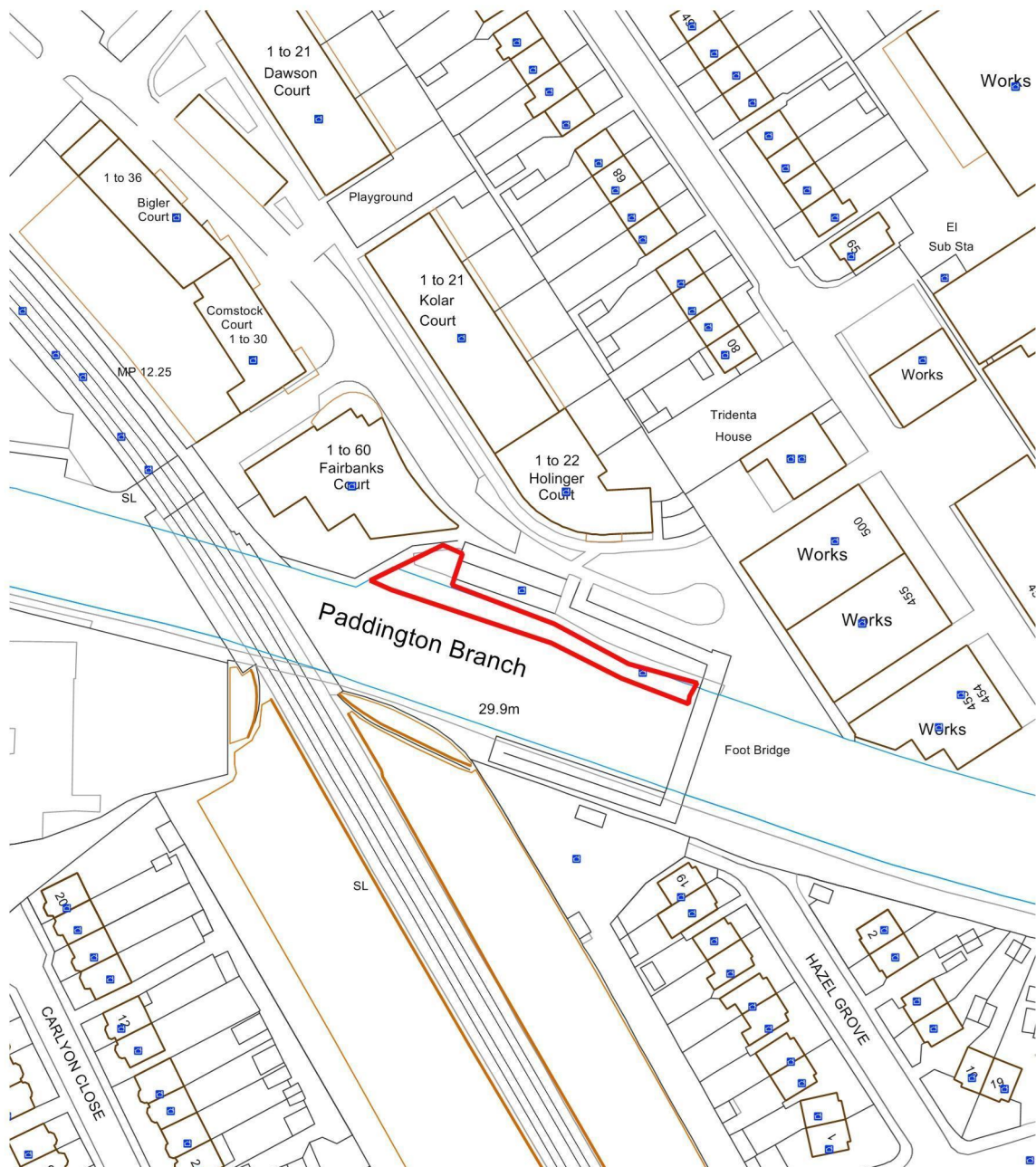




Planning Committee Map

Site address: Land next to Fairbanks Court, Atlip Road, Wembley, HA0

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

RECEIVED: 27 May, 2014

WARD: Alperton

PLANNING AREA:

LOCATION: Land next to Fairbanks Court, Atlip Road, Wembley, HA0

PROPOSAL: Planning application for the change of use of waterspace for residential moorings

APPLICANT: Canal & River Trust

CONTACT:

PLAN NO'S:
See condition 2.

RECOMMENDATION

Approval with the conditions listed after paragraph 19.

CIL DETAILS

The proposal does not result in the creation of any new build floorspace or additional residential units and as such, the development is not CIL liable.

CIL Liable?

Yes/No: No

EXISTING

The subject site is land and adjacent waterspace located off and accessed of the southern end of Atlip Road in Alperton, HA0, on the northern embankment of the Grand Union Canal. Four existing visitor moorings are currently located on the embankment. These visitor moorings were constructed with the redevelopment of the adjoining buildings at the southern end of Atlip Road.

PROPOSAL

The Canal and River Trust seek planning permission for the change of use from four visitor moorings to four residential moorings. The moorings are in place so no physical changes are required to implement this change. The Canal and River Trust define residential moorings as "A long term mooring which has the local authority's permission for it to be used as the occupant's sole or primary residence".

The application submission initially also detailed the provision of a small "Elsan sewage facility" which is to be situated on the land next to the canal. However, this has now been removed from the proposal.

HISTORY

Planning permission was granted for the construction of the visitor moorings as a part of the adjoining "Atlip Road" development at appeal in 2007:

Reference 06/0856: Extension of Atlip Road and erection of four buildings containing 5 commercial units (733 square metres) and 186 flats comprising 60 one- and two-bedroom private flats and 126 one-, two-, three- and four-bedroom affordable flats. The buildings on the northwest side of the access road are 4-storey and part 4- and 6-storey. The buildings on the southeast side are part 8- and 9-storey and part 10- and 14-storey. Provision of 54 car-parking spaces, cycle parking, refuse storage, landscaping, 2 children's play areas and footbridge over the canal – Appeal allowed 27/02/2007

Reference 06/0845: Extension of Atlip Road and erection of four buildings containing 5 commercial units (733 squared metres) and 185 flats comprising 60 one and two bedroom private flats and 126 one, two, three and

four bedroom affordable flats. The buildings on the north west side of the access road are 4 storey and part 4 and 6 storey. The buildings on the south east side are part 8 and 9 storey and part 10 and 14 storey. Provision of 54 car parking spaces, cycle parking, refuse storage, landscaping, 2 childrens play areas and footbridge over the canal – Appeal allowed 27/02/2007

POLICY CONSIDERATIONS

National Planning Policy Statement

London Plan 2011

Policy 7.30 London's Canals and Other Rivers and Waterspaces

Brent Core Strategy 2010

CP8: Alperton Growth Area

CP18 Protection and Enhancement of Open Space, Sports and Biodiversity

Adopted Unitary Development Plan 2004

BE2: Townscape

BE9: Architectural Quality

BE14: Grand Union Canal Corridor

TRN10: Walkable environments

TRN11: The London Cycle Network

OS5: Green Chains

OS14: Wildlife Corridors

CONSULTATION

Site notices were erected on 10/06/2014. Consultation letters were sent to 87 local residents on 24 July 2014.

9 objections were received during the consultation period outlining the following concerns:

Comment	Response to comment
1. Sewerage system will be an eyesore and the pumps will cause nuisance through noise and odour and will attract vermin.	See paragraphs 7-11
2. Noise and odour pollution and will attract vermin	See paragraphs 7-11
3. Increase cost in management fee for tenants of Atlip Court development	This matter cannot be considered with the planning application. Nevertheless, it is not considered likely that the change from visitor to residential moorings will result in an increase in the management fee for tenants.
4. Lack of car and cycle parking for visitors of tenants of boat, with existing facilities already overly full, and additional traffic associated with residential moorings.	See paragraph 14-18
5. Loss of property value	Matters concerning any perceived impact upon the value of adjacent properties resulting from the development cannot be considered within this planning application.
6. Lack of public consultation on the proposal	Site notices were initially erected. Following comments from local residents, letters were sent to 87 nearby owners/occupiers.
7. Loss of privacy	Your officers do not consider that the change from visitor to residential moorings will result in a loss of privacy for existing residents.
8. Lack of bin storage, and the bins within the existing development are already overly used.	See paragraph 12-13

9. Residential moorings will destroy the character of the area as residents encroach on the towpath and adjoining land assuming squatters rights.	See paragraph 6
10. Smoke from chimneys and dogs will result in nuisance.	Such activity is considered to be typical of canal moorings, whether they are visitor or resident moorings. It should be noted that visitor moorings allow stays of up to 14 days.
11. The Canal and River Trust will not have the resources to supervise and control additional residential moorings.	Your officers have no reason to believe that cuts in funding will affect the ability of the C.R.T. to control the additional moorings.
12. The proposal will result in physical changes as the moorings are vacant 95 % of the time at the moment but will be occupied all of the time in the future.	See paragraph 6
13. One of the moorings is in the navigation channel which will lead to accidents.	The Canal and River Trust (i.e. the applicant) is best placed to consider matters of canal safety. Highways have also commented on this matter (see paragraph 15).
14. The moorings will affect the wildlife and green chain.	The proposal does not introduce moorings within this location but seeks a change from visitor to residential moorings. The adjoining land is largely hardsurfaced. As such, the proposal is not considered likely to have an impact on wildlife.
15. Permanent residents will increase social tension and reduce existing residents welfare.	It is not clear how the change from visitor to residential moorings will do this and your officers consider this to be unlikely.

REMARKS

1. The applicant seeks permission to change the existing visitor moorings to residential moorings. The provision of a sewage disposal facility was also proposed initially but has been removed from this proposal .

Principle of use

2. The visitor moorings already exist and as such, this report can only consider the change to residential moorings.
3. Policy BE14 of the Unitary Development Plan deals directly with residential moorings, specifying:
 4. *Residential moorings will be permitted on the non-towpath side or in new basins or marinas and should not interfere with navigation or other uses of the bank. Non-obtrusive servicing and infrastructure should be provided.*
5. There is a strong policy basis to supports the provision of residential moorings long the Grand Union Canal. Your officers accordingly consider that the general principle of the change from visitor to residential moorings to be in accordance with adopted policy and accordingly acceptable.
6. Objectors have highlighted that occupiers of residential moorings often occupy the land adjacent to the moorings which affects the character of the area. Your officers concur that this can be an issue in certain situations. It is considered important that the area adjacent to the moorings remains as open and as uncluttered as possible. As such, it is recommended that a condition is attached to prevent this. Objectors also note that the increase in the proportion of time within which the moorings will be occupied represents a physical change to the area. While boats are likely to be moored in this location more often, this is not considered to result in an unacceptable change in the nature or appearance of the canal.

Sewage Facility

7. The proposal initially detailed the provision of a sewage facility on the land adjacent to the canal. This has the appearance of a metal box that can be opened by mooring occupants to allow the disposal of sewage.

The Canal and River Trust have provided information regarding the operation of the unit to demonstrate that the system will not result in odour and other disturbance. They specify that the “proposed Elsan sewage facility comprises a water based trap system in domestic and commercial foul drain arrangements. Waste is directed past a flooded 180 degree sump that ensures odours and particulates do not re-enter the atmosphere once the waste is disposed of. A sealed cover to the unit ensures that in the unlikely event of any spillages the odour is contained until the next cleaning cycle.”. These facilities are used across the canal network and the Canal and River Trust. Any noise associated with this activity is likely to be minimal and it is considered unlikely that this will attract vermin.

8. The Canal and River Trust have highlighted that the facility can also be delivered under “permitted development” and as such does not require planning permission. Such infrastructure helps to enable the provision of moorings on the canal.
9. However, the sewage facility was proposed to be located within the relatively narrow ramped access to the canal from Atlip Road. As such, your officers considered that it would result in a significant obstruction to this ramped access, which was considered to be unacceptable. The Canal and River Trust have highlighted that there are two facilities within a short cruising distance from this site that already have facilities and that it is not unusual for boats to travel short distances to such facilities.
10. The Trust have specified that they would prefer to provide a sewage facility on site, but that the residential moorings can be provided without one. They have withdrawn the sewage facility from the proposal and have said that they will explore other options with regard to sewage facilities separately from this proposal.
11. Given that your officers have concerns regarding the siting of the sewage facility within the application site which only includes the path way alongside the canal, a condition has been recommended which removes “permitted development” rights for the construction of such facilities within the application site to ensure that it does not have a significant impact on access or the visual amenity of the canal side area.

Refuse storage

12. The Trust proposes that the occupants of the residential moorings use the existing bins within the Atlip Road development and specify that the site owners have agreed to such usage. The bins had a lot of spare capacity at the time of the application site visit. However, it is difficult to confirm how often they reach their full capacity. The Trust have highlighted that bin storage facilities could be put in place under their “permitted development” rights as a statutory undertaker but that they have not pursued this option as they do not wish to add clutter to the area adjacent to the canal. However, they have specified that they would accept a consent which relies on refuse being taken to the nearby moorings which have refuse facilities and have highlighted that this is not an unusual arrangement.
13. Objectors have specified that the existing bins are over-used and that the use by the occupiers of the residential moorings will worsen this. If the additional residential moorings do indeed result in the over-use of the bins in the adjoining then the owner of the building can restrict the ability for residents to access the bins storage areas. The Canal and River Trust can install bins under “permitted development” if this occurs. However, as with the sewage facility, the installation of such bins within the application site would restrict access to the canal and there are more appropriate locations within their ownership that they could install bins. As such, your officers recommend that the condition regarding the sewage facility also removes the right to install bins within the application site under permitted development. This would not affect their ability to install bins within land that they own outside of the application site and there are other locations adjacent to the canal where bins could be accommodated in an appropriate way if required.

Transportation

14. The provision of mooring points along this stretch of the canal was undertaken as part of the redevelopment of the land for residential accommodation. The re-designation of the moorings for long-term residential accommodation, rather than short-term stopping of boats, does not materially affect matters in terms of the use of the site, with infrastructure and access already in place.
15. The moorings themselves are located along a locally widened stretch of the canal, so navigation along the canal is not affected by moored boats in this location. Physical constraints by way of the Piccadilly line railway bridge and buildings along the very edge of the canal will prevent any further moorings taking place

to the east or west of this point.

16. The site has easy access to tube and bus services and there are publicly available bicycle parking spaces and Car Club bays which future residents may be able to make use of. Similarly, communal refuse storage facilities are available within the adjacent residential accommodation that future residents can make use of.
17. As such, the location of the site is considered appropriate for long-term residential accommodation and as the adjacent street is privately managed, it will not have a direct impact on the street falling within the remit of Brent Council.
18. Objectors have cited issues relating to the availability of parking spaces and cycle spaces. Atlip Road is in private ownership and is not an adopted highway. Parking within the spaces is restricted and signage on this road highlight that unauthorised vehicles will be clamped. As such, there are already controls in place to restrict the potential parking associated with the residential moorings. As highlighted above, the site has good public transport links and a car club which helps to reduce the need for private motor vehicles. Usage of the cycle parking spaces within Atlip Road itself was observed to be low and it is not considered likely that the proposed change from visitor to residential moorings will have a significant impact on this.

Summary

19. The proposed change from visitor to residential moorings is considered to accord with adopted planning policy. Issues have been raised by objectors. However, some of those relate to development that does not require planning consent (e.g. the installation of the sewage facility). On balance it is considered that the proposed change from visitor to residential moorings is unlikely to have an unduly detrimental impact on local residents. However, it is considered that a condition is required to ensure that the adjoining element of land next to the canal is kept clear at all times and to remove the permitted development rights for the provision of facilities on the land next to the canal.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

National Planning Policy Framework
London Plan 2011
Brent LDF Core Strategy 2010
Brent Unitary Development Plan 2004

CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

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

"Planning Statement with Design and Access Details"
"Atlip Road Moorings, Alperton" (1:1250 scale location plan)
"Site Plan"

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

- (3) Notwithstanding the provisions of Schedule 2 Part 17 of the Town and Country Planning

(General Permitted Development) Order 1995, as amended, the land within the application site shall be kept clear at all times and shall not be used for storage or for the provision of canal related facilities (such as a sewage disposal facility or a refuse storage area) unless consent has been granted by the Local Planning Authority through the submission of a full planning application.

Reason: To ensure a satisfactory environment and in the interest of visual amenity and access to the canal.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact David Glover, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5344