



**Planning Committee Map**

Site address: 1-25 INC, New Crescent Yard, London, NW10

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This map is indicative only.

**RECEIVED:** 8 April, 2014

**WARD:** Harlesden

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** 1-25 INC, New Crescent Yard, London, NW10

**PROPOSAL:** Erection of metal railing adjacent to boundary between Shrine of Our Lady of Willesden Church and New Crescent Yard

**APPLICANT:** New Crescent Yard (Management) Ltd

**CONTACT:** Planning Insight Ltd

**PLAN NO'S:**  
See condition 2

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### **RECOMMENDATION**

Approval subject to conditions listed after paragraph 8.

### **EXISTING**

The subject site comprises of the boundary wall between the Shrine of Our Lady of Willesden church, a Grade II Listed Building, and New Crescent Yard, a residential/live/work development. The site is located on the northern side of Acton Lane.

### **PROPOSAL**

As above

### **HISTORY**

A concurrent application for Listed Building Consent was submitted (ref 14/1310). However, this has since been withdrawn as the proposed railings no longer cantilever above the boundary with the listed church building, removing the requirement to obtain Listed Building Consent.

There is no other relevant site history.

### **POLICY CONSIDERATIONS**

**National Planning Policy Framework/National Planning Practice Guidance**

#### **London Borough of Brent Unitary Development Plan 2004**

BE2 Townscape: Local Context & Character

BE9 Architectural Quality

### **CONSULTATION**

On the 2nd May 2014, consultation letters were sent to 30 neighbouring owner/occupiers. As the application affects the setting of a Listed Building the application was also advertised by way of a site notice, erected on 12th May 2014, and by way of a press notice, published on 22nd May 2014.

Following this initial consultation the proposals were amended by the applicant. This involved amending the design of the railing so that it would no longer cantilever over the existing boundary wall between the subject site and the adjacent church. A further 30 consultation letters were sent on 4th September 2014 to inform neighbouring owner/occupiers of this change and invite further comments.

In total 8 representations have been received in response to the consultation that has been undertaken. This comprises of 5 letters of support and 3 letters of objection.

In summary the concerns of the objectors are:-

- The proposed railings are bulky and will result in a harmful sense of enclosure.
- The proposed railings will affect existing on-site parking spaces.
- The proposed rails will narrow the access to New Crescent Yard causing problems for servicing and other vehicles.
- The proposed railings will not prevent people climbing over and could injure anybody attempting to climb over.
- The proposed railings could make it easier for vandals to access the roof of the church.
- The railings will establish a gated community which is socially divisive

Other concerns were raised regarding the cantilever design, particularly in terms of property issues that the design may give rise to.. However, the design has now been revised and the railings would not longer over sail the boundary between New Crescent Yard and the church.

In general, supporters of the application point to the security benefits of the proposed railings.

## **REMARKS**

### **CONTEXT**

1. The proposal would involve the erection of a metal railing installed just inside of the existing boundary wall between the residential development at New Crescent Yard (NCY) and the Shrine of Our Lady of Willesden Church, which is a Grade II Listed Building. The railing would be installed within the existing access road to NCR, between the existing access gates and the front of the adjacent church hall, effectively increasing the height of the existing boundary between the two sites. The access road slopes upwards into the site and therefore the railings do not have a uniform height above ground level. However, in general the maximum height of the railings is in the order of 2.5m above ground level at certain points along the access road. The existing gates to the access road are approximately 2.6m in height and are set back from the edge of the public footpath by approximately 4.7m.

### **IMPACT ON THE SETTING OF A LISTED BUILDING**

2. The proposed fencing would be located adjacent to the boundary between the site and the adjacent Listed church building. The existing boundary comprises of a brick wall which is approximately 1m in height. The front of the church, which contains the main original entrance is generally orientated towards Nicoll Road. On this basis the part of the original church closest to the boundary with NCY is generally the rear of the building. There is also a more recent extension to the church which abuts the site boundary with NCR.

3. Views of the church are possible from Acton Lane and the access road to NCY. The existing gates to the access road already cause some minor interference with some of these views particularly from the entrance to the NCY. The proposed railings would cause some further obstruction of views of the church from the private access road to NCY but it would be unlikely to significantly affect views from the public realm, predominately those from Acton Lane

4. The railings would be located in relatively close proximity to the rear of the church and the more modern extension. However, the railings are of a sympathetic design and would not be particularly intrusive in visual terms.

5. Overall, it is considered that given the limited visual impact on a limited number of views of less sensitive areas of the church building the proposed railings would cause less than substantial, if not negligible, harm to the special character and setting of the adjacent Listed Building. Whilst it is acknowledged that in general less than substantial harm to the setting of a Listed Building can still be reasonable grounds to withhold planning permission, in this particularly case any harm is considered to be so negligible that it would be unreasonable to do so in relation to the current proposal. The proposed development would be unlikely to cause any unacceptable harm to the character and appearance of the surrounding area in general.

### **TRANSPORT**

6. As the proposed railings would be located inside of the existing boundary they would have the effect of narrowing the existing access by approximately 130mm. The existing access provides both vehicular and

pedestrian access. The width of the pedestrian access would be unaffected by the proposal but the vehicular access would be slightly reduced.

7. Despite the proposed railings a vehicular access width of approximately 4.7m would be retained for use by servicing, emergency and private vehicles. This is considered sufficient to allow safe access and egress from the site in a single direction. The courtyard within the site provides a suitable turning head. It is not considered that the proposed railings would significantly encroach on those parking spaces which were indicated and approved when NCY was redeveloped (planning permission 00/0287)

## CONSIDERATION OF OBJECTIONS

8. The following table seeks to address the concerns raised by the objectors

<b>Objection</b>	<b>Officers Response</b>
The proposed railings are bulky and will result in a harmful sense of enclosure.	The visual impact of the proposal is discussed above.
The proposed railings will affect existing on-site parking spaces.	Discussed above.
The proposed rails will narrow the access to New Crescent Yard causing problems for servicing and other vehicles.	Discussed above.
The proposed railings will not prevent people climbing over and could injure anybody attempting to climb over	The design of the proposed railings is not considered uncommon or particularly likely to cause injury to members of the public assuming reasonable behaviour. It is not considered that there are reasonable planning grounds to require further alterations to the proposed railings.
The proposed railings could make it easier for vandals to access the roof of the church.	Similarly, it would be considered unreasonable behaviour if the railings were to be used to access the roof of the church hall. As such, this is unlikely to be appropriate planning grounds to justify the refusal of planning permission.
The railings will establish a gated community which is socially divisive	The subject site is already gated and whilst the proposed railings would provide additional enclosure it would have little impact on the existing arrangements for legitimately accessing the site.

**RECOMMENDATION:** Grant Consent

### REASON FOR GRANTING

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

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

### 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 drawings:

11591/2/11  
11591/2/13 Rev B

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

- (3) The railings, hereby approved, shall be painted black and shall be maintained as such unless approved in writing by the Local Planning Authority

Reason: To ensure a form of development that respects the visual amenity of the surrounding area and adjacent Listed Building.

**INFORMATIVES:**

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

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