



Supplementary Planning Committee

Wednesday 13 November 2013 at 7.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ketan Sheth (Chair)
John (Vice-Chair)
Aden
Baker
Cummins
Hashmi
Kabir
Kataria
CJ Patel
Powney
Singh

first alternates

Councillors:

R Moher
Van Kalwala
J Moher
Kansagra
Sneddon
Cheese
Oladapo
Long
Brown
Gladbaum
Hossain

second alternates

Councillors:

Adeyeye
Ogunro
Moloney
HB Patel
Hopkins
Beck
Al-Ebadi
Naheerathan
Lorber
Harrison
Mashari

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.30pm in Boardrooms 7 and 8

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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Supplementary Information

Planning Committee on 13 November, 2013

Case No.

13/1474

Location	Garages R/O 129-145, 145A & Land R/O 151-157 (Chanin Mews), Melrose Avenue, London, NW2 4LY
Description	<p>Variation of Condition 2 (development in accordance with plans) of application 11/2414 granted on 27 September 2012 for 'erection of five x two-storey dwellinghouses with basements comprising two x four-bed semi-detached houses and three x four-bed terraced houses, eight car-parking spaces, provision of bin store and bicycle stands, with associated hard and soft landscaping and means of enclosure (in place of one x three bed and two x four bed dwellinghouses and eight parking spaces which formed part of the previously approved scheme with LPA ref: 06/1117) and subject to a Deed of Agreement dated 21 September 2012 under Section 106 of the Town and Country Planning Act 1990, as amended' to allow the following minor material amendments:</p> <ul style="list-style-type: none"> - Revised car park layout to provide 10 car parking spaces (previously 8 car parking spaces); - Details of ground levels to three x four-bed terraced houses and fencing to boundary with properties fronting Gay Close; - Revised landscaping details.

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Further Representation

Following the publication of the Planning Committee Report, an objection has been received from a property in Kenneth Crescent (no.22). The main concerns regarding the development are:

- Previous reassurance given that 3 shielding trees would be planted adjacent to no. 6 Chanin Mews however landscape plan shows only 2 smaller trees (ilex aquifolium - holly);
- Two silver birch trees were planted to replace more mature trees on site but these had to be relocated during construction works .

Officer: The overall provision of trees on site is considered appropriate. The specific trees referred to are located adjacent to the flank elevation of 6 Chanin Mews; these trees are not required to reduce overlooking from the first floor windows in the development. Given the location of the trees in between the flank elevation of the dwellinghouse and side boundary, in addition to the proximity to retained trees on site, it is not considered appropriate to require larger trees to be planted. These trees are proposed in accordance with the advice of the Tree Protection Officer. The 2 x ilex aquifolium (holly) will grow to a height of 3.5m + and will be visible above the fence line from the neighbouring property.

Typographical Error

The 'Conclusions' on pg. 31 should read that the 'the changes to the proposal are considered acceptable..'

Recommendation: Approval

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Agenda Item 05

Supplementary Information

Planning Committee on 13 November, 2013

Case No.

13/2537

Location	THAMES WATER DEPOT AND TRAINING SH, 225 Harlesden Road, London, NW10 3SD
Description	Demolition of existing industrial buildings and construction of 26 residential units comprising of 9 two-storey dwellinghouses (3-bedroom), 1 part two/part three-storey dwellinghouse (3-bedroom) and 16 flats within a part two/part three-storey block (4x 1-bed, 10 x 2-bed and 2 x 3-bed) with associated access, parking, amenity space and landscaping

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Site Visit

During the Members site visit concerns were raised regarding the relationship of the development to the retained tanks adjacent to the southwest boundary of site and how this boundary will be treated to ensure the development is acceptable in visual terms and ensure safety. The submitted plans indicate that the retained equipment would be screened by a timber fence along the site boundary. Whilst, this is considered sufficient, in principle, to address concerns regarding the visual amenity and safety of the surrounding area, further details of the height and appearance will be agreed under condition 8 to ensure that these issues are suitably resolved.

Further clarity on the treatment of the main access route was sought. Whilst the exact details of the treatment will be agreed through condition, in general, the access route would have a clearly marked 1.2m pavement area to one side for pedestrians and a speed table at the bottom of the ramp to ensure that traffic is moving slowly on entering the site. On the access road the surface material changes in line with the pedestrian access to properties to alert drivers entering the site to their presence.

Revised Plans

The applicant has submitted revised plans indicating some minor amendments to the proposals. The changes sought, which are required to ensure that the scheme complies with affordable housing guidelines, comprise of the following.

- Providing for pram storage within the apartment block. This has been accommodated by reducing the cycle storage area, without any reduction in the number of cycle stands.
- Providing for the potential use of 2 parking bays (7 and 8) as disabled car parking bays, in addition to the 3 already proposed.

The proposed amendments are considered minor in nature and do not affect the current officers recommendation. In order to agree the amendments the following plans should be superseded

- 12428 90 05 D2
- 12428 B 15 10 D4
- 12428 L 05 04 D5
- 12428 L 05 05 D5

and replaced with the following revised plans.

- 12428 90 05 D3
- 12428 B 15 10 D5
- 12428 L 05 04 D6
- 12428 L 05 05 D6

The Design and Access Statement has also been revised to reflect these changes.

Conditions

The applicant has requested amendments to conditions 7 (external materials) and 8 (landscaping) in order to allow the details required to be submitted later in the development process. At present, the submission and approval of these details are required prior to any work commencing on site. Officers are of the opinion that offering a more flexible approach to the submission of these details would not prejudice local residents and would still ensure sufficient control over the quality of the development provided the details are submitted and approved prior to substantial progress on the above ground building works. Should Members be minded to endorse a more flexible approach officers would recommend that conditions 7 and 8 be amended to read as follows:-

7. Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced, **except demolition of existing structures or ground works associated with the new development**. Sample of these materials shall be made available for inspection on request. The work shall be carried out in accordance with the approved details

8 Notwithstanding the approved plans, all areas of the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any work on the site, **except demolition of existing structures or ground works associated with the new development**. The approved landscaping work shall be completed prior to occupation of the buildings.

The submitted scheme shall include details of the following:-

(i) Walls, fences and gates

Proposed walls and fencing, indicating materials and heights.

(ii) Children's Play

Provision of equipment and landscaping design for children's play..

(iii) Physical separation

Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.

(iv) Mounds existing contours and any alteration of the ground levels, such as earth mounding.

(v) Planting

Details of the planting of trees, shrubs and other plants including type and density

(vi) Hardstanding

Details of materials and appearance of all areas of hardstanding, including drainage details.

(vii) Lighting

Proposals for external lighting, including design and luminance levels

(viii) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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

In order to correct a typographical error in condition 2 the reference to plan no 12428 90 07 D should be removed and replaced with 12428 90 07 D2.

Recommendation: Remains Approval

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Agenda Item 06

Supplementary Information

Planning Committee on 13 November, 2013

Case No.

13/1709

Location	1064-1068 Harrow Road, London, NW10 5NL
Description	Demolition of existing single-storey building and erection of part 3 storey building with basement and roof space accommodation, comprising 7x1 bed and 2x2 bed flats with refuse

and cycle storage facilities

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Site Visit

At the site visit the applicants agent made statements in relation to the access road, the relationship with neighbouring properties and other buildings with front dormers in the local area.

1. The access way is outside of the red-line boundary for the site but is required to provide access to the cycle and bin stores for the proposed development. While the applicants state that they have Counsel opinion that they can use this land as an access this cannot be controlled with this application and there is no means by which the Council can reasonably condition the provision of storage facilities on land which is outside of development site.
2. The relationship with neighbouring properties on Napier Road is clearly set out in and fails to comply with the Council's Guidelines set out in SPG17. Although the proposed relationships are similar to others that might exist nearby they are clearly in breach of the well-established guidance in adopted SPG17. Indeed, these existing tight relationships serve to demonstrate precisely why the council has the guidance in the first place in order to avoid repeating these historic separation distances which fail to provide for an adequate quality of environment for all residents when assessed against up-to-date planning guidance. The existence of something similar does in no way justify the form of development proposed here.
3. The applicants stated that there are other buildings with front dormers on Harrow Road. The predominant building type along this section of Harrow Road is three storey terraced perimeter block. These blocks have either flat roofs or pitched roofs. Front dormer windows are not a predominant characteristic of these buildings and therefore the proposal to include them as part of the proposed development would mean that the building would not be in keeping with the predominant character of the surrounding streetscene. Furthermore the proposed front dormers are of a size and scale which dominates the roof plan adding bulk to the roof plane which would detract from the character of the area as set out in paragraphs 11 to 18 of the remarks.

Agent's Post Site Visit E-mail

Following the Site Visit the applicants provided a briefing note for the Councillors which referred to matters including Loss of Employment, Design, Impact on Neighbouring Occupiers, Residential Quality, Transport, Parking and Servicing and CIL.

Loss of Employment

The applicants have provided no evidence to demonstrate that there are/were environmental problems caused by the operation of the garage at the site. While an offer was made to provide a basement office space this was not considered to be acceptable as it would result in the loss of the land for the existing employment uses and would significantly limit the flexibility of the space for other employment uses. (Also see Paras 1-10 of Remarks).

Design

The design of the building is considered to be unacceptable for the reasons outlined in the Remarks section of the main report (Paras 11-18). The applicants have been advised of these concerns during the application process and have not amended the proposal. However the design of the building is not the only reason for refusal and there are a number of other problems that the applicants were made aware of and which they have failed to address.

Impact on Neighbouring occupiers

The size and scale of the proposed building in relation to the neighbouring properties fails to comply with the Council's Design Guidelines as set out in the Main Report (Paras19-21). As such it is considered to have an unacceptable impact on the amenity of neighbouring residents.

Residential Quality

The quality of accommodation fails to meet Council and London Plan standards for the reasons previously given (Para 22-26). The applicants make reference to the flats complying with minimum internal space standards but the proposal fails to comply with the London Plan which states that a minimum of 5sqm of outdoor space should be provided for each new 1-2 person dwelling while the Council's guidelines require the provision of 20sqm of amenity space for each new flat. The proposed development provides no private amenity space for 7 of the proposed units.

Transport Parking and Servicing

The provision of a car free scheme is acceptable in principle however this would need to be secured through an appropriately worded legal agreement. However as the application is to be refused there is no legal agreement and the reason for refusal has to be included. The access road is referred to in the point 1 above.

Community Infrastructure Levy

A Community Infrastructure Levy would be required should a planning permission be implemented. The provision of this would not offset the other reasons for refusal and is not a reason to allow a development which is otherwise unacceptable.

Recommendation: Remains Refusal

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Agenda Item 08

Supplementary Information

Planning Committee on 13 November, 2013

Case No.

13/2179

Location	BARHAM PARK BRANCH LIBRARY & PARKS OFFICE, Harrow Road, Wembley, HA0 2HB
Description	Change of use of parts of the Barham Park complex of buildings from Use Class D1 (library) and Sui Generis (parks office) to Artists Studios (Use Class B1) and the change of use from Sui Generis (parks office with some community use) to Use Class D1 (Community).

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Site visit

Several matters were queried at the Committee site visit on Saturday.

What is the intention for the future use of the card room:

- The Property service have confirmed that there is a desire to let the card room as a community café which would comprise a café with community access. The operator would be required to undertake works to bring it up to a usable standard. Given the size of this room, this may also involve splitting the room into two smaller spaces, thus allowing separate hireage.

Cost and management of D1 offer at Barham:

- The Lounge will be retained by the Trust and managed by the Council's Sports and Parks Service. It will be let at typical local authority rates and the Trust will receive the income. The actual hireage rates have not been set at this point of time.

The benefit of ACAVA to the local community:

- The ACAVA artists undertake a number of community engagement and outreach programmes as a part of their standard model of operation. The draft lease to ACAVA sets out that the facility must be open to the general public during at least two open days per year. However, the actual amount of engagement may be much greater than this.

The legality of the proposed lease to ACAVA given the terms of the Titus Barham bequest:

- This matter cannot be considered within a planning application. The Property and Legal Services were notified as soon as this matter was raised and they have not expressed any concerns that the lease to ACAVA will be in breach of this.

The Council's failure to enforce the community access provision to the former WASPS club house:

- The Council has been investigating the failure to comply with the Section 106 requirements to allow community access to this facility. This matter is on-going. As such, it has not been included as a community facility in the local area as it is not currently available for hire, but may be in the future. The Use Class D1 floorspace that is to remain within the Barham Park Complex will be under the control of the Council and Barham Park Trust and therefore its use can be more easily ensured.

Many residents stated that there is a lack of community space for local people:

- A number of comments have been received regarding the need for flexible community space, similar to that provided by the former library and the Friends of Barham Park library. Others query the validity of the review of the community space that is available as the Council has not widely advertised its availability.
- In terms of the library space, the merits of the provision of more small local libraries versus fewer larger libraries cannot be considered within this application.
- With regard to the advertising of hireable community floorspace, your officers undertook internet searches and very easily found details of the Barham Park Lounge and Vale Farm rooms on the Council's web site. Further promotion of these spaces together with its refurbishment and the provision of the small hireable room at Barham Park is likely to increase the use. However, your officers consider

the Community Facilities Assessment to be robust.

Additional community space to be made available

Following a review of its property portfolio, the Council's Property service has submitted further information regarding additional Council owned facilities that they are looking to bring into community use. They confirm that they intend to bring 280 square metres of new community floorspace into use through the renovation and change of use of existing buildings into Use Class D1 floorspace for general purpose community access.

These comprise:

- First floor of the Sudbury Court Pavilion in Ease Lane, 98 square metres. This has been vacant for 8- to 10-years and has separate access from the ground floor. It is reported to have been used by the Sudbury Court Cricket Club for purposes ancillary to Use Class D2. This unit will require refurbishment to bring it back into use.
- North Wembley Sports Pavilion Sudbury Avenue, 180 square metres. This comprises a 2-storey pavilion that has recently been refurbished. They specify that they intend to let the first floor out for Use Class D1 community hire in the near future.

Planning permission would be required for the change of use of these premises which are likely to fall within Use Class D2 at present. However, the change is likely to be considered to be acceptable in policy terms but would be subject to the standard application procedures and considerations.

The provision of these spaces for D1 purposes would help to provide community facilities which are well distributed within the local area.

Comparison with other library applications

Objectors have highlighted the relationship with the other library applications (Kensal Rise and Cricklewood) that have been refused. Your officers considered the approach taken for those applications when considering the Barham Park proposals. Those applications were not supported by a robust Community Facilities Assessment that examines local demand for community facilities, demonstrating that the facilities that remain and those available in the area should be sufficient to meet need. They also did not provide spaces that could be flexibly used with two sizes of rooms that could be used independently (with separate independent access) if needs be. As such, your officers consider that the Barham Park proposals accord with the LDF Core Strategy, the London Plan 2011 and the National Planning Policy Framework while those applications did not.

Further comments were received during the further consultation period.

Those comments are summarised and discussed as follows:

	Objection	Discussion
1	There is no justification for the 24 hour use and not protecting residential uses and more sensitive parkland area.	The potential for impact on the residential uses was discussed within the committee report. The uses are not likely to result in significant noise or disturbance and any disturbance that may occur could therefore be addressed as a noise nuisance. Late night use is not likely to impact on the park for this reason and because the park use is not considered to be sensitive at night.
2	The ability to use the former parks reception separately from the larger community should been verified? The absence of a toilet would make this difficult.	The new disabled toilet is situated in a space between the two units and therefore could serve both.
3	The Council has mismanaged the complex and has used it for its own ends rather than community purposes. The report should have researched the history of past uses as Council action resulted in the loss of community space.	This application can only consider the aspects of the use that require planning permission. Units have been used for purpose for a period of 10 years become lawful.
4	The Council has not advertised that parts of the complex are hireable and the community facilities assessment is misleading.	Your officers searched on the internet for "room hire Sudbury Wembley" and the Barham Park Lounge appeared on the first page. Nevertheless this acknowledged that further promotion of the

		ability to hire the lounge may increase its use.
5	"Local need" is not defined, and some of the premises listed as available for hire are some distance from the complex and not in the local catchment.	Local need will vary from place to place and over time. Reviews of the availability and usage of local facilities helps to establish this. With regard to the distance from site, the list that is provided sets out those within a one mile radius (approximately and as the crow flies). This includes facilities close to the site and those that are more distant. The distance that people will travel for facilities varies significantly and it is important to show a range.
6	"Local need" is demonstrated by the fact that Friends of Barham Library run two volunteer libraries	This is discussed in the main report which sets out that the merit of providing more smaller local libraries versus fewer larger libraries is not a matter for consideration within this planning application.
7	No evidence that there is a local need for 29 artist studios, and report does not refer to this number of artists.	The report has treated the change as an actual loss of D1 floorspace rather than justifying it as the provision of a service that will meet local need. Nevertheless ACAVA believe that there is some local interest and have commented that they will seek interest from local artists, as discussed in the committee report.
8	Community facilities assessment does not provide evidence of what local demand is and what types of facilities are required.	The assessment has focused on the range of spaces that are available and the availability of Council facilities in the area. It is typically better to provide facilities that can be used flexibly rather than ones that meet the needs of one specific group.
9	The Libraries Transformation Programme was instigated to save money rather than meet local need.	As discussed within (6) above, the merits of this programme cannot be considered within this application.
10	No consideration of the cost, condition or availability of other places that offer casual lets for hire, or for the Barham Park buildings which cost £45 to £60 per hour to hire. Many of the venues not available for large periods of the day.	The justification for the loss of D1 space was primarily based on demand and availability of Council owned venues. As such, the fact that the Community Facilities Assessment highlighted the presence of the other facilities rather than their condition, cost or availability is considered to be acceptable. If the case was not based on other Council facilities in the area then a greater emphasis would have been placed on the non-council facilities. The Lounge is a large community space that has capacity for up to 86 (seated) or 100 (standing). The provision of a small hireable room (the former parks reception) will result in the availability of a space that is more affordable for smaller groups.
11	There in no comment in the report about "wider forms of community facilities". This would not just involve casual lets but also space for organisations could set up permanent displays (e.g. bookshelves).	The reference to wider forms of community use related to the use of the other former library spaces (e.g. Kensal Rise) for non-library purposes. This is provided within the Barham complex within the Lounge (which is to be refurbished) and the change of the parks reception to a community room that is internally connected to the lounge. It is not often not possible for

		permanent displays can be provided in flexible use spaces. However, storage facilities (e.g. lockable cupboards) can help to assist regular users of the spaces.
12	The Kensal Rise Library report questioned whether sufficient community engagement has been undertaken while this report does not. Neither the Council nor ACAVA have engaged with the community.	Your officers are not aware of any community engagement undertaken by the applicant and it is likely that most of the engagement that has taken place was undertaken as a part of this planning application within which several key groups were consulted and consultation responses received. However, this is not considered to warrant the refusal of this planning application.
13	Friends of Barham Library approached ACAVA about sharing the library space and received a negative response.	Your officers cannot consider this within the planning application. The approach to the provision of libraries is discussed above (6, and 9) and within the main committee report.
14	Despite being open for fewer than 40 hours per week over 4 days, the Barham Library attracted 60,000 visitors per year. There were over 1,200 active users, the majority of which were young people.	This was discussed in the committee report, where it must be assumed that some if not most of the library users will use the improved or new library facilities.
15	ACAVA may only have one open weekend per year while the library was open for 200 days per year.	See 14 above.
16	The card room is described as D1 but has not been available for hire for some time. The Council is also looking at letting it to a commercial café operator and it will not be D1 in the future.	The Council's property team have provided a comment regarding this. There is a desire to let the card room for use as a community café, including community use. It is envisaged that the letting of the unit will fund the much needed repair and renovation of the building.
17	The refurbishment of the lounge does not result in an increase in D1 space. The proposal only increases this unit by 35 sqm.	This is made clear in the Community Facilities Assessment.
18	The library offered flexible space, e.g. as a library, exhibition space, space for poetry reading and reading to young children.	Again, the merits of the library transformation programme cannot be considered. See 6, 19 and 13.
19	The Barham Veterans Club (Snooker Room) is set out as a D1 space but is a members club for over 60s and is not available for general community uses.	Not all community spaces are open to general public access. Many are available for certain parts of a community (e.g. some places or worship). Nevertheless, they may still be considered to be community facilities. It is possible that the veterans club is a community use. However, if membership is closed or highly restricted then it may be considered to be a private members club which is "sui generis". Nevertheless, the assessment did not rely on this space being available for general community hire and as such, this does not change the recommendation.
20	The Children's centre is not available for general community uses.	See 20 above.

21	Very little of the material provided by ACAVA is relevant to the local communities (Asian, African, Afro Caribbean and European) and the assessment does not show how ACAVA will serve those communities.	ACAVA has provided information about the programmes that they have been involved in previously. There is no reason to believe that the community engagement that will be undertaken by their artists could not be applicable to local communities.
22	Friends of Barham Library already serve the diverse community.	No discussion required
23	A lot of money was spent incorporating the children's centre into the library, upgrading the library itself and improving the park to win a Green Flag Award and attract more people to the park. The proposal will not replace the 60,000 people who visited the library previously.	The Children's Centre will still operate. The works to the library will help it to be tenatable so that it can be let. Property have commented that refurbishment work is being undertaken to units 1, 2, 5 and 6 to bring them up to a usable and tenatable status. This is being funded by the proceeds of the sale of 776 and 778 Harrow Road. With regard to the number of people who visited the library previously, please see the above comments about this (6, 9, 13 and 18).
24	The community facilities that are to be lost were freely accessible to the public without wider restrictions.	This also relates to the Libraries Transformation Programme (see 6, 9, 13, 18 and 23).
25	Friends of Barham Library enquired about letting the former parks reception but received no response. The mind-set of the Council is to prevent any uses that are linked to a library type service despite this being what the local community wants.	Your officers are not aware of any move to prevent library related services.
26	There is no evidence from the report, ACAVA's web site or through the provision of a business plan of any proposals for community engagement, save for one weekend a year, or what those benefits may be.	See 21 above.
28	Where is the "drop-in community use" at the Ealing Road library?	This refers to the general use of the library.
29	The Children's Centre mother and toddler groups are frequently oversubscribed and an informal group has been set up by members of the Barham volunteer Library.	The ability to book two sizes of rooms within the Lounge facility may assist the provision of additional groups by providing spaces of different sizes which may be let a different rates.
30	The refurbishment of the lounge may result in increased demand. This has not been factored in to the assessment.	This may well be the case and it is positive if the proposal does result in an increase in the use. There is significant capacity plus additional floorspace that is to be brought back into use to address such demand.
31	The true meaning of Policy CP23 has not been applied.	The proposal has been assessed having regard to the loss of community floorspace, availability of other floorspace and demand / need in accordance with the LDF Core Strategy, London Plan 2011 and National Planning Policy Framework.
32	Other similar decisions should be considered.	The Council had regard to the other library proposals when considering this application.

33	Why was the Kensal Rise loss of community space considered material while this was not. The Kensal Rise library resulted in a loss of 100 sqm at ground floor level. The upper floors were unused for many years (similar to Barham where they were taken over by the Council and used as office space).	The Kensal Rise proposal would have resulted in a reduction from 612 sqm to 176 sqm, with 69 sqm of the remaining community space provided within a basement. The authorised use of the upper floors was for community purposes whereas the lawful use of the first floor units within Barham Park is for purposes within Use Class B1. Nevertheless, a 301 sqm reduction in community floorspace is still significant. However, your officers consider that this is justified by the community facilities assessment.
34	The local provision of community use was not researched for the Kensal Rise library application, the 100 sqm loss was enough to refuse it in itself. The loss of floorspace within this proposal is four times the loss within the Kensal Rise applications.	See 33 above.
35	Lack of evidence that artists will undertake a number of community outreach and engagement programmes.	The proposed loss of D1 has not been justified on the basis of the level of community engagement that the occupants will undertake as it has examined that loss of D1 floorspace and the availability of local community facilities. The engagement and outreach programmes are beneficial when comparing the use to a standard office or light industrial use but not essential to justify the loss of D1 floorspace. Your officers have been informed that the ACAVA lease will require them to hold at least two open days for the general public annually.
36	Barham Park Trust own the buildings rather than manage them. They are managed by the Council.	No discussion required
37	Floorspace figures in the report are incorrect (increase in Use Class B1 space of 301 from 558 to 558). They should refer to an increase to 859 sqm.	The proposal will increase the floorspace to 859 sqm, as set out within the Community Facilities Assessment.
38	When was the Community Facilities Assessment Received? Who reviewed it and how much time was spent reviewing it.	The Assessment was formally submitted on 28 October and was reviewed by the case officer in discussion with other officers within Planning and Growth. The agent sought advice from officers regarding the content of the assessment prior to the formal submission of the assessment.
39	The report and recommendation was premature and not based on factual evidence and is wrong. Further time is required to assess the evidence and correction of misleading information.	The committee report was written after having reviewed the Community Facilities Assessment but before the end of the 14 day re-consultation period. As such, it set out the officers views but did not reflect the views of local residents with regard to that assessment. Those views are now being discussed and form a part of the decision making process.
40	At the site visit it was inferred that the period for lodging objections was closed. However, the case officer has said that comments would be accepted up to	Objections have been received and considered after the site visits. However, they cannot be considered after the completion of this

	consideration.	supplementary report.
41	The consultation for the community facilities assessment expires the day after committee.	The 14 day consultation period started on 29 October and expired on 12 November, the day before committee.
42	Is the restriction on the operator, which refers to other suitable uses, enforceable?	Your officers consider that the restriction is enforceable. However, it could be amended to include "who provide affordable studio space to artists and engage in community outreach or liaison programmes" after the reference to other arts based charitable organisations.
43	The report refers to other units within the complex remaining in D1 use and under the control of the Trust. However, the other parts of the building will be leased to the Council and will not be under their control.	The Trust is owned by the Council and as such, the units can be viewed as Council facilities.
44	Harrow road is an A road and a busy bus route and the entrance is near to a traffic island. Parking for deliveries may cause problems for buses.	Restrictions are in place where parking may cause safety issues or disrupt the flow of traffic. If problems occur in the future, the Highways Service have the ability to impose further restrictions (e.g. double yellow lines in the place of single yellow lines) in locations that are problematic.
45	Parking on streets is encouraged by the application, but the residents were not consulted.	This is discussed within the committee report, whereby the local streets have CPZs in place which prevents parking during core hours.
46	A shared facility should be provided by using Unit 3 as a community library, temporary museum space for the Brent Museum and exhibition space for ACAVA particularly given that the CFA sets out that many of the activities undertaken by ACAVA could be considered to be community uses. This would accord with policy CP23 which promotes multi-use community facilities.	Your officers are supportive of multi-use facilities. However, this proposal must be considered on its merits and the multi-use of unit 3 is not proposed. As discussed above, it is considered that the submission demonstrates that demand for community facilities in the local area will be met.

Summary

Your officers have considered the further information and further objections that have been received. Those comments do not change the view of your officers that despite the proposed reduction in Use Class D1 floorspace, the community facilities that will remain in the area will be sufficient to meet local need.

Recommendation: Remains approval

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Agenda Item 09

**Supplementary Information
Planning Committee on 13 November,
2013**

Case No.

13/1975

Location	Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA
Description	Retention of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space

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The main report refers to the applicant's (The Council's Property & Asset Department) need to pay as a requirement of the original temporary permission, a £25,000 contribution requested by Transportation towards pedestrian safety improvements. It can now be confirmed that this money was transferred to Transportation in March 2011, but that the works it was intended for have yet to be carried out. These works include the installation of dropped kerbs and tactile paving at the existing traffic islands on either side of the staggered crossroad junction with Ashley Gardens and St. Augustine's Avenue, and the installation of school warning signage on Preston Road.

As stated in the main committee report, Transportation still consider these works necessary if the school is to re-open. If permission is granted they will be informed that the works that they have already been paid to carry out should now be implemented.

Recommendation: Approval.

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