

 **Planning Committee Map**
Site address: 152 Olive Road, London, NW2 6UY
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This map is indicative only.

RECEIVED: 27 June, 2014

WARD: Mapesbury

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 152 Olive Road, London, NW2 6UY

PROPOSAL: Demolition of former Cricklewood Library building and erection of a four storey building comprising 6 self-contained flats (1 x 1bed, 4 x 2bed and 1 x 3bed) and 187m² of D1 (multi-functional community) floorspace, with provision for bike and bin stores, associated landscaping and temporary retention of site hoarding for site security (to be removed on completion of development)

APPLICANT: Cricklewood Library Limited

CONTACT: Nicholas Taylor & Associates

PLAN NO'S:

See Condition 2.

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- The provision of the D1 space for uses that fall within public hall/community type activities
- Details of the disposal of the community space to include (but not exclusively):
 - Marketing of the community space within 6 months of construction commencing
 - The space being let to an organisation to run and maintain the D1 space
 - Provision of community space at peppercorn rent
 - Condition of the structure at disposal to include shell, core, fixtures such as toilets/sinks/storage space.
 - If, within 8 months or such other period agreed with the Local Planning Authority of the start date of the marketing campaign, Cricklewood Libraries Limited receive no offer that is acceptable to them, (acting reasonably in the circumstances and such acceptance shall not be unreasonably withheld or delayed) Cricklewood Libraries Limited shall be under no restriction by virtue of this Agreement in relation to the disposal of the residential units.
- If following the marketing campaign an occupier for the community space is not found then CVS Brent will be offered first refusal on the community space.
- Prior to the marketing of the community space community access agreement will be submitted to an approved in writing by the LPA detailing, but shall not be limited to the following:
 - Access arrangements for the local community
 - Reasonable hours of use so as to not disturb neighbouring residential
 - Service/management charge
- Considerate Constructors Scheme (CCS)-join and remain a member of the CCS.

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

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£113,977.63** of which **£96,937.50** is Brent CIL and **£17,040.13** is Mayoral CIL.

CIL Liable?

Yes/No: Yes

EXISTING

The subject application site relates to the former Cricklewood Library, 152 Olive Road, NW2. The library was closed as a in October 2011 and has been vacant since its closure. The site has a total footprint of approximately 550sqm. The site is just over 35.8m deep, and 13m wide to its rear. The site becomes slightly wider to the front elevation and is 17.6m wide to its front pavement.

The internal layout of the ground floor of the site as existing is predominantly open plan, with a reading room and reception area to the ground floor and a store room and WC to the rear. The upper floors are predominantly ancillary areas including store rooms, a kitchen and a WC. The Net Internal Floor Area is approximately 413sqm.

The site is bounded by Oman Court to the south, a 1920's/ 30's L-shaped four storey block of flats located 3m from the site boundary to its front, stepping away from the site boundary at a depth of 8m to be approximately 9.5m from the boundary of the site. A planning application was approved for an additional floor to the block in 2010 (LPA Ref: 10/2012). There are habitable rooms throughout the block to the northern elevation of the site adjoining the library. Its car park lies to the rear (east) of the subject site. Gladstone Park adjoins the site to the west, and there is an entrance to the park from Olive Road.

To the north of the site there are predominantly two storey semi detached dwellinghouses. No. 150 Olive Road directly adjoins the site to the north and has a two storey side extension which sits on the site boundary, and was converted from a dwellinghouse to five flats in 1989 (LPA Ref: 88/2288). There are two pairs of windows within the flank wall of the two storey side extension of this property. One of the windows of each pair serves a galley style kitchen and the other is a secondary window to the living room.

The site is within a Controlled Parking Zone (CPZ). Restrictions apply from 10.00 am - 9.00 pm Mon - Sat. The site has "Very Poor" public transport access (PTAL Level 1a) and no car parking is available on site.

PROPOSAL

See above.

HISTORY

13/2196: Demolition of former Cricklewood Library building and erection of a five storey building including basement comprising 10 No. residential units (2 x1-bed, 6 x 2-bed, 2 x 3-bed) and 157m2 of D1 (multi-functional community) floorspace. WITHDRAWN 18.10.13

The Council identified the following concerns with the proposal:

- 1. The applicant has failed to demonstrate that the proposed community hub would be of a size, layout and quality that sufficiently and suitably meets the local need for community facilities to a degree that it would adequately compensate for the loss of the existing community facility on site. As such, the proposal would be harmful to the future provision of community and cultural facilities for local residents contrary to policy CP23 of the London Borough of Brent LDF Core Strategy 2010.*
- 2. The proposed development, by reason of its scale and massing, design, proximity to site boundaries and failure to respect existing property lines, constitutes an overdevelopment of the site that fails to respect its context, appearing overly bulky within the street scene and cramped within the plot, contrary to policies H13, BE2, BE7 and BE9 of the Adopted Brent Unitary Development Plan 2004, London Borough of Brent LDF Core Strategy 2010 policy CP17 and Supplementary Planning Guidance 17 - "Design Guide for New Development".*
- 3. The proximity and relationship of the of the proposed habitable rooms within Apartments 10, 5, 8, 3, 6 and 9 to the site boundaries results in restricted light and outlook to habitable rooms and provides a lack of usable quality amenity space for the proposed future occupiers, symptomatic of the overdevelopment of the site and contrary to Core Strategy policy CP17, Brent Unitary Development policies BE9, H13 and H22 and Brent's Supplementary Planning Guidance Note 17, "Design Guide for New Development".*
- 4. The proposed development, by reason of its proximity to habitable rooms within Oman Court to the south and to neighbouring properties to the north fronting Olive Road, would result in loss of light, outlook and*

appear overbearing when viewed from these properties and their gardens. The proposed amenity spaces at high level would provide unrestricted views to neighbouring properties and gardens on Olive Road to the north and would allow for direct views into the habitable rooms of Oman Court. The development is thus contrary to Brent's London Borough of Brent LDF Core Strategy 2010 policy CP17, Unitary Development Plan (2004) policies BE9, H22 and SPG17 "Design Guide for new Development".

5. It has not been demonstrated that the proposed car parking demand can be satisfactorily accommodated without resulting in excessive overspill of car parking onto surrounding residential streets, to the detriment of highway and pedestrian safety. The proposal therefore fails to comply with TRN23 of Brent's Unitary Development Plan 2004.
6. In the absence of an Affordable Housing Viability Assessment, the proposed development provide a sufficient level of affordable housing contrary to policy CP2 of London Borough of Brent LDF Core Strategy 2010 and policy 3.11 of the London Plan 2011.
7. Information has not been submitted to demonstrate that the Combined Heat and Power system would have an acceptable impact on air quality for existing and proposed residential accommodation. As such, the proposal is contrary to London Borough of Brent LDF Core Strategy 2010 CP19 and policies EP2 and EP3 of Brent's Unitary Development Plan 2004.

POLICY CONSIDERATIONS

National Planning Policy Framework

The NPPF, adopted in March 2012, sets out a "presumption in favour of sustainable development " including the economic, social and environmental impacts of new development.

The relevant objectives within the NPPF are to:

- Promote high quality design
- Deliver a wide choice of quality homes
- Protect and deliver social, recreational and cultural facilities and services
- Promote sustainable travel

The London Plan

The London Plan, adopted 2011, is legally part of the development plan for the 33 London boroughs of Greater London; their local development documents are required to be in general conformity with it, including any Supplementary Planning Guidance.

Relevant policies include:

Social Infrastructure

3.16 Protection and Enhancement of Social Infrastructure

London's living places and spaces

7.2 An inclusive environment

7.3 Designing out crime

7.4 Local Character

7.6 Architecture

London Plan SPG

Planning for Equality and Diversity in London (October 2007)

The Mayor's Housing Design Guide (November 2012)

Local Plan

The local development plan for the purposes of S54A of the Town and Country Planning Act is the Brent Unitary Development Plan 2004 and the Brent Core Strategy 2010.

Brent Core Strategy 2010

The following spatial policies are considered relevant to this application:

- CP 1 Spatial development strategy

This sets out the spatial strategy, outlining where growth is to be focused.

- CP2 Population and Housing Growth

Sets out the mix and level of affordable housing for the borough as well as the overall housing target.

- 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

- CP 23 Protection of existing and provision of new community and cultural facilities

Encourages new accessible community and cultural facilities and protects existing facilities. Sets a standard for the provision of new community facilities

Brent Unitary Development Plan 2004

Built Environment

BE2 Townscape: Local Context & Character

BE3 Urban Structure: Space & Movement

BE4 Access for Disabled People

BE5 Urban Clarity & Safety

BE6 Public Realm: Landscape Design

BE7 Public Realm: Streetscape

BE9 Architectural Quality

Transport

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.

TRN23 Parking Standards – Residential Developments

PS12 Car parking standards – Class D1

PS15 Parking standards for disabled people

PS16 Cycle parking standards

Brent Supplementary Planning Guidance

SPG 17 “Design Guide for New Development” Adopted October 2001

Provides comprehensive and detailed design guidance for new development within the borough.

The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

CONSULTATION

Letters were sent to neighbouring properties on 28 July 2014 and to ward councillors on 28 August 2014.

Further public consultation was undertaken on 17 October 2014 (for a period of 14 days) due to the following amendments which were made to the proposal

- Reduction in the width of the first floor and creation of a 'green roof' to the ground floor element below and additional planting;
- Reduction in the scale (depth and width adjacent to No. 150 Olive Road) of the third floor including creation of a green roof below and associated external alterations ; and
- Increase in the depth of the first, second and third floors by 1 metre.

The Council has received **5 representations a petition with a total of 120 signatures in support** have been received. A total of **4 representations in objection** have been received (8 x representations from 4 different addresses).

The representations received have been summarised below:

Comments in support	Officer Response
Proposal would re-provide the lost library space (if provided to Friends of Cricklewood Library) and would be a valuable community facility.	Acknowledge that the proposal would re-provide the community floor space lost through the closure of the former library.
Comments in objection	Officer Response
Poor quality and lack of information regarding materials, development needs to be of a high quality to deter crime and to be an attractive addition to the area.	Agree need for proposal to be of a high quality as required by the NPPF and Local Plan. The applicant has provided suggested materials which would achieve a high quality design but further information will be sought be condition to ensure

	these are of a high quality.
Loss of light. Lack of clarity in the daylight/sunlight assessment in respect of how the redevelopment would affect light at Flat 2 150 Olive Road.	A daylight and sunlight assessment has been provided to demonstrate the proposal would not have a significant impact on surrounding properties. Further clarification provided by the applicant in relation to the daylight/sunlight assessment which concludes that the proposed development would not have a harmful impact to Flat 2.
Concurrent redevelopment of the Thames Water site would lead to excessive noise and disturbance for residents and additional pressure on local services and infrastructure. Furthermore development 'not needed'.	Any noise and disturbance from the concurrent construction of these two developments can be controlled through environmental health legislation. All tiers of policy encourage the re-use of previously developed land and residential development is considered acceptable in principle. The 'remarks' section below demonstrates that this would not have an adverse impact on the local area. The proposal would make a useful contribution towards the Borough's housing requirements.
How long would the redevelopment take to construct.	The applicant has confirmed this is likely to take 6-12 months which is considered reasonable for a development of this size.
Loss of property value	This is not a material planning consideration.
Proposed building too high and not in keeping with the character of the area.	See 'Design, Scale and Massing' section below.
Impact on local parking conditions.	See 'Transport, Parking & Servicing' section below.
Overlooking into rear neighbouring gardens.	See 'Impact on adjoining residential amenity' section below.
Noise and disturbance.	See 'Impact on adjoining residential amenity' section below.
Quality of the proposed residential units would be poor.	See 'Quality of proposed residential accommodation' section below.

REMARKS

Main Considerations

1. The proposed development would involve the redevelopment of the former library building, to provide new community floor space (Use Class D1) and six self-contained flats (Use Class C3). It is considered that the main planning consideration in relation to the determination of the application are:-

- Whether sufficient mitigation is provided for any loss of community or cultural facilities
- Whether the design, scale and massing of the proposal would make a positive contribution to the street scene
- Whether the proposed residential units provide an acceptable quality of residential accommodation and amenity for future occupiers
- Whether the proposed development has an acceptable impact on the amenities of adjoining residents

- Whether the proposed development would have an acceptable impact on local highways, parking and servicing conditions

Amendments Since Previous Refusal

2. The design, scale and massing of the building has been significantly reduced since the previous proposal. Notwithstanding this, the main alterations to the proposed development since the previous refusal are as follows:

Community Space

The total floor space has been increased from 157sqm to 187sqm.

The community floor space is situated solely on the ground floor..

Further details of community consultation, existing community space availability in the local area and the management of the community space have been provided.

Indicative examples of the proposed layout and a matrix of uses drawn up in conjunction with the FoCL group have been provided

Residential

The number of residential units proposed has decreased from 10 units to 6.

Replacement of community facilities

3. The existing building has been vacant since the former use of the building as a public library ceased in 2011 following the Council's Library Transformation Project. The applicant states in their submission that through this process, adequate mitigation has already been provided, in the form of new and improved library facilities, to justify the loss of the existing building. The Library Transformation Project does provide a comprehensive and efficient library service in the borough. Whilst the Council's library use has ceased, the building remains capable of being used to meet other wider community needs and therefore sufficient mitigation would need to be provided if the loss of the community use is to be supported.

4. The existing building has a gross internal floor area of 413 sqm arranged over 2 floors. Under its previous use the ground floor acted as the main reading room and reception area, with ancillary staff areas, a WC and storage space to the rear, totalling a Net Floor Area of 265sqm. The first floor, accessed via a spiral staircase, were predominantly ancillary store rooms, a kitchen and a WC totalling 148sqm Net Floor Area.

5. The revised proposal would involve the formation of a D1 use of 187sqm (GIA) which would occupy most of the ground floor of the building. In terms of the proposed area this is 30sqm more than the previous proposal and while such an increase is considered significant in terms of area the quality and useability of the space is a significant improvement on the previous proposal as it is all provided on the ground floor level and is arranged in a manner which supports the flexible use of this space for a variety of different users.

6. The applicants have prepared a statement of community involvement (as part of the Planning Statement) which sets out the level of consultation they have undertaken with the local community since the previous refusal. This has included consultation with FoCL and local residents in December 2013. The applicant has highlighted the alterations that have been made to address the concerns raised.

7. The applicants have provided plans showing how the ground floor could be laid out with a level access from Olive Road. The indicative floor layouts show a main open plan space, which could be used as a library space with book shelves, desks, seating area and main front desk in the east wing of the ground floor. These plans have been developed in conjunction with FoCL following consultation events.

8. The applicants in consultation with FoCL have also provided a use matrix and indicative layouts showing how a range of community uses could be accommodated at different times during the course of a normal week. The layout including the provision of desks, bookshelves, meeting rooms and storage would allow for uses such as book lending, IT services, studying, language classes, children's/toddler story time and other community uses throughout the week.

9. To ensure that the community space is accessible to the local community the applicants have provided information as to how the space will be managed and how the end user will be determined. The applicants have confirmed that the community space will be provided in shell and core including toilets, sinks and storage space with the responsibility of fitting out the accommodation falling to the future occupants. The future occupants will also be obliged to meet a reasonable service charge for use and maintenance of storage space and lift which will be in the form of an annual charge. The applicants have suggested that this is likely to be in the region of £2500.

10. The applicant has advised the Council that it has entered into contractual obligations to lease the space back to All Souls College while the freehold for the building will be retained by the applicant. The applicant in conjunction with All Souls College will determine who the future occupants following a bidding process in which all interested parties can bid to occupy the space. The space will then be let in accordance with the following terms and conditions:

- The space will be offered to a single lessee on a peppercorn rent in perpetuity
- A reasonable service charge will be applied to maintain the communal/entrance area including repairs to building.
- Minimum hours of operation will be required to ensure that the maximum range of uses, as identified in the use matrix, are provided throughout the week.
- The lessee must be responsible for and operate the D1 space in the interest of the local community and not limited to any specific interest group (e.g. not exclusive religious and/or other groups).
- Use of the facility will be limited to D1 uses only, as defined by the T&CP Use Classes Order.
- No operation should be for profit generation or related to business use/business; all funds generated by the operator will remain within the organisation to enhance its services and allow the provision of additional community services.
- The proposed uses should not cause nuisance to the flats above, or other adjoining neighbours (no excessive noise, traffic generation, late night/early morning activity etc).

11. The applicant has confirmed that it is their intention to see library services continue to be provided from the site. A sub-lease has yet to be negotiated and agreed but it is the intention of the College to let the space to Friends of Cricklewood Library at a peppercorn rate for a long period.

12. The proposed alterations and additional information provided has indicated that the proposed community floor space is of a size and layout which could sufficiently and suitably meet the needs of local community to compensate for the loss of the existing facility. The applicants have proposed the use of a management agreement through section 106 to establish the principles of how the D1 community space will be provided for the benefit of the local community.

13. The majority of letters of support and the petition that has been submitted is on the basis that the community use is let to the FOCL. It is not within the powers of planning to specify an end user of the proposed facility and therefore this cannot be secured through the current planning. However the applicants have specified in the planning submission documents that FoCL are the intended tenant of the community space.

14. The Council have proposed appropriately worded conditions and section 106 Heads of Terms in order to secure the provision of the community space for use by the local community.

Design, scale and massing

15. The previous proposal was not considered to represent a design of sufficient quality and the scale of the building was considered too large and bulky for the site. Since the previous application, the applicant has employed a different architect and the revised proposal is considered to represent an appropriate design response to the site.

16. The building would be of a contemporary style and would be of relatively simple appearance utilising a limited palette of quality materials (largely brick work) which would represent an appropriate response to the context of the proposal. The horizontal emphasis of the elevations compliments in visual terms the elevations of both neighbours even though these are of distinct architectural styles. Visual interest is added by the way in which the massing of the building has been broken up to respond to the constraints of the site in particular the building line of Olive Road. The use of recessed balconies and terrace areas adds further visual interest.

17. In total building the height of the building would be similar to Oman Court with a total of four storeys. However, the fourth storey has been significantly recessed from the front elevation and clad in a different material. As such the built form would make successful transition between the larger Oman Court to the north and the more domestic scale architecture of 150 Olive Road to the south.

Quality of proposed residential accommodation

18. The proposal has successfully addressed previous concerns in relation to the quality of the proposed accommodation. It is noted that the size of the proposed units would comply or exceed with standards contained within Policy 3.5 of the London Plan. All of the units (except the ground floor unit) would be dual aspect with views towards Gladstone Park and towards neighbouring rear gardens. Each unit would have

access to their own private amenity space as well as additional communal space to the rear with an average of 29sqm per flat which significantly exceeds the guidance in SPG17.

19. Consideration has been given to the quality of the proposed ground floor units given its single aspect with a restricted outlook onto a small garden. However additional daylight could be provided by way of a clerestory window to the south elevation of the building and this could be secured by condition if necessary. Given that the internal size of the unit complies with the standards in the London Plan and has its own garden space the quality is considered, on balance, acceptable. Levels of daylight within the proposed accommodation also satisfy BRE criteria. Sunlight availability would vary in response to aspect but the layouts satisfy the recommendations of both BRE and the London Plan

Impact on adjoining residential amenity

20. It is noted that the previous proposal was considered to be unacceptable on account of the harmful impact the building would have had on light and outlook to neighbouring properties. In this respect, it is noted that there are habitable rooms located both within the northern facing units at Oman Court and the southern flank windows to 150 Olive Road. The rear facing windows of No.150 Olive Road would also be affected by the proposal. It is acknowledged that the site is heavily constrained by the proximity of habitable room windows to both the north and south. Nevertheless the existing library building is a prominent feature from neighbouring properties with its high pitched roof and deep plan form which extends all the way to the rear boundary of the site.

21. Officers have sought to negotiate a building which is of a more appropriate scale and massing which better responds to the position of neighbouring windows. As such the scale of the building has been reduced since the previous proposal and the massing is more sensitive to the constraints of the site. The overall height of the replacement building would 1.3m taller than existing. However, it is noted that whereas the existing building has a pitched roof that slopes away from neighbouring properties the replacement building would introduce a vertical plane but this would not run the entire length of the site unlike the current building.

22. With respect to Oman Court, this building has an L shaped footprint and it is noted that there are side facing windows along the northern most flank of the building. These windows would be 3.2m from the flank elevation of new building, compared to 6.5m as existing. These flank windows would maintain a 45 degree view towards Gladstone Park where the massing of the building steps away from the windows towards the street. It is on this basis that the replacement building is not considered to result in a material reduction in the loss of outlook from these windows. It is noted that there are windows along the southern (side) elevation of the building, however, these would serve non-habitable rooms. With respect to the other windows along the north elevation of Oman Court, these windows are 10m from the flank elevation of the building, which is considered to represent an adequate distance from the building so as to maintain an appropriate outlook from these windows with reference to the existing building and the local pattern of development. On account of the reduction in built form towards the rear of the site, the proposal would result in an enhanced outlook for some of the windows on the north elevation of Oman Court.

23. Turning to No. 150 Olive Road to the north of the site, as explain earlier in this report there are two pairs of windows within the flank wall of the two storey side extension of this property. One of the windows of each pair serves a galley style kitchen and the other is a secondary window to the living room. The windows closest to the street serve the kitchen and are 3m away from the proposal building, this is an increase in the separation distance sought by officers. The relationship between these windows and the building is similar to Oman Court whereby these windows would benefit from a 45 degree view towards Gladstone Park. The applicant has agreed to undertake planting to flank walls fronting this windows and to create a green roof below.

24. The windows of the rear elevation of No. 150 Olive Road closest to the application site are habitable room windows. The building would project approximately 6m beyond these windows and the flank elevation would be set in 3.5m from the side boundary, approximately 1.3m further away than the existing building. As discussed earlier, the new building would be higher and closer to this property than the existing library building, however, the replacement building would not be as deep as existing. Officers have visited this property (both internal and external areas of the two ground floor flats) to assess the impact of the existing library building on the outlook from these rear windows and on the garden space. Through negotiation the applicant has removed part of the massing of the third floor to reduce the visual impact on No. 150 Olive Road. Visualisations have been provided to show how the outlook would alter as a result of the development.

Whilst officers are seeking clarification as to how these views have been generated, it would be reasonable to assume that longer distance views towards the rear of the site would be enhanced given that the replacement building would not be as deep into the rear of the site. The reduction in the mass of the third floor sought by officers assists in providing a more satisfactory form of development, however, it is

acknowledged that in places the replacement building would be closer than existing. Nevertheless, this is considered to be within an acceptable tolerance and when a balanced judgement is made in respect of the significant enhancements that the scheme would offer in respect of views over the rear parts of the site.

25. In respect of daylight and sunlight, the submitted assessment confirms that the amenity values of daylight and sunlight to the main living rooms of neighbouring residential properties would be retained to a level that satisfies BRE criteria. Some other rooms, with windows sited close to boundaries and facing the development site would have lower values which, because of their location, are within the tolerance identified by the BRE. The proposed development would not be the cause of any additional overshadowing of neighbouring gardens and BRE criteria is satisfied.

26. A condition has been secured to ensure that all windows on the flank elevations would be obscure glazed given that these are largely secondary or non-habitable rooms. Privacy measures will be secured for flank glazing serving the third floor lounge area, and restrictions on the green roof - which is not intended as an amenity space.

Transport, Parking and Servicing

27. The existing D1 use can be permitted car parking under PS12 of the UDP-2004 at a rate of 1 space per 5 staff, plus visitor parking at a maximum of 20% of the staff parking, but a minimum of one space. The number of staff that used to work at the site has not been specified in the application documents, but was unlikely to exceed ten. On this basis, a provision of three car spaces in total would have been acceptable. In practice, no car parking is available off-street, and the site has access to a very limited number of on-street bays along the property frontage. The proposed use of the site will retain a D1 use (187m²), which will be subject to the same PS12 standard. As such at least two car spaces will be permissible on this premise.

28. The proposed 6 flats will consist of 1 x 1-bed, 4 x 2-bed and 1 x 3-bed. These will all be subject to parking standards set out in PS14 of the UDP-2004. Although the site is within a CPZ, it does not benefit from a good PTAL rating and therefore the full standards are applied whereby 1-bed flats can be permitted 1 car space, 2-bed flats can be permitted 1.2 spaces and 3-bed flats can be permitted 1.6 spaces. Therefore a maximum of 7.4 spaces can be permitted for the proposed flats and a total of 9.4 spaces can be permitted for the site as a whole.

29. The proposal will not provide any on-site car parking. This means that the impact of the proposal on-street car parking needs to be considered. Olive Road is defined as being heavily parked overall and a parking survey carried in 2013 shows that this is still the case. However, the western end of the street is more lightly parked and the site is also adjacent to Oman Avenue, which is also not considered heavily parked. In addition, as part of the previous application, the developer submitted their own overnight parking beat survey (carried out in June 2013). That survey also showed nearby streets to be lightly parked, with 61 of 108 car spaces (101 under Transportation officers' assessment) being occupied, giving a parking stress level of about 60%.

30. The threshold for a heavily parked street is 80% and therefore a parking level of 60% in the immediate 200m vicinity of the site indicates that there is capacity for on-street parking. In addition to this, opposite the site is Gladstone Park which means there is more on-street parking as there are less dropped kerbs and demand for overnight parking is low.

31. There is a marked bay fronting the development site which is large enough to accommodate 2/3 cars directly in front of this site only. Opposite the site lies Gladstone Park, where another three cars could park opposite the site. A total of six spaces are therefore available along and opposite the site frontage. However, the carriageway fronting the site also has a single yellow line approx. 13.5m long (of which 9.2m fronts the site), which was presumably used by the library for loading/unloading. As there is no vehicular access to the site these lines are not required and if the single yellow line were removed to provide marked bays, this could provide a further 2 on-street parking bays. The remainder of the yellow line extends across a dropped kerb fronting Oman Court. This dropped kerb is redundant and not used for vehicular access. If this crossover was reinstated back to footway then the full length of this section could be used to provide marked bays for further on street parking.

32. The existing single yellow line should be removed to provide marked bays and in addition to this, the guard railing in front of the library would need to be removed and the small dropped kerb for wheelchair/pushchair should be reinstated back to footway. The changes to the highway and to the line marking will need to be carried out at the developer's expense.

33. In conclusion, the level of on-street parking likely to be generated in the vicinity of the site from this

reduced scale proposal can be accommodated safely and any additional marked bays that are provided will also increase parking capacity as well as satisfy parking standards set out in PS14.

34. The proposed 6 cycle parking spaces for the residential units is at the rear of the site and is provided in a secure and covered shed which is acceptable and complies with Policy PS16. The proposed 4 cycle parking spaces for the D1 use is provided in the front of the building in the form of railing allowing easy access for the general public. Refuse and recycling storage for the flats will be at the rear of the site however they will be brought nearer to the highway on collection day and Environmental Services have confirmed they raise no objection to this aspect of the proposal subject to a waste management plan.

Conclusion

35. Overall, for the reasons set out above it is considered that the proposal provides sufficient mitigation for the loss of the pre-existing library, would provide an acceptable quality of residential accommodation and amenity for future and neighbouring occupiers and the development would be in keeping with the character and appearance of the surrounding area. As such, officers recommend that the application be approved subject to the signing of a section 106 agreement to secure the benefits set out above and subject to the conditions set out below.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

National Planning Policy Framework
Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Supplementary Planning Guidance 17 - Design Guide for New Development

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

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs
Community Facilities: in terms of meeting the demand for community services

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):

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

(3) No building or use hereby permitted shall be occupied or the use commenced until a waste management plan (to allocate responsibility for presenting the bins to the highway on collection day) has been submitted to and approved in writing by the local planning authority. The refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored

or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

- (4) The use of the ground floor community space (within Use Class D1) hereby approved shall only be permitted between:-

Mon-Fri: 0800 - 2200 hours

Saturday: 09:00-2100 hours

Sundays and bank holidays: 1000-1800 without the written consent of the Local Planning Authority.

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

- (5) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the use hereby permitted shall only be for the purpose of public hall/community type activities (excluding places of worship and such other religious activities) within Use Class D1.

Reason: No separate use should commence without the prior approval of the Local Planning Authority in order to ensure that the use does not prejudice the amenity of the area and complies with the Council's adopted policies.

- (6) The last remaining residential unit shall not be occupied until the community space (within Use Class D1) has been completed in accordance with the planning application and the search for a suitable occupier for said space has commenced.

Reason: To ensure that all reasonable action is undertaken to secure a community use within the site.

- (7) During demolition and construction works on site:
- The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site;
 - The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 0800 – 1800 Mondays-Fridays, 0800 -1300 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
 - Vehicular access to adjoining and opposite premises shall not be impeded; and
 - All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.

Reason: To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of nuisance caused by construction and demolition works.

- (8) No amplified sound systems shall be used unless details of the proposed system and associated insulation measures are submitted to and agreed in writing by the Local Planning Authority prior to the installation, and thereafter such a system shall be installed and maintained in accordance with the approved detail

Reason: To prevent noise nuisance to adjacent occupiers.

- (9) The building hereby approved shall not be occupied until details of the following works to the highway have been submitted to and been approved in writing by the Local Planning Authority and completed in accordance with the approved details:

- Removal of the existing single yellow line fronting the site and provision of marked bays;
- Removal of the guard railing in front of the library; and
- Reinstatement of the existing dropped kerb to footway.

The above works will need to be carried out at the developer's expense

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

- (10) Prior to occupation of the building hereby approved, details of mitigation measures to maintain adequate levels of privacy between neighbouring properties in relation to the third floor window in the side/north elevation of the building shall be submitted to in writing and approved by the Local Planning Authority. The green roof adjacent to this window shall not be used as a balcony, roof garden or similar amenity area. The other windows on the side elevations (north and south) of the building shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level). The aforementioned measures and any subsequent agreed details shall be permanently maintained in the approved condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness.

- (11) Details of materials for all external work, including samples (where appropriate, to be made available for inspection on site), shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (12) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with hard and soft landscaping in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed prior to occupation of the building. Such scheme shall also indicate:-

(i) Walls and fences

Proposed walls and fencing, indicating materials and heights.

(ii) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

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

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (13) A scheme of sound insulation measures to meet the standard set out below shall be submitted to and approved in writing to the Local Planning Authority prior to commencement of the development hereby approved. All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following noise levels:

Daytime Noise (07:00 – 23:00) Living rooms and bedrooms 35 dB LAeq (16hr) and Outdoor Amenity 55 dB LAeq (1hr); and

Night time noise (23:00 – 07:00) Bedrooms 30 dB LAeq (8hr)

Reason: To obtain required sound insulation and prevent noise nuisance

- (14) Details of proposed entrance and signage for the proposed community use identified on the Olive Road elevation, shall be submitted to and approved in writing by the LPA prior to commencement of use.

Reason: To ensure that the proposed details preserve the character and appearance of the building.

- (15) The cycle parking spaces and refuse recycling storage facilities shall be fully installed in accordance with details to be submitted to and approved in writing by the local planning authority prior to the commencement of the proposed community space or the first occupation of a residential flat. Thereafter the cycle parking spaces and refuse recycling storage facilities shall be retained and used solely for the specified purposes in connection with the development hereby approved and shall not be obstructed or used for any other purpose/s.

Reason: To ensure safe, efficient and adequate servicing of the site and to ensure satisfactory facilities for cyclists in accordance with the Council's policy TRN11 of the adopted Unitary Development Plan 2004.

- (16) No plant, air conditioning or other such equipment shall be installed until further information in relation to noise and vibration mitigation measures have been submitted to and approved in writing by the Local Planning Authority before any works commence on site. The rated noise level from all plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises. The method of assessment should be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The approved details shall thereafter be fully implemented.

Reason: To safeguard the amenities of the adjoining occupiers.

INFORMATIVES:

- (1) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- (2) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

Any person wishing to inspect the above papers should contact Matthew Harvey, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 4657