



Planning Committee

Thursday 27 September 2012 at 7.00 pm

Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

Membership:

Members

Councillors:

Ketan Sheth (Chair)
Daly (Vice-Chair)
Aden
Baker
Cummins
Hashmi
John
CJ Patel
RS Patel
Krupa Sheth
Singh

first alternates

Councillors:

Thomas
Long
J Moher
Kansagra
Ms Shaw
Cheese
Van Kalwala
Hopkins
Gladbaum
Oladapo
Hossain

second alternates

Councillors:

R Moher
Naheerathan
Moloney
HB Patel
Sneddon
Beck
Ogunro
Lorber
Harrison
Powney
Mashari

For further information contact: Joe Kwateng, Democratic Services Officer
020 8937 1354, joe.kwateng@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.30pm in Committee Room 4

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the previous meeting		1 - 6
Extract of Planning Code of Practice		
NORTHERN AREA		
3. WOODCOCK PARK, Shaftesbury Avenue, Harrow, HA3 ORD (Ref. 12/1629)	Kenton	11 - 16
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4. 16 Carlisle Road, Kilburn, London, NW6 6TS (Ref. 12/1718)	Queens Park	17 - 22
WESTERN AREA		
5. King Edward VII Park, Park Lane, Wembley, HA9 7RX (Ref. 12/1785)	Preston	23 - 28
6. 7A Abbey Manufacturing Estate, Mount Pleasant, Wembley, HA0 1RS(Ref. 12/1795)	Alperton	29 - 34
7. Northwick Park Golf Course, Watford Road, Harrow, HA1 3TZ (Ref. 11/3341)	Northwick Park	35 - 38
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11. 1A Elmside Road, Wembley, HA9 8JB (Ref. 12/1971)	Preston	57 - 66
PLANNING APPEALS		
12. Appeals		67 - 80
13. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.		
14. Supplementary		81 - 82

Site Visit 22 September 2012

SITE VISITS – SATURDAY 22 SEPTEMBER 2012

Members are reminded that the coach leaves Brent House at 9.30am

There will be no agenda related site visits, there will be 'Planning Committee Members Design Review' visits instead.

An itinerary will be provided to Members before the site visits.

Date of the next meeting: Wednesday 24 October 2012

The site visits for that meeting will take place the preceding Saturday 20 October 2012 at 9.30am when the coach leaves Brent House.



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
 - Toilets are available on the second floor.
 - Catering facilities can be found on the first floor near The Paul Daisley Hall.
 - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Wednesday 22 August 2012 at 7.00 pm

PRESENT: Councillors Ketan Sheth (Chair), Daly (Vice-Chair), Aden, Cummins, Hashmi, John, CJ Patel, RS Patel, Powney (In place of Krupa Sheth) and Singh

Also present: Councillor Barry Cheese, Councillor Helga Gladbaum and Councillor Claudia Hector

Apologies for absence were received from Baker and Krupa Sheth.

1. **Declarations of personal and prejudicial interests**

None declared.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 25 July 2012 be approved as an accurate record of the meeting.

3. **BP Petrol Station, 17-27 Cricklewood Broadway, London, NW2 3JX (Ref.08/2315)**

PROPOSAL:

Refurbishment of No. 17 Cricklewood Broadway to provide 53sqm retail unit (Use Class A1) on ground floor and two x two-bedroom and one x one-bedroom flats on the upper floors and demolition of existing petrol filling station and garage buildings and erection of a five-storey building, comprising a 478sqm retail unit (Use Class A1) on the ground floor and 18 new flats on the first, second, third and fourth floors (consisting of 10 x one-bedroom, four x two-bedroom and four x three-bedroom flats), including cycle and bin storage, removal of vehicular accesses onto Cricklewood Broadway and Hoveden Road and provision of amenity space and landscaping to rear, with pedestrian access onto Hoveden Road, NW2

RECOMMENDATION:

- a) Grant planning permission, subject to conditions, informatives and an appropriate form of agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan,

Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

With reference to the tabled supplementary report, Rachel McConnell Area Planning Manager, updated members that although the scheme would achieve a lower Sustainability Checklist score (43.5% instead of 50%), the scheme would achieve a higher Code for Sustainable Homes level (CSH) than the development plan would require for a site in that location. With that in view, officers had accepted that the higher CSH level can offset a shortfall in the Sustainability Checklist score. To reflect this, she proposed to vary clause (e) of the s.106 heads of terms. She also drew members' attention to an amendment in condition 8 which would require further details of the enclosure of the terraces and planters to secure the privacy of adjoining residents and the deletion of condition 9.

DECISION: Planning permission granted as recommended subject to amendments to condition 8, clause (e) of the Section 106 heads of terms and the deletion of condition 9.

4. Mount Stewart Infant School, Carlisle Gardens, Harrow, HA3 0JX (Ref. 12/1919)

PROPOSAL:

Erection of temporary classroom within south east of school site between existing modular building and boundary of Carlisle Gardens to accommodate bulge classroom for 30 pupils (maximum three years).

RECOMMENDATION: Delegate authority to the Head of Area Planning to approve the application subject to conditions, informatives and consideration of any new substantive objections received.

Councillor Cummins enquired as to whether the portakabin would be removed after three years. The Head of Area Planning drew members' attention to condition 1 which clarified that as the building was of a temporary nature, approval was for a limited period of 3 years after which its use shall be discontinued and the portakabin removed.

DECISION: Planning permission granted as recommended.

5. BRITISH LEGION HALL, 1 Albert Road & 5 Albert Road, London, Kilburn NW6 5DT (Ref. 12/1516)

PROPOSAL:

Outline application (all matters reserved) for demolition of existing structures on site and erection of new mixed use development comprising of 144 residential units and 480m² of commercial floor space (Use Class A1/A3/A4).

RECOMMENDATION: Grant planning permission subject to conditions with additional conditions 20, 21, 22, 23, as amended in conditions 5, 6, 9, the deletion of condition 11 and the completion of a satisfactory Section 106 or other legal

agreement by any subsequent developer, and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Steve Weeks, Head of Area Planning informed members that although Environmental Health had raised no objections to the proposal, they had requested that additional conditions be attached to the permission. He drew members' attention to a number of amended conditions (5, 6 and 9), the deletion of condition 11 to be replaced with condition 23 and additional conditions 20, 21, 22 and 23 as set out in the supplementary report. Members' noted that as the proposal was for the redevelopment of an urban site with existing buildings, it was unlikely to trigger a requirement for Environmental Impact Assessment (EIA). Steve Weeks pointed out that the outline application fitted within the key parameters of the South Kilburn Masterplan with all matters reserved.

In response to the Chair's invitation to comment on the affordable housing element, the Head of Area Planning stated that the intention was to maximise affordable housing within the development adding that as a phased development different outcomes were expected for different sites. Councillor Hashmi indicated his intention to vote against the scheme on the grounds of inadequate provision of affordable housing and the absence of a clause for a permit free development. The Head of Area Planning reiterated the advice that the application was for an outline only with reserved matters and that there could be a scope for parking to be included at the detail stage.

DECISION: Planning permission granted as recommended.

6. Park House, Manor Park Road, London, NW10 4JW (Ref. 12/1779)

PROPOSAL:

Extension to time limit of full planning application reference 09/0732 dated 9 September 2009 for demolition of existing building and erection of a 5-storey building, comprising an estate agent (Use Class A2) on the ground floor and 15 flats (3 one-bedroom, 9 two-bedroom, 3 three-bedroom) on upper floors, subject to a Deed of Agreement dated 09/09/2009 under Section 106 of the Town and Country Planning Act 1990 (as amended)

RECOMMENDATION: Grant planning permission, subject to conditions, informatives and the completion of a satisfactory Section 106 or other legal agreement, and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

Steve Weeks, Head of Area Planning confirmed that the vacant building had a total floor space of 1188sqm with a resulting net increase of 608sqm. He added that as the building had not been used for at least 6 months out of the last 12 months the whole proposed floor space would be liable to Community Infrastructure Levy (CIL). He continued that the information submitted with the application had been reviewed in relation to the conditions on the 2009 permission and that further information or improved detail had been sought.

In accordance with the provisions of the Planning Code of Practice, Councillor Gladbaum, ward member for Kensal Green stated that she had not been approached in connection with the application. Councillor Gladbaum stated that whilst she supported the application for redevelopment of the building which had remained derelict for a number of years, she was concerned about the tall blue hoarding that was taking about half of the pedestrian space, rendering the pavement narrow. She also expressed concerns about the removal of trees on site.

In accordance with the provisions of the Planning Code of Practice, Councillor Hector, ward member for Kensal Green stated that she had been approached by local residents in connection with the application. Councillor Hector informed the Committee that local residents had expressed concerns about the removal of the rights of occupants to apply for parking permits (car free development) and the lack of off street parking.

Paul O'Neil, the applicant's agent stated that the application was for a renewal of planning consent granted almost three years ago and that the applicant was firmly committed to implement that consent. He drew members' attention to the benefits that would result from the development including a car free development as set out in the Section 106 Heads of Terms. The agent confirmed in response to Councillor Daly's question that the activity that was taking place on site was part of the extant application

The Head of Area Planning informed members that the planning conditions for the current permission were yet to be signed off and highlighted that the previous scheme did not restrict the ability to apply for on street parking permits.
DECISION: Planning permission granted as recommended.

7. Quality House, 249 Willesden Lane, Willesden, London, NW2 5JH (Ref. 12/1336)

PROPOSAL:

Demolition of existing building and erection of a 2, 3 & 4 storey building containing 38 retirement apartments with associated parking, access and landscaping.

RECOMMENDATION: Grant planning permission, subject to conditions, informatives and the completion of a satisfactory Section 106 or other legal agreement, on expiry of the neighbour consultation period taking into account any comments received, and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

With reference to the tabled supplementary report, Neil McClellan responded to concerns raised by an objector on the proposed development and the notification process. He clarified that full consultation procedure was followed and that additional consultation was also carried out to which no further comments had been received. He recommended that consideration of further representation which may be received be delegated to the Head of Area Planning. He also recommended an amendment to the condition on windows as set out in the tabled

supplementary report in order to ensure an acceptable impact on the amenity of neighbouring residents.

Members noted that Environmental Health had reviewed the information on sustainability and had recommended conditions associated with these as set out in the main report. The Area Planning Manager also drew members' attention to an amended plan that showed the provision of two disabled parking spaces, thus removing the need for such a condition.

Councillor Cummins suggested the imposition of conditions to maintain trees for screening in order to address some of the concerns raised to the scheme. He also invited officers to comment on transportation aspects of the development. Councillor Hashmi enquired about the possibility of increasing the contribution of £1,000 for each additional bedroom.

Steve Weeks, Head of Area Planning suggested an amendment to condition 8 which would enable officers to obtain a method statement on the trees and added that the development was unlikely to be prejudicial in transportation terms. He continued that the S106 contribution had been reduced to reflect the anticipated absence of a child yield.

DECISION: Planning permission granted as recommended subject to an amendment to condition 8 in terms of demolition and construction measures relating to the protection trees in rear gardens along the southern boundary and to delegate to the Head of Area Planning, with the advice of the Director of Legal and Procurement, to consider the need to add a condition or S106 clause relating to the occupancy of the building.

8. 286 High Road, London, NW10 2EU (Ref. 12/1608)

PROPOSAL: Proposed use of area to front of A3 restaurant for seating for customers and erection of low boundary walls

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

Neil McClellan, Area Planning Manager informed members that further details were still required before the development commenced (condition 4) despite the submission of example of the finish of the proposed boundary treatment received from the agent. He therefore recommended an amendment to condition 4 relating to the occupancy of the building and the nature of the front boundary.

DECISION: Planning permission granted as recommended subject to an amendment to condition 4 relating to the occupancy of the building and the nature of the front boundary.

9. Kelaty House, First Way, Wembley, HA9 0JD 09 (Ref. 12/1293)

PROPOSAL:

Full planning permission is sought for the redevelopment of the site comprising the erection of 5 buildings ranging in height from 4 to 13 storeys for a mix of uses

including hotel/serviced apartments (Use Class C1), student accommodation (sui-generis use) and flexible business /retail /community/ leisure uses (Use Classes B1/A1/A2/A3/A4/D1/D2), and ancillary development including basement car park and hard and soft landscaping providing both public and private amenity space.

RECOMMENDATION:

- (a) Grant consent, subject to the referral of the application to the Mayor of London in accordance with part 5 of the Town and Country Planning (Mayor of London) Order 2008, and subject to conditions, informatives and the completion of a satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

Neil McClellan, Area Planning Manager in reference to the tabled supplementary report drew members' attention to a number of amendments (conditions 1, 11 and 15), Heads of Terms of the Section 106 agreement and an additional condition relating to phasing. He added that the proposed scheme reflected the aspirations of the Wembley Masterplan and that members would have a further opportunity to re-consider the application at the detail stage.

DECISION: Planning permission granted as recommended.

10. Planning appeals

RESOLVED:

that the schedule of appeals be noted.

11. Any Other Urgent Business

None raised at this meeting.

The meeting ended at 7:50pm

COUNCILLOR Ketan Sheth

Chair

EXTRACT OF THE PLANNING CODE OF PRACTICE

Purpose of this Code

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

Accountability and Interests

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
 - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
 - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
 - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

Meetings of the Planning Committee

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.

25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.

29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.


STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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 **Planning Committee Map**
Site address: WOODCOCK PARK, Shaftesbury Avenue, Harrow, HA3 0RD
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This map is indicative only.

RECEIVED: 19 June, 2012

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: WOODCOCK PARK, Shaftesbury Avenue, Harrow, HA3 0RD

PROPOSAL: Installation of 6 x floodlights on 6 metre high columns to serve artificial grass pitch in Woodcock Park.

APPLICANT: Sports and Parks Service

CONTACT: Abacus Lighting Ltd

PLAN NO'S:
See Condition 2

RECOMMENDATION

Grant Consent

EXISTING

The site comprises an existing hard surfaced play area within Woodcock Hill Open Space. The proposed area of development is located at the western side of the open space in between St. Gregory's School, Woodcock Hill (road) and the Wealdstone Brook which lie to the south, west and north of the site respectively. The closest access to the site is from Woodcock Hill where there are residential properties on there western side of this road. The site is not in a conservation area nor does it contain any listed buildings.

PROPOSAL

The application proposes the installation of 6 x floodlights on 6 metre high columns to serve an artificial grass pitch in Woodcock Park. One floodlight will be placed in each of the four corners of the pitch and two at the mid-length point.

HISTORY

Relevant Planning History

12/1117 - *Granted*, 25/06/2012

Details pursuant to condition 3 (community access strategy) and condition 7 (tree planting) of full planning permission 11/0208 dated 16/03/2011 for Installation of an artificial turf pitch with perimeter fencing on existing tarmac area of park

11/2348 - *Granted*, 07/12/2011

Details pursuant to condition 5. (Management and maintenance plan) and condition 7. (Provision of six-mature trees) of full permission, reference 11/02080, dated 18/03/11 for the Installation of an artificial turf pitch with perimeter fencing on existing tarmac area of park

11/0413 - *Granted*, 15/04/2011

Resurfacing of existing tennis court area to provide 4 full sized tennis courts and 2 mini sized tennis courts, a multi-use games area (MUGA), together with the installation of 3m high perimeter fence, cycle stands and footpath to the MUGA

11/0208 - *Granted*, 18/03/2011

Artificial turf pitch with perimeter fencing on an existing tarmac area, located at the western end of the park accessed off Woodcock Hill to the rear of St. Gregory's Science College

POLICY CONSIDERATIONS

Brent Core Strategy 2010

CP 18: Protection and enhancement of open space, sports and biodiversity
CP23: Protection of Community Facilities

Brent Unitary Development Plan 2004

BE2: Townscape:

BE6: Landscape design in the public realm

BE7: Public Realm: Streetscene

BE8: Lighting & Light Pollution

CONSULTATION

A total of 183 neighbouring properties were consulted, Ward Councillors and 3 site notices were displayed adjacent to the site. A total of 3 objections were received raising the following concerns:

- Increased use of the sports pitch would generate more noise. Would be particularly noticeable in summer months when have windows open;
- Lights would have a detrimental impact to the nature in the park;
- The area will become a '*recreation ground*' rather than an park - those that want a recreation ground should use other sites in the borough;
- The availability of overnight parking will be reduced;
- There is already too much traffic in the area and concerns about speed of traffic are raised;
- The lights would attract unsocial behaviour and will deter locals from using the park.

Officer Comment: These matters will be discussed in the remarks section of the report.

Consultees:

Environmental Health

The proposed lights are unlikely to cause a nuisance to neighbouring residential properties.

Ecological Consultant - Alison Fure (Bats)

Given the presence of 2 colonies of bats, the survey report makes recommendations including:

- do not exceed 8 metres from ground level;
- light from lamps be restricted by fitting hoods or louvres to direct light below the horizontal plane (angle less than 70 degrees);
- if floodlights are agreed, a monitoring programme could ensure that the lights are not used outside the agreed period and light is not trespassing onto features used by bats.

REMARKS

1. Principle

The principle of the provision of a sports pitch in the park has been established through the granting of planning permission for the existing 5-a-side artificial turf football pitch in 2011 (see Planning History). The pitch was provided as part of a donation from the Union of European Football Associations (UEFA) and replaced an existing section of a tarmaced area within the Woodcock Hill Open Space to the rear of St. Gregory's School.

The sports pitch has been functional since April 2011 and is operated without the use of floodlights. The approved Community Partnership Agreement for the pitch states the operating hours are:

- | | |
|------------------------|-----------------|
| • Mon-Fri (term time) | 17.00 till dusk |
| • Mon-Fri (holidays) | 09.00 till dusk |
| • Sat & Sun (weekends) | 09.00 till dusk |

The pitch has an area of 20m x 40m and is surrounded by a 3m high weld-mesh fence with a connected walkway to St. Gregory's School who manage the use of the pitch and provide associated changing rooms for use by local community football teams outside of school hours. The pitch also provides the school with a purpose built facility where the pupils can play sport.

The proposed floodlights are 6m high and as a result of their slim design will have a minimal impact on the appearance of the area

2. Residential Amenity

Light Pollution

The floodlights have been designed to provide an appropriate level of luminance in accordance with Sport England standards for football but also ensure there is low level light pollution. The floodlights are proposed at 6 metres in height and have been designed with the lights angled (60 degrees forward when the front glass is horizontal) to restrict light spillage. In addition, internal baffles are proposed to redirect waste light upward into the floodlight beam to increase efficiency.

The proposed floodlights are considered unlikely to have a detrimental impact to residential amenity; this has been illustrated by a floodlight contour map submitted in support of the planning application. Properties on Woodcock Hill to the west are over 70 metres from the proposal and located on the opposite side of the road. The nearest residential properties to the north front Woodgrange Close, separated from the proposal by the nature corridor. It is not considered that there will be any significant impacts on residential amenity given the specification of the lighting and distance from these residential properties. It should also be noted that back shields are proposed to those lights along the northern edge of the pitch (principally to protect wildlife) which will further reduce visibility of the floodlighting in the surrounding area. The proposed floodlights will also be set a sufficient distance from the road (Woodcock Hill) to ensure that it will not have a detrimental impact on road users.

Increased Use

Whilst it is accepted that the floodlights are proposed to extend the period of time that the pitches can be used, this is likely to be primarily during the winter months when daylight hours are reduced. Given the distance from residential properties and the proposed restriction of use to 10pm, it is not considered that there will be a significant impact on residential amenity both from use of the pitch and any associated vehicular activity.

As set out in the original grant of planning permission regarding parking, the St. Gregory's School confirmed that two car parks are currently available for staff use comprising 37 parking spaces; there is also a disabled car parking space. As such, these spaces will be available for use after school hours for users of the facility.

3. Impact on Bats

The bat survey states that 2 species of Pipistrelle bat colonies forage within the Wealdstone Brook tree line to the north of the pitch; they generally enter the site within 10 minutes of sunset and leave after 45 minutes of sunset. It is also indicated that the roost for the bats is not within the Wealdstone Brook but may be located within the nearby road of Retreat Close.

Recommendations listed in the bat survey indicate that a lighting arrangement is possible provided the tree line of the Brook will remain a dark corridor for bat movement particularly between May and October after 8.30pm because of the presence of a maternity colony. These recommendations were made on the basis that there would be some light spillage into the Brook. However, given that the contour map illustrates there will be no light spillage into the nature corridor, the Ecological consultant has subsequently advised that the proposed floodlight scheme is acceptable and that the floodlights as proposed can be used throughout the year without seasonal restriction. However, the consultant did consider it prudent that a bat survey be carried out after the floodlights are in use in order to provide definitive assurance that the bat colony is not affected. As such, a condition will be added for a post-floodlight implementation bat survey to be conducted.

As set out above, the floodlights along the northern edge of the pitch will be fitted with back shields as these will be closest to the nature corridor. The back shield will further curtail any light spillage into the nature corridor as shown in the submitted floodlight contour map.

Conclusion

Subject to appropriate conditions, it is considered that the proposal will enable greater usage of the existing sports facility without having an unacceptable impact on residential amenity or wildlife. Approval is accordingly recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004

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

Environmental Protection: in terms of protecting specific features of the environment and protecting the public

Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

T061RLS/SP

UKS7240/6

UKS7240/7

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

- (3) The proposed six floodlights at a height of 6m shall be erected on the site strictly in accordance with the approved details including directional details, style and baffles where applicable, and shall thereafter be maintained in accordance with the approved manufacturer's guidelines (Trent flat glass technology,) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of safeguarding local amenity

- (4) The floodlighting hereby approved shall only be used between the hours of 09:00 to 22:00. Within these time parameters, the floodlights shall only be switched on when the court is in active use and shall be switched off within 15 minutes of these times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers

- (5) Within 12 months of first use of the floodlights, a Post Implementation Survey shall be submitted to and approved in writing by the local planning authority. The Survey shall include the following:

(a) a bat survey carried out between the months of May to October following first use of the floodlights to demonstrate that the proposal does not have a detrimental impact to the existing bat colonies recorded in the brook

(b) a survey to demonstrate that the approved floodlights are substantially in accordance with the approved lightspill maps

(c) If the results fail to demonstrate either (a) and/or (b), a mitigation strategy provided that considers additional floodlight baffles/shielding, light designs, light directions and any other relevant strategies.

Approved mitigation measures shall be implemented in full accordance with the approved details within 3 months of the approval of these details.

Reason: To prevent light nuisance to nearby residential properties and detrimental impacts to the existing bat colonies.


- (6) Within 3 months of the implementation of the floodlight scheme hereby approved, an updated Community Partnership Agreement shall be submitted to and approved in writing by the Local planning Authority. This should include times for use of the pitch with implementation of the floodlights and any changes to management of the pitch.

Reason: To ensure that use of the pitch with floodlights will not have a detrimental impact to the amenity of neighbouring residences and to maintain use of the sports facility for the wider community with use of the school premises

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Harini Boteju, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5015

	Planning Committee Map
Site address: 16 Carlisle Road, Kilburn, London, NW6 6TS	
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This map is indicative only.

RECEIVED: 29 June, 2012

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 16 Carlisle Road, Kilburn, London, NW6 6TS

PROPOSAL: The erection of a single storey rear infill extension and the excavation of new basement level with lightwells to the front and rear of the dwellinghouse

APPLICANT: Mr E Arkus

CONTACT: the basement design studio

PLAN NO'S:
Please see condition 2

MEMBERS CALL-IN PROCEDURE

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

Name of Councillor

Councillor James Denselow

Date and Reason for Request - 31 August 2012

- The proposed development in particular the lightwells will fail to preserve or enhance the character of the street within the Conservation Area. The lightwells will be particularly visible after dark.
- The construction of the basement will cause a detrimental impact on the long term structural stability of the neighbouring properties. These negative impacts may include, cracked walls, doors, that will not close, decorations spoilt, water ingress and the loss or damage to trees. Insurance companies now take into account structural stability and refuse to cover properties. The Part Wall Act only offers protection to immediate neighbourings during construction but nothing after completion.
- The subject property contains a roof extension and the addition of a further basement level will therefore constitute an overdevelopment of the site

Details of any representations received

Yes - Objectors

Name of Councillor

Councillor Lesley Jones

Date and Reason for Request - 3 September

- The proposal will constitute an overdevelopment of the site.
- A strong level of local objection has been received.
- The proposal could compromise the area's conservation status and change the special character of Carlisle Road.

Details of any representations received

Yes - Objectors

Name of Councillor

Councillor Mary Arnold

Date and Reason for Request - 3 September

- The proposed development in particular the lightwells will fail to preserve or enhance the character of the

street within the Conservation Area.

- The subject property contains a roof extension and the addition of basement is considered an overdevelopment of the site
- The building works will cause a detrimental impact on the long term structural stability of the neighbouring properties.

Details of any representations received

Yes - Objectors

RECOMMENDATION

Grant Consent

EXISTING

The site occupied by a mid terrace dwellinghouse, is located on Carlisle Road. Carlisle Road is located within the Queens Park Conservation Area. The forecourt is currently occupied by a 100% hard landscaping.

PROPOSAL

Please see above

HISTORY

A certificate of lawful development for a proposed single-storey side infill extension (Ref No: 06/1219) was deemed lawful on 27 June 2006. The site visit confirmed this extension was never built .

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with and replaces Planning policy Guidance and Planning Policy Statements with immediate effect. Its includes a presumption in favour of sustainable development in both plan making and decision making and its publication. It is considered that the saved policies referred to in the adopted UDP and core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings (page 15) are required. In addition, the NPPF refers to the role of Supplementary Planning Documents where they can help applicants make successful applications (par 153)

Accordingly, the policies contained within the adopted London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals

UDP 2004

BE2 - Townscape

BE9 - Architectural Quality

BE25 - Development in Conservation Areas

BE26 - Alterations & Extension to Buildings in Conservation Areas

Queens Park Conservation Area Design Guide

SPG5: Altering and extending your home

CONSULTATION

On 31 July 2012, 8 neighbouring properties were consulted. A site notice was placed outside the property on 1 August 2012 and a press notice was issued on 9 August 2012. The Council has received 16 objections, including one from the Queens Park Residents Association to date. These are outlined as:

- New basements will harm the structural stability of neighbouring properties
- The construction of basements and extensions will damage the character of the area
- The front lightwell fails to respect the character of the area, and in particular this street owing to the smaller houses and forecourts
- The excavations are not safe in the long-term especially if the basements become widespread
- The proposal will result in a form of over-development of the site, which will fail to respect the character

- of this well kept street
- The proposed Infill extension will result in a loss of natural light, increased pollution by artificial light and increase noise levels
- The lightwells will be visible after dark, resulting in light pollution
- No party wall agreement has been submitted
- The proposal will depreciate the value of neighbouring properties
- The new lightwell will draw negative attention to this part of the street.
- The building works will result in noise

The views of the 3 Councillors who have called in the application are set down at the start of this report.

Response

- Matters relating to party wall agreements and structural stability are not covered by the Town and Country Planning Act. The applicant will however be reminded of his/her duties to comply with Party Wall Act.
- The existing and proposed extensions are of a nature that have been carried out on numerous other domestic properties within the Borough and are not considered in themselves to constitute an over-development.

All other matters have been addressed in the body of this report titled 'Remarks' section

REMARKS

Basement and Impact on Conservation Area

The proposal is to create a basement area with three light wells to the front and rear of the dwellinghouse. The proposed non-habitable use of the space is shown on the submitted plans as including a TV room, playarea, utility area, shower and study/gym. Habitable space at basement level with limited outlook at light are not supported.

The new basement will mirror the footprint of the ground floor, including the infill extension to the rear of the property. The front light well would project 0.65m from the front of the bay window within the front garden which is a maximum of 3.5m deep and 2.65m at the bay window. To the rear, a form of lightwell is proposed with a depth of 0.8m. This lightwell will be covered with glass and grill, positioned flush with the ground. A third light well is proposed to the side return. At 0.8m again it is quite modest in scale so would not have a significant impact on the character of the property and garden.

The concerns expressed by the QPRA and other objectors are understood and the issues raised have been discussed in the past with a view to understand how future proposals may be dealt with consistently and appropriately in the Conservation Area. The principle of a basement is not objected to in adopted planning policy, it is felt important (as duly required by condition) that the company involved in the work be signed up to the Considerate Constructors Scheme to limit the impact on neighbouring occupiers during the development taking place.

Essentially, these seem to be two broad areas of concern. The first relates to practical matters such as construction disturbance, potential of future impact on the structural stability of adjoining properties, drainage matters etc. which would apply generally in the Borough, and across London. These are understandable concerns but are not areas which would it is considered sustain a reason for refusal on planning grounds.

Secondly, concerns relate to the character of the property and potential impact on the Conservation Area. If no lightwells were proposed this issue would not apply. Where proposed, the issue is to what extent does the creation of a void, its ground level treatment, its relative visibility from the street and neighbouring properties and any landscaping or design changes, have an impact on the character and appearance of the Conservation Areas.

Clearly, it is possible for these factors to have a negative impact and so fail to preserve or enhance. This is illustrated by a refusal in Queens Park at 4 Dunmore Road where the front garden was considered to be too small. It is true to say that the front garden here is smaller than the larger ones found at nearby Chevening Road, however it is still considered that the provision of a lightwell in the front garden can be successfully accommodated. Proposals have been approved in other examples where the front gardens tend to be bigger, including at 8 Milman Road and 13 Windermere Avenue in Queens Park, where forecourts are similar in size to the subject site.

The existing forecourt at 16 Carlisle Road currently contains 100% hard landscaping. This point is reinforced by the fact that officers have been keen to seek an improvement on its current arrangement to not only mitigate the impact of the lightwell but also importantly to improve the appearance of the site in particular and

streetscene in general. The forecourt will now contain a hedge behind the existing front and side boundary walls with a partially lawned forecourt and traditionally tiled footpath. Details of the forecourt including plant species and densities shall be secured by condition. The resulting improved forecourt, is considered to enhance the character of the Conservation Area and is therefore considered to be a welcome improvement.

Single Storey rear extension

Brent has an established approach to infill extensions, supported and approved by Members, so that modest extensions which relate well to the character of the subject property and do not harm neighbouring amenity are possible. The form of development which is considered acceptable is based on an angle set from a height of 2m (measured from neighbouring ground level) at the boundary line between buildings and a height of 3m at the flank wall of the subject property. A mono-pitch roof is then permitted to fall on or below this angle with the result that a simple and low roof form is created and the impact on light and outlook to the neighbouring occupier is minimal. This extension will be begun at a distance of 4m away from the inner rear wall creating a courtyard and will be no higher than 2m on the common boundary and no higher than 3m where the extension meets the main body of the house. The proposed extension is considered to comply with the Council's approach.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home

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

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 drawings:

Sheets 1 of 2
Sheets 2 of 2
Sheets 1 of 3
Sheets 2 of 3
Sheets 3 of 3

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

- (3) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Proposed details shall also include:

- Detail of any proposed hardstanding
- Specific detail of planting to forecourt

Such landscaping work shall be completed during the first available planting season following

completion of the development hereby approved. 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.

- (4) No development shall be carried out until what time as the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- (5) All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- (2) Whoever carries out the works is reminded of their obligation to comply in full with s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4 which states that Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of: Monday to Friday 08:00 to 18:00, Saturday 08:00 to 13:00 and at no time on Sundays or Bank Holidays.

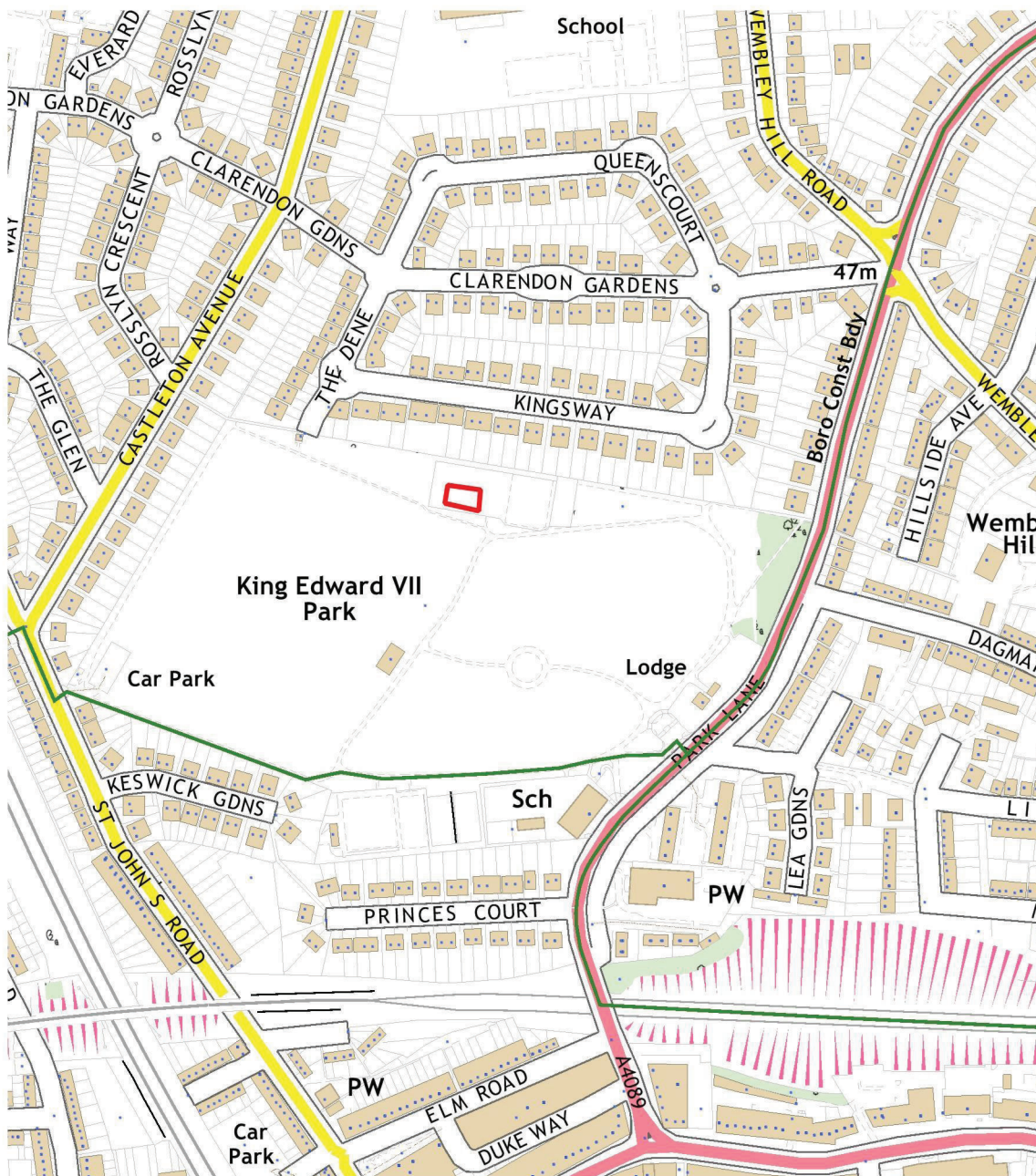
Any person wishing to inspect the above papers should contact Tanusha Naidoo, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5245



Planning Committee Map

Site address: King Edward VII Park, Park Lane, Wembley, HA9 7RX

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This map is indicative only.

RECEIVED: 11 July, 2012

WARD: Preston

PLANNING AREA: Wembley Consultative Forum

LOCATION: King Edward VII Park, Park Lane, Wembley, HA9 7RX

PROPOSAL: Installation of an outdoor gym area measuring 12 metres by 8 metres, into an existing area of parkland, west of the existing tennis courts.

APPLICANT: Sports and Parks Service

CONTACT:

PLAN NO'S:
(See Condition 2 for the approved plans)

RECOMMENDATION

Grant Consent

EXISTING

The application site is the King Edward VII Public Park, situated on Park Lane. It is designated as a public open space within Brent's Unitary Development Plan. The park is approximately 10.5 hectares in total and laid out for formal and informal recreation.

PROPOSAL

Installation of an outdoor gym area, measuring 12 metres by 8 metres, into an existing area of parkland, west of the existing tennis courts.

HISTORY

10/2740 – Approved at Committee

Erection of a Multi-Use Games Area to be located in the centre of the Park, with an approximately 3-metre-high surrounding fence and provision of 3 cycle stands

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

Brent's Core Strategy (July 2010)

CP18 Protection of Open Space
CP23 Protection of Community Facilities

Brent's Unitary Development Plan 2004

BE2 Townscape: Local Context & Character
BE4 Access for Disabled People
PS16 Cycle Parking Standards
OS8 Protection of Sports Ground

Main Considerations;

Impact on use of open space
Impact on existing sports provision
Visual impact on surrounding area
Impact on amenity of neighbouring occupiers

CONSULTATION

Twenty nine properties, all on Kingsway were notified of the proposal by letter on 7 August 2012.

A letter of objection has been received from 49 Kingsway, signed by nine other properties, all residents of Kingsway.

The main grounds for objection are as follows:-

1. The proposal will increase noise pollution to houses on Kingsway, adding to the problems already caused by tennis courts and people playing football close by.
2. The outdoor gym will result in loss of privacy, peace and quietness to the area.
3. Will lead to anti-social behaviour increase the levels of crime.
4. No security measures are proposed, this poses serious security issues.
5. There are health and safety issues to consider as people will be using the equipment without supervision.
6. The Borough already has an adequate number of gyms and such facilities to cater for the public demand.
7. The gym equipment would be better positioned centrally in the park, so it would reduce the potential for noise affecting residents.

A second letter of objection mistakenly thinks that the proposal would result in the loss of existing tennis courts. This is not the case, the outdoor gym will be sited alongside the courts and there will be no reduction in court provision.

Landscape Design:- No objection raised.

REMARKS

Site Context and Surroundings

This application seeks planning permission for an outdoor gym area within the King Edward VII Park. The park can be accessed from Park Lane and St Johns Road with footpaths running through the park. The park currently has football pitches, tennis courts, a children's play area and a multi use games area (MUGA) was approved recently. There is also a pavilion and a band stand, both are located in the centre of the park and all these mentioned facilities will remain unaffected by this proposal.

The surrounding uses are entirely residential to the north, east, south and west. Park Lane Primary School does border the park to the south side.

The proposed outdoor gym area will be located towards the northern edge of the park, and immediately to the west of the existing tennis courts. Footpaths run to the south side of the proposed equipment area. This location has been specifically chosen as it close to existing formal sports and play equipment.

The proposed installation is one of a number of similar proposals by Sports and Parks Service across the Borough. Similar installations are being considered at Gladstone Park, Roe Green Park and Aylestone Avenue Open Space. if these prove to be popular then the intention is to roll these out across other sites in the Borough.

Proposal and layout

This proposal entails laying of 'safer surfacing' a type of artificial surface used commonly in children's playgrounds. This will cover an area measuring 12m by 8m. In total 14 pieces of individual equipment are proposed to be installed. The equipment to be provided is similar to what you would find in traditional indoor gym, with a mixture of cardio-respiratory fitness machines and resistance machines.

No fencing or floodlighting is proposed around the equipment area.

Use of the proposed facilities

The addition of an outdoor gym at King Edward VII Park would increase and improve the recreational activity on offer to the local community and will also offer facilities to a wider age and user group to include those with disabilities. This will enhance the sports offer by increasing the facilities available to residents, free of charge.

Landscaping

There are no landscaping proposals as part of this submission, neither will the installation of the equipment result in the loss of any existing landscaping features, other than a relatively small area of grass. No trees will be affected.

Access

Access to the outdoor gym will be level from the adjacent footpath, and will be accessible to all.

Floodlighting

The applicant has stated that there is no proposal to floodlight the area. This is to minimise recreational noise during hours of darkness.

Transportation

It is not anticipated that the provision of this equipment will have any material impact on levels of parking or traffic visiting the park.

Impact upon residential amenity

The location of the outdoor gym maintains a distance of 26m from the back edge of gardens, to the closest properties on Kingsway. Its also worth noting that this location is further away from gardens than the existing tennis courts. Given that no floodlighting is proposed, and the generous distance from the boundary it is not considered that the outdoor gym is likely to have any more of a noticeable impact on adjoining residents than the existing tennis courts and children's play equipment, both located at this end of the park.

The absence of floodlighting will ensure that the outdoor gym equipment will not get used during the hours of darkness, thus avoiding late night use.

The outdoor gym is to be visible to people passing through the park and close to existing footpaths. This will allow natural surveillance of this space from users of the park, and those passing through it.

Response to objections received

1. *The proposal will increase noise pollution to houses on Kingsway, adding to the problems already caused by tennis courts and people playing football close by.*

As discussed above this equipment will be sited 26m away from the back edge of gardens and approximately 48m away from the closest property on Kingsway. With such generous separation distances it is not considered that the equipment is proposed in a location that will cause noise pollution and disturbance for nearby residents. In the absence of floodlighting then it follows that the equipment would only have the potential to be used during hours of daylight, thus avoiding any potential late night use.

2. *The outdoor gym will result in loss of privacy, peace and quietness to the area.*

The installation of the equipment will not result in overlooking of properties and Officer's do not share concerns that it will result in a loss of privacy. There may be noise associated with its use, such as people talking and raised voices but this is no different to what you would expect to experience from other park facilities. This is all part and parcel of people enjoying their visit to the park, and is not expected to be of a degree that it will harm the amenity of nearby residents.

3. *Will lead to anti-social behaviour increase the levels of crime.*

There is no evidence to suggest this will lead to an increase in crime in the area.

4. *No security measures are proposed, this poses serious security issues.*

This is not something one would normally expect to see associated. Other park facilities such as tennis courts, children's play equipment and MUGA's are un-supervised and this equipment would not be treated any differently. Park Wardens would be on patrol at various times and would be responsible for opening and closing the park, but essentially this does not require supervision.

5. *There are health and safety issues to consider as people will be using the equipment without supervision.* See comments above. Furthermore as stated in the D&A it is expected that the Sport Development Team in the Council's Sports and Parks Service will be able to provide structured sessions as part of physical activity programmes.

6. *The Borough already has an adequate number of gyms and such facilities to cater for the public demand.* Many of these are members only gyms that require monthly subscription. This facility is offering Brent residents something different and free of charge. Indeed it is something Brent Sports and Parks Service are rolling out across a number of Brent Parks. Four sites have been chosen initially, and if these prove to be popular the intention is to roll this out across more sites.

7. *The gym equipment would be better positioned centrally in the park, so it would reduce the potential for noise affecting residents.*

For the reasons discussed above Officer's are comfortable that the chosen location is far enough away from

the closest gardens, and from the closest property so as not to cause noise disturbance. It is a logical position close to the other park facilities and equipment.

Summary

The proposal accords with policies in the UDP (2004) and Core Strategy, is an appropriate use of public open space, will not result in the loss of formal sports pitches, will not be harmful to the visual amenity of the area, will enhance the existing sports offer in this locality. and is far enough away so as not to have an unacceptable impact on the amenity of nearby residents.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004

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
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

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):

Location existing
Location proposed
Gold Gym equipment sheet
Design & Access Statement

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

- (3) No security or floodlights shall be erected around the equipment area without the submission of full details to, and written approval from the Local Planning Authority.

Reason: in the interest of safeguarding local amenity and the character of the Public Open Space.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Gary Murphy, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5227

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Planning Committee Map

Site address: 7A Abbey Manufacturing Estate, Mount Pleasant, Wembley, HA0 1RS

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This map is indicative only.

RECEIVED: 11 July, 2012

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: 7A Abbey Manufacturing Estate, Mount Pleasant, Wembley, HA0 1RS

PROPOSAL: Proposed change of use of Vehicle Repair Garage (Use Class B2) to include mixed use MOT Testing Centre (Use Class Sui Generis)

APPLICANT: Mr Hadi Abid

CONTACT: VARCH

PLAN NO'S:
(See Condition 2 for the approved plans).

RECOMMENDATION

Grant consent.

EXISTING

The subject site is located within Abbey Manufacturing Estate, Mount Pleasant. Much of the estate is used for motor repairs, MOT testing stations and other associated vehicle operations.

The site is currently within use class B2 and is used for vehicular repairs. The site does not benefit from any external yard for the storage of vehicles awaiting repair or collection. The unit has the benefit of one dedicated parking space located opposite the entrance to the building as well as two parking permits for parking elsewhere within the site.

PROPOSAL

Proposed change of use of Vehicle Repair Garage (Use Class B2) to include mixed use MOT Testing Centre (Use Class Sui Generis).

HISTORY

There is no relevant planning history.

POLICY CONSIDERATIONS

Brent's Core Strategy 2009

CP20 Strategic and Borough Employment Areas

Brent's Unitary Development Plan 2004

TRN22 Parking standards – non-residential development

TRN34 Servicing in New Development

EMP13 Bad-neighbour Uses

EMP18 General Industrial Developments

Main Considerations

- Principle of use
- Impact on parking and servicing arrangements

Impact on neighbouring properties

CONSULTATION

Seven properties were notified regarding the proposal.

Four submissions have been received in opposition to the proposal from unit 3, unit 7c, unit 9d and 4-6 Abbey Manufacturing Estate. The submissions have been summarised as follows:

- There are already five MOT testing stations in the estate. This is far too many and another one is not

- required.
- There are already parking, traffic, noise and car pollution problems at the estate because of the number of MOT testing stations.
- The income of existing MOT stations at the estate will be reduced by the establishment of an additional testing station.

The Council's Transportation Department has not raised any objections to the proposal. The comments made by Transportation are included within the assessment below.

REMARKS

Details of proposal

The site is currently used for carrying out vehicle repairs, and falls within the B2 Use Class. It is proposed to install a MOT testing station bay (Use Class *Sui Generis*). This would give the building a mixed B2 (vehicle repair) and *Sui Generis* (MOT Testing) use. The MOT Testing bay is intended to be suitable for Classes 1, 2 and 4 (cars and motorbikes).

Vehicle access to the building is gained via a door on the eastern elevation. There is one dedicated parking bay for the use of this unit only located opposite the door. The property also holds two permits for additional parking within the estate.

The only external alteration proposed for the building is to enlarge the door from 3.0m high by 3.1m wide to 3.6m high by 5.3m wide. This will allow easier ingress and egress to the building.

Internal changes will see the two existing car lifts relocated in order to provide space for an MOT testing bay. The ground floor office space at the rear of the building will be reduced in size and the stairs will be relocated. A new reception and waiting area will be constructed adjacent to the entrance. The mezzanine floor, which currently provides office space, is to be reduced in size and will be used for staff facilities.

Principle of use

The introduction of MOT Testing can be considered acceptable in this location, an industrial estate, as it is not noticeably different to the existing vehicle repair garage (B2) use. The appropriateness of the MOT use in this location is further demonstrated by the high number of existing MOT garages within the estate.

Impact on parking and servicing arrangements

The present level of B2 floorspace at the site is approximately 180m². Parking standards for this use are set out in PS6 of the UDP, whereby outside of town centres and locations where PTAL ratings are high, parking can be permitted at a rate of one space per 150m². This means that a maximum of one car parking spaces should be allowed. There are no specific car parking standards for *Sui Generis* uses, but since the proposed use differs little in nature to the existing, it seems reasonable to expect a similar car parking standard to be applied. The premises will offer a single MOT testing bay and so this is acceptable.

In addition B2 uses have servicing requirements which are set out in PS19 of the UDP. Under these, units of 100m² to 280m² require a loading bay suitable for an 8m rigid vehicle. Again, no specific standard applies to *Sui Generis* uses but as before the same provisions are considered appropriate by the Council's Transportation Department. Since the interior of the building will need to be kept clear for the actual use, loading will need to take place from the estate access road. The road has a width of 6m to the north-east of the application site and 6.75m to the south of the application site. As such it is possible for vehicles to stop within the access road while allowing other traffic to pass in safety, and this is how the majority of the manufacturing estate appears to operate in practice.

PS19 also specifies that B2 car repair garages must provide space for vehicles awaiting repair or collection, at a rate of one space per bay. Applying this standard once again for the proposed *Sui Generis* use seems reasonable. The applicant has specified on the submitted plans that the business has access to estate parking permits which can be used for vehicles awaiting servicing or collection, and so this too is acceptable.

There is sufficient room within this warehouse-type building to accommodate staff bicycles if desired, in order to comply with policy TRN11 and parking standard PS16 of the UDP.

Details of refuse and recycling arrangements will be sought via condition, as these are absent from the proposal.

Overall, there are no Transportation objections subject to a condition requiring details of refuse and recycling storage and collection arrangements, in compliance with policy TRN34 of the UDP.

Impact on neighbouring properties

The premises are bordered on all sides by industrial premises, including a number of vehicle repair related businesses. The noise related impacts from the proposal would not be out of character with the existing use, or the surrounding area.

The main concern is how the proposal will impact on parking and vehicle access around the estate and to and from nearby units. As outlined above, the Council's Transportation Department has considered such possibilities and has not raised any objections to the proposal, given the small scale of the proposed activity and its similarities to the current use on the site.

Overall the proposed use is considered to be in line with policy EMP13 Bad Neighbour Uses of the UDP, as the MOT testing station will not seriously inhibit the amenities of neighbouring occupants, all of which are businesses of a similar industrial nature.

Other matters raised within objections

The four objections received in response to the proposal all raised trade competition matters. The number of MOT testing stations in the estate and whether the income of existing testing stations will be impacted by the proposed use are not material planning considerations and as such cannot be considered in the assessment of the planning application.

Conclusion

The principal of the change of use from a vehicle repair garage (Use Class B2) to include MOT testing (Use Class Sui Generis) can be supported as it is in line with similar existing uses within the estate, adequate parking and servicing for the proposal can be provided and there will be no adverse impact on neighbouring properties, the majority of which are used for similar car vehicle activities. The proposal is consistent with the relevant policies of Brent's Core Strategy 2009 and Brent's Unitary Development Plan 2004. As such it is recommended that the proposal be approved subject to the imposition of suitable conditions.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-
 - Brent's Core Strategy 2009
 - Brent's Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

- Employment: in terms of maintaining and sustaining a range of employment opportunities
- Transport: in terms of sustainability, safety and servicing needs

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):
 - VP/HA0/0179, revision 01, dated 07/07/2012.

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

- (3) The premises shall only be used for MOT testing of vehicles within VOSA Classes 1, 2 and 4, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Due to the site access constraints and to ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways.

- (4) Details of adequate arrangements for the storage and disposal of refuse and recyclable material shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to commencement of the use hereby approved.

Reason: To ensure appropriate servicing of the property in accordance with policy TRN34 of the UDP.

INFORMATIVES:

- (1) Thames Water advise that petrol/oil interceptors be fitted in all car parking/washing repair facilities.

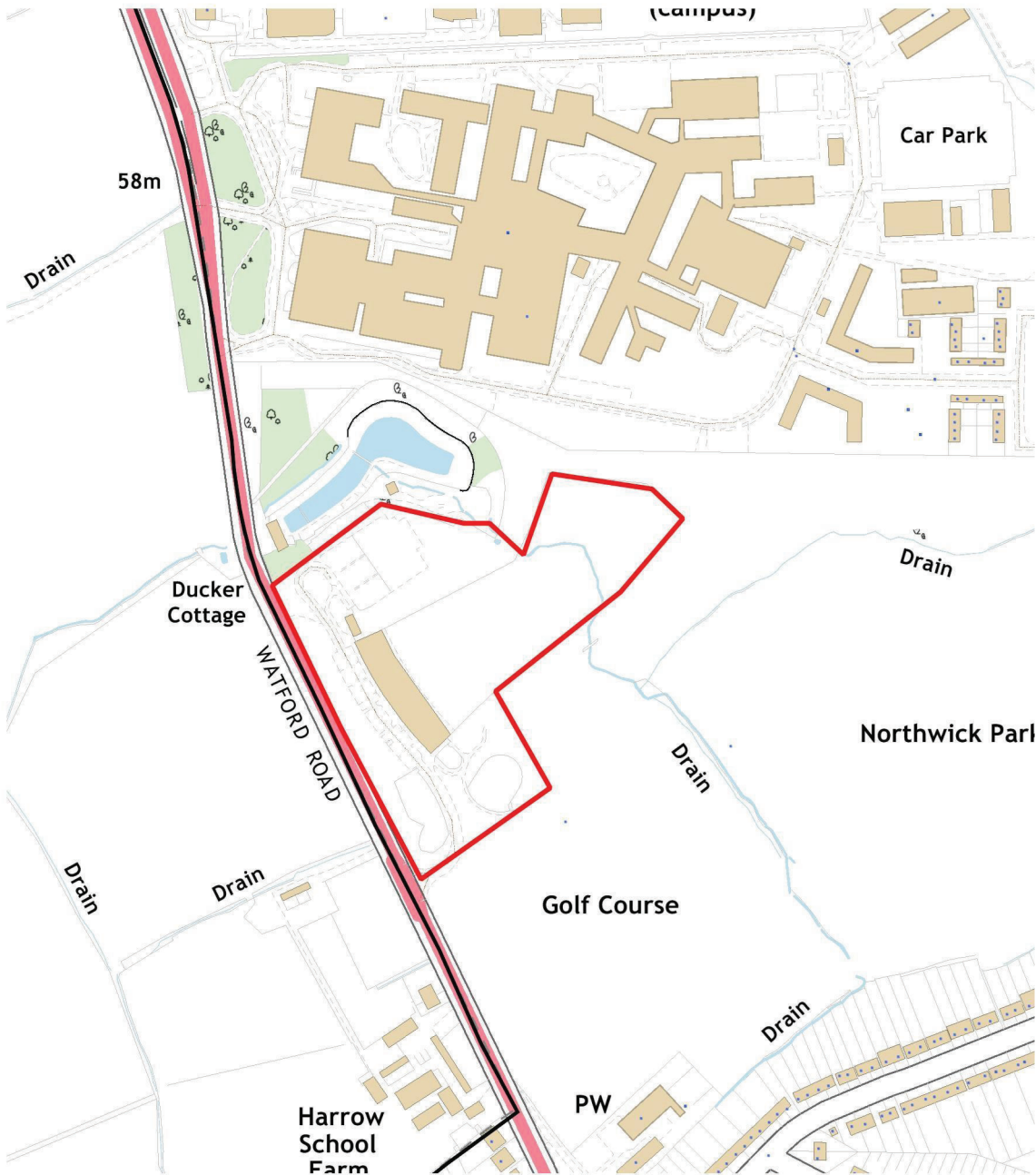
REFERENCE DOCUMENTS:

Brent's Core Strategy 2009
Brent's Unitary Development Plan 2004

Any person wishing to inspect the above papers should contact Hannah McCashin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 2707

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	Planning Committee Map
Site address: Northwick Park Golf Course, Watford Road, Harrow, HA1 3TZ	
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This map is indicative only.

RECEIVED: 21 May, 2012

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: Northwick Park Golf Course, Watford Road, Harrow, HA1 3TZ

PROPOSAL: Reinstatement of public right of way (PROW 34) across the driving range, including raising a protective embankment along one side of the footpath and the installation of protective netting over the footpath.

APPLICANT: Leisure Golf Ltd

CONTACT:

PLAN NO'S:
See condition 2

RECOMMENDATION

Grant Consent

EXISTING

See report for 12/0316 on this committee agenda.

PROPOSAL

Reinstatement of public right of way (PROW 34) across the driving range, including raising a protective embankment along one side of the footpath and the installation of protective netting over the footpath.

HISTORY

See report for 12/0316 on this committee agenda.

POLICY CONSIDERATIONS

See report for 12/0316 on this committee agenda.

CONSULTATION

No objections have been received to this application.

Two letters of support have been received from local residents provided that the cost of reinstating the right of way is met by the applicant rather than the Council and suggesting some amendments to the proposal.

Letters of support have also been received from the Open Space Society and the Ramblers Association.

REMARKS

This site is located on the eastern side of Watford Road (a London distributor road).

Planning permission was granted in May 2001 for a new driving range, 9-hole golf course and clubhouse building on the site (ref: 99/2397), with associated parking and servicing and a new vehicular access from Watford Road. The facility opened in early 2006.

However, the driving range as approved extended across a pre-existing public footpath (Public Right of Way 34) connecting Norval Road with Watford Road (just south of Northwick Park Hospital). As such, the proposal involved the realignment of the footpath eastwards in order to skirt the driving range course.

Due to public opposition to the realignment of the footpath, this application seeks to reinstate the public right of way along its original course across the driving range. In order to ensure this is done in a manner that is safe for footpath users, the path will be sunk into the ground by up to 1m in depth, with the excavated material then placed on the clubhouse side of the path in order to further conceal the footpath from view. Nylon netting to a height of 2.5m and curving over the top of the footpath will also be mounted on steel posts

behind a 250mm sleeper base to prevent golf balls landing on the footpath. The ground on the eastern side of the footpath will be kept to a gradient of 1:3, to allow pedestrians to leave the footpath in an emergency.

The path itself will be formed using Type 1 hardcore, with a lateral drain running the length of the path to collect rainwater and channel it into the adjoining stream.

The proposed design of the footpath and the safety netting has been the subject of extensive discussions with the Highway & Transport Delivery Unit's public rights of way officer and has thus been approved in principle. The design will allow the footpath to be reinstated in a safe manner along its original more direct route across the site, which is welcomed.

The proposed surfacing materials and drainage arrangements are fine and the retention of open access along its eastern side to allow pedestrians to leave the footway at any point in an emergency is also welcomed.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

Brent's Core Strategy 2010
Brent Unitary Development Plan 2004
London Plan 2011

CONDITIONS/REASONS:

(1) The development to which this permission relates shall be fully implemented within 6 months of 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):

JEGD.PNP.01-002
JEGD.PNP.01-003

Design & Access Statement PROW 34

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

(3) Once the works to reinstate the right of way have been completed the new path shall be maintained in accordance with approved details to the satisfaction and shall remain open and free of obstruction to members of the public at all times except for essential maintenance the times for which shall be agreed in advance by the Council in writing.

Reason: To ensure the public right of way remains fully open to the public at all times.

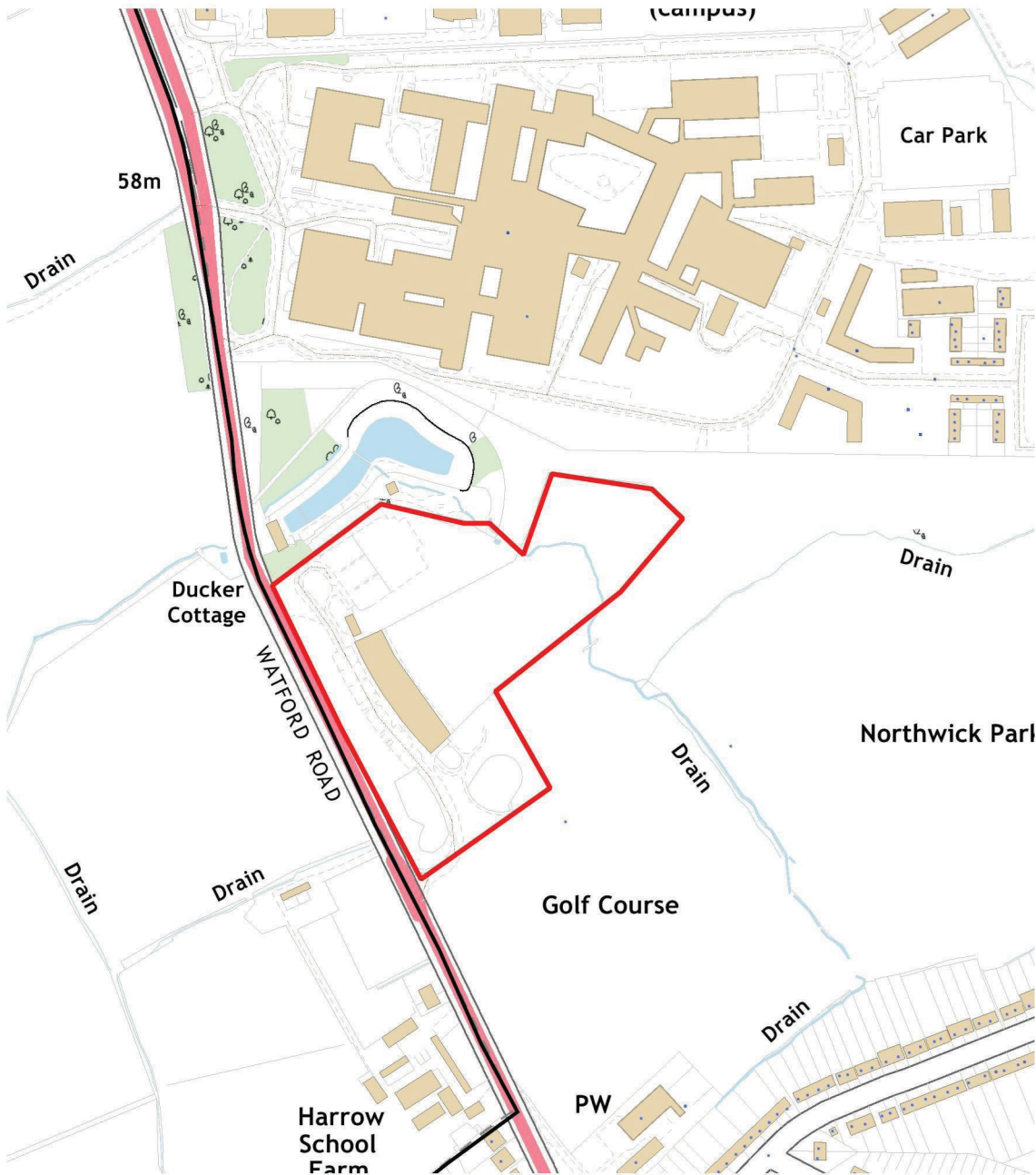
INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Neil McClellan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5243

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	Planning Committee Map
Site address: Northwick Park Golf Club, 280 Watford Road, Harrow, HA1 3TZ	
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This map is indicative only.

RECEIVED: 11 May, 2012

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: Northwick Park Golf Club, 280 Watford Road, Harrow, HA1 3TZ

PROPOSAL: Details pursuant to condition 6 (details of landscaping) and condition 15 (landscape management plan) of full planning permission 06/0768 dated 22/12/2006 for Retention and modification of hard surface and lighting to the north of the clubhouse to create an overflow car-park for 40 cars and a grassed area of special-events parking, with two lighting columns and associated landscaping.

APPLICANT: Playgolf London

CONTACT:

PLAN NO'S:
Existing Planting Plan
Proposed Planting Plan
Planting Schedule Revised Nov 2011

RECOMMENDATION

Grant Consent.

EXISTING

See report for 12/0316 on this committee agenda.

PROPOSAL

Details pursuant to condition 6 (details of landscaping) and condition 15 (landscape management plan) of full planning permission 06/0768 dated 22/12/2006 for Retention and modification of hard surface and lighting to the north of the clubhouse to create an overflow car-park for 40 cars and a grassed area of special-events parking, with two lighting columns and associated landscaping.

HISTORY

See report for 12/0316 on this committee agenda.

POLICY CONSIDERATIONS

See report for 12/0316 on this committee agenda.

REMARKS

The following details are submitted for approval:

Materials - Condition 6 (details of landscaping) of application 06/0768

Landscaping - Condition 15 (landscape management plan) of application 06/0768

Further amendments have been agreed to the landscaping details of which shall be presented to members in a supplementary report.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

Brent's Core Strategy 2010
Brent Unitary Development Plan 2004
London Plan 2011


CONDITIONS/REASONS:

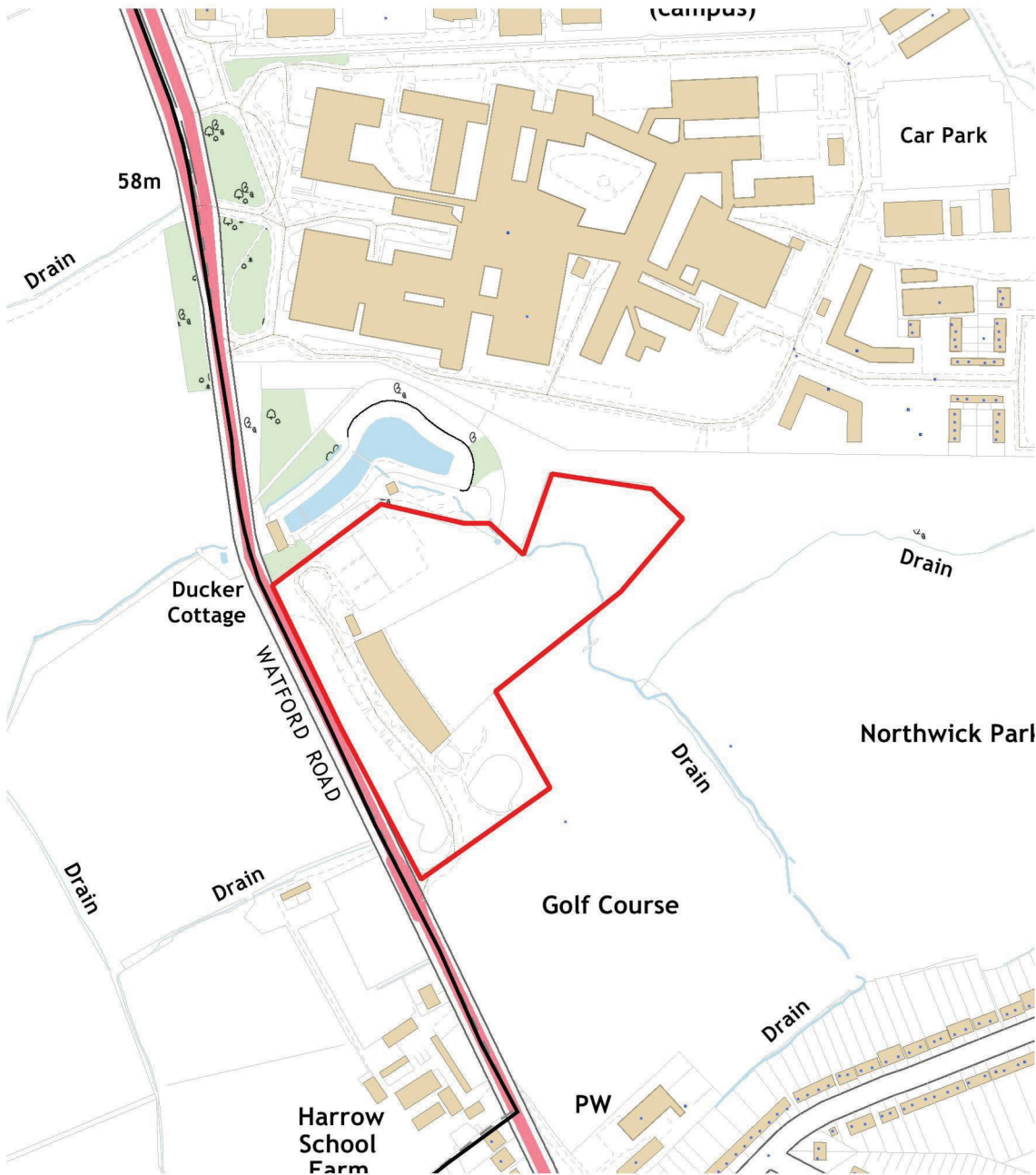
INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Neil McClellan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5243

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	Planning Committee Map
Site address: 280 Watford Road, Harrow, HA1 3TZ	
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This map is indicative only.

RECEIVED: 29 August, 2012

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: 280 Watford Road, Harrow, HA1 3TZ

PROPOSAL: Submission of details pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking.

APPLICANT: Northwick Park Playgolf

CONTACT: Maven Plan

PLAN NO'S:
557/18 - Proposed Landscape Plan
Special Events Schedule and Management Plan

RECOMMENDATION

Grant Consent

EXISTING

See report for 12/0316 on this committee agenda.

PROPOSAL

Submission of details pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking.

HISTORY

See report for 12/0316 on this committee agenda.

POLICY CONSIDERATIONS

See report for 12/0316 on this committee agenda.

REMARKS

The following details are submitted for approval

Materials - Condition 3 of application 06/0768

The patchy areas of the existing overflow car park will be top-soiled and re seeded to provide a grass surface throughout. This work shall be carried out within 3 months of the condition being discharged.

Landscaping - Condition 4 of application 06/0768

The 8 existing Prunus Avium trees along the southern side of the car park are maturing well. The 5 Avium trees along the North side will be replaced in the autumn along with 6 new Alnus Avium trees in the planting bays. The hedge that has died will also be replaced. To help with the survival rate we will add topsoil with each tree. They will also be maintained to a higher standard than the previous trees. The planting that was carried out last year around the baseball cage is proof of the improved maintenance.

Car Park management - Condition 6 of application 06/0768

The Special Events Car Park is managed by a gate that is locked at all times apart from when in use. The schedule below details the maximum number of events that are to take place during any given year. As

noted, there will be a maximum of 24 events per year with a maximum of 3 events per month during the summer months and a maximum of 1 event per month during the winter.

The applicants have agreed to a number of amendments. These include installation physical measures to prevent cars from mounting access road kerbs in order to prevent car parking these areas and extra tree planting and other additional landscaping. The details of these amendments will be reported in a supplementary report.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

Brent's Core Strategy 2010
Brent Unitary Development Plan 2004
London Plan 2011


CONDITIONS/REASONS:

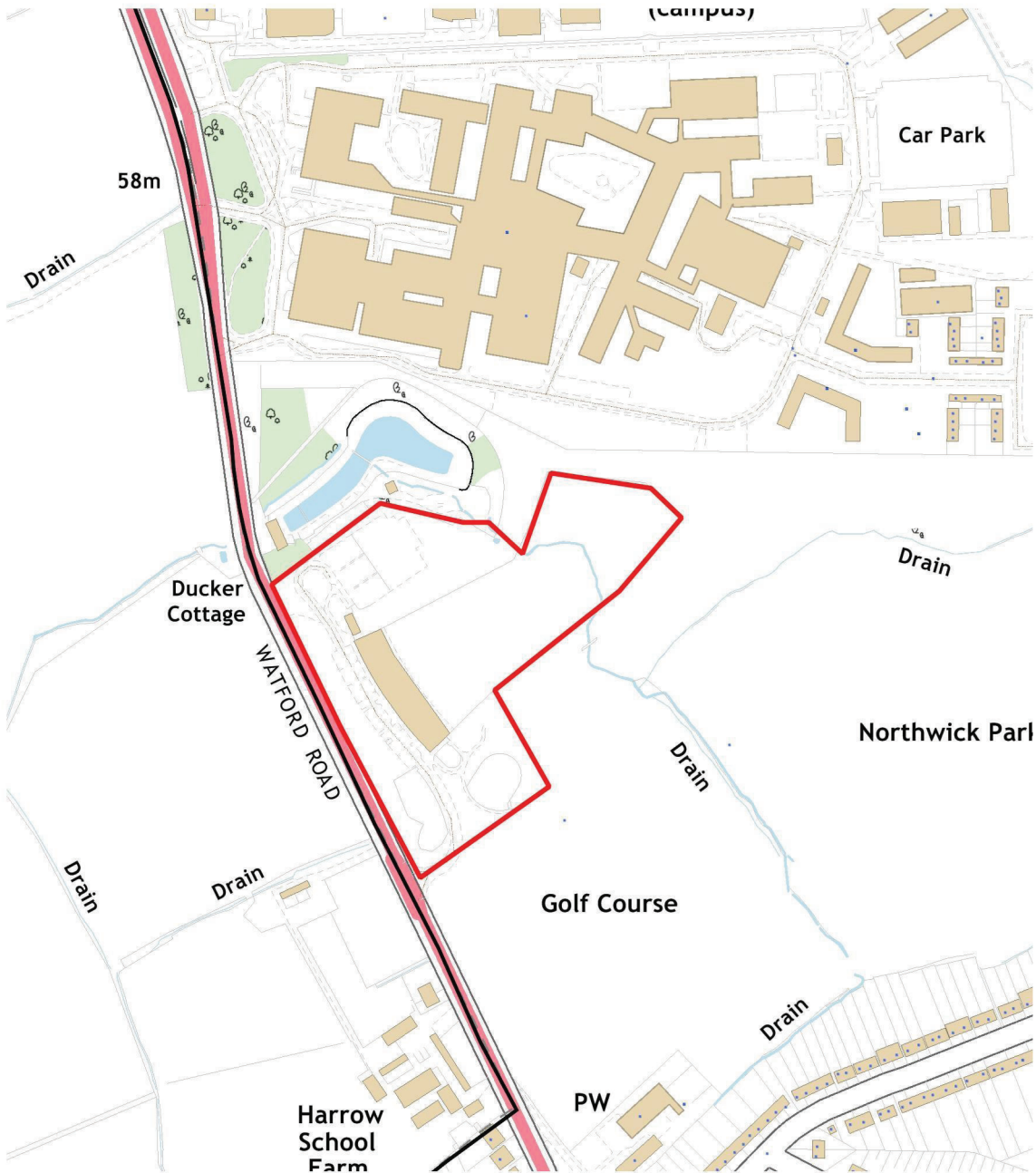
INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Neil McClellan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5243

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	Planning Committee Map
Site address: 280 Watford Road, Harrow, HA1 3TZ	
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This map is indicative only.

RECEIVED: 8 February, 2012

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: 280 Watford Road, Harrow, HA1 3TZ

PROPOSAL: Internal and external works to the existing golf centre building to enable part of the ground floor to be used as a cafe.

APPLICANT: Play Golf Northwick Park

CONTACT: Maven Plan Ltd

PLAN NO'S:
See condition 2

RECOMMENDATION

Grant consent

EXISTING

Playgolf Northwick Park is a golf centre (6-hole golf course with associated driving range) situated on Northwick Park, accessed off Watford Road. Northwick Park is designated in the UDP as Metropolitan Open Land (MOL), a site of nature conservation importance, and public open space.

There is also an adventure (mini) golf course and a baseball batting court on the site, along with associated access roads and parking areas, a drainage ditch and ponds (water hazards) and maintenance areas.

The golf centre has an existing two-storey clubhouse. The upper level comprises a lobby, restaurant (396sqm) and golf shop (478sqm) while the lower level has a gym (392sqm), meeting rooms and associated staff and storage areas. Along the eastern side of the building are two levels of covered driving bays which open out onto the netted floodlit driving range.

PROPOSAL

Internal and external works to the existing club house building to enable part of the ground floor to be used as a cafe.

HISTORY

The golf course and driving range is located on former playing fields owned by the Council and Brent remains the freeholder of the land. Planning permission for a golf course was first granted in 1993.

In 2001 planning permission was granted for the construction of a golf centre comprising a two-storey clubhouse, floodlit driving rang, new 9-hole golf course and ancillary fencing, landscaping, car-parking and access roads (Planning Ref: 99/2397).

The new golf centre was opened in 2005 by Play Golf Ltd. However, the development was not carried out entirely in accordance with the terms of the planning permission. Additional uses and development had taken place beyond what had been approved in 2001 permission. These included the inclusion of additional uses within the building (restaurant, shop, gym, conference facilities), the provision of a baseball batting cage, an overflow car park and a mini golf course (Adventure Golf) and the erection of higher than originally approved net fencing around the driving range. The golf course had also been laid as a 6-hole rather than 9-hole course. A number of enforcement actions and planning applications followed seeking to regularise the situation.

Permission to retain the adventure golf facility (Ref: 06/0769) and the overflow car park (Ref: 06/0768) was approved by the Council in 2006. Permission to retain the higher safety netting around the driving range was approved in 2007 (Ref: 07/0172). The Council refused permission for the retention of the baseball batting cage but this decision was later overturned by the Planning Inspectorate in 2007 following an appeal (Ref:

06/0762). Permission for the retention of the gym (Ref: 07/2630) was granted in 2008 and retention of the restaurant (Ref: 07/2629) in 2009.

The golf centre was bought by Leisure Golf Ltd in 2010.

The most recent planning decisions relating to this site are set out below:

- | | |
|------------|---|
| 29/08/2012 | Details submitted pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking (Ref: 12/2110 - recommended for approval on this committee agenda). |
| 21/05/2012 | Planning application submitted for the reinstatement of public right of way (PROW 34) across the driving range, including raising a protective embankment along one side of the footpath and the installation of protective netting over the footpath (Ref: 11/3341 - recommended for approval on this committee agenda). |
| 11/05/2012 | Details submitted pursuant to condition 6 (details of landscaping) and condition 15 (landscape management plan) of full planning permission 06/0768 dated 22/12/2006 for Retention and modification of hard surface and lighting to the north of the clubhouse to create an overflow car-park for 40 cars and a grassed area of special-events parking, with two lighting columns and associated landscaping (Ref: 12/1215 - recommended for approval on this committee agenda). |
| 22/09/2011 | Details approved pursuant to part of condition 2 (green roof- materials) (Ref: 11/1970). These details were submitted following an enforcement investigation (Ref: E/11/0504). |
| 27/05/2011 | Details approved pursuant to conditions 1(i)(d) (paint floor of baseball cage) (Ref: 11/0628). |
| 11/04/2011 | Details approved pursuant to conditions 6 (details of landscaping) and 15 (landscape management plan) (Ref: 11/0420). |
| 30/07/2009 | Breach of condition 9 of planning permission reference number 99/2397 which required that the driving range and flood lights not be used before 0700 hours or after 2200 hours on any day, apart from one floodlight which may be used up until 2230 hours to aid ball collection. (Ref: E/07/0804). After repeated evening visits by members of the Council's planning enforcement team it was agreed that the breach had ceased. |
| 01/05/2008 | Planning permission granted for the retention of existing gymnasium at the Playgolf Northwick Park Golf Centre (Use Class D2) (Ref: 07/2630). |
| 24/04/2009 | Planning permission granted for the retention of existing restaurant (Use Class A3) subject to a Deed of Agreement dated 22nd January 2009 under Section 106 of the Town and Country Planning Act 1990, as amended (Ref: 07/2629). |

POLICY CONSIDERATIONS

The relevant planning policies are set out under the Brent Core Strategy (2010) and the saved policies of the Brent Unitary Development Plan (2004), as summarised below:

Brent Core Strategy (2010).

- CP1 Spatial Development Strategy
CP18 Protection and Enhancement of Open Space, Sports and Biodiversity

Brent Unitary Development Plan (2004)

- BE1 Urban Design Statements
BE2 Townscape: Local Context and Character
BE9 Architectural Quality
EP2 Noise & Vibration
TN22 Parking Standards – Non-Residential Developments
TRN34 Servicing in New Development
OS1 Designation of MOL
OS2 Acceptable Uses in MOL
OS3 Development on MOL
OS6 Public Open Space
OS12 Development on Sites of Borough Grade 1 Nature Conservation Importance
OS15 Species Protection

The London Plan (2011)

- Policy 2.18 Green infrastructure: the network of open and green spaces
Policy 3.16 Protection and enhancement of social infrastructure
Policy 3.19 Sports facilities
Policy 7.17 Metropolitan Open Land
Policy 7.18 Protecting local open space

CONSULTATION

Local residents and businesses:

4 objections have been received from local residents and users of the golf course. The concerns raised are summarised as follows:

- Non-golfing use no longer the pre-dominant use and the building has become substantially retail in nature which is not appropriate on Metropolitan Open Land and Public Open Space.
- This is a further intensification of the use and will generate additional traffic and demand for car parking that cannot be accommodated within the existing car-parking areas.
- This proposal will add to the existing problem with food refuse generated by the existing restaurant.
- If granted the cafes opening times should be restricted to only those times that the driving range and golf course is open. It should not be allowed to open when the existing restaurant is open.
- The existing restaurant already has an area set aside as a cafe which contradicts the applicant's planning statement inference that the restaurant only caters for formal meals.
- The continued failure of the Golf course operators to comply with outstanding conditions and other breaches of control such unauthorised signage and overspill parking by the side of access roads.

An objection has also been received from Harper Planning Consultants Ltd on behalf of Blue Ginger Bar and Restaurant Ltd who operate the existing restaurant on the site. Their concerns are summarised as follows:

- Under the terms of their lease agreement with Playgolf Northwick Park Ltd the operators of the existing restaurant have exclusive rights to be the sole caterers in respect of the application building and that no other caterers are permitted to use any part of the building.
- They also wish to point out that, contrary to the assertions made in the applicant's Planning Statement, there are existing informal dining facilities on the premises.
- Permission was only granted for the existing restaurant on the basis that it was small in scale and required to preserve or enhance activities associated with the golf course.
- It has been established by relevant case law that planning permission should only be granted if there

is a 'reasonable prospect of the development being implemented. Since Blue Ginger Bar and Restaurant Ltd has exclusive rights to operate catering facilities in the building and already provides refreshment facilities to serve the needs of the primary use, the additional café is not necessary and would be contrary to the development policies seeking to protect Metropolitan Open Land.

- The issue of pre-emption may be a material consideration when assessing applications for competing uses. The issue of the timing of decisions taken on rival applications was considered in *Chieftain Construction Ltd v Liverpool City Council* 27/03/06, which established that where similar planning applications on differing sites come forward at different times and where there is only scope for one permission in a local area due to other policy constraints, the development control system should operate on a "first come-first served" basis.
- The previous application granted permission for the existing restaurant on the basis that the use was an ordinarily incidental use of the golf centre that would be unlikely to attract further clientele or create a significantly greater parking demand or transport effects.
- The applicant has provided no evidence to support the assertion that the existing facilities are insufficient to meet the needs of the golf centre. The proposed additional catering are not necessary nor would these facilities be wholly ancillary to the golf centre use, and as such the proposals are contrary to development plan policies seeking to protect MOL.
- The proposed catering facilities will attract additional passing trade and contrary to the assertions in the applicant's Planning statement that there is surplus capacity in the existing car park the objector maintains that parking demand exceeds existing provision and that, on occasions, there is no spare car parking capacity leading to car parking on the access road. The proposals will inevitably generate some additional parking demand from passing trade – this demand cannot be accommodated within the existing car parking provision and may result in further inappropriate overspill parking on the access road contrary to highway safety. Incidental ad hoc car parking will also detract from the character and visual quality of the MOL.
- UDP policy TRN1 requires developments having a potentially significant impact on the transport network should be accompanied by a Transport Assessment (TA). This should incorporate proposed traffic reduction measures by the developer (e.g. Green Transport Plan). In this case, the applicant has not submitted a TA nor has a Green Transport plan been submitted with the application. Planning permission should not be granted in the absence of such information to ensure that there is no adverse impact on the highway safety.
- The proposed drawings do not show the existing restaurant entrance door this amendment to the layout has not been agreed by the operator.

A letter of support has been received from a local resident.

Brent's Highway and Transport Delivery Team

Car parking consists of 60 spaces within the main car park to the front of the site, plus an additional overspill parking area for about 50 cars at the northern end of the building, accessed via a priority left-in/left-out junction onto Watford Road.

This application proposes internal alterations to the layout of the clubhouse to accommodate a café with seating for about 70 patrons, partly through the more efficient use of space and partly through a reduction in the size of the golf shop to 397m². No alterations to access or parking are proposed.

On-street parking along Watford Road is prohibited at all times, with the road consequently being generally lightly parked. Public transport access to the site is moderate (PTAL 2), with five bus services within 640 metres.

This proposed café facility is intended to be ancillary to the primary use of the site as a golf centre. As such, the proposed café use should not attract significant numbers of visitors to the site in its own right and thus should not have a significant impact on trip generation to the site (although it may extend visitation hours slightly and thus increase parking demand, but there is now an overspill parking facility to cover this eventuality). In addition, the café will partly occupy space currently taken by the golf shop, which should also help to minimise the net impact of the proposal.

Deliveries to the café will be able to make use of the service yard at the northern end of the building, which is

acceptable.

Highway and Transport Delivery note that there have been concerns raised by local residents about the site access arrangements and the U-turns that periodically take place in Watford Road to circumvent the ban on right-turning movements. However, this proposal is not considered significant enough to warrant the securing of funds towards major changes to the site access layout.

There are no objections on transportation grounds to this proposal.

Sport England

Do not object to the proposal.

REMARKS

Introduction

There are four applications relating to Playgolf Northwick Park on this committee's agenda:

- 12/0316** Planning application for internal and external works to the existing club house building to enable part of the ground floor to be used as a cafe.
- 12/2110** Details submitted pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking
- 12/1215** Details submitted pursuant to condition 6 (details of landscaping) and condition 15 (landscape management plan) of full planning permission 06/0768 dated 22/12/2006 for Retention and modification of hard surface and lighting to the north of the clubhouse to create an overflow car-park for 40 cars and a grassed area of special-events parking, with two lighting columns and associated landscaping.
- 11/3341** Planning application for the reinstatement of public right of way (PROW 34) across the driving range, including raising a protective embankment along one side of the footpath and the installation of protective netting over the footpath.

All four applications are recommended for approval.

Proposed new café

The site is within in an area of Metropolitan Open Land and a Site of Nature Conservation Importance and Public Open Space under the Brent Unitary Development Plan.

In 1993 planning permission was granted to redevelop the site as a golf course and a further permission was granted in 2001 for the erection of a clubhouse and golf driving range. The consented clubhouse building included a coffee shop of approximately 420sqm which was ancillary to the principle use of the site as a golf centre. However this was later replaced by a restaurant/bar (A3) of some 395sqm in 2008.

The proposal involves alterations to the existing building to allow part of the ground floor to be used as a cafe. The cafe would have an area of 177sqm and would occupy part of the ground floor currently used for circulation space, bathrooms and a small element of the pro-shop. In addition to the new cafe, the existing bathrooms would be repositioned and the reception relocated in front of the main entrance with seating areas opposite. Externally the only changes would be the insertion of a graphic infill wall to replace the existing brickwork on part of the frontage and two new doors to link the cafe to the upper level driving range bays. The existing ball and drinks dispensers would also be repositioned.

Given the relatively small scale of the proposed café and the fact that the applicants are willing to accept conditions restricting its operation to only when the golf centre is in operation officers are satisfied that it would be an ancillary use unlikely to attract customers other than patrons of the golf centre. The proposal does not increase the built foot print of the site and is therefore considered not to contravene policies seeking to protect Metropolitan Open Land which state that new development on MOL should be small in scale and required to preserve or enhance activities associated with the particular open space.

Concerns have been expressed by objectors that the existing car parking on the site is already often at capacity resulting in parking over access road kerbs. As stated previously the proposed café is not expected to generate significant additional visitors and is therefore unlikely to add to this problem. Physical measures to prevent cars from mounting the access road kerbs have been agreed as part of the submission of details submitted pursuant to Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking. These details are being considered under planning reference 12/2110 on the committee agenda.

Other objections state that the new café is unnecessary and that the existing restaurant use already caters for patrons seeking refreshment. However officers do not consider this to be a material planning consideration and it is not for the planning system to intervene in matters of commercial competition. It is proposed that a number of conditions be imposed on the new café restricting access, hours of operation and the type of refreshment offered. These are intended to ensure that the use is ancillary to the golf centre and enhances the existing uses available within the site, as required by policy on appropriate development on MOL.

It has been stated that under the terms of its lease Blue Ginger Bar and Restaurant Ltd has exclusive rights to operate catering facilities in the building and already provides refreshment facilities to serve the needs of the primary use. It has also been stated that it has been established by relevant case law that planning permission should only be granted if there is a reasonable prospect of the development being implemented. However there is no physical or, in officers view policy impediment to the proposed café use being implemented. The legal restriction alone does not mean that there is no reasonable prospect of the development being implemented. Leases can be surrendered, altered or bought out. Officers do not consider that the grant of planning permission would prejudice the existing restaurant operator from enforcing the terms of their lease.

Since Blue Ginger Bar and Restaurant Ltd has exclusive rights to operate catering facilities in the building and already provides refreshment facilities to serve the needs of the primary use, the additional café is not necessary and would be contrary to the development policies seeking to protect Metropolitan Open Land.

The objector has cited case law stating that where similar planning applications on differing sites come forward at different times and where there is only scope for one permission in a local area due to other policy constraints, the development control system should operate on a "first come-first served" basis. However officers have already expressed the view that there is no policy constraint to both uses operating together.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-

Brent's Core Strategy 2010
Brent Unitary Development Plan 2004
London Plan 2011

CONDITIONS/REASONS:

- (1) The restaurant use hereby approved must not operate outside the hours of 0730 and 2300, Sunday to Thursday, and 0730 and midnight on Friday and Saturday, or at anytime the existing driving range or golf course located within the site are not in operation unless agreed in writing by the Local Planning Authority.

Reason: To ensure the use remains functionally linked to the primary use of the golf centre and to preserve local amenity.

- (2) The only entrance to the cafe that customers may first enter or leave the premises shall be the main entry to the golf centre building, via its main reception area, near the centre of its western elevation.

Reason: To ensure that access remains functionally linked to the primary use of the golf centre and to preserve local amenity.

- (3) No private functions, that exclude any member of the public or any golf centre user, or require purchase of a ticket to enter may be held in the cafe.

Reason: To ensure the use remains functionally linked to the primary use of the golf centre and to preserve local amenity.

- (4) The premises shall be used only for the serving of hot and cold drinks and cold or reheated snacks only and for no other purposes within Use Class A1, A2 or A3 as defined in the Town and Country Planning (Use Classes) Order 1987 as amended unless otherwise agreed in writing by the Local Planning Authority.

Reason: No separate use should commence without the prior approval of the Local Planning Authority in order to ensure that use of the premises does not prejudice the amenity of the area and conforms with Council's policies.

- (5) 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.

- (6) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s)

557/01 - Site Plan
557/04 - Existing Sections
557/05 - Existing & Proposed Rear Elevations
557/07 - Existing Ground Floor Plan
557/11 (Rev C) - Proposed Ground Floor Plan
557/16 - Detail of New Graphic Wall
557/17 - Alcove Detail

Planning, Design & Access Statement by Maven Plan Ltd

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

- (7) The proposed cafe use shall not commence until all the works agreed under planning reference number: 12/2110 as part of the submission of details pursuant to conditions Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking, have been fully implemented to the satisfaction of the Council.

Reason: To ensure that the parking arrangements are properly managed and in the interests of proper planning.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's Core Strategy 2010
Brent's Unitary Development Plan 2004
The London Plan 2011

Any person wishing to inspect the above papers should contact Neil McClellan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5243

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 **Planning Committee Map**
Site address: 1A Elmside Road, Wembley, HA9 8JB
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This map is indicative only.

RECEIVED: 23 July, 2012

WARD: Preston

PLANNING AREA: Wembley Consultative Forum

LOCATION: 1A Elmside Road, Wembley, HA9 8JB

PROPOSAL: Erection of a new first floor to existing single storey office building

APPLICANT: Mr S Homsy

CONTACT: Mr J Benaim

PLAN NO'S:
See condition no 2

RECOMMENDATION

Grant Consent

EXISTING

The application site comprises single storey commercial premises, within use class B1 office use, located on Elmside Road, Wembley. The site is adjacent to residential properties on Elmside Road, and also flats at Wayside Court, Oakington Avenue. To the south are commercial shops, located on Wembley Park Drive. The site is not a listed building and is not located within a conservation area

PROPOSAL

Erection of a new first floor to existing single storey office building

HISTORY

12/0408 - Erection of a new first floor to existing single storey office building. *Refused 20/06/2012*

The following application for this site dates from 1990:

Ref 881738 – Erection of 1st floor extension to office – *Refused but allowed on appeal on 04/04/1990.*

POLICY CONSIDERATIONS

London Plan 2011

Brent Core Strategy 2010

CP17 – Protecting and Enhancing the Suburban Character of Brent

London Borough of Brent Adopted Unitary Development Plan 2004 (UDP)

BE2 – Townscape: Local Context and Character

BE3 – Urban Structure: Space & Movement

BE4 - Access for disabled people.

BE5 – Urban Clarity & Safety

BE6 – Public Realm: Landscape Design

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

TRN3 – Environmental Impact of Traffic

TRN10 – Walkable Environments

TRN22 – Parking Standards – Non Residential Developments

TRN34 – Servicing in New Development

Parking Standards

PS6 – Parking Standards for Use Class B1 (maximum 1 space per 300m²)
PS15 – Standard for Disabled People (minimum 1 space for B1 use)
PS16 – Cycle Parking (minimum 2 spaces for B1 use)
PS19 – Service Parking Standards (loading bay that can accommodate at least an 8m rigid vehicle for units between 100m² - 280m²)

London Borough of Brent's Supplementary Planning Guidance

Supplementary Planning Guidance Note 17 - Design Guide for New Development

Provides comprehensive and detailed design guidance for new development and seeks to raise the design quality of buildings, and to protect the character of properties and streets.

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation letters, dated 16th August 2012, were sent out to 24 neighbouring properties and Ward Councillors for Preston Ward.

External

4 letters of objection have been received to date, raising the following issues:

- The immediate neighbours at no 1B The Links, Elmside Road, object to the application for the erection of an additional floor to the building, as it will block out natural their natural light.
- The property at 1B The Links, also has a window facing towards the application site at 1A Elmside Road, which means the development will also affect their privacy.
- Elmside Road is a small cul de sac, and a quiet residential area. The business is already causing noise and parking problems
- Additional space will increase these existing problems by 200%.
- The applicant's property has already damaged their gate by their pillar and heavy delivery vehicles
- The resident at 1B The Links also states that other neighbours on Elmside Road object to the proposal, having spoken to them.
- In addition to the above issues raised by the neighbouring resident of 1B The Links, other residents have raised their concerns, and are summarised below:
- The development will result in disturbance to their quiet and peaceful residential life
- The development will result in exacerbating existing parking problems. As there are many children living in the street [Elmside Road], additional traffic is a particular concern
- The owner of the application property is a new owner. Why did they buy the property if the space provided was too small for their needs? It is suspected that the applicant will develop the property and sell for quick and huge profit, and leave local residents with the problems
- The site is in a residential area and not fit for business due to parking and disturbance to residential life.
- This type of business should be run from proper commercial or industrial business location
- The applicant has already started construction work at 1A Elmside Road, that has been disturbing neighbours already.

No letters of representation have been received from Ward Councillors consulted on this application.

Internal

Transportation – The Transportation Officer has made the following comments:

- The site has good access to public transport services (PTAL 4) – with close access to 5 bus routes as well as Wembley Park station (Metropolitan and Jubilee lines).
- There are pay and display parking bays on Elmside Road. Otherwise, on street parking in the area is generally restricted from Monday to Saturday, between 8.00am and 9.30am to deter commuter parking.
- As the site is located adjacent to a district centre with good access to public transport services, a

reduced parking allowance of one space per 300m² applies to this site. As such the existing parking provision is more than sufficient for the proposed development.

- The parking provision should be reduced, as the parking standard for the proposed development remains at one space.
- The servicing requirement for the existing single storey office building is for loading by a transit sized vehicle, as the floor space is below 100m². With the extension to the building, this requirement will increase to an 8.0m rigid lorry

Tree Officer (not consulted on the current application, but had made comments on previous application)

The Council's Tree Officer has stated that the proposed development is not likely to have an harmful impact on existing trees on, or in proximity to, the application site. However, it is not clear on the submitted plans, whether any replacement hard-surfacing is likely to be carried out on the site as part of the development. If such works are proposed, then further details of trees, including tree protection measures, shall be required.

REMARKS

Summary

The application proposes to extend an existing single storey building to provide an additional storey for office use, located on Elmside Road, Wembley. The current use of the building is B1 office use. The site shares a side boundary with a residential property at 1B Elmside Road to the north, and a residential block of flats, known as Wayside Court, are located to the north-west. To the south of the site are commercial properties located on Wembley Park Drive.

According to the submitted plans, the proposed extensions to the building would provide approximately 61m² of additional new office space (gross internal floors space), in addition to the existing 61m² floor space, resulting in a cumulative floor space of 122m².

The application refused previously, under planning application reference 12/0408 proposed an additional two storeys to the existing single storey building, which would have provided an additional 100m² floor space. The plans for the previous application were inaccurately drawn, and the proposal was considered to result in an inappropriate design and scale in relation to the surrounding development, which Officers considered would have had a detrimental impact on neighbouring residential amenities. The current application is a revised application, which aims to address the reasons for refusal of this previous application.

The main considerations for the proposed development are the principle of the increase in office space provision in this location; the impact on the character and appearance of the area and streetscene; the impact on neighbouring residential properties; and the impact of the development on parking and servicing for the site.

Existing premises

The application site comprises a single storey flat roofed building located on the western side of a residential cul-de-sac, Elmside Road, Wembley. The site is adjacent to the rear of a parade of shops located on Wembley Park Drive; more directly to the rear of the commercial property at 97 Wembley Park Drive.

Properties on Wembley Park Drive are located within a Secondary Shopping Parade (within Brent's Unitary Development Plan), of the Wembley Park District Centre (Brent Core Strategy 2010). However, the application site is outside this designated area.

The site shares a side boundary with a 2-storey detached dwellinghouse, 1B Elmside. To the north-west of the site is a block of flats, known as Wayside Court, accessed from Oakington Avenue. The existing use of the application premises is office use.

The existing site has off-street parking provision accessed from Elmside Road, adjacent to the dwelling at no. 1B Elmside Road. This would also allow access for servicing provision to the site.

Proposed Development

Proposed extensions (as revised, following consultation response from Transportation Officer)

- The application proposes an additional storey to the existing single storey office building. The

- building, as extended, would have a height of 5.5m with a flat roof.
- Car-parking provision for 1 off-street car parking spaces is shown on the submitted plans, as well as a bay for an 8m long rigid service vehicle. A cycle store and the location of refuse bin storage, is also shown to be located to the North-West of the application site.
- The extensions would result in additional gross internal floor space of approximately 61m², resulting in total floor space of 122m².
- Proposed new soft landscaping is also proposed, mainly along the North-West boundary of the site.

Appraisal

Principle of Proposed Development

It is considered an extension to these commercial premises may be supported in principle. There is no change of use proposed, and the use of the premises is considered appropriate in this location. The main considerations for the proposal is therefore the impact on the character and appearance of the area and streetscene; the scale of the development, impact on neighbouring properties and impact on parking and servicing.

Previous application

A previous application for this site, planning reference 12/0408, proposed a 2-storey extension, to the existing single storey building. This was refused on 20th June 2012, due to a number of issues, including the excessive size and scale, design and appearance of the building, proximity to boundaries, inadequate servicing for the site, lack of cycle storage as well as some inaccuracies found in the submitted plans.

Current application

The applicants have endeavoured to address the reasons for refusal and have submitted this current application. The following revisions have been made, to address the previous reasons for refusal:

- The inaccuracies in the previous plans have now been resolved and the current plans submitted are now considered to be accurately drawn in relation to side boundaries, as well as reflecting the existing site. The site plan submitted for this site is also up to date, and shows existing residential development including the neighbouring dwelling at 1B Elmside, and flats Wayside Court, adjacent to the application site.
- The existing, second building, located towards the western boundary of the site, is also now shown on the plans
- The current application proposes one additional storey with a flat roof above the existing single storey building, whereas the previous application essentially proposed an additional 2 storeys, which comprised of a new first floor and also additional floor space within the proposed new second floor loft space. This means that the height and scale of the building has been reduced.
- Subsequently, the current application proposes an additional gross internal floor area of 61m², whereas the previous application proposed an additional gross internal floor area of 100m²
- The proposed height of the building complies with guidance contained within Brent's Supplementary Planning Guidance 17 on Design Guide for New Development (SPG17). In particular, it will be set below a line of 45 degrees at the garden edge (site boundaries) measured from a height of 2m; and will be set below a line of 30 degrees measured from a height of 2m from the nearest habitable room windows on adjoining residential properties.
- The current plans show that a 8m length bay for a servicing vehicle is to be provided within the existing hardsurfaced parking/servicing area, to meet the Council's servicing standards
- A cycle store is to be provided within the site
- Soft landscaping is to be proposed along the side boundary with neighbouring properties at 1B The Links as well as partially along the boundary with flats at Wayside Court.

Design Considerations

The proposal would result in a 2-storey flat roof building. The proposed use of the building is to remain as office use, Use Class B1. It is considered that, due to the commercial nature of the application site, a flat roof building is appropriate. Neighbouring properties on Elmside Road are residential dwellings with hipped roof design and Wayside Court, located to the North-West of the site are a block of flats. The application site marks a separation between the commercial properties located to the South on Wembley Park Drive, and the residential properties at Elmside Road and Wayside Court.

Officers consider that the design, appearance and scale of the development is appropriate for the site.

Impact on neighbouring properties

The proposed first floor extension, resulting in a 2-storey building to a height of 5.5m, would be close to adjoining neighbouring boundaries, and in particular to the boundary with flats and maisonettes at Wayside Court. At its closest point, the building will be less than 4.0m from the rear boundary (shared boundary) with Wayside Court.

Brent's Supplementary Planning Guidance 17 on Design Guide for New Development (SPG17), deals with impact of new development on neighbouring residential gardens. The proposed extension complies with the 45 degree rule set out in this guidance in relation to the communal garden of residents of Wayside Court.

Officers therefore consider that the development would not have an unduly harmful impact on the residential amenities of neighbours in terms of loss of light and outlook.

Existing Trees on site and proposed landscaping

The applicants have stated on their submitted application form that there are no trees on the application site, or in proximity to the site. However, an Officer's site visit has revealed that there are trees on site which may or may not be affected by development, which are not shown on the submitted plans. The Council's Tree Officer, however, does not consider it likely that the proposal will impact on the trees on or in proximity to the site, - unless there are works to be done to the hard-standing areas within the site boundaries. If any such works were to be carried out, then tree protection would be required during construction works.

To improve the setting of the site as well as mitigate the impact of the development on adjoining boundaries, soft landscaping is proposed, to include a tree. In particular, a landscape strip is proposed along the majority of the North-West boundary of the site, and also within the North-East corner of the site (adjacent to the boundary with 1B The Links, Elmside Road). This is welcomed, and to ensure a good quality, and appropriate landscaping scheme, further details of the landscaping, including any proposed removal of existing trees, will be required, by condition should the application be supported.

Highways issues

The Council's transportation officer has been consulted on this application, and his detailed comments are related in the 'Consultations' section of this report.

The B1 use, due to the cumulative gross internal floor area being over 100m² (total area being 122m²), would require parking provision for an 8m long service vehicle, as well as one parking space to meet the Council's parking standards for the site and use. The car-parking space should be wide enough to meet the standards of a disabled bay. The proposed plans show parking provision of an 8m long lorry, as well as for one car-parking space. This meets the parking and service requirements for the site.

CIL Liability (Community Infrastructure Levy)

The proposed additional gross internal floor space is 61m². As this is less than 100m², the development does not qualify for the Community Infrastructure Levy (CIL) imposed by the Mayor of London.

Response to objections (not discussed elsewhere in this report)

This section of the report will discuss any matters raised by objections not already discussed elsewhere in this report.

Officers do not consider that the proposal would result in an unduly detrimental increase in noise disturbance to neighbouring properties. This is due to the nature of the proposed use not likely to lead to high levels of noise disturbance.

With regard to the intensification of the existing use of the premises; the existing use of the building is B1 office use, and is located between commercial properties on Wembley Park Drive, and residential properties on Elmside Road. Officers consider it appropriate, in this instance, to allow the extension to the existing premises in principle. The proposed extension is of a modest size and scale, of an unassuming design, which is acceptable in this location. The height of the development complies with Brent's SPG17 guidelines

on size and scale, discussed elsewhere in this report. Therefore it is not considered that the extension would have an unduly harmful impact on the residential amenities of neighbours.

The proposal has sufficient provision to meet both the parking and servicing requirements, discussed elsewhere in this report. It is not considered that the proposed extension to the existing building would result in a greater increase of traffic or parking than currently is the case.

A neighbour has written to say that construction work has already commenced on site. If this is the case then the applicant is carrying out work at their own risk, as planning permission has not been granted for any development, unless this application is passed by the Planning Committee.

Officers have assessed the application with the balanced view of what may be permitted on site, taking into account the scale and character of existing development. The final revised scheme is much reduced from that which was originally proposed by the refused planning application reference 12/0408, and on balance is not considered of an appropriate scale.

Conclusion

The proposal complies with requirements set out in The Council's Core Strategy 2010 and Unitary Development Plan 2004, as well as relevant guidance contained within Supplementary Planning Guidance 17 on Design Guide for New Development, and is considered to be an acceptable scheme on balance. The proposal is therefore recommended for approval subject to attached conditions.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 on Design Guide for New Development

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
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Transport: in terms of sustainability, safety and servicing needs

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):

SB/B324/1; SB/B324/2A

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

(3) The whole application site shall be used exclusively by one operator for the purposes specified in the application hereby approved and for no other purpose, and shall not be subdivided

without prior written consent of the Local Planning Authority.

Reason: To ensure adequate parking, servicing and access can be provided in the interests of the free flow of traffic and conditions of highway and pedestrian safety within the site and on the neighbouring highways.

- (4) The development hereby approved shall not be occupied until the he proposed cycle parking provision in the form of a cycle store, as shown on plan no. SB/B324/2A, hereby approved, has been laid out in the accordance with the details submitted. Thereafter the cycle parking provision shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory facilities for cyclists.

- (5) The proposed 8m long service vehicle bay shown on the approved plans shall be marked out prior to first occupation of the extension hereby approved and thereafter kept clear and only used for such purposes.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

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

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

- (7) Details of materials for all external work, including windows, 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.

- (8) Notwithstanding the details of landscape works referred to in the submitted application, full details of proposed soft landscaping within areas so designated and treatment of the surroundings of the proposed development of the application site, (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All approved works shall be carried out as approved prior to the occupation of the development hereby approved and shall thereafter be maintained. Such details shall include:

- (a) Details of any proposed removal of existing trees within the application site;
- (b) Details of all hard landscaped works on the site
- (c) A plan showing the size, species and location of a minimum of 1 tree to be located within the North-East corner of the site
- (d) Details of all soft landscaping within the proposed landscape strip along the side boundary with Wayside Court and 1B The Links, Elmside Road;
- (e) Details of any boundary walls or fences, indicating materials and heights

Any new trees planted shall be watered for the first two years after planting, and any other 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 with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Avani Raven, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5016

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PLANNING & ENFORCEMENT APPEALS

August 2012

Received	4/01
Decided	4/02
Selected Decisions	4/03
Copies of selected Decisions	4/04

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Received PLANNING Appeals between 1-Aug-2012 and 31-Aug-2012

Planning Committee: 27 September, 2012

Application Number: 11/3043 **Team:** Northern Team **Application Type** S78 FUL
Appeal Received: 15/08/2012 **Appeal Against:** Refusal of planning permission
Location: 27 Bridge Road, Wembley, HA9 9AB
Proposal:

Retrospective application for change of use of shop from Use Class A1 to Use Class A3 and installation of an extraction unit to the rear of shop

Application Number: 11/3134 **Team:** Western Team **Application Type** S78 FUL
Appeal Received: 03/08/2012 **Appeal Against:** Refusal of planning permission
Location: 60 Grasmere Avenue, Wembley, HA9 8TD
Proposal:

Retrospective application for retention of a single storey rear extension to dwellinghouse

Application Number: 12/0343 **Team:** Southern Team **Application Type** S78 FUL
Appeal Received: 21/08/2012 **Appeal Against:** Refusal of planning permission
Location: 307-309 Kilburn High Road, London, NW6 7JR
Proposal:

Change of use from use class A4 and D2 to A1, A2 and/or A3 on the ground floor and student accommodation (34 units) on the first floor and a new second floor and set back third floor also accommodating student accommodation.

Application Number: 12/0415 **Team:** Northern Team **Application Type** S78 FUL
Appeal Received: 01/08/2012 **Appeal Against:** Refusal of planning permission
Location: Car Park next to 1, Quanton Street, London
Proposal:

Erection of 3 to 5 storey building to provide 7 residential units (1 x 3 bed house 1 x 2 bed maisonette 1 x 1 bed maisonette 3 x 1 bed units 1 x 2 bed units), provision of 7 car parking spaces, formation of 2 x vehicular access from Quanton Street and associated works

Application Number: 12/0517 **Team:** Northern Team **Application Type** S78 FUL
Appeal Received: 17/08/2012 **Appeal Against:** Refusal of planning permission
Location: 190 Salmon Street, London, NW9 8NY
Proposal:

Erection of new front and side boundary walls (north, west and southern walls) to dwellinghouse. (Revised Plan Received 20/03/12)

Application Number: 12/0793 **Team:** Western Team **Application Type** S78 FUL
Appeal Received: 20/08/2012 **Appeal Against:** Refusal of planning permission
Location: 51 Sudbury Court Drive, Harrow, HA1 3ST
Proposal:

Erection of a first floor side and rear extension, a side dormer window, a rear dormer window, one side rooflight and two front rooflights to dwellinghouse

Application Number: 12/0872 **Team:** Northern Team **Application Type** S78 FUL
Appeal Received: 08/08/2012 **Appeal Against:** Refusal of planning permission
Location: 64 Shaftesbury Avenue, Harrow, HA3 0QY
Proposal:

Retention of 2 velux windows to the front roof slope of dwellinghouse

Received PLANNING Appeals between 1-Aug-2012 and 31-Aug-2012

Planning Committee: 27 September, 2012

Application Number: 12/1026 **Team:** Northern Team **Application Type** S78 FUL

Appeal Received: 21/08/2012 **Appeal Against:** Refusal of planning permission

Location: 3 Beverley Gardens, Wembley, HA9 9RD

Proposal:

Single storey rear extension, conversion of garage into a habitable room, rebuilding of boundary wall and new landscaping to front of dwellinghouse

Application Number: 12/1073 **Team:** Southern Team **Application Type** S78 FUL

Appeal Received: 22/08/2012 **Appeal Against:** Refusal of planning permission

Location: 110 Leighton Gardens, London, NW10 3PR

Proposal:

Demolition of detached rear garage and erection of single and two storey side and rear extension to dwellinghouse

Application Number: 12/1294 **Team:** Southern Team **Application Type** S78 FUL

Appeal Received: 06/08/2012 **Appeal Against:** Refusal of planning permission

Location: Thanet Lodge Garages, Thanet Lodge, Mapesbury Road, London, NW2 4JA

Proposal:

Conversion of the four garages under the eastern corner of Thanet Lodge block into a 1 bed flat.

Application Number: 12/1597 **Team:** Western Team **Application Type** S78 FUL

Appeal Received: 17/08/2012 **Appeal Against:** Refusal of planning permission

Location: 17 Dean Court, Wembley, HA0 3PU

Proposal:

Demolition of detached garage and proposed single storey side and rear extension to dwellinghouse

Received ENFORCEMENT Appeals between 1-Aug-2012 and 31-Aug-2012

Planning Committee: 27 September, 2012

Application Number: E/11/0216 **Appeal Against:** Enforcement Appeal **Team:** Northern Team**Appeal Started:** 16/08/2012**Location:** 49 Springfield Gardens, London, NW9 0RY**Description:**

Without planning permission, the erection of a two storey side to rear extension, single storey rear extension and rear dormer window to the premises.

("The unauthorised development")

Application Number: E/11/0760 **Appeal Against:** Enforcement Appeal **Team:** Western Team**Appeal Started:** 16/08/2012**Location:** 4 Dalmeny Close, Wembley, HA0 2EU**Description:**

Without planning permission, the erection of a first floor rear in-fill flat roof extension and single storey rear extension to premises ("The unauthorised development") and the change of use of premises into two self-contained units of accommodation ("The unauthorised change of use").

Application Number: E/12/0109 **Appeal Against:** Enforcement Appeal **Team:** Northern Team**Appeal Started:** 02/08/2012**Location:** 14 Anson Road, London, NW2 3UT**Description:**

Without planning permission, the formation of a replacement hard surface to the front garden, the installation of replacement timber-framed entrance door to front elevation of the premises and the erection of a single storey outbuilding in rear garden of the premises.

("The unauthorised development")

Application Number: E/12/0150 **Appeal Against:** Enforcement Appeal **Team:** Northern Team**Appeal Started:** 16/08/2012**Location:** 53A-F Chartley Avenue, London, NW2 7QY**Description:**

Without planning permission, the change of use of the premises into six self-contained flats and the erection of a building in the rear garden of the premises.

("The unauthorised change of use and development")

Application Number: E/12/0170 **Appeal Against:** Enforcement Appeal **Team:** Northern Team**Appeal Started:** 02/08/2012**Location:** 105A-C Dartmouth Road, London, NW2 4ES**Description:**

Without planning permission, the installation of three meter boxes to front elevation (at base level) of the premises, and the erection of metal railings and wooden decking on top of a single storey rear extension to form a roof terrace (with access from new door to rear of first floor flat) to rear of the premises.

("The unauthorised development")

Received ENFORCEMENT Appeals between 1-Aug-2012 and 31-Aug-2012

Planning Committee: 27 September, 2012

Application Number: E/12/0396 **Appeal Against:** Enforcement Appeal **Team:** Western Team

Appeal Started: 22/08/2012

Location: 47 Twybridge Way, London, NW10 0SU

Description:

Without planning permission, the erection of a single storey detached building in rear garden of the premises.

("The unauthorised development")

Application Number: E/12/0688 **Appeal Against:** Enforcement Appeal **Team:** Western Team

Appeal Started: 24/08/2012

Location: 45 Elms Lane, Wembley, HA0 2NX

Description:

Without planning permission, the erection of a building to the rear of the premises.

("The unauthorised development")

Decisions on PLANNING Appeals between 1-Aug-2012 and 31-Aug-2012

Planning Committee: 27-Sep-2012

Application Number: 11/2641 **PINSRefNo** A/12/2174049 **Team:** Northern Team

Appeal Decision: Appeal Dismissed **Appeal Decision Date:** 14/08/2012

Location: 549 Kingsbury Road, London, NW9 9EL

Proposal:

Retrospective application for the change of use of premises from retail (Use Class A1) to cafe (Use Class A3)

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Decisions on ENFORCEMENT Appeals between 1-Aug-2012 and 31-Aug-2012

Planning Committee: 27 September, 2012

Application Number: E/10/0240 **PINSRefNo** C/12/2173002**Team:** Southern Team**Appeal Decision:** Appeal Dismissed**Appeal Decision Date:** 23/08/2012**Location:** 29B Huddlestone Road, London, NW2 5DL**Proposal:**

The conversion of a first floor 3-bed maisonette into two self-contained flats (one-bedroom and two-bedroom) at the premises.

Application Number: E/11/0003 **PINSRefNo** C/12/2173679**Team:** Northern Team**Appeal Decision:** Appeal Dismissed**Appeal Decision Date:** 03/08/2012**Location:** 91 Goldsmith Lane, London, NW9 9AR**Proposal:**

Without planning permission, the installation of uPVC windows to the front of the dwellinghouse.

("The unauthorised development")

Application Number: E/11/0457 **PINSRefNo** C/11/2164008**Team:** Southern Team**Appeal Decision:** Appeal Dismissed**Appeal Decision Date:** 01/08/2012**Location:** 9 Donnington Road, London, NW10 3QR**Proposal:**

The erection of a wrap around side and rear dormer window roof extension to the premises.

("The unauthorised development")

Application Number: E/11/0728 **PINSRefNo** T5150/C/12/2174050&2174339**Team:** Western Team**Appeal Decision:** Appeal Dismissed**Appeal Decision Date:** 13/08/2012**Location:** 11 Park View, Wembley, HA9 6JY**Proposal:**

Without planning permission, the erection of a front porch extension and front canopy extension over front bay window at front of dwellinghouse.

("The unauthorised development")

Application Number: E/11/0858 **PINSRefNo** C/12/2172780**Team:** Southern Team**Appeal Decision:** Appeal part dismissed / part allowed**Appeal Decision Date:** 14/08/2012**Location:** 103A-E Chatsworth Road, London, NW2 4BH**Proposal:**

The change of use of the premises from two self-contained flats to five self-contained flats.

("The unauthorised change of use")

Application Number: E/12/0004 **PINSRefNo** C/12/2173287**Team:** Northern Team**Appeal Decision:** Appeal Dismissed**Appeal Decision Date:** 07/08/2012**Location:** 3 Briar Road, Harrow, HA3 0DP**Proposal:**

Without planning permission, the removal of a front boundary wall and the installation of a hard surface to the front garden of the premises.

("The unauthorised development")

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ENFORCEMENT SELECTED appeal DECISIONS between

1-Aug-2012

and 31-Aug-2012

Planning Committee: 27 September, 2012

Introduction

In order to keep Members fully informed of Enforcement Appeal decisions, copies of Inspector's decision letters concerning those cases where Enforcement action has been initiated and the appeal has been allowed or part allowed, are attached to the agenda. These include the following:

Our reference: E/11/0858	Appeal Decision Date: 14/08/2012
Team: Southern Team	Appeal Decision: Appeal part dismissed / part allowed

Location: 103A-E Chatsworth Road, London, NW2 4BH

Proposal:

The change of use of the premises from two self-contained flats to five self-contained flats.

Background Information

Any persons wishing to inspect appeal decision letters not set out in full on the agenda should contact the Planning Service Technical Support Team, The Planning Service, Brent House, 349 High Road, Wembley, HA9 6BZ. Telephone 020 8937 5210 or email: tps@brent.gov.uk.

Chris Walker, Assistant Director - Planning and Development

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Appeal Decision

Site visit made on 17 July 2012

by Nigel Burrows BA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 August 2012

Appeal Ref: APP/T5150/C/12/2172780

103 A-E Chatsworth Road, London, NW2 4BH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr N Jadva against an enforcement notice issued by the Council of the London Borough of Brent.
- The Council's reference is E/11/0858.
- The notice was issued on 16 February 2012.
- The breach of planning control as alleged in the notice is the change of use of the premises from two self-contained flats to five self-contained flats.
- The requirements of the notice are cease the use of the premises as more than two self-contained flats, remove all fixtures, fittings, items, materials and debris associated with the unauthorised change of use, including ALL kitchens, except TWO, and ALL bathrooms, except TWO, from the premises.
- The period for compliance with the requirements is 6 months.
- The appeal is proceeding on the grounds set out in section 174(2) (f) and (g) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the application for planning permission deemed to have been made under section 177(5) of the Act as amended does not fall to be considered.

Summary of Decision: The appeal succeeds in part and the enforcement notice is upheld with a variation

The appeal on ground (f)

1. The issue under the ground (f) appeal is whether the steps required by the enforcement notice exceed what is necessary to remedy the breach of planning control, or, as the case may be, to remedy any injury to amenity caused by the development.
2. The manner in which the Council has prepared the enforcement notice against the development, including the formulation of its requirements, indicates that its purpose is to remedy the breach of planning control in accordance with section 173(4)(a) of the Act, by restoring the premises to its condition before the breach of control took place.
3. Planning permission was apparently granted in 2010 for the conversion of the building into two self-contained flats. The appellant points out the approved plans showed the provision of 'four bathrooms and a W.C'. In practice, the plans appear to show the ground floor flat having a bathroom and also a shower room (each with toilets); the layout of the first floor flat also included a bathroom and a shower room (each with toilets) and a separate toilet. The appellant argues the requirements of the notice are excessive, insofar as he is required to remove all the 'bathrooms' except two.
4. There appears to be no dispute that, prior to the breach of planning control, the building had been converted into two self-contained flats. It is reasonable to assume the accommodation was arranged as shown on the approved plans - the Council has

not suggested otherwise. This being the case, I share the appellant's view that a requirement to remove all the 'bathrooms', except two, appears to be excessive.

5. I intend to vary the notice by requiring that all but four of the bathrooms/shower rooms shall be removed from the premises. This requirement, coupled with the other requirements of the notice, would satisfactorily remedy the breach of planning control.
6. Although the Council might be concerned that the retention of four bathrooms/shower rooms within the premises could encourage a future breach of control, section 181 of the Act makes it clear that compliance with an enforcement notice does not discharge the notice; if the development is resumed, then there is a contravention of the notice.
7. The ground (f) appeal therefore succeeds, to the limited extent indicated above.

The appeal on ground (g)

8. The appellant argues that a period of 10 months would be needed to allow the tenants to relocate and undertake the works required by the notice. However, I am not persuaded this period would be required to comply with the notice. The 6-month period given by the Council appears to be a reasonable and proportionate response to the breach of control; this period should give the tenants adequate time to look for alternative accommodation and enable the necessary remedial works to be carried out.
9. Should any unforeseen circumstances occur, section 173A(1)(b) of the Act enables the Council to extend the compliance period at its discretion. The ground (g) appeal fails.

Conclusions

10. I have taken into account all the other matters raised in the representations, but find they do not alter or outweigh the main considerations that have led to my decision. For the reasons given above, I will uphold the notice with a variation.

Formal Decision

11. I allow the appeal on ground (f). I direct that Schedule 4 of the enforcement notice be varied by deleting from the third and fourth lines of Step 1, the words '*and ALL bathrooms, except TWO,*' and substituting the words '*and ALL bathrooms and shower rooms, except FOUR,*' .
12. Subject to the above variation, I uphold the enforcement notice.

Nigel Burrows

INSPECTOR

Agenda Item 14

Agenda Item 11

Supplementary Information

Planning Committee on 27 September, 2012

Case No.

12/1971

Location	1A Elmside Road, Wembley, HA9 8JB
Description	Erection of a new first floor to existing single storey office building

Agenda Item Number: 11

Your Officers have received comments from local residents reporting that construction work is being carried out on the application site. An officer site visit, made on Monday 24th September, reveals that the site is currently being cleared. This includes the demolition of the smaller outbuilding, which was previously attached to the larger building. There were no signs that any construction works were taking place. The clearance of the site in this way would not have required planning permission.

Since the main committee report, there have been a further 3 letters of objection received. The issues raised by these further objections are the same as those already raised in previous objections, already reported in the main committee report.

Recommendation: Remains Grant Consent

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