



### Planning Committee Map

Site address: Green Man, High Street, London, NW10 4TS

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This map is indicative only.

**RECEIVED:** 7 April, 2011

**WARD:** Kensal Green

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Green Man, High Street, London, NW10 4TS

**PROPOSAL:** Erection of glazed extension to the rear to replace existing unauthorised rear extension; creation of 5 flats at upper floors to replace existing unauthorised 10 bedsits; external stair replacement at the rear and refuse storage, reinstatement of the front and rear windows at 1st and 2nd floor level and replacement of side entrance doors on both side elevations and new gate to the front elevation, external lighting at residential entrance on Rucklidge Passage and provision of new CCTV camera at the junction of Rucklidge Passage and Rucklidge Avenue ("car-free" scheme).

**APPLICANT:** Mr Akash Oraha

**CONTACT:** Heritage Architecture Ltd

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

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This application was scheduled for Planning Committee on 17th April (along with listed building application 11/0876 elsewhere on this agenda) but was deferred as Ward Councillors Cllr Hector, Cllr Powney and Cllr Thomas requested a site visit.

Significant input from Councillors and neighbours as well as further discussion with streetcare officers and the CCTV control room manager has resulted in an increase in the size of the proposed bin store to improve the manoeuvrability of bins within the space and an increase in the contribution from the applicant to cover the cost of the purchase and installation of the proposed CCTV camera at the Rucklidge Avenue end of Rucklidge Passage. This is discussed below in the main report.

## **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 Director of Legal Services and Procurement

## **SECTION 106 DETAILS**

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

- Contribution of £3,000 due on material start and index-linked from the date of committee for Education, Sustainable Transportation and Open Space & Sports in the local area.
- Contribution of £14,000 to purchase and install a CCTV camera at the junction of Rucklidge Avenue and Rucklidge Passage.
- Car-free agreement
- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance

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 subject site is the Green Man Public House and is a Grade II Listed Building, listed in 1979. The Green Man and adjoining terrace were rebuilt on the site in 1906-1907 (architects Harrison and Ward) in Flemish style with wide flat arches at ground floor. The Green Man public house existed on the site in a different form

as early as 1746.

The site, on High Street Harlesden, also falls within Harlesden Conservation Area.

The current arrangement of the building is a restaurant at ground floor, many of the original features internally, most notably the bar, have been removed. The upper floors have been subdivided into 10 small studio units accessed by a staircase to the rear accessed through a gate on Rucklidge Passage. Officers consider that the original/lawful use of the building would be a bar/restaurant at ground floor with associated residential premises above, including storage and function rooms.

## **PROPOSAL**

See description above.

## **HISTORY**

11/0877 The associated Listed Building application is elsewhere on this agenda

E/06/0282 Appeal Dismissed

Without planning permission, the erection of a part single-storey, part two-storey rear extension and the change of use of the first and second floors into 10 self-contained flats.

04/0480 Certificate of Lawfulness Refused

Certificate of lawfulness for existing use of first and second floors as 10 self-contained units

02/2240 Withdrawn

Construction of part single-storey rear extension, part first-floor and second-floor extension and conversion to 5 self-contained flats (4 x. 1 bed, 1 x. 2-bed) Listed building consent associated with planning application 02/278

02/0278 Withdrawn

Conversion of first and second floors to 5 self-contained flats including roof extension, part first-floor and part second-floor extension and single-storey rear extension to public house

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework**

The NPPF was published on 27<sup>th</sup> March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication is of significant weight.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where PPG's, PPS's, LDF Core Strategy and UDP saved policies are referred to in the report below they have been considerations in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

### **London Plan 2011 and Mayor's Community Infrastructure Levy (CIL)**

This applies to relevant developments from 01/04/2012

### **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

H12 Residential Quality - Layout Considerations  
H20 Flats over and Adjoining Buildings in Shopping Centres  
PS14 Residential Development (Car Parking Standards)  
TRN11 London Cycle Network  
TRN24 On-Street Parking  
TRN34 Servicing in New Development

*SPG17: Design Guide for New Development*  
*SPD: S106*

## **CONSULTATION**

Neighbours were consulted on 21<sup>st</sup> April 2011 and again on 20th January 2012 following negotiation with the applicant and architect leading to some amendments. Although neighbours comments were made against the Listed Building application reference all the responses received are set down here as well.

- The proposed flats should not be accessed from Rucklidge Passage as this is a Public Thoroughfare – Do not believe this door existed prior to unauthorised works and it is not safe or suitable.
- There is nowhere for the storage of waste from the restaurant or flats – The passage has become a dumping ground making it unhealthy and unsightly.
- These issues affect the daily lives of residents who live close to this building.
- The entrance should be moved to the courtyard on the other side of the building where there is also space for rubbish storage.
- The number of flats on the proposed site is more than the site should accommodate.
- The flats have no amenity space on site – The garden space to the rear which has been built on with unauthorised works should be returned.

Neighbours were reconsulted on amendments to the proposed (discussed below) and many reiterated their comments. Following a meeting with a member of the Rucklidge Avenue Residents Association it was apparent that the alterations to the plans had not been fully noted (possibly due to the small scale of the plan viewable on the website). Subsequent to this meeting the following comments were received:

- What progress has been made about the original CCTV camera which disappeared?
- Seek confirmation that the refuse storage space is large enough for the flats and that the collection company will have access to and collect from this location.
- Seek confirmation that the commercial waste will be collected from the storage space shown.
- Remain opposed to the external metal staircase.

Cllr Hector has commented raising concern about the existing poor provision for refuse storage and the need for this to be improved.

## **Internal**

Conservation & Design: Proposal is acceptable subject to requirement for specific details by condition  
CCTV control room manager: Confirmed specification of CCTV camera sought and purchase and installation cost (discussed further below).

Secure By Design officer: No objection to location of residential entrance, improvements discussed below.

## **REMARKS**

### **Proposal**

As described in the 'history' the Green Man building has been subject to numerous unsympathetic alterations, the current arrangement consisting of 10 units is unlawful as are alterations and extensions to the ground floor commercial premises. The current application consists of further alterations and an extension which will allow the character of the Grade II Listed Building to be reinstated and will also reduce the amount of accommodation above to 5 self-contained flats.

The original layout of the upper floors of the property, providing ancillary space for the commercial use and accommodation for a single occupant/family is not an arrangement which is viable as a use in this location in the present day. Officers have no objection to the principle of the application, the scheme has been drawn up by an architectural firm which specialises in historic architecture. The submission, including a 'significance appraisal' is of good quality in terms of the attention given to the character of the building and the units provided and is considered to meet the guidance of the NPPF. Officers have worked to address a few outstanding points discussed below and are of the opinion that the proposed scheme, subject to a legal

agreement and conditions, should be supported.

### **Proposed alterations in the context of the Listed building**

The unauthorised alterations to the building (those which have taken place since its listing), are stated comprehensively on pages 13 and 14 of the 'Historical Background Report'.

The application submission includes a 'significance appraisal' which, on floor plans, identifies the parts of the structure of the building which are of High Significance, Some Significance or of No Significance/Detrimental.

#### *Ground floor*

At ground floor there is a significant loss of the historic fabric. The proposal intends to partly reinstate lost features and fittings including the removal of the suspended ceiling to reveal the original and remove the modern floor tiles and replace with appropriate timber. The reinstatement of panelling, skirting and cornicing as well as a bar (using original parts where preserved). The food hatch from the kitchen will be closed, a new fire escape door will replace the existing.

The unauthorised rear extension which has been erected across the whole of the yard behind the building is proposed to be removed and replaced with a lightweight glazed extension, of a contemporary but subtle appearance. Compared to the existing structure which detracts from the building the replacement will have a minor impact and result in an enhancement.

The existing (unauthorised) rear staircase to the upper floors will be replaced with a new staircase constructed of steel and clad in artificial stone with a new glazed canopy over the top landing. The Rucklidge Avenue Residents Association object to the external staircase to the rear as the access to the upper floors, prior to unauthorised works were originally internal. This has been considered in detail and discussed with the architect but alternative workable solution is not forthcoming. The separation of the uses at ground and upper floors makes it very difficult to identify a practical arrangement for an internal staircase, separate to the ground floor use which does not require further significant alterations to the original structure of the building - in Listed Building terms this needs to be avoided. The existing staircase is of poor quality but a much improved replacement is proposed, as described above. Specific detail of the design and materials of this will be conditioned to ensure it is of high quality and appropriate to the building. A new gate will replace the entrance door onto Rucklidge Passage.

#### *Upper floors*

The existing partitions inserted to create very small individual kitchenettes and bathrooms in each studio room are highlighted as of no significance or detrimental to the character of the building. The proposal rationalises the layout and proposes minimum partitioning to facilitate the creation of the 5 new units. Original features of cornices, skirting and dado railing will be revealed, repaired and re-instated as appropriate. Parquet flooring is proposed in kitchen areas and carpet or tiling elsewhere.

All doors will be replaced with timber panelled doors and upvc windows with timber casement windows with leaded glass panes to the front. To the rear windows will also be replaced with timber frames and the door to the flat roof will be replaced with a window.

Original joinery will be repaired and re-decorated with egg-shell oil paint, while slate roofs will be repaired with slates replaced where necessary and any plastic pipes and gutter will be replaced with cast iron ones.

The principle of all of this work is acceptable however to ensure the quality, conditions are recommended to secure the submission of further details. This includes large scale drawings of the proposed windows, detail of the material of the glazed extension, detail of the treatment of the remaining rear yard space - soft landscaping recommended. Information will also need to be approved for all materials which will be used to repair/replace the features of the building internally.

The use of the space to the left of the Green Man building has been queried and the applicant has advised that it is used by himself only for storage. A condition is recommended that the space shall only be used in association with the subject building so if the storage use is to continue it should be used only in association with the building and not of storage from other sites and that storage should be under the roofed areas only. Alternatively the space could be identified as amenity space for residents. The applicant may want to consider other appropriate future uses which could may not be ancillary to the main building e.g. an office (B1) use but any such use would require a separate application.

### **Quality of accommodation**

The existing 10 units are very small, failing to achieve the standards set in the London Plan and SPG17 and

provide a poor standard of accommodation. The proposed arrangement results in the creation of 3 x 1-bed flats and 2 x studio unit. As demonstrated in the table below the proposed units come close to or exceed the London Plans minimum space standards for new developments and will provide a good quality of accommodation.

Unit	Floor area	London Plan standard
1 (1-bed)	47.3sqm	50sqm
2 (1-bed)	51sqm	50sqm
3 (1-bed)	53sqm	50sqm
4 (studio)	38sqm	37sqm
5 (studio)	38sqm	37sqm

The site, in a constrained urban location, is not able to provide amenity space for residents, however the internal size of units is good and an acceptable level of residential amenity will be achieved. The extension will fill much of the yard to the rear, if an extension was not proposed the use of the yard by residents would be unlikely to be possible without a conflict between the ground floor and residential occupiers.

The quality of the residential access arrangements for the future occupants of the flats has been highlighted as a shortcoming of the scheme by neighbours and a Councillor. The proposed access is in the same location, on Rucklidge Passage, as in the existing unauthorised situation. Beyond the occurrence of fly tipping the passageway is identified as an area where anti-social behaviour has occurred and it therefore does not offer a good quality residential environment for an entrance. As noted in the 'consultation' section above, officers spoke to the secure by design police officer regarding this arrangement, the principle of residential access from the passage way was not objected to but the following measures for improvement were discussed and are now proposed.

#### *Lighting*

Rucklidge Passage has a street light at either end and one in the middle providing a standard level of illumination. Additional lighting is proposed to be attached to the side of the elevation around the residential entrance gate, details of the specific location, design and level of illumination will be required by condition but will be required to be of a residential scale rather appropriate to the building. The introduction of new lighting will make the entrance more welcoming to residents and as a better illuminated and therefore visible space it will be a less attractive place for antisocial activities and will improve the residential character.

#### *CCTV*

Officers have discussed the existing arrangement with the manager of the CCTV control room, it was advised that Rucklidge Passage does not currently have a dedicated camera and a camera positioned at the High Street end of the passage was vandalised so has not been available recently pending insurance for repairs. Other cameras provide coverage of the general High Street area.

The scope for the introduction of a new CCTV camera at the Rucklidge Avenue end of the passage, which is not currently covered, has been discussed and agreed with the secure by design officer, the control room manager and the applicant. From the point of view of the secure by design officer, the CCTV camera would discourage antisocial activity in Rucklidge Passage and around the quieter Rucklidge Avenue end and would make the passage a safer place for future residents. The control room operator is happy with the proposed camera and the principle of linking it to the Council's existing CCTV network and confirms that a contribution from the applicant of £14,000 will cover the purchase and installation cost quoted by the Council's contractor Tyco.

These proposed measures will notably improve the quality and feeling of safety for future occupants when accessing their flats from Rucklidge Passage and on this basis officers are of the opinion that the arrangement is acceptable. While these proposals are to ensure that access arrangements for future occupants are acceptable they will also be of benefit to residents in the wider area who use Rucklidge Passage. Rucklidge Avenue, which the camera would also be able to view, is identified by the CCTV control officers and the police as a blind spot in the CCTV network and its introduction would be very useful for their roles. The applicant will provide the significant lump sum to enable its purchase and installation, the maintenance of the camera will be covered by warranty for the first year and after this maintenance will be covered by the Council.

#### **Refuse storage**

The dumping of waste in Rucklidge Passage has been an issue which has caused considerable distress to neighbouring residents. The unauthorised units, as common for flats above shops, have had their rubbish

collected directly from the street. However, given the number of units and location adjacent to Rucklidge Passage this arrangement has triggered a problem of fly tipping also exacerbated by rubbish from the commercial unit.

#### *Residential arrangement*

A designated storage space is proposed directly next to the residential entrance on Rucklidge Passage. Collection services available for High Street properties at present does not include recycling and 'bring sites' (the public kerbside recycling facilities) must be used for recyclable waste. However this arrangement is currently being reviewed and it is expected that collection services for recycling will be introduced.

The waste storage capacity required for each unit is 120l, the proposal allows for 4x240l bins which is acceptable. The bins will most likely be split between refuse and recycling (either 3:1 or 2:2) dependent on the final outcome of the arrangements being drawn up currently by Streetcare, the required capacity will not alter. Collection may be twice a week, again this is pending final arrangements being drawn up by Streetcare who will be considering the level of service necessary.

It has been confirmed with Streetcare officers that the storage space provided is acceptable, it has been designed so that bins are independently manoeuvrable so this is no conflict between refuse and recycling collections. It has also been confirmed that Veolia (the collection contractor) will be able to collect from the designated space from vehicles on High Street and an arrangement will be made to provide them with access to the secured storage space which will be step free.

Objectors and Cllr Hector have if queried the location of the proposed bin store will be acceptable to refuse collectors. For clarity, officers have confirmed with Streetcare colleagues that size and location of the refuse store are acceptable to them.

#### *Commercial arrangement*

Commercial businesses have a legal responsibility, beyond the remit of planning legislation (Section 34 of the Environmental Protection Act 1990), to ensure waste is securely stored and legally disposed of. Bins for commercial waste are designated to the other side of the building behind a gate and the specific collection arrangements for this are the private responsibility of the tenant. The applicant has confirmed verbally that the tenant has a collection arrangement in place and that collection is currently agreed to take place twice a week.

#### **S106**

The original layout and number of bedrooms in the building is not clear but officers are of the opinion that there could easily have been 4. On this basis the proposal results in the introduction of one further bedroom in the building and the standard charge of £3000 for one bedroom will be required.

A car-free agreement will be applied to all units as High Street cannot accommodate increased residential parking.

#### **Conclusion**

Unacceptable and harmful alterations will be removed and the condition of the listed building will be significantly improved. The development will provide 5 good quality residential units and a commercial unit at ground floor, resolving waste storage problems, improving safety and securing the future conservation of a heritage asset.

**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

Housing: in terms of protecting residential amenities and guiding new development  
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

National Planning Policy Framework

**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):

P-B-001 C REVISED  
P-GF-002 C REVISED  
P-FF-003 C REVISED  
P-SF-004 E REVISED  
P-RF-005  
P-F ELEV-006  
P-S ELEV-007  
P-R ELEV-008 C REVISED  
P-SEC-DD-009  
P-EL/SC-CC-010 C REVISED

Design and access statement (March 2011)  
Historical background report (February 2011)

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

- (3) The rear curtilage of the site to the rear of the proposed extension shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation. Detail shall also include all hardstanding.

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.

- (4) The space to the left of the subject building shall be used only in association with the uses of the building including associated storage or amenity space for residents, any storage shall be kept in the covered areas. Any other use would require a separate planning application.

Reason: To ensure the use does not harm the integrity of the Listed Building or conflict with residential amenity.

- (5) Details of proposed signage, advertisements and signage illumination for the area identified on the front elevation, shall be submitted to and approved in writing by the LPA prior to installation.

Reason: To protect the character of Harlesden Conservation Area and the Listed Building



- (6) 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.

- (7) Details of proposed lighting on the Rucklidge Passage elevation of the building, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The approved details shall be fully implemented.

Details shall include:

- (a) Design
- (b) Exact position
- (c) Level of luminence

Reason: In the interests of safety, amenity and convenience.

#### **INFORMATIVES:**

- (1) The applicant is advised that arrangements must be made directly with the refuse collection companies for both the residential and commercial bins to provide a key/fob system for access to the secure storage areas.
- (2) The applicant is informed that Enforcement Notice E/06/0282 dated 19 January 2007 requiring unauthorised works to be removed and the building made good remains valid and must be fully complied with as a matter of urgency.

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