-108 Rev A
2014-1287-AT-109 Rev A
2014-1287-AT-110 Rev A

at 58 Neasden Lane, London, NW10 2UJ

The Council of the London Borough of Brent, the Local Planning Authority, hereby REFUSE permission for the reasons set out on the attached Schedule B.

Date:

Signature:

Note

Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.

DnStdR

PROACTIVE WORKING STATEMENT

REASONS

- 1 The proposed development would result in the inappropriate loss of employment land, for which there is an identified demand, within a Locally Significant Industrial Site to the detriment of the function and viability of the designated Locally Significant Industrial Site and to the objective of ensuring an appropriate supply of employment land for businesses within the borough contrary to policy CP20 of the London Borough of Brent Core Strategy 2010, policy 4.4 of the London Plan 2015 and the objectives of the National Planning Policy Framework 2012.

- 2 In the absence of evidence to demonstrate otherwise, the proposed development would result in the inappropriate siting of a hotel, a main town centre use, in an out-of-centre location to the detriment of the vitality and viability of preferred locations including nearby town centres and the Wembley Strategic Cultural Area contrary to saved policy TEA6 of the London borough of Brent Unitary Development Plan 2004, policy 4.5 of the London Plan 2015 and the objectives of the National Planning Policy Framework 2012.

MEMBERS CALL IN PROCEDURE

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

Name of Councillor

Cllr Bhagwanji Chohan

Date and Reason for Request

20/04/2015 - Due to the nature of this application, I believe that this application should be considered by the Planning Committee.

Details of any representations received

Mr. Hamza Ali

Name of Councillor

Cllr Joshua Murray

Date and Reason for Request

28/04/2015 - Due to the nature of this application, I believe that this application should be considered by the Planning Committee.

Details of any representations received

Mr. Hamza Ali

Name of Councillor

Cllr Wilhelmina Mitchell Murray

Date and Reason for Request

28/04/2015 - Due to the nature of this application, I believe that this application should be considered by the Planning Committee.

Details of any representations received

Mr. Hamza Ali

Any person wishing to inspect the above papers should contact Ben Martin, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231

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Supplementary Information

Planning Committee on 2 July, 2015 Case No. 14/1544

Location 58 Neasden Lane, London, NW10 2UJ

Description Partial demolition and change of use of the retained building from light industrial (Use Class B1) to 69 room hotel (Use class C1), including ancillary restaurant, 11 car-parking spaces, 1 coach parking bay, 1 taxi bay, 1 servicing bay, 14 cycle parking spaces and associated landscaping, alterations to windows, metal railing and fire escape stairs.

Agenda Page Number: 175

Councillor Representation

Councillors K.Hirani and J.Long have submitted representations as Ward Councillors in support of the scheme. They say that the site is derelict and is of no benefit to the area. This application will bring a minimum of 25 jobs to the area which is an improvement on zero. In addition there will also be jobs during the construction of the development which have not been counted in the 25 figure. In terms of whether a hotel is an acceptable use, there has been a spike in hotel development in Wembley and all seem to be thriving. The Neasden location identified is opposite Neasden Tube Station and is ideally located for a Central London commute.

Site Visit

Following the recent site visit clarification is provided on a number of issues seeking to emphasise the fundamental nature of the planning considerations here. These are addressed below.

Hotel Use

As set out in the main report, the NPPF and local planning policy defines hotel development as a main town centre use and sets out that a sequential test should be applied to proposals whereby such uses are only permitted in out-of-centre locations where there are no sites available in nearby town centre or edge of centre locations. During the site visit clarification was sought in terms of the sites location in relation to Neasden town centre and Church Road local centre. The subject site is located at least 400m and 850m from the boundaries of Neasden town centre and Church End local centre, respectively. The NPPF clarifies that in order for a site to be considered edge-of-centre it must be within 300m of the town centre boundary. As such, the site is clearly neither in a town centre location nor an edge of centre location and therefore in the absence of evidence to demonstrate that there are no other sequentially preferable locations available locally, the proposals are not considered to comply with the NPPF or the Local Development Plan.

Vacancy

During the site visit it was observed that the building is largely vacant at present, particularly in terms of industrial employment use. As set out in the main report the applicant has provided a marketing report detailing the efforts that have been made to find a tenant for the existing building since April 2013. Officers acknowledge that the site has been vacant for some time but would point out that in the case of sites within Locally Significant Industrial Sites

(LSIS), planning policy does not allow for their release purely on the basis of vacancy alone, unlike undesignated Local Employment Sites. The planning policy position is concerned with the supply of land for industrial employment uses and whilst it may be the case that there is only limited demand for the existing building on site, perhaps due to its poor condition, that the Employment Land Demand Study does provide evidence for protecting the amount of land required for such uses, even if that land needs to be redeveloped, either partially or wholly, in order to meet the needs of Brent's businesses. It is noted that the marketing study provided is focussed on finding a tenant for the existing building rather than promoting the site for redevelopment for alternative industrial employment uses.

Employment

The planning policy position on LSIS protects the site for industrial employment uses. Whilst it is acknowledged that a hotel would also generate employment, as discussed above, this type of employment may be more appropriately provided for within town centres and edge of centre locations. The designation of LSIS's provides land for local employment within the industrial sector, and therefore whilst a hotel use may, or may not, provide more jobs than an industrial use on the site it ensures that land is available for a diverse range of employment uses.

Recommendation: Remains Refusal

DocSuppF

COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 07
Case Number 15/2093

SITE INFORMATION

RECEIVED: 18 May, 2015

WARD: Preston

PLANNING AREA: Wembley Consultative Forum

LOCATION: 66 Llanover Road, Wembley, HA9 7LT

PROPOSAL: Erection of a 2 storey 3 bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road including the provision of off street car park and bin store

APPLICANT: Mr Xiu Ping Lin

CONTACT: new image design

PLAN NO'S: Please see condition 2.

SITE MAP



Planning Committee Map

Site address: 66 Llanover Road, Wembley, HA9 7LT

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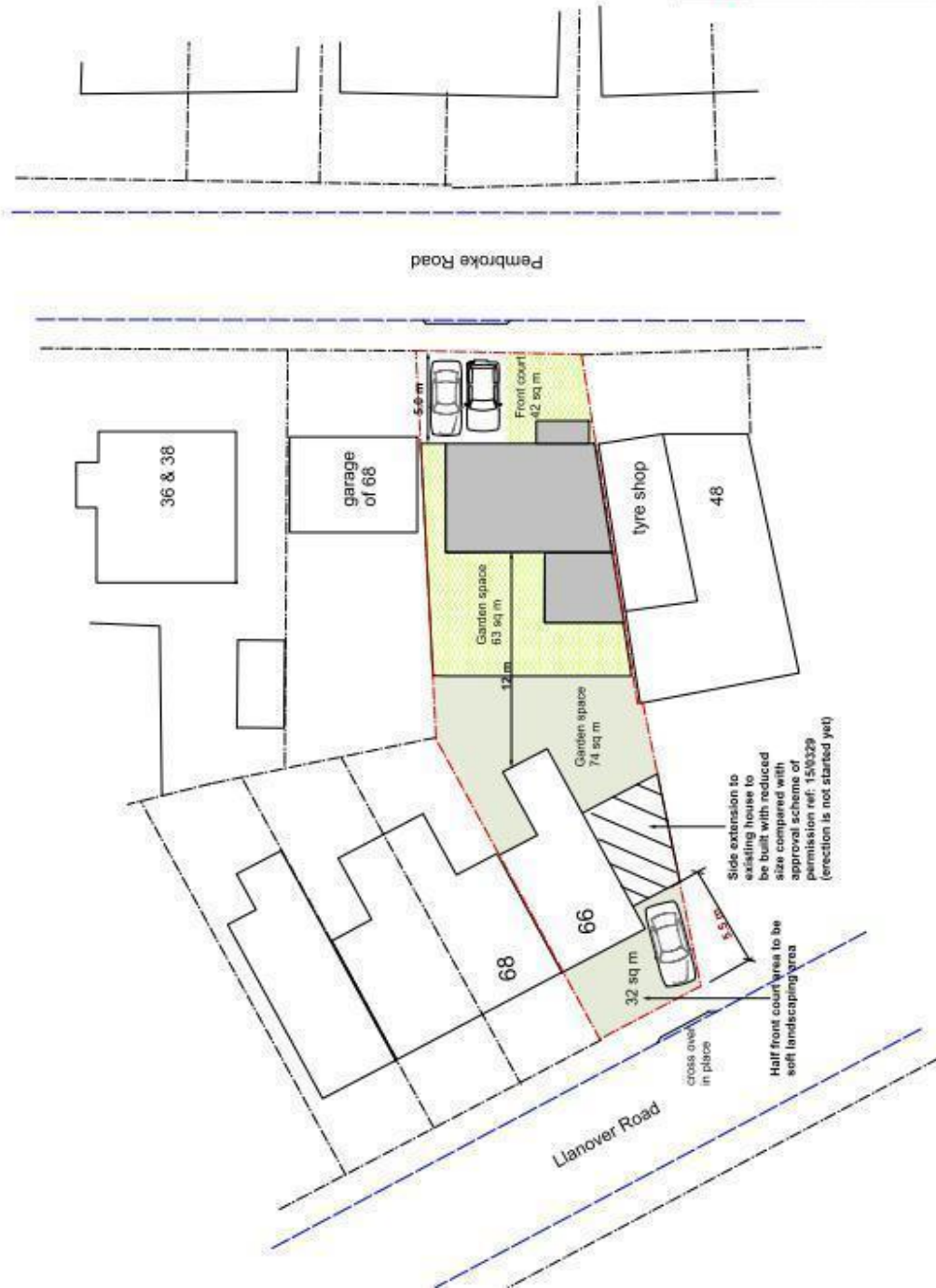
© Crown copyright and database rights 2015 Ordnance Survey 100025260

This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

Proposed Block Plan

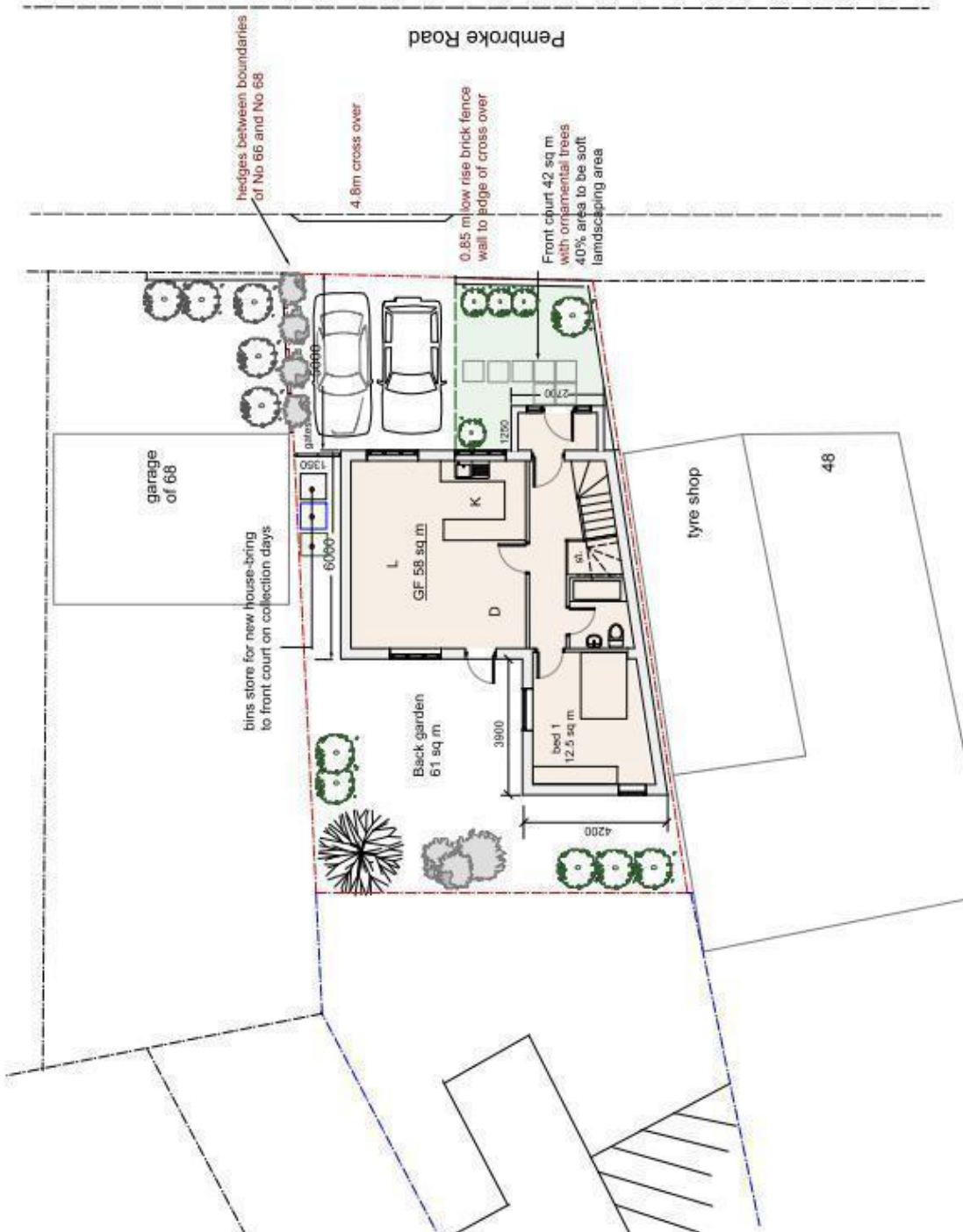
ALL DIMENSIONS SUBJECT TO MEASUREMENTS ON SITE. CONTRACTORS TO INFORM OF ANY MAJOR DISCREPANCIES SHOULD THEY APPEAR.



NEW IMAGE DESIGN Architectural & Planning No. 028104000	
Project Site: 66 Llanover Road, North Wembley, HA9 7LT	
Client: Mr Lin	
Drawing Title: Proposed Block Plan	
Drawing No.: 436/PL/03	
Date: Aug/2015	Scale: 1:200
	B

Proposed Ground Floor Plan

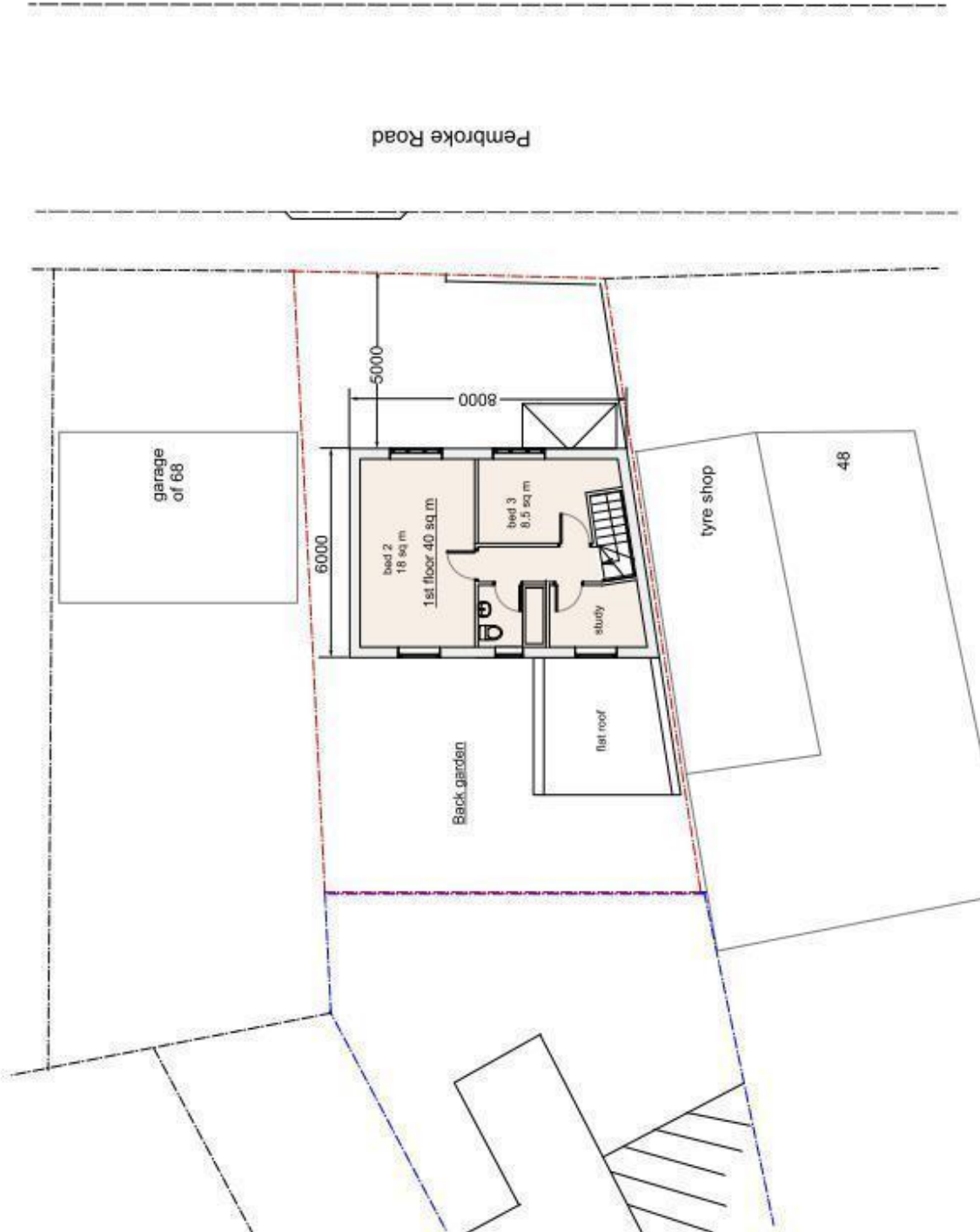
 NEW IMAGE DESIGN 24 Trevoran Road London W11 2SE Tel: 0203048181	
Project Site:	Land to the back of 66 Liarcover Road, North Wembley, HAS 7LT
Client:	Mr Lih
Drawing Title:	Proposed Ground Floor Plan
Drawing No.:	436/PL04
Date:	Aug/2015
Scale:	1:100
	B



Proposed First Floor Plan

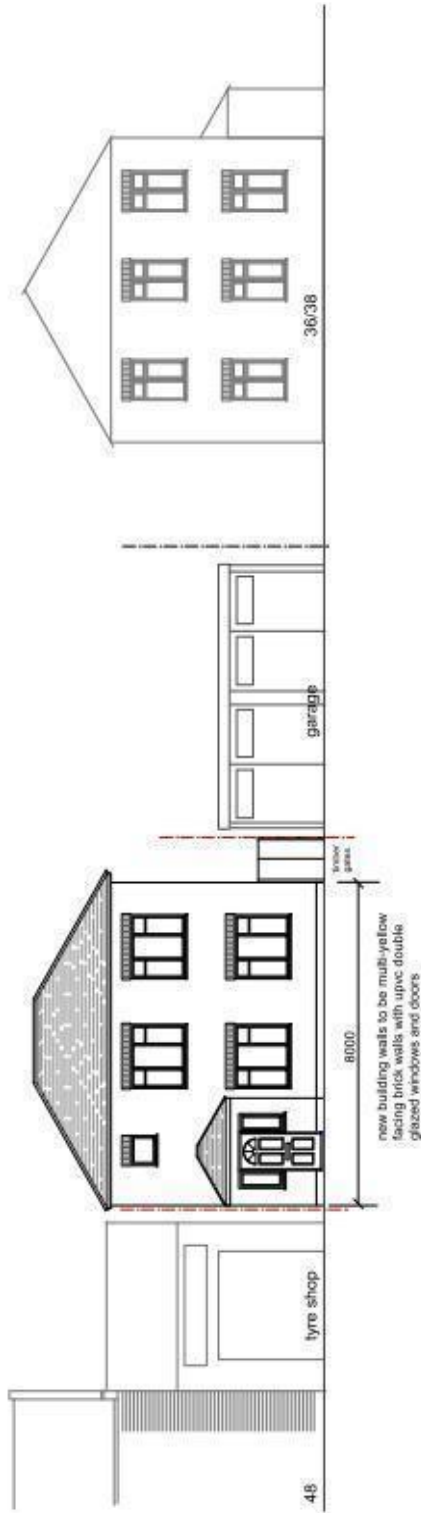
ALL DIMENSIONS SUBJECT TO MEASUREMENTS ON SITE. CONTRACTORS TO INFORM OF ANY MAJOR DISCREPANCIES SHOULD THEY APPEAR.

NEW IMAGE DESIGN <small>28 Princes Road Llanwrithy Island Tel: 0300 333 333</small>	
Project Site:	Land to the back of 86 Llanwrithy Road, North Wem, Wrexham, LL9 7LT
Client:	Mr Liu
Drawing Title:	Proposed 1st Floor Plan
Drawing No.:	436/PL/05
Date:	April 2015
Scale:	1:100



Proposed Elevations

ALL DIMENSIONS SUBJECT TO MEASUREMENTS ON SITE. CONTRACTORS TO INFORM OF ANY MAJOR DISCREPANCIES SHOULD THEY APPEAR.



PROPOSED FRONT ELEVATION

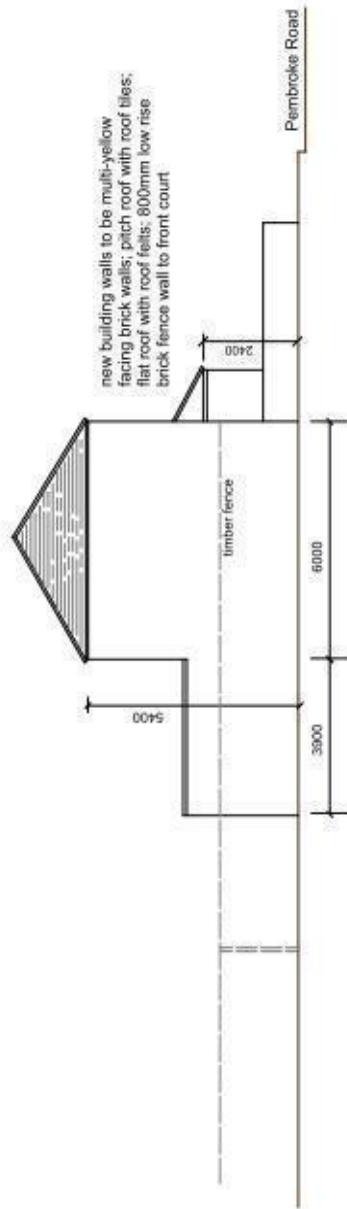


PROPOSED BACK ELEVATION

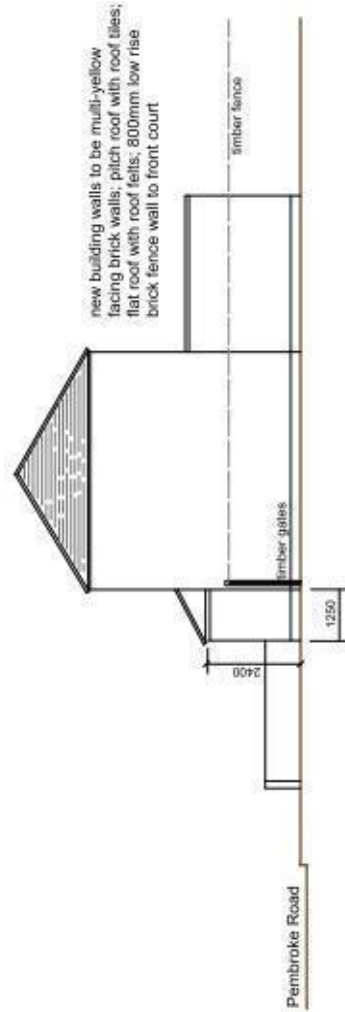
	
Project Site: Land to the back of 86 Lisnower Road, North Wembley, HA8 7LF	
Client: Mr Lin	Drawing Title: Proposed Front & Back Elevations
Drawing No.: 436/PLJ07	Date: April 2015
Scale: 1:100	

Proposed Elevations

ALL DIMENSIONS SUBJECT TO MEASUREMENTS ON SITE. CONTRADICTIONS TO INFORM OF ANY MAJOR DISCREPANCIES SHOULD THEY APPEAR.



PROPOSED SIDE ELEVATION (south)



PROPOSED SIDE ELEVATION (north)

	
Project Site: Land to the back of 86 Llanover Road, North Wembley, HA9 7LT	
Client:	Mr Lin
Drawing Title:	Proposed Side Elevations
Drawing No.:	4-3E/PL/08
Date:	April 2015
Scale:	1:100

RECOMMENDATIONS

Grant consent, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

The application seeks planning permission for the erection of a 2 storey 3 bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road including the provision of off-street parking and bin store.

This is a revised submission following the refusal of various proposals for a new building on this site (LPA Refs: 12/0303, 12/2203, 13/2467 & 14/0544). The most recent planning application (LPA Ref: 14/0544) was submitted last year for the erection of 2 x 1-bed flats on the land rear of number 66. No decision was made and therefore an appeal was made against the Council's non-determination of the application within the statutory time period. The appeal was dismissed by the inspector who determined that the proposal would result in high demand for on-street parking which could not be safely accommodated within the site.

B) EXISTING

The site contains a two storey end of terrace dwellinghouse which fronts Llanover Road. The site also has a frontage on Pembroke Road.

The site is bordered to the south by a small tyre centre however all other properties within the immediate vicinity are residential in nature.

The property is not situated within the Conservation Area nor does it contain a Listed Building. It is however identified as being within an Area of Distinctive Residential Character.

C) AMENDMENTS SINCE SUBMISSION

- Revised plan has been submitted demonstrating that one off-road parking space will remain for the existing dwelling at No. 66 and will be accessed from Llanover Road.
- Revised plan showing two car parking spaces for the new dwelling and associated changes to the crossover.

D) SUMMARY OF KEY ISSUES

Principle of the development: Llanover Road, Pembroke Road and the surrounding area is residential in nature and as such the introduction of the proposed residential unit is acceptable in terms of the character and use.

Design, impact on street scene and locality: The proposal is considered to have an acceptable relationship with surrounding properties and does not detract from the character or appearance of the street scene or locality.

Standard of accommodation: The dwelling exceeds the London Plan floor space standards and will provide an acceptable standard of accommodation and amenity for future occupiers.

Impacts on neighbouring amenity: The development would not have a significant overbearing impact, result in overlooking, loss of light or overshadowing to neighbouring properties.

Car parking provision, access and highway safety: Two off-street car parking spaces are provided for the new dwelling. Consequently the previous reason for refusal raised by the Inspector has been satisfactorily addressed.

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	0	0	0	98	98

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

15/0329 - Single storey side extension to dwellinghouse. **Granted 09.04.2015.**

14/4635 - Proposed erection of single storey side extension and single storey rear extension to dwellinghouse. **Refused 23.01.2015.**

14/0544 - Erection of a two storey building providing 2 x 2 studio flats on land to the rear of 66 Llanover Road, fronting Pembroke Road. **Dismissed at appeal 29.08.2014.**

13/2467 - Erection of a two storey two bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road. **Refused 14.11.2013.**

13/1130 - Proposed vehicle crossover to dwellinghouse. **Granted 15.07.2013.**

13/1128 - Certificate of lawfulness for proposed single storey rear infill extension and new detached garage to rear of dwellinghouse. **Refused 08.07.2013.**

13/0272 - Erection of single storey side and rear extensions to dwellinghouse. **Refused 28.03.2013.**

12/2203 - Proposed construction of a new dwelling house to the rear of 66 Llanover Road, fronting Pembroke Road. **Refused 11.10.2012.**

12/0303 - Erection of a 2 storey 3 bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road. **Refused 03.04.2012.**

CONSULTATIONS

Six properties were notified on 1 June 2015.

2 individual representations were received objecting to the proposal. A petition was also received containing 7 signatures from 7 different addresses, objecting to the proposal. The points made in these representations are summarised below:

Objections	Response
Inappropriate development which will erode the character of the surrounding area	This is addressed in paragraph 10. Additionally the Planning Inspector found that the previous scheme would not have a detrimental effect on the character of the area.
The property will result in a loss of light to nearby properties	This is addressed in paragraph 25. The Planning Inspector nspector previously found that a building in this location would not have a harmful effect on the living conditions of existing residents..
Development is cramped in nature	This is addressed in paragraph 10. The Planning Inspector found the proposal to have regard to the local context and not cause harm to the

	character of the area.
Resultant gardens will not be consistent with other houses in the street	This discussed in paragraph 11. The Planning Inspector previously found that the remaining garden areas would be comparable in size with others in the vicinity.
Will result in more cars being parked on the street adding to congestion	These issues are addressed in paragraph 32 following consultation with the Councils Transportation department.
There will be a reduction in highway safety	As above.
Loss of green space in the locality	This is addressed in paragraph 8. The Planning Inspector previously found that the application site and adjoining plot do not represent a significant green space.

Transportation

Subject to a condition requiring the submission and approval of a revised site layout plan showing: (i) retention of one off-street parking space to a minimum length of 4.8m for the existing house, accessed from Llanover Road; and (iii) 50% soft landscaping to be retained to the front of the new dwelling house site with details of front boundary walls to be extended to the edge of the crossover, plus a financial contribution of at least £3,000 towards sustainable transport improvements through the CIL, there would be no objections on transportation grounds to this proposal.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

London Plan 2011

Policy 3.5 – Quality and design of housing developments

Brent UDP 2004

STR11 – The quality and character of the Borough’s built and natural environment will be protected and enhanced; and proposals which would have a significant harmful impact on the environment or amenities of the Borough will be refused.

STR14 – New development will be expected to make a positive contribution to improving the quality of the urban environment in Brent by being designed with proper consideration of key urban design principles relating to townscape (local context and character), urban structure (space and movement), urban clarity and safety, the public realm (landscape and streetscape), architectural quality and sustainability.

BE2 – Townscape: Local Context & Character

BE3 – Urban Structure

BE6 – Landscaping

BE7 – Public Realm: Street scene

BE9 – Architectural Quality

EP2 – Noise and Vibration

H11 – Housing on Brownfield Sites

H12 – Residential Density – Layout Considerations

TRN3 – Environmental Impact of Traffic

TRN11 – Cycle Parking

TRN23 – Parking Standards - Residential Developments

TRN24 – On-Street Parking

Brent Core Strategy – July 2010

CP2 – Population & Housing Growth

CP17 – Protecting & Enhancing the Suburban Character of Brent

CP21 – A Balanced Housing Stock

DETAILED CONSIDERATIONS

1. Key considerations

2. The main issues of relevance in regard to this application are the Principle of the development; Design, impact on street scene and locality; Standard of accommodation; Impacts on neighbouring amenity; Refuse and storage; Car parking provision, access and highway safety; and whether the previous reason for refusal has been addressed.

3. Principle of development

4. Llanover Road, Pembroke Road and the surrounding area is residential in nature and as such the introduction of the proposed residential unit is acceptable in terms of the character and use. Additionally the proposal will see the creation of a two storey, three bedroom dwellinghouse which will contribute towards the boroughs need for family sized housing.

5. Policy CP17 of Brent's Core Strategy seeks to "limit inappropriate development of back gardens that erode the character of suburban areas". The principle of a new residential building in this plot has been supported by an Inspector at appeal (APP/T5150/A/14/2219616).

6. Design, impact on street scene and locality

7. The site is located within an Area of Distinctive Residential Character. As such the design of any building is particularly important. The area is characterised by two storey dwellings and the existing property within the application site (No. 66 Llanover Road) is also two storey.

8. The application site forms part of the rear garden of the dwelling at 66 Llanover Road, although it has a frontage onto Pembroke Road. This road is characterised by two storey detached and semi-detached houses arranged on a consistent building line. The subject site, together with the adjoining garden to the rear of 68 Llanover Road, which also has a frontage onto Pembroke Road, provides a break in this general pattern of built form. However, the adjoining garden accommodates a detached domestic garage and the application site, at the time of the officer's site visit, was enclosed with hoarding. The application site does not contain any substantial planting. Consequently the gardens do not represent a significant green space making an important contribution to the character and appearance of the area.

9. Previously the Planning Inspector found that *'The proposed building would be modestly scaled and sited to conform with the prevailing building line. Although the building would take up most of the width of the site, the adjoining domestic garage would separate it from the two storey building at 36/38 Pembroke Road and ensure that the rhythm of built form along the street would not be disrupted.'*

10. The proposed building is slightly larger and of a slightly different design to that previously proposed, however, it is considered to remain at an appropriate scale and the two storey, hipped, pitched roof design is considered to be consistent with the surrounding development. The proposal would not have a detrimental effect on the character and appearance of the area, as such it would accord with Brent UDP policy BE2 which requires proposals to be designed with regard to their local context and not cause harm to the character and appearance of the area.

11. Whilst it is recognised that the proposal would reduce the size of the garden of number 66, the remaining area would be comparable in size with others in the vicinity.

12. Overall, the proposal is considered to have an acceptable relationship with surrounding properties and does not detract from the character or appearance of the street scene or locality.

13. Standard of accommodation

14. The proposed Gross Internal Area (GIA) for the dwelling exceeds the London Plan floor space standards as stipulated within table 3.3 of Policy 5.3. The proposal provides 98sqm GIA and the London Plan stipulates that 95sqm is required.

15. The internal layout is highly usable. All habitable rooms have major window facing the front court (street) or back garden. The provision of bedroom and toilet/bathroom on ground floor gives the possibility of the dwelling to be a life time home.

16. Brent's Supplementary Planning Guidance 17 for New Development (SPG17), stipulates that family housing should have a minimum of 50sqm of private amenity space and the proposed units are well above this level. The submitted block plan shows the provision of a back garden for new dwelling providing 63sqm of amenity space. The existing dwelling will retain 74sqm of amenity space in the rear garden.

17. There is ample defensible space to the front of the proposed dwelling with some soft landscaping and car parking space being provided. This will help provide some privacy to the properties from the street scene without removing natural surveillance.

18. It is not considered that the new house will be detrimentally overlooked by the surrounding houses. This is because of their orientation in relation to the new houses and the location of habitable room windows on the new property.

19. The proposed dwelling is considered to provide an acceptable standard of accommodation and amenity for future occupiers.

20. Impact on neighbouring amenity

21. The main two storey element of the proposed new house retains the same depth (6 metre) and location as the proposed building in the most recent application (Ref 14/0544). The proposed dwelling would therefore be sited to align with the buildings on either side of it. It would be no deeper than the dwellings at Nos. 36 and 38 Pembroke Road and would be separated from them by the garden to the rear of No. 68 Llanover Road. There are no windows in the side elevation of 36/38 Pembroke Road facing the application site. Therefore, the proposal would not have a harmful effect on the living conditions of the occupiers of that property by virtue of loss of outlook or privacy.

22. The property on the other side of the application site is in commercial use and there is nothing to suggest the working environment of its occupiers would be adversely affected by the proposal.

23. The rear of the proposed building would face the rear elevation of 66 Llanover Road at a slight angle. Based on the application plan, there would be a distance of 12m between the buildings. Having regard to their respective heights, this would be a sufficient distance to ensure that the proposal would not have an overbearing effect on the outlook from the rear of number 66.

24. The rear windows of the proposed dwelling serve a bathroom, a study or are secondary windows. As such, they could be obscure glazed to ensure the privacy of the occupiers of No. 66 Llanover Road. Therefore, the proposal would not have a harmful effect on the living conditions of the occupiers of No. 66 by virtue of loss of outlook or privacy.

25. The proposal will comply with the standard set out in section 3.2 of SPG 17 which states that where proposed developments adjoins private amenity garden areas then the height of the new building should be set below a line of 45 degrees at the garden edge.

26. Overall, it is considered that the development would not have a significant overbearing impact, result in overlooking, loss of light or overshadowing to neighbouring properties. The proposal would therefore maintain a satisfactory standard of environment at the adjoining properties.

27. Refuse storage

28. Refuse storage is shown on the plans and is considered acceptable.

29. Parking

30. The previous application that was dismissed at appeal (14/0544) was not considered to be acceptable in terms of parking provision and highway safety. The parking allowance for the dwelling unit is given in Standard PS14 of the UDP. Policy BE7 may be applicable.

31. The maximum parking allowance for 3 bedroom dwelling is 1.6 spaces. Drawing number 436/PL.04B

proposes a new 4.8m wide crossover onto Pembroke Road to provide two off-street parking spaces with a front garden depth of 5m.

32. It is noted that on-street parking in front of the property on Pembroke Road is not able to be safely accommodated, due to the very limited width of the road, with the majority parking on the public footway. Therefore the provision of two off-street parking spaces is welcomed and is considered acceptable for the proposed dwelling. Sufficient soft landscaping would remain to the front of the new dwelling.

33. The existing dwelling was recently granted planning permission (ref: 15/0329) for an extension resulting in a 3-bedroom dwelling and therefore the maximum parking allowance for the existing dwelling is also 1.6 spaces. Please note that drawing number 113/PL/01 submitted with planning application 15/0329 for a side extension to No. 66 (which transport were not consulted on) shows a side extension set only 500mm back from the building line, leaving less than 4.8m for a car to parked, resulting in a risk that cars would overhang the public footway.

34. During the course of the application a revised plan has been submitted demonstrating that an off-road parking space will remain for the existing dwelling at No. 66 and will be accessed from Llanover Road. This is in compliance with Policy and is considered acceptable.

35. The applicant has not provided cycle parking spaces however the new dwelling will have a private garden which can accommodate cycle parking.

36. Finally, there is a financial contribution payable for the improvement of sustainable transport to the site and a sum of £3000 is sought for a 3 bedroom dwelling, which can be taken from the CIL.

37. In conclusion, the parking for the site as a whole is one space per dwelling. This is provided and is therefore considered acceptable. Consequently the previous reason for refusal raised by the Inspector has been satisfactorily addressed.

38. Conclusion.

39. The proposed detached dwelling will provide increased family sized accommodation within the Borough of a good standard in terms of the quality of the accommodation. The design of the new dwellinghouse is considered acceptable and is not considered to adversely impact on the amenities of surrounding properties. The proposed layout and parking provision for the site is considered acceptable.

40. For the reasons as outlined above, and as set out in the decision notice approval is accordingly recommended.

CIL DETAILS

This application is liable to pay **£26,336.80*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 98 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	98	0	98	£200.00	£35.15	£22,400.00	£3,936.80

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	£22,400.00	£3,936.80

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/2093

To: Mr Rocky Li
new image design
2A Tiverton Road
London
N18 1DW

I refer to your application dated 18/05/2015 proposing the following:
Erection of a 2 storey 3 bedroom house to the rear of 66 Llanover Road, fronting Pembroke Road including the provision of off street car park and bin store and accompanied by plans or documents listed here:
Please see condition 2.

at 66 Llanover Road, Wembley, HA9 7LT

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012
London Plan 2011
Housing SPG
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

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

- 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):

Design & Access Statement, 436/PL/01, 436/PL/02, 436/PL/03 B, 436/PL/04 B, 436/PL/05, 436/PL/06, 436/PL/07, 436/PL/08

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

- 3 The windows to be created in the first floor rear elevation facing towards the properties in Llanover Road shall be glazed in obscure glass to a standard comparable with Level 4 of the Pilkington Glass range and shall be non-opening below a height of 1.7 metres taken from internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To maintain the privacy of adjoining residents.

- 4 No extensions or buildings shall be constructed within the curtilage of the proposed dwellinghouse subject of this application, notwithstanding the provisions of Classes A, B, D and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, (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.

- 5 The proposed vehicular crossover shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Highway Authority, with the works carried out and completed in accordance with these approved details, prior to the occupation of the development hereby approved.

Reason: In the interests of highway and pedestrian safety in the locality, in pursuance of Section 278 of the Town and Country Planning Act 1990.

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

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

- 7 Notwithstanding the submitted plans otherwise approved, further details of the front and rear garden layout and landscape plans for the new dwellinghouse shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The hard landscape works shall be completed prior to first occupation of the proposed dwellinghouse hereby approved and the soft landscape works shall be completed within six months of the first occupation of the proposed dwellinghouse hereby approved. The landscaping works shall be carried out in accordance with the approved scheme.

Such details shall include:-

- (i) Patios and pathways (including details of materials, finishes and height of patio).
- (ii) Details of proposed boundary treatments (including materials and height).
- (iii) All proposed planting (including location, species, size, density and number).

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.

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

Any person wishing to inspect the above papers should contact Andrew Neidhardt, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1902

COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 08
Case Number 15/1438

SITE INFORMATION

RECEIVED: 2 April, 2015

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 51-67 INC, Poplar Grove, Wembley, HA9 9DB

PROPOSAL: Erection of a part fourth storey to provide 2 x 1 bed flats and 1 x studio flat with associated cycle parking spaces and refuse storage to existing block of flats (as amended).

APPLICANT: Hickstead Estates Ltd

CONTACT: Drawing and Planning Ltd

PLAN NO'S: (See Condition 2)

SITE MAP



Planning Committee Map

Site address: 51-67 INC, Poplar Grove, Wembley, HA9 9DB

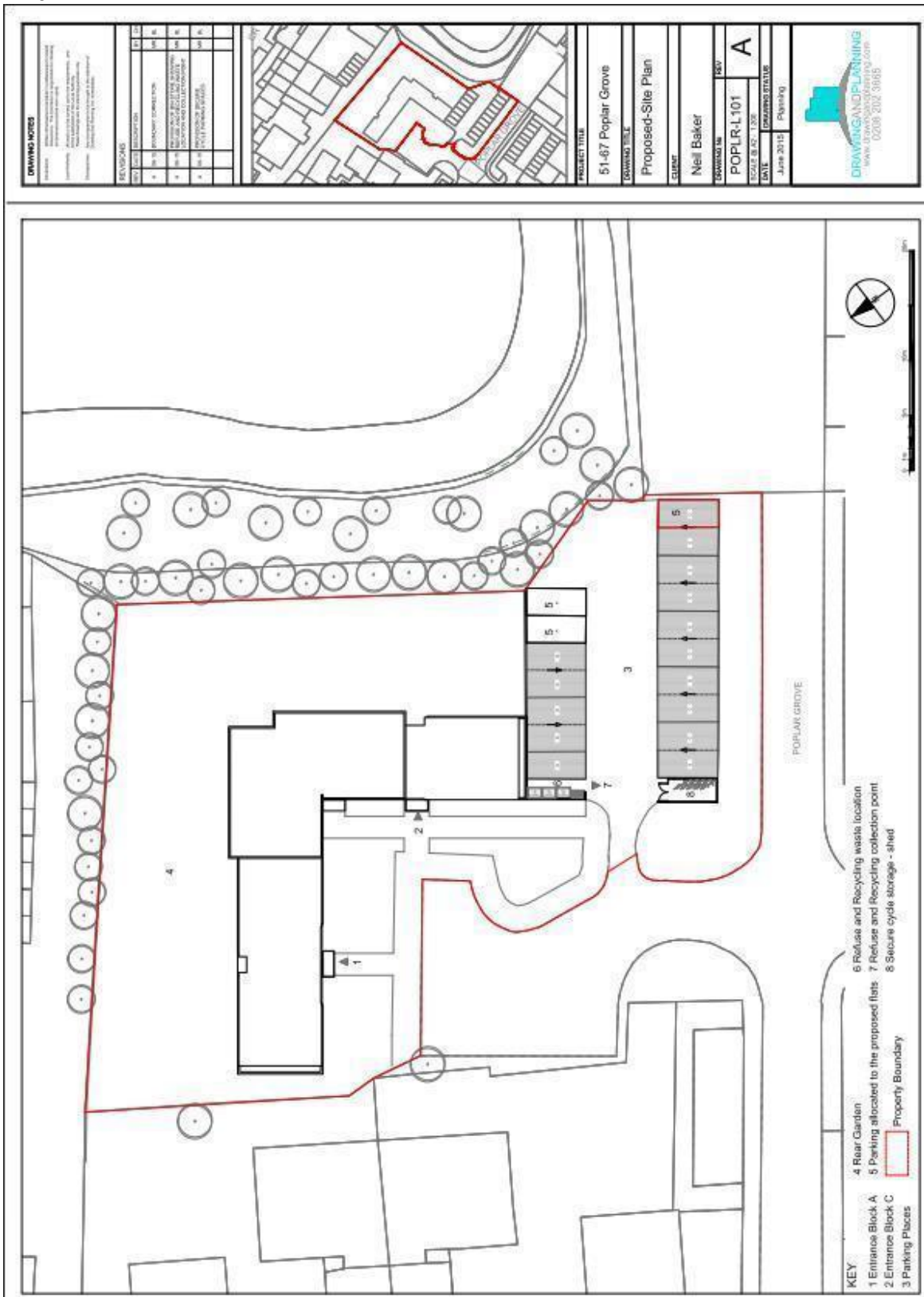
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

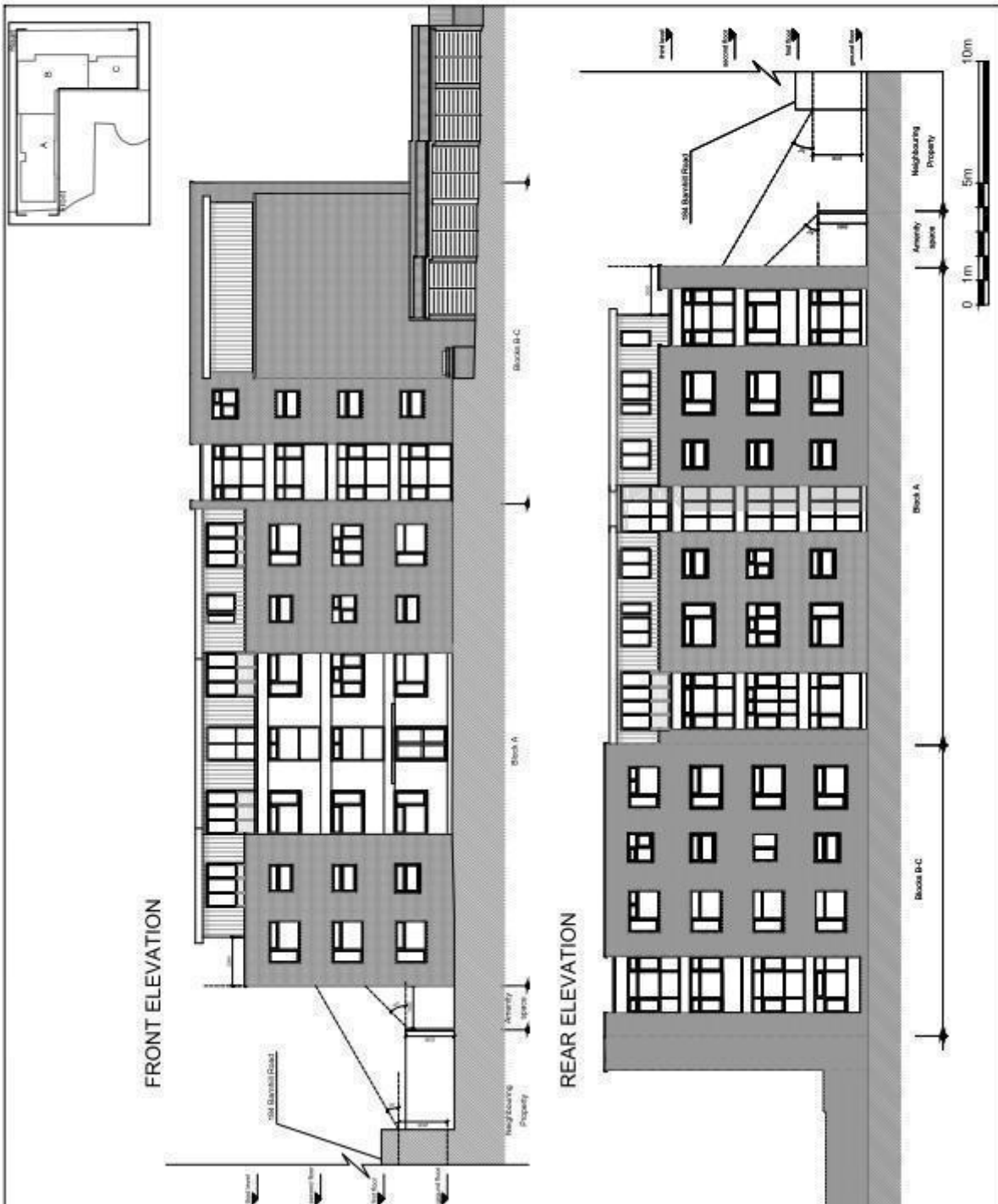
SELECTED SITE PLANS SELECTED SITE PLANS

Proposed Site Plan



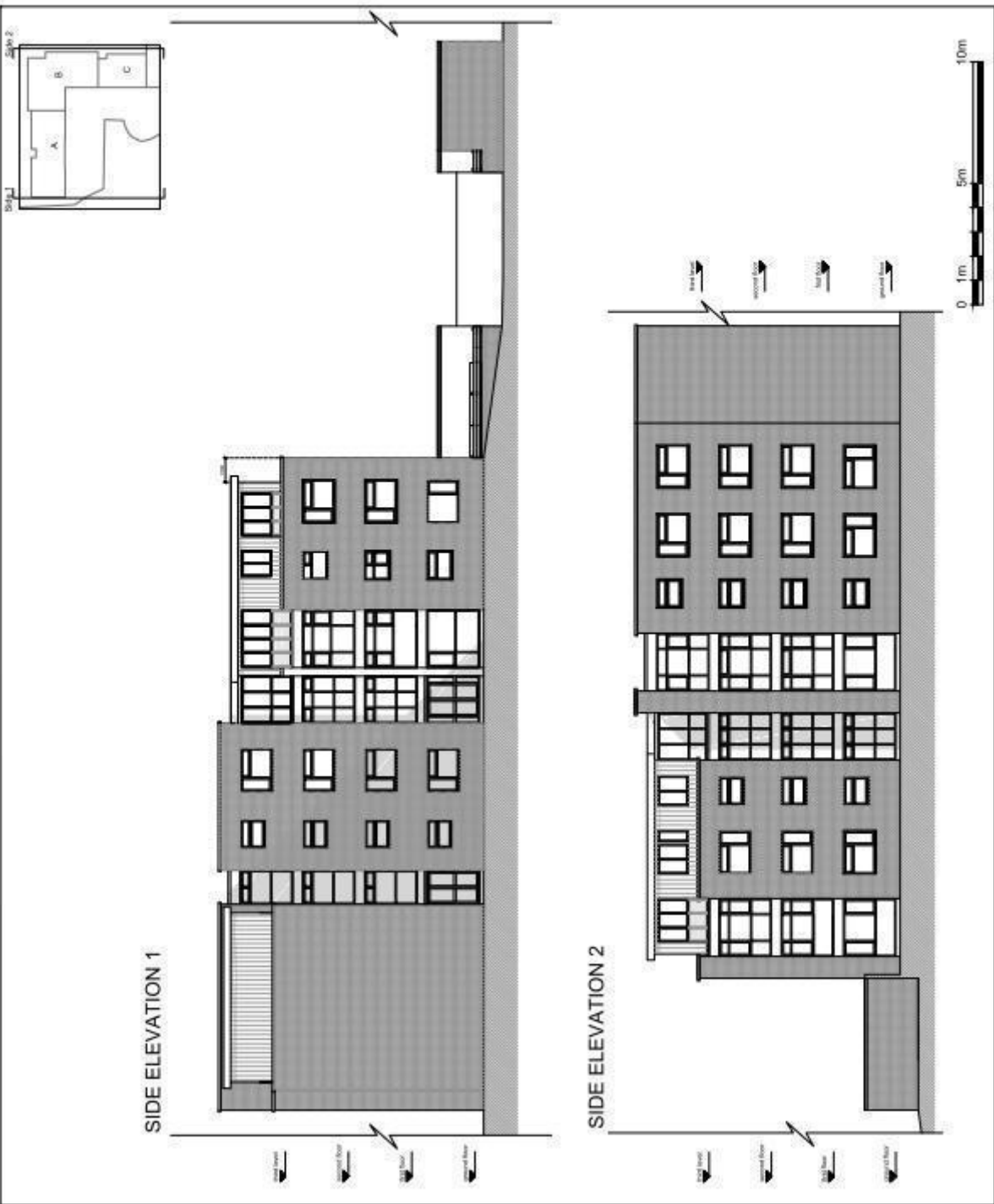
Proposed Elevations

DRAWING NOTES			PROJECT TITLE 51-67 Poplar Grove CONTRACT TITLE Proposed-Front and Rear Elevation CLIENT Neil Baker EXHIBIT NO. POP/RE/01 SCALE DRAWING TITLE June 2018 Planning	
REVISIONS				
NO.	DATE			
1	15/06/2018			
REVISIONS				
NO.	DATE	DESCRIPTION	BY	CHK
1	15/06/2018	FOUNDATION CONNECTION	NEIL BAKER	NEIL BAKER
2	15/06/2018	REVISIONS TO BUILDING PARTITION	NEIL BAKER	NEIL BAKER
3	15/06/2018	REVISIONS TO BUILDING PARTITION	NEIL BAKER	NEIL BAKER



Proposed Elevations

DRAWING NOTICE			PROJECT TITLE 91457 Poplar Grove DRAWING TITLE Proposed-Side Elevations CLIENT Nail Baker EXHIBIT NO. 1507 PROJECT NO. POPPLR-E102 SCALE (A2) - 1/8" = 1'-0" DATE June 2016 DRAWING STATUS Planning 								
REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>CHK.</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>ISSUED FOR PERMITTING</td> <td></td> <td></td> </tr> </tbody> </table>				NO.	DATE	DESCRIPTION	BY	CHK.	1		ISSUED FOR PERMITTING
NO.	DATE	DESCRIPTION	BY	CHK.							
1		ISSUED FOR PERMITTING									



RECOMMENDATIONS

Grant Consent, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

Erection of a part fourth storey to provide 2 x 1 bed flats and 1 x studio flat with associated cycle parking spaces and refuse storage to existing block of flats.

B) EXISTING

Part three and four-storey block of flats arranged in an 'L' shaped building. Similar flatted blocks are found on Poplar Grove. Residential properties exist to the west of the site, to the north of the site is a service road and commercial properties fronting Blackbird Hill. The existing flats are served by purpose built garages to the south-east, there are 15 of these in total. This is not within a Conservation Area, nor is it a Listed Building.

C) AMENDMENTS SINCE SUBMISSION

- Since the application was submitted the top floor extension has been reduced in size. This reduction was to ensure that a more generous set in of 2m is achieved along the western elevation in order to reduce the impact on 184 Barnhill. This reduction has resulted in one of the proposed flats being reduced from a 1-bedroom flat to a studio unit.

D) SUMMARY OF KEY ISSUES

Principle of development – The proposed roof extension and additional floor would be in keeping with the locality, there are existing four-storey flatted buildings on Poplar Grove. No objection in principle subject to detailed consideration of all material planning considerations.

Impact on character of the area – The size, scale and design of the proposal is considered to result in a visually acceptable development which has an acceptable impact on the character of the area and the streetscene. The design of the new fourth floor is contemporary which is considered to be a good contrast to the existing building which is of little architectural merit.

Standard of residential accommodation – The proposal is considered to achieve an acceptable size, quality and standard of accommodation for future occupiers in all units proposed.

Impact on neighbouring amenity - Due regard has been had to the relationships that will be created to existing residential neighbours. In this regard the relationship with 184 Barnhill has been closely looked at. It is considered the reduction to the extension agreed will ensure that there is no undue loss of amenity to existing neighbouring occupiers.

Transportation Impacts – The proposal is considered acceptable in transportation terms. The number of parking spaces to be provided off-street fully meets maximum adopted parking standards for the number of units proposed, so the scheme is not reliant on having to park on-street to meet standards. The impact of the additional vehicle movements generated by the proposal is not considered to cause harm to the free flow and movement of vehicles on the local highway network (as discussed within the 'remarks' section).

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses				149	149

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)		17								17
PROPOSED (Flats û Market)	3	17								20

RELEVANT SITE HISTORY

82/1537 - Granted

Erection of a fourth floor extension.

CONSULTATIONS

Neighbour consultation carried out to 54 owner/occupiers on 17 April 2015. To date three objections have been received, the grounds for objection are summarised below.

Objection

The building has a history of subsidence and wont be able to take the extra load.

Construction work will result in noise, disturbance and general disruption to existing residents.

Inadequate parking is proposed.

Will result in an increase to service charge for existing residents

Response

The structural integrity of the building is covered under separate legislation. An application will need to be made to satisfy the requirements of the Building Regulations before building works commence.

It is inevitable that some additional noise and disruption will occur whilst construction works are taking place. This cannot be avoided. There is legislation, which is enforced by Regulatory Services, which will provide some control over the hours when construction work can take place.

See paragraphs 15-20

This is not a material planning consideration.

STATUTORY CONSULTEES;-

Transportation:-

No objection subject to:-

- (i) Further details for approval which shows a minimum 4 cycle parking spaces in secure and covered sheds.
- (ii) Confirmation from the applicant where the collection point will be for refuse.

Regulatory Services:-

No objection has been raised, however it has been recommended that any grant of planning be subject to a requirement for a Construction Method Statement. This is to safeguard the amenity of existing residents.

Environment Agency:-

No objection raised.

POLICY CONSIDERATIONS

National

National Planning Policy Framework - NPPF

Regional

London Plan 2010

Policy 3.3

Mayor's Housing Design Guide (2012)

Brent Core Strategy – Adopted July 2010

Policy CP17 – Protecting & Maintaining the Boroughs Suburban Character

CP21 - Balanced Housing Stock

Brent

- **BE2** Townscape: Local Context & Character
- **BE3** Urban Structure: Space & Movement
- **BE5** Urban Clarity & Safety
- **BE6** Public Realm: Landscape Design
- **BE7** Public Realm: Streetscape
- **BE9** Architectural Quality
- **EP12** Flood Prevention
- **H12** Residential Quality – Layout Considerations
- **H13** Residential Density
- **TRN3** Environmental Impact of Traffic
- **TRN11** The London Cycle Network
- **TRN23** Parking Standards Residential Developments
- **TRN34** Servicing in New Development
- **PS14** on residential parking standards
- **PS16** cycle parking standards
- **OS5** Green Chains
- **OS12** Site of Grade 1 Nature Conservation Importance

Brent Supplementary Planning Guidance

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

DETAILED CONSIDERATIONS

Context:-

- 1.** The application site is adjacent to residential properties to the east and both residential and commercial uses to the north. Surrounding buildings are a mixture of heights, with other three and four storey flatted developments in the vicinity of the site, on Poplar Grove. The existing building is surrounded by communal lawn gardens.
2. It is within Flood Risk Zone 3 and the wider site is adjacent to a designated green chain (policy OS5), and Site of Grade 1 Nature Conservation Importance (SINC) (policy OS12).

Policy framework:-

3. The proposal is assessed against national policy, regional policy in the form of the Further Alterations to the London Plan (2015) and locally the Council’s UDP policies, Core Strategy policies and standards in Supplementary Planning Guidance Note 17 “Design Guide for New Development”.
4. The main areas for consideration are whether this development is acceptable in terms of;
 - Design scale and massing of the roof extension
 - Impact it has on the host building and the character of the area
 - Quality of accommodation to be provided
 - Impact it has on the privacy and amenity of neighbouring residents
 - Transportation and parking impacts
 - Flooding considerations and impact on ecology
5. The National Planning Policy Framework (NPPF) is a material consideration. Some of the key messages running through the NPPF have been highlighted below;
 - Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise;
 - A presumption in favour of Sustainable Development;
 - A set of 12 core principles are identified including “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” and also to “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”;
 - Housing applications should be considered in the context of the presumption in favour of sustainable

development. And LA's should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand;

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness;
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Design, Scale & Massing

6. The proposal is to add one storey to the existing block of flats (no's 51-67 Poplar Grove) where this is currently three-storey's high, resulting in this becoming a four-storey building throughout. The existing building has a flat roof, this is 8.65m high for the three-storey part and 10.7m for the centrally located four-storey element. The proposed roof extension would see another floor added either side of the taller central feature to match the height of this throughout the top floor.
7. Taking into account that the existing building already has a fourth storey element to it (in part), the principle of increasing the height of the existing three storey sections either side to match is considered acceptable, subject to all material planning considerations. It is noted that other flatted blocks on Poplar Grove are also four-storey's high, so it is considered that this addition would not appear out of character with the immediate locality. The fenestration and external treatment to the top floor addition is proposed to differ from the existing building. Timber cladding is proposed which will contrast with the existing use of brick and render. Notwithstanding this, the fenestration detailing is considered to relate well to the host building, and the choice of materials will give this extension a contemporary and 'lightweight' feel. The proposed set in to the top floor extension also helps to achieve this and make the top floor addition appear subservient. On balance it is considered that this extension will have an acceptable visual impact on the host building and surrounding area.
8. In summary the roof extension is considered to relate well to the host building and is acceptable when assessed against UDP policies BE2 and BE9, as well as Core Strategy policy CP17.

Quality of accommodation & Impact on Neighbouring Properties

9. The proposed extension is to achieve three new residential units. A single studio unit is proposed, and two 1-bedroom/2 person units. Each unit is adequately sized to meet London Plan minimum residential space standards (London Plan policy 3.3).
10. The existing stairwells are to be extended upwards to provide access to the proposed flats.
11. No outside amenity space is proposed in the form of balconies or terraces for the additional units, but given the amount of communal amenity space already serving the block this is considered to be acceptable.
12. The internal layout ensures that all habitable rooms will benefit from reasonable levels of light and outlook, all units are dual aspect.
13. The distances of windows to boundaries would be no different to the existing block so no concerns relating to additional harm caused by overlooking or loss of privacy are raised in response to this. There are no flank wall windows proposed.
14. The existing building is positioned 1.76m from the boundary shared with 184 Barnhill, which is a residential bungalow. The rear garden associated with this bungalow backs onto the application site. The relationship presented by the existing three-storey building with this rear garden is such that it fails the 30 degree test, as set out in Supplementary Planning Guidance no 17 'Design Guide for New Development'. This test is applied to ensure that the height of new development is not harmful to neighbouring amenity by being overbearing. The proposed fourth floor extension to the building will continue to fail the 30 degree test, however Officers have negotiated an amendment to reduce the size of the fourth floor extension at its western end. This has meant that the roof extension is to be set in 2m from the existing building edge and not the 1m as initially proposed. Strictly speaking this extension does still fail the 30 degree test, marginally, but on balance given the fact the existing building is already failing this test the more generous 2m set in helps ensure that the additional impact on 184 Barnhill will not be unduly

overbearing or detrimental for neighbouring amenity. It is also worth noting again that the more generous set in also helps the extension appear as a subservient addition to the host property.

Parking & highways matters

15. The existing flats (17 in total) are served by an off-street garage parking area, where there are 15 garages. Originally there were 17 garages, however two garages at the eastern end have been demolished over time.
16. Poplar Grove is defined as a heavily parked street in the UDP-2004. However recent parking surveys carried out in July 2013 confirm that the street is no longer defined as heavily parked with 58% spaces occupied overnight. When the site was visited during mid-afternoon on a weekday there was evidence of spare capacity to park on-street.
17. The applicants have confirmed that of the existing 15 garages, 13 of these are used directly by the existing flats and are attached to these flats in their individual leases. Of the remaining garages one is leased separately to a previous owner of flat 62 Poplar Grove who has sold the flat but created a separate title for the garage to be retained. The other garage is owned by the applicant Hickstead Estates, but it is stated this is not currently used by them for parking.
18. The proposal for three new flats will generate an additional demand for three parking spaces. It is proposed to provide two spaces by bringing into use two surface parking spaces on the site of the former garages (now demolished), and also the garage that is currently in the ownership of the applicant will be bought back into use to serve the third proposed flat. This would accord with PS14 of the UDP (2004). All spaces for the proposed flats would be provided off-street within the existing garage parking area.
19. A parking survey has been carried out on behalf of the applicants. As part of this 2011 Census data was obtained to establish levels of car ownership locally. The data shows local car ownership is at 0.56 per household. Based on this level of ownership it is anticipated that the proposal for three flats (all 1-bedroom) are to generate a need of less than 2 parking spaces. However a provision of 1:1 parking is proposed which is consistent with Brent UDP standard PS14, and this will ensure each new flat is afforded a parking space, and all these spaces are to be off-street. This will not lead to a reduction in garage parking for existing residents, as demonstrated above 13 of the 15 garages are used by existing residents and this will remain the case. A car parking stress study formed part of the applicants survey, this looked at parking conditions on-street locally (Poplar Grove, Barnhill and Ken Way), on two separate days in July 2015 and it was found that on-street parking ranges from 69-75% of capacity. This demonstrates that there is sufficient spare capacity for on-street parking should any additional demand be placed on-street by this proposal, which is not anticipated to happen in any event. The survey results presented are consistent with the on-site conditions observed when visiting the site.
20. It is evident on site that the hammerhead turning area directly in front of the building, which is adopted highway is also used for resident parking, this is a historical arrangement. Transportation, would ideally like to see the area kept free from obstruction so that refuse, servicing and emergency vehicles can turn free from obstruction. To do so double yellow lines would need to be introduced, which if deemed to be absolutely necessary such works could be carried by the Highway Authority at any time. If existing residents are parking here then this cannot be held against the proposed development, which as discussed makes adequate provision for all of its parking off-street.
21. Four cycle parking spaces are proposed which meets standards. Further details of the design of the store are sought as a condition of any approval to ensure it offers suitable weather protection and security.
22. Bin storage is already provided on site adjacent to the existing garages, and this will continue in this form which is acceptable for collection purposes.
23. In conclusion therefore sufficient off street parking is available to ease any concerns of overspill parking onto Poplar Grove. In the event that this were to happen the parking stress study demonstrates spare on-street capacity to cope with any increased pressure.

Flood risk

24. The application site is in Flood Risk Zone 3. A Flood Risk Assessment (FRA) has been submitted in support of the proposal. The Environment Agency (EA) have been consulted on the FRA, and have responded to confirm that there are no objections to the application on grounds of flood risk. The EA

response confirms that the proposed flats will not be at risk of internal flooding.

Ecology

25. The wider application site is adjacent to a designated green chain, and a site of Grade 1 Nature Conservation Importance (SINC), both are designated in the adopted UDP 2004. Relevant policies state that the continuity of green chains will be maintained (OS5) and development will not be permitted where it adjoins a Grade 1 site unless it can be demonstrated that there will be no adverse impact on nature conservation. As the application proposes to build on top of the existing building only which is some 10m in from the site boundary then it will not sever, or adversely affect the designated corridor to the east of the site.

Community Infrastructure Levy – CIL

26. Mayoral CIL has been set at £35 per sqm on developments involving the creation of new residential units. Brent CIL is set at £200 per sqm. The application is liable for both Mayoral and Brent CIL as it proposed more than 100sqm of new GIA, and proposes additional residential units.

Conclusion

27. The revised proposal to erect an additional floor is considered to be acceptable in terms of its scale, design and the impact it has on the character of the host building, and will result in an acceptable standard of residential accommodation for prospective occupiers. The application demonstrates that sufficient off-street parking is to be provided to serve the additional flats, without compromising parking for the existing flats. Approval is accordingly recommended.

CIL DETAILS

This application is liable to pay **£40,042.68*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 149 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	149		149	£200.00	£35.15	£34,057.14	£5,985.54

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	£34,057.14	£5,985.54

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/1438

To: Mr David Mansoor
Drawing and Planning Ltd
Mercham House
25-27 The Burroughs
Hendon
Greater London
NW4 4AR

I refer to your application dated 02/04/2015 proposing the following:
Erection of a part fourth storey to provide 2 x 1 bed flats and 1 x studio flat with associated cycle parking spaces and refuse storage to existing block of flats (as amended).
and accompanied by plans or documents listed here:
(See Condition 2)
at 51-67 INC, Poplar Grove, Wembley, HA9 9DB

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012
Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17

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

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation
Transport: in terms of sustainability, safety and servicing needs

- 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):

POPLR-E001
POPLR-E002
POPLR-L000
POPLR-L0001
POPLR-P001
POPLR-P002
POPLR-P004
POPLR-S001
POPLR-P013 revA
POPLR-P104 revA
POPLR-E101 revA
POPLR-E102 revA
POPLR-L101 revA
POPLR-P101 revA
POPLR-P102 revA
POPLR-S101 revA
Tree Protection Plan revA
PBA Arboricultural Method Statement (dated March 2015)

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

- 3 No windows shall be constructed in the flank wall(s) 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 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 5 The garages and/or parking spaces shown on the approved plans to serve the three additional flats shall be laid out/made available prior to the first occupation of any of the flats and shall be permanently retained and used solely in connection with the dwellings hereby approved thereafter.

Reason: To ensure that the approved standards of parking provision are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- 6 Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing.

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

- 7 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 8 Details of the provision of a minimum of 4 secure and covered 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 fully in accordance with the details as approved and these facilities shall be retained on-site.

Reason: To ensure satisfactory facilities for cyclists.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 09
Case Number 15/1709

SITE INFORMATION

RECEIVED: 21 May, 2015

WARD: Fryent

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 429 & 431 Kingsbury Road, London, NW9 9DT

PROPOSAL: Change of use of existing hot food takeaway (Use class A5) at No 429 and existing retail shop (Use class A1) at No 431 into a single unit providing a mixed use as restaurant and hot food takeaway (Use class A3 & A5) with associated internal alterations

APPLICANT: Mr M Haider

CONTACT: Mr Saud Ahmad

PLAN NO'S: (See Condition 1)

SITE MAP



Planning Committee Map

Site address: 429 & 431 Kingsbury Road, London, NW9 9DT

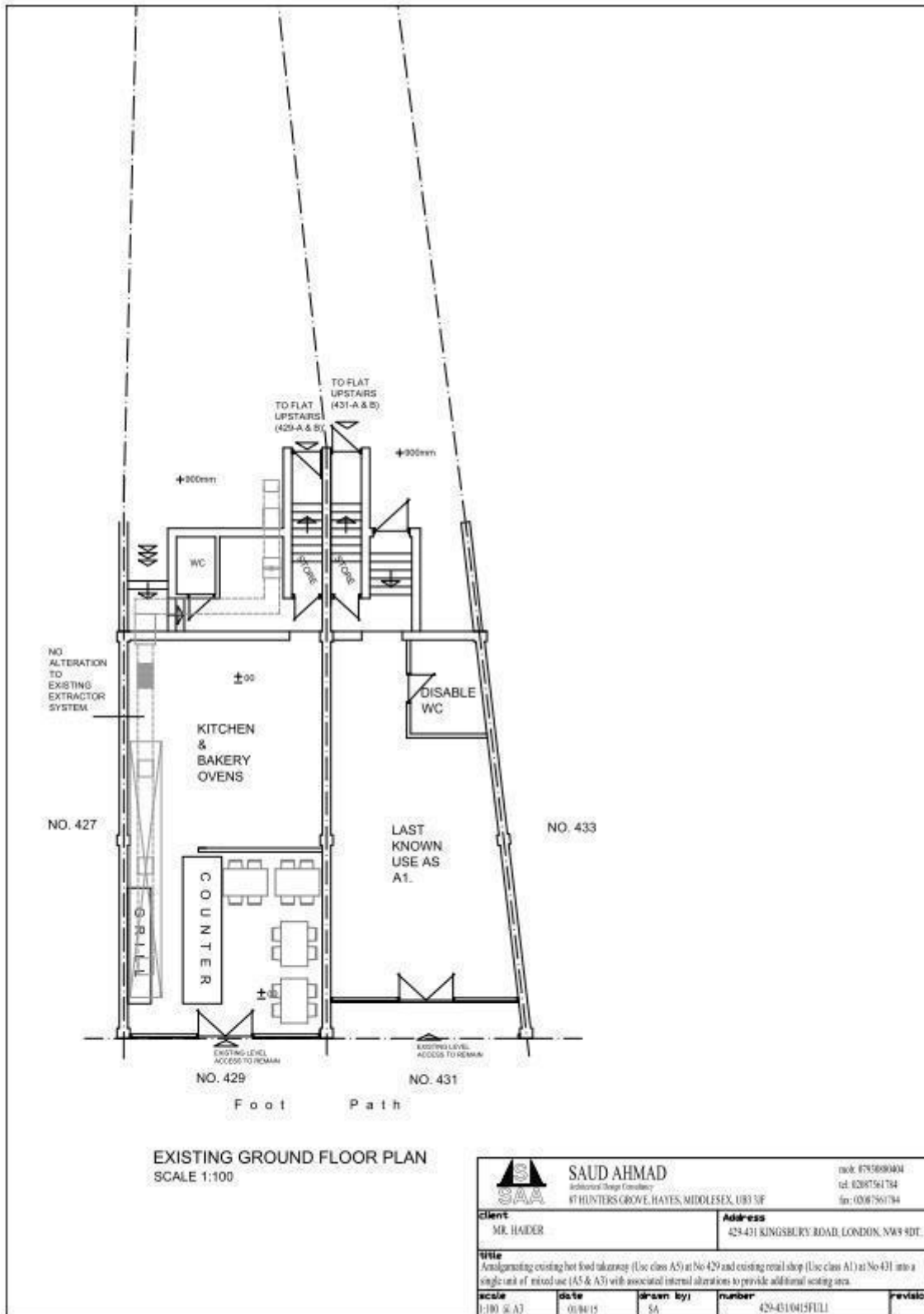
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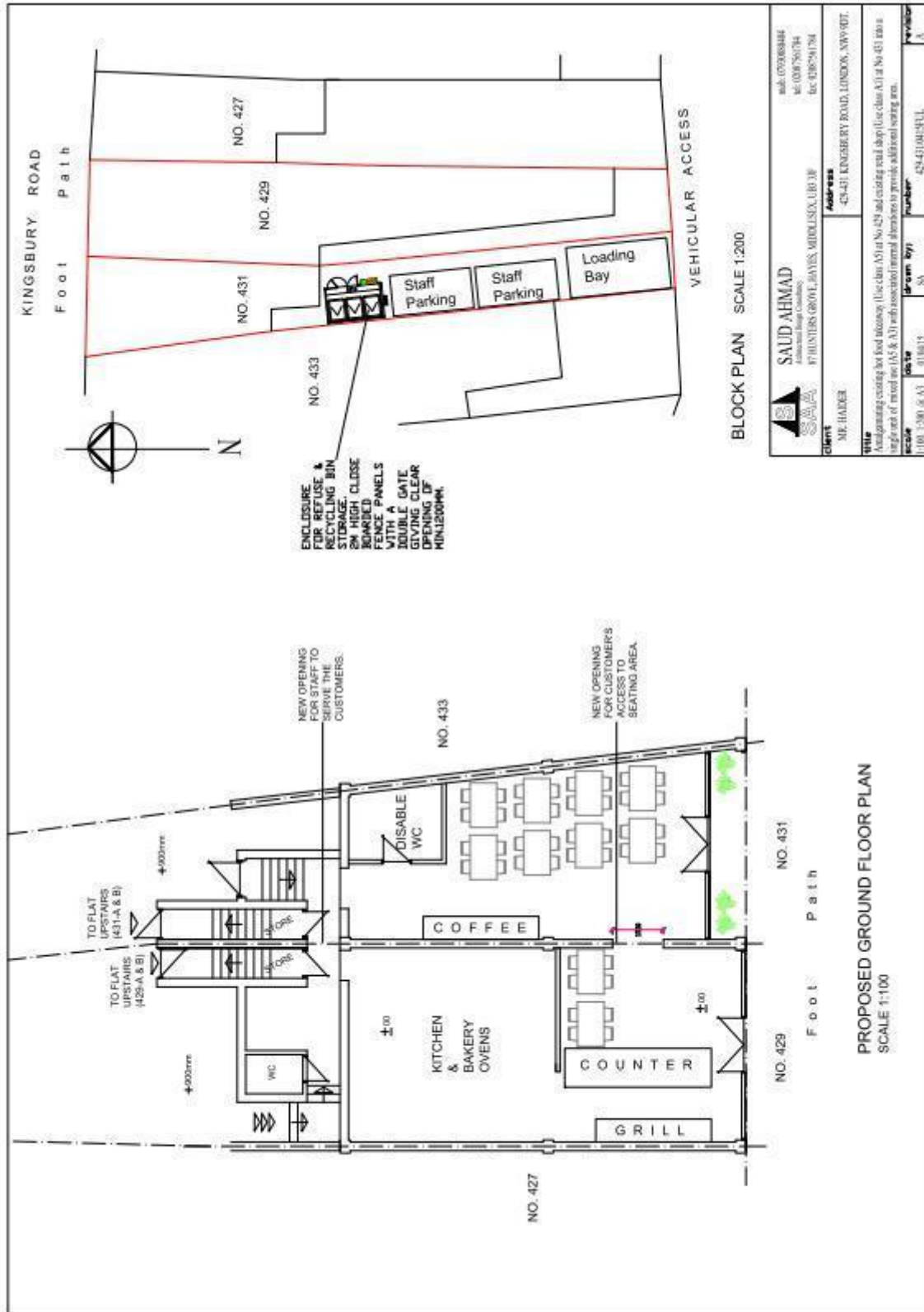
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

Existing Ground Floor Plan



Proposed Floor Plan and Block Plan



RECOMMENDATIONS

Grant consent, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

Change of use of existing hot food takeaway (Use class A5) at No 429 and retail shop (Use class A1) at No 431 into a single unit providing a mixed use as restaurant and hot food takeaway (Use class A3 & A5) with associated internal alterations.

B) EXISTING

Situated on Kingsbury Road, within a designated Secondary Shopping Frontage No 429 is a hot food takeaway (Use Class A5) and No 431 was up until very recently in retail use (Use Class A1). It was evident on site that the change of use sought for No.431, from A1 use has already been implemented. The application site is now operating as a mixed use A5/A3 use. The premises have two floors of residential use directly above, these flats are accessed at the rear of the property. A rear servicing road which is shared by all properties within the parade is accessed via Valley Drive.

This is not within a Conservation Area, nor does it relate to a Listed Building.

C) AMENDMENTS SINCE SUBMISSION

Since submission revisions have been made to address comments made by Transportation. A revised rear service yard layout has been submitted confirming the provision of two parking spaces and a transit sized loading bay.

D) SUMMARY OF KEY ISSUES

Principle of non-retail use - The application site is within a designated secondary frontage, policies SH9 and SH10 support A3/A5 uses subject to residential amenity, highway and traffic considerations (as discussed within the 'remarks' section).

Impact on residential amenity - An A5 hot food take-away use is long established on this site. There will be no additional extraction flue required to support the expansion, the business will continue to use existing cookers, grills and ovens for cooking. This proposal would enable the business to expand into the neighbouring unit in order to provide customer seating. Any approval would be subject to conditions to safeguard neighbouring residential amenity.

Impact on character of area - The premises are within a designated secondary shopping frontage. There is a high proportion of retail use along this stretch of frontage (as discussed in the 'remarks' section) and the proposed use would see the expansion of an existing A5 use into a neighbouring unit, last used for A1. This will continue to provide a service to visiting members of the public, and an active frontage will be maintained.

Parking and servicing - Provision should be made for off-street loading within the rear service yard, loading is not permitted from the shared service road which is adopted or from the frontage on Kingsbury Road.

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Hot food take away (2004)	77	77	0	0	0
Restaurants and cafes				55	55
Shops	55	0	55	0	0

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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RELEVANT SITE HISTORY

429 Kingsbury Road

09/0005 - Granted

Change of use from retail shop (Use Class A1) to hot-food take-away (Use Class A5).

431 Kingsbury Road

No planning history.

CONSULTATIONS

Surrounding properties (18 total) were notified on 26/05/15. To date one objection (with 11 signature petition) has been received.

Grounds for objection	Response
The existing A5 use fails to manage its waste properly, this proposal will lead to this becoming worse.	The site layout plan proposes a dedicated bin storage area to improve existing arrangements at the rear of No. 431
Detrimental impact on residents above from smells associated with cooking of food on the premises.	No alterations to the existing flue are proposed. The cooking of food will continue from No.429 which is a lawful hot food take-away (Use Class A5). Regulatory Services (Environmental Health) have confirmed that no complaints have been received in relation to the existing take-away business.
Lack of adequate parking available to the rear.	The revised service yard layout complies with adopted parking and servicing standards. This is acceptable to Transportation.
Potential obstruction for residential access to flats above.	The pedestrian access will be maintained.
Increased opportunities for crime.	There is no identified issue in this regard.
Customers may use the rear for outside seating/smoking/drinking.	This would not be acceptable in planning terms, and a condition is recommended to restrict the use of the rear service yard for such purposes.

STATUTORY CONSULTEES

Transportation;-

This proposal can be supported on transportation grounds subject to a condition requiring the submission and approval of a revised site layout plan showing improvements to the rear yard in order to accommodate two off street parking spaces and one 'transit' sized loading bay in the rear yard.

(N.B. The revised site layout plan has been submitted, as discussed in the 'remarks' section).

Regulatory Services;-

Confirm that no nuisance complaints have been received about the existing A5 use. They are satisfied with the fact that there is no proposal to extend or increase the provision of plant equipment to serve the use. It is recommended that consideration be given to restricting opening hours, in the interests of neighbouring residential amenity.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

Brent Core Strategy 2010
Policy CP16

Brent UDP 2004

BE2 - Townscape

BE9 - Architectural Quality

BE17 - Building Services Equipment

EP2 - Noise & Vibration

TRN23 - Parking Standards Non Residential Development

TRN34 - Servicing in New Development

PS9 - Parking Standards Use Class A3

PS16 - Cycle Parking Standards

PS20 - Servicing Standards Food & Drink (Use Class A3)

SH9 - Secondary Shopping Frontage

Non-retail uses that provide a service to visiting members of the public will be permitted subject to residential amenity, highway and traffic considerations.

(Secondary Frontage here applies to no's 419 -447 and 510-530 Kingsbury Road)

SH10 - Food and & Drink Uses

A3 uses are acceptable subject to requirements of policy SH9.

A3 uses should not result in the creation of traffic congestion, car parking problems or a reduction in highway safety in surrounding areas and should not adversely affect the amenity of residential occupiers.

In considering proposals account will be taken of:-

- (a) The proximity to residential accommodation.
- (b) The specific nature and size of the proposed use.
- (c) Character of the area and concentration and existing level of disturbance from A3 and similar uses.
- (d) Whether the proposed hours of use would result in residential disturbance.
- (e) The practicality of providing extract ducting.

SH11 - Conditions for A3 uses

SH19 - Rear Servicing

DETAILED CONSIDERATIONS

1. A site visit was carried out on 24 July 2015. It was evident that the use applied for has commenced on site. Notwithstanding this the proposed change of use is assessed against planning policy in the same way as it would be were the use not already operating on site.

Policy Context and Principle of Change of Use to mixed use A5/A3:

2. The borough's main network of town centres, consisting of Major Town, Main District and Other District Centres, is generally formed through the designation of Primary and Secondary Shopping Frontages. Within these designated frontages the Council's planning policies, set out in the adopted Unitary Development Plan 2004 (UDP), seek to promote a diverse and appropriate mix of both retail and non-retail uses which can add vitality to the town centre.
3. The premises in question are situated within a secondary shopping frontage. Kingsbury town centre is a very vibrant shopping area which spans both sides of Kingsbury Road and comprises over 100 different shops and commercial services. Policy SH9 of Brent's Unitary Development Plan, 2004 sets out that non-retail uses that provide a service to visiting members of the public will be permitted, subject to residential amenity, highway and traffic considerations. The policy does not require an assessment of the concentration of non-retail uses within the frontage, nor an assessment of the proportion of non-retail uses within the designated frontage.
4. Policy SH10 is specific to A5/A3 uses and states that such uses should not result in the creation of traffic congestion, car parking problems or a reduction in highway safety in surrounding areas and not adversely affect the amenity of residential occupiers. In considering such proposals account should be taken of:-

- (a) The proximity of residential accommodation;
 - (b) The specific nature and size of the use proposed;
 - (c) The character of the area and concentration and existing level of disturbance from A3 and similar uses;
 - (d) Whether the proposed hours of operation would result in residential disturbance; and
 - (e) The practicality of providing extract ducting, ventilation, grease traps and/or noise insulation.
5. Overall it is considered that, in principle, the proposed change of use would comply with the policy SH9 contained in the UDP in terms of the appropriateness of the A5/A3 use. No 429 Kingsbury Road is an established A5 use so this would not change, and the loss of retail unit at 431 results in a replacement use that still provides a service to visiting members of the public. In addition the change of use sought would not result in an over concentration of non-retail uses within this part of the secondary frontage, it was observed on site there is a high proportion of existing retail use towards the eastern end of the frontage. From 419 through to 447 Kingsbury Road there is only one other non-retail food related use, this is found at No 437 Kingsbury Road.
 6. Planning permission 14/4504 was granted for the neighbouring unit No.433 to change from A1 to a mixed use A1 and A5 (hot food take-away). This demonstrates that the introduction of A3/A5 uses within this stretch of secondary frontage is acceptable due to the high proportion of existing retail use.
 7. Before the proposed change of use can be considered acceptable in all respects the other, more direct, impacts of the proposed development must first be duly considered.

Impacts of the Proposed Use on Residential Amenities

8. Policy SH10 of the UDP sets out the specific issues associated with food and drink uses which must be considered if the proposal is acceptable. These issues generally include the impact of the proposal on residential amenity and local highway conditions. Policy SH11 suggests that conditions may be imposed on any new A3 use to ensure a satisfactory standard of development.
9. There are residential units located above the building and adjacent, this is the case throughout the Kingsbury Road town centre. No 429 Kingsbury Road, which is operating lawfully as an A5 hot food takeaway has flats directly above so there would be no change in circumstances as far as this property or the flats directly above are concerned. No 431 which has previously been in A1 (retail) would become part of a combined mixed A5/A3 use, the expansion into this unit will provide additional customer seating primarily and based on the layout provided capacity for 32 customers, with WC and a counter serving hot and cold drinks. The cooking of hot food will continue to take place from No 429 where the grills, fryers, ovens and means of extraction are all situated. There is to be no change in this regard.
10. The impacts associated with this mixed use and the cooking of hot food on adjoining residential units would be not be materially different to the long standing relationship created between No 429 and the flats above. There are no proposals to extend or increase the provision of extraction/flue equipment, the business will continue to make use of the existing flue which rises vertically up at the rear of No 429. The installation of additional plant equipment would in any event require planning permission, and a condition is recommended to this effect.
11. The subject site is located within a busy frontage, fronting a busy London Distributor Road and therefore some level of background noise and disturbance arising from the general activities of commercial night time economy operations is to be expected. In order to preserve the residential amenities of neighbouring occupiers from potential late night noise and disturbance a condition is recommended to control the hours of use.
12. Customer seating and tables are currently provided to the frontage. As confirmed by Transportation this is all public footway, and it is very wide along this stretch measuring 10m. As this is public footway then a street trading license is required for outside tables and chairs. Officers in Regulatory Services (Licensing) have confirmed that an application for this was received on 23/07/15, and although not currently decided advise that it is likely that this will be granted subject to conditions to control the hours of use, storage arrangements out of hours and refuse arrangements. The hours applied for in the License application in respect of the use of outdoor tables and chairs on the frontage are 08:00 to 20:00. In the event that planning permission is granted this would be subject to a planning condition to restrict the hours of use of this seating area in order to safeguard neighbouring residential amenity.
13. A condition is also recommended to restrict use of the rear yard for any form of outside seating, smoking or drinking area for customers.

Alterations to the Building & Impact on Character of Area:

14. No external physical alterations are proposed to the application site. Some minor internal works are proposed, including a new opening at ground floor between the shared wall to link the units with one another.
15. The change of use would not adversely affect the character of the area. This is located within a designated frontage, fronting a busy route. A5/A3 uses contribute to the vitality and viability of the Borough's designated centres, and play an important part in the night time economy. The Kingsbury town centre consists of other similar uses, however this particular stretch of the secondary frontage is not all that well served by A5/A3 uses so it will not lead to an over concentration. On balance the expansion into No 431 and loss of a retail unit would not be detrimental to the character of the area, an active frontage would continue to be maintained.

Parking, Traffic and Servicing:

16. There is a rear yard area measuring an approx. 3m width x 20m deep and can be accessed by vehicles from the adopted rear service road.
17. This application is to combine the unit with the vacant unit next door (use class A1) and change of use to a hot food restaurant and take away (use class A3). The 2 flats above number 431 and the two flats above 429 will remain as they are.
18. The Public Footway on Kingsbury Road extends to the building line and the site does not have a private forecourt. This service road, which runs along the rear of the property, is part of the Public Highway maintainable at public expense.
19. Kingsbury Road is a London Distributor Road. The site lies within controlled parking zone 'Y' which operated 08.00-18.30 Mon-Sat.
20. The site has good access to public transport with PTAL 4. There are 4 bus routes available locally and there is Kingsbury Station, within walking distance.
21. The existing parking allowance for the take away shop (90m²) and the neighbouring retail unit (66m²) is 1 space for the first 400m². Therefore the parking allowance permitted for both units is a total of 2 spaces. The parking allowance for the combined units as use class A3 restaurant/takeaway will reduce the parking allowance to 1 space for the proposed site.
22. The servicing standards are set out in PS20 whereby one 'transit' sized loading bay should be provided. Both units have rear yards where servicing can take place however, both rear yards are not currently in a condition where this is possible and transportation would request that hard standing is provided for 2 parking spaces and a servicing bay, and that revised plan is submitted showing this.
23. It has been observed that the shops in this area use the rear service road for servicing and obstruct access for other vehicles whilst unloading is being carried out. In addition to this, unloading also occurs from the main Kingsbury Road which is not acceptable. Therefore improvements to the rear service yard to allow parking and servicing should be provided.
24. To address this a revised rear servicing layout plan has been submitted, this demonstrates a layout that will include two parking spaces, a transit sized loading bay and dedicated area for bin storage at the rear of No.431. The applicants also confirmed in writing that they will ensure the removal of an existing (partially completed) unauthorised rear extension that extends over much of the rear service yard for No.431. This extension does not benefit from permission, and would not be supported in any event due to the loss of rear servicing facilities for the building. In the event that permission is granted for this change of use a planning condition is recommended requiring the removal of the unauthorised rear extension in its entirety and to implement the approved parking and servicing layout within a specified timescale. This is considered to be necessary to ensure the removal of an unacceptable rear extension and to provide satisfactory parking and servicing for the use, in the interests of highway safety.
25. Whilst the general parking standard is met, standard PS9 also refers to the impact on highway and pedestrian safety of vehicles stopping/waiting in the vicinity of take-away sites. On street parking is available on Kingsbury Road and there is also a public car park nearby allowing vehicles to park safely

and not obstruct the main road whilst visiting the take away element.

26. A minimum of 2 cycle parking space should be provided to comply with PS16 however, there is sufficient cycle parking on Kingsbury Road.
27. The proposed service yard layout makes provision for a dedicated bin storage area which may help address the related problems with the storage of waste, eluded to by the objections.
28. This proposal can be supported on transportation grounds subject to the aforementioned conditions requiring (i) the removal of the unauthorised rear extension in its entirety and (ii) implementation of the approved rear parking and servicing, both within a specified timescale.

Conclusion

29. The proposed change of use is acceptable in policy terms, is considered to an appropriate non-retail use within a designated secondary shopping frontage that will not have an unacceptable impact on the general amenities of the area. Approval is accordingly recommended with conditions attached.



Brent

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 15/1709

To: Mr Saud Ahmad
87 Hunters Grove
Hayes
Middlesex
UB3 3JF

I refer to your application dated 21/04/2015 proposing the following:
Change of use of existing hot food takeaway (Use class A5) at No 429 and existing retail shop (Use class A1) at No 431 into a single unit providing a mixed use as restaurant and hot food takeaway (Use class A3 & A5) with associated internal alterations
and accompanied by plans or documents listed here:
(See Condition 1)
at 429 & 431 Kingsbury Road, London, NW9 9DT

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012
Brent Core Strategy 2010
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
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
Transport: in terms of sustainability, safety and servicing needs

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

Site Location Plan
429-431/0415FUL1
429-431/0415FUL revA

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

- 2 No music, public address system or any other amplified sound shall be audible within any noise sensitive premises either attached to or in the vicinity of the subject premises.

Reason: To safeguard the amenities of the nearby occupiers.

- 3 The rear service yard to both 429 and 431 Kingsbury Road shall not be used as an area for outside customer seating or smoking in connection with the ground floor use hereby approved.

Reason: In the interests of safeguarding residential amenity.

- 4 The ground floor of the premises shall only be open and used for the preparation or sale of hot food and for ancillary purposes and accept deliveries to premises between the hours of:

0800 to 2300	Monday to Saturday
0800 to 2000	Sunday and Bank Holidays

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

- 5 Any outside customer seating and/or tables to the frontage of the premises is only permitted between the hours of 08:00 to 20:00 (Mon to Sun) and shall be cleared away at all other times, unless otherwise agreed in writing by the Local Planning Authority.

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

- 6 No alterations to existing or the installation of any additional plant, fume extraction and odour control equipment is permitted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the any changes to the extract equipment would not harm the amenity of residential occupiers.

- 7 The existing unauthorised rear extension over the rear service yard shall be fully removed (including all associated materials) within 1 month of the date of decision, and the approved parking and servicing layout implemented in full within this time period.

Reason; To ensure adequate servicing facilities in accordance with adopted UDP standards.

- 8 Pedestrian access to the first floor flats shall be maintained free from obstruction at all times.

Reason; To safeguard neighbouring residential amenity.

INFORMATIVES

- 1 The applicant is advised that advertisement consent is required for the recently installed fascia sign and the relevant application should be submitted for this.

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 10
Case Number **15/1934**

SITE INFORMATION

RECEIVED: 21 May, 2015

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX

PROPOSAL: Erection of 2 temporary modular classroom buildings with associated internal wc's and store in the school ground

APPLICANT: Brent Council

CONTACT: Curl La Tourelle Architects

PLAN NO'S: See Condition 2

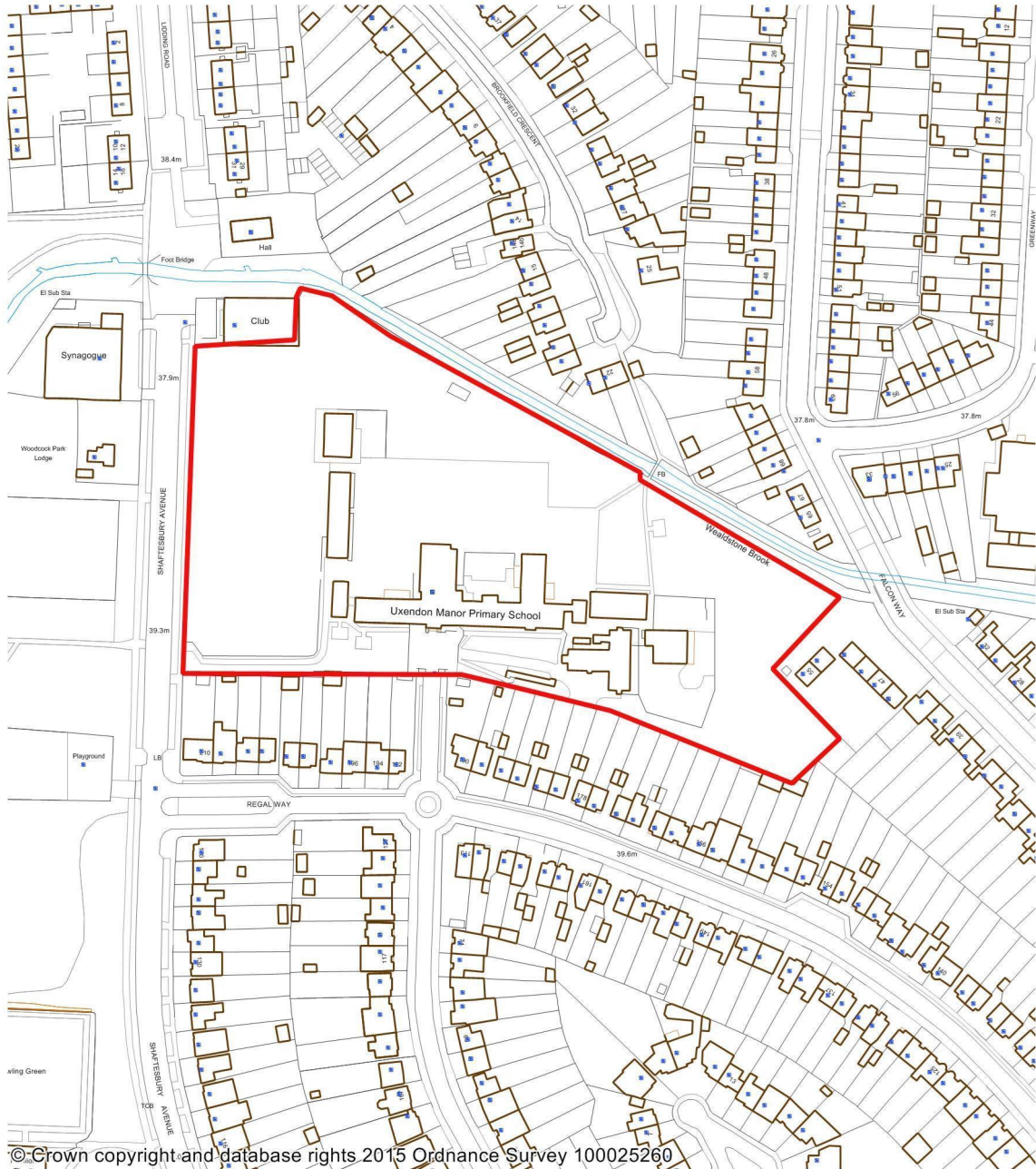
SITE MAP



Planning Committee Map

Site address: Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX

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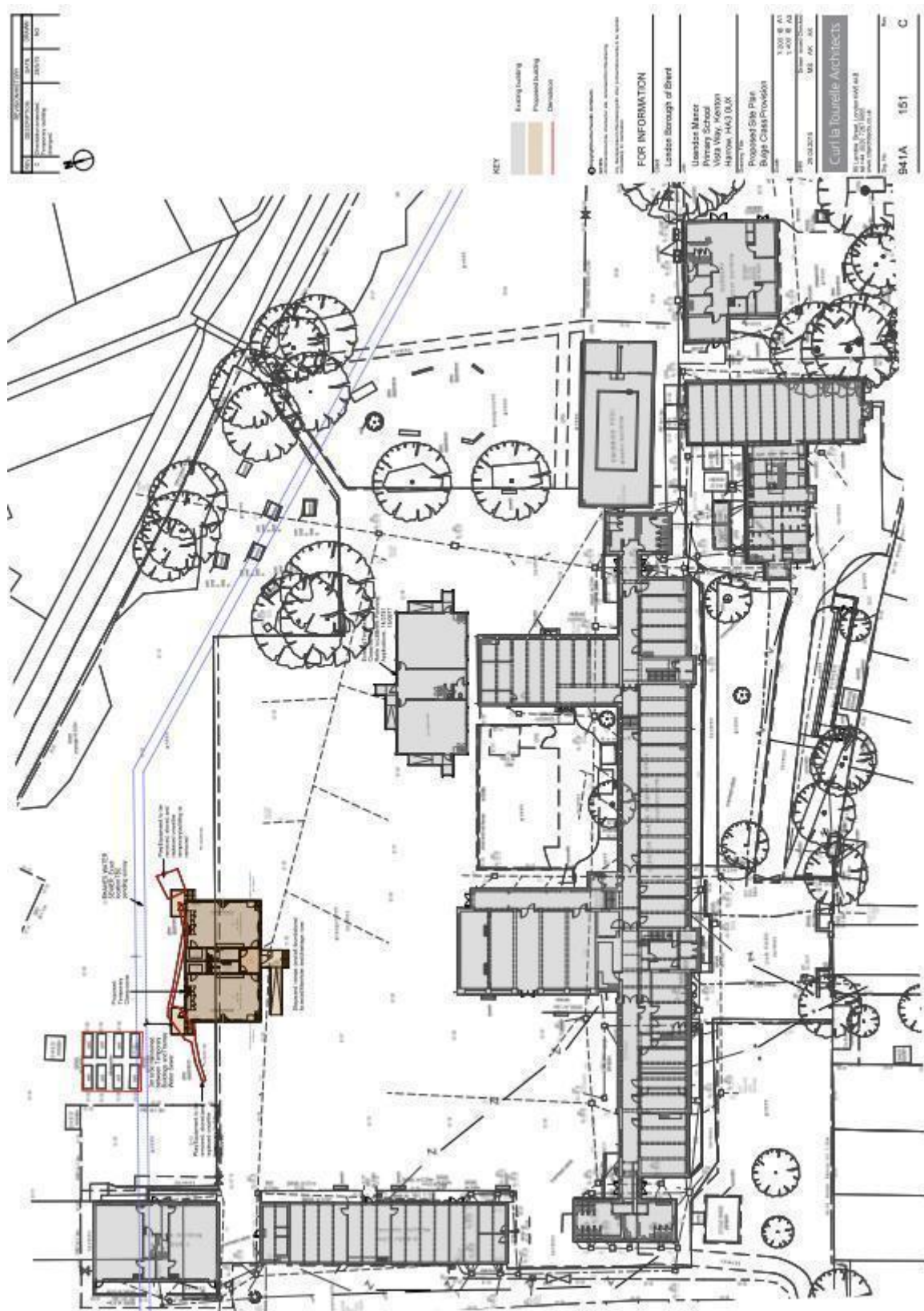


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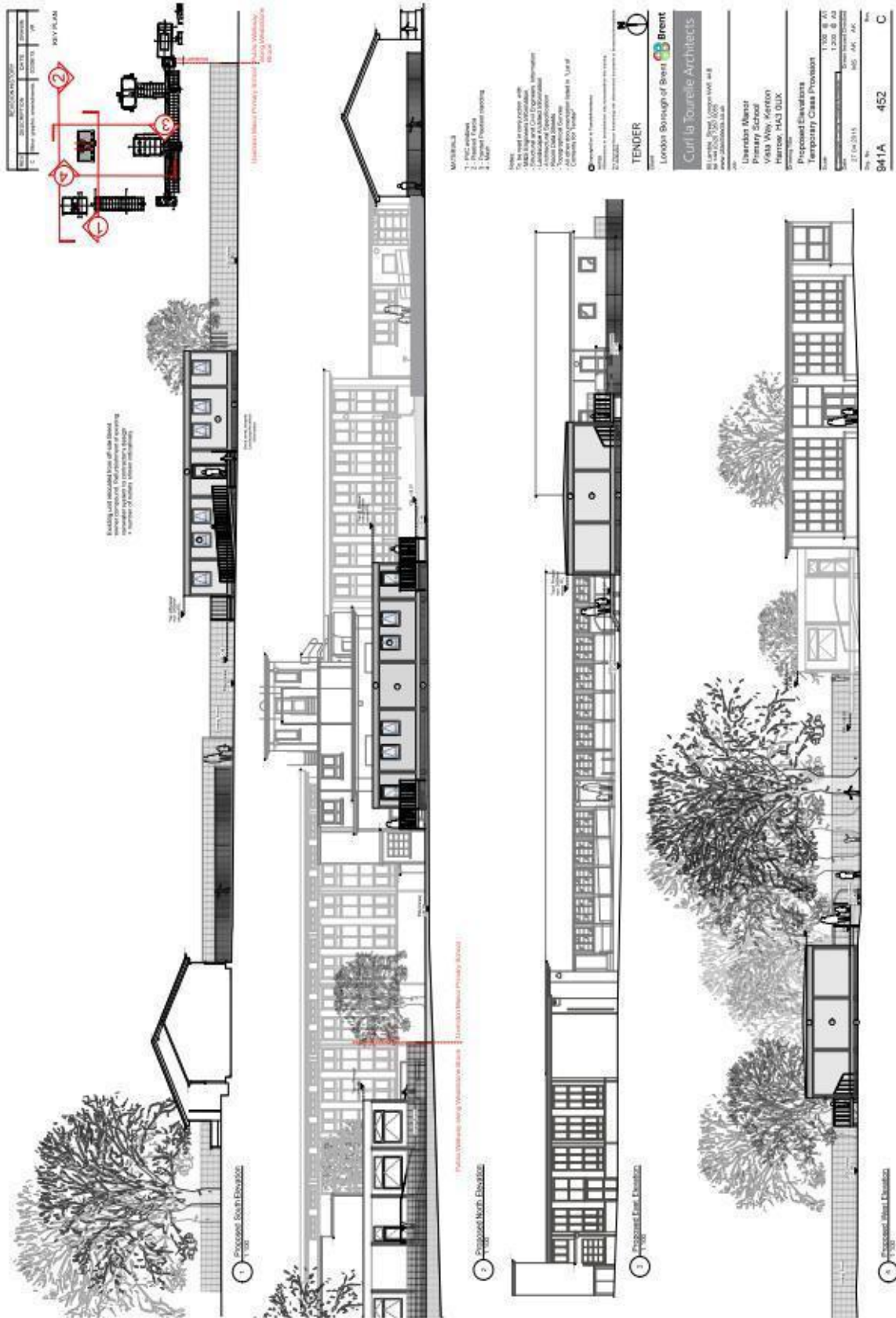
SELECTED SITE PLANS

SELECTED SITE PLANS

Proposed Site Plan



Proposed Elevations



RECOMMENDATIONS

Grant temporary consent, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

Erection of 2 temporary modular classroom buildings with associated internal wc's and store in the school ground.

B) EXISTING

The site is located at the northern end of Vista Way and this stretch of road (approx. 40m) only serves the school. The carriageway is approx. 6m wide and has parking restrictions for 'school keep clear' on one side and no restrictions on the other side. There is a mini roundabout at the end road serving the junction, Regal Way and Vista Way.

There is also an access into the school from Shaftesbury Avenue with 'school keep clear' markings in the vicinity of the entrance. There are no parking restrictions along the rest of Shaftesbury Avenue.

The school operates Monday to Friday and has various after school activities. The main school day starts at 08:50 for all primary pupils and finishes at 15:10 for Infants and 15:20 for Juniors. Before and after school clubs and activities are provided to further stagger arrivals and departures. The on-site nursery runs 2 sessions per day between, which are held between 08:30 – 11:30 and 12:30 – 15:30. 52 nursery pupils are split between the 2 sessions.

The site has very low access to Public Transport services, PTAL 0, with access to no bus routes or train stations within walking distance.

The entrance to the school, at the end of the road, is gated. The site has a vehicular crossover and a pedestrian footpath at the entrance.

In September 2014 an additional 30 reception children started. In order to accommodate these additional pupils, an existing music room and office were converted. These pupils have now been re-located to the temporary classrooms currently subject to a retrospective planning application (ref: 15/0977).

C) AMENDMENTS SINCE SUBMISSION

- The proposed layout has been amended to reflect the layout of the available temporary classrooms
- A transport assessment has been undertaken
- Habitat Survey amended to reflect the changes to the layout

D) SUMMARY OF KEY ISSUES

Principle: The school currently has 510 pupils (450 primary pupils plus 60 nursery pupils) and 64 full time staff ; however, this will increase to 570 pupils and an additional 4 members of staff (total of 68). The principle of the development is acceptable subject to meeting other policy objectives.

Design & Residential Amenity : The building is modest in scale and located behind the existing school buildings. It is set some distance from the site boundaries and will have no significant impact on residential amenity.

Transportation: The proposal results in an additional 60 pupils. Subject to the Travel Plan being updated, the application is not considered to give rise to any significant transportation concerns.

RELEVANT SITE HISTORY

Detailed planning history. Most recent applications are as follows:

15/0977 - Installation of a single storey modular temporary classroom building in the school's playground and

extension to existing car park (relocation of approved proposal reference 14/3781) – under consideration

14/3781 - Installation of single storey modular temporary classrooms in the playground of Uxendon Manor School – granted 13/02/2015

10/1654 - Erection of a two storey access lift to rear of school building as revised by plans received 05/08/2010 – granted 13/08/2010

09/1662 - Installation of replacement double-glazed, aluminium-framed windows to school building – granted 22/10/2009

CONSULTATIONS

Consultation letters were sent out to 32 neighbouring properties over May and June 2015. A site notice was also displayed in Regal Way and another on Shaftesbury Avenue.

5 objections have been received. A summary of the matters raised along with the officer's comment are set out in the table below.

Objection	Officer Comment
Impact on traffic during drop off and collection times	Para. 12-19
Safety from vehicular activity – vehicle and pedestrian	Para. 12-19
Drains and sewers unable to cope with population – Thames Water review required	Network capacity investigation may be required – informative to advise Thames Water
Increase in new buildings cause flooding	The proposed temporary classrooms are being raised on silts/posts to allow water to pass under them, unrestricting the flow. Finished Floor Level should be set no lower than 37.80m AOD to ensure that the development is not at risk of flooding in flood events up to the 1000 years flood event. Para. 21-24
Implications for Wealdstone Brook	Para. 21-24
Impact on amenity and privacy to neighbouring gardens	Para. 10-11
Increase noise nuisance during construction	This is to be managed under the Construction Method Statement to be secured by condition.
Increased noise nuisance from additional students	Para. 11
The classroom has already been constructed in the revised location, rather than the location approved under application ref. 14/3781	The retrospective application (ref. 15/0977) is to deal with the revised location as the initial location was not appropriate.

Kenton Ward Councillors – No comments received to date

Environmental Health –

A soil investigation by Site Analytical Services has been submitted as part of the application. this did not find any contamination, except for elevated benzo(a)pyrene in two locations. The environmental consultant has

deemed these to be hotspots that require remediation.

I do not agree with this assessment. No positive reason to exclude these data points as hotspots has been provided, other than the fact they were elevated. They should therefore be included in the statistical analysis to determine an average site concentration. These two soil samples were also taken from areas near to the tarmac playground. Benzo(a)pyrene is a polycyclic aromatic hydrocarbon, and these substances are elevated in tarmac, which children play on everywhere.

I am not satisfied that remediation is required as I do not believe that the risk posed by these two "hotspots" is at a level that warrants intervention.

I therefore have no objection or conditions to recommend for this application.

Landscape and design – Object due to possible damage to timber play equipment resulting from the removal and storage. With regards to the ecology and arboricultural report the landscape officer made the following comments:

The ecology report by Middlemarch Environmental Ltd is generally accurate and provides a sufficient snapshot of the current ecological value of the site and its surroundings. As the classrooms are only temporary and of a modular design, any negative ecological impacts will be short lived. I can also confirm that the tree report is accurate and adequate for the application.

Transportation - No transportation objections subject to the following

- (i) The new classrooms will result in additional pupils and this should be updated in the Schools Travel Plan to help to mitigate any impact that may arise.
- (i) The location of the proposed 40 cycle parking spaces must be submitted for LPA approval.

The Environment Agency –

The proposed development lies within Flood Zone 2. We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals where flood risk is an issue, to replace direct case by case consultation with us. This planning application sits within this category. Although the proposed classrooms are within 20m of the River, they are not within the byelaw distance of 8m and therefore we have no comments in relation to proximity to the river.

Sport England – No comments or objections received to date

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of particular relevance to the determination of the current application

The National Planning Policy Framework (NPPF)

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.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision

- in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The London Plan, 2015

The London Borough of Brent LDF Core Strategy 2010

CP18 – Protection and Enhancement of Open Space, Sports and Biodiversity

CP19 – Brent Strategic Climate Mitigation and Adaptation Measures

CP23 – Protection of existing and provision of new Community and Cultural Facilities

The London Borough of Brent Unitary Development 2004 ('saved' policies)

BE2- Townscape- Local Context and Character

BE5 – Urban Clarity & Safety

BE8 – Lighting and Light pollution

BE9- Architectural quality

BE12 – Sustainable Design Principles

BE17 – Building services equipment

EP2 – Noise & Vibration

EP6- Contaminated Land

H22 – Protection of Residential amenity

TRN3 – Environmental Impact of Traffic

TRN4 – Measures to make Transport Impact acceptable

TRN11 – The London Cycle Network

TRN22 – Parking standards- non-residential developments

TRN34 – Servicing in New development

TRN35 – Transport access for disabled people and others with mobility difficulties

CF2- Location of small scale Community Facilities

CF10 – Development within school grounds

Supplementary Planning Guidance

SPG17 - Design Guide for New Development

SPG12 – Access for disabled people, designing for accessibility

DETAILED CONSIDERATIONS

Introduction

1. Planning application 14/3781 was approved earlier this year for a single storey modular building incorporating two classrooms with associated WC facilities located on the playground in front of the main building. This was to replace ancillary accommodation (music room and library) that was lost due to a 30 place bulge class that started in 2014 within existing accommodation in the main school (no planning approval required).
2. The school has now submitted two additional applications to the Planning Department. This application is for an additional 2 temporary modular classrooms which will be located on the school playground opposite the main building. The classrooms will be used by 2 new reception classes and the applicant has clarified that this will result in an additional 60 pupils.
3. The second application (ref. 15/0977) is for the same modular building as approved under 14/3781; however, following advice from Building Control the location of the previously approved classroom was revised.
4. The school currently has 471 pupils with consented capacity for 510 pupils (450 primary pupils plus 60 nursery pupils) and 64 full time staff (figures taken from the Transport Report); however, this will increase to 570 pupils and an additional 4 members of staff (total of 68).

5. The School has entered into pre-application discussions with the Planning Department regarding a proposed wider school expansion; the planning merits of such a proposal will be considered if a planning application is submitted. The applicant has clarified that should the permanent expansion not be approved then the 30 children who started in 2014 and the 60 children who are expected to start in 2015 (accommodation provided through this application) will continue to the end of their primary education using the temporary accommodation, however no additional children will be added as would happen in a permanent expansion. As such, if the wider expansion was not approved the maximum number at the school would be 570 (510 primary pupils plus 60 nursery pupils) and after 7 years the temporary accommodation could be removed.

Scale and Design

6. The temporary modular building measures approximately 15.5m x 10m with a maximum height of 3.5m and will be located partially within the existing hard-surfaced play area to the north of the site.
7. Disability access is provided to the lobby with a ramp at a slope of 1:12. This complies with SPG12. One accessible WC (Part M compliant) is to be provided within the building to accommodate wheelchair users.
8. The temporary structures will be painted in a colour to suit the palette of materials in the existing school buildings. Full details of materials will be secured under a condition.

Impact on amenity of neighbouring occupiers

9. The building complies with SPG17 in terms of the building massing in relation to neighbouring gardens. It is closest to properties fronting Brookfield Crescent and Cranleigh Gardens.
10. The classroom will be positioned at least 40m from the nearest rear garden (20 Brookfield Crescent) and therefore any amenity impacts will be minor in nature. No noise assessment has been undertaken; however, as the proposal will result in an increase of 60 pupils only the impact is not considered to be significantly greater than that produced by the existing School (510 pupils).

Transport

11. Policy PS12, which restricts car parking to a maximum of 1 car space per 5 staff. Therefore a maximum of 13.6 car spaces would be permitted for this site. PS12 also allow for visitor parking provision at school sites; however this should be no more than 20% of the total staff parking provision, with a minimum, provision of one space.
12. The site has a car parking to the front and eastern corner of the site. Drawing number 120985/AR/BL/PRO/008 (see application 15/0977) shows that the site can accommodate 12 off street parking spaces and this will not be affected by the proposal. Therefore the total 12 off street parking spaces do satisfy Policy PS12 which is applied as a maximum standard. Aerial photography July 2013 also shows 6 vehicles parked on street, Vista Way, on the stretch of the road that serves the school only. This indicates that the on street parking, on this section of Vista Way, is operating at maximum capacity.
13. Standard PS12 also requires particular consideration to be given to setting down facilities for schools at the start and finish of the school day. The school does not appear operate a mini bus system neither does it have a designated drop off and pick up area. However, the school entrances, via Vista Way and Shaftesbury Avenue, are no through roads and therefore traffic in this area is low. There are no residential dwellings fronting this section of Shaftesbury Avenue which has a park, tennis courts, Synagogue and the school's fields. The street is over 7m wide and therefore can accommodate parking on both sides of the road and therefore overspill of parking onto Shaftesbury Avenue is not likely to inconvenience residents. In addition to this, Vista Way and Regal Way in the vicinity of the school and the mini roundabout have double yellow lines to prevent obstructive parking.
14. The school interacts with Brent's School Road Safety Team and has an up to date School Travel Plan (updated June 2015) which Brent's school road safety team and TfL have now approved a 'gold' accreditation. A condition is recommended to update the Travel Plan to reflect the increase in staff and pupils.
15. Table 1 in the report shows a parking survey carried out previously (no date given). The survey includes surrounding streets Palace Court, Regal Way, Regent Close, Shaftesbury Avenue, Vista Way and

Westward Way totalling 539 spaces available. The survey showed that between 7:30am to 9:30 there were approx. 131-173 vehicles parked in the area and between 14:30-17:30 there were 131-171 vehicles parked. Of these, 11-18 vehicles were parked in front of dropped kerbs in the morning and afternoon. The results show that there area has sufficient number of parking spaces available whilst retaining residential parking although some streets such as Westward Way are further from the school. However, there is still a large number of vehicles parking in front of dropped kerbs and this is not acceptable. As such, this will need to be addressed in the travel plan.

16. The report suggests that the expansion of the school is likely generate 9 additional vehicles trips resulting in 18 vehicle movements arriving and departing. The report identifies that majority park in Shaftesbury Avenue which is welcomed by transportation as there are no residential dwellings fronting this section of Shaftesbury Avenue and the street is over 7m and can therefore can accommodate parking on both sides so that it is not nuisance to residents and obstructive parking should not occur. The increase in vehicle movement to the school is a concern however the existing travel plan will help to encourage sustainable travel and mitigate any impact that may arise from the increase in pupils and staff.
17. The June 2015 School Travel Plan states that 20 Sheffield Stand spaces are provided on-site (10 stands). The School is also scheduled to receive an additional 2 cycle shelters containing 40 additional cycle parking spaces (20 stands) in the near future. The location of the proposed 40 cycle parking spaces must be submitted for LPA approval.

Drainage

18. The proposed building is to be located at least 3m from the Thames Water Sewer. The applicant has submitted a foul drainage plan that shows that the new temporary classrooms will be connected to the main run to the Thames Public Sewer. The applicant will be reminded in an informative that this will need to be agreed with Thames Water prior to the commencement of works.

Flood Management

19. The applicant has provided details of flood management for the proposal and has included a Flood Risk Assessment in accordance with the Environment Agency's standing advice.
20. The subject site is partially within Flood Zone 2 and partially in Flood Zone 3. As such, it is a medium risk site. However, the proposed development is to an educational facility and is therefore considered 'more vulnerable'.
21. The applicant has assessed the flood risk and made the following comments:
 - The classrooms are being raised on silts/posts to allow water to pass under them, unrestricting the flow.
 - Finished Floor Level should be set no lower than 37.80m AOD to ensure that the development is not at risk of flooding in flood events up to the 1000 years flood event. (Note: the revised elevations show the FFL at 38.07m)
 - Safe access and egress is available from the school site to Vista way to the south, outside of the floodplain.
22. As such, it can be concluded that the overall risk of flooding from all sources is considered to be low for the development.

Impact on sport provision

23. The proposed development will be partially located on an area of existing hard paved playground and partially on the grass area in the location of existing timber play equipment. The timber play equipment will be removed and stored to accommodate the development. Whilst this will result in the loss of the associated equipment temporarily from the School, the School is sited on large grounds with sufficient soft and hard stand play areas such that the proposal will not result in a significant loss of sports and recreational provision. As such, the proposal is considered to be consistent with Paragraph 74 of the NPPF.
24. A condition should be added to ensure that the hard stand play area and timber play equipment are made good after the end of the temporary consent.

Impact on local biodiversity

Document Imaged

*DocRepF
Ref: 15/1934 Page 4 of 16*

25. The applicant has provided a revised Habitat Survey as well as an Arboricultural Survey. In general all new development shall be located outside of the RPA or canopy spread of any retained tree. No vegetation clearance will be required for the proposed development. Brent's Landscape officers have determined that the information is satisfactory for the purposes of the application.
26. Recommendations have been made regarding habitat and species protection, which should be addressed under conditions for lighting, construction management, and landscaping.

Conclusion

27. Subject to the conditions set out at the end of this report officers recommend approval for the application to install the single storey modular temporary classrooms until July 2022, with a condition that the classroom be removed should the wider School Expansion be approved.

CIL DETAILS

This application is not liable to pay the Community Infrastructure Levy (CIL). This is because the application relates to an education use (use class D1) and has zero charge (£0).



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/1934

To: A Kerrane
Curl La Tourelle Architects
80 Lambale Street
London
NW5 4AB

I refer to your application dated 01/05/2015 proposing the following:
Erection of 2 temporary modular classroom buildings with associated internal wc's and store in the school ground
and accompanied by plans or documents listed here:
See Condition 2
at Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

The National Planning Policy Framework (NPPF) 2012

Brent Unitary Development Plan 2004
Brent Core Strategy 2010

SPG17 - Design Guide for New Development
SPG12 – Access for disabled people, designing for accessibility

- 1 This permission shall expire on 31/07/2022. Thereafter all buildings and associated infrastructure shall be removed from the site, and the playground (including timber play equipment) shall be made good across the site, in the state that it is currently, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The building is of temporary in nature only and would be contrary to design and playingfield protection policies and therefore could not be supported on a permanent basis.

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

- 941A PL 450 Existing Site Photos
- 941A PL 451 A Existing Elevations
- 941A PL 150 Existing Site Plan
- 941A 452 C Proposed Elevations
- 941A 151 C Proposed Site Plan
- SKD-001 D (Drainage Plan)
- Location Plan

Supplementary Information:

- Design and Access Statement
- Uxendon Manor Primary School Travel Plan
- 3037/006/Transport Report
- RT-MME-114393A-01 Rev A - EXTENDED PHASE 1 HABITAT SURVEY (Revised June 2015)
- RT-MME-114393A-03 Rev A - ARBORICULTURAL SURVEY (Revised July 2013)
- Flood Risk Assessment , Rev a (dated 27.04.15)
- 6.0 Foundation and Infrastructure Design (ref: 13/20687)

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

- 3 No external lights shall be erected unless details are first submitted to and agreed in writing by the local planning authority through the submission of details, which shall then only be implemented in accordance with the approved details

Reason: In order to safeguard local residential amenities and in the interest of protecting local biodiversity.

- 4 No new plant machinery and equipment (including air conditioning systems) associated with the proposed development shall be installed externally on the building unless details are first submitted to and agreed in writing by the local planning authority through the submission of

details, which shall then only be implemented in accordance with the approved details

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

- 5 Before any construction work on site, excluding demolition and site clearance, further details of materials for all external work, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The details shall include:

- (a) Cladding
- (b) Windows;
- (c) Doors;
- (d) Roof finishes;

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.

- 6 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- 1. The parking of vehicles of site operatives and visitors;
- 2. Construction traffic routes to the development site;
- 3. Loading and unloading of plant and materials;
- 4. Storage of plant and materials used in constructing the development;
- 5. Measures to control emission of dust and dirt during construction;
- 6. Measures to control noise emission during construction;

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

- 7 The development shall not be occupied until such time as an updated Travel Plan for the School has been submitted to and approved by the Local Planning Authority, with the Travel Plan then to be fully implemented upon occupation. The Travel Plan shall include the total number of pupils and staff at the time of initial occupation and shall include measures to encourage sustainable travel and mitigate any impact that may arise from the increase in pupils and staff.

Updated travel survey data shall be collected and the Travel Plan updated accordingly within the first school year following the occupation of the development.

Reason: To ensure the free and safe flow of traffic in the area.

- 8 Further details of the proposed 40 cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

The development shall not be occupied until the additional cycle spaces have been provided in accordance with the approved details and these shall be retained thereafter for the lifetime of the development.

Reason: In the interests of highway safety and encourage use of sustainable transport.

INFORMATIVES

- 1 The applicant is reminded that this permission relates only to the erection of the temporary modular classroom. Any proposed wider expansion would require planning permission.

- 2 The applicant is reminded that this permission relates only to the erection of the temporary modular classroom. Any proposed wider expansion would require planning permission.

Any person wishing to inspect the above papers should contact Brigette Priestley, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5130

COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 11
Case Number 15/0977

SITE INFORMATION

RECEIVED: 18 June, 2015

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX

PROPOSAL: Installation of a single storey modular temporary classroom building in the school's playground and extension to existing car park (relocation of approved proposal reference 14/3781)

APPLICANT: LB Brent: Regeneration & Growth

CONTACT: Watts Group PLC

PLAN NO'S: *Plans and Documents:*
120985/AR/OS/JJP/PRO/001
120985/AR/BL/JJP/PRO/002
120985/AR/PRO/003 Rev. A
120985/ST/PRO/004 Rev. A
120985/ST/PRO/005 Rev. A
120985/AR/BL/PRO/008 REV A (Car Park Proposed)
Proposed Layout (Revised 16.10.14)
14186.SS.001 T2 MEP Services
120985/AR/PRO/003 (Car Park Existing)
Proposed Layout Revised 16.10.14

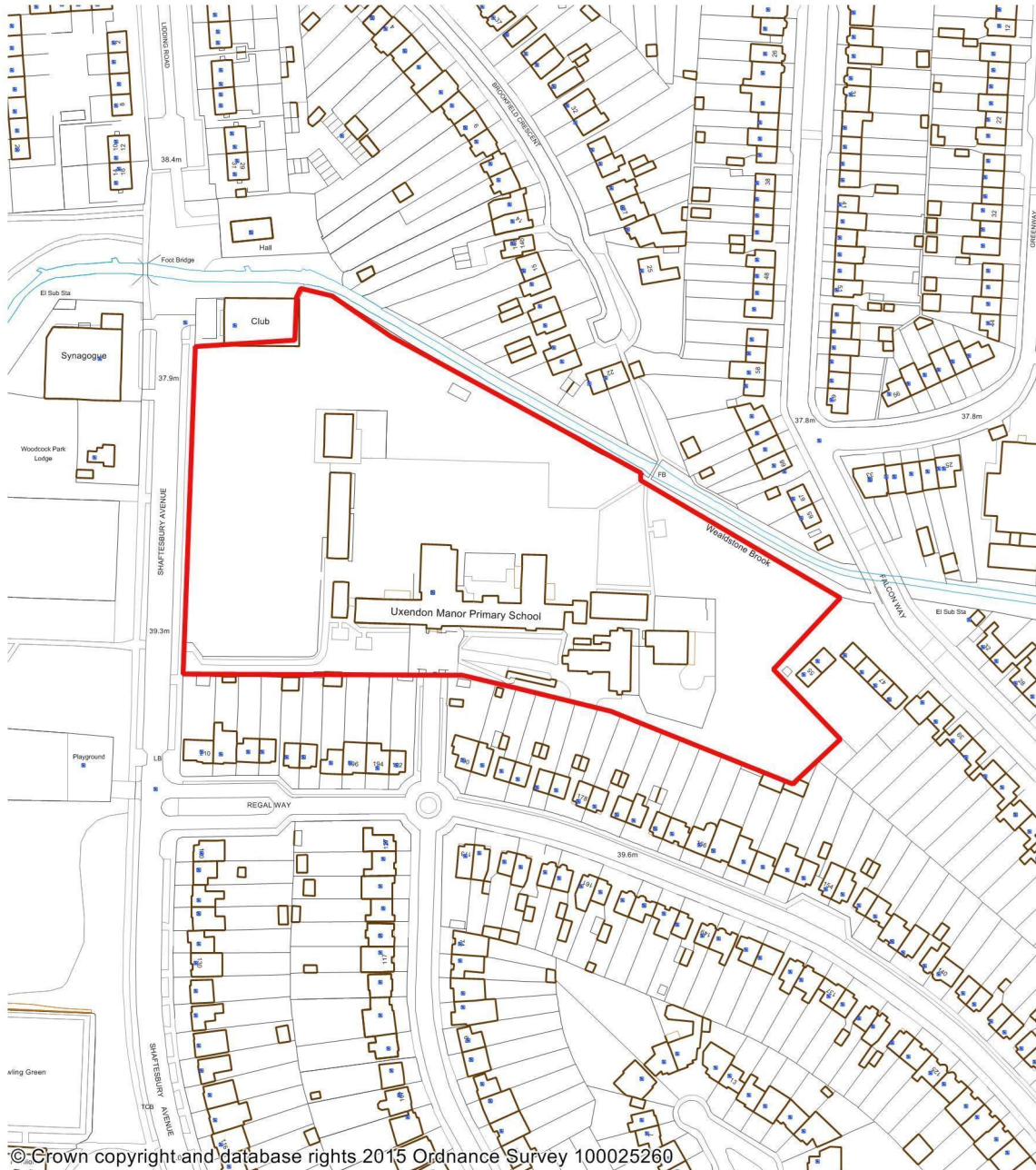
SITE MAP



Planning Committee Map

Site address: Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX

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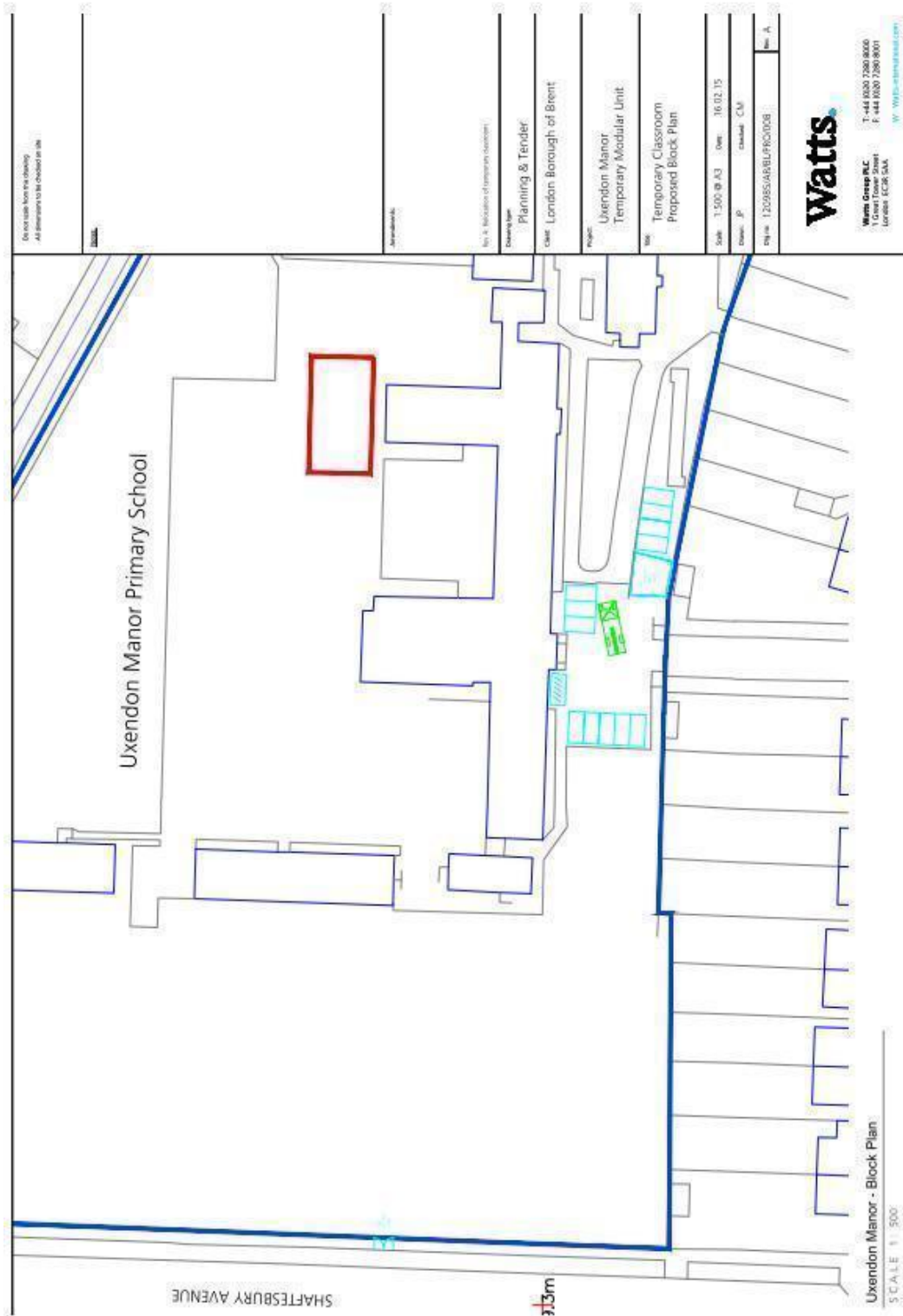


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This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

Proposed Block Plan



RECOMMENDATIONS

Grant temporary consent, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

Installation of a single storey modular temporary classroom building in the school's playground and extension to existing car park (relocation of approved proposal reference 14/3781). The works have been carried out.

B) EXISTING

The site is located at the northern end of Vista Way and this stretch of road (approx. 40m) only serves the school. The carriageway is approx. 6m wide and has parking restrictions for 'school keep clear' on one side and no restrictions on the other side. There is a mini roundabout at the end road serving the junction, Regal Way and Vista Way.

There is also an access into the school from Shaftesbury Avenue with 'school keep clear' markings in the vicinity of the entrance. There are no parking restrictions along the rest of Shaftesbury Avenue.

The school operates Monday to Friday and has various after school activities. The main school day starts at 08:50 for all primary pupils and finishes at 15:10 for Infants and 15:20 for Juniors. Before and after school clubs and activities are provided to further stagger arrivals and departures. The on-site nursery runs 2 sessions per day between, which are held between 08:30 – 11:30 and 12:30 – 15:30. 52 nursery pupils are split between the 2 sessions.

The site has very low access to Public Transport services, PTAL 0, with access to no bus routes or train stations within walking distance.

The entrance to the school, at the end of the road, is gated. The site has a vehicular crossover and a pedestrian footpath at the entrance.

In September 2014 an additional 30 reception children started. In order to accommodate these additional pupils, an existing music room and office were converted. These pupils have now been re-located to the temporary classroom subject to this application.

D) SUMMARY OF KEY ISSUES

Principle: The applicant has outlined that the classroom is to allow the school to reinstate facilities lost in September 2014 when an additional 30 reception children started, and will not result in any additional pupils from this development. The principle of the development is acceptable subject to meeting other policy objectives.

Design & Residential Amenity : The building is modest in scale and located behind the existing school buildings. It is set some distance from the site boundaries and will have no significant impact on residential amenity.

Transportation: The proposal does not result in any additional pupils therefore will not result in transport concerns.

RELEVANT SITE HISTORY

Detailed planning history. Most recent applications are as follows:

15/1934 - Erection of 2 temporary modular classroom buildings with associated internal wc's and store in the school ground – under consideration

14/3781 - Installation of single storey modular temporary classrooms in the playground of Uxendon Manor

School – granted 13/02/2015

10/1654 - Erection of a two storey access lift to rear of school building as revised by plans received 05/08/2010 – granted 13/08/2010

09/1662 - Installation of replacement double-glazed, aluminium-framed windows to school building – granted 22/10/2009

CONSULTATIONS

Consultation letters were sent out to 43 neighbouring properties in June 2015. A site notice was also displayed in Regal Way and another on Shaftesbury Avenue.

5 objections have been received. A summary of the matters raised along with Officer Comment are set out in the table below.

Objection	Officer Comment
Impact on traffic during drop off and collection times	The proposal is for a temporary classroom only, and will allow the school to re-instate the facilities lost in September 2014 when there was an increase in pupil numbers (additional 30 pupils) See paragraph 12-17 for Transportation considerations.
Safety from vehicular activity – vehicle and pedestrian	See above.
Impact on privacy of neighbouring gardens	See paragraph 10-11
Increase in new buildings cause flooding	See paragraph 19-21
Implications on the wider development proposal; objection to the use of step wise development	The applicant has entered into discussions with Brent's Planning Department regarding the proposed wider development of the School. This is not considered as part of the current application.
The classroom has already been constructed in the revised location, rather than the location approved under application ref. 14/3781	The retrospective application is to deal with the revised location as the initial location was not appropriate.

Kenton Ward Councillors – No comments received to date

Environmental Health – No comments to make

Landscape and design – No objections

Transportation - No objections

The Environment Agency –

The proposed development lies within Flood Zones 2 & 3 and is over 20m from the main river. We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals where flood risk is an issue, to replace direct case by case consultation with us. This planning application sits within this category and you do not need to consult us. These standard comments are known as Flood Risk Standing Advice (FRSA). FRSA can be viewed on our web site at <https://www.gov.uk/flood-risk-standing-advice-frsa-for-local-planning-authorities>. We recommend that you view our standing advice in full on our web site before making a decision on this application. We do not need to be consulted further on this application.

Sport England – No comments to make

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of particular relevance to the determination of the current application

The National Planning Policy Framework (NPPF)

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.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The London Plan, 2015

The London Borough of Brent LDF Core Strategy 2010

CP18 – Protection and Enhancement of Open Space, Sports and Biodiversity

CP19 – Brent Strategic Climate Mitigation and Adaptation Measures

CP23 – Protection of existing and provision of new Community and Cultural Facilities

The London Borough of Brent Unitary Development 2004 ('saved' policies)

BE2- Townscape- Local Context and Character

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BE12 – Sustainable Design Principles

BE17 – Building services equipment

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EP6- Contaminated Land

H22 – Protection of Residential amenity

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TRN34 – Servicing in New development

TRN35 – Transport access for disabled people and others with mobility difficulties

CF2- Location of small scale Community Facilities

CF10 – Development within school grounds

DETAILED CONSIDERATIONS

Introduction

1. Planning application 14/3781 was approved earlier this year for a single storey modular building incorporating two classrooms with associated WC facilities located on the playground in front of the main building. This was to replace ancillary accommodation (music room and library) that was lost due to a 30 place bulge class that started in 2014 within existing accommodation in the main school (no planning approval required).
2. The current application is for the same modular building as approved under 14/3781; however, following advice from Building Control the location of the previously approved classroom was revised.
3. The proposal is for a single storey modular building incorporating two classrooms with associated WC facilities, located within the grounds of Uxendon Manor Primary School. The temporary building is proposed until December 2016 and will be located within the existing hard-surfaced play area to the north of the school main building.
4. The applicant has outlined that the classroom is to allow the school to reinstate facilities lost in September 2014 when an additional 30 reception children started, and will not result in any additional pupils from this development.
5. The school has also submitted an application (ref. 15/1934) is for an additional 2 temporary modular classrooms which will be located on the school playground opposite the main building. This application will be considered separately.
6. The school currently has 471 pupils with consented capacity for 510 pupils (450 primary pupils plus 60 nursery pupils) and 64 full time staff. This includes the additional 30 pupils from 2014. The School has entered into pre-application discussions with the Planning Department regarding a proposed wider school expansion; the planning merits of such a proposal will be considered if a planning application is submitted. The applicant has clarified that, should the permanent expansion not be approved, the 30 children who started in 2014 and the 60 children who are expected to start in 2015 (subject to approval of application 15/1934) will continue to the end of their primary education, using the temporary accommodation described above, however no additional children will be added as would happen in a permanent expansion. As such, if the wider expansion was not approved the maximum number at the school would be 570 (510 primary pupils plus 60 nursery pupils) and after 7 years the temporary accommodation could be removed.

Scale and Design

7. The temporary modular building was pre-existing and relocated to Uxendon Manor Primary. It measures approximately 19m x 10m with a height of 3.5m and located within the existing hard-paved play area to the north of the school main building. The modular building will be positioned at least 1500mm from the existing school building to allow access around the unit.
8. Photos of the building as existing show that the structure has an internal layout as shown on the propose plans.
9. The external cladding has been painted grey. The building is raised on set foundations and is raised up approximately 170mm to 200mm due to the change in ground level. The finished floor level, measured at the lobby entrance, is 540mm high.
10. Disability access is provided to both classrooms and the lobby with ramps at a slope of 1:12. This complies with SPG12. Both WC facilities are of sufficient size to accommodate wheelchair users. The site visit showed that the ramp to the main lobby is situated to the east of the door instead of the west, however this is not materially different.

Impact on amenity of neighbouring occupiers

11. The building complies with SPG17 in terms of the building massing in relation to neighbouring gardens. It is closest to properties fronting Brookfield Crescent and Cranleigh Gardens.
12. The classroom is positioned at least 36m from the nearest rear garden (21 Brookfield Crescent) and therefore any amenity impacts will be minor in nature. No noise assessment has been undertaken; however, as the proposal will not result in any increase in pupils the impact is not considered to be significantly greater than that produced by the existing School.

Transport

13. Policy PS12, which restricts car parking to a maximum of 1 car space per 5 staff. Therefore a maximum of 12.9 car spaces will be permitted for this site. PS12 also allow for visitor parking provision at school sites; however this should be no more than 20% of the total staff parking provision, with a minimum, provision of one space.
14. The site has a car parking to the front and eastern corner of the site. Drawing number 120985/AR/BL/PRO/008 shows that the site can accommodate 12 off street parking spaces and this will not be affected by the proposal. Therefore the total 12 off street parking spaces do satisfy Policy PS12. Aerial photography July 2013 also shows 6 vehicles parked on street, Vista Way, on the stretch of the road that serves the school only. This indicates that the on street parking, on this section of Vista Way, is operating at maximum capacity.
15. Standard PS12 also requires particular consideration to be given to setting down facilities for schools at the start and finish of the school day. The school does not appear operate a mini bus system neither does it have a designated drop off and pick up area. However, the school entrances, via Vista Way and Shaftesbury Avenue, are no through roads and therefore traffic in this area is low. There are no residential dwellings fronting this section of Shaftesbury Avenue which has a park, tennis courts, Synagogue and the school's fields. The street is over 7m wide and therefore can accommodate parking on both sides of the road and therefore overspill of parking onto Shaftesbury Avenue is not likely to inconvenience residents. In addition to this, Vista Way and Regal Way in the vicinity of the school and the mini roundabout have double yellow lines to prevent obstructive parking.
16. The school interacts with Brent's School Road Safety Team and has an up to date School Travel Plan (June 2015) which Brent's school road safety team and TfL have now approved a 'gold' accreditation. The school has reduced the proportion of children travelling by car from 38% to 23% since 2011. It is however noted that the Travel Plan does not include the additional 30 pupils from 2014 therefore a condition is recommended to require this Plan to be updated to reflect the changes in pupil numbers.
17. The June 2015 School Travel Plan states that 20 Sheffield Stand spaces are provided on-site (10 stands). The School is also scheduled to receive an additional 2 cycle shelters containing 40 additional cycle parking spaces (20 stands) in the near future.
18. In conclusion, the parking requirements remain unchanged as a result of the development. There are no objections to this proposal in principle, subject to there being no increase in pupil numbers.

Car Park Extension

19. The application also proposes to increase the size of the front car park, off Vista Way. The number of parking spaces will not be increased. The purpose is to allow greater room for fire truck access. There will be minimal impact on neighbouring dwellings resulting from the changes as the number of vehicles parking in this car park will not be increased. A condition will be added that the 12 parking spaces be clearly marked out.

Flood Management

20. The subject site is within Flood Zone 2. As such, it is a medium risk site. However, the proposed development is to an educational facility and is therefore considered 'more vulnerable'.
21. The applicant has provided details of flood management for the proposal, including a Flood Risk Assessment, as part of the previous application. As part of that report the following recommendations were made:
 - Temporary structure to be on stilts. Finished Floor Level should be set no lower than 38.07m to provide 300mm freeboard above EA modelled flood levels.

- Safe access and egress is available from the school site to Vista way to the south.
- The site manager should sign up to the EA Floodline Warnings Direct service.
- A flood plan should be developed, or an existing flood plan for the school (if available) updated to include the new classroom.

22. The solid panels around the base of the unit will need to be modified to provide space to allow flood waters to flow under the structure with minimal obstruction. A condition is recommended in addition to requirements to develop a new/updated flood management plan.

Impact on sport provision

23. The development is located on an area of existing hard paved playground where there are some markings for play. However, the school is sited on large grounds with sufficient soft and hard stand play areas such that the proposal will not result in a significant loss of sports and recreational provision. As such, the proposal is considered to be consistent with Paragraph 74 of the NPPF.

24. A condition should be added to ensure that the hard stand play area is made good after the end of the temporary consent.

Conclusion

25. Subject to the conditions set out at the end of this report officers recommend approval for the application to install the single storey modular temporary classrooms until December 2016.

CIL DETAILS

This application is not liable to pay the Community Infrastructure Levy (CIL). This is because the application relates to an education use (use class D1) and has zero charge (£0).



Brent

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/0977

To: Mr Paul
Watts Group PLC
1 Great Tower Street
London
EC3R 5AA

I refer to your application dated 09/03/2015 proposing the following:
Installation of a single storey modular temporary classroom building in the school's playground and extension to existing car park (relocation of approved proposal reference 14/3781) and accompanied by plans or documents listed here:

Plans and Documents:

120985/AR/OS/JJP/PRO/001
120985/AR/BL/JJP/PRO/002
120985/AR/PRO/003 Rev. A
120985/ST/PRO/004 Rev. A
120985/ST/PRO/005 Rev. A
120985/AR/BL/PRO/008 REV A (Car Park Proposed)
Proposed Layout (Revised 16.10.14)
14186.SS.001 T2 MEP Services
120985/AR/PRO/003 (Car Park Existing)
Proposed Layout Revised 16.10.14

at Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Planning Policy Guidance 17 – Planning for open space, sport and recreation
Planning Policy Statement 25 – Development & Flood Risk
Planning Policy Statement – A sporting future for the playing fields of England
Brent Unitary Development Plan 2004
Brent Core Strategy 2010
SPG17 - Design Guide for New Development
SPG12 – Access for disabled people, designing for accessibility

- 1 This permission shall be for a limited period only expiring on 31/12/2016 (unless a further application has been submitted to and approved in writing by the Local Planning Authority). Thereafter all buildings and associated infrastructure shall be removed from the site, and the playground shall be made good across the site, in the state that it is currently, unless otherwise agreed in writing by the Local Planning Authority

Reason: The building is of a temporary nature which the Local Planning Authority would not be prepared to approve other than for a limited period, having regard to its construction and/or effect on the visual amenity of the area.

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

Plans and Documents:

120985/AR/OS/JJP/PRO/001
120985/AR/BL/JJP/PRO/002
120985/AR/PRO/003 Rev. A
120985/ST/PRO/004 Rev. A
120985/ST/PRO/005 Rev. A
120985/AR/BL/PRO/008 REV A (Car Park Proposed)
Proposed Layout (Revised 16.10.14)
14186.SS.001 T2 MEP Services
120985/AR/PRO/003 (Car Park Existing)
Proposed Layout Revised 16.10.14

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

- 3 The proposed development shall not result in a net increase in the number of pupils to the School (above 510) unless otherwise agreed in writing by the Local Planning Authority .

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties or harm the local highway network

- 4 No external lights shall be erected unless details are first submitted to and agreed in writing by the local planning authority through the submission of details, which shall then only be implemented in accordance with the approved details

Reason: In order to safeguard local residential amenities and in the interest of protecting local biodiversity.

- 5 No new plant machinery and equipment (including air conditioning systems) associated with the proposed development shall be installed externally on the building unless details are first submitted to and agreed in writing by the local planning authority through the submission of details, which shall then only be implemented in accordance with the approved details

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

- 6 Prior to first use of the extended car park, the parking spaces shall be permanently marked out in accordance with the layout shown on the approved plans.

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 Planning permission 14/3781 shall not be implemented unless the building approved as part of this planning permission is first removed.

Reason: To ensure the proposal does not result in a further increase of accommodation.

- 8 Within 3 months of the date of this permission, an updated Travel Plan for the School shall be submitted to and approved by the Local Planning Authority, with the Travel Plan then to be fully implemented thereafter fully adhered to. The Travel Plan shall include the total number of pupils and staff and shall include measures to encourage sustainable travel and mitigate any impact that may arise from the increase in pupils and staff.

Reason: To ensure the free and safe flow of traffic in the area.

- 9 Within 1 month of the date of this permission, a new flood management plan shall be developed for the new classroom or the existing flood management plan for the school (if available) shall be updated to include the new classroom. Works shall also be carried out to modify the base of the building to provide perforation to allow the flow of flood water under the building.

Reason: To mitigate the impacts of flooding to the site.

INFORMATIVES

- 1 The applicant is reminded that this permission relates only to the erection of the temporary modular classroom. Any proposed wider expansion would require planning permission.
- 2 The applicant is advised to contact Thames Water to determine whether a network capacity investigation is required.
- 3 The applicant is advised that the School's flood management plan should be updated prior to the future occupation of the unit to mitigate the impacts of flooding to the site.

Any person wishing to inspect the above papers should contact Brigette Priestley, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5130

COMMITTEE REPORT

Planning Committee on 26 August, 2015
Item No 12
Case Number **15/0643**

SITE INFORMATION

RECEIVED: 17 March, 2015

WARD: Mapesbury

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 2 Dawson Road, London, NW2 6UA

PROPOSAL: Demolition of existing conservatory, erection of a two storey side and single storey rear extension, new rooflights (1 front, 1 rear and 1 side), reduction in size of the first floor front elevation windows and conversion of dwellinghouse into 2 self-contained duplex flats (2 x 3bed) with associated provisions for bin stores, car parking, amenity space and landscaping

APPLICANT: Mr Gaetano Maddalena

CONTACT: B S Associates

PLAN NO'S: See Condition 2

SITE MAP



Planning Committee Map

Site address: 2 Dawson Road, London, NW2 6UA

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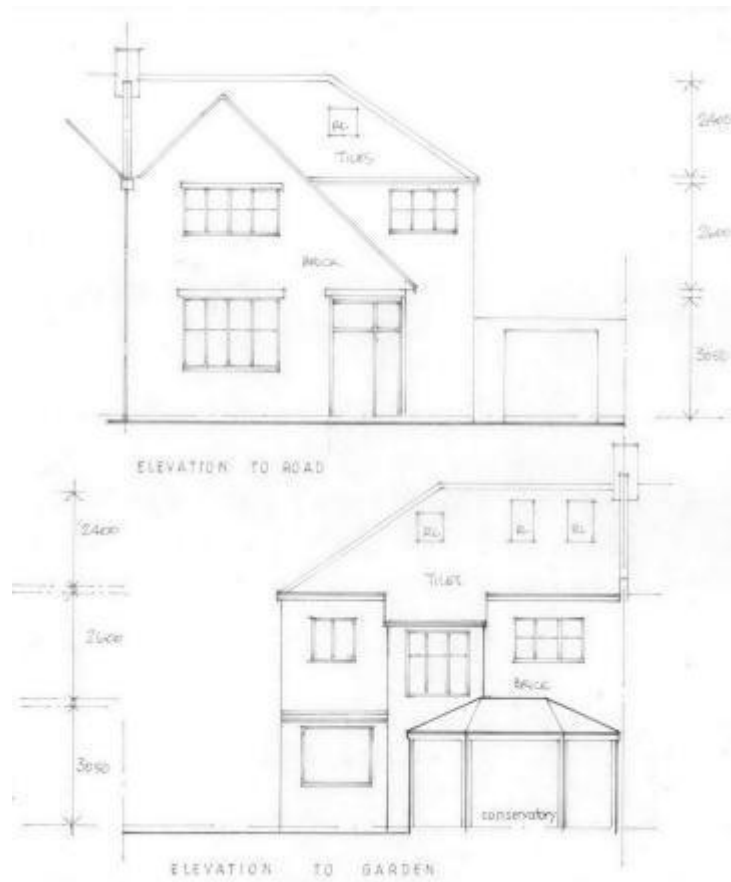
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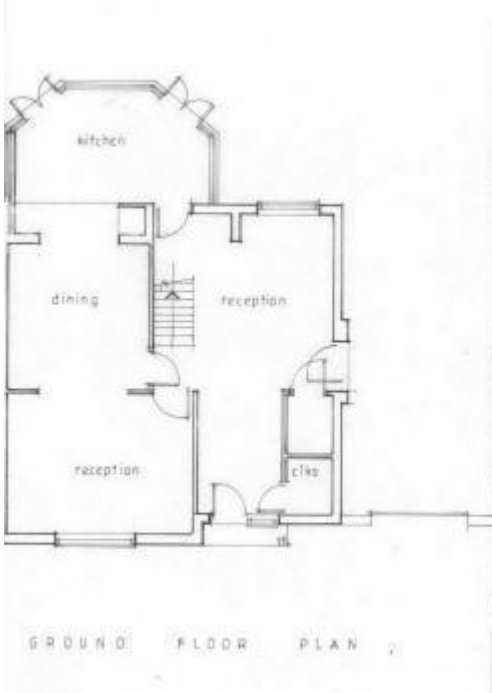


This map is indicative only.

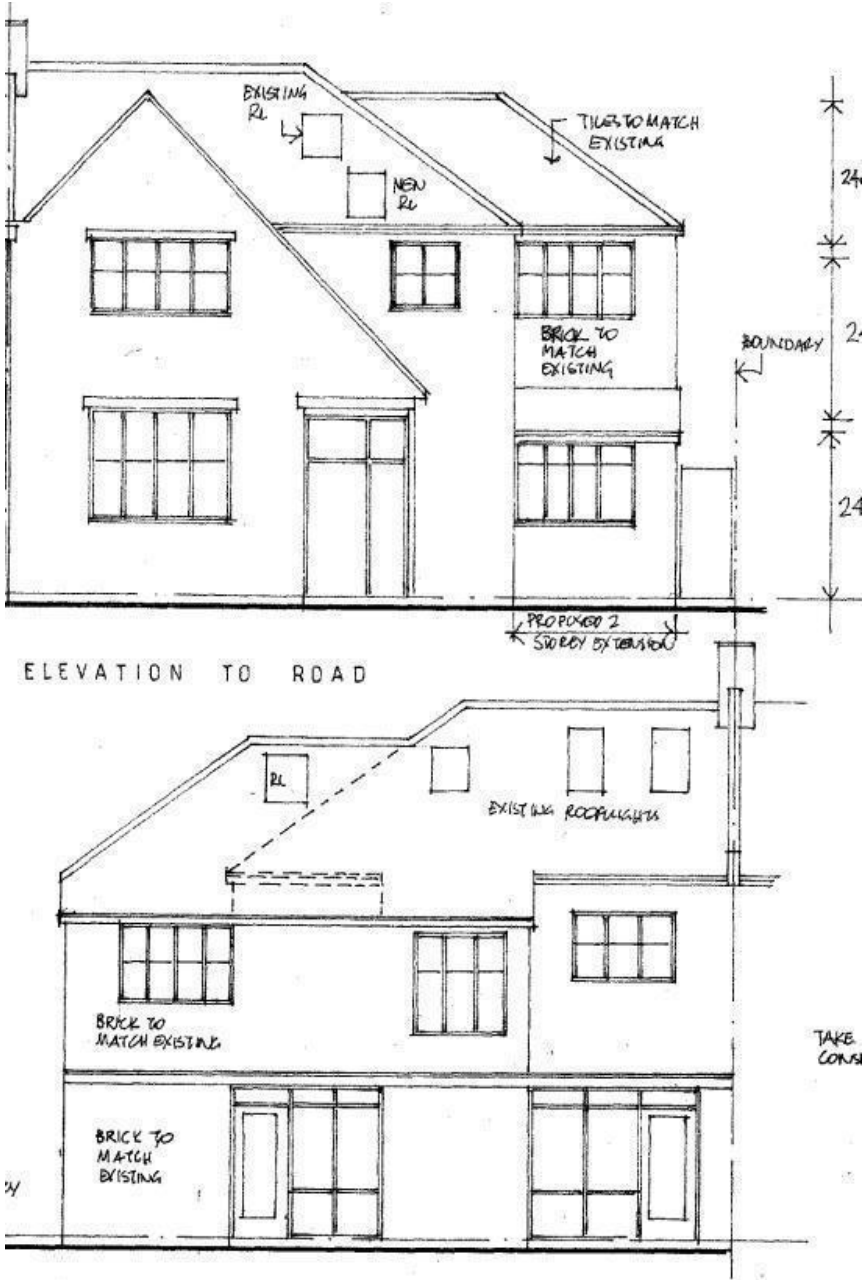
SELECTED SITE PLANS
SELECTED SITE PLANS
Existing elevations



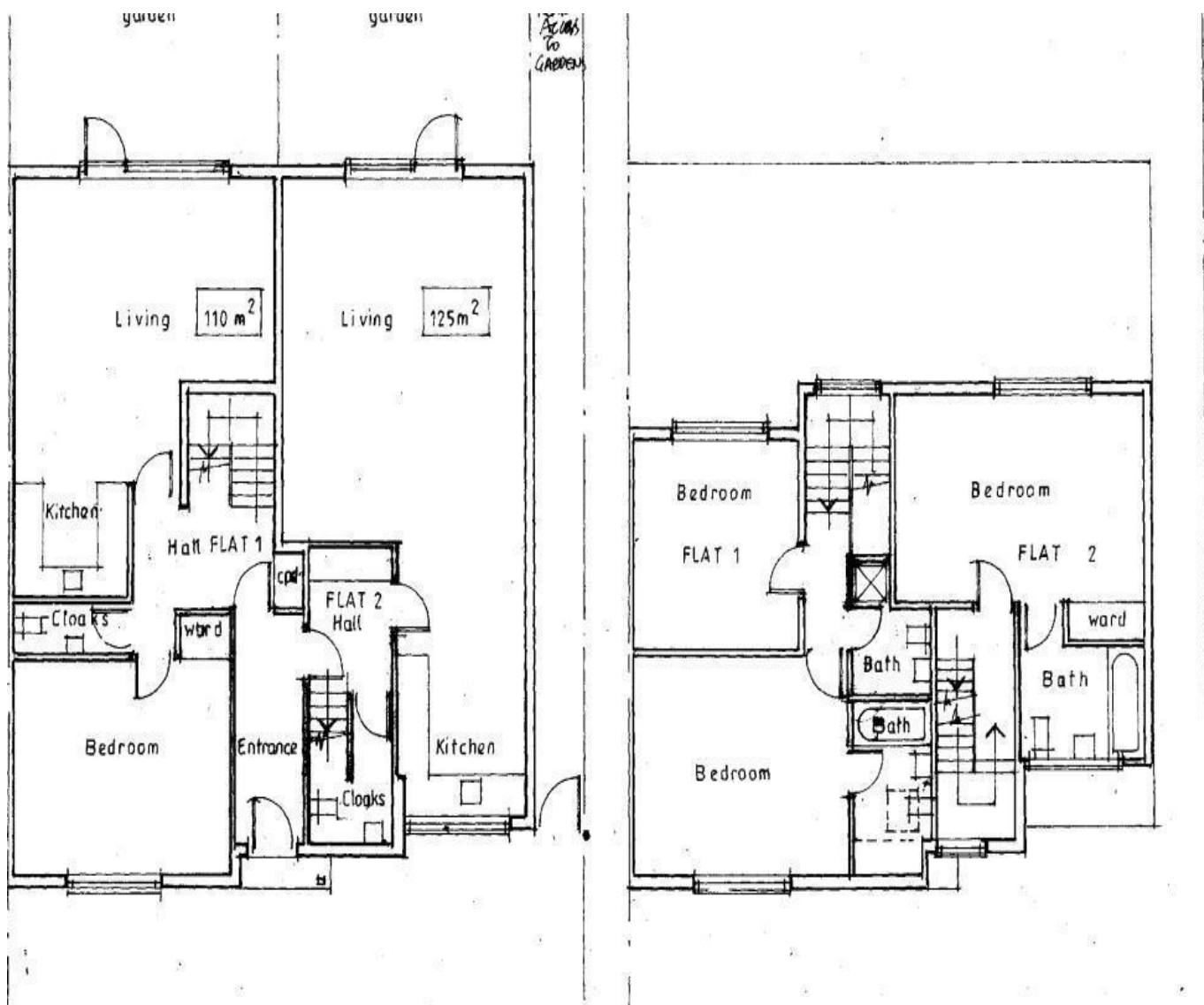
Existing floor plan



Proposed Elevations



Proposed floor plans



RECOMMENDATIONS

Approval, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

Demolition of existing conservatory, erection of a two storey side and single storey rear extension, new rooflights (1 front, 1 rear and 1 side), reduction in size of the first floor front elevation windows and conversion of dwellinghouse into 2 self-contained duplex flats (2 x 3bed) with associated provisions for bin stores, car parking, amenity space and landscaping

B) EXISTING

Two storey semi-detached dwellinghouse located on the end of Dawson Road, close to the junction with Anson Road. The area is predominantly residential. The site is not within a conservation area nor is it a listed building.

Neighbouring properties:

- *4 Dawson Road:* is the attached semi to the application site and lies north of the site. This property remains a single dwellinghouse with single storey side and rear extensions. The rear extension is a relatively small conservatory which abuts the shared boundary with 2 Dawson Road.
- *Rear gardens of 102 & 100 Anson Road:* lie to the south of the application site. The rear garden depth of these properties is approximately 20m when measured from the main rear wall of these houses.

C) AMENDMENTS SINCE SUBMISSION

During the course of the application process, amendments were requested for:

- a reduction in the number of flats proposed from 3 units to 2 units because of sites inability to comfortably provide adequate off-street parking with forecourt landscaping and bins
- a better arrangement for subdivision of the rear garden
- a forecourt plan to show bins and planting

D) SUMMARY OF KEY ISSUES

Extensions to property: This comprises a 2 storey side extension and single storey rear extension. The size and design of the extensions are compliant with principles set out in SPG5. As such, the additions are subservient to the principal building and will not have a significant impact to the amenity of occupiers living in neighbouring properties.

Conversion to 2 flats: Sub-division of the property to 2 flats is possible because the GIA of the original house is greater than 110sqm, a parameter set in the UDP(2004) for streets that are not designated as heavily parked.

Loss of a large family house: There is considerable objection to the loss of the house on Dawson Road and the impact flats will have on the demographic composition of the street. Residents has stated the street is 'family' street and that sub-division to flat will spoil the existing nature of the street. Local residents have stated they are currently seeking to make Dawson Road into a play street.

Parking: Dawson Road is not within an area of good public transport accessibilty. As such, the proposal can not be car-free. Nonetheless, 2 off-street car parking spaces can be provided within the forecourt of the site. This arrangement will also allow for 50% of the proportion of the forecourt to retain planting as a front garden area.

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	286	286	0	38	324

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

14/3880 - Withdrawn, 28/11/2014

Demolition of existing conservatory, erection of a two storey side and single storey rear extension, conversion of dwellinghouse into four self-contained flats (1x 3bed, 2x 2 bed and 1x 1bed) with associated provisions for bin stores, car parking and landscaping

CONSULTATIONS

Dated: 23 Mar 2015

Neighbours/Representees:

1. The Owner / Occupier, 21 Dawson Road, NW2 6UB

2. The Owner / Occupier, 18 Dawson Road, London, NW2 6UA
3. The Owner / Occupier, 18 Dawson Road, London, NW2 6UA
4. The Owner / Occupier, 15 Dawson Road, London, NW2 6UB
5. The Owner / Occupier, 94 Anson Road, London, NW2 6AG
6. The Owner / Occupier, 96 Anson Road, London, NW2 6AG
7. The Owner / Occupier, 98 Anson Road, London, NW2 6AG
8. The Owner / Occupier, 100 Anson Road, London, NW2 6AG
9. The Owner / Occupier, 102 Anson Road, London, NW2 6AG
10. The Owner / Occupier, 104 Anson Road, London, NW2 6AH
11. The Owner / Occupier, 2 Blackstone Road, London, NW2 6BY
12. The Owner / Occupier, 4 Blackstone Road, London, NW2 6BY
13. The Owner / Occupier, 4A Blackstone Road, London, NW2 6BY
14. The Owner / Occupier, 6 Blackstone Road, London, NW2 6BY
15. The Owner / Occupier, 1 Dawson Road, London, NW2 6UB
16. The Owner / Occupier, 2 Dawson Road, London, NW2 6UA
17. The Owner / Occupier, 3 Dawson Road, London, NW2 6UB
18. The Owner / Occupier, 4 Dawson Road, London, NW2 6UA
19. The Owner / Occupier, 5 Dawson Road, London, NW2 6UB
20. The Owner / Occupier, 6 Dawson Road, London, NW2 6UA

6 objections received

Comment	Officers response
<p><i>Character of street:</i></p> <ul style="list-style-type: none"> • proposal will impact the semi-detached and detached house appearance of the street • family character and the tranquility of Dawson Road will be affected (negatively). • Dawson Road should be designated a 'play street' • There are existing houses not in 'family' use but multiple occupation use better retain the character of the street. • Sub-division of street will • The flats will be surrounded by elderly people and are likely to be occupied by students who would disturb the peace and create litter 	<ul style="list-style-type: none"> • The proposal has been reduced in the number of units it shall provide. Only 2 flats are proposed, both of which are 3 bed units which can provide family accommodation to meet Brent's known need for this type of accommodation. • Extensions to the property will comply with design principles set out in SPG5 and as such the additions will be subservient to the principal buildings and will not erode main character or appearance of the property. • 50% of the front garden will be retained/planted which will help to retain the property's original character.
<p><i>Principle of flat conversion:</i></p> <ul style="list-style-type: none"> • With reference to LPA case 11/1135*, and the requirement of large family homes, this house should not be split into small units. As such this house should remain a large family house • The number of intended occupants is 8 people in a space currently occupied by 2 to 5 people 	<ul style="list-style-type: none"> • The property is to be subdivided into 2 flats which will be able to accommodate 2 families. • The size of the 2 flats will comply with essential space requirements set out in the London Housing SPG and as such are able to provide adequate space for 2 families. • Under permitted development, a C3 unit is allowed to accommodate up to 6 individuals. This is set out by central government legislation. Should the number of individuals living in a property exceed 6, then planning enforcement will be able to take action
<p><i>Parking & bins</i></p> <ul style="list-style-type: none"> • Dawson Road is a short street with little parking provision. Parking is often overflowing. • The bin requirement will may clash with parking requirements; and may lead to overflow of waste and disruption to waste collection and 	<ul style="list-style-type: none"> • With a reduction in the number of flats to 2, only 2 off-street parking spaces will be required on the forecourt; and 4 bins for the different waste types. The presence of the cars on the forecourt will be softened by retention of forecourt plants at a proportion of 50% of the forecourt. • With reduction of the number of flats, clutter to the

<p>vermin. Property will look unkempt.</p> <ul style="list-style-type: none"> • Paving of front garden will create run-off 	<ul style="list-style-type: none"> • forecourt of parking and bins is reduced • Planting in the forecourt will absorb rainwater and as such curb water run-off.
<p><i>Construction & extension</i></p> <ul style="list-style-type: none"> • Increase in nuisance noise through walls • Extensions will create overlooking and will obscure outlook from windows and garden views • Construction will create disturbance • The extension is similar to 'gardening grabbing' set out in PPS3 which the council should uphold 	<ul style="list-style-type: none"> • Building developments do create noise, dust and can be a general nuisance to neighbouring occupiers. There are specific times at which building works can take place which is set under <i>s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4</i>. The Planning Decision Notice will set these times out for the applicant to abide with. Additionally, the applicant will need to join the Considerate Constructors Scheme to ensure neighbouring amenity is protected as far as possible from building works • The proposed extensions will comply design principles set out in SPG5 and as such unlikely to create overlooking or outlook problems for neighbouring properties. • In relation to 'garden grabbing', the proposal does not contain an outbuilding or construction of a new dwellinghouse in the rear of the garden.

***LPA ref: 11/1135** is permission granted at the Thames Water site, St. Michaels Road NW2 for "*Demolition of existing industrial buildings and erection of a residential development comprising 23 houses (19 x 4 bed, 3 x 3 bed and 1 x 2 bed) and 16 flats (2 x 3 bed, 10 x 2 bed and 4 x 1 bed)*".

Reconsultation: All residents were reconsulted on 20 July 2015 advising them of the proposed amended scheme.

3 objections received

Objection	Officers response
There is a perpetual amending to the plans in order to obtain an approval. This is not right.	Amendments were sought to the proposal because the council agreed that 3 flats was too many for the site. As such, 2 x3 bedroom units were created with extensions to the property which complied with SPG5. Overall, the proposal does comply with council policies and will re-provide a family unit if not 2 in this case.
The proposal will still result in the loss of a large family home contrary to policy.	Council policy currently only retains small single family dwellinghouses which are deemed too small for conversion and as such should be retained as a single house. The application site is of a size that allows comfortable conversion and re-provision of a family unit as set out in UDP(2004) policy H17.
Nos. 3 & 5 Dawson Road have been allowed conversions too	Planning history for 3 & 5 Dawson Road does not contain any conversion of the properties to flats. The approved permission for the site, LPA ref:14/4516, is for " <i>Proposed demolition of existing garage and outbuilding at No. 5 Dawson Road and extensions to both properties involving the creation of a basement level and front light wells, erection of a part single, part two storey side and rear extensions and rear dormer windows to dwellinghouses</i> ". As such, there is extensive building work being undertaken to nos. 3&5 Dawson Road in relation to the approved permission, but there is no permission for sub-division to flats; or planning history for sub-division into flats.
The conversion to flats changes the	The proposed flat conversion will be internal to the

<p>character of Dawson Road which is a quiet family street.</p>	<p>property and will not be apparent from the street frontage. Only 1 front door will be present that is to be shared by both flats. Extensions to the house will be in the form of those allowed for dwellinghouses (SPG5) so as not to significantly change the character of the property and locality. As such, the property will remain in appearance, a dwellinghouse despite its internal sub-division. In relation to the quiet family street, the proposal will provide accommodation suitable for 2 large families.</p>
<p>The creation of Gladstone Village means there is no need for any more flats of any description in the area. There are plenty of flats being built in the immediate local area - the new library building will be flats; the St. Michaels Road development will contain flats; and the old Galtymore site will contain flats. Do we need to turn a family house in Dawson Road into flats too?</p>	<p>It is acknowledged that there are many flatted developments occurring throughout the borough if not the whole of London. However, this does not diminish the council's need to fulfil housing targets and prevent new flats to be created within the borough unless they fail to comply with Local and regional policies. The council is sympathetic to local residents needs to preserve and enhance their locality, but in this case, the prevention of flat conversions is within current local an London Plan policies and as such there is no justification to warrant a refusal.</p>
<p>There will be a loss of a garden for parking</p>	<p>The front garden is to retain 50% of the proportion of the forecourt as planting in the form of a landscaped garden. This is part of the council's policy to retain the appearance of the property as a house. The existing forecourt will be able to accommodate 2 off-street parking spaces and 50% soft landscaping. A widening of the existing crossover is required, but this will not prevent the retention of 50% soft landscaping.</p>
<p>The planning department have mis-led residents about committee</p>	<p>The case was to be heard at the previous committee on 26 July 2015. Due to operational grounds this case had to be removed from the agenda at short notice. Given the proposal had altered its provision of units from 3 to 2, and complied with other council policies, an opportunity was taken to carry out a 14 day reconsultation to gauge whether there would still be objection to the proposal despite its amendments.</p>
<p>The original property housed a family of 5, and with conversion to flats it means up to 12 people will be allowed to live there</p>	<p>The council's policy for requiring at least 1 3 bedroom unit is clear in that it would help support the council's needs for large family accommodation. With 2x3b units, it is acknowledged that private market housing the conversion will allow up to 12 individuals to live within the 2 flats (6 in each) if each flat becomes a small house of multiple occupation (HMO) under the Use Class C4. This change of use is not something the council can control because permitted development legislation is written by central government. It is not considered prudent to restrict the permitted development rights of the flats to C4 because the site is considered to comfortably accommodate 2 flats each with 3 bedrooms.</p>
<p>There is nothing in the previous committee report about impact to local services and traffic from the increase in population</p>	<p>Generally, the wider impact to local services of new housing is considered through planning obligations set out by the Community Infrastructure Levy (CIL). Brent's CIL is available online and does take into account the needs of residents as its population increases and its demographics change. Money is put towards service requirements accordingly at a boroughwide level. In relation to parking, planning will always take into account the requirements of parking resulting from an increase in households. In this case, 2 off-street spaces will be provided. Additionally, Dawson Road is not a designated heavily parked street, as such, the</p>

proposal will meet the necessary parking requirements set out in planning policy parking standards.

POLICY CONSIDERATIONS

National policy guidance

National Planning Policy Framework 2012 : This sets out 12 core planning principles, of which the following are relevant. Planning should:

- be genuinely plan-led, empowering local people to shape their surroundings;
- proactively drive and support sustainable economic development to deliver the homes, infrastructure and thriving local places.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for this and future generations;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Regional policy guidance

The Further Alterations to the London Plan 2015

The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London. London boroughs' local plans need to be in general conformity with the London Plan, and its policies guide decisions on planning applications.

Chapter 3 - London's People

- Policy 3.2: Improving Health and addressing Health Inequalities
- Policy 3.3: Increasing Housing Supply
- Policy 3.5: Quality and Design of Housing Development
- Policy 3.9: Mixed and Balanced Communities

Chapter 4 - London's Economy

Chapter 6 - London's Transport

- Policy 6.3: Assessing Effects of Development on Transport Capacity
- Policy 6.5: Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9: Cycling
- Policy 6.13: Parking

Chapter 7 - London's Living Places and Spaces

- Policy 7.2: An Inclusive Environment
- Policy 7.4: Local Character
- Policy 7.5: Public Realm
- Policy 7.6: Architecture
- Policy 7.15: Reducing Noise and Enhancing Soundscapes
- Policy 7.19: Biodiversity and Access to Nature

Chapter 8 - Implementation, Monitoring and Review

- Policy 8.3: Community Infrastructure Levy

Local policy guidance

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 relevant policies for this application include:

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP21: A Balanced Housing Stock

Brent's 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:

Built Environment

BE2: Townscape - Local Context & Character
BE3: Urban Structure - Space & Movement
BE5: Urban Clarity & Safety
BE6: Public Realm - Landscape Design
BE7: Public Realm - Streetscape
BE9: Architectural Quality
BE11: Intensive and Mixed Use Developments
BE12: Sustainable Design Principles

Housing

H17: Flat conversions
H18: quality of flat conversions
H12: Residential Quality - Layout Considerations
H13: Residential Density

Transport

TRN3: Environmental Impact of Traffic
TRN4: Measures to make Transport Impact Acceptable
TRN10: Walkable Environments
TRN11: The London Cycle Network
TRN23: Parking Standards - Residential Developments

DETAILED CONSIDERATIONS

Conversion to flats

- Principle:** The original gross internal area (GIA) of the house would comply with conversion standards set out in the UDP(2004) and as such conversion to flats is supported. A further requirement for conversion is the re-provision of a family sized unit comprising at least 3 bedrooms with direct access to a minimum of 50sqm of outdoor private amenity space. This requirement has been fulfilled and as such the principle for conversion is acceptable.
- Extension with sub-division:** The proposal will extend the house with a single storey rear and 2 storey side addition in accordance with design principles set out in SPG5. As such, the extensions are subservient to the principal dwelling and will not significantly detract from its original character as a semi-detached dwellinghouse. The proposed flats will be created by sub-dividing the house vertically forming duplex flats. This is acceptable and will allow both units to have direct access to their own private rear gardens.

Table 1: Size & mix of units

Flat no.	Capacity	Location & Outlook	Proposed GIA	Private outdoor amenity
1	3b 6p	Part-Ground &	110sqm	Yes, 80sqm

Document Imaged

		part-1st floor	(LP.95sqm)	
2	3b 6p	Part-Ground, part-1st floor & loft	125sqm (LP.95sqm)	Yes, 72sqm

Standard of accommodation:

3. *Space standards & mix:* As set out in Table 1, the two flats will exceed the essential space standards set out in the London Housing SPG (2012); and will provide 3 bedroom family size units each with access to a private rear garden in compliance with policy CP21. In terms of quality of outdoor amenity space, a condition will be attached requiring boundary planting as indicated on plan and that any non-planted boundary treatment comprises timber construction that is no more than 1.5m in height. This will ensure the garden sub-division appears subservient to the normal pattern of rear garden plots in the locality.
4. *Living conditions:* By forming duplex flats, problems encountered through the stacking of rooms is better facilitated. As such, bedrooms are above bedrooms; kitchens/lounge above the same and so ensures noise transference is minimised (SPG17). A condition will be added to the proposal for post-construction sound test insulation. In relation to outlook, both flats will have outlook to the front and rear of the property.
5. *Outdoor amenity space:* The council's built environment policy for flat conversions does not support the sub-division of rear gardens because it is considered to erode part of the character of a locality. In this case, because of the need to provide private amenity space for the family sized units, sub-division is considered appropriate. A condition will be set to ensure the sub-dividing fence is no higher than 1.5m. and will have privet hedging planted as a boundary treatment for subdivision.

Impact to Neighbouring Amenity

6. *Sub-division:* The internal conversion of a property to flats is not considered to have a significant impact to the amenity of neighbouring occupiers given the changes are internal to the building envelope and so will not affect light, outlook or privacy. Compliance with essential building regulation requirements will ensure insulation between neighbouring properties and units is implemented.
7. *Single storey rear extension:* This will be 3m in depth and 3m in height from ground level which complies with standards for household extensions (SPG5). As such, this element is subservient to the principal building and unlikely to affect the light or outlook of neighbouring groundfloor habitable room windows of no. 4 Dawson Road, which currently has a rear conservatory abutting the shared boundary with the application site.
8. *Two storey side extension :* The width of this extension will be 2.7m which is less than the internal width of the main front room of the house (SPG5) and will retain a 1m gap between the flank of the extension and shared boundary with nos. 100 & 102 Anson Road. The 1st floor will be set-back 1.5m from the main front wall of the house with the 1m set-in from the flank boundary with 100 & 102 Anson Road which allows for subservience of this addition to the principal building. The roof above the extension will be hipped and set down from the main ridgeline (SPG5), with 1 rooflight on the rear slope.
9. *Construction works:* As with any construction work, there is neighbouring concern about noise and disruption during the duration of works. In order to assuage some of these concerns, a condition will be attached to ensure the contractors carrying out the work will be part of the Considerate Constructors Scheme (CCS) where standards for building work are required. It will also be required that the details of the contractors be displayed outside of the site so that neighbours can contact the site manager if any issues of concern arise.

Visual Impact:

10. *Forecourt:* The forecourt currently contains soft landscaping which is to be retained according to plan BS 466-11. Photos indicate mature planting is present. However, the plan does not indicate a 50% coverage of planting; but it is clear from the size of the forecourt that 50% planting should be possible with 2 parking spaces. Additionally, it is considered appropriate to request a full front boundary hedge be planted in order to aid screening for the bins. As such, a forecourt condition will be set requiring further

details for planting which can then be enforced if not implemented prior to occupation.

11. *Bins* : Plans indicate these will be placed behind an existing bush but it is not indicated whether the bin capacity to be provided will be adequate for 2 flats. Currently, Brent's waste policy requires each household to have 120L for each waste type. Shared bins are acceptable, but it is known that this can cause problems with occupants incorrectly placing recyclable waste into the wrong bin. As such, it will be requested by condition that a sign be placed on the bin enclosure about sorting waste correctly. A further issue to consider is the need for garden waste disposal which the Council will only collect if households pay an annual tariff. Given the presence of front and rear garden planting, a condition will be set requiring compost bins within the rear gardens which will ensure garden waste can be disposed of appropriately in the absence of a tariff payment.
12. *Extensions*: The 2 storey side and single storey rear extensions are considered subservient to the principal building and will not erode its appearance within the streetscene as a semi-detached house. Landscaping to the forecourt will also help to preserve and enhance the suburban character of the street.

Transportation

13. *Car parking*: The site is able to comfortably provide 2 off-street parking spaces, one for each flat, whilst also re-providing 50% planting to the forecourt. The existing crossover will need to be extended from its current 2.4m width to 4.2m and is likely to require the moving of a lamp column on the pavement which will need to be undertaken at the applicants expense. Further details of this will be requested by condition with a forecourt planting schedule.
14. *Cycle parking*: Secure cycle parking spaces are proposed with the rear garden of each flat. This will satisfy the necessary cycle parking requirements.

Conclusion

The extension and conversion of the dwellinghouse into 2x3bed flats, each with its own rear garden and off-street parking space whilst achieving the 50% planting requirement for the forecourt is considered acceptable in terms of housing provision and compliance with council policies. As such, approval with conditions is recommended.

CIL DETAILS

This application is liable to pay **£19,360.77*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 242.23 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	242.23	170.188	72.042	£200.00	£35.15	£16,466.74	£2,894.03

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	£16,466.74	£2,894.03

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the

chargeable development.



Brent

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/0643

To: Mr Neil Wareing
B S Associates
Boseley Business Park
Forest Vale Road
Cinderford
Gloucestershire
GL14 2PH

I refer to your application dated 06/02/2015 proposing the following:
Demolition of existing conservatory, erection of a two storey side and single storey rear extension, new rooflights (1 front, 1 rear and 1 side), reduction in size of the first floor front elevation windows and conversion of dwellinghouse into 2 self-contained duplex flats (2 x 3bed) with associated provisions for bin stores, car parking, amenity space and landscaping
and accompanied by plans or documents listed here:
See Condition 2
at 2 Dawson Road, London, NW2 6UA

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home
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

- 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):
BS 464-02;
BS 464-03 A;
BS 464-06;
BS 464-10;
BS 464-09 Rev A;
BS 446-11.
Associated photographs of existing forecourt
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 development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.
Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 5 Sub-division of the rear garden shall be undertaken with privet hedging and where a non-planted boundary or gate is to be installed, these shall comprise timber construction with a height no more than 1.5m from natural ground level.
Any existing outbuilding shall be removed from the rear garden.
Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development

- 6 Notwithstanding the plans hereby approved, details of the front garden layout shall be submitted

to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the occupation of the premises. Such details shall include:

- (i) retention of front garden wall and planting of a full width hedge along the frontage of the property with the exception of access points;
- (ii) indication of the retention of any existing shrubs;
- (iii) bin storage facilities for 2 flats screened from the public highway;
- (iv) car parking space for 2 cars, the defined points of access with a widening of the existing crossover to 4.2m; with details of any new hardsurfacing materials

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 position, unless the Local Planning Authority first gives written consent to any variation.

Where shared bins facilities are required the owner shall place a notice on the bin enclosure stating that waste should be sorted and disposed of in the appropriate bin type.

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.

- 7 The existing vehicular crossover for 2 Dawson Road shall be increased to 4.2m wide to accommodate two off street parking spaces within the area of hardstanding shown on drawing no:BS 446-11. The works, including the re-location of the lamp column, shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Highway Authority, with the works carried out and completed in accordance with these approved details within 6 months of commencement of the permission hereby approved.

Reason: In the interests of highway conditions within the vicinity of the site.

- 8 Composting bins shall be installed in the rear gardens of each flat.

Reason: To ensure occupiers can maintain their outdoor amenity areas and have adequate means for disposal of garden waste in the absence of collection by the local authority.

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
- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 3 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

- 4 The applicant is advised that works for a crossover must be carried out by the council's Highways unit and shall be charged at the applicant's own expense. The cost of disconnecting and moving the lamp column will also be charged to the applicant. Works must be carried out fully and will include works to repaint road markings where necessary. The applicant can contact the Council's Highways and Transport Delivery unit in order to arrange for the necessary works to the public highway to form a vehicular crossover. on 0208 937 5121 or email transportation@brent.gov.uk

Any person wishing to inspect the above papers should contact Harini Boteju, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5015

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