

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

26 August, 2015
03
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.

INTRODUCTION

The Planning Committee resolved to grant planning permission after considering the proposal at its meeting on 2nd July 2015 and following a site visit on 27th June 2015.

Following this, and before the actual decision notice was issued, it was confirmed that an error had been made in that 1-19 Alan Preece Court had not been sent initial consultation letters. However, the intention had been to consult these residents, along with 20-37 Alan Preece Court, John Barker Court and other nearby residents and neighbouring properties. In total, 112 local residents were consulted in two tranches on 5th May and, at the request of Ward Councillors, on the 11th May. When the issue was raised at Committee, it was mistakenly understood that all of Alan Preece Court had been consulted and this was partly re-inforced by some representations being received from these properties.

On this basis, the application was not progressed. To ensure all neighbouring residents have an opportunity to comment on the proposal and have their comments taken into account, letters were hand delivered to 1-19 Alan Preece Court on 7th July giving a full 21 day consultation period.

Further Representations

One objection had been received from 1-19 Alan Preece Court in advance of the original committee meeting and at the point of writing objections have been received from 9 properties within this block. These are detailed below. In total now 55 objections have been received and 2 comments in support.

Member's will be updated in a supplementary report regarding any further representations which are received.

Additional correspondence has also been received from Cllr Shaw with the following points:

- The objections raised by a representative of adjoining residents were omitted from the report
- Query the details on savings stated by the applicant in the previous committee meeting
- Enviro chem test report should be made available for health and safety reasons

Officers have reviewed the objection letter referred to and are satisfied that material considerations were discussed both in the body of the Appendix report and at the Planning Committee itself. For completeness these are also included within the table below.

Designing Out Crime Observations

As set out in the main report officers have discussed the application in detail with the Metropolitan Police's Designing Out Crime Officer, the points made and discussed are summarised below:

The entrance of the subject building is not immediately visible leading to a recommendation of signage to prevent confusion:

The applicant has drawn up a plan for directional signage which will clearly direct future residents around the side of the building assisting with the legibility of the site and ensuring future residents aren't directed near to existing residents ground floor windows. Another recommendation was that lighting should be reviewed to the undercroft entrance through the site. However this route is not intended to be used by future residents of the application site and officers do not consider that a lighting scheme is required in planning terms.

The low boundary wall to the rear of existing resident's rear terraces and windows were highlighted:

While the suggestion that there could be scope to amend the boundary treatment, this is beyond the scope of the application. Appropriate and clear management, including signage, is considered appropriate to reflect this issue.

Future residents use of rear open area:

The scope for a fence as a physical way of defining the boundary of the dedicated amenity space was recommended. However, officers consider that appropriate signage can be used to clarify the use of the

amenity space for the hostel as well as providing management contact details. This is also considered proportionate for a temporary use. However, a fence in this location would be permitted development if the management decided to pursue it in the future.

3 ground floor units within the proposed temporary accommodation would have front patio doors which do not have a private curtilage and lead directly onto the front amenity space:

In the interest of the security and safety of future ground floor residents a recommendation to add boundary treatments to these units has been made. However, these reflect the existing situation and it is not considered, in the context of the temporary use, that these are a reasonable planning requirement.

Some needles were identified within the site although this situation may be attributed to it having been vacant. In addition an external stairwell leading to meter rooms to the rear of the front block are unprotected as the doors including a fire exit gate are insecure: Occupation and management should deter misuse and the security of the stairwell and meter rooms has been referred to the applicant.

In summary, the physical additions to the site now proposed include directional signage and a sign providing the name and management details at the frontage of the rear block. Subject to their size of the sign and lettering, both types of sign discussed above can be installed under permitted development rights. While CCTV may be proposed as part of the management plan for the site, this is not considered to be a planning requirement and permitted development rights exist for the installation of CCTV provided it complies with the requirements.

The Proposal

The existing building consists of 27 studio type rooms with shared facilities, a small guest room and a two bedroom caretakers flat. One of the studio rooms is to be used in association with the management of the site and the guest room on the first floor will be utilised for storage only. The proposal is therefore to use 26 of the studio rooms with a maximum occupancy of 2 persons as well as the former caretaker flat for accommodation. As stated in the original report, this will provide for between 12 and 18 family units depending on the family sizes and ages (which affects whether bedrooms would be in double or single occupancy).

Consideration of objections referred to above

Issue	Officers Comments (paragraph numbers refer to original report)
<p>The site is inappropriate for a homeless hostel with elderly people and children nearby. Children and their mothers going to local schools could be subject to harassment. The sites are currently very safe and friendly while temporary homeless residents could create hostility, crime, noise, traffic and parking issues</p>	<p>Para's 9-10 & 15-17 The experience of Knowles House is very different to this assumption where no associated problems have been reported. The same experienced management operator will be permanently on hand to prevent any issues.</p>
<p>No guarantee that this will be a temporary facility</p>	<p>Para 14. 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, although the length of the use is likely to be much less.</p>
<p>The short periods that people will stay means they won't integrate with the local community</p>	<p>The site is proposed for households who have become homeless and this will include young families and a residential environment with good management in place is appropriate.</p>
<p>That it will house the homeless on a temporary basis and in shared rooms suggests that residents will be more like the "down and out" variety than needy homeless families.</p>	<p>The site is proposed to accommodate mainly families.</p>

Increase in the number of people at the site; Is there an increase in the number of units?	There is no increase proposed in the number of units. 26 of the existing 27 studio rooms and the self contained flat will be used and will accommodate between 12 and 18 households. Full occupation of the units would result in an increase in the number of residents at the site however this in itself is not a concern as the necessary refuse storage and management arrangements will be in place to accommodate the use
CCTV implies anti social behaviour is anticipated. CCTV would invade privacy	Para 10 confirms that CCTV is proposed by the applicants. However, this can be installed under permitted development rights and it is not considered to be required for a temporary use..
The alleyway between John Barker Court and Alan Preece Court will become dangerous and Alan Preece Court windows facing the site could be easily accessed from the path below.	The applicant has agreed to direct residents to access the rear block around the side of the front building. This route is over 4m wide and laid out as an access road. It can be overlooked from upper floor windows at Alan Preece Court and there is also a high boundary treatment between the 2 sites.
The emergency route will not be kept free resulting in a fire risk.	The proposal does not introduce any obstructions to the vehicular route around the building.
Street signage will go up to identify where the block is	As set out above signage, is proposed to improve the legibility of the site and guide future residents. The signage is proposed within the site.
If there haven't been asbestos checks homeless people shouldn't be living there.	No building work is to be carried out but it is the responsibility o the applicant to ensure resident safety.
Parking and traffic issues due to the additional residents, staff etc.	Para 18 considers the parking standard for the proposed use and confirms that there would be no increase in demand anticipated.
Improper consultation was carried out	Officers have set out above the consultation which was carried out. It is confirmed that regrettably in the initial consultation some neighbouring properties in Alan Preece Court were omitted and this has now been rectified.
BHP did not carry out initial consultation	Officers are not aware of any pre-application consultation undertaken by the applicant as this is not a statutory requirement. However full planning application consultations have now been undertaken.
Seeking a 12 month permission does not make sense as the site is required back by LSH	Para's 3 and 12-13 set out the timescales involved in the use of the site and factors which affect it.
Bathroom and boiler facilities need replacement as the earlier residents were advised	Para's 1-2, 6-7 Officers understand the that the facilities require replacement in the long term which LSH have decided against and instead seek to redevelop the site. This does not mean that the building is unfit in the short term and full safety checks will be undertaken prior to occupation.
No financial details are provided to substantiate savings	Para's 11-12 set out, for information, that the use of the site even for a short time would represent a significant saving in terms of the cost of private B&B accommodation which otherwise the council would have no option put to homeless families in to. However it should be noted that such details are not a material planning consideration.
A location further out or secluded would be more appropriate to lessen the negative effect that short term residents would have on the neighbourhood. Aware of the need for shelters for the	The application needs to be assessed on its merits.

homeless but creating a temporary one in a residential block will not solve this.	
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Members will remember that this application was due to go back for further consideration at the Planning Committee of 29th July 2015, but was deferred from the Agenda by Officers prior to any Member discussion in order to ensure that all people who have made representations on the application had adequate notice of the Planning Committee meeting.

The report that was due to be considered at the 29th July meeting had incorporated the Supplementary report that was presented to Members at their meeting on 2nd July and, consequently, a copy of that report is attached as **APPENDIX 1**.

Recommendation : Remains approval subject to the conditions set out in the original report.

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



Brent

DECISION NOTICE – APPROVAL

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Application No: 15/1539

To: Mr Zaheer Iqbal
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.

- 3 The development is granted on the basis that the pedestrian access route on the site to be used by future residents of the development is included in any licence, lease or agreement, and that all residents are duly informed of these arrangements by the applicants or the management company.

Reason: In the interests of residential amenity.

- 4 Prior to the first occupation of the building, directional signage, within the provisions of the General Permitted Development Order, shall be installed near the entrance to the property, along the route to the rear building and on the front of the rear building to direct people to the entrance in addition to a sign, within the same provisions, erected at the front of the rear building and displaying management information.

Reason: In in the interests of amenity and the legibility of the site.

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