

**Committee Report
Planning Committee on 15 February,
2012**

Case No.

11/2509



Planning Committee Map

Site address: 16-18 & 24 High Street, London, NW10 4LX

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This map is indicative only.

RECEIVED: 6 December, 2011

WARD: Harlesden

PLANNING AREA: Harlesden Consultative Forum

LOCATION: 16-18 & 24 High Street, London, NW10 4LX

PROPOSAL: Change of use and reconfiguration of Units 16-18 (even) to A1 (Retail) Use, demolition of existing two storey element to the rear and its replacement with a two storey rear extension to provide retail and storage space, 4-storey stairwell extension to offices and alterations to shop front.

APPLICANT: Lomin Ltd

CONTACT: Barton Willmore LLP

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 Area Planning to agree the exact terms thereof on advice from the Borough Solicitor

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
- Join and adhere to the Considerate Contractors scheme.
- Sustainability obligations, including a score of at least 50% on the Sustainability Checklist submitted with the application and overall BREEAM 'very good' rating with appropriate compensatory measures should this not be achieved.
- Delivery & Servicing Management Plan

And, to authorise the Head of Area 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.

EXISTING

The application site consists of parts of the ground floor of the 4-storey frontage building, the 4-storey office building to the rear and the part single/part 2-storey extension across most of the rear of the site. The site is the former Meanfiddler music venue and offices on High Street, Harlesden.

The site is within Harlesden Conservation Area and Harlesden Town Centre Primary Shopping Frontage.

PROPOSAL

See description above.

HISTORY

This planning application has been made alongside a concurrent application for Conservation Area Consent (11/3167) required for the demolition of the existing rear extension on the site. The application for Conservation Area Consent also appears on this agenda.

01/0652 Granted

16-20, 20A, 22, 22A-B & 24-26, High Street, Harlesden, London, NW10

Retention and completion of works involving internal alterations, ground-floor alterations and extensions, first-floor rear extension, first- and second-floor infill rear extensions and new third-floor extension above 16-26 (even) High Street in conjunction with the use of 1st, 2nd and 3rd floors together with rear ground-floor of 20-26 (even) as hostel accommodation for homeless persons and use of front ground-floor at 20-24 (even) as 3 retail shops and an office unit (Class A2) at No. 26 and installation of new shop fronts

n.b. condition limited use to 5 years.

POLICY CONSIDERATIONS

UDP 2004

BE2 Townscape: Local Context & Character

BE3 Urban Structure: Space & Movements

BE5 Urban Clarity & Safety

BE6 Public Realm: Landscape Design

BE7 Public Realm: Streetscape

BE9 Architectural Quality

BE25 Development in Conservation Areas

BE26 Alterations & Extensions to Buildings in Conservation Areas

TRN11 London Cycle Network

TRN34 Servicing in New Development

TRN35 Transport Access for Disabled People

Core Strategy 2010

CP16: Town Centres and the Sequential Approach to Development

CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures - For non-residential, a rating of BREEAM 'Excellent' is expected

SPG17: Design Guide for New Development

SPD: S106

SUSTAINABILITY ASSESSMENT

Following officers comments, a green roof has been added to the extension and the applicants now calculate that a score of 50.3% is achieved on the sustainability checklist.

The development is partly new development and partly refurbishment of existing buildings. The applicant confirms that the design of the extension, if assessed alone, would achieve a BREEAM rating of 'Excellent', this is a requirement of Policy CP19. However they advise that the sustainability improvements proposed to the refurbishment element mean the development as a whole would achieve BREEAM 'Very Good'.

Further information has recently been provided however it is not yet sufficient to clarify exactly why it is felt that BREEAM Excellent cannot be achieved, further detail will be sought before officers can confirm whether the proposal is satisfactory or whether a contribution may be required to mitigate the shortfall.

Officers will update Members at the Committee Meeting.

CONSULTATION

Neighbouring occupiers were consulted on 8th December 2011, a site notice and press notice were also published. No comments have been received.

Internal

Highways – Delivery & Servicing Plan required by s106

- Further information sought prior to decision regarding the servicing of the unit.

REMARKS

Principle

The Use Class of the former music venue is D2, the proposal envisages the change of use of the venue to retail (A1), along with the demolition and rebuild of the 2-storey rear extension. The site is within the Primary Shopping frontage of Harlesden.

The use of the site as retail is considered to comply with policy CP16 which requires a sequential approach to the location of major development in the borough. Harlesden is a District Centre, only below Wembley and Kilburn in the retail hierarchy, the development also proposes the re-use of an unused site which would contribute to revitalising the vitality and viability of the centre.

The offices (Use Class B1), situated to the rear of the frontage terrace buildings, were ancillary to the venue. The current application does not seek to change the use of the office building but proposes its refurbishment as well as internal alterations to allocate an area at ground floor to accommodate waste storage from the offices. A 4-storey extension is proposed to the rear of the office buildings accommodating a new stairwell.

Design & Conservation Area

Shopfront

The existing shopfront arrangement consists of a central door with a window to either side set within a rendered elevation. The applicant proposes alterations to the shopfront but this is restricted by their preference to work within the existing arrangement of the openings, not a complete replacement of the rendered elevation.

It is proposed that the entrance door would be moved to the right and this element of the elevation would be recessed, this is demonstrated most clearly on the ground floor plan. The existing door and window to the left will be replaced with powder coated aluminium framed windows, these include transom and fanlight details. A solid panel is proposed below the windows continuing to ground level. The general arrangement shown will provide an acceptable quality of shopfront. The plan also states 'recessed roller shutters' though no details are provided, a condition is recommended to secure further details of these to ensure they fit within the shopfront rather than projecting from the fascia and an 'open' style.

Extension

The site currently has an extension, or series of extensions, which largely fill the rear of the plot. The proposal is to demolish this, the proposed replacement extension has a slightly reduced footprint at ground floor level but projects further rear at 2-storeys by approximately 7.4m more

than the existing. There are large rear extensions to the rear of most High Street commercial properties.

Compared to the existing extension the scale of the proposal would not further harm the character of the building, the additional depth at first floor is considered to balance with the reduction at ground floor and the single extension rather than the various elements of the existing extensions will result in an improved appearance. Details, including samples, of the proposed brick and cladding will be required, the inclusion of a green roof is a positive addition.

As access on the roof of the extension is required for maintenance a low attachment rail will be incorporated in the design, this is not shown on plans but its height should mean it would not be visible in elevation. A condition is recommended to require details.

The proposal also includes an extension to incorporate a new stairwell to the 4-storey office building. This would also be clad in composite panels, further details will be required by condition. The position of the extension is adjacent to the approved Apart-hotel which is under construction to the rear of the application site. This extension would not impact on neighbouring residential amenity.

Residential amenity

Upper floor of High Street

Above ground floor, 24 High Street is currently in use as a hostel and its continued use, on a temporary basis, is being considered while other future uses for these floors could include self-contained residential units. The rear facing windows would be sensitive to rear extensions and particularly at first floor the relationship is tight.

It is proposed that the height of the 2-storey rear extension will increase by 1m from 6.4m to 7.4m (measured closest to the rear elevation of the frontage building), this has been reduced by about 0.5m since the original submission based on officers comments about its impact on rear facing windows. Drawing PP-24 shows the height and position of the 2-storey extension in relation to the first floor rear facing windows, the extension begins at a distance of 4.5m and falls easily below an angle of 30 degrees set 2m from floor level however the combination of its proximity to windows and height could still result in a worse impact than the current situation. A revised sketch has been proposed showing the roof of the extension sloping so that it does not exceed the angle set by the existing relationship. Subject to plans being revised in accordance with this sketch, officers consider that a balance has now been struck between the requirements of the proposed retail use and the protection of light and outlook to windows above. Members will be updated at the meeting.

Jubilee Close

The existing extension partially projects the full depth of the site, at ground floor it extends right up to the boundary with the rear garden of 9 Jubilee Close. The 2-storey extension currently has a depth of 24m from the rear elevation of the frontage building (measured on first floor plan), ending, on average, about 14.5m from the rear of the site.

The proposed 2-storey extension ends about 7m from the rear of the plot and is at least 5m from the rear boundary of the rear gardens of Jubilee Close. Section CC demonstrates that the extension does not exceed an angle of 45 degrees measured from a height of 2m at the rear garden boundary.

The reduction in the footprint of the extension and set off from the garden boundary is balanced with its increase in height, the extension is to the north of the gardens and meets the guidance of SPG17.

Highways

The applicant is aware that officers required more detail was to demonstrate that the servicing of the unit could be managed in a way which would prevent a detrimental impact on highway or pedestrian safety.

Servicing for an A1 use is defined in PS17 of the UDP 2004 as a requirement for a full sized lorry bay per 1000sqm or part thereof. Theoretically this would mean that two 16.5m bays would be needed to service the site. In practice this is not a reasonable request in many town centre retail locations so a measured view is taken. In this instance servicing for an 8m rigid vehicle is deemed appropriate and it is agreed that on-street servicing is the only practical solution as there is no scope for servicing off-street within the site.

The applicant proposes to service from the lay-by adjacent to the site on High Street. This is restricted to permit holders and Pay and Display between 0800hrs and 1830hrs. Servicing is proposed by means of an articulated lorry, typically twice a week though up to four or five during peak trading periods (Christmas). It is proposed that deliveries would take place between 0600hrs and 0800hrs before the controls come into force.

Officers consider that this could be workable but intend to undertake further research on the parking conditions and the likelihood of delivery vehicles obtaining a space in a bay. If reliance on the existing situation is not workable then a loading bay may need to be designated for an allotted time in the morning e.g. 0800hrs to 0900hrs, this would need to be agreed separately under Highways legislation and the implementation of the application would then be bound to this being successful. Officers will report back with a recommendation of how this will be addressed in the supplementary report.

It is noted that the Council's current 'Options' which are under public consultation for Harlesden Town Centre include alterations to the road layout and the provision of loading bays which would meet the requirements of this proposed retail unit. Unfortunately the acceptability of this scheme cannot rest on either of these options coming forward as they are not confirmed at this point in time, but it does indicate the importance of securing servicing facilities within the busy town centre.

The management plan will provide further detail of the schedule and frequency of deliveries, the routing of delivery vehicles and the management of deliveries. For clarity, this current application proposes a non-food retail store on the site.

S106

The Delivery & Servicing Management Plan will be sought via a legal agreement as will sustainability requirements as discussed above.

Conclusion

The proposed extension, refurbishment and change of use of part of the site will be of benefit to Harlesden and the vitality of the centre.

RECOMMENDATION: Grant Consent subject to Legal agreement

(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
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
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):

PP-01 B, PP-03 B, PP-04 B, PP-05 B, PP-06 B, PP-07 A, PP-08, PP-09 B, PP-10 B, PP-15 D, PP-16 D, PP-17 D, PP-18 C, PP-19 C, PP-20 B, PP-21 D, PP-22 D, PP-23 D, PP-24 C

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

- (3) No goods, equipment, waste products, pallets, scrap or other materials shall be stored or deposited on any open area within the site, except those areas approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and the efficient operation of activities within the site and to ensure adequate parking and servicing is retained in the interests of the general amenities of the locality and the free flow of traffic and conditions of general highway safety within the site and on the neighbouring highways.

- (4) Details of materials for all external work, including samples, 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.

- (5) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-

- large scale drawings of proposed shopfront including roller shutter detail (shutter should be open style)

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

(6) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-

- details of the installation and maintenance of the green roof
- height and material of boundary treatment around rear yard
- material for hardstanding to rear yard (permeable)
- soft landscaping to screen boundary with Jubilee Close
- further details of refuse storage
- height and position of low level rail on roof of extension

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

INFORMATIVES:

- (1) The applicant is advised that this application in no way relates to the use of the upper floors of 24 High Street.
- (2) Advertisement consent will be required for any proposed fascia signage, this should be design to be sympathetic to Harlesden Conservation Area and any illumination should be external.
- (3) 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 Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377