

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 June, 2020
08
19/4484

SITE INFORMATION

RECEIVED	20 December, 2019
WARD	Wembley Central
PLANNING AREA	
LOCATION	365 High Road, Wembley, HA9 6AA
PROPOSAL	Construction of a rooftop structure to provide an amenity space to hotel (Use Class C1)
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_148298</p> <p><u>When viewing this as a Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "19/4484" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

Recommendation

A. That the Committee resolve to GRANT planning permission.

B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions:

1. 3 Year time period
1. Approved plans / drawings
2. External materials
4. Hard and soft landscaping
5. Management Plan

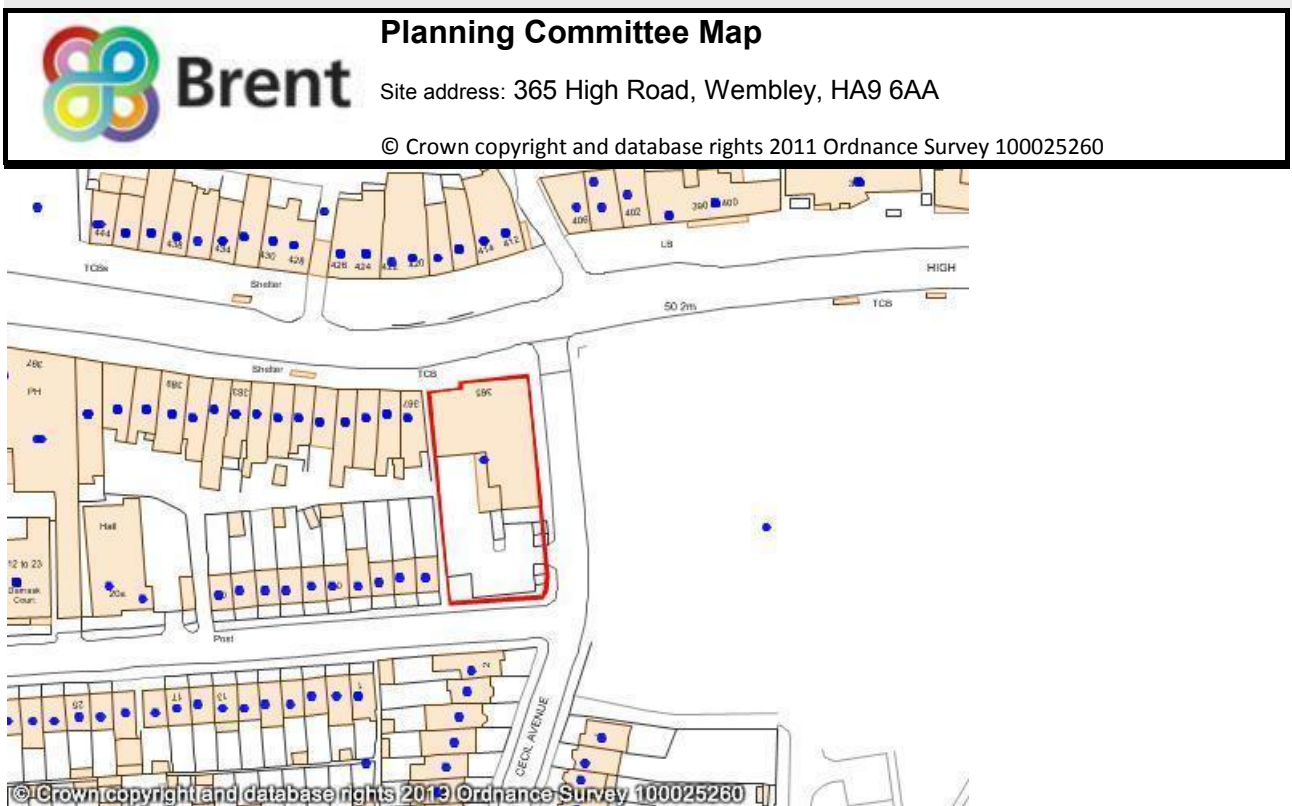
Informatives:

1. Any informative(s) considered necessary by the Head of Planning.

1. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

2. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP



This map is indicative only.

PROPOSAL IN DETAIL

Construction of a rooftop structure to provide an amenity space to hotel (Use Class C1)

EXISTING

The subject site is situated on the corner of the Wembley High Road and Cecil Avenue. It is situated within the designated Wembley Town Centre. The application site currently occupied by Best Western Plus hotel.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning considerations and the objectives of relevant planning policies when making a decision on the application:

Representations received: A petition with 116 signatures has been received, objecting to the application for a variety of reasons. Officers consider that the proposal is acceptable for the reasons set out in this report.

Principle of development: The proposal results in the creation of a roof top garden of the guests of the existing hotel on site. It is considered acceptable in this town centre location.

Design and scale: The proposed roof top extensions are considered to be of an appropriate design and scale, that would complement the existing property and wider streetscape.

Impact on neighbouring amenity: The roof top garden is set in within the edges of the existing building. It would not result in a significant loss of privacy or overbearing appearance to nearby residential properties. A management plan will be conditioned restricting use to hotel gets only with limitations on hours of use and no amplified music/sound.

RELEVANT SITE HISTORY

13/3216 - Demolition of existing third floor and erection of new third, fourth and part fifth storey building with three storey rear extension and conversion into hotel, comprising 116 hotel rooms, ancillary bar/lounge, restaurant in basement, provision of 8 car parking spaces, 26 cycle stands, 5 motorbike spaces and associated parking for coaches and subject to a Deed of Agreement dated 31st January 2014 under Section 106 of the Town and Country Planning Act 1990, as amended – **Granted, 03/02/2014. Scheme has been implemented.**

13/3216 - Demolition of existing third floor and erection of new third, fourth and part fifth storey building with three storey rear extension and conversion into hotel, comprising 116 hotel rooms, ancillary bar/lounge, restaurant in basement, provision of 8 car parking spaces, 26 cycle stands, 5 motorbike spaces and associated parking for coaches and subject to a Deed of Agreement dated 31st January 2014 under Section 106 of the Town and Country Planning Act 1990, as amended – **Granted, 03/02/2014. This scheme has been implemented.**

15/3904 - Proposed minor material amendments to planning permission 13/3216 dated 3 February 2014 including an increase in the total number of hotel rooms from 116 to 149 and other amendments including:

- The conversion of part the consented part-basement restaurant to additional hotel rooms (14);
- The provision of flush covered light wells within the High Road and Cecil Avenue frontages;
- The provision of 14 additional hotel rooms within a new area of basement adjacent to the basement plant room with skylights;
- The removal of one hotel bedroom at ground floor level to provide ancillary office space;
- Amendments to the car park layout and plant areas;
- The provision of a substation room adjacent to the car park area;

- Internal revisions to increase the number of wheelchair accessible rooms to 15;
- Other associated internal amendments

Granted, 02/11/2015 - Implemented

16/1594 - Non-material amendment to allow the following:

* inclusion of drawing nos - A 100 500 Rev P8 and A 120 501 Rev P3 to form part of the approved documents relating to ref 15/3904

of variation of condition application reference 15/3904 dated 02/11/2015 for Proposed minor material amendments to planning permission 13/3216 dated 3 February 2014 including in an increase in the total number of hotel rooms from 116 to 149 and other amendments including:

- The conversion of part the consented part-basement restaurant to additional hotel rooms (14);
- The provision of flush covered light wells within the High Road and Cecil Avenue frontages;
- The provision of 14 additional hotel rooms within a new area of basement adjacent to the basement plant room with skylights;
- The removal of one hotel bedroom at ground floor level to provide ancillary office space;
- Amendments to the car park layout and plant areas;
- The provision of a substation room adjacent to the car park area;
- Internal revisions to increase the number of wheelchair accessible rooms to 15;
- Other associated internal amendments

Planning permission reference 13/3216 was for Demolition of existing third floor and erection of new third, fourth and part fifth storey building with three storey rear extension and conversion into hotel, comprising 116 hotel rooms, ancillary bar/lounge, restaurant in basement, provision of 8 car parking spaces, 26 cycle stands, 5 motorbike spaces and associated parking for coaches and subject to a Deed of Agreement dated 31st January 2014 under Section 106 of the Town and Country Planning Act 1990, as amended.

Granted – 07/06/2017 – Implemented

17/0434 - Construction of a new sixth floor roof extension to create 4 duplex units with the consented rooms below – **Granted – 27/03/2017 - Implemented**

17/1234 - Part change of use the ground floor from hotel (Use class C1) into a restaurant (Use class A3) with ancillary bar, minor alterations to ground floor layout and front elevation of hotel – **Granted – 09/06/2017 – Implemented**

17/1234 - Part change of use the ground floor from hotel (Use class C1) into a restaurant (Use class A3) with ancillary bar, minor alterations to ground floor layout and front elevation of hotel – **Granted – 09/06/2017 – Implemented**

17/2097 - Extension to the existing hotel at fourth and fifth roof levels and at first and second above the coach parking, providing seven additional rooms – **Granted – 21/12/2017 – Partially Implemented**

17/2435 - Full planning application for the sub-division of consented duplex rooms from fifth to sixth floor to accommodate 5 non-duplex guestrooms at sixth floor along with internal alterations including relocation of the window positions of the rooftop envelope and the addition of stairs at fifth floor including the loss of one room, resulting in the overall net gain of 4 non-duplex guestrooms - **Granted – 19/12/2017 - Implemented**

19/4182 - Creation of seven additional hotel guest rooms (four at semi-basement level and three above the car parking spaces) involving the removal of one coach drop-off space at semi-basement level and construction of a single storey extension, and the construction of an intermediate level extension above undercroft parking space and reconfiguration of basement parking area. – **Granted, 17/02/2020**

19/4182 - Creation of seven additional hotel guest rooms (four at semi-basement level and three above the car parking spaces) involving the removal of one coach drop-off space at semi-basement level and construction of a single storey extension, and the construction of an intermediate level extension above undercroft parking space and reconfiguration of basement parking area. – **Granted, 17/02/2020**

19/4181 - Construction of extensions to the first floor west elevation and second and fifth floor south elevations of the hotel to provide eleven additional rooms – **Granted, 24/01/2020**

CONSULTATIONS

Public consultation letters were sent out on 30/12/2019. 33 adjoining addresses were consulted.

One objection was received together with a petition with 119 signatures. A summary of the objections are set out below:

Objection	Officer Response
There are too many high-rise buildings in Brent and particularly Wembley area.	See paragraphs 4-8.
By adding these extra floors to the hotel there will be an added impact to the environment.	This application does not include additional floors to the hotel. It involves a roof garden which is contained within high level screening.
There will be much more pollution caused in the construction of the building as well as in the operation of the extra floors and amenity spaces when completed.	Given the scale of the proposed alterations, the construction impacts are not considered to be significant. It is recommended that a management plan is conditioned to ensure that the roof top garden does not have an adverse impact on neighbouring amenity.
There will be increased use of water, electricity and gas.	Use of such facilities for a roof top garden are not considered to be significant.
Economic gains for Brent put above community welfare	See paragraphs 9-14 Paragraphs
Increased noise and traffic resulting in increased demand for parking and loss of parking for existing residents	The proposed roof top garden will be restricted for use by hotel guests only. It will not be increasing the number of bedrooms beyond the consented number of bedrooms. As such the proposal would not result in increased demand for parking. It should also be noted that the surrounding streets (including Cecil Avenue) are subject to Controlled Parking Zones that would prevent on street parking by visitors/staff of the hotel. Noise from the roof top garden has been considered (see amenity section below).
Impacts in relation to light	See amenity section below.
Unightly addition and this would have a negative impact on the character of the area.	The design considerations of the proposal as discussed in "design section" below.
Increase in pedestrians on already busy high road	As discussed above, the roof top garden will be used by hotel guests only and does not seek to

	<p>increased bedroom numbers.</p> <p>Nevertheless the site is located along the High Road of Wembley Town Centre which does see high pedestrian footfall given its town centre status.</p>
Greater opportunity for crime	There is no evidence to suggest that the roof top garden for use by hotel guests will result in increased crime.

Internal consultation

Environmental Health Comments: No objections to the proposed development. The Officer recommended conditions for a Construction Method Statement and plant noise assessments. Given the nature of the works a Construction Method Statement is not necessary, and proposal would not include any plant equipment.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the Brent Core Strategy 2010, the Wembley Area Action Plan 2015, Brent Development Management Policies DPD 2016 and the London Plan 2016 (Consolidated with Alterations since 2011).

Key policies include:

The London Plan

Policy 4.1 Developing London's economy
Policy 4.5 London's visitor infrastructure
Policy 4.7 Retail and town centre development

Core Strategy 2010

CP7 Wembley Growth Area

Development Management Policies 2016

DMP1 Development Management General Policy

Wembley Area Action Plan

WEM 1 – Urban Form

The following are also relevant material considerations:

The National Planning Policy Framework 2019

Supplementary Planning Document 1 – Brent Design Guide 2018

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted. As such considerable weight should be given to these policies.

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can

now be applied to policies contained within the draft Brent Local Plan.

Key policies include

The Draft London Plan

Policy SD6 Town centres and high streets

Policy D4 Delivering good design

Draft Local Plan

Policy BD1 Leading the Way in Good Urban Design

Policy BD2 Tall Buildings in Brent

DETAILED CONSIDERATIONS

Background

1. The building was previously converted from an office to a hotel and extended. As outlined within the planning history above there have been number of alterations and extension to incrementally expand the hotel over a number of years. Currently the hotel has 189 rooms.

Character and Design

2. The application is seeking planning to provide a garden area on top of the roof of the sixth floor level and on top of part of the roof of the fifth floor level. The garden areas would provide external amenity space for the guests.

3. Both of the proposed amenity spaces would be contained within metal framed balustrade (infilled with clear glazed sections). The amenity space on the lower roof will contain an open sided glazed roof canopy across the width to provide shelter to the hardstanding areas outside the room.

4. The roof terraces are sited on the higher elements of the building closest to the High Road. The main roof garden on top of the existing sixth floor is not set in from the edges of the existing sixth floor, but the roof garden on top of the fifth floor is set in from the eastern edge by 0.8m, set in 4.6m from the southern edge and set in 1.3m from the western edge.

5. The height of the metal framed balustrade would be proposed at 1.8m high. It has been designed to echo the design principles of the existing sixth floor of the building. The increase in height is considered acceptable along the High Road, given the level of higher density development along the High Road with particular emphasis to the east of the site. Policy BD2 of Draft Local Plan states that tall buildings should be directed towards town centre locations. The application site is situated within a town centre and therefore is appropriate for a tall building. The additional height of 1.8m is considered acceptable and would resemble the height of the developments further east of the site. Overall, minor change in height is considered acceptable within the emerging context of this Growth Area. In addition to this, the metal framed balustrade and open sided canopy will be set in from the edges of the building when viewed from the south and along Cecil Avenue, to assist in reducing its bulk from these elevations.

6. For the reasons as discussed above, the proposal is considered to be of an acceptable design solution the does not detract from the character of the building or the wider locality. It would be considered to comply with DMP1 in this regard.

7. The spaces would comprise of a mixture of soft and hard landscaping with seating areas. The proposed modifications would result in an additional height of approximately 2m to the existing building measured from the front elevation.

Layout and access arrangements

8. The roof gardens would comprise a mixture of soft and hard landscaping with seating area. The lower terrace will be accessed from the guestrooms on that floor, so the number of people on that terrace is very

limited. Access to the main roof garden would be provided from the existing lifts and staircase from the sixth floor. Information on management arrangements of the roof garden have been provided which include the following:

- Access will be to hotel guests only;
- Access will be given by fob;
- There will be no bar facility in the garden;
- Alcohol will not be served or consumed in the garden;
- There will be no music/amplified sound in the garden;
- The garden will be restricted to daylight hours; and

9. CCTV will be introduced and guests will be removed from the garden if using the facility inappropriately. The above arrangements are considered acceptable with further details to be conditioned as part of a management plan to any forthcoming consent.

Impact on Residential Amenities

10. There are a number of residential properties in proximity to the site. These include upper floor flats on the northern side of the High Road (Nos. 412 to 420 High Road opposite the hotel), upper floor flat at 397a High Road to the west, properties on Rosemead Avenue to the south west, and 2 Cecil Avenue to the south. The site to the east (at the former Copland School) has a current planning application in for its redevelopment to include residential uses (LPA Ref: 19/2891). This scheme a resolution to grant planning permission subject to stage 2 referral to the GLA.

Privacy

11. The lower roof terrace maintains a distance of over 10m to the boundary with the rear gardens of the properties on Rosemead Avenue and over 20m to nearest rear habitable room windows (these are the nearest residential properties to the south), The roof gardens do not project rearward No. 397a High Road, and thus do not result in directly overlooking to this upper floor flat. A distance of over 26m is maintained from the higher roof garden to the front windows of the flats at 412 to 420 High Road and a distance of over 13.7m maintained to the proposed development proposed as part of application reference 19/2891. The level of overlooking to the east would be no worse than that experience from the existing windows to the hotel rooms below, with overlooking across a street.

12. On the above basis, the roof gardens would not be considered to result in harmful levels of overlooking to neighbouring occupiers, and this complies with DMP1 and the guidance set out in SPD1.

Overbearing appearance

13. The proposed roof garden additions are not considered to the harm the residents of the properties located south west and south of the application site. Given the siting of the proposed additions to the roof and the overall separation distance achieved with these neighbouring properties, the relationship would be satisfactory. Furthermore the proposed works would not directly adjoin the boundary of the No. 2 Rosemead Avenue and therefore both the 30 degree and 44 degree angles outlined in SPD1 have not been applied on this occasion. Indicative viewpoints were provided during the course of the application which demonstrates the subservient nature of the works and illustrating an appropriate relationship with the neighbouring properties along Rosemead Avenue. As such given the scale, design and significant separation achieved with the neighbouring properties it is considered that the proposed modification to the roof would appear unduly overbearing from the nearby residential properties.

Noise

14. A number of measures have been proposed within the management plan to control noise. These include no amplified noise within the roof gardens, alcohol not to be served or consumed within the roof gardens, and for the roof garden to operate within daylight hours only.

15. Subject to these measures being set out within a management plan, it is not considered that neighbouring occupiers would be subject to detrimental levels of noise from the roof garden.

External lighting

16. As discussed above, the roof gardens would be restrict to daylight hours. This would limit the amount of external lighting required for the roof garden. With limited lighting, the proposal would not lead to overspill lighting and light pollution that could be detrimental to neighbouring amenity. Nevertheless, as part of the landscape condition, details of any external lighting are recommended to be conditioned to any forthcoming consent.

Transport Considerations

17. The proposal would not result in any additional rooms and would therefore not result in any additional parking issues. Overall due to the nature of the works it is not considered that the development would have a detrimental impact on highway matters.

Equalities

18. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Summary

19. Officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 19/4484

To: Mr Hyman
Avison Young
Avison Young
65 Gresham Street
EC2V 7NQ

I refer to your application dated **20/12/2019** proposing the following:

Construction of a rooftop structure to provide an amenity space to hotel (Use Class C1)

and accompanied by plans or documents listed here:
See Condition 2

at **365 High Road, Wembley, HA9 6AA**

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: 01/06/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

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 the:-

National Planning Policy Framework 2019
Brent's LDF Core Strategy 2010
Brent's Development Management Policies 2016
Wembley Area Action Plan 2015
Brent's Design Guide SPD1 (2018)

- 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):

Drawing Numbers: _

A-110-604, A-110-603, A-110-602, A-110-601, A-100-808, A-025-028, A025 027, A025 026 PL2, A025 025, A025 024, A 000 001,

Information Submitted

Design and Access Statement prepared by Dexter Moren Associates

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

- 3 Prior to commencement of development (excluding any preparation works), details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 4 Prior to the installation of any external lighting within the roof terraces, details of the external lighting should be submitted to and approved in writing by the Local Planning Authority. The lighting shall not be installed other than in accordance with the approved details

Reason: To preserve the amenities of nearby residents.

- 5 Prior to the first use of the roof gardens hereby approved, a management plan of the roof terraces shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall contain details of how the roof terrace would be restricted to hotel guests only, and restricted to daytime hours only. The approved details shall thereafter be adhered to in full.

Reason: To ensure the roof garden is managed appropriately and would not harm the amenities of nearby residents.

Any person wishing to inspect the above papers should contact Denis Toomey, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1620