

Committee Report
Planning Committee on 12 February,
2014

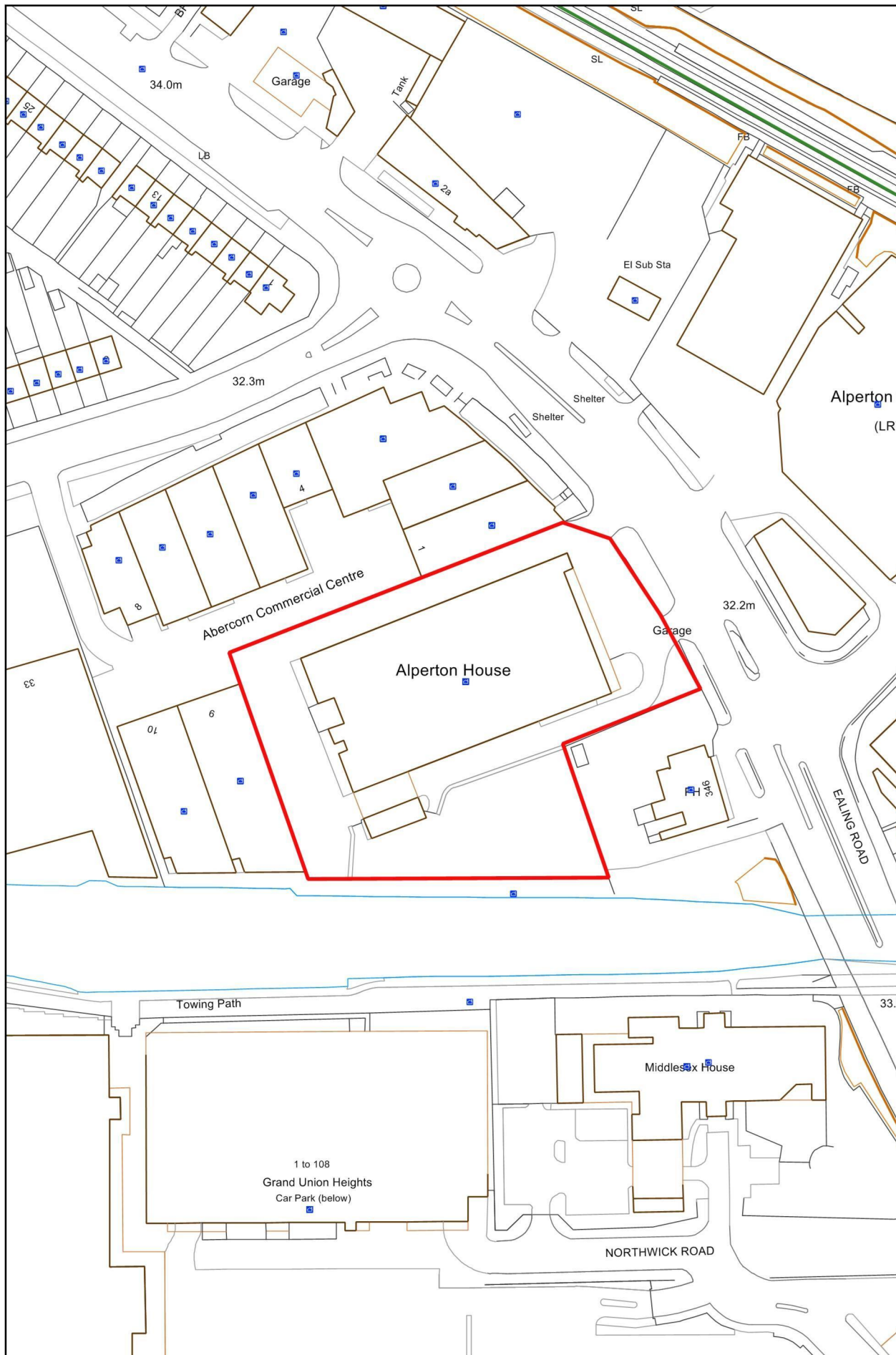
Item No. **07**
Case No. **13/3557**



Planning Committee Map

Site address: Alperton House, Bridgewater Road, Wembley, HA0 1EH

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This map is indicative only.

RECEIVED: 19 November, 2013

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: Alperton House, Bridgewater Road, Wembley, HA0 1EH

PROPOSAL: Renewal of planning permission reference 10/1631, dated 18/01/2011, for change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

APPLICANT: London and Cambridge Properties

CONTACT: D2 Planning

PLAN NO'S:
See condition no 2

RECOMMENDATION

Grant temporary consent for a period of two years

CIL DETAILS

This application is not liable to pay the Community Infrastructure Levy (CIL).

CIL Liable?

Yes/No: No

EXISTING

Alperton House is a six-storey commercial building fronting the Bridgewater Road. The first, second, third, fourth and fifth floors of the building have temporary consent for mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential – education and training centres). The ground floor is in retail use (A1). The site is identified as being a locally significant industrial site in the Council's Core Strategy; and has a Site Specific Allocation and lies within the wider Alperton Growth Area. The site is not within a Conservation Area, nor is the building listed.

PROPOSAL

Renewal of planning permission reference 10/1631, dated 18/01/2011 for change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

HISTORY

10/1631 - Change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended.

Granted 18/01/2011 with the following condition:

This permission shall be for a limited period of 3 years only, expiring on 13/01/2014, when (unless a further

application has been submitted to and approved in writing by the Local Planning Authority) any D1 non-residential educational and training-centre use hereby approved shall be discontinued and the relevant floors of the building shall only be used for B1 purposes.

Reason: To allow review of the site as the proposals within the draft Alperton Growth Area Supplementary Planning Document and Site-Specific Allocations document are adopted, and enable the impacts of the use to be assessed against the functioning of the "B" Use Classes within the building, ensuring that the favoured employment-generating uses are not jeopardised.

The following applications relate to the above consent:

11/3300 - Details pursuant to condition 6 (refuse/recycling) of full planning permission 10/1631 dated 14/01/11 for Change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended *Granted 13/02/2012*

11/1083 - Details pursuant to condition 5 (details of servicing area) of full planning permission 10/1631 dated 14/01/11 for change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended *Granted 28/06/2011*

11/1084 - Variation of the wording of condition 7 to read:

Within 3 months of the date of this decision, revised drawings detailing the siting of a cycle storage area capable of providing parking for 30 cycles to be implemented within 8 months of the date of the decision notice (August 2011), followed by a further 30 spaces, to be provided 1 year after the date of this decision (August 2012), followed by a further 66 spaces, (subject to take up students,) to be provided two years after the date of this decision (August 2013)

of full planning permission 10/1631 dated 18/01/11 for change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended. *Granted 05/07/2011*

11/1246 - Removal of condition 6 (Refuse/ recycling area), of full application reference 10/1631 dated 18 January 2011 for: Change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended. *Refused 24/06/2011*

11/0962 - Details pursuant to condition 8 (disabled parking), of full application reference 10/1631 dated 18 January 2011 for: Change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended *Granted 07/06/2011*

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 is 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

London Borough of Brent LDF Core Strategy 2010

CP8 – Alperton Growth Area
CP20- Strategic Industrial Locations and Locally Significant Industrial Sites

London Borough of Brent Site Specific Allocations (SSA) DPD, adopted July 2011

Alperton House is allocated for mixed use development, including residential, food and drink and workspace.

London Borough of Brent Alperton Masterplan SPD, adopted July 2011

Alperton House is located within the Alperton Growth Area

London Borough of Brent Unitary Development Plan 2004

- TRN3 Environmental Impact of Traffic
- TRN11 The London cycle network
- TRN22 Parking Standards – Non-Residential Developments
- TRN34 Servicing
- PS12 Parking Standards (Use Class D1)
- PS16 Cycle parking standards
- CF1 Location of Large Scale Community Facilities
- EMP10 The Environmental Impact of Employment Development
- EMP15 Location of B1 Business Development
- EMP17 Reuse of Redundant Offices

SUSTAINABILITY ASSESSMENT

The application does not trigger the requirement for a sustainability appraisal.

CONSULTATION

88 letters sent out to neighbouring properties. Representations from 11 addressees have been received.

6 letters of support have been received, some of which include tenants of the building currently operating as D1 use. The following is highlighting the main points within their comments

- The London School of Science which currently operates in the building provides 75-80 employees and 900 students
- The college is doing a good job for the community. There is hardly any other higher education providers in the area and this college is providing good access to education facilities
- We have been using the tuition agency Talent Engaged Tuition for some of our most vulnerable pupils out of school and the location is accessible for most of our pupils and parents/carers to get to.
- The building is a renowned hub for education which many benefit from
- The facilities include offering alternative educational support for children with SEN (Special Educational Needs). The location of Alperton House is conveniently within the local community.

3 businesses located within Alperton House have objected. The issues raised are summarised below:

The building is primarily being used for educational use and business users are being squeezed out. The building is unsuitable to be used intensively for educational purposes and should be restricted to no more than 50% of floor area of the building for educational use	The principle of this level of education use within this building has already been established by the original permission. See also paragraph 13
There is considerable traffic congestion at the property. Students are parking their cars in bays marked for disabled persons when they do not have disabled badges	See paragraph 11
There is a concern that children as young as 5 years are attending	See paragraph 6 & 12

school in the building and running around the building unsupervised. This cause disruption to other users in the building	
The parents of the children are waiting in the car park and roadways when they drop off or collect their children, which is causing congestion	See paragraph 8
There are forklift trucks operating around the building which is a potential health and safety risk to the children	See paragraph 10
Ideally the Council should restrict educational use to adult education only i.e. students of 18 years of age and over, and restrict the building to no more than 50% educational use so that B1 office use for business users can be maintained without disruption	See paragraph 12, 13

Alperton Ward Councillors were also notified. No response

Transportation

The submitted drawing number SK002 Rev J satisfies Transportation requirements in the following ways:

- The number and details of disabled car parking spaces within the car park are as previously agreed, and satisfy Policy TRN35 of the UDP-2004 requirements.
- The hatched areas for service vehicle access and manoeuvring within the car park are as previously agreed, and satisfy requirements under Policy TRN34 of the UDP-2004.
- The location of refuse and recycling storage adjacent to/within the servicing area is as previously agreed and satisfies requirements under Policy TRN34 of the UDP-2004.
- The location, type and quantity of secure cycle parking is as previously agreed and satisfies requirements under Policy TRN11 of the UDP-2004.

With regard to the travel surveys and any potential requirement of a travel plan, Transport had the following comments to make:

At the time of the previous application, it was agreed that a Travel Plan should only be produced for the college if it passed a specified 'trigger point'. This was set out in the S106 Agreement, confirming that annual Modal Surveys would be carried out, and that if at any time more than 10% of students were travelling to the site by car, then the college would commission a Travel Plan. Transportation are not aware of having received any feedback regarding these modal surveys at any time. Before this renewal application can be supported, Modal Surveys should be carried out, its results analysed and if necessary, a Travel Plan commissioned. The surveys should include full information regarding staff and student numbers, and that the Modal Surveys which should have been submitted annually are now carried out in order to demonstrate whether a Travel Plan will be necessary to mitigate the impact the development.

In response to these comments, the applicant has provided the Modal Surveys required for the previous three years, as well as a current one. Based on the details submitted, the transport officer is satisfied with the monitoring of travel behaviour that has taken place, and subject to continued annual monitoring, transportation can accept the renewal of planning permission.

REMARKS

Background

1. The conversion of the first, second, third, fourth and fifth floors of the former office building to a mixed use as office (Use Class B1) and non-residential institution – restricted to specifically education and training (Use Class D1), was granted temporary planning permission in 2011. In planning policy terms, the principle of the change of use was justified as there was a lack of demand for office use in the area, and that, in light of the emerging site specific allocation for this site, temporary consent for 3 years in this case can be granted. The current application seeks to extend the use of the building for a further period.
2. Since the previous application, in July 2011, Brent's Alperton Masterplan SPD and Site Specific Allocation DPD have both been adopted. Alperton House is located within the Alperton Growth Area, and allocated for mixed use development, including residential, food and drink and workspace. However, the Head of Planning Policy confirms that at this time it is unlikely that such development will be carried out for the next 2 years. On this basis, a further consent for 2 years may be granted, on similar terms to the previous application, and such consent would not prejudice the

implementation of future development of the site.

Current Use of the Building

3. Floors 1-5 of Alperton House have been currently operating under D1 use (non-residential) – restricted to education and training, occupying over 8000m² floor space. Currently, there are 5 different education providers, known as London School of Science & Technology, City Educators, West London Vocational Training, Essex College and Talent Engaged. Collectively, the college provides education facilities for the local and wider community.

Transport

4. The site has good access to public transport and attracts a PTAL of 4. The applicant has undertaken travel surveys covering the past 3 years which the Council's transport officer has assessed. The Council's transport officer is satisfied that there is currently no requirement for a travel plan, but recommends that annual surveys are undertaken to ensure acceptable traffic impact. If more than 10% of students were travelling to the site by car, then the college should commission a Travel Plan. A condition requiring this will be attached should the application be supported.
5. The previous permission sought details of the servicing area, refuse/recycling area, the siting of the cycle storage area and the provision disabled parking spaces by relevant planning conditions. These conditions had been discharged since the original application, and the applicants have submitted a plan showing the same details, which the transport officer has confirmed satisfies all these requirements. Subsequently a condition requiring these provisions to be maintained will be attached, should the application be supported.

Response to objections

6. The objections raised are largely building-management matters. The objectors' concerns regarding children using the education facilities within the building, including their safety and supervision have been passed to the applicants. Their response has been that the other businesses have been offered to move to a similar sized suite on another floor in the office building to address the issues they are encountering. The applicants have also clarified that the 'after school' tutors start around 4.30pm Mondays to Fridays, and full days Saturdays and Sundays, which are essentially outside of conventional office hours.
7. They have also added the following in response to the objections received:
 8. *Any issues with the car park are not caused by drop-off or pick-up by parents of the tutors, problems had been incurred at early mornings and additional security has been put in place for the benefit of the tenants who pay for parking spaces.*
 9. *On the 2nd floor the 'after school' tutors do have children who have to travel the full length of the corridor as the majority of their rooms are at the far end of the building to keep them as self-contained as possible.*
 10. *The ground floor tenant, Tile Depot, is the only company with a forklift truck. As their loading bay is situated by the exit barrier on some occasions they use their forklift for loading and unloading which may cause a driver exiting the car park a minute or two delay but at no time at all does it circulate the building and at no point does it present a potential health and safety hazard to the children.*
11. The use of disabled bays by non-disabled badge holders is also a matter for the management company, and not within the jurisdiction of the Council.
12. Officers consider that the issues raised by the objections may be addressed by the management company of the building and their tenants, rather than by any planning conditions. A planning condition restricting the age of students would result in the loss of existing education provision within the building, for which there is a demand.
13. It should be highlighted that the site is allocated within the Alperton Growth Area, with a site specific allocation to redevelop the site for mixed use, to include residential, food and drink and work space, and therefore the continued use of the site as a mixed use education and offices at this time is expected to only be for the short term.

Conclusion

14. The renewal of the consent for D1 non-residential, education and training use at Alperton House, on a 2 year basis, will ensure the continued use of the building to provide education facilities for which there is a current demand. This would also ensure that future development of the site for mixed use development within the Alperton Growth Area is not prejudiced.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent LDF 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
Employment: in terms of maintaining and sustaining a range of employment opportunities
Transport: in terms of sustainability, safety and servicing needs
Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

- (1) This permission shall be for a limited period of 2 years only, expiring on 12th February 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.

The application site is located within the Alperton Growth Area, with a specific type of development allocated within Brent's adopted Site Specific Allocations DPD, adopted 2011, and permission for a longer period would prejudice their implementation.

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

Site Location Plan; L1070/02(A)01/GA:01; AlpertonHse-03; AlpertonHse-04 (3);
AlpertonHse-05; 1428/02F; SK002 Rev J;

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

- (3) The elements of the building detailed as "D1 Use" or "B1 Use" within the drawings hereby approved shall be used only for purposes within Use Classes B1, as defined in the Town and Country Planning (Use Class) Order 2005, as amended, or as non-residential education and training centres and shall not be used for any other purposes within Use Class D1, as defined in the Town and Country Planning (Use Class) Order 2005, as amended, nor for any purposes without the further written consent of the Local Planning Authority.

Reason: No separate use should commence without the prior approval of the Local Planning Authority, in order to ensure that the use of the premises remains appropriate for this Locally Significant Industrial Site.

- (4) No amplified-sound systems shall be used, unless details of any proposed system and associated sound-insulation measures are first submitted to and agreed in writing by the Local

Planning Authority prior to installation, and thereafter such a system shall be installed and maintained in accordance with the approved details.

Reason: To prevent noise nuisance to adjacent occupiers.

- (5) The details of the servicing area, the siting of the refuse/recycling area, the siting of the cycle storage area and disabled parking spaces, as shown on approved drawing no. SK002 Rev J, shall be maintained, unless otherwise agreed in writing with the Local Planning Authority.

Reason: to ensure adequate servicing on site and prevent harm to the local highway network; to ensure the adequate provision of waste ad recycling storage and prevent harm to local amenity; to ensure the adequate provision of cycle-parking to promote the use of non-car modes of access to the site and to ensure the adequate disable parking provision on site.

- (6) Within 12 months of the date of this decision, a Travel Survey shall be carried out on behalf of the Owner, and thereafter it shall be arranged for such surveys to be carried out on an annual basis for each year in which the Planning Permission continues in existence. Details submitted shall include a Technical Note to the Council after each Travel Survey, setting out the findings of the Travel Survey. If it is found that more than 10% of the occupiers and users of the Development travel to and from the site by car, then the Owner shall commission a Travel Plan, of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme, to incorporate targets for minimising car use and increasing sustainable travel, monitoring of those targets and associated measures to meet those targets. The Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and shall be fully implemented

Reason: In the interests of reducing reliance on private motor vehicles.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Avani Raven, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5016