

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

2 July, 2015
10
15/1539

SITE INFORMATION

RECEIVED: 1 May, 2015

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

PROPOSAL: Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

APPLICANT: London Borough of Brent

CONTACT:

PLAN NO'S: See condition 2

SITE MAP



Planning Committee Map

Site address: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

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This map is indicative only.

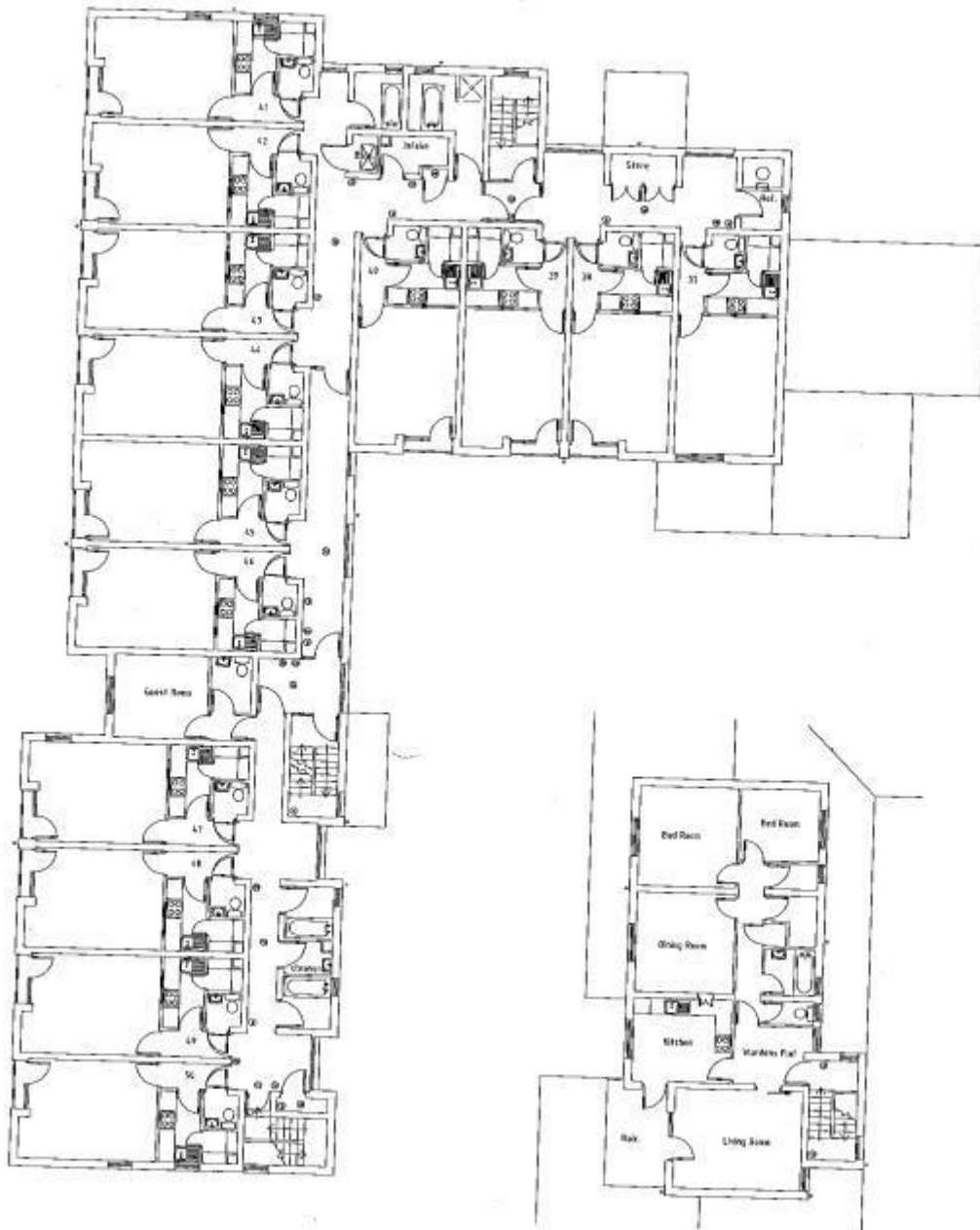
SELECTED SITE PLANS

SELECTED SITE PLANS

Site Location Plan



Ground floor plan



FIRST FLOOR PLAN

SECOND FLOOR PLAN

RECOMMENDATIONS

Approval, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

See description above

B) EXISTING

The subject site consists of the block accommodating 24-51 John Barker Court. The building which has been vacant since February was used as sheltered accommodation for elderly people.

The site is to the rear of 1-23 John Barker Court on the north western side of Brondesbury Park NW6. The site is not within a conservation area nor is it a listed building.

The surrounding context of the site includes residential blocks and houses as well as 2 schools and a wooded area to the rear who's trees are protected and it is identified as a site of importance for nature conservation.

D) SUMMARY OF KEY ISSUES

E) MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Residential institutions					
Sui generis					

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Sheltered Housing û Social Rented)	26									26
EXISTING (Bedsits/Studios û Social Rented)										
EXISTING (Flats û Key Worker)	1									1
PROPOSED (Sheltered Housing û Social Rented)										
PROPOSED (Bedsits/Studios û Social Rented)	27									27
PROPOSED (Flats û Key Worker)										

RELEVANT SITE HISTORY

02/1809 Granted

Installation of replacement UPVC windows, doors and screens

CONSULTATIONS

Consultation letters were sent to neighbours on 5th May 2015, subsequently the consultation area was expanded and additional neighbours were also consulted on 11th May 2015, in total 85 neighbouring properties were consulted by letter. 44 representations have been received including 2 in support and 40 in objection, comments made include the following:

- London has 6500 people sleeping rough on its streets which is a travesty in a developed country
- The provision of a home for vulnerable people is one of the most empowering elements towards self sustainability
- John Barker provides a beautiful quiet retreat to help integrate people back into housing and the community
- Offer to donate time and support to the initiative
- Applaud the Supreme Court's ruling upholding the legal duty of the council to provide accommodation for the homeless but object to this application in this location.
- The location is not suitable, it is enclosed and secluded.
- To access the flats they are expected to walk through the common areas where vulnerable and elderly residents live.
- Noise and disturbance is likely to be much greater than before.
- The hostel will introduce into this established community a transient group of people and with it an increase in crime
- A bail hostel is located nearby on the junction of Brondesbury Park and Christchurch Avenue, this location on a busy junction can be easily monitored by Police and passers by.
- Residents in the hostel may be in extremely difficult life circumstances which is often sadly linked to

- particular social behaviour
- Concern for the safety and security of the schools and a college practically next door and lots of families with young children nearby who will be at risk
- The large nearby elderly community feel very much ill at ease with the likely outcome of challenging social behaviour on their doorstep
- No formalised separation between the front block and the rear block proposed as a hostel.
- Existing residents at ground floor and with windows close to the pedestrian route are concerned for their safety.
- Concern regarding antisocial behaviour including vandalism, drugs and alcohol, break-ins, robbery etc. which it is proven will rise when a hostel is introduced.
- The transient population will have little care or responsibility to the area and it will bring fear and unrest to neighbours
- The original tenants were rehomed against their will using the excuse that the flats did not have adequate bathroom facilities, why should homeless people be expected to use flats that also have inadequate bathroom facilities.
- Previous tenants were told the boiler system was beyond economical repair and would create an increased risk for the control of Legionella; the application effectively moves homeless people out of accommodation where their health and safety is not at risk into accommodation where there is a significant risk.
- Why move tenants out who have been there for over 20 years in order to accommodate the homeless on a temporary basis?
- The proposal is meant to be temporary for one year, what is to say it will not continue for many more years.
- There are 2 hostels in the area (Willesden Lane and Salusbury Road) where apparently there are a great deal of problems
- There is already a concentration of social and affordable housing in proximity to John Barker Court.
- Residents of 1-23 John Barker Court were not consulted prior to the application.
- The submission suggests that LSH are planning to demolish the building and redevelop and want to start the redevelopment in August/September subject to approval, this only allows 2-3 months so a planning application for 1 year does not make sense.
- The application states that John Barker Court is a 26 unit scheme but 28 units will be provided which would increase the concentration.
- BHP has just removed asbestos from 1-23 John Barker Court to take forward the installation of independent heating and hot water per unit quoting £5500 per unit and 3 person days effort, the stated saving of £75000 over 5 months doesn't factor in this cost or work time. Its use will cost more than bed and breakfast.
- There is no more space for car parking and emergency access might get blocked.

Objections have been received from Brondesbury Park Ward Councillors Cllr Shaw, Cllr Davidson and Cllr Warren:

- The change of use will result in more antisocial behaviour
- There will be a significant increase in noise
- The location, especially is closeness to two schools, is in appropriate
- The use is incompatible with the front block where vulnerable residents including elderly and children live
- Risks for environment including rubbish, pollution, noise, parking problems.
- Physical infrastructure - the application only suggests light refurbishment and no independent heating
- Increase strain on parking
- Residents of John Barker Court should have been consulted prior to the application
- There is no evidence of a local link to the ward for the new tenants
- Antisocial behaviour in the enclosed courtyard will distress residents
- The savings should be removed from the application as they are misleading
- The submission states that there will be 28 units while the existing is 26

Internal

Highways Officers - no objection:

- The use as sheltered elderly persons' housing is permitted between 0.1 and 0.5 spaces per flat depending on the level of care provided. In this instance it is assumed the care is reasonably minimal and therefore up to 14 spaces would be permitted.
- The parking standard for hostels allows just one space per 16 rooms and on this basis the standard is 1-2 spaces.

- No changes are proposed to the parking or access.
- Car ownership amongst homeless families is likely to be very low and there is no concern regarding overspill in this lightly parked area.

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 are 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 (FALP)

3.8: Housing Need - Borough should identify the range of needs taking account of housing requirements including supported housing needs

3.14: Existing Housing Stock - promote efficient use of the existing stock reducing the number of vacant dwellings

London Borough of Brent LDF Core Strategy 2010

CP21 A Balanced Housing Stock

DETAILED CONSIDERATIONS

Background

1. The existing sheltered housing scheme is owned by London Strategic Housing (LSH). The arrangement and facilities in the existing building are dated and it has been deemed unviable to bring the current building up to modern standards. As such the former residents of the scheme have recently been decanted into other suitable accommodation and LSH intend to redevelop the site with a new scheme of affordable housing for over-50's.
2. The layout of the units shows that they currently have kitchens facilities and a WC while other bathroom facilities are shared. The site also has a dated heating system which LSH have decided is beyond economical repair for continued long term use. The former BHP units at the front of the site, 1-23 John Barker Court, have been or are in the process of being disconnected from the communal supply and replaced with individual heating systems within each flat.
3. While preparation for a planning application is underway the vacant site has been offered free of charge to the Council on a temporary basis to be utilised as accommodation for homeless people. Sheltered accommodation is Use Class C2 while the proposed temporary accommodation is Sui Generis which means that planning permission for a change of use is required.

Proposal

4. The site consists of 26 units with shared facilities plus a former warden's flat resulting in there being 27 potential units if the latter is utilised (rather than 28 as stated in error in the submission). The site is likely to be largely utilised for homeless families and it is anticipated that there would be between 12 and 18 households at any one time depending on the family sizes and the number of rooms they would need.
5. The aim would be for households to not need to remain in the scheme for more than 6 weeks moving on into settled accommodation or '2nd stage temporary accommodation'.
6. LSH have decided that the site cannot be suitably modernised for permanent accommodation for over 50's because of the cost of replacing the heating system and the structural changes that would be required to provide suitably sized self contained accommodation which is now desired. However this does not mean that

it is unfit or unsafe for residential use.

7. The proposal involves the building being lightly refurbished with no external structural changes. Essential work will be undertaken to ensure that the building is safe and fit for purpose as temporary accommodation which will include, for example, the boiler being commissioned by a Gas Safe Qualified Engineer and the site not occupied until a Gas Safety Certificate is issued.

8. The site also benefits from communal amenity space specifically for the rear block which is a significant benefit not available in many other sites for temporary accommodation.

9. Importantly, the proposal also includes a management arrangement with Altwood who currently and successfully manage Knowles House which is another temporary accommodation scheme on Longstone Avenue with 48 rooms. Knowles House has been well refurbished from former C2 accommodation and runs successfully with no detrimental impacts on neighbouring amenity having been reported.

10. The management of the site will include the guarantee that the scheme will have 24 hours a day 7 days a week staffing and CCTV will also be incorporated for additional security. The building would provide a secure residential environment for households who have become homeless and will be managed so as to ensure the use operates without causing disturbance to neighbouring residents.

Housing Need

11. Brent has experienced a dramatic increase in the number of homeless approaches to the Council since 2010. While Brent is one of the leading authorities in using new powers to discharge its housing duty by making private sector offers to applicants it is still required to accommodate people in emergency accommodation when they first apply as homeless and their case is assessed. A significant gap between the demand for and supply of emergency accommodation has developed in London resulting in increasing costs and reliance on emergency accommodation outside of London in some cases.

12. The site represents a good quality and cost effective option for the Council to use for the accommodation of households while the Council assesses the household's statutory homeless application (1st stage temporary accommodation). The application statement was prepared some time in advance of the application being submitted and the applicant's have been advised that the site could be required to be returned to the site owner at the end of October which will mean it could be available for 3 or so months. While the site is available for a very limited amount of time even if only used for a matter of months the Council's accommodation officers have identified that its use would result in significant savings. The estimate is that the use of the site for 5 months would result in a £75,000 saving so a period of 3 months could save approx. £45,000.

13. The application was submitted for a temporary period of 1 year. If the application process for the redevelopment takes longer than anticipated the site may be available for slightly longer than the 3 months though it is unlikely to increase significantly, however in order to enable the maximum savings officers suggest maintaining the 1 year condition.

14. As the proposal is for a temporary use the loss of accommodation for older people does not require detailed consideration, officers are assured that a planning application for the redevelopment of the site for over-50's accommodation will be forthcoming. The proposal for temporary homeless accommodation is tailored to meet a specific housing need in the borough and as such is in compliance with policy CP21.

Residential Amenity

15. The site is in a residential area and represents an appropriate and compatible use. Access to the site is gained via the route through the opening in the ground floor of the frontage building which clearly defines a residential character and no changes are proposed to this. The site is in an attractive green setting and would provide a good quality environment for occupiers.

16. Neighbouring residents have expressed concern about the impact of the use on their amenity as set out above in the consultation section. Many residents stated that they acknowledged the great need for homeless accommodation and the pressure for housing in the borough but felt the location was inappropriate. The proposed use will result in a very similar number of people occupying the building and no additional flats are proposed to be created.

17. Objectors suggest that a residential area close to schools should not be selected as a site for temporary

accommodation however many of the future occupiers are likely to be young families who have lost their previous accommodation and the residential location would be entirely appropriate. While the concerns of residents are understood the proposed management arrangement will be permanently in place to deter any behaviour which may cause a nuisance to neighbouring residents and in the event that any anti social behaviour were to occur the management arrangement would be available to address it.

Transport

18. The impacts of the development on transport have been considered by the council's Highways officer as set out above. The parking standard associated with a hostel use is very low at only 1 per 16 rooms and therefore no overspill parking or increased demand for parking on site would be anticipated.

Consideration of Representations

19. The following table sets out to address the summarised issues raised in the submitted representations.

Issue	Officers Comments
The secluded location is not suitable and will put neighbouring residents and schools at risk	Para's 9-10 & 14-15
The bail hostel location on busy junction which can be easily viewed is a more appropriate location	The site is proposed for households who have become homeless this will include young families and a residential environment with good management in place is appropriate
The accommodation was vacated as it was said to be inadequate so should not now be used for homeless people	Para's 1-3 & 6-7
The hostel will introduce a transient group of people and with it an increase in crime, anti social behaviour, drugs etc.	The experience of Knowles House is very different to this assumption where no associated problems have been reported. The same tried and tested management operator will be permanently on hand to prevent any issues.
No formalised separation between the front block and the rear block proposed as a hostel.	The frontage block is largely private through right to buy and the rear including the communal area is in separate ownership, it is the case that there is no formal separation.
The work required will take considerable time and cost so the temporary use of the site will not be cost saving	Para's 6-7 & 12 It is not proposed that the heating system be replaced prior to the site's redevelopment, thorough checks and light refurbishment will ensure the building is safe and fit for purpose.
How can it be guaranteed that the use will not continue	The building is owned by another party, LSH, who intend to redevelop it and are only making it available for a short period of time. In addition to this a condition will limit the permission to 1 year, the length of the use is likely to be much less.
Environmental problems - rubbish, pollution, noise and parking	Refuse storage and collection will function as it has done as on site management will be able to move bins as required. There is no increase in the parking standard for the proposed use. The age groups housed in the building may result in more general activity creating general noise however noise disturbance would not be permitted by the management.
The submission states there are 26 existing units and 28 are proposed which would result in an increase in concentration	Para 4.
Value of homes will be affected by the proposal	While this isn't a material planning consideration it should be noted that the use is temporary for only a matter of months.

Conclusion

20. The building will provide a secure residential environment for households who have become homeless and have submitted statutory homeless applications to the council and a management arrangement will be permanently in place to ensure that the use operates without any conflict with existing residents and other surrounding uses. The use will be temporary, for no more than a year, while the owner of the site seeks permission for its redevelopment for permanent over-50's accommodation.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/1539

To: Mr Hussein
London Borough of Brent
Civic Centre
Engineers Way
Ha9 0fj

I refer to your application dated 10/04/2015 proposing the following:
Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year
and accompanied by plans or documents listed here:
See condition 2
at 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17

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

- 1 This permission shall be for a limited period of 1 year only, expiring on 2nd July 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..

Reason: The proposed use is considered to be acceptable only on a temporary basis to accommodate an existing and exceptional need for accommodation of this type in accordance with Policy CP21 of the London Borough of Brent LDF Core Strategy 2011.

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

OS Map
00147_1_01

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

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377