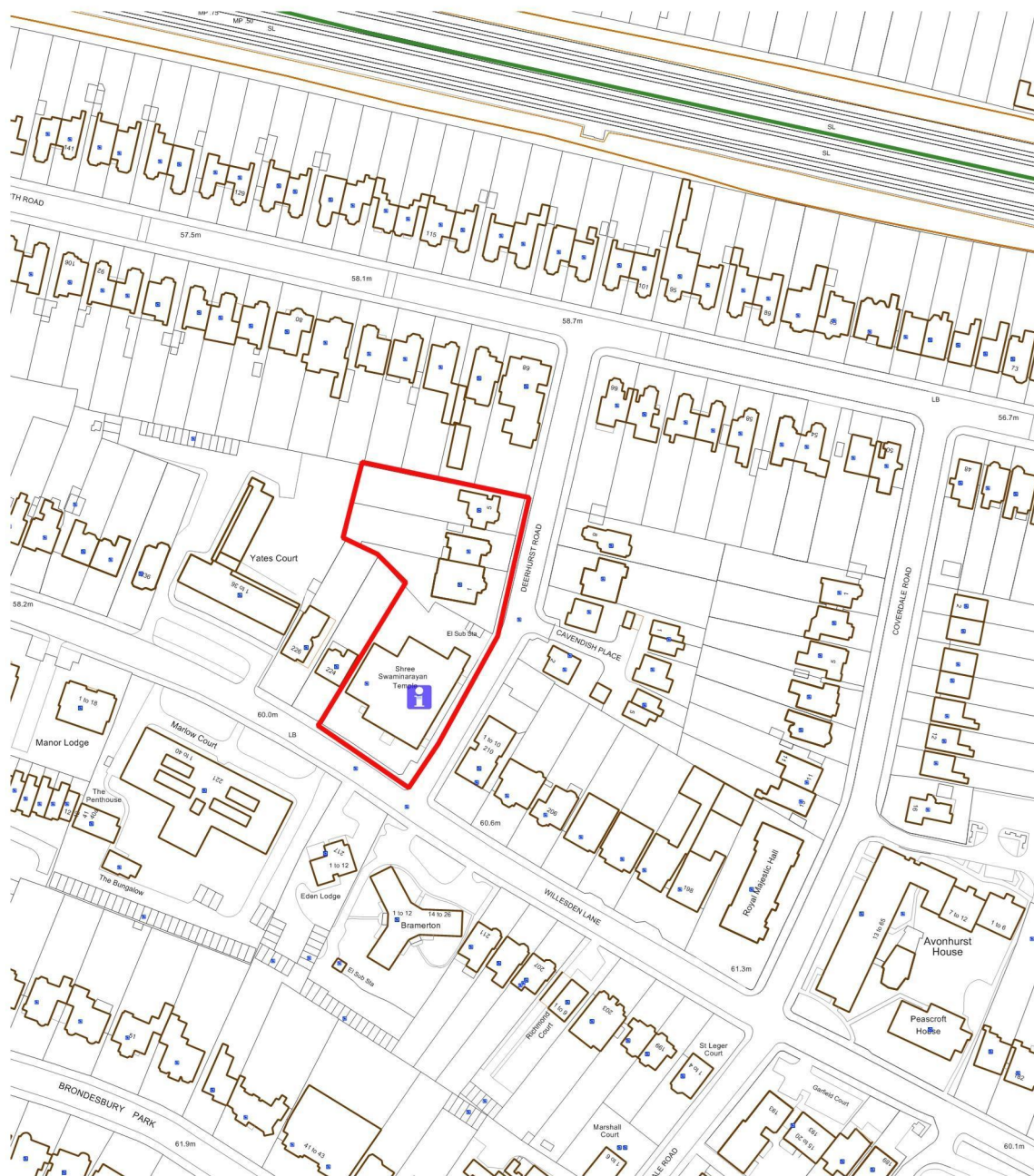




Planning Committee Map

Site address: 1A-C, 3 & 5A-D INC, Deerhurst Road & Shree Swaminarayan Temple, 220-222 Willesden Lane, Willesden, London, NW2

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This map is indicative only.

RECEIVED: 8 April, 2013

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 1A-C, 3 & 5A-D INC, Deerhurst Road & Shree Swaminarayan Temple,
220-222 Willesden Lane, Willesden, London, NW2

PROPOSAL: The erection of a rear extension to the temple, the demolition of 1, 3, 5
Deerhurst Road and the erection of 14 care home units, 6 elderly and visitor
accommodation units, and 14 self contained flats and two storey basement
parking area with associated landscaping to the site

APPLICANT: Shree Swaminarayan Temple, Willesden

CONTACT: Studio V architects

PLAN NO'S:
PL01 - PL24
Ecology Report
Acoustic Report
Daylight Sunlight Report
Energy Statement
Planning Statement
Travel Plan
Travel Assessment
Statement of Affordable Accommodation to Ethnic Community

EXISTING

The application site is located to the Northern side of Willesden Lane, and to the Western side of Deerhurst Road. The site currently comprises a Temple complex, with a floor area estimated at circa 2565sqm. Parking is available for 48 vehicles in a gated part-surface part-basement car park accessed from Deerhurst Road.

In addition, 3 Deerhurst Road is a detached family dwellinghouse which benefits from a detached single garage and driveway (providing up to three car spaces total). 1a-c and 5a-d Deerhurst Road were also detached dwellings which have been converted to form seven flats.

No part of the application site is considered to be located within a Conservation Area, nor is any part of the property considered to be a listed feature. The temple site is located on the Junction of Deerhurst Road and Willesden Lane.

PROPOSAL

As above

HISTORY

Temple

A planning application (Ref No: 01/1678) for the erection of a single story rear extension was granted permission on 14 March 2002.

A planning application (Ref No: 00/1726) for the erection of a single story front extension was granted permission on 15 October 2000

A planning application (Ref No: 00/0755) for the formation of a vehicular crossover was granted permission on 31 May 2000

A planning application (Ref No: 99/14/53) for the erection of roof extension to Hindu temple comprising 6

classrooms was granted permission on 24 February 2000

1 Deerhurst Road, London, NW2

Planning application (Ref No: 94/1462) for the retention of 3 flats was granted permission in November 1994.

3 Deerhurst Road, London, NW2

The Council is currently investigating the change of use of the property from a single family dwellinghouse to a hostel (Ref No: E/10/0235). As the use has only commenced in the last three years, it is understood the lawful use to be a single family dwellinghouse.

5 Deerhurst Road, London, NW2

The property is in use as 4 self contained units. These units do not benefit from express planning permission but are considered to be older than 10 years and are therefore immune from express planning permission.

POLICY CONSIDERATIONS

National Planning Policy Framework (NPPF)

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

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

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

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

Mayors London Plan 2011

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

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

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

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

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

The following spatial policies are considered relevant to this application:

- CP 5 Place making. Sets out requirements for place making when major development schemes are considered
- CP 6 Design & density in place shaping. Sets out the requirements for appropriate design and density levels for development
- CP17 Protecting and Enhancing Suburban Character in Brent.
- CP18 Protection and enhancement of Open Space, Sports & Biodiversity. Protects open space from inappropriate development.
- CP 19 Brent strategic climate mitigation and adaptation measures. Highlights the need for new development to embody, or contribute to, climate mitigation objectives, especially in growth areas
- CP 23 Protection of existing and provision of new community and cultural facilities. Encourages new accessible community and cultural facilities and protects existing facilities. Sets a standard for the provision of new community facilities

Unitary Development Plan 2004

Strategic

- STR3 In the interests of achieving sustainable development (including protecting greenfield sites), development of previously developed urban land will be maximised (including from

- conversions and changes of use).
- STR5 A pattern of development that reduces the need to travel, especially by car, will be achieved.
- STR11 Seeks to protect and enhance the quality and character of the Boroughs built and natural environment and resist proposals that have a harmful impact on the environment and amenities.
- STR12 Planning decisions should protect public health and safety and in particular, support the achievements of targets within the National Air Quality Strategy.
- STR13 Environmentally sensitive forms of development will be sought.
- STR14 New development to make a positive contribution to improving the quality of the urban environment in Brent
- STR15 Major development should enhance the public realm.
- STR19 New housing developments should provide adequate amenity, reduce need for car travel and improvement to public infrastructure.

Built Form

- BE2 On townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to the character of the area.
- BE3 Relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.
- BE4 States that developments shall include suitable access for people with disabilities.
- BE5 On urban clarity and safety stipulates that developments should be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.
- BE6 Landscape design in the public realm and draws particular attention to the need to create designs which will reflect the way in which the area will actually be used and the character of the locality and surrounding buildings.
- BE7 Public Realm: Streetscene
- BE9 Seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.
- BE12 States that proposals should embody sustainable design principles commensurate with the scale and type of development.

Environmental Protection

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

Housing

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

opportunities of the site.

Transport

- TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.
- TRN2 Development should benefit and not harm operation of public transport and should be located where access to public transport can service the scale and intensity of the proposed use
- TRN3 Directs a refusal where an application would cause or worsen an unacceptable environmental impact from traffic, noise, pollution it generates or if it was not easily and safely accessible to cyclists and pedestrians.
- TRN4 Measures to make transport impact acceptable
- TRN10 Walkable environments
- TRN11 The London cycle network, schemes should comply with PS16
- TRN12 Road safety and traffic management
- TRN14 New highway layouts, visibility splayed and accesses to and within development should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.
- TRN22 On parking standards for non-residential developments requires that developments should provide no more parking than the levels listed for that type of development.
- TRN27 Loss of existing off-street parking
- TRN34 The provision of servicing facilities is required in all development covered by the plan's standards in Appendix TRN2.
- TRN35 On transport access for disabled people and people with mobility difficulties states that development should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.
- PS12 Car parking standards – Class D1
- PS15 Parking standards for disabled people
- PS16 Cycle parking standards
- PS19 Servicing standards

Tourism, Entertainment & the Arts

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

Community Facilities

- CF5 Location of large scale community facilities
- CF4 Community facilities capable of holding functions should have an acceptable transport impact. Where the number and/or scale of functions could have an unacceptable impact on residential amenity these will be limited by condition.
- CF14 Places of worship permitted where there would be no loss of residential amenity or unacceptable transport impact.

Brent Council Supplementary Planning Guidance and Documents

SPG 17 "Design Guide for New Development"

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

SPG19 "Sustainable Design, Construction & Pollution Control"

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

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

CONSULTATION

External

Neighbouring properties and Ward Councillors were consulted on 30 April 2013. A site notice was placed outside the property on 1 May 2013 and an advert was placed in the Local Press on 9 May 2013. In response the Council has received 167 objections 3 representations in support and a petition of support signed by of 1350 people. Cllr Shaw has expressed an objection scheme.

The objections are outlined as:

- The proposed 4-storey block will have a detrimental impact on character of the streetscene, by reason of its scale, mass, design and siting.
- No justification for the loss of much needed family size homes
- The proposed 4-storey block will create an over-bearing impact on the street.
- The proposal will result in a loss of light
- The proposal will result in a loss of privacy
- The introduction of additional residents will increase congestion in the area
- Increasing the number of car parking spaces from 44 to 133 will almost treble the number of vehicle movements into and out of the site, adding to the congestion Deerhurst Road, Willesden Lane and Chatsworth Road
- The temple extension will result in the temple being 4x as large as the pre-existing chapel it replaced.
- The creation of the three winged/blocked residential block will reduce the open character defined by large gardens in the area.
- The proposed building works will create a great deal of disturbance to neighbouring properties
- The use of the temple currently causes detrimental harm to neighbouring amenity, increasing its size will increase the level of activity and cause further harm
- The extension of the temple will dominate the street
- Increase CO2 omissions
- Increase in Noise and disturbance
- Gross over-development on the site
- The basement car park will impact on the underground water table and streams, and this could impact hugely on the local ecology
- Mature trees will be jepodised during construction works
- Building over residential gardens are contrary to aspirations of the NPPF
- The sunlight assessment confirms loss of light
- The proposed care home is of poor design failing to provide adequate nursing care, lifting, bathing etc
- No supporting evidence that the care home will home Brent Residents
- No details on allocation of car parking proposed
- No need for small flats in the Borough
- The fact that the rear garden has been neglected, is not justification in itself for the loss of the gardens in the sub-urban area. More especially as neighbouring gardens have won awards.
- A number of local precedents for the refusal of this scheme exist, i.e. Planning Ref No: 10/3080
- The extension to the temple that have been previously allowed have resulted in the loss of neighbouring amenity. Further extensions will have a similar effect.
- No assess on the noise and vibration of the car park has been made
- The submission makes assertions that are not supported by facts. For example it says there will be no increase in the number of visitors to the Temple as a result of the enlargement of the Temple. This does not seem credible. A 46% increase in floor area and a large expansion of facilities must be aimed at increasing usage. Several statements are made in the application that are contradictory depending of what the applicant wants to support eg transport is good or moderate (planning statement or transport assessment), the distance to tubes is +/- 200m (600m or 800+m) depending on which policy they wish to support.
- A similiar religiuos institute exists 2.5miles away. This facility could be extended if need me.
- The presence of kitchens and no extraction systems could result in nuisance to neighbouring residence.

Support outlined as:

- The temple has provided accommodation for the homeless and the elderly

- The proposal will result in a new character in the street
- The proposal will not result in a loss of wildlife
- The proposed developments are not large
- The proposed gardens will be of a high modern specification
- The proposal will reduce congestion on the street

Internal

Highway Engineer:

Transportation cannot support the proposal in its current form, on the grounds that too many issues remain unsatisfactory, as follows:

- The size of the Temple extension remains unclear from the differing measurements given in the various application documents and plans.
- The submitted Travel Plan does not at this time provide a robust document which Transportation can be confident will mitigate the impact of the uses at the site.
- There is no indication of how basement car parking spaces will be allocated between temple visitors, residents and care home staff, and Car Parking Management considerations are not included as part of the submitted Travel Plan.
- Parking space "127" in the proposed basement car park is not usable and should be removed from plans.
- Remaining ramp gradients should be detailed in full, including section drawings showing that clearance heights are maintained along their whole length.
- Allocation of cycle parking spaces between visitors and residents will be needed.

Housing Officer:

The scheme can not be supported as the applicant has failed demonstrate justification for the viability of the scheme

Design Officer

The proposal is considered to be an over-development on the site, which will have a significant impact on the character of the area. It would be unlike any form of development nearby and would fail to respond to its setting. The new residential building competes visually with the Temple building. The proposal can not be supported in its current form

Environmental Health:

Members will be briefed on officer comments in the supplementary report

REMARKS

PRINCIPLE OF DEVELOPMENT

Temple

The application seeks planning permission for the The demolition of 1, 3, 5 Deerhurst Road and the erection of 14 care home units, 6 elderly and visitor accommodation units, and 14 self contained flats. The erection of a rear extension to the temple and a two storey basement parking area with associated landscaping to the site

The size of the actual extension proposed at the site remains entirely unclear from the submitted information. The application form states that 103.4m² of additional D1 floor area will be created, while the Transport Assessment states that the floor area will increase from 2557m² to 3701m². Meanwhile the submitted plans show an increase of 38m² for each of the ground, mezzanine and first floor (at least 114m² plus the second floor) but at the scale specified measure 385m² per floor (total of 1155m² plus the second floor), as such some confusion as to the extent of the extension occurs.

Housing and Viability

Nos 1, 3 and 5 were originally constructed as single family dwellinghouses. As detailed in the 'History' Section of this report Nos 3 is still lawfully considered to be a single family dwellinghouse. The proposed development will result in the existing 3(+) bedroom unit being lost.

Policy CP21 of the Council's Core Strategy seeks to redefine the UDP definition of family sized accommodation to units containing 3-bedrooms or more. The UDP definition considered units with two or more bedroom to be suitable for family occupation. This change in definition is intended to assist the Council in addressing the identified shortage of housing for the unusually high number of larger households within the Borough. The loss of a family unit of which there is an acute demand in general is not considered to be adequately compensated for through the proposed development.

As such, the proposed development is not considered to comply with the aspirations of policy CP21 which seeks to achieve a balanced housing stock for the Borough.

The proposal seeks permission for the erection of three blocks of residential accommodation in the form of:

A - Care Home

B – Elderly and visitor accommodation

C – Residential Block

CP21 seeks to make locally appropriate provision or Brent's wide range of specific and special housing needs, as required by London Plan Policies 3a.5 and 3a.13, including family homes, sheltered housing for older persons, non self contained accommodation, such as hostels for households without children, housing providing support (including extra accommodation for older persons) and residential care homes. Indeed the applicants statement titled 'Providing affordable accommodation for ethnic community is clear in demonstrating that residents have been relocated internationally (Kenya). The applicant has failed to demonstrate the new sheltered housing will meet the local needs of Brent and therefore in principle objection is raised.

Further issue is taken with the provision of sheltered accommodation proposed in the forms of 'Elderly and visitor accommodation and a 'Care Home'. Specifically, the basis on which a care home in the form of self contained single bedroom units with additional study areas, in conjunction with self contained single bedroom self units and 'bedrooms' with en-suits are being proposed. This approach would differ to that which is normally taken with proposals of this kind and despite making numerous requests to understand the basis of the submission, the applicants have failed to provide clarity on the matter. Members will be aware this is not the sort of accommodation that is required by the Local Authority.

The London Plan is clear in requiring major developments (Minimum 10 unit) would require the maximum reasonable level of affordable housing (50%). As detailed in CP2, the Brent also seeks to deliver 50% affordable housing across the Borough. Whilst the applicant has submitted a financial appraisal to seek to demonstrate the scheme cannot feasibly deliver affordable housing, your officers considers the submission to provide insufficient evidenced to demonstrate the applicants argument. In the absence of a robust toolkit that confirms viability, the proposal can not be supported

CHARACTER OF THE AREA

Although Willesden Lane is a busy road, once off the Willesden Lane, Deerhurst Road is characterised by traditional terraced houses. The character of this street is not only defined by the buildings themselves but also by the space around them. The site is currently occupied by three, two-storey buildings. Whilst they are not protected they do contribute to the character of the locality which, with some exceptions, consists of residential dwellings in their own particular setting.

Their replacement by two blocks of this size, height and siting along the street frontage is unacceptable and would have a significantly detrimental impact on the established streetscene. The building would be far closer to the back of the footpath than the existing buildings and would, obviously, be far higher. This continuous frontage (with secondary break), along with the overall width of the building and the lack of space around it, fails to provide the necessary quality of development that the Council would be seeking in schemes of this nature.

The provision of a separate building (Block B) to the rear also has a significant impact on the character of the area. It would be unlike any form of development nearby and would fail to respond to its setting. Given the siting of the building it seems likely that there would be little scope for any planting of any significance and what exists would undoubtedly be lost. There are also obvious issues about how the building relates to those people who live next to it which, will be dealt with below.

The new building competes visually with the Temple building and fails to be similar in scale with the flatted development to the north on the corner of Chatsworth Road and Deerhurst Road. As detailed at length at pre-application discussions, any building here should appear subsidiary in the streetscene and would need to sit within its own landscaped setting.

The dominance of the new residential blocks are further amplified by the narrow separation (5.6m – at its closest point) from the proposed temple extension. The gap between temple extension and frontage block is also considered to be far too small to retain a sense of space along Deerhurst Road (particularly when considered alongside the forward projection of the frontage block) and the setting of any building would need to be, as explained, far better than currently proposed.

There are a number of other secondary design issues such as, proposed balconies, poor quality materials, cornice detailing etc, that will require further attention in the event of a resubmission. However owing to the principle objections raised above, these are considered to be secondary. Overall, the nature of the local character and the constraints of the site mean that a building on this plot would have to be significantly smaller than the one proposed to enable it to compliment its locality, sit comfortably on the site and allow a building that provides an appropriate level of amenity and successful circulation.

The extension is supported in principle and if it were submitted on its own without the residential it would have been viewed on favourable however to does form a part of a wider submission that, the proposal fails to comply with requirements of scale, bulk, mass and size set out in SPG17.

IMPACT ON NEIGHBOURING AMENITY

Notwithstanding the comments made above, regarding the impact that this scheme has on the character of the area, it is also necessary to consider the physical impact on neighbours, both in terms of overlooking/loss of privacy but also overbearing and over dominance. Unfortunately, the proposed Temple extension and residential development continues to relate poorly to people living nearby as evident in its failure to comply with requirements set out in SPG17.

Of particular concern is the impact of the temple extension on the residential garden at 224 Willesden Road. The continuous flank wall fronting the afore mentioned garden is considered to be wholly unacceptable by reason of creating an over- bearing impact on the garden as evident in its failure to comply with SPG17.

Further issue is raised with the hard impact of the residential scheme on the residential gardens at (No 68-72) Chatsworth Road. SPG 17 requires envelope of the proposed building to be set below a 45 degree angle at the edge of a neighbouring garden. The proposal fails to comply with this requirement, resulting in an overbearing impact on neighbouring residential gardens.

Further issue is taken with the presence of balconies and habitable windows overlooking neighbouring gardens in particular those gardens in Chatsworth Road. Your officers consider, the loss of neighbouring amenity, is considered to be reason in itself to refuse the application.

The applicant has provided lighting, noise and ecological studies. Members will be briefed on their acceptability in a supplementary report

QUALITY OF ACCOMMODATION

Whilst it is accepted, future occupiers at the care home will be affiliated with the temple, it still remains the responsibility of the Local Authority to ensure the quality of accommodation provided is of an appropriate standard. To this end, the proposal seeks permission for a rear 'Care home garden. Whilst SPG17 encourages higher density development, it is important that the relationships created between buildings, and between buildings and private amenity spaces, does not become detrimental by being over-dominant or overbearing. The proposed temple extension fails to comply with requirements set out in SPG17 and is considered to have an overbearing impact on the gardens of the 'Care home garden

All units are considered to be large enough to comply with London Plan standards, which is a welcomed approach. However some concern as to how the proposed external amenity space will be utilized is raised. With regards to Blocks C and A, Two ground floor flats (Block C) will benefit from private gardens of a suitable size, whilst all other flats or care home units will benefit from private balconies and a communal garden. The communal garden relating to Block C appears to be shared with the sheltered accommodation. No further details on allocation or usability has been provided.

Some concern is also raised with the useability of the care home in the absences of meeting life times home standards. For example with the absence of lifts, it is unclear how vulnerable persons could be mobile or nursed suitably.

HIGHWAYS

Members will note that from many of the comments made by objectors, it is clear that residents are already concerned about the highway impact that the existing use already has at certain times and days. Part of this concern could arise from the CPZ being in place from which operates 10:00 – 15:00 Monday to Friday, but has moderate accessibility with a PTAL rating of level 3

Parking is available for 48 vehicles in a gated part-surface part-basement car park on the temple, which is accessed from Deerhurst Road. In addition, 3 Deerhurst Road is a detached family dwellinghouse which benefits from a detached single garage and driveway (providing up to three car spaces total). 1a-c and 5a-d Deerhurst Road were also detached dwellings which have been converted to form seven flats. 5 Deerhurst Road also has off-street car parking for one vehicle. The proposed extended car park will provide 136 car spaces. A Transport Assessment and Full Travel Plan have been submitted in support of this application.

The Temple: Impact

Parking Standards for D1 (faith site) uses are based on the maximum visitor capacity, with up to 2 car spaces permissible for every 5 visitors. The existing visitor capacity is provided in the submitted Transport Assessment. The largest number of visitors that can be expected on a weekly basis will be 600 for early-evening services on a Sunday, whereas from Monday to Friday attendances of around 80 for morning services and 50 for evening services can be expected. Other than these services, the temple also offers other activities, of which the most highly-attended is the Gujarati School on Saturdays and Sundays, when up to 125 pupils attend each day in the later afternoon. This means that a regular attendance of up to 725 people can be expected to be the maximum attendance. Special events also attract up to 600 people, and exceptionally up to 1000 attendees may be expected during Diwali.

Based on these figures, on a typical Sunday up to 290 car spaces could be permitted, and during Diwali up to 400 spaces could be permitted. However, on most weekdays no more than 32 car spaces would be needed to fulfil maximum standards.

At present, the Temple car park provides 48 car spaces, and so can provide sufficient on-site car parking for general Monday-to-Friday use. However clearly this is not enough to accommodate the level of parking demand which may be expected at weekends and major festivals.

Furthermore, since the Transport Assessment states that frequently at least 200 people are on-site even during the working week, this figure would produce a standard of up to 80 car spaces. Your Officers can understand the impetus to extend car parking facilities on this basis.

The Transport Assessment includes the result of surveys undertaken in December 2012, on a day when 400 women and 311 men attended the site. This is comparable in visitor numbers to the busiest "normal" days at the Temple. These surveys found that overall 86% of visitors travel to the site by car, leading to 353 vehicles requiring parking in the local area, or requiring a pick up/drop off. The survey also found that 118 vehicles parked in the on-site car park, which is 2.5 times the car park capacity. It must be presumed that there is a high turnover at services, otherwise these levels of attendance would simply not be possible.

The survey also found that 154 cars park on-street on Deerhurst Road. The on-street capacity of Deerhurst Road is at most 58 car spaces, and so again the numbers found parking or stopping are over 2.5 times the capacity. The size of the actual extension proposed at the site remains entirely unclear from the submitted information (as detailed above).

The Transport Assessment does specify however that the extended facilities within the Temple are not intended to lead to an increase in visitors to the site, but rather to improve facilities for the existing community.

There will be some increase in pupils attending the educational classes offered at the site, however the Transport Assessment specifies that these pupils universally will be children accompanied by adults who are already visiting the Temple, and that on this basis there will not be an increase in trips. Owing to the increase in numbers, it is evident this will bring about in journeys. However in the absence of information, your officers can not support the development.

The Temple: Mitigation

The Temple intends to provide additional off-street car parking, by extending the existing part-basement car park in order to provide a two-level underground car park which will lie beneath virtually the entire application

site, including the new residential and sheltered accommodation discussed later in this report. The new car park is intended to accommodate 136 car spaces, which is an increase of 88 car spaces over the existing provision.

The maximum permissible amount of car parking assessed above is 290 car spaces, with the exception of Diwali celebrations. 136 spaces represents 47% of the assessed maximum parking standard. However, the existing provision of 48 spaces represents 17% of the assessed maximum standard. Your Officers accept that there needs to be a balance between provision of additional car parking to relieve the burden on the highway network and discouraging drivers from accessing the site.

The data from the surveys undertaken noted that 353 cars arrived at the Temple site for a Sunday event. 136 spaces would represent provision for 38% of these vehicles, with the remainder needing to park on-street. It is therefore concluded that congestion will remain an issue at this site unless a Travel Plan is produced which is robust and effective.

Transport for London (TfL) guidance for Travel Planning at Faith sites (*Travel Planning for New Development in London*, TfL, 2010) recommends the production of a "Local Level Travel Plan" for Faith sites with more than 20 staff but fewer than 200 worshipers, and a "Strategic Level Travel Plan" for those which have more than 200 worshipers. The Temple exceeds both thresholds at its busiest times, and so the production of a full Travel Plan has been encouraged during pre-application discussions.

The submitted "Interim Travel Plan" has been assessed using the ATTrBuTe methodology and has failed. The reasons for this are primarily the lack of clearly defined objectives and targets which link with each other and with the proposed measures. For the Temple use, cycle parking at a rate of 1 space per 8 staff or visitors should be provided. This would mean that for the largest services, a provision of 75 cycle spaces would be required. However, based on the average attendance, for 200 visitors 33 cycle spaces would be needed. The extended basement provides up to 100 secure cycle spaces which are welcomed, as this should cover all predicted needs.

The Residential Development:

Each 1-bed flat can be permitted 1.0 car space and each 2-bed flat can be permitted 1.2 car spaces. This gives an overall residential parking standard of up to 15.6 no. car parking spaces.

There is no indication as to how many of the basement car parking spaces are to be allocated to the proposed residential dwellings. At the time of the busier Temple services there is a risk that residential parking will overspill onto Deerhurst Road and the locality. However, during these busy periods there is also a lack of on-street parking availability, and so the likelihood of unsafe and/or illegal parking behaviour is increased.

A car-free agreement for the flats can not be accepted as, firstly as the PTAL rating is not sufficiently high, but also because there is a lack of separation between the residential accommodation and the other types of housing at the site, which would be likely to cause confusion and error in administration.

The Care Home and Sheltered Housing:

Given that the category of sheltered housing is not set out, your Officers will err on the side of caution and apply the Category 1 (highest) standard. As such, the 6 flats for the elderly can be permitted 3 car spaces for residents. The 14-bedroomed care home meanwhile can be permitted up to two car spaces.

As with the general C3 housing, there is no indication as to how many of the basement car parking spaces are to be allocated to the proposed sheltered housing and care home.

Basement Car Park Geometry:

During pre-application discussions, your Officers requested details of levels, ramp gradients and clearance heights to be provided, in order to assess properly the validity of the proposed basement car parking facilities.

Tracking diagrams have been provided in the annexes to the Transport Assessment, which show cars successfully accessing, manoeuvring and parking within the proposed basement car parks. These are acceptable.

One car space still appears to be unusable, namely space "127" on basement Level 2 due to its awkward angle and relationship to the nearby space "126". Transportation strongly suggest that this space should be removed from the plans.

Ramp gradients are specified as 1:10 on the Basement Level 1 Plan, but other ramps are not labelled and once again, the assessment can not be completed.

The height from the 1st basement level to the ground floor is 3.1m and the height from the 2nd basement level from the 2nd basement level to the 1st basement level is 2.6m. These clearance heights and levels are acceptable in themselves, however as the ramp gradients are not taken into account with due care, the proposal can not be considered to be acceptable.

Other Issues:

100 no. cycle parking spaces are shown within the basement car park. However no allocation of the facilities have been provided. The Councils standards require each proposed residential dwelling to be provided with a single secure and covered space unit, and this should also be applied to the proposed staff accommodation listed in the development schedule. These should be guaranteed independently from cycle parking which may be used by Temple visitors.

Bin stores for the proposed care home and residential flats are shown on the Deerhurst Road frontage, which are acceptable in terms of their location.

In Highway terms, the scheme cannot be support in its current form, on the grounds that too many issues remain unsatisfactory, as follows:

- The size of the Temple extension remains unclear from the differing measurements given in the various application documents and plans.
- The submitted Travel Plan does not provide a robust document which your Officers can be confident will mitigate the impact of the uses at the site.
- There is no indication of how basement car parking spaces will be allocated between temple visitors, residents and care home staff, and Car Parking Management considerations are not included as part of the submitted Travel Plan.
- Parking space "127" in the proposed basement car park is not usable
- Insufficient detail on ramp gradients, including section drawings showing that clearance heights have been maintained.
- Details of allocation of parking bays (including cycles) between visitors, staff and residents has not been provided

In the absence of conclusive information, the proposal can not be supported

TREES

Three trees located at 224 and 226 Lincoln Court, Willesden Lane, NW2 benefit from Tree Preservation Orders (TPO). The tree preservation order protects a sycamore and two large mature black poplar trees, the root systems of all these trees will encroach some way into the application site and could be seriously damaged by construction activities, specifically the construction of the basement.

There are no trees of any note anywhere else on the site although a single mature Pear tree grows on the western boundary in Yates Court. Officers consider that the root system of this tree would be re-directed back into the garden of Yates court due to the substantial boundary wall.

A group consisting of Pear, Goat willow and Cypress grows on the northern boundary, again off site, some of these trees (specifically the root systems) could, if not carried out with care be damaged during construction activities. The applicant has produced at a late stage an arboricultural assessment. Having assessed the report the tree officer is satisfied the proposal is in accordance with BS5837:2012.

SUSTAINABILTY

The Council's Sustainability Checklist has not been completed, the Core Strategy states that major developments should complete and submit a checklist so to demonstrate how the expected level of performance will be achieved.

The Planning Statement makes a commitment to achieve Code for Sustainable Homes Level 3 and makes reference to the inclusion of solar panels however there is an absence of information to demonstrate how this will be achieved.

A 'Regulations Compliance Report' has been submitted for 9 self contained units, this is a document to show compliance with Part L of building regulations and does not represent achievement of Brent's or the London Plans Sustainability requirements. There is no information relating to the other residential accommodation or to the Sustainability credentials of the extension to the temple.

The proposal does not comply with London Plan Policy 5.2 which requires the submission of a detailed energy assessment and compliance with the energy hierarchy. It does not demonstrate compliance with the cooling hierarchy or the requirement to integrate green infrastructure into the development.

The Sustainability requirements include:

- Code for Sustainable Homes level 3
- BREEAM 'Excellent for non-residential
- A 25% carbon emissions reduction over Building Regulations Part L 2010
- Provide a reduction in expected carbon emissions through the use of onsite renewable generation (presumption of 20%)

FINANCIAL CONTRIBUTIONS

S106

If your officers were minded to approve the submission, the proposal would have been required to contribute towards education, sustainable transport, open space and sports provision in the local area, the affordable housing as detailed in the Council's SPD on Planning Obligations.

As an affordable housing scheme the development would be exempt from the Mayor's CIL however Brent's standard charge would apply, for affordable housing this is a reduced rate of £2 400 per bedroom. If officer's were minded to support the application a contribution will be sought towards mitigating the impact of the increased occupants on the infrastructure of the area including education (about which neighbours have expressed concern), sustainable transportation, open spaces and sport facilities.

CONCLUSION

Officers have commented on the development of this site on a number of occasions over the last year and have provided comprehensive comments on those occasions. The application proposal is virtually the same as the pre-application submission that was considered at the end of 2012 and it is evident that comments have unfortunately not been addressed. It is on that basis that the application is now to be reported to the Planning Committee.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed development, by reason of the design, overall size, siting, bulk, proximity to side/rear boundaries and its prominence on the street would constitute an unacceptable form of development, detracting from the character of the locality and relating poorly to surrounding forms of development. The proposal would thus result in a development that is to the detriment of the visual character and appearance of this area. As a result, the proposal would be contrary to policies BE9 and H12 of the adopted Brent Unitary Development Plan 2004.
- (2) The proposed development would, by reason of its height, size and siting, be detrimental to the amenities of adjoining occupiers, in particular residents of Chatsworth Road, by reason of loss of outlook from, and the creation of an overbearing impact on, the existing gardens. The proposal would be contrary to policies BE9 and H16 of the adopted Brent Unitary Development Plan 2004 and Supplementary Planning Guidance SPG17: "Design Guide for New Development."

- (3) The proposal results in poor quality external amenity space, contrary to policies BE2, BE9 of the Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17.
- (4) The level of provision of parking within the site would result in overspill parking on Deerhurst Road, Willesden Lane and Chatsworth Road, this unrestricted increase in demand for parking cannot be accommodated and would be detrimental to the free flow of traffic and pedestrians and highway safety, in a location where a 'car-free' agreement cannot be implemented as access to public transport is insufficient to result in a sustainable 'car-free' scheme. The proposal fails to comply with TRN2, TRN4, TRN23 and TRN24 and PS14 and the National Planning Policy Framework.
- (5) The proposed development would result in the loss of family accommodation for which there is an identified need within the Borough and as such the proposal would be contrary to policy CP21 London Borough of Brent Core Strategy (Proposed Submission June 2009)
- (6) The applicant fails to demonstrate that the proposed 'Care Home' and 'Elderly Persons Shelter with Visitor Accommodation' will serve the local population Brent for which there is an identified need within the Borough or that there is an established need for form of accommodation being proposed and as such the proposal would be contrary to policy CP21 London Borough of Brent Core Strategy 2010
- (7) The proposal, by reason of the scale, bulk and dominance of buildings across the site and density of the development in general and the massing, height and scale of the residential blocks in particular, is disproportionate to and detrimental to the site and context of 2-storey houses. The proposal therefore represents an overdevelopment within this constrained plot. The proposal is contrary to policies BE2, BE9 and H15 of Brent's UDP 2004 as well as *SPG17: Design Guide for New Development*
- (8) In the absence of a legal agreement to control the matter, the proposal fails to comply with the principles of sustainable development and would be harmful to the aims and objectives of the Council, which seek to ensure that new development and land uses achieve sustainable development, and is therefore contrary to Policies STR14 and BE12 of the Brent Unitary Development Plan 2004 and the guidance contained within Supplementary Planning Guidance SPG19: "Sustainable Design, Construction and Pollution Control
- (9) In the absence of a legal agreement to control the matter, the development would fail to provide an acceptable mix and quantity of affordable housing, it would result in additional pressure on transport infrastructure, without a contribution to sustainable transport improvements in the area, an increased pressure for the use of existing open space in an area of open space deficiency, without contributions to enhance open space, an increased pressure for public sports facilities, without any contribution to the provision of sports facilities, and an increased pressure on education infrastructure, without any contribution to education improvements. As a result, the proposal is contrary to policies STR19, TRN4, TRN23 and OS7 of the adopted London Borough of Brent Unitary Development Plan 2004, policy CP2 of the adopted Core Strategy 2010, the Mayors London Plan and the Councils' Supplementary Planning Document;- s106 Planning Obligations
- (10) The application is not supported by a sufficiently robust and detailed Travel Plan to demonstrate that the proposed development will not lead to increased traffic congestion and unsafe car parking to the detriment of highway and pedestrian safety, contrary to Policies TRN1 and TRN4 of the UDP-2004.
- (11) The proposed basement car park, by virtue of the insufficient vertical clearance height within the structure will have a detrimental impact on vehicular access to the facility and the proposed car parking space numbered "127" in the submitted basement plans, by

virtue of its alignment and relationship to adjacent car parking spaces, will not provide a safe means of car parking, contrary to Policy TRN22 of the UDP-2004. In the absence of details of gradients for some of the ramps within the car park, the proposed basement also fails to provide safe access for vehicles and pedestrians contrary to Policies TRN10 and TRN14 of the UDP-2004.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Tanusha Naidoo, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5245