



Planning Committee

Wednesday, 16 September 2009 at 7.00 pm
Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

Membership:

Members

Councillors:

Kansagra (Chair)
Powney (Vice-Chair)
Anwar
Baker
Cummins
Green
Hashmi
Hirani
J Moher
R Moher
HM Patel
Thomas

first alternates

Councillors:

Fernandes
Eniola
Jackson
HB Patel
Pagnamenta
CJ Patel
Dunn
Tancred
Mrs Bacchus
Butt
Colwill
Long

second alternates

Councillors:

Mistry
Beswick
Bessong
Joseph
Jackson
Corcoran
Leaman
CJ Patel
Arnold
Ahmed
Steel
Eniola

For further information contact: Joe Kwateng, Democratic Services Officer,
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The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
Extract of Planning Code of Practice		
1 Declarations of personal and prejudicial interests		
Members are invited to declare, at this stage of the meeting, any relevant financial or other interests in the items on this agenda.		
2 Minutes of the previous meeting		5 - 16
APPLICATION DEFERRED FROM PREVIOUS MEETING		
3 24 Valley Drive, London NW9 9NP (Ref. 09/1556)	Fryent	17 - 24
NORTHERN AREA		
4 49 Alington Crescent, London NW9 8JL (Ref. 09/1836)	Welsh Harp	25 - 32
5 61 Beverley Gardens, Wembley HA9 9RB (Ref. 09/1888)	Barnhill	33 - 42
6 15 Greenfell Gardens, Harrow, HA3 0QZ (Ref. 09/1750)	Kenton	43 - 50
7 Tenderden Sports Grounds, Preston Road Harrow (Ref. 09/2097)	Kenton	51 - 58
8 169 Melrose Avenue London NW2 4NA (Ref. 09/1708)	Dudden Hill	59 - 66
9 School Main Building, St Robert Southwell RC School, Slough Lane NW9 8YD (Ref. 09/0868)	Fryent	67 - 76
SOUTHERN AREA		
10 32 Windermere Avenue, London NW6 6LN (Ref. 09/1770)	Queens Park	77 - 82
11 Gaumont State Cinema 197-199 Kilburn High Road NW6 7HY (Ref.09/1508)	Kilburn	83 - 96
12 Gaumont State Cinema, 197-199 Kilburn High Road NW6 7HY (Ref. 09/1522)	Kilburn	97 - 104
13 112A & B Brondesbury Road London NW6 (Ref. 09/1385)	Queens Park	105 - 110
14 44A Windermere Avenue, London NW6 6LN (09/1425)	Queens Park	111 - 116
15 66D Salusbury Road London NW6 6NR (Ref. 09/1723)		117 - 122
16 Rathbone House Garages, Brondesbury Road NW6 (Ref. 09/1294)	Kilburn	123 - 130

17	GEKO House, Kimberley Road, London NW6 7SG (Ref. 09/1312)	Queens Park	131 140	-
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WESTERN AREA

18	84 Paxford Road, Wembley HA0 3RH (Ref. 09/1677)	Northwick Park	141 148	-
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19	Appeal decisions August 2009		149 154	-
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20 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 65.


Site Visit Details

21 Site Visits 12 September 2009

09/2097	Tenterden Sports Ground, Preston Road Harrow,	9:40am	51 - 58	
09/1556	24 Valley Drive, London, NW9 9NP	10:10am	17 - 24	
09/1708	169 Melrose Avenue, London, NW2 4NA,	10:40am	59 - 66	
09/1312	Geko House, Kimberley Road, London, NW6 7SG,	11:10am	131 - 140	
09/1294	Rathbone House Garages, Brondesbury Road, NW6,	11:30am	123 - 130	
09/1522	Gaumont State Cinema, 197-199 Kilburn High Road, London, NW6 7HY	11:45am	83 - 96	
09/1508	Gaumont State Cinema, 197-199 Kilburn High Road, London, NW6 7HY	11:45am	97 - 104	

Date of the next meeting: Tuesday, 13 October 2009

The site visits for that meeting will take place the preceding Saturday 10 October 2009 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 Grand Hall.
- A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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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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Agenda Item 2

MINUTES OF THE PLANNING COMMITTEE Wednesday, 26th August 2009 at 7.00 pm

PRESENT: Councillor Kansagra (Chair), Councillor Powney (Vice Chair) and Councillors Anwar, Baker, Hashmi, Hirani, Jackson (alternate for Cummins), J Moher, R Moher and H M Patel.

Apologies for absence were received on behalf of Councillors Cummins, Green and Thomas.

Councillors Gupta and Lorber also attended the meeting.

1. **Declarations of Personal and Prejudicial Interests**

None declared.

2. **Minutes of the Previous Meeting held on 28th July 2009**

RESOLVED:-

that the minutes of the meeting held on 28th July 2009 be received and approved as an accurate record.

3. **Requests for Site Visits**

The Committee agreed to Councillor J Moher's request for a site visit to enable members to assess the planning impact of the following application:-

1/02 09/1556 24 Valley Drive, London, NW9 9NP

4. **Planning Applications**

RESOLVED:-

that the Committee's decisions/observations on the following applications for planning permission under the Town and Country Planning Act 1990 (as amended), as set out in the decisions below, be adopted. The conditions for approval, the reasons for imposing them and the grounds for refusal are contained in the report from the Chief Planner and in the supplementary information circulated at the meeting.

ITEM NO	APPLICATION NO	APPLICATION AND PROPOSED DEVELOPMENT
	(1)	(2)

NORTHERN AREA

1/01	09/1438	332-336, 332A-C inc, Neasden Lane, London, NW10
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Demolition and rebuilding of rear extension to accommodate stairway to cellar of premises, including retention of 5 no. condenser units, and associated works to rear external stairway.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

1/02 09/1556 24 Valley Drive, London, NW9 9NP

Retention of single storey rear extension, two storey side to rear extension to dwellinghouse and conversion of garage into a habitable room (variation to scheme approved on 04/07/2006 - Ref: 06/1275).

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Chief Planner to agree the exact terms thereof on advice from the Borough Solicitor.

DECISION: Deferred for a site visit

SOUTHERN AREA

2/01 09/1546 117, 119A & 119B, Malvern Road, London, NW6

Amendment to reserved-matters planning permission 07/1950, dated 26/09/2007, pursuant to condition 3 (appearance) of outline planning permission 06/2144 (granted on appeal 14/05/2007) for erection of a four-storey and five-storey building consisting of 58 residential units (13 studio flats, 27 one-bedroom flats, 15 two-bedroom flats and 3 three-bedroom flats), 20 of which would be affordable, along with provision for 12 car-parking spaces and refuse stores, to change the design/appearance of the building, in order to allow the ground-floor and first-floor windows on the rear elevation to be clear-/plain-glazed, rather than the originally approved obscure-glazing.

OFFICER RECOMMENDATION: Refuse planning permission.

Andy Bates (Planning Manger) drew Members' attention to the supplementary information circulated at the meeting which confirmed that Westminster City Council was formally objecting to the scheme.

Duncan Gibson, speaking on behalf of the applicant, acknowledged that the proposals would lead to some reciprocal overlooking of the applicant's and neighbouring dwellings, however this was not uncommon for such locations. He asserted that no residents from Westminster had registered objections on the grounds of overlooking.

DECISION: Planning permission refused.

2/02 09/1452 104 Hanover Road, London, NW10 3DP

Erection of a single storey rear extension, rear dormer window, 2 front rooflights and landscaping to front of dwellinghouse as revised by plans received 03/08/2009 and as per Agents letter dated 06/07/2009.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and an informative.

Maris Silis, in objecting to the applicant, stated that the rear dormer would be excessive in width, contrary to SPG5, and the proposals were out of keeping with the area as most other rear dormers were smaller, whilst the 6 windows in total was more than double the normal and would be an invasion of his privacy. He argued that the proposals also represented an overdevelopment of the site and would increase noise. Maris Silis also expressed concern about the intended use, stating that as separate access would be provided, this could enable use other than the stated family use of dwelling. In response to a query from Members concerning overlooking, Maris Silis stated that the windows from the rear dormer would provide a direct view of the patio and block sky light into his property.

During discussion, the Chair sought clarification of the allowable depth of the ground floor of the rear extension and further comments with regard to the view from the rear dormer window. He also expressed concern that an existing extension was being extended further. Councillor H M Patel enquired whether single family dwelling use could be assured.

In reply, Andy Bates advised Members that the issue of use had been raised with the applicant who had provided written confirmation that the site would be used as a single family dwelling. Furthermore, an informative drew attention to a condition that the property could only be used as a single family dwelling and the Committee noted that enforcement action could be taken if this condition was breached. Andy Bates stated that the revised plans had resulted in a larger rear extension being proposed, however guidance needed to be considered flexibly, with the surroundings being taken account and a refusal on the grounds of the application being out of character with the area was unjustified. Members heard that the depth of the ground floor allowable was more than normal as the applicant was able to take advantage of the fact that a single storey extension already existed, enabling them to extend to up to 3.6 metres in depth. It was also noted that the proposals were to demolish the existing extension and replace it with a larger extension. Andy Bates stated that he could not provide detail on what may be overlooked from the rear dormer window, however Maris Silis property could already be overlooked from the applicant's in any case.

DECISION: Planning permission granted subject to conditions.

2/03 09/1414 4 Beechworth, Willesden Lane, Kilburn, London, NW6 7YZ

Installation of replacement upvc windows and installation of new door to ground floor flat.

OFFICER RECOMMENDATION: Grant planning permission subject to an informative.

Andy Bates drew Members' attention to a condition relating to a time limit in relation to the permission as set out in the supplementary information circulated at the meeting and responses to further concerns raised by objectors.

Graziella Baceeta, in objecting to the application, stated that the applicant was not permitted to make any alterations to their dwelling and confirmation of this was awaited from the leaseholder of the building. In particular, Graziella Baceeta objected to the installation of the door as it would impact upon the use of the community garden and reduce its' size further. She expressed concern that if other properties similarly applied to install doors, this would reduce the size of the garden even further and could result in the loss of the bicycle storage space.

Nora O'Donoghue also objected to the application on the grounds that it would impact upon other residents' use of the community garden, in particular children.

During debate, Councillor Anwar enquired whether the proposed door would connect to the main hallway and suggested that by opening outwards, it would present a safety risk to anyone cycling through the garden amenity area. Councillor J Moher also expressed concern about the door, feeling that it provided them with a disproportionately greater access to the communal garden than other residents and that it could set a precedent for similar applications to be made in future. The Chair sought clarification of whether the door opened inwards or outwards.

In reply, Andy Bates confirmed that the proposed door opened outwards and faced the footpath, providing access from the flat to the communal garden. The door was intended as a fire escape route and did not connect to the hallway.

Chris Walker (Chief Planner) added that the proposed door's location was not in a directly visible area.

Members then voted to refuse the application contrary to the officer's recommendation with the following statement of reason: the proposed door would have a detrimental impact on the quality of residential amenity currently enjoyed and would create a separate self-contained private pedestrian access out of character with the rest of the building.

In accordance with the provisions of the Planning Code of Practice, voting on the officers' recommendation for approval of this application was recorded as follows:-

FOR: Councillors Hashmi and Powney (2)

AGAINST: Councillors Anwar, Hirani, Jackson, J Moher and R Moher (5)

ABSTENTIONS: Councillors Baker, Hirani and Kansagra

(3)

DECISION: Planning permission refused on the grounds that the proposed door would have a detrimental impact on the quality of residential amenity currently enjoyed and would create a separate self-contained private pedestrian access out of character with the rest of the building.

2/04 09/0756 School Main Building, Capital City Academy, Doyle Gardens, London, NW10 3ST

Details pursuant to condition 3 (landscaping), 4 (fencing) and 8 (management plan) for full planning permission reference 03/2943 dated 04/12/03 for construction of an all-weather pitch on school sports grounds, located towards the centre of the Academy site (minimum of 75 metres from Doyle Gardens and 35 metres from Uffington Road), along with associated floodlighting and fencing (further details provided in letter from Capital City Academy 3rd August 2009).

OFFICER RECOMMENDATION: Grant planning permission subject to informatives.

Carol Nicholls stated that although she welcomed the all-weather pitch for the school, she sought assurance that the applicant would undertake a number of measures as agreed in the terms of the planning permission. In particular, she asked that the applicant undertake landscaping features such as planting of trees and shrubs, especially in view that the all-weather pitch could be used on any day of the year, including late into the summer evenings and therefore such planting was essential to prevent noise disturbing neighbouring residential properties.

Councillor Powney suggested that residents be informed of the conditions relating to the use of the all-weather pitch and who to contact if these were breached. Councillor Hashmi acknowledged residents concerns, particularly as the all-weather pitch was used frequently.

In reply, Andy Bates advised that the applicant had submitted a sound plan with regard to the all-weather pitch, however they had not undertaken it fully and breached conditions, leading to enforcement officers pursuing the case with the headteacher of the Academy concerning non-compliance. The informative in this application reaffirmed the applicant's need to comply with conditions 3, 4 and 8 and that they would be subject to enforcement action if this was not achieved. Andy Bates felt that the headteacher was fully aware of their obligations in terms of planning aspects of this site.

DECISION: Planning permission granted subject to informatives.

2/05 09/1368 25 Dobree Avenue, London, NW10 2AD

Erection of part single, part two storey rear extension and rear dormer window and installation of three windows to side of dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Members agreed to discuss this item and 2/06 below as the applications related to the same site.

Mrs Strauss, in objecting to the applications 2/05 and 2/06, stated that the proposals were disproportionate in size and out of character in an Area of Distinctive Residential Character. Mrs Strauss asserted that the proposed rear extension would go beyond the current building line and would block sunlight to her garden and patio in the evening and all day to her kitchen, whilst the proposed dormer window would represent an invasion of privacy.

Andy Bates advised Members that the application had been revised from the original proposals including withdrawing proposals to include a window on the side door.

The Chair commented that there were numerous applications of this nature in the borough and that it complied with planning guidance.

DECISION: Planning permission granted subject to conditions.

2/06 09/1369 25 Dobree Avenue, London, NW10 2AD

Erection of front boundary wall, landscaping of front garden and erection of outbuilding in rear garden of dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

2/07 09/1208 Site of former White Hart pub, junction of Church Road and High Road, London, NW10

Erection of a part 2-, 3-, 4- and 6-storey building, comprising 76 flats (33 x one-bedroom, 35 x two-bedroom, 7 x three-bedroom and 1 x four-bedroom) with 27 affordable units, commercial space (Use Class A1/A2/B1) on the ground floor and provision of 45 car-parking spaces with access off Cobbold Road.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and the completion of a satisfactory Section 106 as amended in the Heads of Terms or other legal agreement and delegate authority to the Director of Environment and Culture or other Officer within Authority to agree the exact terms thereof on advice from the Borough Solicitor.

Andy Bates drew Members' attention to the supplementary information circulated at the meeting confirming that the recommendation was for approval and detailing amendments to the Section 106 Agreement's Heads of Terms. He also

referred to comments with regard to comparison of the approved development and surrounding buildings and a further letter of objection.

Kay Malhotra, the applicant's architect, confirmed that the application was for mixed use and that it had been amended to overcome issues concerning build quality and sustainability with the previous scheme. The application meant that less excavation would be required in order to construct the court yard and car park which would be naturally ventilated. In reply to a query from Members concerning trees, Kay Malhotra confirmed that a tree would be located centrally on site and that the building was slightly higher as the design of the roof had been revised from a flat roof to a sloping one. Members also heard that there had been discussions with regard to the Section 106 Agreement due to changing circumstances in the property market and it was noted that the development was parking permit free.

DECISION: Planning permission granted subject to conditions and the completion of a satisfactory Section 106 as amended in the Heads of Terms as set out in the supplementary information or other legal agreement and delegate authority to the Director of Environment and Culture or other Officer within Authority to agree the exact terms thereof on advice from the Borough Solicitor.

2/08 09/1601 8B Lechmere Road, London, NW2 5BU

Rear dormer window with Juliet balcony and 1 front rooflight to first floor flat.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions

Mr Mellor, in objecting to the application, was given permission by the Chair to circulate photographs to support his representation. He asserted that if the application was approved there would be a significant loss of privacy in visual and in noise terms. Mr Mellor stated that there would be a direct view into his garden, dining room and living room, whilst there would be no trees or shrubs to absorb additional noise.

Andy McNeish, the applicant's architect, asserted that the distance between the applicant's and Mr Mellor's properties was too great to present loss of privacy issues, that there was no line of sight into Mr Mellor's house and that there was no view into the garden from the proposed rear dormer window. Andy McNeish added that there were numerous rear facing dormer windows in other properties in the area. Members heard that the proposed balcony was set within the rear dormer and would not be large enough, for example, to hold a barbeque and therefore noise would not be an issue.

Councillor Anwar enquired if the height of the rear dormer was sufficient to be able to overlook neighbouring properties and he suggested that it was possible to view a greater area from a Juliet balcony as included in the proposals as it was possible to lean over the balcony barrier. Councillor Powney sought clarification of the distance between the rear dormer of the applicant and the rear windows of Mr Mellor's property. The Chair commented that applications for rear dormers of this type were fairly common.

In reply to the issues raised, Andy Bates advised the Committee that the proposals included a set back rear dormer window to allow access to a small balcony that would not be overhanging from the building. He confirmed that the proposed rear dormer window was approximately 27 metres from Mr Mellor's property and planning guidance suggested a distance of 20 metres.

DECISION: Planning permission granted subject to conditions.

2/09 09/0732 Park House, Manor Park Road, London, NW10 4JW

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.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture or other Officer within Authority to agree the exact terms thereof on advice from the Borough Solicitor.

DECISION: Planning permission granted subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture or other Officer within Authority to agree the exact terms thereof on advice from the Borough Solicitor.

2/10 09/1528 106 Christchurch Avenue, London, NW6 7PE

Demolition of existing house and erection of two 2 storey buildings comprising a total of 7 two-bedroom and 1 one-bedroom self-contained flats.

OFFICER RECOMMENDATION: Refuse planning permission.

Andy Bates drew Member's attention to the additional reason for refusal and additional objections as set out in the supplementary information circulated at the meeting.

David Inglis, the applicant's architect, stated that a revised application had been submitted taking into account the comments made by the Planning Inspectorate. The number of proposed rooms had been reduced from 40 to 23 including 3 family units and the building would be of 2, rather than 3, storeys with a building footprint 35% smaller than the previous application. David Inglis asserted that amenity space had been increased to 410 square metres, whilst the community gardens were 170 square metres larger than mentioned in the report. Members also heard that proposals for balconies to the rear of the building had been withdrawn in order to address the concerns of those in neighbouring properties.

The Chair sought clarification regarding size and dimensions as had been referred to by David Inglis. In reply, Andy Bates advised that the amenity space

had been calculated by the Landscape Design Team whose assessment was detailed in the report and he thought it unlikely that these measurements would be inaccurate. Andy Bates stressed that the site was situated at an important location and that the application, although improved, still needed further changes before it could be acceptable in his view.

DECISION: Planning permission refused with an additional reason as set out in the supplementary information.

WESTERN AREA

3/01 08/3171 99, Flats 1-4 99,99B-101B,101,103,103B,Public Convenience & Car Park rear of 99-103, Ealing Road, Wembley, HA0

"Car Free" development for the erection of third-floor extension to provide 4 self-contained 2-bedroom flats with balconies, communal roof terrace and ground-floor amenities, including demolition of existing public convenience and erection of relocated replacement public convenience and new public cycle stands as accompanied by Design & Access Statement (amended by revised plans dated 13/08/09).

OFFICER 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 Director of Environment and Culture or other Officer within Authority to agree the exact terms thereof on advice from the Borough Solicitor.

Neil McClellan (Planning Manager) drew Members' attention to the supplementary information circulated at the meeting, in particular amendments to conditions 5 and 6 and comments with regard to the site visit. Members also heard that the Planning Inspectorate had confirmed in writing that the applicant had withdrawn their appeal against the Council's failure to determine the application within 8 weeks.

Jay Patankar, the applicant's architect stated that the present application included proposals for 4 flats, 3 less than the previous application. There had been considerable negotiations between the applicant and Building Control in respect of design, whilst there had also been input from the Planning Service, Transportation, StreetCare and Estate Management for a number of aspects of the application. Members heard that the new application offered improved access, including disabled access and provision for cycling spaces and waste recycling. In reply to a query from Members, Jay Patankar confirmed that the car-free aspect of the application referred only to the proposed extension. He stated that a safety rail and landscaping represented the boundary for the proposed balconies and he felt that the balcony design would ensure minimal disturbance to neighbouring dwellings.

DECISION: Planning permission granted subject to conditions, amendments to conditions 5 and 6 as set out in the supplementary information, informatives and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture or other Officer within Authority to agree the exact terms thereof on advice from the Borough Solicitor.

3/02 09/1419 979-981, Harrow Road, Wembley, HA0

Demolition of existing petrol station and erection of part 2- and 4-storey residential block comprising 10 flats (6 three-bedroom, 4 two-bedroom), 14 cycle spaces, 6 parking spaces, bin stores, associated landscaping and alteration of access from Harrow Road.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture of other Officer within Authority to agree the exact terms thereof on advice from the Borough Solicitor.

Neil McClellan drew attention to responses to Members' queries as set out in the supplementary information circulated at the meeting.

Jim Lafferty, representing Thomas A Beckett Close Residents' Association, objected to the application and stated that the parking provision was inadequate and therefore exacerbate existing parking problems. He disagreed that 4 cars could be accommodated in the side to Thomas A Beckett Close due to the lack of width and in addition refuse vehicles already found it difficult to collect bins from this area. In addition, the area was already heavily parked due to visitors to a nearby public house, whilst elderly persons living in Close would be further inconvenienced. Jim Lafferty stated that residents were not aware that a part 4 storey application had initially been approved and suggested that the notice in the consultation may not have included this detail. He also objected to the application on the grounds of over density and invasion of privacy.

David Poolary also commented that residents had not been aware that the application was for 4 storeys until the new notice was circulated and that initially only a few objections had been made to the application as it had been assumed that the application was for 3 storeys.

In accordance with the Planning Code of Practice, Councillor Lorber, a ward member, confirmed that he had been approached by residents of Thomas A Beckett Close and that he had made written representations to officers. He stated that the objections were not against proposals for flats in principle, however there was concern with regard to height, design and parking. Councillor Lorber felt that the original application, which included proposals for a part 2, 3 and 4 storey building, would have less impact on the surroundings as it included a stepping down from 4 to 3 storeys at the western end of the site adjacent to Thomas A Beckett Close, whilst the new application did not include this stepping down feature. He suggested that the new application was some 2.5 metres higher than the consented scheme which would mean a larger impact on the neighbourhood. Councillor Lorber suggested that Thomas A Beckett Close and

surrounding streets were already heavily parked as he had witnessed from experience and also because of the popular public house in the vicinity, and in view that the area was also not served well by public transport, he felt the parking provision in the application was insufficient. It was commented that the bicycle racks were likely to be underused as was the case with such facilities that were located in Barley Close.

Peter Smith, the applicant's architect, confirmed that the site already had planning consent for 4 storeys. The new application would mean less flats, more amenity space and the design would provide greater sustainability, whilst Transportation had approved the parking provision. Peter Smith suggested that parking spaces were being used by visitors to the current site which operated as a commercial business and he added that there would also be work to widen the pavement. Members heard that the application complied with planning regulations in respect of overlooking and the building would not be any closer to Thomas A Beckett Close dwellings than the consented scheme.

During discussion by Members, Councillor Anwar felt that the balconies in the proposals were too close to the dwellings opposite and that the road was already heavily parked. Councillor J Moher expressed concern that the building was excessive in size and its design and appearance out of character with the neighbouring area. He acknowledged that the changes in the application had improved the design, but not sufficiently in his view.

Neil McClellan clarified that the consultation notice in respect of the consented scheme had stated that the proposals were up to 4 storeys, however he acknowledged that due to the number of consultations undertaken with the planning application history of this site, that there was potential for confusion. Members also heard that there were windows in the consented scheme that were of similar proximity to neighbouring habitable room windows as the balconies in the proposed scheme. It was pointed out that the proposed balconies were recessed and that the Council's Design Team were satisfied with the overall design of the scheme.

Members then voted to refuse the application contrary to the officer's recommendation with the following statement of reasons: excessive height, location of balconies and the design, scale and massing being out of character with the neighbouring area.

In accordance with the provisions of the Planning Code of Practice, voting on the officers' recommendation for approval of this application was recorded as follows:-

FOR: Councillors Baker and H M Patel (2)

AGAINST: Councillors Anwar, Hashmi, Jackson, J Moher, R Moher and Powney (6)

ABSTENTIONS: Councillors Hirani and Kansagra (2)

DECISION: Planning permission refused on grounds of height, location of the balconies and that the design, scale and massing is out of character with the neighbouring area.

6. Date of Next Meeting

It was noted that the next meeting of the Planning Committee would take place on Wednesday, 16th September 2009 at 7.00pm and the site visit would take place on the preceding Saturday, 12th September 2009 at 9.30 am when the coach leaves from Brent House.

The meeting ended at 9.30 pm.

S KANSAGRA
Chair

Committee Report
Planning Committee on 16 September, 2009

Item No. 0/01
Case No. 09/1556

RECEIVED: 25 June, 2009

WARD: Fryent

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 24 Valley Drive, London, NW9 9NP

PROPOSAL: Retention of single-storey rear extension, two-storey side to rear extension to dwellinghouse and conversion of garage into a habitable room (variation of scheme approved on 04/07/2006 - Ref: 06/1275)

APPLICANT: Mr A H Porath

CONTACT: Mr J Benaim

PLAN NO'S: SB/B376/1; SB/B376/2 Rev A; and SB/B376/2 Rev B (relating to the front garden layout and height of the single storey pitched roof extension adjacent to No. 26 Valley Drive)

This application was deferred for a Members site visit at the Planning Committee of 26 August 2009.

RECOMMENDATION

Approval

EXISTING

The application site contains a semi detached dwellinghouse located on Valley Drive. The site is not located within a conservation area nor is it a listed building.

PROPOSAL

Retention of single storey rear extension, two storey side to rear extension to dwellinghouse and conversion of garage into a habitable room (variation to scheme approved on 04/07/2006 - Ref: 06/1275).

HISTORY

E/09/0345: Enforcement investigation into the breach of condition 2 (built in accordance with approved plans) of planning permission ref: 06/1275 dated 04/07/2006 - ongoing.

06/1275: Full Planning Permission sought for erection of front extension 2 storey side to rear and single storey rear extension to dwellinghouse - Granted, 04/07/2006.

POLICY CONSIDERATIONS

Brent UDP 2004 - adopted on 14th January 2004

BE2: Local Context & Character - Proposals should be designed with regard to their local context, making a positive contribution to the character of the area.

BE7: Public Realm - Streetscape - Forecourt parking should not detract from the streetscape or setting of the property, or create a road/pedestrian safety problem.

BE9: Architectural Quality - Requires new buildings to embody a creative and high quality design solution, specific to the sites shape, size, location and development opportunities and be of a design, scale and massing appropriate to the setting. Proposals should be laid out to ensure that buildings and spaces are of a scale, design and relationship to each other, which promotes the amenity of users, providing a satisfactory level of sunlighting, daylighting, privacy and outlook for existing and proposed residents.

Supplementary Planning Guidance

SPG5 – Altering and Extending your Home (adopted September 2002)

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation Period: 02/07/2009 - 23/07/2009

Public Consultation

3 neighbours consulted - 2 objections received on the following grounds:

- loss of light and outlook to neighbouring properties
- loss of privacy from flank wall windows and door
- development is of a significant size
- extension being built on the boundary line - overhanging guttering
- extension exceeds the guidance as outlined in SPG5 in terms of the depth of the ground floor rear extension and distance from flank wall of first floor rear extension to No. 26 Valley Drive
- porch does not follow the established building line and is out of character with the street
- porch will restrict the available depth of forecourt for off street parking
- property to be converted into flats

These objections have been addressed within the remarks section of this report.

An additional letter of objection has been received from the adjoining semi, No. 26 Valley Drive, on 17/08/2009. The objector queried the relevant legislation and policies that are used to determine applications, whether there are any test case examples and what defines an adjoining neighbour. Your officers have responded to these queries by e-mail. (In summary No. 26 Valley Drive is only affected by the variations to the approved scheme involving the pitched roof of the single-storey rear extension).

Internal Consultation

Enforcement team - no objections raised

REMARKS

Introduction

Planning permission was previously granted for a two storey side and part single, part two storey rear extension together with a front porch extension with an integral garage at ground floor to No. 24 Valley Drive (LPA Ref: 06/1275).

A minor amendment was agreed to the approved scheme on 7 January 2008. This included the relocation of the flank wall of the first floor rear extension to a distance of 5.76m from the mid point of the bay window at No. 26 Valley Drive. This is to mirror the first floor rear extension which was under construction at No. 26 Valley Drive which was approved at the Planning Committee meeting on 28/11/2007.

Works have commenced on site and following on from a site inspection by your enforcement officers it was evident that the extension was not being built in accordance with the approved plans. A summary of the main variations from the approved plans are set out below:

- single storey rear extension being built an additional 1.5m in depth (total depth of 4.5m) next to No. 22 Valley Drive
- flat roof replaced with a pitched roof for the single storey rear extension next to No. 26 Valley Drive
- conversion of garage into a habitable room

These issues are addressed in further detail later in this report.

Neighbouring properties

The adjoining semi, No. 26 Valley Drive, has a two storey side and part single, part two storey rear extension together with a front porch extension. Planning permission was originally granted on 21/07/2005 (LPA Ref: 05/1685) and a subsequent application for variations to the approved scheme was approved on 29/11/2007 (LPA Ref: 07/2856). The latter application was presented to the Planning Committee on 28/11/2007. The variations which were approved by members included the replacement of the flat roofed single storey rear extension with a pitched roof; conversion of the garage into a habitable room; and the width of the first floor rear extension as built was wider than shown on the approved plans which resulted in the extension exceeding the 1:2 guidance in relation to the nearest habitable room at No. 24 Valley Drive.

The other neighbouring property, No. 22 Valley Drive, has a single storey side to rear extension. There is a planning record for this extension (LPA Ref: 93/0095).

Current application

Single storey rear extension

The approved plans proposed the single storey rear extension next to No. 26 Valley Drive at 3.0m in depth with a flat roof at 3.0m high. Work has commenced on the rear extension with the depth of the extension being built in accordance with the approved plans. A pitched roof is now proposed instead of a flat roof. The roof was not constructed when officers visited the site but the plans indicate that it will match the height of No. 26 Valley Drive, measuring 3.5m adjoining the main rear wall of the house descending to approx. 2.5m (measuring 3.0m at its mid point). The height of the pitched roof complies with the guidance as outlined in SPG5 and as such the pitched roof is considered acceptable.

An additional 1.5m deep and 3.0m wide ground floor rear extension has been built next to No. 22 Valley Drive. This addition did not form part of the approved scheme. The roof was not completed when officers visited the site but the plans indicate that it is proposed with a flat roof at 3.0m high with parapet walls at 3.4m high. The height and depth of the extension will match the neighbouring extension at No. 22 Valley Drive. Whilst the depth of the extension does exceed the height and depth of the guidance as outlined in SPG5, given that it will be in line with the extension at No. 22 Valley Drive and is a considerable distance away the boundary with No. 26 Valley Drive at 5.6m, it is not considered to cause significant harm to the amenities of either of the neighbouring properties to warrant a refusal. Furthermore, it is not considered to cause significant harm to the character of the property and a garden area of over 50sqm will remain after the extension is complete, which exceeds the minimum standards for family sized accommodation.

Conversion of garage into a habitable room

The approved scheme proposed a linking porch and front extension. This feature was approved in line with the bay window projecting 1.1m from the main front wall of the house. At ground floor a garage was proposed.

The extension as currently being built includes a habitable room at ground floor instead of a garage. The garage door has been replaced with a casement window divided into three sections. The projection from the main front wall and height and design of the roof remains as per the approved plans and it was noted from the site visit that the height and forward projection are being generally built in accordance with the approved plans.

The conversion of the garage into a habitable room is considered acceptable. The window is considered to be of an appropriate design and proportions that relates to the main house.

As the proposal will result in the loss of the garage and the need for off street parking, your officers have requested that 50%/50% soft hard landscaping is provided within the front forecourt. The agent has confirmed that this will be provided and sent in a plan of the front forecourt.

Distance to neighbouring boundaries

There is a gap of 12cm between the flank wall of the extension and the side extension at No. 22 Valley Drive. Although this is less than the gap as shown on the approved plans at 20cm, it is not in itself considered to warrant a reason for refusal. The agent has confirmed that a box guttering arrangement is proposed to prevent the guttering from overhanging onto the neighbouring property.

A gap of 20cm is proposed between the single storey rear extensions at Nos. 24 and 26 Valley Drive which should allow sufficient space for the guttering.

Section 106 Agreement

This application was originally proposed with a Section 106 Agreement which required the applicant to enter into a S38/S278 of the Highways Act agreement with the Council to provide the reinstatement of one of the 2 cross overs outside of the Development on Valley Drive as public footway leaving only one cross-over. Following on from discussions with the Section 106 Officer and officers in the Transportation Unit, it was advised that the reinstatement of the pavement is secured by a planning condition rather than through a Section 106 Agreement. These details have been secured through condition 6. An informative is also attached to advise the applicants to contact the Transportation Unit regarding these works.

Response to objections raised

- *loss of light and outlook to neighbouring properties*

The objections relate to both the rear extension and front porch. In terms of the ground floor rear extension, although the additional element next to No. 22 Valley Drive exceeds the guidance as outlined in SPG5, it is flush with the extension at No. 22 Valley Drive and significantly set in from the boundary with No. 26 Valley Drive. As such it is not considered to adversely impact upon the availability of light or outlook to either of the neighbouring properties.

The front porch extension is in line with the bay window. The neighbouring property at No. 22 Valley Drive, has a garage next to the porch extension. The bay window is approx. 5m from the front extension, and as such the front porch extension is not considered to adversely impact upon outlook or light from the bay window.

- *loss of privacy from flank wall windows and door*

There are no windows proposed on the flank walls. Windows were shown in the submitted plans but have since been removed.

A door is proposed in the flank wall of the additional single storey rear extension facing No. 26 Valley Drive. A timber boundary fence is located along this boundary. This door is set off the boundary by approx. 5m and as such meets the minimum guidance for privacy as set out in SPG17.

- development has added significant size extension and exceeds the guidance as outlined in SPG5 in terms of the depth of the ground floor rear extension and distance from flank wall of first floor rear extension to No. 26 Valley Drive

The objectors have referred to a volume in the building control records. This is not an assessment which is used by the planning service is assessing whether an extension is an overdevelopment of the site. With the exception of the additional single storey rear extension next to No. 22 Valley Drive, the proposal is in general conformity with the Council's policies and guidance and is a scale of extension which is seen across the borough.

Whilst the depth of the ground floor rear extension next to No. 22 Valley Drive exceeds SPG5, this document is a guidance document and each application needs to be assessed on its individual merits. The extension in question is not considered to adversely impact upon neighbouring properties nor is it considered to represent an overdevelopment of the site. This has been addressed in further detail above.

The distance of the first floor rear extension to the middle of the bay window at No. 26 Valley Drive has been reduced to 5.76m. This is to mirror the extension at No. 26 Valley Drive. This alteration was treated as a minor amendment to the approved scheme.

- *extension being built on the boundary line - overhanging guttering*

There is a gap of 12cm to the extension at No. 22 Valley Drive. The agent has provided details of a box guttering arrangement which indicates that the guttering will be maintained within the boundary of No. 24 Valley Drive. A gap of 20cm has been maintained between the single storey rear extensions at Nos 24 and 26 Valley Drive which should allow for the guttering to be maintained within the boundary of No. 24 Valley Drive.

- *porch does not follow the established building line and is out of character with the street*

The front porch does not project beyond the bay window and as such is considered to follow the established building line. The impact of the front porch extension upon the character of the street was considered during the assessment of the previous planning application ref: 06/1275 where it was considered acceptable.

- *porch will restrict the available depth of forecourt for off street parking*

The available depth of front forecourt is approx. 4.8m. This is considered sufficient to accommodate an off-street parking space. The agent has submitted a plan providing 50% soft landscaping.

The neighbouring property, No. 26 Valley Drive, also has planning permission to convert the garage into a habitable room. This property also has a front porch extension and a similar depth of front forecourt. 50% soft landscaping was also approved as part of the planning application for No. 26 Valley Drive (LPA Ref: 07/2856). It is noted that a condition is outstanding concerning the submission of details for the front boundary treatment. Your officers will follow up these details.

- *property to be converted into flats*

The layout of the floor plans do not suggest that the property will be converted into flats, and planning permission would be required to permit the change of use from a single family dwellinghouse.

Conclusion

In relation to policies **BE2** and **BE9** (UDP 2004) and the guidance as outlined in SPG5, the proposal is considered acceptable in respect to the scale and architectural design of the existing dwellinghouse and the amenities of the occupants of neighbouring properties.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent's 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 with the date of this permission.

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

- (2) 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.

- (3) The extension hereby approved shall be used solely in connection with the existing house as a single family dwelling.

Reason: To ensure that the premises are not sub-divided or used for multiple occupation without the prior written permission of the Local Planning Authority.

- (4) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any future enactment of that Order, no windows or glazed doors (other than any shown on the approved plan) shall be constructed in the flank walls of the building.

Reason: In the interests of the privacy of adjoining occupiers.

- (5) Notwithstanding the submitted plans otherwise approved further details of the front forecourt should be submitted to and approved in writing by the Local Planning Authority within one month of the date of this decision. The approved access arrangements, hardstanding areas and boundary wall should be implemented prior to occupation of the development hereby approved and the soft landscaping 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. Such details shall include:

- (a) defined vehicular access point
- (b) details of the extent of the hardstanding (including samples of materials)
- (c) details of 50% soft landscaping within the front forecourt (including details of species, numbers and densities)
- (d) details of the front boundary wall including elevations and details of materials

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

- (6) The development shall not be occupied unless the existing crossover and access from Valley Drive has been reinstated in accordance with details submitted to and approved by the Council in writing. The existing access shall not be re-opened for use following its closure.

Reason: In the interests of pedestrian and general highway safety.

INFORMATIVES:

- (1) The applicant is advised to contact the Council's Head of Transportation regarding the reinstatement of the existing crossover works and that such works are required to be implemented at the expense of the applicant.

REFERENCE DOCUMENTS:

Brent's UDP 2004
SPG5 "Altering and Extending Your Home"
SPG17 "Design Guide for New Development"
2 letters of objection

Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



Planning Committee Map

Site address: 24 Valley Drive, London, NW9 9NP

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Committee Report

Planning Committee on 16 September, 2009

Item No.

1/01

Case No.

09/1836

RECEIVED: 28 July, 2009

WARD: Welsh Harp

PLANNING AREA: Willesden Consultative Forum

LOCATION: 49 Alington Crescent, London, NW9 8JL

PROPOSAL: Single and two storey rear extension, first floor side extension, rear dormer window and 1 front rooflight to dwellinghouse

APPLICANT: Mr D BHUDIA

CONTACT: Mrs Jaini Shah

PLAN NO'S: ALIC49/1; ALIC49/2 Rev B; Site Plan (Scale 1:1250)

EXISTING

The property is a semi detached dwelling located on the western side of Alington Crescent and sits on a site with a splayed curtilage (widening away from the road towards the rear).

The property has previously been extended by a substantial single storey side extension which projects some 5m behind the rear elevation of the site property and follows the common boundary with no. 47 Alington Avenue. The historic alterations have not extended the original rear elevation of the building and have resulted in an "L" shaped rear. The extension also projects beyond the main frontage of the building and links to the porch to provide garage space for the dwelling.

The property is not located within a conservation area nor is it a listed building.

PROPOSAL

The application proposes a ground floor rear extension with a depth of 3m adjacent to no. 51 Alington Crescent. At a distance of 4m from this boundary the extension would step to a depth of 5m in depth, matching that of the existing side rear extension.

The application also proposes a first floor side extension with a width of 3.64m. This extension would also extend to a depth behind the main rear elevation of 2.3m. The rear element of this extension would end 4m away from the common boundary with the neighbouring property at no. 51.

A rear dormer is proposed which would have a width of 2.5m a depth of 3m and which would be centrally located in the existing roof slope.

HISTORY

- Planning application 09/1954 for the erection of 2 single storey detached sheds in rear garden of dwellinghouse is currently under consideration by the planning service.

- Planning application 99/1031, for the erection of a part side and part rear single storey extension, was granted planning permission on 30/06/1999.
- Planning application 84/2276 for the erection of a single storey side extension, was granted planning permission on 04/02/1985.
- Planning application M7923 810024 for the erection of a single storey side extension was granted planning permission on 16/03/1981.
- Planning application 16096A 1348 for a garage, was granted planning permission on 02/11/1949

POLICY CONSIDERATIONS

The following policies of the Adopted London Borough of Brent Unitary Development Plan are considered appropriate to this application.

- **BE 2**
Requires proposals to make a positive contribution to their local context, making a positive contribution to the character of the area.
- **BE 9**
Requires extensions and alterations to existing buildings to embody a creative and appropriate design solution, and specifically be of a scale massing and height appropriate to setting and respect , whilst not necessarily replicating positive design and landscape characteristics of adjoining development

Also appropriate are the provisions of Council Adopted Guidance, specifically:

Supplementary Planning Guidance No. 5 "Altering and Extending Your Home".

CONSULTATION

Consultations were undertaken by letter on 4 August 2009 with 7 neighbouring occupiers. Two objections were received.

1. An objection from the occupiers of 51 Alington Crescent stated the following issues:

- *2 storey rear extension out of character with the area*
- *Loss of light and outlook*
- *Impacts on parking*
- *Overdevelopment to the detriment of the character of the area.*

It should be noted that subsequent to this objection, the officer received a telephone message from a colleague that the objector wished to add another objector (57 Alington Crescent) to their comments, however as the comments were not received in writing from the party concerned, this is not considered to be a valid objection. The officer would also note that 57 Alington Crescent was not considered to be directly affected by the proposal.

2. An objection was also received from the occupiers of 166 Salmon Street who objected to the scheme on the basis of loss of outlook.

REMARKS

Proposed single storey rear extension:

The proposed single storey rear extension element would have a height of 3m and would be 3m deep at the boundary with the attached twin dwelling no. 51 Alington Avenue.

In this respect the development would be compliant with Supplementary Planning Guidance No. 5 (SPG 5) and it is not considered that the development would result in detriment to the amenities of these neighbouring occupiers.

The extension would increase in depth to just under 5m in depth at a distance of 4m from the common boundary with no. 51 Alington Avenue. Whilst this is a significant increase, it is considered that the increased depth of the extension would be masked by the compliant section on the boundary and that the 4m separation would be sufficient to mitigate any adverse effects arising from the development.

Given these considerations the officer is satisfied that there would be little practical harm arising from this element of the extension and that this would not be sufficient to justify refusal.

First floor side extension:

The proposed first floor side extension would be set back behind the main frontage of the building by 1.5m in compliance with SPG 5 (as it would retain a 1m set in from the boundary). The extension would have a width of 3.64m and would be no wider than the main front room of the dwelling.

Fenestration on the front elevation would be of a size which would be similar to that on the main frontage and would also be vertically emphasised to mimic this. A small window in the side elevation (serving the closet space) is also proposed. It is suggested that should members approve the application that this be conditioned to be obscured glazed and non opening for the privacy of neighbouring occupiers.

It is considered that the first floor extension would not overly dominate the property, would not unbalance the attached pair and would be acceptable.

Proposed first floor rear extension:

Council Supplementary Planning Guidance No. 5 requires first floor rear extensions to have a depth of no more than half the width of the distance between their side elevation and the central point of the nearest habitable room on an adjoining property.

The proposed first floor rear extension would be separated by 4m from the common boundary with the attached property at no. 51. Submitted plans and officer calculations show the extension being some 5.6m from the centre of the nearest habitable room window. As the extension would have a depth of 2.3m, the development would be compliant in terms of this guidance.

Given the orientation and distance of the extension from the neighbouring property at no. 47 Alington Crescent as well as the size and positioning of the existing ground floor extension, the first floor rear extension is considered not to result in significant detriment to these neighbouring occupiers and that the development is acceptable in this respect..

Rear dormer window:

The development proposes a single rear dormer window on the property. The extension would have a width of 2.5m. The dwelling roof has an existing width of 8.3m and the development would therefore be compliant with the requirements of SPG 5 (at less than half of this width). The

positioning of the dormer (with regard to the setup and setdown) are also compliant with SPG 5 guidance.

Whilst it is noted that the dormer window would be located close to the ridge of the roof, given the proposed extension to this roof plane as a result of the first floor side and rear extension and the orientation of the building, it is not considered that the development would have a significantly detrimental impact on the visual amenity of the building or the surrounding area.

Given this compliance with SPG 5 and that the extension would form a traditional roof style, the development would be considered to be acceptable in this respect and can be approved.

Parking:

The parking requirement for the site under Council Parking Standard (PS) 14 is two spaces for a property with 4 or more bedrooms.

The layout of the garage space, whilst an improvement over that existing, would result in one of the internal parking spaces substandard in terms of its depth (at only 4.5m). The submitted drawings show 50% of the area of the front garden as being soft surfaced with the remainder provided as a parking space for a second vehicle.

Given this arrangement, the officer is satisfied that these alterations would not result in adverse impacts on the highway network and would be an improvement to the visual amenity of the area.

In order to ensure that unauthorised parking onsite does not occur, it is considered appropriate that the dwarf wall existing on the common boundary between no.s 47 and 49 be installed as part of the landscaping scheme to be implemented.

Conclusion:

The officer acknowledges that the current development as well as previous extensions to form a ground floor bedroom will result in a substantial 6 bedroom dwelling. It is however noted that alterations proposed within this application are at the upper limit of development specified within SPG 5 and where outside these limits, are mitigated by compliant sections of development. As such, given the specific circumstances of the application the officer is satisfied that the development proposed can be approved.

The officer is however concerned that the size of the dwelling could make it attractive for purposes other than as accommodation as a single unit and it is considered appropriate that, should members approve the application, that a condition be imposed which limits conversion of the garage or study rooms into habitable accommodation.

Subject to the conditions described above, the officer is satisfied that the development would be compliant with the intentions of Council adopted policy and guidance and can be approved.

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) 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.

- (3) The garage hereby approved shall be used solely for the housing of private vehicles. No business or industry shall be carried out therein nor shall the garage be adapted or used for additional living accommodation or be sold, let or occupied separately from the dwelling.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the amenities of the locality by the introduction of commercial vehicles or uses which would be a source of nuisance to neighbouring occupiers by reason of noise, unsightly appearance or which would result in the loss of adequate off-street car parking for this property.

- (4) The floorspace subject of this application shall be used solely in association with the existing dwelling premises and shall not be subdivided or used any other purpose whatsoever (eg as a house in multiple occupation, or hostel), without the prior written consent of the Local Planning Authority.

Reason:
To ensure that no separate use commences since this would constitute over-intensive use of the site.

- (5) The windows on the first floor of the southern face of the building and on the northern elevation at ground floor level shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- (6) The landscape works and planting shown on the approved plans shall be carried out in the first planting season following substantial completion of works onsite.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

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

- (7) Notwithstanding details on approved plans, a dwarf brick wall, of a height and materials which match as closely as possible to that existing on the common boundary between the site property and no. 47 Alington Avenue, shall be erected as part of the landscaping scheme to be implemented on the site. Construction of this wall to take place within the first year following substantial completion of works onsite.

Reason: In the interests of the visual amenity and character of the area.

INFORMATIVES:

- (1) The consent holder should be aware that this consent is based upon the use of the central room within the first floor side extension as being non habitable. Use of this room as a habitable room would be unacceptable given its lack of outlook.

Likewise conversion of further habitable rooms shown within the approved plans into bedrooms would suggest use other than as a dwelling house.

- (2) The applicant should note that the Council has taken account of the special circumstances of the case i.e. its location and previous alterations and that in making an exception to the normal Council policy in this instance are concerned that this permission shall not set a precedent for similar applications which would normally be refused.

Any person wishing to inspect the above papers should contact Ian Hyde, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5241



Planning Committee Map

Site address: 49 Alington Crescent, London, NW9 8JL

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Committee Report

Planning Committee on 16 September, 2009

Item No.

1/02

Case No.

09/1888

RECEIVED: 3 August, 2009

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 61 Beverley Gardens, Wembley, HA9 9RB

PROPOSAL: Erection of two-storey, end-of-terrace dwellinghouse with roof extension and 1 rear rooflight, installation of vehicle crossover, provision of car-parking, refuse storage to front and landscaping to site

APPLICANT: Ms Jane Brennan

CONTACT: David Scott Architects

PLAN NO'S: DS/513B S01a; S02a; 03a; 04a; 05c; 06b; 07c; and 08c

RECOMMENDATION

Grant consent in principle subject to the completion of a satisfactory Section 106 legal agreement and request that Members delegate authority to the Director of Environment and Culture, or duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor; but if the agreement has not been entered into within a time to be agreed, to refuse permission but delegate authority to the Head of Area Planning to grant permission in respect of a further application which is either identical to the current one or, in his opinion, not materially different, provided that a section 106 agreement containing the above terms has been entered into.

SECTION 106 DETAILS

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

- (a) Payment of the Council's legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) Contribution of £9,000 (£3,000 per bedroom) towards the provision and/or improvement of education facilities in the Borough, non-car access/highway, sports and public space improvements in the area.

All contributions due on Material Start and index-linked from the date of decision.

And, to authorise the Director of Environment and Culture, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

The application site concerns land next to No. 61 Beverley Gardens. The site is not located within a conservation nor is it a listed building. The Barn Hill Conservation Area is located to the south of the site.

PROPOSAL

Erection of a two storey end of terraced 3 bedroom dwellinghouse next to No. 61 Beverley Gardens, installation of vehicular access, provision of one off street parking space, refuse storage and landscaping in front forecourt.

HISTORY

Land N/T 61 Beverley Gardens

09/0871: Full Planning Permission sought for erection of two-storey, end-of-terrace dwellinghouse with roof extension and 1 rear rooflight, installation of vehicle crossover, provision of car-parking, refuse storage to front and landscaping to site - Refused, 14/07/2009.

08/0399: Full Planning Permission sought for erection of 2 storey detached dwellinghouse with 2 rooflights and rear dormer windows, installation of vehicle crossover, provision of car park, refuse storage to front and landscaping to site - Refused, 21/04/2008.

No. 61 Beverley Gardens

09/0876: Full Planning Permission sought for erection of single storey rear extension with 1 skylight to dwellinghouse - Granted, 09/06/2009

09/0877: Certificate of Lawfulness sought for proposed rear dormer window, 2 front rooflights and new front porch to dwellinghouse - Lawful, 09/06/2009.

07/3047: Full Planning Permission sought for formation of a vehicular crossover to front elevation of dwellinghouse - Granted, 07/12/2007.

07/2334: Certificate of Lawfulness sought for a proposed construction of hard surfacing within the front garden area and means of access to the highway for the parking of two vehicles within the front garden area of the dwellinghouse - Unlawful, 13/09/2007.

07/2029: Certificate of Lawfulness for proposed side hip to gable extension, rear dormer window and installation of 2 front rooflights to dwellinghouse - Lawful, 30/07/2007.

POLICY CONSIDERATIONS

UDP 2004

BE2	Townscape: Local Context and Character
BE7	Public Realm: Streetscape
BE9	Architectural Quality
BE12	Sustainable Design Principles
H12	Residential Quality – Layout Considerations
H13	Residential Density
TRN23	Parking Standards – Residential Developments
PS14	Parking Standards – Residential Developments

Other policy

SPG5	Altering & Extending Your Home
SPG17	Design Guide for New Development

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation Period: 11/085/2009 - 01/09/2009

Public consultation

36 neighbours consulted - 20 letters of objection received on the following grounds:

1. the new dwelling will be converted into flats as what has happened at No. 63 Beverley Gardens
2. additional parking pressures
3. loss of view to Harrow on the Hill
4. terraced property out of character with area
5. over development of Beverley Gardens
6. mature street tree to be retained
7. adversely impact upon setting of Barn Hill

The above objections have been addressed within the remarks section of this report

Internal consultation

Transportation - no objections raised.

Landscape - no objections raised. Officers have advised that a Full Tree Protection Method Statement is submitted due to the close proximity of the street tree to the crossover and for their to be adequate bin screening.

External consultation

Barn Hill Residents Association - no comments received during the consultation period.

Thames Water - no objections raised.

REMARKS

Introduction

This application proposes an identical scheme to what was previously reported to the Planning Committee meeting on 8th July 2009. Members agreed to grant planning permission for the previous scheme subject to the completion of a Section 106 Agreement. The applicants were unable to complete the Section 106 Agreement within the 8 week statutory timescales which resulted in the application being refused for this reason on 14th July 2009.

Site and Surroundings

The application site comprises land next to No. 61 Beverley Gardens. Nos. 61 and 63 Beverley Gardens were originally built as semi detached dwellinghouses. Planning permission was granted on 11/02/2008 for a new dwellinghouse to be attached to No. 63 Beverley Gardens (LPA Ref: 07/3513). Work is currently under construction on the new dwellinghouse and this is addressed in further detail within the "Proposed use of the property" remarks section of this report.

No. 61 Beverley Gardens has recently been granted planning permission for a single storey rear extension (LPA Ref: 09/0876) and a Lawful Development Certificate was issued for a hip to gable roof extension, rear dormer window and 2 front roof lights (LPA Ref: 09/0877). Planning permission has also been granted for vehicular access to the front forecourt with associated soft and hard landscaping (LPA Ref: 07/3047)

Principle of development

The principle of this type of development was considered during the assessment of the application for the new dwellinghouse attached to No. 63 Beverley Gardens. Both the site being considered as part of this application and the site next to No. 63 Beverley Gardens have been the subject of

earlier applications for an additional unit, all of which proposed a detached dwellinghouse which raised fundamental design concerns, not least of which is the Council's firm belief that a detached unit would not be a suitable type of development given the character of the street. The previous application on the land next to No. 61 Beverley Gardens proposed a gabled end pitched roof with a large rear dormer and failed to follow the vertical or horizontal rhythms of the streetscene. Concerns were also raised with limited outlook from habitable rooms of both the proposed dwellinghouse and the neighbouring property.

The following extract is from the officer's committee report for the new dwellinghouse next to No. 63 Beverley Gardens (LPA Ref: 07/3513). These comments are considered to apply to the current application.

"The area is dominated by semi-detached properties. These properties have a generally coherent style of architecture and relatively consistent gaps between the pairs. This site is abnormal in the street in that the gap between the pairs is substantial. It is the view of your Officers that the key characteristics of the street are the narrower gaps between the other properties and the design of the properties. There is no in-principle objection to forming a short terrace, indeed as this requires the scheme to reflect its neighbours in terms of proportions and fenestration it is preferable to the previously refused proposals. Since the properties have an abnormal relationship with their neighbours in comparison with the rest of the street, there is, on balance, no justification for maintaining the status quo should a suitable form of development be proposed".

Design

The scheme respects the bulk, scale and massing of the properties in the street. It follows the established building line and the levels across the site. A single storey rear extension is proposed measuring 3.0m deep and 3.0m high, mirroring the recently approved rear extension at No. 63 Beverley Gardens. A patio is proposed provided stepped access to the rear garden area. A porch is also proposed matching the design of the porch at No. 61 Beverley Gardens which is to be constructed under permitted development. Materials would be controlled via a condition should Members be minded to grant consent.

Standard of Accommodation

The proposed unit has a gross internal floor area of approx. 108sqm, which is in excess of the minimum required for a 3-bed house as set out in SPG17, being 85sqm. All rooms are of adequate size and have sufficient privacy and sunlight/daylight. A rear garden area of approx. 200sqm is proposed which excess the minimum guidance as outlined in SPG17. Concerns were raised during the previous application with the limited outlook available from the habitable room facing onto the street due to the raised forecourt with a retaining wall to allow vehicles to park on a relatively flat area. A similar arrangement has been granted at No. 61 Beverley Gardens, and it is considered on balance that although outlook will be restricted it is not significant to justify a reason for refusal. Your officers also recommend that a condition is attached to secure details of the level changes across the site.

Impact on Neighbouring Residents

There is a distance of 20.4m from the single storey rear extension to the boundary with the properties in Alverstone Road with a distance of approx. 45m between rear facing habitable room windows. These distances are in excess of the minimum guidelines as set out in SPG17 and as such the privacy and outlook of the properties in Alverstone Road are not considered to be adversely affected by the proposal. Trees have also recently been planted along the rear boundary to assist in screening both the new and existing properties. Similarly, it is considered that the proposed dwellinghouse will not have an adverse impact upon the amenities of No. 63 Beverley Garden.

Concerns were previously raised with the impact of the detached dwellinghouse upon the amenities of No. 59 Beverley Gardens, namely the outlook from the kitchen window which is the sole window to this habitable room. The detached dwellinghouse was proposed to be set off the boundary with No. 59 Beverley Gardens by 1.0m. The current application increases this distance to 3.4m with a distance of approx. 5.4m from the kitchen window to the flank wall of the proposed dwellinghouse. Given that the proposed dwellinghouse is located at a lower ground level to No. 59 Beverley Gardens and that this distance has increased, it is considered that there will be sufficient outlook from the kitchen window of No. 59 Beverley Gardens. Your officers also recommend that a condition is secured to restricted permitted development rights for side extensions. Due to the orientation of the kitchen window it is considered that daylight and sunlight will not be adversely affected.

As no windows are proposed on the flank wall of the new dwellinghouse it the privacy of the occupiers of No. 59 Beverley Gardens will not be affected.

Landscaping

The proposed front forecourt will be raised so that a vehicle can access the forecourt. It will contain a hard surfaced area for one off street parking space and the remaining area will be soft landscaped with stepped access down to the front entrance. 50% of the front forecourt will be soft landscaped complying with policy BE7 of Brent's UDP 2004. A shared crossover is proposed to provide vehicular access to both the new dwellinghouse and No. 63 Beverley Gardens. Details of the proposed landscaping, materials for hard standing and boundary treatments are recommended to be secured by condition.

There is a street tree in close proximity to the proposed crossover. Your officers in the landscape team have advised that a Full Tree Protection Method Statement written in compliance with BS5837 "Trees in Relation to Construction" be submitted to ensure that the tree does not suffer any damage. It is recommended that these details are secured by condition.

Transportation

The parking allowance for the new 3 bedroom dwellinghouse is 1.6 spaces which is a maximum standard. One space is required to be provided which is proposed as an off street parking space. The existing dwellinghouse currently contains 3 bedrooms but has the potential to have an additional bedroom once the roof extension has been constructed. This would increase the maximum standard to 2 spaces, one of which can be accommodated off street and one on street. The shared crossover is 4.2m, wide which is acceptable in terms of SPG3.

Refuse storage

Refuse storage is proposed to be provided within the front forecourt. It is recommended that a condition is attached to secure a revised location of the bin store so that it is screened from the street.

Proposed use of the property

A number of concerns have been raised regarding the possibility of the property being converted into flats. The layout of the floor plans do not suggest that the property will be converted into flats, and planning permission would be required to permit the change of use from a single family dwellinghouse. Without prejudicing any future application, officers consider that the change of use of the property to flats would likely be unacceptable as it would fail to comply with the Council's policies for flat conversions in Heavily Parked Streets which requires a minimum original floor area of 140sqm. There would also be other policy concerns with a potential conversion.

Your officers are aware of the unauthorised works which are currently taking place at the new property next to No. 63 Beverley Gardens which involves the conversion of the property in four self contained flats and a flat in the rear garden without the benefit of planning permission. This matter is being investigated by the enforcement team (LPA Ref: E/09/0313). This property is also located within the Heavily Parked Street and the same policy criteria applies. An additional enforcement case has been set up at No. 63 Beverley Gardens concerning a rear dormer, single and two storey rear extension and front canopy which have been built without the benefit of planning permission (LPA Ref: E/09/0520). Enforcement action has been authorised for both the unauthorised conversion of the property into flats and the unauthorised extensions.

Conclusion

The site has been the subject of two previous applications, both for a detached house and both refused as such a feature would be unacceptable in the streetscene. Whilst concerns over the impact of development of this unusually wide plot are noted, on balance this scheme is considered an acceptable response to providing much-needed family housing without cause harm to either the character of the area or the amenity of neighbouring and future occupants.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home
Council's Supplementary Planning Guidance 17 - 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
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) Notwithstanding the submitted plans otherwise approved further details shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site and implemented in accordance with such approved details. Such details shall include:

- (a) details of materials for all external work including samples that match, in colour, texture and design detail, those of the existing building
- (b) details of the design of the windows to the new dwellinghouse
- (c) details of the chimney stack
- (d) details of proposed level changes across the length of the site

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

- (3) No further extensions or buildings shall be constructed within the curtilage of the property subject of this application, notwithstanding the provisions of Classes A - F, Part 1, Schedule 2 of the Town & Country Planning General Permitted Development Order 1995, as amended, or any future enactment of that order, unless a formal planning application is first submitted to and approved in writing by the Local Planning Authority.

Reason: In view of the relationship of the site with surrounding residential properties, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

- (4) During construction on site:-
- (a) The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site.
 - (b) The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays.
 - (c) Vehicular access to adjoining and opposite premises shall not be impeded.
 - (d) All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only.
 - (e) No waste or other material shall be burnt on the application site.
 - (f) A suitable and sufficient means of suppressing dust must be provided and maintained.

Reason: To limit the detrimental effect of construction works on adjoining residential occupiers by reason of noise and disturbance.

- (5) Notwithstanding any details of landscape works included with the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development (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 any construction works on the site. Any planting, turfing or seeding included in such details shall be completed in strict accordance with these approved details prior to the occupation of any part of the development or in accordance with a programme agreed, in writing, with the Local Planning Authority. Such a scheme shall include:

- (a) a Full Tree Protection Method Statement in compliance with BS5837 "Trees in Relation to Construction" concerning the street tree next to the proposed crossover
- (b) proposed walls and fences indicating materials and heights;
- (c) any screen planting;
- (d) a proposal for the frontage of the site facing Beverley Gardens to include a low (below 850mm) boundary hedge;
- (e) details of the proposed arrangements for the maintenance of the landscape works.
- (f) location and details of trees planted along the rear boundary

The approved arrangements for the maintenance of the landscape works shall be fully implemented.

Reason: To ensure a satisfactory appearance and setting for the proposed

development and to ensure that it enhances the visual amenity of the area.

- (6) No windows or glazed doors (other than any shown in the approved plan) shall be constructed in the southern flank wall of the proposed building without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness.

- (7) The roof of the rear extension shall not be used for a roof terrace nor the first floor windows converted to doors without the prior written approval of the Local Planning Authority.

Reason: In the interests of privacy of neighbouring occupants.

- (8) Prior to the commencement of the proposed works further details must be submitted to Council detailing the exact storage location of the proposed wheelie bins and demonstrate to Council how these bins will be screened so that they are not visible from the streetscape.

Reason: To ensure that the proposal does not have an adverse effect on the streetscape or negatively impact on the amenity of the adjoining properties.

INFORMATIVES:

- (1) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off the site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water developer Services will be required. They can be contacted on 0845 850 2777.
- (2) Prior to undertaking the proposed works to the front forecourt the Council recommends that you employ the services of a suitably qualified Engineer to carry out calculations to ensure that the retaining wall is suitably designed to resist overturning and that the railings are suitably designed to ensure their robustness for the containment of vehicles.
- (3) The applicant is advised that if the disabled parking bay on Beverley Gardens is still in use, they will need to make arrangements to relocate the bay. The applicant should contact the Transportation Unit on 020 8937 5102 to make these arrangements.

REFERENCE DOCUMENTS:

Brent Council's SPG 5 "Altering and Extending Your Home"

Brent Council's SPG 17 "Design Guide for New Development"

Brent Council's Unitary Development Plan (Adopted 2004)

3 letters of objection

Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



Planning Committee Map

Site address: 61 Beverley Gardens, Wembley, HA9 9RB

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Committee Report Planning Committee on 16 September, 2009

Item No. 1/03
Case No. 09/1750

RECEIVED: 20 July, 2009

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 15 Grenfell Gardens, Harrow, HA3 0QZ

PROPOSAL: Demolition of existing detached garage and erection of two storey side extension and part single part two storey rear extension to dwellinghouse.

APPLICANT: Mrs A. Nilesh

CONTACT: Town & Country Planning Limited

PLAN NO'S: 2009/0348 Rev 1 (revised plan received on 25/08/2009)

RECOMMENDATION

Approval

EXISTING

The application site comprises a semi detached dwellinghouse located on Grenfell Gardens. The property is located at the head of the cul de sac.

The property is located within the Mount Stewart Conservation Area and is controlled by an Article 4(1) Direction.

PROPOSAL

Demolition of existing garage and erection of two storey side extension and part single part two storey rear extension to dwellinghouse.

HISTORY

97/0596: Conservation Area Consent sought for demolition of chimney on side elevation - Granted, 06/05/1997.

97/0327: Full Planning Permission sought for installation of replacement windows - Granted, 08/04/1997.

96/2192: Full Planning Permission sought for erection of single-storey rear and part side extension, and demolition of an existing and rebuilding of new detached garage at side of property - Granted, 18/02/1997.

POLICY CONSIDERATIONS

Brent UDP 2004

BE2: Local Context & Character - Proposals should be designed with regard to their local context, making a positive contribution to the character of the area. Proposals should not cause harm to the character and/or appearance of an area, or have an unacceptable visual impact on Conservation Areas.

BE9: Architectural Quality - Requires new buildings to embody a creative and high quality design solution, specific to the sites shape, size, location and development opportunities and be of a design, scale and massing appropriate to the setting.

BE25: Development in Conservation Areas - Development proposals in conservation areas shall pay special attention to the preservation or enhancement of the character or appearance of the area; and regard shall be had for design guidance to ensure the scale and form is consistency.

BE26: Alterations and Extensions to Buildings in Conservation Areas - Alterations to elevations of buildings in conservation areas should retain the original design and materials; be sympathetic to the original design in terms of dimensions, texture and appearance; characteristic features should be retained; extensions should not alter the scale or roofline of the building detrimental to the unity or character of the conservation area; should be complementary to the original building and elevation features.

Supplementary Planning Guidance

SPG5 – Altering and Extending your Home

Design Guide

Mount Stewart Conservation Area Design Guide

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation Period: 04/08/2009 - 25/08/2009

Site Notice: 04/08/2009 - 25/08/2009

Public Consultation

12 neighbours consulted - 2 letters of objection received on the following grounds:

- removal of garage would create additional parking pressures
- loss of garage resulting in a terracing effect
- need to retain the character of the area - roof tiles, wooden windows, front gardens, garages and garage doors

These issues have been addressed within the remarks section.

Internal Consultation

Landscape Team - due to the narrow front of the property it would be unsuitable to request 50% soft landscaping but suggested that the existing flowerbeds could be extended.

Transportation Unit - no objections raised.

External Consultation

Preston Amenities Protection Association (PAPA) - no comments received during the consultation period.

REMARKS

Site and Surroundings

The application site comprises a semi detached dwellinghouse located at the head of the cul-de-sac. It has a detached garage along the boundary with No. 17 Grenfell Gardens. The property has not been extended to the side or rear.

The adjoining semi, No. 13 Grenfell Gardens, has a rear conservatory adjacent to No. 15 Grenfell Gardens (LPA Ref: 26704 9606 granted on 13/12/1962) and a two storey rear extension (LPA Ref: P8016 6656 granted on 20/03/1969). The other neighbouring property, No. 17 Grenfell Gardens, has a two storey side to rear extension (LPA Ref: P7637A 6677 granted on 25/02/1969).

Proposal

This application proposes to demolish the existing detached garage and erect a two storey side extension and part single part two storey rear extension.

Demolition of garage and erection of two storey side extension

The existing garage is a detached structure abutting the boundary with No. 17 Grenfell Gardens. It has a gabled pitched roof. The loss of the garage is supported in line with the current borough wide policy which no longer requires garages for parking spaces.

A two storey side extension is proposed to the main dwellinghouse. It is proposed at 3.5m wide and set back 1.0m at both ground and first floor levels from the main front wall of the dwellinghouse. A gap of approx. 0.9m is maintained to the boundary with No. 17 Grenfell Gardens.

The Mount Stewart Conservation Area Design Guide discusses the need to maintain the gaps between the properties at the heads of culs-de-sacs. It recommends that a maximum of half of the area between the original dwelling and the side boundary should be infilled and that there should be at least a 1.0m set in from the property boundary at the frontage, with a greater set in towards the rear of the plot. It also requires the first floor to be set back from the main front wall of the house.

Although the side extension is only set in 0.9m from the property boundary at the frontage, the overall gap between the proposed side extension and the extension at No. 17 Grenfell Gardens is 4.0m. This gap is considered sufficient. Furthermore, approx. 45% of the area between the original dwelling and the side boundary will be infilled which is less than half the area which is permitted in the Design Guide. The side extension itself is 3.5m wide which is considered acceptable and it is adequately set back to ensure that it remains subservient to the main house. Therefore the shortfall of 0.1m from the property frontage is not considered sufficient to warrant a reason for refusal and is not considered to adversely affect the gaps between the properties.

The proposed windows to the front elevation of the side extension are casement windows matching the design, proportions and materials of the main windows to the front elevation of the dwellinghouse. Although the existing windows to the main house are in uPVC they are considered to reasonably replicate the original windows as they have even sight lines and a dentil drip rail in timber is provided between the upper and lower casements. The leaded light patterning is externally expressed. The agent has confirmed that the windows to the front elevation of the side extension will match the detailing of the existing windows. Your officers recommend that such details are secured through a planning condition.

Three windows are proposed on the flank wall of the side extension. They are set off the boundary by 2.7m and are to non habitable rooms. The windows are conditioned acceptable but to ensure sufficient levels of privacy to No. 17 Grenfell Gardens, it is recommended that a condition is secured to restrict the glazing to be obscured and for the windows to be high opening.

Part single part two storey rear extension

At ground floor a single storey rear extension is proposed at 3.0m deep across the width of the main dwellinghouse and the side extension. It is proposed with a flat roof at 3.0m high with a parapet at an additional 0.2m high. It is set off the boundary with No. 13 Grenfell Gardens by approx. 0.15m. As No. 13 Grenfell Gardens has an existing rear conservatory the height is considered acceptable. A gap of approx. 4.5m increasing to 6.0m is maintained to the boundary

with No. 17 Grenfell Gardens. Due to the level changes within the rear garden a patio is proposed from the extension to the main garden level. There is a boundary hedge of approx. 1.8m high to prevent overlooking to the neighbouring property.

The first floor rear extension is proposed behind the side extension and is proposed at 3.0m deep. It was originally proposed at 5.4m wide. Amended plans were requested to reduce the width of the first floor rear extension by 1.0m so that remains subservient to the main house. The width of the first floor rear extension is now 4.4m which is considered to be subservient to the main house. A hipped pitched roof is proposed over the first floor rear extension which is considered to be in keeping with the character of the dwelling.

In terms of the impact upon the amenities of neighbouring occupants the extension complies with the 1:2 guidance from the nearest habitable room window at No. 13 Grenfell Gardens. The nearest window is the rear bedroom bay window where the mid point of this window is 5.9m from the flank wall of the first floor rear extension. The extension only projects out by 2.35m from the rear bay window and as such clearly meets the 1:2 guidance. The two storey side to rear extension at No. 17 Grenfell Gardens projects beyond the proposed extension at the application property, and as such is not affected by the proposed development.

Loss of the garage and the need for additional off street parking

The proposal has resulted in the loss of the garage parking space and the need for off street parking. The existing front forecourt currently has mature hedgerows along the side boundaries and a small flower bed in front of the bay window. The front forecourt can accommodate two off street parking spaces which meets the Council's parking standards for a four bedroom house.

In terms of additional landscaping within the front forecourt due to the property being on the collar of the cul-de-sac, thus having a narrow frontage, it would be unsuitable to provide 50% soft landscaping. The existing hedgerow will remain together with the existing flower bed but it is considered that there is scope to extend the flower bed and/or provide additional landscaping in front of the extension whilst providing two off street parking spaces. It is recommended that such details are secured by condition.

Conclusion

The proposed development is considered to be in keeping with the character of the dwellinghouse and is considered to preserve and enhance the character and appearance of the Mount Stewart Conservation Area. It is considered to comply with policies **BE2**, **BE9**, **BE25** and **BE26** of Brent's UDP 2004 and the guidance as outlined in the Mount Stewart Conservation Area Design Guide.

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
Central Government Guidance
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home
Mount Stewart Conservation Area Design Guide

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) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (3) The windows in the flank wall of the building as extended shall be glazed with obscure glass and the windows shall open at high level only (not less than 1.8m above floor level) and top hung and shall be so maintained unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness.

- (4) No windows or glazed doors other than any shown in the approved plans shall be constructed in the flank wall of the building as extended without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- (5) Notwithstanding the submitted plans otherwise approved, further details of the windows to the front elevation of the side extension shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. Such details shall include:

- (a) Elevation of proposed windows at a scale of 1:10
(b) Cross section at a scale of 1:5 through the transom showing the relationship of opening and fixed lights and dentil drip rail, with full sized details of externally mounted glazing bars

Reason: To ensure a satisfactory development which does not prejudice the amenity of the Mount Stewart Conservation Area.

- (6) Notwithstanding the submitted front forecourt layout otherwise approved, a revised front forecourt layout shall be submitted showing the retention of the hedgerows along the boundaries with the neighbouring properties, further details of additional soft landscaping within the front forecourt and along the side and front (including plant species, quantities and pot sizes) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The approved landscape works shall be completed during the first available planting season following completion of the development hereby approved. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the

next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's UDP 2004

Mount Stewart Conservation Area Design Guide

Supplementary Planning Guidance No. 5 "Altering and Extending Your Home"

2 letter of objection

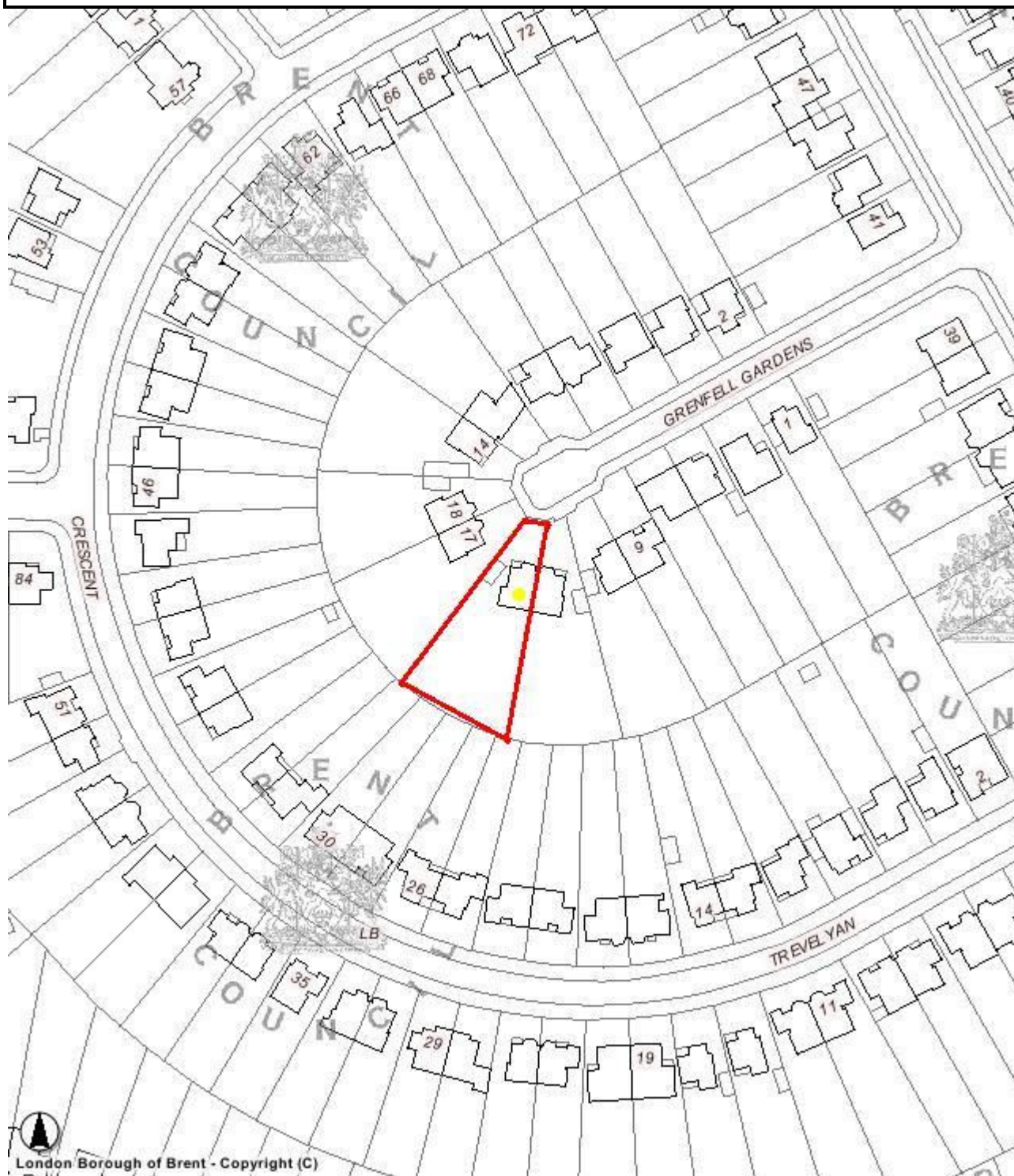
Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



Planning Committee Map

Site address: 15 Grenfell Gardens, Harrow, HA3 0QZ

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Agenda Item 7

Committee Report Planning Committee on 16 September, 2009

Item No. 1/04
Case No. 09/2097

RECEIVED: 24 August, 2009

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Tenterden Sports Ground, Preston Road, Harrow

PROPOSAL: Details pursuant to Conditions 2 (Details of colours and finishes), 3 (Positioning of MUGA), 4 (Landscaping), 5 (Cycle stands) and 7 (Drainage) of Deemed (Reg3 Council's own Development) reference 08/2537 dated 15 January 2009, for proposed Multi-Use Games Area and 5 cycle stands

APPLICANT: Brent Parks Service

CONTACT:

PLAN NO'S: Unnumbered "Position of cycle stands and MUGA"; Unnumbered "Site Plan showing the location of the existing and proposed tree are the MUGA"; and Unnumbered "aerial photograph showing the location of the MUGA"

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

Robert Dunwell

Date and Reason for Request

2nd September 2009

Important 'clarification' of previous situations and additional information of 'material' issues resulting in:-

- (a) great renewed local and national concern
- (b) other materially pertinent information, some not previously addressed coming to light

Details of any representations received

Local residents and Tenterden Local Action

Name of Councillor

Atiq Malik

Date and Reason for Request

2nd September 2009

Important "clarification" of previous situations and additional information of material issues resulting in:-

- (a) great renewed local and national concern
- (b) other materially pertinent information, 'coming to light'

Details of any representations received

QARA Group representing local interests in this instance

RECOMMENDATION

Approval

EXISTING

The application site is part of the Tenterden Sports Ground located off Preston Road. The sports ground is designated as a public open space within Brent's Unitary Development Plan.

PROPOSAL

Details pursuant to conditions 2 (colours and finishes of MUGA structure), 3 (accurate location of the MUGA), 4 (native tree/shrub planting around the MUGA), 5 (number, type, finish and location of secure cycle stands) and 7 (details of drainage from MUGA) of full planning permission ref: 08/2537 granted on 15/01/2009 for "proposed Multi-Use Games Area and 5 cycle stands".

HISTORY

08/2537: Full Planning Permission granted for proposed Multi-Use Games Area and 5 cycle stands - 15/01/2009.

POLICY CONSIDERATIONS

Brent UDP 2004 - adopted on 14th January 2004

BE6 - Public Realm: Landscape Design - A high standard of landscape design is required as an integral element of development schemes. This includes new planting of an appropriate specification.

BE9 - Architectural Quality - Proposals should employ materials of high quality and durability, that are compatible or complementary colour and texture, to the surrounding area.

PS16 - Cycle Parking Standards - Cycle parking should be situated in a convenient, secure and, where appropriate, sheltered location.

EP12 - Flood Prevention - Development should not pose an increased risk of flooding by increasing the rate of run-off into local watercourses

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Application No: 08/2537 was reported to the Planning Committee meeting on 14th January 2009 as it received two objections.

As the development has been approved in principle, public consultation is not normally carried out

on applications for the discharge of conditions. However, there has been a request by members to call in the application for the following reason:

Important 'clarification' of previous situations and additional information of 'material' issues resulting in:-

(a) great renewed local and national concern

(b) other materially pertinent information, some not previously addressed coming to light

A joint petition has been prepared by Tenterden Local Action (TLA) and QARA Group of Associations with 186 signatures. The objections raised within the petition are set out below:

1. Sports England raising no objections at the time of the full planning application but were not aware at the time that the playing field was used by Forest United FC.

The following quote is provided from Sports England. This comment was provided after the full planning application as approved:

"...the club (Forest United) doesn't have any security of tenure at the site and they can't therefore access some of the new funding rounds Sports England might issue in future ..

...Sport England were consulted on the MUGA application submitted in October '08 at the Tenterden site and they raised no objection; and in fact supported it strongly. This is not surprising given the shortage of quality MUGAs across London and given that the site already is a sports ground accommodating a mix of sporting uses. At the time Sports England was not aware that the space used for the purposes of the development is quite heavily used by Forest United. Sport England know the club did not have a problem with this proposal saying that they could in fact use the new MUGA, but Sport England don't actually feel the MUGA site is now in the best interests of the club, in fact Sport England feel it could be damaging. The older children need to be playing 7-a-side football and obviously a MUGA is no use for this. Sport England are not saying that they have changed their mind against a MUGA at the sports ground..."

Your officers in Parks Services have confirmed that there is only one mini pitch marked out on the flat area at Tenterden which is used by Forest United. The MUGA will still allow room for this mini pitch. Forest United use other pitches at John Billam. The full sized pitch to the east of the MUGA is booked out to Brent National Association of Local Government Officers (NALGO) and not Forest United FC. The proposed MUGA will therefore not adversely impact upon the pitch used by Forest United FC so that it is clear from the comments of Sport England that they misunderstood the nature and extent of the proposal.

2. Loss of playing field used by Forest Unit FC

The MUGA site that has been referred to by the objectors known as the "football clinic" is a grassed area that is not marked out as a sporting pitch. As mentioned above, the area to the north of the proposed MUGA is marked out as a mini pitch. The MUGA will not prevent this area being used as a mini pitch. The full sized football pitch to the east of the MUGA will remain and will not be affected by the proposal. Grassed areas around the MUGA will remain to accommodate the "football clinic".

3. Lack of consultation and incomplete/misleading information about the MUGA

The previous application for full planning permission was subject to the normal consultation procedures set out in SPG2. Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 requires applications to be publicised by either a site display in at least one place or near the land to which the application relates for not less than 21 days or by serving the notice on any adjoining owner or occupier. During the course of the full planning application neighbouring properties in Silverholme Close, Woodcock Court, 254 and 256 Woodcock Hill were

consulted. The nearest properties in Silverholme Close are approx. 90m away from the MUGA. In addition, the local residents' association, Preston Amenities Protection Association (PAPA), were consulted. The properties in Preston Way were not consulted as your officers considered that the MUGA would not have an impact upon them. The properties in Preston Way are separated from the MUGA by the Tenterden car park, the allotments and a row of trees. There is a distance of over 100m from the properties in Preston Way to the proposed MUGA.

The objectors query why Forest United FC were not consulted on the full planning application. The Council's records do not extend to specific users of the site. In this case, Forest United FC do not lease the land but hire the pitches.

The current application addresses the details pursuant to the previous approval and as such has not been subject to public consultation as the submission does not represent a planning application in the normal sense. Hence details of materials have been dealt with in house as have details of cycle parking, drainage and landscaping. There have been occasions in the past when committee members have requested consultation on certain detailed matters but this is very much been the exception rather than the rule.

4. Safety issues - Anti social behaviour, criminal and robbery with violent incidents in the area

Your officers are aware that there have been problems with anti-social behaviour within the Tenterden Car Park. It is officers understanding that the car park is now locked at night to minimise anti social behaviour.

Your officers are not aware of any specific anti social behaviour associated with MUGAs. With regards to the MUGA at Roe Green, the Safer Neighbourhood Team have advised that they have not heard of any problems with the MUGA at Roe Green. When complaints have been received by members of the public these have not been substantiated. The Safer Neighbourhood Team has advised that they generally welcome MUGAs as there are no youth facilities within the north of the Borough and they are proving to be popular with the youths who do use them and provide them with somewhere to go to occupy themselves without causing any problems or issues.

Given the situation at Roe Green the evidence does not suggest that the MUGA at Tenterden will increase or worsen crime in the area. Tenterden is an existing public open space which can be accessed by the public at all hours. There is an existing playing pitch within the site close to Silverholme Close which to officers knowledge has not caused any specific anti social problems. The position of the MUGA, 15m away from the public footpath will discourage its use after daylight hours. There are no proposals for separate lighting. However, if members do still have concerns a management plan could be set up to lock the MUGA after daylight hours.

5. Cycling issues including the provision of cycle stands but cycling is prohibited in the park

Technically, cycling in Brent parks and open spaces is allowed only on designated routes. There is currently not a designated route at Tenterden Sports Ground. That said, the Parks Services practice is to apply the bye-laws reasonably by encouraging responsible cycling due to benefits to health and in reducing urban road congestion, pollution and energy use. The Parks Service are unlikely to enforce the bye-laws in cases where cycling is with due regard to other park users and is not damaging the ground.

New bye-laws are currently in preparation, and in common with some other local authorities, cycling will be specifically allowed by children under 10 years of age. Designated cycle routes for the borough are co-ordinated by Brent Transportation in consultation with other organisations. There are proposals for a route through Tenterden which will link to the west and north with John Billam Sports Ground and Woodcock Hill; and to the south-east with Preston Road and Preston

Road Station.

REMARKS

Introduction

The principle of the Multi Use Games Area (MUGA) has been approved. The application was reported to the Planning Committee meeting of 14th January 2009 (LPA Ref: 08/2537). This application is concerned with the approval of details reserved by condition. The following conditions are required to be approved by the Council prior to any works commencing on site:

Condition 2

Details of the colours and finishes for the coated steelwork enclosure and the rest of the associated MUGA structure.

The finishes of the MUGA will either be treated with zinc metal thermal spray or galvanised, which extends the life of the paintwork and helps to reduce maintenance costs. A lead and cadmium -free polyester powder paint is applied electrostatically, creating a corrosion resistant finish. The colour of the MUGA will be dark green (RAL 6005). It will be of the same finish and colour that was approved for the MUGA at Sudbury Court Pavilion on East Lane. This finish and colour is considered acceptable.

Condition 3

Details indicating the accurate positioning of the proposed MUGA, located 10 to 15 metres away from the footpath running north to south.

Members may recall that the siting of the MUGA was required to be located 10 to 15 metres away from the footpath running north to south (from Silverholme Close to the allotments) This was because the MUGA was initially closer to the footpath which was lit by street lamps. Whilst no floodlighting was proposed for the MUGA, there were concerns that the proximity of the MUGA to the footpath would encourage the congregating of users of the MUGA at unsociable hours.

A revised site plan has been provided indicating that the MUGA will be located 15m away from the footpath running north to south and 15m away from the footpath running east to west.

The location of the MUGA is considered acceptable.

Condition 4

Details of native tree/shrub planting around the proposed MUGA

Your officers in the landscape team have advised on suitable species for the trees around the MUGA. The species and location of the trees will assist in screening the MUGA but will also retain sight lines for security reasons not result in vegetation debris which could result in a slip hazard on the courts.

The landscape details are considered acceptable.

Condition 5

Details of number of, type, finish and location of secure cycle stands

Five cycle stands are proposed which are to be located to the east of the MUGA. The design of the cycle stands are the tubular stands which allows the bike's frame to be secured by the users own

lock.

The cycle facilities are considered acceptable.

Condition 7

Details of drainage from the MUGA

MUGAs do not usually provide any additional drainage as the tarmac surfacing is porous and water will drain through the top layer of tarmac through the base layer of tarmac and into the ground.

This is considered acceptable.

Conclusion

In conclusion, the details submitted as part of conditions 2, 3, 4, 5 and 7 of full planning permission ref: 08/2537 are considered satisfactory. Approval is accordingly recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

CONDITIONS/REASONS:

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's UDP 2004

Letter of objection and accompanying petition

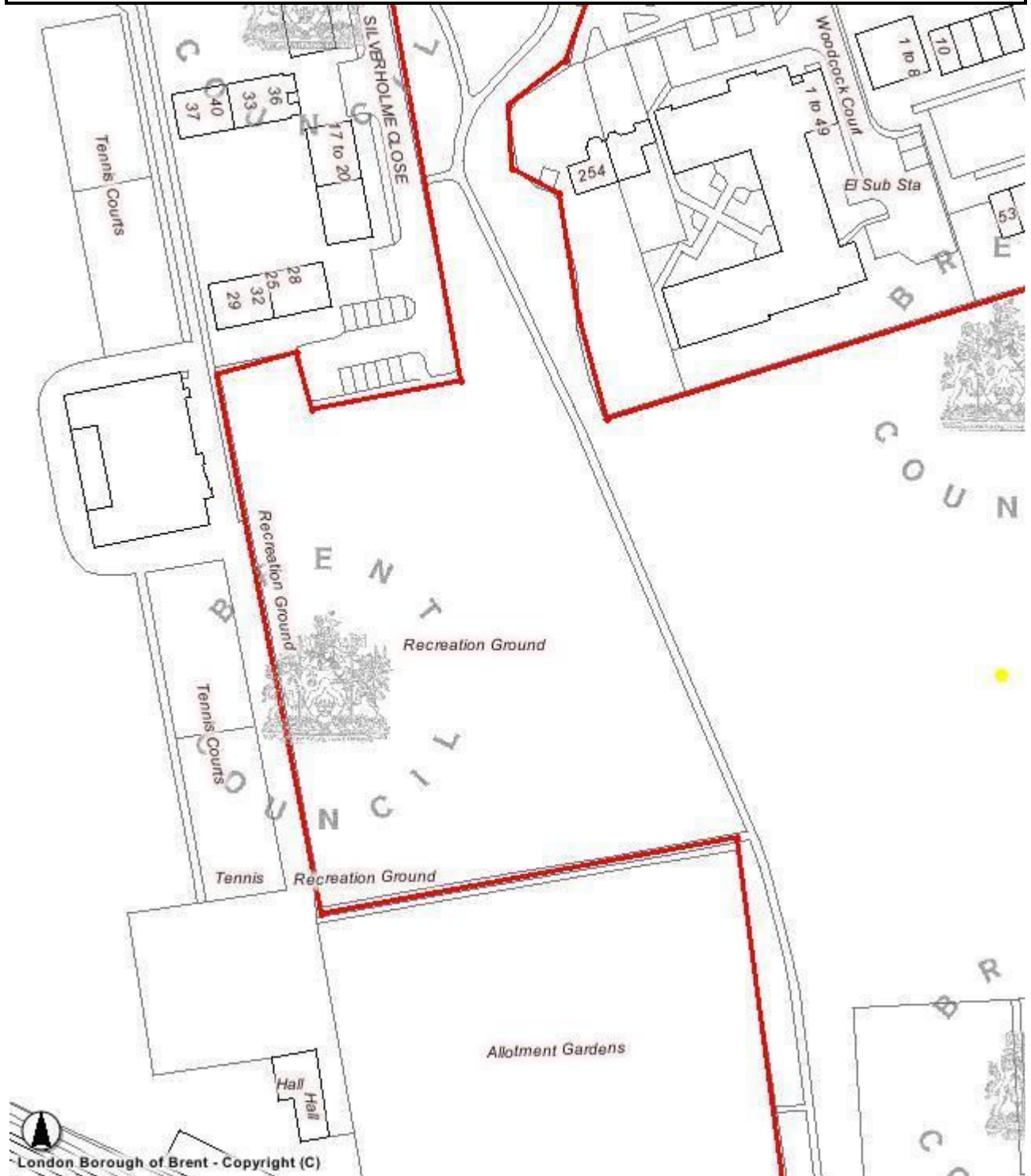
Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



Planning Committee Map

Site address: Tenterden Sports Ground, Preston Road, Harrow

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**Committee Report
Planning Committee on 16 September, 2009**

Item No. 1/05
Case No. 09/1708

RECEIVED: 29 July, 2009

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 169 Melrose Avenue, London, NW2 4NA

PROPOSAL: Erection of a single storey side extension, timber fence and gates and formation of new vehicular access to rear garden of dwellinghouse (as accompanied by 3 pages of site photographs)

APPLICANT: Ms Tamala Anderson

CONTACT:

PLAN NO'S: Sheet 1(Sketch and Site Plan);Sheet 2 (Plans); Sheet 3 (Elevations); Unnumbered Rear Garden Access Plan; Location Plan (Scale 1:1250)

RECOMMENDATION

Approval

EXISTING

The application site is one half of a semi detached pair of dwellings located on the west side of Melrose Avenue. The property is currently being extended by alterations to its roof.

The neighbouring unattached property at no. 171 has been historically extended by the provision of a side extension which infills the rear outrigger.

The property has no vehicle access from Melrose Avenue but has a construction access existing onto Gay Close at the rear.

PROPOSAL

Single storey side rear extension:

The application proposes the erection of a 5m deep single storey side extension with a monopitch roof. This would infill an area to the side of the existing dwelling. The extension would also project beyond the existing rear outrigger by 1200mm, however this element would be set in from the boundary with the unattached property by 900mm.

This extension would be of a similar floor area and depth to that existing at no. 171 Melrose Avenue.

The height of the building would be slightly over 3.1m at the boundary with no.171 Melrose Avenue, extending to a height of 4.1m away from this common boundary. Five rooflights are proposed within the pitched roof element of the extension facing the no 171 Melrose Avenue.

Proposed access onto Gay Close:

The application proposes the fitment of inward opening gates over a width of 2.5m to provide vehicular access to the site from Gay Close.

HISTORY

- Certificate of lawfulness application 09/1493 relating to a gable end roof extension rear dormer window and 1 front rooflight, was considered to be lawful under application on 27/07/09
- Full Planning Application 09/0237 relating to a single storey rear extension and conversion of dwelling house into 2 self-contained flat, dated 03/04/2009.
-

Related History:

- Gay Close appears to have been granted planning permission in the early 1960s, prior to the formation of the London Borough of Brent. Planning Officers have attempted to locate and review details of the relevant permission, however the relevant documents appear to be missing.

POLICY CONSIDERATIONS

Brent Council Adopted Unitary Development Plan 2004 Policies:

- **BE 2**
Requires proposals to make a positive contribution to their local context, making a positive contribution to the character of the area.
- **BE 9**
Requires extensions and alterations to existing buildings to embody a creative and appropriate design solution, and specifically be of a scale massing and height appropriate to setting and respect , whilst not necessarily replicating positive design and landscape characteristics of adjoining development
- **TRN 3**
Requires planning applications which cause or worsen an unacceptable environmental impact from traffic to be refused.
- **TRN 15**
Requires applications for access onto a highway to be at a safe location with adequate visibility, and to be visually acceptable.
- **TRN 23**
Requires onsite parking to not exceed parking standards.

The following planning guidance is also considered to be applicable to this application:

Supplementary Planning Guidance No. 5 "Altering and Extending Your Home"

CONSULTATION

Consultations were undertaken by letter on 12 August 2009 to 13 neighbouring occupiers on Gay Close and Melrose Avenue. Objections were received from 6,7,8,9,11,13,15,16,17,18, and 27 Gay Close as well as the United Reform Church.

All of these objections expressed concerns relating to loss of parking and an increase in traffic on Gay Close, as well as a precedent that may be set as a result of such development.

Objections also related to safety concerns as a result of increased traffic and impacts on the character of Gay Close arising from this traffic and also the creation of additional crossing points.

Objections also suggested an error in the application form of the application with regards to alterations to parking.

A comment was also received from Mr Thorpe at 71a Dartmouth Road, which queried the impact of rooflights on neighbours and also noise if open.

Transportation Unit:

The Transportation Team made the following comments:

- *No current offstreet parking or vehicular access (authorised)*
- *The width (2.5m) of the access and the inward opening gates are acceptable.*
- *No pedestrian issue arising from the access as there is no footway or pedestrian path affected.*

The Transportation Unit expressed concern over the potential of material being spilled onto the road from vehicles parked in the rear garden of the property and requested conditions be imposed requiring details of the hardstanding prior to commencement of works.

REMARKS

Single storey side rear extension:

It is noted that extensions of this type which infill outrigger extensions are not generally permitted as they tend to result in significant enclosure of the habitable rooms of neighbouring properties. In this instance however, the neighbouring unattached property at no. 171 Melrose Avenue has benefited from a similar sized extension through historic Permitted Development allowances (a certificate of lawfulness for the development was granted in 2000 under application 99/2509).

The proposed extension would match the extension at no. 171 Melrose Avenue in terms of its depth and as such would not result in detrimental impacts on this neighbouring property.

The design of the extension is contemporary in nature, it provides a monopitch roof angled away from the boundary with 171 Melrose Avenue with its highest point facing 167 Melrose Avenue. Whilst the height of this extension would be greater than the 3m proscribed within SPG 5, it is noted that the depth of the extension would be minor at 1.4m and overall impact of the extension is not considered to result in detriment to either neighbouring occupier.

In relation to the proposed rooflights on the angled section of the main roof, it is noted that there is the potential for both light spill to the upper floor windows of the neighbouring property at no. 171 and loss of privacy to the occupiers of the building. As such, should members approve the application, it is recommended that a condition be imposed to require treatment of the rooflights to ensure that they are non opening and that they do not spill light or result in loss of privacy for occupiers of any property.

Subject to the imposition of the above condition, it is considered that this element of the application can be approved.

Formation of access:

The proposed development would seek to provide a vehicle access onto Gay Close through the provision of a 2.5m wide access with inward opening gates on the southern part of the common boundary.

The property has no current offstreet parking and the principle of one additional onsite parking space is considered to be acceptable in terms of Parking Standard 14 of the Adopted Unitary Development Plan 2004.

The objections from Gay Close are noted, however there is no parking restriction on Gay Close adjacent to the site property at this time. Gay Close is adopted highway and there is no restriction on vehicle movements up and down this Close.

Several physical (pedestrian and vehicular) accesses are available on Gay Close onto properties on Melrose Avenue and it is entirely possible that residents of these properties currently use the undefined parking in Gay Close for their own purposes, either daily or as required. It is suggested that such use would in fact contribute to the parking demand on Gay Close.

The Planning Officer, in conjunction with officers of the Transportation Unit, have identified an area of Gay Close which should be kept clear to provide a turning head in which heavy (delivery, refuse and emergency) vehicles could maneuver. It is noted that the western side of Gay Close, in front of numbers units 10-13, indents the road frontage of these properties. This would appear to have been undertaken in order to accommodate heavy vehicles at the time of development of Gay Close.

Having conducted this assessment, the officer is satisfied that the provision of an access, in the location proposed, would not hinder the movements of vehicles and may in fact result in greater maneuvering space for service vehicles. It is also considered that the location of the crossing point could reduce potential obstruction of the access to units 23-27 Gay Close.

It is therefore considered that the imposition of the access, the loss of (undefined) parking spaces and the insignificant increase in traffic flows will not detrimentally affect the occupiers of Gay Close

Notwithstanding the above, given that the site is not a classified road, is not converted into flats and that there is no evidence available to the officer that access has been restricted in planning terms, members are asked to note that the formation of an access to the site property from Gay Close appears to be permitted development which would not require planning permission. Nevertheless, the Council's Transportation officers have no objection to the scheme.

The officer notes that objectors have referred in conversations with the officer, to a "ransom strip" between the proposed access and the public highway. A ransom strip is a piece of land (usually narrow) which is in independent ownership and which can be used to frustrate access to a site through the prohibition of legal and physical access. Consideration of such issues is not a material planning consideration and should be addressed through more appropriate legislation.

Landscaping:

It is noted that no detailed landscaping scheme has been submitted within the application, Transportation Officers have expressed concern that no hardstanding has been proposed within the application and that material (mud) could be taken onto the road from vehicles parking in the rear garden. As such they have recommended that details of a hard standing be submitted prior to commencement of works. Should Members approve the application, it is suggested that a condition requiring details of the hard surfacing arrangements be attached to the decision.

The officer notes that the fencing arrangements proposed within the application appear to differ with fencing designs adjoining Gay Close. Given this consideration, it is considered appropriate that if approved, a condition be attached requiring the boundary fence to match that existing on adjoining properties.

Should these conditions be imposed, the officer is satisfied that any significant adverse elements of this scheme would be avoided or mitigated.

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
Transportation: in terms of ensuring development does not harm the flow of traffic or safety of road users

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) Details of landscaping of the rear garden area of the site, including a hard stand area for one vehicle shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and the approved hard surfacing implemented prior to first use of the access by occupiers of the dwelling. Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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.

- (3) Notwithstanding information contained within the application, further details of the proposal are required. Specifically, prior to commencement of works relating to the side extension onsite, the applicant shall submit to the Planning Service, details of treatment of the rooflights in the extension showing how adverse glare and other lighting impacts on the neighbouring occupiers at no. 171 Melrose Avenue will be mitigated (eg. through the use of antiglare glazing or other treatments).

Reason: In order to ensure that the development does not result in detriment to the amenities of neighbouring occupiers.

- (4) That no vehicle shall be accommodated within the rear garden area except, within the area designated as hard surfacing in approved drawings without the prior written

permission of the Local Planning Authority

Reason: In order to ensure a high quality appearance which is in keeping with the character of the area.

- (5) Notwithstanding details contained within submitted drawings, the proposed boundary fence and gate adjoining Gay Close, shall match as closely as possible, in design, materials, and height, the fencing used on the neighbouring properties fronting Gay Close.

Reason:

To ensure a high level of visual amenity for neighbouring occupiers and the streetscene.

INFORMATIVES:

- (1) This consideration is based on the use of the property as a single dwelling house (as confirmed within the application documents). Conversion of the dwelling into flats or other such use would require planning permission which may not be approved.
- (2) Council would advise the consent holder that there is the possibility of a "ransom strip" existing between the site boundary and Gay Close.

REFERENCE DOCUMENTS:

Adopted London Borough of Brent Unitary Development Plan 2004.

London Borough of Brent Supplementary Planning Guidance No. 5 "Altering and Extending Your Home".

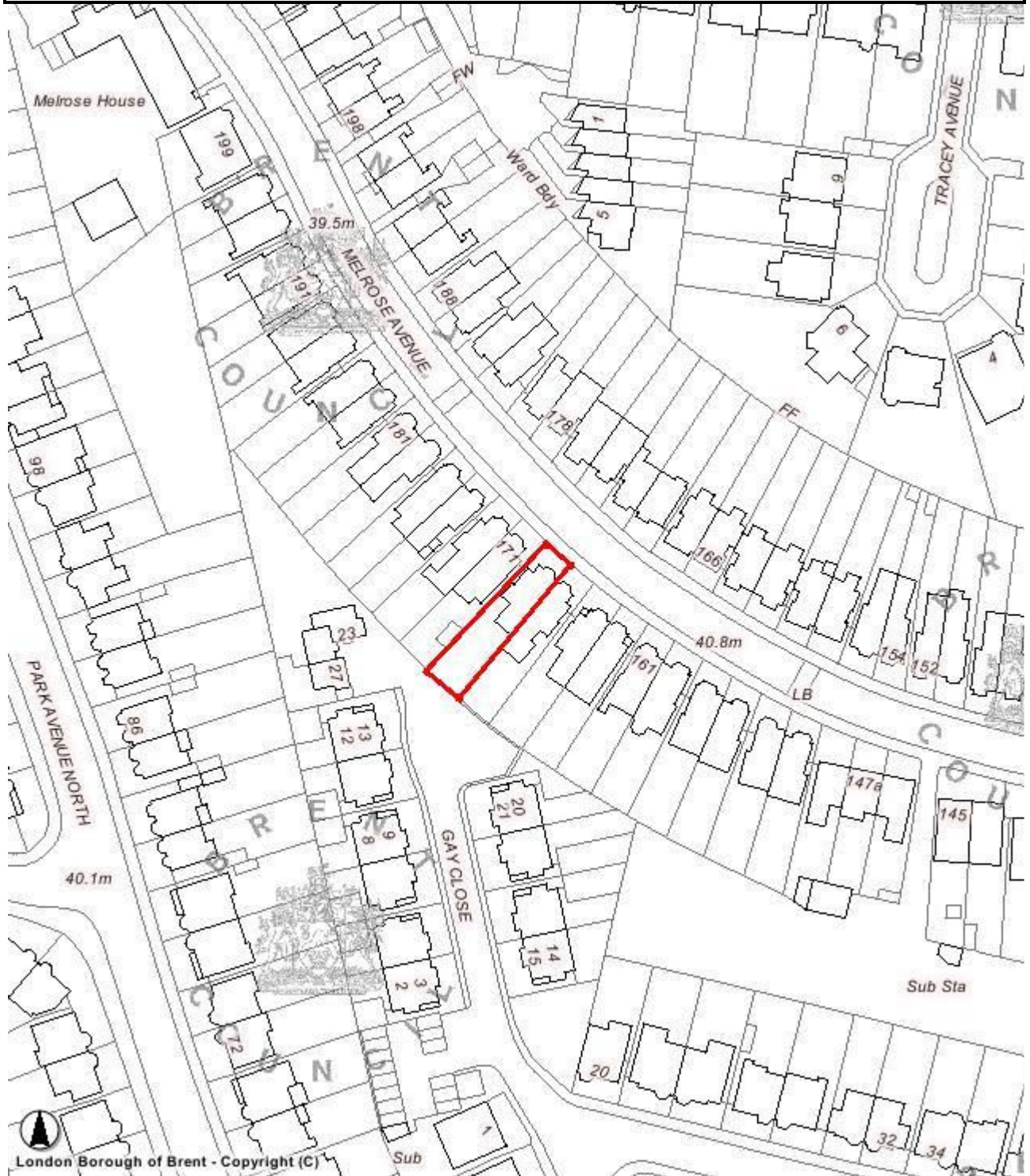
Any person wishing to inspect the above papers should contact Ian Hyde, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5241



Planning Committee Map

Site address: 169 Melrose Avenue, London, NW2 4NA

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**Committee Report
Planning Committee on 16 September, 2009**

Item No. 1/06
Case No. 09/0868

RECEIVED: 10 July, 2009

WARD: Fryent

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: School Main Building, St Robert Southwell RC School, Slough Lane, London, NW9 8YD

PROPOSAL: Demolition of detached garage, manager's house and mobile classroom accommodation and erection of single-storey extension to main entrance to create lobby, office, kitchen and disabled toilet, single-storey infill extension to rear courtyard to provide 2 classrooms and expansion of existing hall, two-storey side extension to provide a disabled lift, additional classrooms and library

APPLICANT: The Westminster RC Diocese Trustee

CONTACT: Abbot & Associates

PLAN NO'S: PA.JDA.893;
Design and Access Statement for Minor Works;
Completed TP6 form dated 30.06.09;
Email from Paul Abbott dated 21/08/2009;
Site Waste Management Plan data sheet;
SK.009;
SK010;
SK.011;
SK.012;
SK.013;
SK.014.A;
01.

RECOMMENDATION

Approval.

EXISTING

The subject site is an existing primary school situated on Slough Lane, NW9. The school is bounded to the north by Kingsbury Green Primary School, to the east by residential properties on Slough Lane, and to the south and west by Fryent Country Park. The site is not a Conservation Area, nor does it contain a listed building.

PROPOSAL

Demolition of detached garage, manager's house and mobile classroom accommodation and erection of single-storey extension to main entrance to create lobby, office, kitchen and disabled toilet, single-storey infill extension to rear courtyard to provide 2 classrooms and expansion of existing hall, two-storey side extension to provide a disabled lift, additional classrooms and library.

HISTORY

02/2583 - Temporary erection of mobile building to provide two changing rooms and music room – Granted.

88/2621 - EREC OF 1 S/S & 1 2/STOREY CLASSROOM EXTN & S/S PLANT EXTN; EXTN OF SCHOOL SITE INTO FRYENT WAY OPEN SPACE TO PROVIDE ADDITIONAL PLAYGRD – Granted.

POLICY CONSIDERATIONS

Brent UDP 2004

BE2 – Local context and character

BE7 – Public realm - Streetscene

BE9 – Architectural quality

BE12 – Sustainable Design Principles

CF4 – Community facilities capable of holding functions

CF8 – School extensions

CF14 - Places of Worship

SPG

SPG 17 – Design Guide for New Development

SPG19 – Sustainable Design, Construction, and Pollution Control.

SUSTAINABILITY ASSESSMENT

The site is within an Air Quality Management Area (AQMA), and as it is a 'sensitive end use' scheme, details are required to indicate how the development will comply with the principles for sustainable development given in SPG19.

The sustainability checklist returned a score of 29.5%. Sustainability Officer's verification of the checklist resulted in a reduced score of 11%, as inadequate justification had been provided to verify some points.

The Council's aim is for all new developments to achieve at least a 51% score on the checklist. As this scheme is only an extension to the existing development, a lower score can be accepted, however this should be as close to 50% as possible. Having appraised the scheme, officers consider that it should be possible to achieve a score of at least 35%, by providing additional verification of sustainability measures, and by incorporating additional measures. Officers have listed areas in which these measures may be incorporated, and a condition is proposed requiring further details be submitted for approval in order to achieve a more acceptable sustainability rating. The applicant has agreed to such a condition being imposed.

CONSULTATION

Consultation period: 28/07/09 – 18/08/09

- 67 neighbours consulted – 2 representations received. One representation in support of development. One objection on the basis of potential impacts related to increase in pupil numbers (transport/ parking; noise and disturbance), and also relating to tree preservation.

Design and Regen – No comment.

Landscape Design – Tree protection details required by condition.

Policy – Sustainability – Further details and additional measures required - see conditions.

Transportation – No Objection.

Environmental Health – No objection.

Children and Families – No comment.

Ward Councillors – No comments.
Thames Water – No objection. Informative proposed.

REMARKS

Proposal:

The existing school is oversubscribed, and has been operating with inadequate facilities including temporary classrooms, shared teaching spaces etc, for some time. The proposal seeks to alleviate this pressure through the creation of 2 new dedicated classrooms, various flexible teaching and activity areas, IT suites, and a new library. In addition, the hall will be increased in floor area by approximately 18% to allow for adequate space for meal times and functions. A new secure entrance and additional office space will also be provided. Disabled access will also be improved. The overall increase in floor area is 813 square metres.

Confirmation has been received from the Chair of the Governors of the school, that the provision of the above is solely to improve the standard of educational facility for the existing school roll, and that the number of pupils and staff at the school will not change. The form entry level of the school will remain static.

Design:

The proposed extensions are in 3 distinct areas: The single storey front entrance/ office extension; the single storey link to the rear of the buildings, adjacent to the south-west boundary; and the 2-storey extension adjacent to the northern boundary, in place of the demolished 2-storey manager's dwelling and temporary classroom.

The office/ front entrance extension extends approximately 4m further toward the road from the existing front wall of the building. The design of this extension mirrors that of the existing building, with yellow multi facing bricks, and vertical panels of glazing and primary colours. The roof is flat with a deep fascia.

The rear extension in-fills an existing alcove area to the rear of the main building, and therefore does not encroach further toward the nearby site boundary any further than the existing buildings. Again, the proposed design is identical to that of the existing building.

The proposed side extension will not breach the existing front building line provided by the main body of the school, or that of the 2-storey managers dwelling which is to be demolished. The design of the existing 2-storey element of the school to the rear of the proposed extension will be brought forward. This design features a gable end roof with a small round window under the eaves, and the same glazing/ coloured panels expressed throughout the school. The massing of this extension will not be out of context with the existing buildings, or the dwelling that is being removed. This extension is adjacent to the northern boundary of the school, however the neighbouring use is another school, and is separated by a densely vegetated border.

The design of the extensions is consistent with the existing buildings in terms of scale, massing, and appearance, and is considered acceptable.

Impact on character of area:

The site is set back some 60m from Slough Lane, down a private access road. From the site boundary, the proposed extensions are a further 55m away. The impact of the proposed extensions on the character of the area is therefore expected to be minimal, particularly given that the design and scale of the proposed extensions are so similar to the existing buildings.

Impact on neighbouring amenity:

The only sensitive boundary of the development site, in terms of harm to amenity, is that to the east, which is the rear boundary of residential properties on Slough Lane. The proposed extensions will be approximately 90m from the rear wall of these dwellings, so will not be expected to have any adverse impacts on the amenities of the residents of those properties.

The proposed first floor classroom facing these properties has a comparable outlook to that from the first floor of the existing managers house (to be demolished), therefore no additional loss of privacy is expected. As described above, there is a considerable distance between these first floor windows and the residential properties in question, and there is also significant mature vegetation along the site boundary which restricts views.

As the scale and design of the proposed extensions is similar to the existing buildings, no harm to outlook is expected. As no increase in pupil or staff numbers are proposed, noise and disturbance should not change from existing levels.

It is stated in the submitted design and access statement that the extension to the hall will allow for community functions and celebrations. While the extension to the hall is small (in absolute terms and relative to the original floor area), any increase has the potential to increase noise and traffic in the vicinity of the school, which may impact to some degree on residential amenity. As such, a condition is proposed requiring an appropriate management plan for community gatherings to be submitted and approved prior to the bringing into use of the development, in order to comply with policy CF14 of Brents UDP.

Outdoor amenity space and landscape:

The extensions are proposed on existing hard surfaced areas, and do not encroach on any high-value outdoor amenity/ play space. The school has extensive soft play areas, and is well positioned next to Fryent Country Park. No existing trees are proposed to be removed, although a condition is proposed requiring a Tree Protection Method Statement to be submitted and approved prior to works commencing, to ensure that demolition and construction on site do not impact on existing vegetation.

The proposed two storey extension is close to the north-western site boundary, which is shared with a pedestrian accessway which links Slough Lane with Fryent Country Park. This accessway is within a Site of Metropolitan Nature Conservation Importance, and is separated from the application site by a row of mature trees. Concern has been raised that the proximity of the proposed extensions to these trees may result in harm to the root systems of the trees. Officers are currently investigating this, and will report to members by way of supplementary report. Amendments to the design/ extent of this extension may be required in order to maintain a recommendation for approval.

Transportation impacts:

As it has been confirmed that there will be no increase in staff or pupil numbers associated with the extensions to the school buildings, there are not expected to be any additional pressures placed on traffic and parking in the vicinity of the site.

An increase in the floor area of the school hall is proposed which, it has been stated, will allow school events to more readily accommodate parents/ guests. As the increase is a small proportion of the existing hall area (approx. 18%), any related increase in vehicles for such events would not be expected to have a detrimental impact on traffic and parking in the area, and will only be on occasion.

Loss of housing:

The proposal involves the demolition of the existing manager's house on the school site. It is stated in the submission documents that this house is vacant. As the house is ancillary to the use of the site as an educational facility, the value of this housing is considered to be a matter for the school to judge. This dwelling cannot be considered part of the general housing provision for the Borough, and therefore its' loss is considered acceptable if this is required to improve the overall educational value of the site.

Response to objection:

As stated above, there will be no increase in pupil or staff numbers associated with the extension of the school buildings hereby proposed. As such, there should be no significant increase in noise and disturbance, or transportation related pressures. The aforementioned management plan required by condition will ensure that any impacts on residential amenity in relation to community use of the school will be minimised. Protection of existing trees on site is addressed above, and will be reported on further in the supplementary report.

For the above reasons, the proposal is considered to comply with policies BE2, BE7, BE9, CF4 and CF8 of Brent's Unitary Development Plan 2004, and supplementary planning guidance SPG17, and it is therefore recommended that planning permission be granted.

REASONS FOR CONDITIONS

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 SPG 17 – Design Guide for New Development

Council's Supplementary Planning Guidance SPG19 – Sustainable Design, Construction, and Pollution Control.

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

Transport: in terms of sustainability, safety and servicing needs

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

CONDITIONS/REASONS:

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

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

(2) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

The work shall be carried out in accordance with the approved details.

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

- (3) Areas around the proposed extensions 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. Such landscaping work shall be completed within 18 months of commencement of the development hereby approved.

Such scheme shall indicate:-

- (i) Proposed soft landscaped areas, showing plant species and densities;
- (ii) Proposed hard landscaped areas and means of achieving sustainable drainage, including materials to be used, with samples;
- (iii) All existing trees which are not directly affected by the building(s) and works hereby approved, and means of protecting these trees during construction works, by way of a Tree Protection Method Statement conforming to BS:5837 2005 'Trees in relation to construction'.

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) During demolition and construction on site:-

- (a) The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site.
- (b) The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays.
- (c) Vehicular access to adjoining and opposite premises shall not be impeded.
- (d) All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only.
- (e) No waste or other material shall be burnt on the application site.
- (f) All excavated topsoil shall be stored on the site for reuse in connection with landscaping.
- (g) A barrier shall be constructed around the site, to be erected prior to demolition.
- (h) A suitable and sufficient means of suppressing dust must be provided and maintained.
- (i) Measures (approved in writing by the Local Planning Authority) shall be taken to minimise the impact of the works (including impact on existing school traffic) on the temporary school.

Reason: To limit the detrimental effect of construction works on adjoining residential occupiers by reason of noise and disturbance.

- (5) The development is within an Air Quality Management Area and is therefore likely to contribute to background air pollution levels. The applicant must employ measures to mitigate against the impacts of dust and fine particles generated by the construction of the development. This must include:
- Damping down materials during demolition and construction, particularly in dry weather conditions;
 - Minimising the drop height of materials by using chutes to discharge material and damping down the skips/ spoil tips as material is discharged;
 - Sheeting of lorry loads during haulage and employing particulate traps on HGV's wherever possible;
 - Ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation;
 - Utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area;
 - The use of demolition equipment that minimises the creation of dust.

Reason: To minimise the dust arising from the operation.

- (6) Notwithstanding the submitted TP6 Sustainability Checklist, further details shall be provided to illustrate how the sustainability of the proposal will be improved, in order that an overall sustainability rating (as given by TP6 Sustainability Checklist) of at least 35% is achieved. Means of achieving this improved sustainability rating are outlined in the informative below. Furthermore, additional evidence shall be provided to support details provided in the submitted TP6 Sustainability Checklist in respect of the following areas (section references given in brackets):

1. Secured by Design (3.1(f));
2. Energy Conservation (4.1(a) & (b));
3. Localised energy (4.3 (l));
4. Water conservation (4.5(e));
5. Permeable paving (4.7(f));
6. Indoor air quality (6.1(e)&(f)).

Approved details shall be fully implemented.

NB. Details required by this condition may also be required in order to comply with other conditions of this approval.

Reason: To ensure that the proposal makes a positive contribution toward achieving sustainable development in the Borough, in accordance with policy BE12 of Brent's Unitary Development Plan 2004, and policy guidance provided by SPG19 - Sustainable Design, Construction, and Pollution Control.

- (7) An appropriate management plan demonstrating how noise and traffic impacts related to community functions or events will be minimised and/ or mitigated, shall be submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development hereby approved. The submitted details shall be fully implemented.

Reason: In the interest of preserving the amenities of residents in the vicinity of the school.

INFORMATIVES:

- (1) The applicant is advised to consider the following means of improving the sustainability score of the proposal, and to provide further details in order to satisfy the above condition:
- Introduction of green roofs to flat roofs of proposed extensions;
 - Water conservation and recycling measures such as low water consumption toilet and sink fittings, and grey water recycling;
 - Additional natural ventilation and natural light provision, such as the use of wind-catchers and sun-pipes;
 - Introduction of Solar-Thermal water heating and/ or Photo-Voltaic electricity generation technology;
 - Adaption of pitched roof spaces for storage purposes;
 - Use of recycled materials and timber construction;
 - Development and implementation of a Green School Travel Plan;
 - Planting to improve air quality.
- (2) With regard to surface water drainage it is the responsibility of the developer to make proper provision of for drainage of surface water to ground, water courses, or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to connect to a public sewer, prior approval from Thames Water Developer Services will be required (0845 850 2777).

REFERENCE DOCUMENTS:

Brent's UDP 2004

SPG17 - Design Guide for New Development.

SPG19 – Sustainable Design, Construction, and Pollution Control.

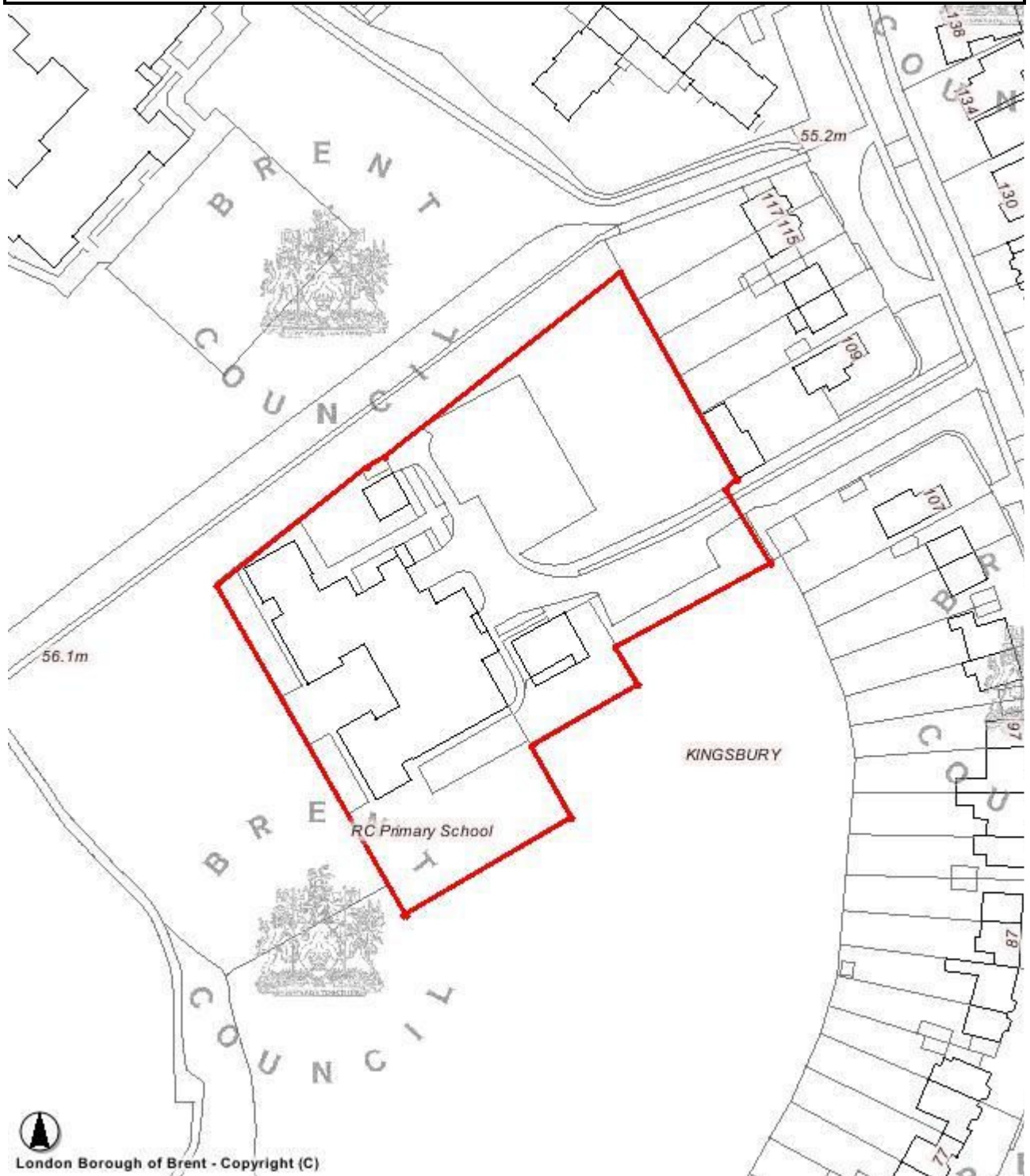
Any person wishing to inspect the above papers should contact Hayden Taylor, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5345



Planning Committee Map

Site address: School Main Building, St Robert Southwell RC School, Slough Lane, London, NW9 8YD

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**Committee Report
Planning Committee on 16 September, 2009**

Item No. 2/01
Case No. 09/1770

RECEIVED: 3 August, 2009

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 32 Windermere Avenue, London, NW6 6LN

PROPOSAL: Erection of single-storey side infill extension and rear dormer window, installation of 1 rear and 1 front rooflights, creation of basement cellar and replacement of windows to front of dwellinghouse

APPLICANT: Mr David Harragin

CONTACT: Webb Architects Ltd

PLAN NO'S:

1003.01.00	1003.01.01
1003.01.02	1003.01.03
1003.01.05	1003.01.06
1003.01.10C	1003.01.11E
1003.01.12C	1003.01.13D
1003.01.14D	1003.02.01
1003.02.02	1003.02.10(D)
1003.03.01	1003.03.02
1003.03.10E	1003.03.11D
1003.05.10	1003.05.11
1003.05.12	1003.05.13
1003.05.14	

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

Emily Tacred

Date and Reason for Request

18th August 2009

Details of any representations received

A local resident

Name of Councillor

Will Motley

Date and Reason for Request

18th August 2009

Details of any representations received

No representations

RECOMMENDATION

Approval

EXISTING

The subject site, located on the southern side of Windermere Avenue, is occupied by a two-storey terraced dwellinghouse. The subject site is located within the Queen's Park Conservation Area.

PROPOSAL

The proposal is for the erection of a single-storey side infill extension and rear dormer window, the installation of 1 rear and 1 front rooflights, the creation of a basement cellar and the replacement of the windows to the front of the dwellinghouse.

HISTORY

There is no planning site history relevant to the determination of this planning application.

POLICY CONSIDERATIONS

The London Borough of Brent Unitary Development Plan 2004

The development plan for the purpose of S54A of the Town and Country Planning Act is the Adopted Brent Unitary Development Plan 2004. Within that plan the following list of policies, which have been saved in accordance with the Planning and Compulsory Purchase Act 2004, are considered to be the most pertinent to the application.

BE2	Townscape:Local Context & Character
BE9	Architectural Quality
BE25	Development in Conservation Area
BE26	Alterations & Extensions to Buildings in Conservation Areas

Queen's Park Conservation Area Design Guide

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation letters, dated 7th August 2009, were sent to 21 neighbouring owner/occupiers and a site notice was posted to the front of the property on 21st August 2009. In response one objection has been received, however this relates primarily to a part of the extension which has since been removed (single storey rear extension) from the proposals. For the sake of completeness, the concerns raised include:-

- The rear extension would substantially affect the view from and light into neighbouring rear kitchen window.
- The rear extension would be the only extension that projects beyond the rear building line of the existing properties along the terrace.

The application has been called-in for determination by Members at the request of Ward Councillors Emily Tancred and Will Motley.

REMARKS

The proposal is for the erection of a single-storey side infill extension and rear dormer window, the installation of 1 rear and 1 front rooflights, the creation of a basement cellar and the replacement of the windows to the front of the dwellinghouse.

Side Infill Extension

A single storey extension is proposed to the side of the kitchen at the rear of the building. A courtyard area of 4m in length will be retained between the rear window of the reception room, facing the passage along the rear projection, before the side extension begins. This allows light and outlook to both the reception room and reduces the impact of the proposed extension on the neighbouring property. The extension is 3.5m in length, projecting from the end of the 4m courtyard along the side of the outrigger to match the existing rear building line of the property. The proposed extension will not project beyond the rearmost point of the existing property.

Along the boundary with 34 Windermere Avenue the extension has been amended to be 2m in height. This is significant as a boundary fence or wall of this height could, hypothetically, be erected along the boundary between the properties without planning permission under permitted development. The extension then steps up to a height of 2.2m at a distance of 0.25m in from the joint boundary before sloping upwards to a maximum height of 2.65m where it abuts the side elevation of the existing building. The elevation of the extension facing back into the courtyard would mainly consist of glazed doors, the roof is glazed and the width of the rear elevation at ground floor, including both the existing building and side extension, is proposed as timber framed glazing.

As Members will be aware, whilst side infill extensions are usually resisted there have been recent cases where subject to a sympathetic design, including the formation of a 4m courtyard and an appropriate height along the joint boundary, such extensions have been granted planning permission. Whilst acknowledging that precedent is not normally a material planning condition, the design merits of the current proposal include a low height along the joint boundary, construction using visually light materials and the formation of courtyard with a 4m depth. It is considered that, on balance, together these elements would help to minimise any impact of the proposed extension on the amenity, in terms of light and outlook, of the adjacent neighbouring occupier. The same design considerations also result in a modest proposal which is considered to be reasonably sympathetic to the character of the building and the layout of this row of traditional terraces.

Roof Alterations

A single front roof light measuring 800mm in height and 500mm in width is proposed, this is also described as a "conservation" roof light meaning it would be flush with the roofplane and is positioned centrally above the front bay. Such a roof light is in compliance with the Queen's Park Conservation Area design guide and is considered to have an acceptable impact on the character of the Conservation Area.

To the main rear roofplane a dormer window measuring half of the width of the existing roofplane is proposed. The dormer is positioned centrally and is set up adequately from the eaves and down from the ridge. Three timber sash windows are proposed to the facade of the dormer with lead proposed to the rest of the face and its side elevations. Its design is considered to comply with the guidance contained in the Queens Park Conservation Area Design Guide and Supplementary Planning Guidance 5:- 'Altering and Extending Your Home'.

To the right of the dormer, partially obscured on the rear elevation plan by a chimney on the rear projection, a rooflight is proposed providing light to the stairs below. The proposed rear roof-light would be larger than that proposed to the front. However, The Queen's Park Conservation Area

Design Guide does not suggest a maximum size for rooflights installed on the rear roofslope. On balance, it is considered that this rooflight to the rear would not be easily visible due to its siting in relation to the existing chimney and that it would not harm the character of the existing building or surrounding Conservation Area.

Replacement Windows

It is proposed that the existing timber sash windows to the front elevation will be replaced with new double glazed timber sash windows. The replacement windows will be like for like in terms of material and fenestration but with the added benefit of incorporating double glazing. The existing timber sash windows to be replaced have different glazing bar patterns between the ground and first floors. The existing glazing bar patterns are to be replicated in the replacements. It is considered that the proposed replacement windows would preserve the character of Queens Park Conservation Area.

Basement Wine Cellar

The proposed basement wine cellar is formed by making a cylindrical excavation, 2m in diameter and 2.65m in depth below the floor of the existing kitchen and proposed side extension. Access to the cellar would be via a trapdoor in the kitchen floor and would include a spiral staircase down with shelving for the storage of wine.

The proposed basement wine cellar would be a modest excavation for storage only and would be wholly internal with no windows or lightwells. The proposed basement wine cellar, therefore, does not impact on the external appearance of the dwellinghouse and would not raise any significant planning related concerns.

Overall, the proposals are considered to comply with the policies contained in Brent's UDP 2004 as well as the Queens Park Design Guide and approval is 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
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home
Queens Park Conservation Area Design Guide

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 roof-lights shall be detailed to be "conservation style" and shall be installed to be flush with the roof covering.

Reason: In the interest of visual amenity of the Queen's Park Conservation Area..

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan 2004
Supplementary Planning Guidance 5:- 'Altering & Extending Your Home'
One letter of objection

Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: 32 Windermere Avenue, London, NW6 6LN

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Committee Report

Planning Committee on 16 September, 2009

Item No.

2/02

Case No.

09/1508

RECEIVED: 30 June, 2009

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Gaumont State Cinema, 197-199 Kilburn High Road, London, NW6 7HY

PROPOSAL: Proposed change of use from theatre club (Use Class Sui Generis) to place of worship (Use Class D1); demolition and replacement of single-storey WC block to side of auditorium, demolition and replacement of single-storey and mezzanine meeting-rooms to front of site; 7 new rooflights to mezzanine, erection of new side entrance and WC extension, installation of metal "stage access" door and new metal mesh screen at rear of site; new vehicular access from The Terrace, new refuse store and metal gates from Willesden Lane; re-landscaping of site, including 50 bicycle stores, 50 car-parking spaces and 3 disabled car-parking spaces, and restoration of front elevations facing Kilburn High Road and Willesden Lane

APPLICANT: Senior Pastor John Francis

CONTACT: Tim Foster Architects

PLAN NO'S: EXISTING
446/00/00; 01; 02; 03; 04 (lower mezz); 05 (upper mezz); 06; 07; 08; 09; 10; 11; 12; 13; 14; 15; 16; 17; 20; 21; 22; 23; 24.

PROPOSED
446/02/01; 02; 03; 04; 05; 06; 07; 08; 09; 10; 12; 13; 14; 15; 16; 17; 20; 21; 22; 23; 24; 25; 26; 27; 28.

REPORTS

Design & Access Statement (June 2009), Planning Statement (June 2009), Conservation Plan (December 2008), Operational Statement (June 2009), Acoustic and Environmental Design (May 2009), Transport Statement (June 2009), Framework Travel Plan (June 2009), Statement of Community Involvement (June 2009).

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental Services to agree the exact terms thereof on advice from the Borough Solicitor

SECTION 106 DETAILS

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

- (a) Payment of the Council's legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) Undertaking an energy audit of the building, before and after occupation. Incorporation of SMART metres for utilities to monitor and manage energy consumption e.g. for lighting, heating & cooling, IT. If new heating and cooling systems are to be incorporated into the building, would the applicant consider low carbon technologies & insulation; solar panels for lighting and water heating; a rain water recycling system for landscaping and toilet flushing; permeable hard surfacing for rainwater drainage; use of low energy light bulbs, water efficient fittings.
- (c) Prior to occupation, submit, gain approval and implement a Travel Plan.
- (d) Prior to occupation, submit, gain approval and implement a Management Plan- to allow public access to the building, meeting rooms and main hall for at least 8 hours a week within one year of the implementation of this permission.
- (e) The provision of local history archive and pictures to the public at no charge a minimum of 1 day a week, housing information about the building and local area within one year of the implementation of this permission.
- (f) Prior to occupation, a contribution of £20,000 to the Council, index-linked from the date of Committee for local transportation mitigation.

And, to authorise the Director of Environment and Culture, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

This is the Gaumont State building on the western side of Kilburn High Road. The building is Grade II* listed and although vacant at the moment was most recently used as a Mecca bingo hall, closing in 2007. The building fronts the High Road as well as Willesden Lane. To the south of the building is a car park that is accessed off The Terrace.

The building operated as a 4,000 seater auditorium/cinema with an associated restaurant at first floor level. This was converted into a cinema itself in 1967. This continued until 1983 when the auditorium was converted into a 2,060 seater bingo hall.

The Gaumont State is subject to a site specific proposal in both the adopted Brent UDP (site MOS3) and the emerging LDF Site Specific Allocations DPD (site 30).

PROPOSAL

This application seeks planning permission for the change of use of the Gaumont State building from theatre club (Use Class Sui Generis) to a place of worship (Use Class D1). The application also involves the demolition and replacement of a single-storey WC block to the side of auditorium, demolition and replacement of single-storey and mezzanine meeting-rooms to the Willesden Lane front of the site; 7 new rooflights to mezzanine, erection of new side entrance and WC extension, installation of metal "stage access" door and new metal mesh screen at rear of site; new vehicular access from The Terrace, new refuse store and metal gates from Willesden Lane; re-landscaping of site, including 50 bicycle stores, 50 car-parking spaces and 3 disabled car-parking spaces, and restoration of front elevations facing Kilburn High Road and Willesden Lane.

HISTORY

There have been a number of relatively small scale planning and listed building applications submitted over the years, but none of them are considered relevant to the determination of this current proposal.

A report on the related listed building consent application (09/1522) appears elsewhere on this Agenda.

POLICY CONSIDERATIONS

PPG15 - "Planning and the Historic Environment".

STR4 Major Opportunities Sites.

STR11 Which seeks to protect and enhance the quality and character of the Boroughs built and natural environment and resist proposals that have a harmful impact on the environment and amenities.

STR14 New development will be expected to make a positive contribution to improving the quality of the urban environment.

STR16 Listed buildings.

STR29 The role of Kilburn as a major centre within London will be supported.

STR31 Existing ACE facilities will be protected.

STR37 Community facilities.

BE2 Townscape: Local Context & Character

BE6 Public Realm: Landscape Design

BE7 Public Realm: Streetscape

BE9 Architectural Quality

BE12 Environmental Design Principles.

SH2 Major Town Centres.

SH6 Non-retail uses appropriate to primary shopping frontages.

TRN1 Transport Assessment.

TRN3 Environmental impact of traffic.

TRN4 Measures to make transport impact acceptable.

TRN22 Parking standards-non residential developments.

TRN27 Retention of essential off-street parking.

TRN34 Servicing in new development.

PS10 Parking standards for D2 uses.

PS12 Parking standards for D1 uses.

PS15 Parking for disabled people

PS16 Bicycle parking standards.

CF1 Location of large scale community facilities

CF4 Community facilities capable of holding functions

CF14 Places of worship

Supplementary Planning Guidance Note 17: Design Guide for New Development

Supplementary Planning Document: S106 Planning Obligations

UDP Site Specific proposal MOS3. Proposals "Community, retail, or arts/culture/entertainment or employment use suitable for retaining integrity of listed building."

LDF Site Specific Proposal 30. "The Council is seeking a use that can provide an opportunity to reconnect local residents, occupiers and visitors with an important visual, social and historic landmark and Listed Building in the Borough, as well as improve and diversify the uses available along the High Road."

SUSTAINABILITY ASSESSMENT

The question of sustainability will need to be controlled via a Section 106 legal agreement and is discussed below. Members will be updated about the issue in a Supplementary report.

CONSULTATION

A total of 540 letters were sent to adjoining occupiers about the application on 7 July 2009. A total of 5 site notices were posted around the site on 10 July 2009 and a press notice was published on

16 July 2009, advertising the application as "Of Public Interest".

In addition, English Heritage, Camden Council and Brent Councillors in Kilburn, Queens Park and Brondesbury Park Wards were also notified about the proposal.

A number of other interested parties were also consulted about the application, given the status of the building to which it relates, and their comments are summarised below.

NEIGHBOURS

A total of 3 objection letters have been received in relation to the consultation exercise (in addition to 3 letters of support/comment). The points of concern raised can be summarised as follows:-

- car parking/traffic congestion.
- the area adjacent to the Willesden Lane building should be enhanced (lighting) and the proposed planters will be abused. Perhaps trees could be planted?
- proposal adds nothing to the community.
- building must be made available to the community. If it is not the proposal is of no benefit to Brent.
- proposed mezzanine floor level in Willesden Lane block will relate unacceptably to Brondesbury Mews, which is a locally listed building.
- query over land ownership issues.
- "cycle doctor" scheme should be re-introduced to the site.

ENGLISH HERITAGE

No comments received.

LEADER OF CAMDEN COUNCIL (Councillor Keith Moffitt)

Wishes to register formal support for the proposal. The restoration and reuse of such a local landmark and Grade II* listed building will bring a historical gem back into community use and will also give an extra impetus and dynamic to the regeneration of Kilburn High Road to the benefit of both Boroughs.

LONDON BOROUGH OF CAMDEN

No comments received.

THE TWENTIETH CENTURY SOCIETY

Welcomes the proposal. The Society has no objections to the proposed alterations and extensions to the backstage and understage accommodation, nor to the proposals regarding the original offices above the High Road entrance. The Society welcomes the retention of original architectural features in all key public areas, as well as key technological remnants (eg: control panels, stage elevator) and the listed Wurlitzer organ.

Detailed drawings will follow as the project progresses and the Society reserves the right to withdraw their support in the event that any changes are subsequently considered to have a detrimental effect on the character of the listed building.

THE THEATRES TRUST

Supports the proposals in principle as it will provide a sustainable future and preserve the special interest of the listed theatre building. It will also allow the building to be used for performances as well as preserving the potential of the theatre should it be required in the future strictly as a live performance venue. .

THE CINEMA THEATRE ASSOCIATION

Welcomes the attention and care given to the plans for a phased refurbishment of the building. No objections are raised to the proposals.

CAMDEN WARD COUNCILLORS (Kilburn Ward)

The three Councillors are pleased to support the proposal. Four key issues 1. Community Use. Meeting space for community and voluntary groups needs to be provided, but at an affordable rate. 2. Supporting the Town Centre. Bringing building back into use will be an important development in the Town Centre. External frontages could be used to promote local community centres from time to time. 3. Heritage. A museum is welcomed, but it should be done in conjunction with Brent & Camden archives. Church could work with Councils and other institutions to bring people together in the heart of Kilburn. 4. Travel and Transport. The area of most concern. Need to ensure that the use does not cause problems for the locality in the future and that there is the necessary control over the use, along with appropriate mechanisms in place in the event that problems do occur. The submitted Transport Assessment is not enough to answer all concerns.

REMARKS

Members will be familiar with the Gaumont State building and the fact that it is something of a landmark within this part of North-West London, with its tower rising over 30 metres in height. Its location on one of the main thoroughfares into Central London, which itself forms the boundary between two Boroughs (with Camden on the east and Brent on the west of the High Road) also means that interest about the future of the Gaumont State extends outside of the Borough boundary.

LISTED BUILDING ISSUES

A formal consideration of the impact of the proposed change of use on the integrity of the listed building can be found elsewhere in this Agenda in connection with application 09/1522. However, it is important to say that this building, built in 1937 as one of the largest, most impressive theatres in the country and which is now Grade II* listed (only approx. 5% of all listed buildings fall within this category) is one of the most important buildings in Brent, in particular, and London, in general. Any development proposals that detract from this integrity would be likely to be resisted.

THE PROPOSALS

This planning application fundamentally seeks consent to change the use of the building from a bingo hall (use class D2) to a place of worship (use class D1) with an associated cafe, community facilities and administrative offices. In addition, there are a number of smaller elements (both internal and external) that relate to the change to a place of worship and which may only require listed building consent, rather than full planning permission. Amongst these are:

- 3 single storey extensions including one to the side of the Willesden Lane building.
- creation of a children's hall to replace the existing office space.
- erection of new fencing and gates to The Terrace and the Willesden Lane entrances.
- creation of small museum.
- restoration works including relighting the tower.
- bicycle parking.
- refuse and recycling store.

THE USE

The attention of Members is drawn towards the "Consultation" section of this report where a range of views are expressed about the proposed change of use. Whilst there are, understandably, some areas of concern, given the nature of the proposal, Officers would refer to the strong level of support from external amenity groups (The Theatres Trust, Twentieth Century Society and the Cinema Theatre Association) as well as the adjoining Local Authority, although it is acknowledged that some of this support is conditional. It seems clear that the bringing back into use of this important landmark building is something that is welcomed by many.

As indicated elsewhere, this is a Grade II* listed building and it is recognised in Planning Policy Guidance (PPG15) that the best, most sustainable, way of securing the long term future of buildings of this kind is to identify an active use for them. This is the situation with the Gaumont State as the original use is no longer considered to be viable.

One of the difficulties that the Gaumont has experienced in the past is that its sheer size has made it difficult to secure a viable long-term user who would, in turn, be able to use the building in its original state without needing to impact on the integrity of the historic building (by for example internal sub-division) as a result of the way that they wished to use it. It is considered that the proposal would be an opportunity to provide for a viable use that would also allow the building to be in many ways restored to its former glory, by allowing many of the less attractive physical changes to be reversed. The applicant has made the point that the use of the building as a church, which hopes to entertain large gatherings or community uses, is well suited to the historic plan form of the Gaumont. The main auditorium would be used for services, whilst the smaller accommodation spaces would be able to be used for the other types of gatherings/meetings associated with the church, as well as the wider community. It is considered that other uses that could take place in the building could be likely to have more of a significant impact on the integrity and physical fabric of the building, certainly when compared to the current submission and Officers feel that this is something that needs to be taken into consideration in the overall assessment of this application.

There are a number of issues that are raised by the use of the building as a Church, and these are discussed further below. However, it is the view of Officers that, while policies MO53 of the UDP and the LDF site specific allocations do not refer specifically to a D1 Use the proposed change of use is acceptable in principle.

HIGHWAY ISSUES

Perhaps inevitably the matter of the amount of traffic generation associated with the church is one of the issues that has most often been raised, although there are a number of uncertainties about understanding precisely what the future impact of the use on the locality will be. The capacity of the building obviously creates the possibility of a large number of visitors to it at any one time, but the church has no expectation that it will attract those sorts of numbers, certainly whilst it seeks to build up its congregation in this part of London. This assessment also needs to be seen in the context of the fact that the building could have been brought back into use without planning permission (as long as it remained as a D2 use), with potentially the same number of visitors, as the capacity of the building does not increase through this church proposal.

The applicants have submitted a Transport Statement and a Framework Travel Plan (both dated June 2009) which the Council's Transportation Engineer has studied.

This site is located on the western side of Kilburn High Road (a London distributor road), between its signalized junction with Willesden Lane (also a London distributor road) and The Terrace (a local access road). A 55-space car park is located to the rear of the site, accessed via 6m wide entrance from The Terrace. A pedestrian passage is provided from this car park to Kilburn High Road, whilst back stage access into the building is also available from this car park. A further 7.5m wide crossover is located onto Willesden Lane to provide access to a rear alleyway/fire escape, with gates set 7m from the highway boundary.

The site is located within Kilburn Controlled Parking Zone KD, which operates between 8.30am and 6.30pm Mondays to Fridays. Parking on the three roads fronting the site is very restricted though, with only the northern side of Willesden Lane offering any nearby pay and display parking bays. Surveys show the surrounding residential streets to be heavily parked at night. Public transport access to the site is very good (PTAL 6), with Kilburn High Street (London Overground), Brondesbury (London Overground), Kilburn Park (Bakerloo line) and Kilburn (Jubilee line) stations within 960 metres (12 minutes' walk) and nine bus services within 640 metres (8 minutes' walk).

An initial maximum congregation of up to 1,000 people is anticipated (although this may grow in the future), which is anticipated between 11am-1pm and 7-9pm on Sundays, with about 500 people anticipated between 2-4pm on Sundays and 7-9pm on Tuesdays. Smaller events of up to 200 people are anticipated at other times (mainly evenings) through the week. Up to 60 staff are proposed to work in the building.

The car park to the rear is to be resurfaced and reconfigured to provide 50 car parking spaces (incl. three disabled) and 58 bicycle parking spaces (46 visitor and 12 staff), plus a 10m loading bay into the rear of the building. The access from The Terrace is to be widened accordingly to 6m with 6m kerb radii and gates at the highway boundary to accommodate service vehicles. The vehicular access from Willesden Lane is to be made redundant, through the provision of planting and a row of pedestrian gates across the rear service passage.

Car parking allowances for the existing and proposed uses of the building are set out in standards PS10 and PS12 of the adopted UDP respectively. The existing use is permitted up to one space per 60 patrons and one space per five staff, which based upon the original capacity of the building totals about 70 spaces. This would increase to two spaces per five visitors for the proposed use, giving a maximum allowance of 400 spaces for the proposed use.

The continued provision of 47 standard width spaces would, therefore, comply with standards, whilst the provision of a further three wide disabled spaces also satisfies the requirements of standard PS15.

In terms of bicycle parking, there are no specific standards for places of worship, but the proposed provision of 58 such spaces (incl. 12 secure parking spaces for staff along the western boundary of the site) within the car park, all of which will be covered, is welcomed by the Transportation Engineer. The remaining spaces are shown as being located partly beneath the covered pedestrian walkway off of Kilburn High Road whilst still retaining sufficient space for people to pass the racks on foot. A comment has been made by an objector that the amount of bicycle parking is excessive, but Officers consider that the ability of visitors to cycle to the building and park their bicycle in a safe and secure location would be an important element of seeking a balanced approach to non-car modes of travel. Similarly, the provision of a 10m loading bay for deliveries is welcomed, despite the absence of any particular standard for this use. The proposed siting of the refuse storage area alongside this loading bay will allow easy collection by waste contractors.

The proposed widening of the car park access onto The Terrace will ease access by delivery vehicles and is therefore acceptable. AUTOTRACK runs have been produced to show that the revised access arrangements will be able to cater for 10m rigid lorries and midi-buses. The Transportation Engineer has commented that the proposed provision of gates at the highway boundary is less welcome and that these should be kept open throughout the opening hours of the building, to minimise obstruction to the highway by vehicles waiting to enter the site.

Members will be aware that in all developments, but certainly ones of this nature, an important consideration is the impact of any overspill parking from the site on traffic flow and highway safety. In this respect, as stated above, the capacity of the building will remain largely unaltered, although it is not anticipated that the use will approach full capacity for many years. However, the periods when the building will be busiest will alter from in the past being the evenings (esp. weekends) to in the future Sunday mornings/evenings.

As mentioned above, a Transport Statement has been prepared on behalf of the applicants. In order to assess the likely impact of the proposal, surveys of existing members of the church congregation were undertaken at their current premises in Brixton. These showed 21% of members driving to the church (with a further 6% as passengers), whilst 71% used public transport. Applying these percentages to the proposed Sunday congregations of 1,000 people results in 210 cars being attracted to the site. A further 13 cars are expected to be generated by members of staff, giving a total of 223 cars.

With only 50 car parking spaces available within the site, the remainder would be seeking on-street parking space in the area. To assess the impact of this, parking beat surveys were undertaken for the surrounding area (i.e. within 500-600m of the site) at 10.30am, 1.30pm and 6.30pm on Sunday 16th November 2008. These showed the area to be generally between 65-70% parked, with about 1,300 on-street spaces available on average.

However, a check on the capacity of the nearby streets within Brent has led the Council's Transportation Engineer to suggest that the parking capacity has been overestimated by the consultants and a re-assessment on this basis suggests these streets to be closer to 80-85% parked. Nevertheless, this still leaves 300-400 free spaces on the Brent side of Kilburn High Road alone, so there is technically considered to be sufficient spare parking capacity in the area on a Sunday to accommodate the demand from this proposal.

Furthermore, the pre-existing use would also have generated significant amounts of overspill parking, albeit at different times of the day/week. Indeed, some of the previous uses are likely to have generated more traffic at sensitive times, such as during the evening peak hour. As a result, the Transportation Engineer considers the proposal to be acceptable, in principle.

Nevertheless, a Travel Plan is considered essential to help limit the impact of traffic and parking as far as is possible, particularly if the church is to expand its membership in the future. To this end, a draft Travel Plan has been prepared for the church. The Plan sets out a number of measures such as promoting walking, cycling, motorcycle use, public transport use, car sharing, car park management (priority allocation of spaces to essential users, car sharers etc.). The main target is to reduce car use by 5% within one year of the site opening and this will be monitored on an annual basis. A Travel Plan Co-ordinator will be appointed to oversee the implementation and monitoring of the plan and steering groups will be arranged to monitor progress.

The Transportation Engineer states that the draft Travel Plan is of a good standard and that in his view with some minor changes, it could be incorporated as an appendix to the S106 Agreement, under an obligation to implement the plan as set out. The main amendments required are to provide confirmation that adequate time and funding will be committed to the Travel Plan, confirm that all future monitoring surveys will conform to the i-TRACE/TRAVL format and to set targets beyond one year to the fifth year after occupation.

In terms of the highway issue, one final major measure that is considered significant to supporting the Travel Plan would be the extension of the CPZ operational hours in the area to apply at evenings and weekends. Whilst the Council cannot guarantee that it would be possible to do this, as it would rely on the support of local residents at the appropriate time, a sum of £20,000 is sought towards undertaking a review of the CPZ in the area. This review may also need to be on-going over a number of years if the church expands as proposed. Members will note that the issue of how to control, and respond to, the future characteristics of the growing church enterprise has been specifically raised by the Camden Council Ward Councillors who have commented on this application.

The possible use of the car park as a shoppers car park for the benefit of the Town Centre has been raised. Whilst such a provision could obviously be a useful addition to Kilburn, it is a privately owned site and it would be difficult to insist on it been used by members of the public controlled through this change of use application.

COMMUNITY ACCESS

The issue of how the wider community would benefit from the rejuvenation of the Gaumont State is something that has been discussed extensively by Officers and third parties. It is obviously the case that the building is privately owned, but there remains the need to seek to ensure that as many people as possible are able to benefit from having such an important listed building in this location. The church has acknowledged, and seeks to encourage, the fact that their proposals could be at the heart of the local community, as well as helping to regenerate the Kilburn Town Centre. The issue is how to ensure that community access is provided at an appropriate level and that adequate control is exercised over this access, through a legal agreement.

The reports submitted with the application make it clear that the applicants understand the issue and the desire of the wider community to benefit from the Gaumont State in some way. As

indicated above, the concern of Officers is that the matter is controlled. The church state that in terms of occasional visits to the building it will be open every Sunday for Services and it is intended that the lobby/foyer area will be open every day as a coffee shop and bookstore. They will ensure that the building is open on Open House weekend (Saturday only), for one day a year to accommodate local school graduation ceremonies and also for one day a year for an organ recital day. They would look to market the use of the various spaces to commercial organisations for occasional conferences. The church have emphasised the wider benefit to the community as a result of the work that they have carried out with children and also seeking to assist in reducing crime. Whilst all of this is acknowledged, it is not something that, in itself, could be deemed to be a material planning consideration in weighing up the acceptability of this particular application.

In terms of allowing space for meetings and events to be made available, the applicants have indicated that they would be "delighted" to formalise arrangements with local community groups and that they would let such spaces "at cost." The question of timing comes into play, however, because the phasing of works, inevitable in a project of this size, means that the spaces that would obviously lend themselves to being used for community use (the Willesden Lane element) would not be available in the first phase of works. The applicants have estimated that it may be two to three years before these specific spaces could be available, but Officers feel that it would be more appropriate, and more reasonable, to insist on a shorter period, acknowledging that there would be other means of providing the community accommodation. As a result, the suggested Heads of Terms require the public access to be provided within a year of the use commencing.

Officers are keen to ensure that the matter is controlled through the Section 106 agreement. As a result, the following Heads of Terms have been suggested:

- Prior to occupation, submit, gain approval and implement a Management Plan to allow public access to the building, meeting rooms and main hall for at least 8 hours a week to be provided within one year of the implementation of this permission.
- The provision of a local history archive and pictures to the public at no charge a minimum of 1 day a week, containing information about the building and local area, to be provided within one year of the implementation of this permission.

Representations have been made about the use of the scene dock on the site. Previously it has been used by a bike project for weekly maintenance drop in sessions which certain third parties have asked be re-instated. The Church do not feel that they can accommodate the project at this moment in time. It is their view that the Scene Dock would be more appropriately used for some form of scenic production and they are in discussions with the Tricycle theatre with regards to letting the space to them because facilities of this nature are so rare in London. From a planning point of view there is no policy justification for insisting on the sort of bike project described above on this site, however popular it might have been, and as the owners of the site, the Church are entitled to decide that at this stage they do not wish to accommodate it.

EXTENSIONS/ALTERATIONS

A number of small single storey extensions are proposed to the building. The new additions to create additional toilet accommodation and improve circulation space on the north-west and south-east side of the building are considered to be fairly non-contentious. However, concern has been expressed about the proposed extension to the north-east corner of the building, specifically from an occupier of Brondesbury Mews. The proposed extension would include a mezzanine floor and would provide two meeting rooms and office space. The concerns relate to the impact on the Mews, which is locally listed. Officers have looked at these concerns but can see no basis for them, certainly in terms of the impact on either occupiers of the Mews or the physical fabric of the building. The extension is shown as being no higher than the height of the existing projecting canopy on the application building itself. Although the extension would front Willesden Lane and, consequently, would have an impact on the streetscene, as well as the listed building, the design and appearance of the addition is considered to be acceptable.

There is an existing large vehicular crossover onto Willesden Lane that the Transportation Engineer would wish, as is normal, to see reinstated as footpath as part of the proposal to minimise the number of accesses onto the London Distributor Road. The submitted drawings show tree planting to the front of the building between the back of the footpath and the area to the side of the proposed church, which would be welcomed by Officers in streetscene terms. The applicants have now stated that this crossover may still need to be retained for use by the fire brigade and consequently it should stay, whilst the tree planting would need to be provided in a different form, as it is proposed in front of this access area. There is no need to have a dropped kerb in order to allow fire tenders to access a site (as tenders can bump up the kerb) and so Officers consider that the need to reinstate the footpath remains (without it, it is likely that the crossover would be used for off-street car parking, as appears to happen at present). The revised tree planting would be considered as part of the proposed landscaping condition.

SUSTAINABILITY ISSUES

Although a sustainability checklist is not strictly required for this application, given that it does not relate to a new development, Officers consider that compliance with policy BE12 of the adopted UDP is something that should be encouraged. Members will be aware of the Borough's commitment to reducing carbon emissions in the future.

In order to support this approach, it is intended that a number of measures should be incorporated into the Section 106 legal agreement. Given the historic importance of the listed building, there needs to be a balanced approach taken to the issue to ensure that works do not detrimentally impact on the integrity of the building. Officers consider that the following (in addition to the Travel Plan referred to elsewhere) should be capable of implementation:-

- Undertaking an energy audit of the building, before and after occupation.
- Incorporation of SMART metres for utilities to monitor and manage energy consumption e.g. for lighting, heating & cooling, IT. (This is a huge venue and so energy consumption through space heating and lighting is an issue of concern).
- If new heating and cooling systems are to be incorporated into the building, the applicant should consider low carbon technologies & insulation.
- solar panels for lighting and water heating?
- rain water recycling system for landscaping and toilet flushing
- use of low energy light bulbs, water efficient fittings.

SECTION 106 AGREEMENT

Officers have been in discussion with the applicants about the need for a legal agreement and the specific Heads of Terms that should form the basis of this agreement. The representatives of the applicants have indicated that whilst they accept the need for the Section 106, they have queried the precise details of it, specifically questioning the financial contribution sought to look at the CPZ extension to mitigate any highway impacts. Whilst Officers do acknowledge that there are a large number of positives generated by this proposal that are set out in this report and that they would not wish to insist on measures that might call the viability of the overall project into question, it is considered that the draft Heads of Terms are fair, reasonable and necessary if Officers are to be able to support the application scheme. The sustainability aspects are vital in ensuring the building is used in the most efficient way, with minimum impact on the environment, whilst the Travel and Management Plans should mitigate the potential transport and access impacts, while allowing for defined community access, which is a key policy consideration.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

- (1) The proposed development is in general accordance with policies contained in the:-
- Brent Unitary Development Plan 2004
 - Central Government Guidance
 - Council's Supplementary Planning Guidance

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
- Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
- Tourism, Entertainment and the Arts: the need for and impact of new tourists and visitor facilities
- Transport: in terms of sustainability, safety and servicing needs
- Community Facilities: in terms of meeting the demand for community services
- Site-Specific Policies

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 approved shall be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted therewith.

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities of the locality.

- (3) Details of materials for all external work including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details. These details shall include:-

- windows/doors.
- roof details.
- canopies.

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

- (4) Notwithstanding the plans hereby approved, a scheme for the landscape works and treatment throughout the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on the site. Any approved planting included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in

accordance with a programme agreed, in writing, with the Local Planning Authority.
Such a scheme shall include:-

- (a) proposed bollards, railings, walls and fences indicating materials and heights
- (b) adequate physical separation, such as protective walls and fencing between landscaped and paved areas
- (c) areas of hard landscape works and proposed materials
- (d) other appropriate matters within the context of a landscaping scheme, such as details of seating, usage of areas etc
- (e) details of the treatment of the area to the front of the Willesden Lane building, including tree planting.
- (f) details of the proposed management responsibilities and arrangements for the maintenance of the landscape works.

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 to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species.

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

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

- details of refuse and recycling facilities;
- details of bicycle storage facilities;

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

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

- (6) The existing vehicular crossover on Willesden Lane rendered redundant by the development, hereby approved, shall be made good, and the kerb reinstated, at the expense of the applicants, prior to the first occupation of the development.

Reason: In the interests of highway safety and in order to allow the Council to secure proper control over the development.

- (7) The car-parking spaces shown on the drawings hereby approved must be provided and retained thereafter for the accommodation of motor vehicles of the occupiers and users of the buildings on the application site and shall not be used for any other purpose. Furthermore, the disabled parking spaces and loading bay shall be marked out and not used for any other purpose.

Reason: To ensure the provision and permanent retention of car-parking spaces and servicing provision so as to ensure the development does not result in additional pressure for on-street parking.

- (8) The widening of the car park access onto The Terrace, as shown on the approved drawings, shall be implemented prior to the revised car parking arrangements being brought into use. In addition, the vehicular gates shown at this access must be kept open at all times when the car park is in use in order to prevent obstruction to the highway.

Reason: In the interests of highway safety and in order to allow the Planning Authority to exercise proper control over the development.

INFORMATIVES:

- (1) The applicant is informed that this permission does not extend to any advertisements on the building that will require formal advertisement consent in their own right from the Local Planning Authority.

REFERENCE DOCUMENTS:

- Brent UDP
- SPG17 & SPG19
- 3 letters of objection.
- 3 letters of support.

Any person wishing to inspect the above papers should contact Andy Bates, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5228



Planning Committee Map

Site address: Gaumont State Cinema, 197-199 Kilburn High Road, London, NW6 7HY

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Committee Report
Planning Committee on 16 September, 2009

Item No. 2/03
Case No. 09/1522

RECEIVED: 18 June, 2009

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Gaumont State Cinema, 197-199 Kilburn High Road, London, NW6 7HY

PROPOSAL: **Listed Building Consent** for demolition of single-storey element between Brondesbury Mews and side of auditorium, plus toilet block to west of auditorium fronting onto Willesden Lane, addition of lift and meeting-room extension between Willesden Lane block & Brondesbury Mews, along with single-storey backstage entrance and toilet extension to west of auditorium, landscaping around building, including entrance from Kilburn High Road and exit from Willesden Lane, with internal alterations to building associated with the change of use of the building to a place of worship, including restoration of front elevations to both Kilburn High Road and Willesden Lane.

APPLICANT: Ruach Ministries

CONTACT: Tim Foster Architects

PLAN NO'S: EXISTING
446/00/00; 01; 02; 03; 04 (lower mezz); 05 (upper mezz); 06; 07; 08;
09; 10; 11; 12; 13; 14; 15; 16; 17; 20; 21; 22; 23; 24.

PROPOSED
446/02/01; 02; 03; 04; 05; 06; 07; 08; 09; 10; 12; 13; 14; 15; 16; 17; 20;
21; 22; 23; 24; 25; 26; 27; 28.

REPORTS

Design & Access Statement (June 2009), Planning Statement (June 2009), Conservation Plan (December 2008), Operational Statement (June 2009), Acoustic and Environmental Design (May 2009), Transport Statement (June 2009), Framework Travel Plan (June 2009), Statement of Community Involvement (June 2009).

RECOMMENDATION

Grant consent.

EXISTING

This is the Gaumont State building on the western side of Kilburn High Road. The building is Grade II* listed and although vacant at the moment was most recently used as a Mecca bingo hall, closing in 2007. The building fronts the High Road as well as Willesden Lane. To the south of the building is a car park that is accessed off The Terrace.

The building operated as a 4,000 seater auditorium/cinema with an associated restaurant at first floor level. This was converted into a cinema itself in 1967. This continued until 1983 when the auditorium was converted into a 2,060 seater bingo hall.

The Gaumont State is subject to a site specific proposal in both the adopted Brent UDP (site MOS3) and the emerging LDF Site Specific Allocations DPD (site 30).

PROPOSAL

Listed Building Consent for demolition of single-storey element between Brondesbury Mews and side of auditorium, plus toilet block to west of auditorium fronting onto Willesden Lane, addition of lift and meeting-room extension between Willesden Lane block & Brondesbury Mews, along with single-storey backstage entrance and toilet extension to west of auditorium, landscaping around building, including entrance from Kilburn High Road and exit from Willesden Lane, with internal alterations to building associated with the change of use of the building to a place of worship, including restoration of front elevations to both Kilburn High Road and Willesden Lane.

The proposed change of use to a place of worship is the subject of a separate planning application (09/1508) which also appears on this Agenda. This application relates specifically to listed building consent and the proposed changes to the fabric and the setting of the listed building only.

HISTORY

There have been a number of relatively small scale planning and listed building applications submitted over the years, but none of them are considered relevant to the determination of this current proposal.

As explained above, a report on the planning application concerning the change of use to a place of worship appears elsewhere on this Agenda.

POLICY CONSIDERATIONS

PPG15 - "Planning and the Historic Environment".

STR16 Listed buildings.

UDP Site Specific proposal MOS3. Proposals "Community, retail, or arts/culture/entertainment or employment use suitable for retaining integrity of listed building."

LDF Site Specific Proposal 30. "The Council is seeking a use that can provide an opportunity to reconnect local residents, occupiers and visitors with an important visual, social and historic landmark and Listed Building in the Borough, as well as improve and diversify the uses available along the High Road."S

SUSTAINABILITY ASSESSMENT

Not applicable.

CONSULTATION

A total of 540 letters were sent to adjoining occupiers about the application on 7 July 2009. A total of 5 site notices were posted around the site on 10 July 2009 and a press notice was published on 16 July 2009, advertising the application as effecting a listed building.

In addition, English Heritage, Camden Council and Brent Councillors in Kilburn, Queens Park and Brondesbury Park Wards were also notified about the proposal.

A number of other interested parties were also consulted about the application, given the status of the building to which it relates, and their comments are summarised below. Given the nature of the proposals it has been difficult to differentiate between comments that relate to the planning and the listed building applications, and indeed some relate to both. As a result, both applications on the Agenda include a full summary of comments received.

NEIGHBOURS

A total of 3 objection letters have been received in relation to the consultation exercise (in addition to 3 letters of support/comment). The points of concern raised can be summarised as follows:-

- car parking/traffic congestion.
- the area adjacent to the Willesden Lane building should be enhanced (lighting) and the proposed planters will be abused. Perhaps trees could be planted?
- proposal adds nothing to the community.
- building must be made available to the community. If it is not the proposal is of no benefit to Brent.
- proposed mezzanine floor level in Willesden Lane block will relate unacceptably to Brondesbury Mews, which is a locally listed building.
- query over land ownership issues.
- "cycle doctor" scheme should be re-introduced to the site.

ENGLISH HERITAGE

No comments received.

LEADER OF CAMDEN COUNCIL (Councillor Keith Moffitt)

Wishes to register formal support for the proposal. The restoration and reuse of such a local landmark and Grade II* listed building will bring a historical gem back into community use and will also give an extra impetus and dynamic to the regeneration of Kilburn High Road to the benefit of both Boroughs.

LONDON BOROUGH OF CAMDEN

No comments received.

THE TWENTIETH CENTURY SOCIETY

Welcomes the proposal. The Society has no objections to the proposed alterations and extensions to the backstage and understage accommodation, nor to the proposals regarding the original offices above the High Road entrance. The Society welcomes the retention of original architectural features in all key public areas, as well as key technological remnants (eg: control panels, stage elevator) and the listed Wurlitzer organ.

Detailed drawings will follow as the project progresses and the Society reserves the right to withdraw their support in the event that any changes are subsequently considered to have a detrimental effect on the character of the listed building.

THE THEATRES TRUST

Supports the proposals in principle as it will provide a sustainable future and preserve the special interest of the listed theatre building. It will also allow the building to be used for performances as well as preserving the potential of the theatre should it be required in the future strictly as a live performance venue. .

THE CINEMA THEATRE ASSOCIATION

Welcomes the attention and care given to the plans for a phased refurbishment of the building. No objections are raised to the proposals.

CAMDEN WARD COUNCILLORS (Kilburn Ward)

The three Councillors are pleased to support the proposal. Four key issues 1. Community Use. Meeting space for community and voluntary groups needs to be provided, but at an affordable rate. 2. Supporting the Town Centre. Bringing building back into use will be an important development in the Town Centre. External frontages could be used to promote local community centres from time to time. 3. Heritage. A museum is welcomed, but it should be done in conjunction with Brent & Camden archives. Church could work with Councils and other institutions to bring people together in the heart of Kilburn. 4. Travel and Transport. The area of most concern. Need to ensure that the use does not cause problems for the locality in the future and that there is the necessary control over the use, along with appropriate mechanisms in place in the event that problems do occur. The submitted Transport Assessment is not enough to answer all concerns.

REMARKS

Overall Officers consider that this application has thoroughly understood the implications of restoration and re-use for this important Grade II* Brent landmark. The applicants have proposed a scheme that carefully balances the need of the historic fabric and the commercial requirements that will enable the long term financial viability of the Gaumont State.

The current application seeks Listed Building Consent for the following schedule of works:-

- Co-ordinate consultation rooms with the Willesden Lane wing
- Creation of children's hall in existing office suite.
- Provision of cafe kiosk in the inner vestibule.
- Alterations to stage door
- Creation of video and music suites
- Plant-room
- Metal fencing and gates to the terrace - design will be subject to planning condition.
- Establishment of museum
- Lighting scheme for tower
- Provision of cycle racks and refuse stores.
- Landscape works to Willesden Lane
- Planted screen for west elevation and Willesden Lane - subject to planning condition.
- New signage again subject to planning condition - subject to advertisement consent.

The integrity of the Listed Building has been maintained through a careful assessment of the important surviving elements of the building and their role in maintaining character. However, to balance this and enable the building to have a long term sustainable future the less important spaces have been employed to provide the services and amenity that a 21st century building of this type needs.

The fundamental principles that have been applied are:

1. There are no major alterations to the external envelope of the important public faces of the original building.
2. The important large internal volumes of the auditorium, foyer and entrance lobby have been preserved and undivided which is critical in maintaining the character of the building.
3. Where the original decorative detailing survives the proposals call for sensitive restoration, repair and reinstatement.
4. The extension to the rear has been located to minimise the impact on the integrity of the plan form and the elevation of the building. The mass and scale of the original Gaumont State is such that sensitively detailed extensions are possible.
5. The design and detailing of the extension is simple and complementary to the less decorative rear and side elevations.

Overall, the proposals can only be to the advantage of what would be otherwise a very difficult building to preserve for the long term. The limited enabling works will not have a serious detrimental impact on the character of the building and will enable this important landmark to continue to contribute to the character of Kilburn.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004
Central Government Guidance

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

CONDITIONS/REASONS:

- (1) The works to which this consent relates must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To conform with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- (2) The following method statements, including detailed plans and samples of work, for the following elements of the development should be submitted to and agreed in writing by the Local Planning Authority prior to commencement of works on site or in accordance with schedule to be agreed with the Local Planning Authority:-

- a) The insertion of, or alteration to, any new or existing structural openings.
- b) Repair and restoration of decorative ceilings, walls and other decorative elements.
- c) Repair and/or restoration of external elevational treatments including cladding and repointing of brickwork
- d) The alteration or installation of any new structural or service cabling.

The development shall be carried out in compliance with the approved details.

Reason: To ensure a satisfactory development and in the interests of the historic environment and Grade II* historic asset.

- (3) Further detailed plans indicating areas of existing fabric of the building to be removed or demolished shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of any works on site. The development shall be carried out in compliance with the approved details.

Reason: To ensure the preservation of important grade II* historic fabric

- (4) Any repainting or redecoration work shall be agreed, in terms of its location and colour scheme, in writing with the Local Planning Authority prior to the commencement of any such works. Any repainting or redecoration works shall be carried out in compliance with the approved details.

Reason: To ensure a satisfactory development and in the interests of the historic environment and Grade II* historic asset.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent Unitary Development Plan 2004
PPG15:- Planning & the Historic Environment
3 letters of objection & 3 letters of support

Any person wishing to inspect the above papers should contact Andy Bates, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5228



Planning Committee Map

Site address: Gaumont State Cinema, 197-199 Kilburn High Road, London, NW6 7HY

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Committee Report
Planning Committee on 16 September, 2009

Item No. 2/04
Case No. 09/1385

RECEIVED: 6 July, 2009

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 112A & B, Brondesbury Road, London, NW6

PROPOSAL: Proposed single storey rear extension

APPLICANT: Mr Julian Nugent

CONTACT: Thomas de Cruz

PLAN NO'S: PA01
PA02 Rev A
PA03 Rev A
PA04 Rev A
PA05 Rev A

RECOMMENDATION

Approval

EXISTING

The subject site, located between the southern side of Brondesbury Road and the northern side of Brondesbury Villas, is occupied by a two-storey residential dwelling that has been converted into two self-contained flats. The subject property, which fronts Brondesbury Road, is located within the Kilburn Conservation Area.

PROPOSAL

The proposal is for the erection of a single-storey rear extension to the ground floor flat.

HISTORY

Planning permission (06/3667) was approved in December 2006 for the erection of a single-storey rear extension to the existing ground floor flat. At the time of this application there was already a single-storey rear extension to the property which, according to the Council records, appears to have been constructed lawfully in the late 1980's. Planning permission (07/2108) was also granted in July 2007 for the creation of a basement level including a rear extension and 3 rooflights.

A recent site visit confirmed that neither recent permission has been implemented and that the previous single-storey rear extension, erected in the 1980's, has now been demolished.

POLICY CONSIDERATIONS

The London Borough of Brent Unitary Development Plan 2004

The development plan for the purpose of S54A of the Town and Country Planning Act is the Adopted Brent Unitary Development Plan 2004. Within that plan the following list of policies,

which have been saved in accordance with the Planning and Compulsory Purchase Act 2004, are considered to be the most pertinent to the application.

BE2	Townscape:Local Context & Character
BE9	Architectural Quality
BE25	Development in Conservation Area
BE26	Alterations & Extensions to Buildings in Conservation Areas

Supplementary Planning Guidance 5:-'Altering & Extending Your Home

Whilst SPG5 constitutes the Council's adopted guidance on domestic extensions and alterations, following the implementation by Central Government of a 'impact' based criteria for permitted development, on 1st October 2008, this document is currently under review.

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation letters, dated the 15th July 2009, have been sent to five neighbouring owner/occupiers and a site notice, dated 22nd July 2009, has been posted outside of the site. In response two letters of objection have been received. The concerns of the objectors include:-

- The plans and information submitted as part of the application contain a number of inaccuracies, and in particular those which indicate the extent of the existing building.
- The proposed excavations could affect the structural stability of the neighbouring properties.
- It is unclear whether the proposed development will affect the light to 114 Brondesbury Road

REMARKS

Background and "Fall-back" Position

The subject site has an extant planning permission (06/3667) for a single-storey rear extension that expires on 22nd February 2010. The single storey rear extension approved under this application would span the entire width of the existing property and have a flat roof 2.65m in height. The general depth of the approved extension would be 5m towards the detached side of the property, facing 110 Brondesbury Road, which was considered justifiable on the basis of existing extensions to both the subject and neighbouring property. On the opposite side, towards the joint boundary with 114 Brondesbury Road, the approved extension would be set back to a depth of 3m in compliance with the guidance contained in SPG5. The approximate footprint of the approved scheme has been indicated on plans "PA03 revB" and "PA04 revB" submitted with the current application.

Design and Impact of Proposed Extension

The current planning application also envisages the erection of a single-storey rear extension to the existing ground floor flat. However, instead of proposing a stepped rear building line the single-storey rear extension would have a unified depth of 5m. Whilst the 5m depth of the proposed single-storey rear extension would fail to comply with the guidance contained in SPG5, which suggest a maximum depth of 3m for such proposals, the applicant intends to off-set the impact of this additional depth by reducing the overall height of the extension to 1.8m, above ground level, towards the side adjoining the boundary with 114 Brondesbury Road. This reduction in height would be possible through the excavation of the area towards the rear of the property which would allow the floor level of the proposed extension to be set 1m below the existing ground level. This 1m excavation will also continue 6m towards the rear of the proposed extension to create a sunken garden area. The sunken garden will adjoin the boundary with 114 Brondesbury Road but will respect the flank building line of the property and be set in by 1.2m from the boundary with 110 Brondesbury Road.

As Members will be aware, it is usually possible to erect a solid back garden boundary treatment to a height of 2m without requiring planning permission. The existing boundary treatment between the subject site and 114 Brondesbury Road consists of a brick wall approximately 1.5m in height with trellis projecting above. On balance, it is considered that any additional impact on the daylight, sunlight and outlook of occupiers of 114 Brondesbury Road, that would result from the additional depth of the proposed extension, would be sufficiently off-set by the relatively modest height along this side of the extension so as to have a comparable impact to that of the previously approved scheme.

In terms of the impact of the proposed extension on the daylight, sunlight and outlook of occupiers of the neighbouring property at 110 Brondesbury Road, despite increasing the overall height to 2.65m above ground level the proposed extension would have a similar impact to the scheme previously approved. The impact of the proposed extension on 110 Brondesbury Road would be minimal as this property still has an existing single-storey rear extension of a similar depth to the proposed extension. In terms of privacy there would be a side facing kitchen window within the proposed extension. However, this would overlook a side passage within the subject site and would face the flank wall of the existing extension to 110 Brondesbury Road which does not contain habitable room windows. In any case, this window would be secondary and could be conditioned to contain obscured glazing.

The overall design of the proposed extension is contemporary with expansive areas of glazing to the rear elevation within a fenestration that subtly articulates the change in roof level. Whilst acknowledging that the subject site is located within the Kilburn Conservation Area, it is considered that provided sufficient quality is maintained that contemporary design principles can be appropriate in such a location. In fact the scheme previously approved also adopted a contemporary design approach. The appearance of the proposed extension, mainly when viewed from the upper floors of neighbouring properties, would be softened by the introduction of a green roof, further details of which should be required by condition. The existing boundary treatment along the Brondesbury Villas makes it unlikely that the proposed extension will have prominent visibility from the street. Overall, the design of the proposed extension would result in the sympathetic introduction of a contemporary element that would preserve and enhance the traditional character of both the existing building and surrounding Conservation Area.

Consideration of Objections

Any concerns of objectors relating to the impact of the proposed development on the daylight, outlook and privacy of adjoining occupiers has been considered in the above report.

In response to concerns that the plans and information submitted contain a number inaccuracies, this issue has been addressed by the applicant who, at the request of Officers, has submitted a revised set of details. Officers have inspected the revised details and consider that the current plans and information present an accurate reflection of the proposed development.

As discussed in the above report, the proposed development will involve the excavation of an area to the rear of the property to reduce the overall height of the proposed extension and provide level access to the garden. Objectors have raised concerns that the proposed excavation could cause structural problems for the neighbouring properties. As detailed in the 'history' section of this report the applicant already has an extant planning permission (07/2108) for the creation of a full basement to the rear of the property which would require a more significant excavation to be carried out. In any case, structural stability is an issue normally beyond the consideration of planning and all building works will be subject to compliance with current Building Regulations.

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) Details of materials for all external work, including samples, and details for the treatment of the boundary wall with 114 Brondesbury Road 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.

- (3) The window in the eastern flank wall of the building (as extended) shall be glazed with obscure glass with any openings at high level only (not less than 1.8m above floor level). The window shall be so maintained unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the future interests of good neighbourliness.

- (4) Landscaping proposals for the treatment of the sunken garden area (labelled as 'Rear Garden Below' on the approved plans) so designated within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site. The landscape works shall be completed in accordance with the approved details in accordance with a programme agreed in writing with the Local Planning Authority.

Any planting that is part of the approved scheme that within a period of *five* years after completion 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 to ensure that it enhances the visual amenity of the surrounding Conservation Area.

- (5) No access shall be provided to the roof of the extension by way of window, door or stairway and the roof of the extension hereby approved shall not be used as a balcony or sitting out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

- (6) Further details of the 'green roof' system, including membrane type and planting species, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site and the development shall be completed in accordance with the approved details.

Reason: To ensure that the proposed development enhances the visual amenity of the surrounding Conservation Area.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan 2004
Supplementary Planning Guidance 5:- Altering and Extending Your Home
Two letters of objection

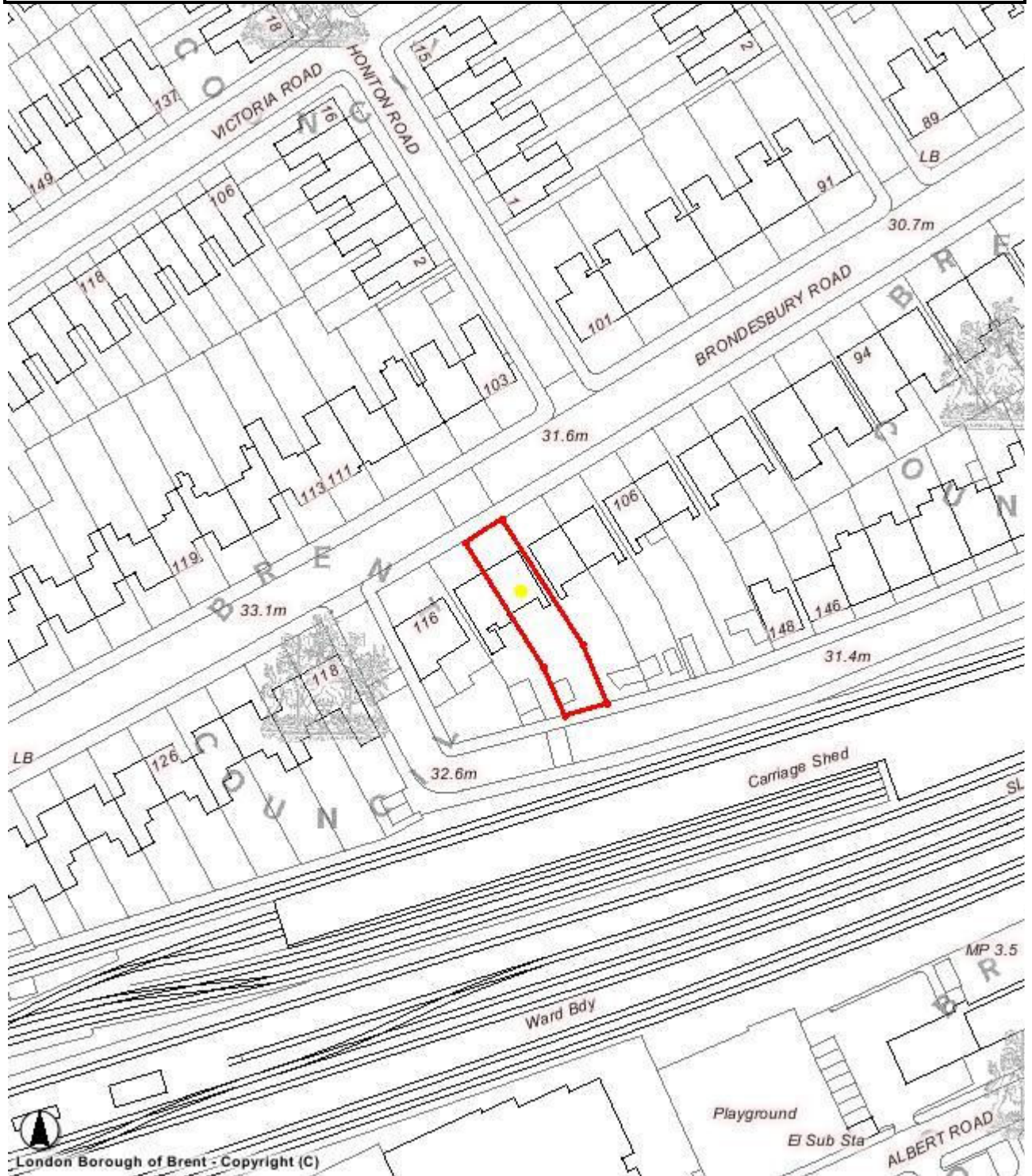
Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: 112A & B, Brondesbury Road, London, NW6

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Committee Report Planning Committee on 16 September, 2009

Item No. 2/05
Case No. 09/1425

RECEIVED: 23 June, 2009

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 44A Windermere Avenue, London, NW6 6LN

PROPOSAL: Alterations to existing rear dormer window as revised by plans received 04/08/2009.

APPLICANT: Mrs Carla McMillian

CONTACT: Newman Zieglmeier

PLAN NO'S: WA.OS.01
WA.EE.01 Revision A
WA.EP.01 Revision A
WA.PE.01 Revision A
WA.PP.01 Revision A

RECOMMENDATION

Approval

EXISTING

The subject site is a two storey end of terrace dwelling-house located on Windermere Avenue, close to the junction of Kingswood Avenue. The surrounding uses are predominantly residential. The property is within the Queens Park Conservation Area but is not a listed building.

PROPOSAL

Full planning permission is sought for alterations to existing rear dormer window of dwellinghouse.

HISTORY

08/3372: Full planning permission sought for erection of rear dormer window - granted 10/02/2009

POLICY CONSIDERATIONS

Unitary Development Plan 2004

BE9: Architectural Quality

BE26: Alterations & Extensions in Conservation Areas

SPG

SPG5 - Altering or Extending Your Home
Queens Park Design Guide

- Respect for character of the dwellinghouse
Respect for character of the Queens Park Conservation Area

SUSTAINABILITY ASSESSMENT

Non-applicable.

CONSULTATION

Public consultation was undertaken between 30/06/2009 - 21/07/2009. 17 neighbouring properties were consulted; 2 objections were received outlining the following concerns:

1. Size of the rear dormer is larger than approved
2. The size of the rear dormer blocks views from the rear garden, kitchen, bathroom and bedroom of 27 Kingswood Avenue. No objection providing dormer is of the size approved.

1 letter of support was also received from a neighbouring property outlining that they considered meeting the needs of growing families within the Borough overrides any aesthetic concerns when considering planning applications for rear extensions.

A site notice was placed outside the site on 09/07/2009.

REMARKS

Existing/context

Planning permission was granted earlier this year under planning reference 08/3372 for the erection of a rear dormer window which was compliant with the Queens Park Conservation Area Design Guide. The applicant subsequently started works on site during which point in early June 2009 a complaint was received by the Enforcement Team that it appeared that the rear dormer was not being built in accordance with the approved plans.

An enforcement officer duly investigated and found that the dormer as built was indeed larger and not positioned in accordance with the approved plans. In addition, the existing rear dormer that the approved plans stated would be removed was found to be still in existence.

As built, the rear dormer is not compliant with the design guide and would not be recommended for approval. The dimensions of the existing rear dormer are 3.9 metres width and 2.9 metres in height and 4.3 metres depth.

The application as revised before you is for retention with alterations of the rear dormer window, and is similar in size, design and positioning to the dormer approved under planning reference 08/3372.

Amendments

The initially submitted existing plans showed the roof plane prior to the erection of the rear dormer whilst the proposed plans showed a rear dormer that would not comply with the guidance outlined within the adopted Queens Park Design Guide. Revised plans were therefore requested for accurate existing plans that included the size and positioning of the rear dormer as built on site and revised proposed plans that reduced the width, height and altered the positioning of the dormer so that it was compliant with the Queens Park Conservation Area Design Guide.

Revised plans were received in electronic format on 04/08/2009 that addressed the above requirements.

Proposal

The proposed rear dormer following revisions is similar in size, positioning and design to the approved dormer, but carries minor differences as outlined below:

- The width of the dormer as proposed is 3.8 metres whilst the approved dormer width was 3.6 metres, resulting in there being a set-in of only 0.15 metres from the side of the staggered roof

plane instead of the 0.35 metres in the approved plans.

- The approved dormer was set-down from the ridge by 0.75 metres whereas the proposed rear dormer is set down 0.6 metres
- The approved rear dormer was set-up 0.55 metres from the eaves whereas the proposed rear dormer is set-up 0.65 metres

It is considered that the above differences are minor in nature.

In accordance with guidance within the Queens Park Design Guide, the proposed rear dormer at 3.8 metres width is 2/3's of the width of the 5.745m roof plane, the 2.49m height is less than 2/3s of the 3.81 metre height of the roofplane and is centrally located within the roof plane. The majority of the rear elevation is glazed with windows of the same design and proportions to those within the approved plans. As with the approved plans, the plans indicate that timber framed white painted casement windows shall be inserted, and that the dormer shall be tiled to match those within the existing roof plane.

The proposed retention of the rear dormer with alterations is compliant with the guidance as set out within the Queens Park Conservation Design Guide and policies BE9, BE26 and SPG 5 "Altering or Extending Your Home". The application can be recommended for approval accordingly.

The Enforcement Team have been notified of the recommendation for approval and an informative shall be added stating that the alterations to the rear dormer as shown in the plans recommended for approval must be made within 3 months of the date of the decision notice, or enforcement action may follow.

REASONS FOR CONDITIONS

Not applicable.

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
Queens Park Conservation Area Design Guide

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) 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 applicant is reminded that there is an outstanding breach of planning control. You are therefore advised to implement this planning permission within three months of the date of this decision notice. If you do not implement this planning permission or if you do not remedy the breach of planning control within the next three months, the Council will take enforcement action.

REFERENCE DOCUMENTS:

Any person wishing to inspect the above papers should contact Roland Sheldon, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5232



Planning Committee Map

Site address: 44A Windermere Avenue, London, NW6 6LN

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Committee Report Planning Committee on 16 September, 2009

Item No. 2/06
Case No. 09/1723

RECEIVED: 17 July, 2009

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 66D Salusbury Road, London, NW6 6NR

PROPOSAL: Proposed erection of single-storey rear conservatory to ground-floor flat

APPLICANT: Alchemy Homes

CONTACT: Beecham Moore Partnership

PLAN NO'S: 2225/01
2225/02
66RS/02

RECOMMENDATION

Approve

EXISTING

The site currently contains a 2-storey terraced consisting of 4 purpose built flats. The design of the property is distinctive and turns the corner of Salusbury Road into Montrose Avenue with an L-shaped form which addresses both frontages. This results in the rear elevation projecting some 6m further into the rear garden than the adjoining rear wall of the adjoining property at 64 Salusbury Road. The additional length of the building appears to be a characteristic of the terrace with a similar feature at the opposite end of terrace (i.e. no 58 Salusbury Road). The garden of no 66 abuts the flank wall at no 2 Montrose Avenue which is positioned approximately 1m from the site boundary. The property is not located in a conservation area, nor is the building listed.

PROPOSAL

Proposed erection of single-storey rear conservatory to ground-floor flat

HISTORY

No planning site history noted

POLICY CONSIDERATIONS

London Borough of Brent Adopted Unitary Development Plan 2004

- **BE2** on townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to the character of the area.
- **BE9** seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.

London Borough of Brent's Supplementary Planning Guidance

'Supplementary Planning Guidance Note 5 - Altering and Extending Your Home' provides comprehensive and detailed design guidance for extensions to residential properties whilst seeking to raise the design quality of extensions, and to protect the character of properties and streets.

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

13 Occupiers/Owners of adjoining properties were consulted. The grounds for objection to the proposal were:-

- Noise caused by use of the extension will be unacceptable
- The proposed extension will occupy a large part of the garden (Which upper floor flats look onto)
- The proposal will cause unacceptable harm to vegetation in the vicinity.
- The character of the host building will be changed
- The proposed extension will prevent other flats in the building from using the garden

Internal

Design Officer - No objection

Landscape Designer - No objection

REMARKS

Design, Size and Scale

The single storey conservatory extension is set in from the Northern (Fronting Montrose Ave) and Southern (Abutting no 64 Salusbury Road) boundaries by 2.7m and 6.5m respectively. The conservatory will have a pitched roof with an average height of 3.4m. The highest point of which being 3.9m. It would project 3.3m from the rear wall.

The applicant has indicated that the proposed extension will be constructed from faced brickwork to match the existing property below the window sill level with timber doors and windows and white proprietary roof glazing bars, however details thereof have not been specified. These details will be secured by condition so to ensure the materials match/compliment the host building maintaining the character and appearance of the property and indeed the area

French doors will be installed in the rear wall of the extension to allow access to the garden. The roof of the extension will be obscured glazed and none opening to protect the amenity of the upper floor flats. Again this will be secured by condition.

Consideration of Objections

Noise caused by use of the extension will be unacceptable

The length of the garden measured from the main rear elevation to the western boundary is approx 8m. The proposed extension will extend into the garden by 3.3m, resulting in an approximate gap of 5.7m from the new extension to the building at no 2 Montrose Avenue. The flank wall of no 2 Montrose Ave has two windows. These windows serve one bedroom and a study. Owing to the distance between the building, the fact that the garden was a garden which has always had access onto it (Via the ground floor flat) and the fact that the openings in the flank are windows on the upper floors officers do not take issue with the development.

The proposed extension will prevent other flats in the building from using the garden

The property is purpose built as 4 flats. There are three separate accesses to the garden One from the front ground floor flat was historically created as a means of fire escape only. The second access, which is located adjacent to Montrose Ave was originally created to access coal which was located to the back of the property. Later this gate was used to access wheeled bins, however the bins are now located on the street frontage and the applicant states that this access has not been

used for 10 years. The third access is from the ground floor rear flat. This flat was the only to have effective access to the garden in the past and this remains the case. (As documented in the applicants email dated the 2nd of September 2009) As other flats have not apparently had a right to the rear garden, the Council can not refuse the application on grounds of loss of communal amenity space.

Impact on Outlook from first floor flat

The extension will occupy 8.3% of the garden area. As such officers are not of the view the extension occupy's an excessive portion of the area. Further to which the highest point of the extension is located below all windows of the upper floor flats, and glazing to this roof will be obscure glazed and none opening so to protect amenity of resident from the upper floors. Given the measures taken (obscure, glazing and none opening features), the size and height of the extension is not considered to cause significant harm to the residents of the upper floor flats sufficient to warrant refusal

The proposal will cause unacceptable harm to vegetation in the vicinity.

The Council's landscape designer has noted there to be no trees that are protected by 'Tree Protection Orders'. and further do not consider the loss of vegetation in the overgrown yard to cause detrimental harm to the property itself or indeed the area

The character of the host building will be changed

As mentioned above the scale, mass and siting of the extension is considered to be reasonably sympathetic to the proportions of main building. Officers have conditioned the application to ensure all proposed material match or compliment both the parent property and the area. As such officers are satisfied that the character of the property will not be lost

Conclusion

The proposed scheme is considered to be in accordance with Unitary Development Plan 2004 policies and accordingly, approval is recommended, with relevant conditions attached.

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) Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. 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.

- (3) The glazing on the roof of the extension shall be constructed with obscure glazing, be non-opening and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

INFORMATIVES:

None Specified

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: 66D Salisbury Road, London, NW6 6NR

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Committee Report
Planning Committee on 16 September, 2009

Item No. 2/07
Case No. 09/1294

RECEIVED: 21 July, 2009

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Rathbone House Garages, Brondesbury Road, London, NW6

PROPOSAL: Change of use of 12 garages accessed off Algernon Road to general storage of hand carts to support the Veolia street-cleansing contract, along with formation of office, restroom & toilet facilities

APPLICANT: Environmental Services

CONTACT: Veolia Environmental Services

PLAN NO'S: KIL/03/03/22/01 Rev A
KIL/03/03/22/02

RECOMMENDATION

Approval

EXISTING

The subject site, located within the grounds of Rathbone House, close to the north-eastern corner of the junction between Brondesbury Road and Algernon Road, is currently occupied by a single-storey building containing 30 domestic garages provided in association with the residential occupation of Rathbone House. The subject building has existing vehicular and pedestrian access from Algernon Road. The subject site is located opposite, but outside of, the Kilburn Conservation Area. This planning application relates to a group of 12 of the existing garages located closest to the entrance of the building.

PROPOSAL

The proposal seeks the change of use of twelve existing garages to provide storage facilities for street cleaning hand carts (eight garages), an office (one garage), a restroom for staff (one garage) and toilet facilities (two garages).

HISTORY

Planning permission (08/0548) was approved in August 2008 for the installation of a WC and washbasin within the existing garages. There is no other planning history on the site.

The current owners of the site, Kilburn Square Housing Co-op, have provided a letter, dated 16th June 2009, alongside the application stating that the garages have not been in full use by residents for some 5 years primarily because the buildings sub-ground location and the sense of insecurity that this creates. Kilburn Square Housing Co-op also state that they have sufficient parking to satisfy the demand of occupants of the 246 dwellings on the estate consisting of 141 parking bays and 36 garages.

POLICY CONSIDERATIONS

The London Borough of Brent Unitary Development Plan 2004

The development plan for the purpose of S54A of the Town and Country Planning Act is the Adopted Brent Unitary Development Plan 2004. Within that plan the following list of policies, which have been saved in accordance with the Planning and Compulsory Purchase Act 2004, are considered to be the most pertinent to the application.

H22 Protection of Residential Amenity
TRN23 Parking Standards Residential Developments

SUSTAINABILITY ASSESSMENT

The application does not meet the threshold that would require the submission of a sustainability assessment.

CONSULTATION

External

Consultation letters, dated 24th July 2009, were initially sent to Ward Councillors and 107 neighbouring owner/occupiers. However, following the receipt of representations from residents outside of the initial consultation area and a request from Ward Councillor Mary Arnold, consultation letters, dated 13th August 2009, were sent to an additional 69 neighbouring owner/occupiers. In total, 176 neighbouring owner/occupiers have been consulted.

As a result of the consultation 40 letters of objection and 1 petition of objection, containing 28 signatures, have been received. The concerns of the objectors include:-

- If the proposed use involves the storage of waste then this could cause environmental and public health issues.
- If refuse is collected from the site then this could cause noise and traffic problems for local residents.
- The proposed use, hours of operation and number of staff will give rise to excessive activity and noise which will disturb local residents.
- The proposed development will result in a loss of existing parking provision and generate a parking demand that will exacerbate existing problems with on-street parking and traffic in the surrounding area.
- Local residents have not been adequately consulted on the proposal/planning application.
- The proposed development will harm the character of the Kilburn Conservation Area.
- The proposed development will set a precedent for further commercial activities within the surrounding area.
- The proposed development would devalue local properties.
- The proposed development will encourage the dumping of rubbish and fly-tipping in the local area.
- There are more suitable premises for such a use within the locality including the disused public convenience in Victoria Road on which there is currently application for a similar use.

The garages could be more suitably redeveloped for other purposes, such as a gym, swimming pool or other leisure facility, for existing residents of the site.

REMARKS

Background

The current planning application is made on behalf of Veolia Environmental Services who are contracted to provide street cleaning services within the London Borough of Brent. At present, within the Kilburn area, Veolia operate their street cleaning service from within a former underground car-park located on Victoria Road. However, Veolia do not consider that the current site provides adequate facilities for their operation and they are currently seeking to relocate to an alternative site within the locality.

At a recent Planning Committee meeting, held on the 8th July 2009, Members may recall considering a previous planning application (09/0968) for the change of use of a disused public convenience on Victoria Road into a staff office for Veolia street cleansing operatives. This application was called-in for determination by Cllr Mary Arnold and Cllr Lesley Jones who were concerned that proper consideration had not been given to the provision of alternative community uses on the site. A decision on the application was deferred to allow further negotiation with the applicant and to seek a report from the Council's Property and Asset Management (PAM) team. The application remains undetermined but Veolia have indicated that they would be willing to withdraw their application for the public convenience site on Victoria Road if planning permission were to be granted for the current proposal for Rathbone House Garages.

The Principle of Development

The proposal seeks the change of use of twelve existing residential garages to provide storage facilities for approximately 16 street cleaning hand carts (eight garages), an office (one garage), a restroom, (one garage) and toilet facilities (two garages) for Veolia street cleansing operatives. The proposal does not seek to make any external changes to the exterior of the existing building. The principle of the proposed change of use would not be contrary to the development policies contained in the London Borough of Brent Unitary Development Plan 2004 provided that the proposals would not have an unreasonable impact on transportation and residential amenity within the surrounding area.

If planning permission were to be granted Veolia would be looking to secure a 7 year lease on the site. Veolia have confirmed that they would be willing to accept a temporary grant of planning consent covering their occupation which would allow the Council to reserve the right to review the situation should the premises be vacated by Veolia in the future.

Transportation

The proposed development would result in the net loss of 12 garages to Rathbone House that could potentially be used by residents for car parking. However, given an absence of demand for residents to use the garages for car parking (see 'History' section of report) and the excellent public transport accessibility (PTAL 6) of the site the Council's Transportation Unit do not consider that the loss of the garages would place any significant pressure on existing on-street parking levels in the surrounding area, particularly given the amount of off-street parking that will be retained for residents of Rathbone House.

The proposed use would be unlikely to generate significant traffic or parking problems in the surrounding area. Veolia employees would not be eligible to apply for residents parking permits and will not be able to park in the surrounding streets which lie within a controlled parking zone. Whilst Veolia have suggested that they would look to secure one employee car-parking space within one of the remaining garages this would comply with the existing use and would not generate unreasonable traffic movements.

Veolia have confirmed that the proposed use would not involve the storage or collection of refuse and that refuse collection vehicles would not be required to service the site. Furthermore, it has been confirmed by the applicant that no mechanical road-sweepers will be stored on the site. It is considered that these issues can be secured by way of planning conditions.

Access to the site would be via the existing vehicular and pedestrian doors which would be secured with the existing roller shutter when not in use. The remaining garages to the rear of the building will be locked with the keys controlled by the owner of the site. To the rear of the garage there is also an existing fire exit door which will be used for emergency purposes only.

Residential Amenity

As discussed above, the proposed use will not involve the storage or collection of refuse/waste from the site. This can be secured by way of a planning condition. Veolia have stated that the terms of their contract with Brent Council's Streetcare unit requires that refuse collected by hand-carts should be bagged up and left on the street that has been cleansed before being collected by a refuse vehicle on the same day. They confirm that all hand-carts will be empty and cleaned before being returned to the site. Officers from both the Council's Environmental Health and Streetcare units have inspected the planning application and have confirmed that they are satisfied with the proposals.

The proposed use would act as a base for approximately 22 full-time members of staff. As discussed above, it is likely that most of the staff would have no other option than to arrive on public transport or on foot as parking would not be available locally. This would reduce the likely impact of comings and goings on any nearby residential properties. The applicants intend to operate the facility from 5am to 10pm Monday to Saturday and from 5am to 3pm on Sundays although the bulk of activity is likely to occur between 5am and 2.30pm during normal street cleaning operations. The applicants state that any activity after 2.30pm is likely to be of a low key nature.

Consideration of Objections

The concerns of objectors in relation to the impact of the proposed development on transportation and residential amenity have generally been addressed in the above report. Officers consider that the planning application has been subject to an appropriate level of public consultation, as set out in the 'Consultation' section of this report, in excess of the minimum requirements for planning application consultation contained in SPG2.

Officers consider that the proposed development is unlikely to harm the character of the Kilburn Conservation Area as the proposal does not involve any external alteration to the existing building and the site is not located within the Kilburn Conservation Area.

Concerns have been raised that should planning permission be granted for the current proposal that this would set a precedent for further commercial activities within the surrounding area. The issue of precedent is rarely afforded significant weight in the determination of planning applications as each case should be determined on its individual merits and in accordance with the Council Development Plan.

As Members will be aware, the impact of any particular development on land and property values in the surrounding area is extremely difficult to quantify and is not a material planning consideration.

There is little evidence to support claims that the proposed development would give rise to an increase in fly-tipping or the dumping of rubbish in the local area. Officers are of the view that, if any, the impact of the proposed development would be positive as the use would increase natural surveillance in the local area.

The local residents association have suggested that the disused public convenience on Victoria Road would be a more suitable site for the proposed facility and that the Rathbone Garages could be better used for other purposes ancillary to the existing residential use of the site. However, there is also concern from other residents and Ward Councillors regarding the proposed siting of the facility within this alternative location (see 'Background') and there are no other current alternative proposals for Rathbone Garages at present.

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:-

Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

- (1) The use hereby permitted shall be carried on only by Veolia Environmental Services Plc and shall be for a limited period during which the premises are occupied by Veolia Environmental Services Plc and shall not be transferred with or used by any other person obtaining an interest in the land.

Reason: To enable the Local Planning Authority to review the position in the light of the impact of this use.

- (2) 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.

- (3) The development, hereby approved, shall not be used for the storage, transfer or collection of waste brought to the site.

Reason: To ensure that the use would not have any adverse impact on environmental health and/or residential amenity.

- (4) The development, hereby approved, shall not be used for the storage of, or be serviced by, mechanical road sweepers or any other motorised refuse collection vehicles.

Reason: To ensure that the use does not prejudice the enjoyment by neighbouring occupiers of their properties..

- (5) The use hereby approved shall only be carried out on the site between the hours of 0500 and 2200 Mondays to Saturdays and between the hours of 0500 and 1500 on Sundays unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the use does not prejudice the enjoyment by neighbouring occupiers of their properties.

INFORMATIVES:

- (1) The applicant is advised that any external changes to the existing building may require planning permission.

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan 2004

40 letters of objection

1 petition of objection

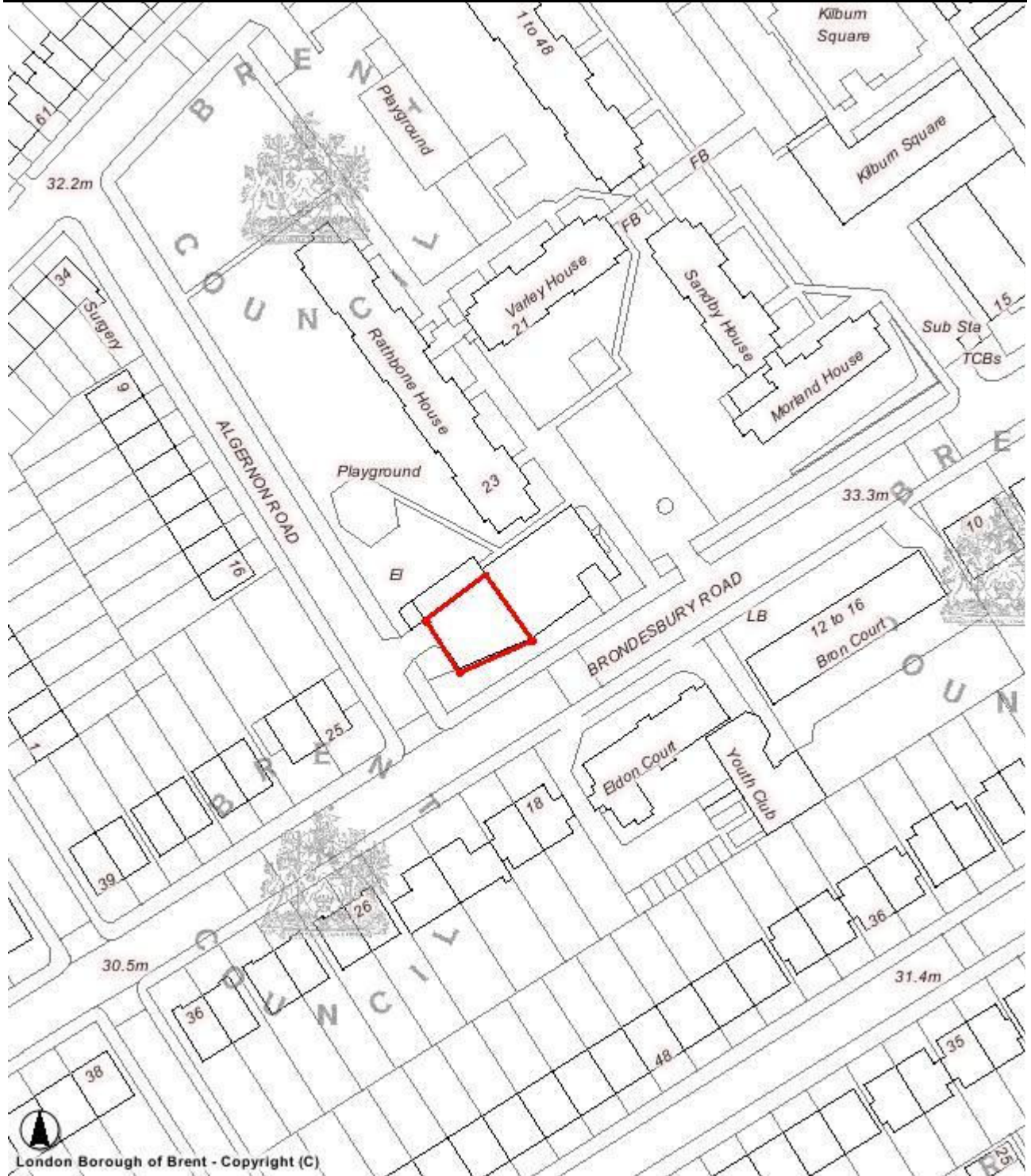
Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: Rathbone House Garages, Brondesbury Road, London, NW6

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Committee Report
Planning Committee on 16 September, 2009

Item No. 2/08
Case No. 09/1312

RECEIVED: 10 June, 2009

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: GEKO HOUSE, Kimberley Road, London, NW6 7SG

PROPOSAL: Creation of second floor to existing building to provide 5 self contained flats with terraces to rear and side, 3 new ground floor windows and refuse store doors to rear of existing warehouse and new shared entrance at rear, blocking up of door and window at ground floor and window at first floor side, provision of 5 car parking spaces and refuse & bicycle storage to rear of site

APPLICANT: The Gerrard Trust

CONTACT: Signet Planning Ltd

PLAN NO'S:

001	002
003	004
010 Rev A	011 Rev A
012 Rev C	013 Rev C
020 Rev C	021 Rev B
022 Rev B	

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental & Culture to agree the exact terms thereof on advice from the Borough Solicitor

SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- A financial contribution of £27,000 (£3000 per bedspace) due on Material Start and index-linked from the date of agreement to be used towards the provision of sustainable transportation, education, open space and sport within the locality.
- Join and adhere to the Considerate Contractors scheme.

And, to authorise the Director of Environment and Culture, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

The subject site, located on the south-eastern side of Kimberley Road, is occupied by a two-storey mixed use (office/warehouse/showroom) building, known as Geko House. Towards the rear of Geko House, lies the Hoopers Yard site which previously formed part of the Geko House site. Access to the Hoopers Yard site is maintained via a shared side access road. The Hoopers Yard site has recently been redeveloped (ref 03/1733) to provide a four-storey building comprising of one office suite and fourteen self-contained flats. Towards the north on the opposite side of Kimberley Road lies Kimberley Court a four-storey building consisting of a mixture of commercial, work/live and residential units.

PROPOSAL

The proposal seeks planning permission for the erection of a additional storey, at second floor level, to Geko House to provide 5 self contained flats with terraces to the rear and side of the building. The proposal will also involve alterations to window openings and doors to the existing building and the provision of 5 car parking spaces, two electric car spaces and refuse & bicycle storage to the rear of the site

HISTORY

The most relevant planning site history relates to a recent planning application (ref 08/1143) for the erection of an additional storey to Geko House to provide four self-contained flats was refused permission for the following reason.

"The proposed residential development, by virtue of its location of windows and balconies and its proximity to the neighbouring properties and their habitable room windows is likely to have significant overlooking and privacy impact detrimental to the amenity outlook, light and living conditions of the neighbouring occupiers and the future occupiers of the development contrary to policies BE9 of the Unitary Development Plan and supplementary planning guidance no.17."

The current application for a similar development seeks to address the previous reason for refusal.

POLICY CONSIDERATIONS

The London Borough of Brent Unitary Development Plan 2004

The development plan for the purpose of S54A of the Town and Country Planning Act is the Adopted Brent Unitary Development Plan 2004. Within that plan the following list of policies, which have been saved in accordance with the Planning and Compulsory Purchase Act 2004, are considered to be the most pertinent to the application.

BE2	Townscape:Local Context & Character
BE3	Urban Structure: Space and Movement
BE5	Urban Clarity & Safety
BE6	Public Realm: Landscape Design
BE9	Architectural Quality
H11	Housing on Brownfield Sites
H12	Residential Quality - Layout Considerations
TRN22	Parking Standards - Non-Residential Developments
TRN23	Parking Standards - Parking Standards Residential Developments
TRN34	Servicing in New Developments

Supplementary Planning Guidance

Supplementary Planning Guidance 17:- Design Guide for New Development
Supplementary Planning Document:- s106 Planning Obligations

SUSTAINABILITY ASSESSMENT

Although the scale of development proposed does not reach the threshold that would require the submission of a Sustainability Assessment, the applicant has submitted a Sustainable Development Checklist alongside the application. The applicant has indicated that they believe the development would achieve a sustainability rating of 58% (very positive).

CONSULTATION

External

Consultation letters, dated the 22nd June 2009, have been sent to 46 neighbouring owner occupiers. In response 12 letters of objection have been received. The concerns of objectors include:-

- The proposed development will increase traffic congestion and parking problems in the locality.
- The proposed development will erode views from Kimberley Court
- The proposed development would create a lack of privacy and reduce light to occupants of Kimberley Court
- The proposed development would harm the privacy and security of Flat 11 at Hoopers Yard.
- The proposed development will reduce property values in the surrounding area.
- The additional storey has no architectural relationship or consistency with the existing building or surrounding area.
- There are already a number of unoccupied flats within the locality of the development.
- The construction works would harm the amenity of neighbouring occupiers.
- That had the proposal been put forward at the same time as the development of Hoopers Yard there would have been a requirement for affordable housing.

Internal

The Council Transportation Unit have been consulted on the application and have raised no objection to the proposal subject to the imposition of conditions and the satisfactory completion of a s106 agreement. The comments of the Transportation Unit are summarised in the 'Remarks' section of this report.

The Council's Landscape Design Team have raise some concerns regarding the amount of amenity space provided to the units. This issue is addressed in the 'Remarks' section of this report.

The Council Environmental Health Unit have raised no objection to the proposed development.

REMARKS

Urban Design

Geko House is a two-storey brick built industrial building located on the south-eastern side of Kimberley Road. In design terms the proposal would involve the erection of an additional storey and the alteration and refurbishment of the existing building facade.

The additional storey represents an contemporary addition which intends to introduce an element of modern design that would respect the character, rhythm and proportions of the existing building. The buildings within the surrounding area consist of examples of both modern and traditional architecture and within this context the principle of a contemporary addition to the Geko House is considered appropriate to the character of the surrounding area.

The buildings within the immediate vicinity of Geko House are of varying heights with Kimberley Court, opposite, and Hoopers Yard, to the rear, both having four-storeys whilst the adjoining property, Stirling House, is set over one and two-storeys. Even with the proposed introduction of an additional storey Geko House would remain generally subserviant within the streetscene. Given the general scale of buildings in the surrounding area, in design terms, it is considered that the

principle of an additional storey to Geko House would be appropriate within the context of the surrounding area.

Quality of Residential Accommodation

The proposed development envisages the formation of five flats (four 2-bedroom and one studio flats) within the additional storey above the commercial space within Geko House. The flats would have a self-contained access from Kimberley Road via a stairwell. A lift is also proposed within the building but this will be shared between the residential and commercial occupants. Access from the lift to the proposed flats on the second floor would be subject to a residents key control.

In terms of external amenity space each of the proposed 2-bedroom flats would have access to a roof terrace. The proposed studio flat would not have any external amenity space. The proposed development fails to provide the minimum 20m² of external amenity space per unit suggested in SPG17. However, where minimum amenity spaces standards cannot be met SPG17 also sets out a number of measures that may provide adequate mitigation. These include increased unit floor sizes and s106 contributions towards the local public realm and open space.

All of the proposed flats exceed the minimum floor space standards set out in SPG17 and the applicant has agreed in principle to meet the Council's s106 standard charge requirements which includes a contribution towards open space. Furthermore, the subject site is located within close proximity to the existing open space at Paddington Cemetery and to the playground at the junction of Kimberley Road and Willesden Lane, which is due for refurbishment before the end of the fiscal year. On balance, it is considered that, in this particular case, the lack of on-site amenity space provision would be adequately mitigated through the above measures.

In general, the habitable rooms within the proposed flats would have an adequate level of outlook and daylight provided by a combination of windows and roof-lights. However, in attempting to resolve the issue of privacy, which is considered below within the context of the impact on adjoining occupiers, both of the bedrooms to Flat B and one of the bedrooms to Flat C would have restricted outlook. Outlook to these bedrooms would be provided by a side facing window recessed within the elevation. Despite the restricted outlook to these bedrooms, natural daylight, provided by the side facing windows, windows with obscured glazing and rooflights is considered adequate. On balance, as the restricted outlook is to bedrooms, the units are generously sized and natural daylight levels are appropriate it is considered that the issue of restricted outlook would not unreasonably harm the overall standard of accommodation proposed.

Impact on Neighbouring Occupiers - Kimberley Court

Kimberley Court is a mixed use 4-storey building located opposite Geko House on the north-western side of Kimberley Road. According to the most recent planning permission (04/3658) Kimberley Court consists of commercial units (Use Class B1) on the ground floor with a mixture of residential and live/work units across the upper floors. As such, it is considered that habitable room windows to Kimberley Court only exist at first floor and above.

In terms of privacy, the windows to the front elevations of Geko House and Kimberley Court are separated by a distance of at least 14m, as defined by the width of the road. SPG17 sets out that acceptable distances between front elevations should normally be determined by the character of road widths in the area. It has been confirmed by the Council's Highway Engineer that Kimberley Road is a similar width to that of roads in the surrounding area.

Given the 14m separation between Kimberley Court and Geko House, it is not considered that the additional storey would unreasonably harm the outlook of Kimberley Court residents. As Members will be aware, in general a right to any particular view is not usually a material planning consideration.

In terms of daylight and sunlight, the proposed additional storey would be in general accordance with the guidance contained in SPG17 in that it would not breach a line of 30 degrees taken from the centre of the lowest habitable room windows at first floor level on Kimberley Court.

Impact on Neighbouring Occupiers - Hoopers Yard

Hoopers Yard is a predominantly residential four storey-building located towards the rear of Geko House, consisting of an office unit and undercroft car-parking at ground floor level with 14 flats across the upper floors. The proposed additional storey to Geko House is unlikely to have any significant impact on the occupiers of Hoopers Yard, with the exception of Flat 11 on the second floor, as there are no habitable windows or balconies facing the proposal. Flat 11 of Hoopers Yard has two habitable room windows and a roof terrace that would face the proposed development.

In terms of privacy, SPG17 suggests that rear facing habitable room windows should be located a distance of at least 10m from the rear boundary of adjoining residential sites in order to maintain adequate privacy unless it can be demonstrated that privacy can be maintained through design. The additional storey to Geko House contains three habitable windows that would be located approximately 7m from the terrace of Flat 11 Hoopers Yard. However, the transparent element of these windows would be side facing preventing direct overlooking towards the terrace of Flat 11. The proposed terrace to Flat C of Geko House would be located approximately 10m from the edge of the terrace to Flat 11 Hoopers Yard which would satisfy the guidance contained in SPG17. Despite general compliance with SPG17 the terrace to Flat C will also be partially obscured by the installation of an opaque glass screen. The windows between the terrace and the living/dining space to Flat C are located approximately 17.5-19m from the window to the kitchen/dining room of Flat 11 Hoopers Yard. SPG17 advises that the minimum direct distance between habitable room windows on rear elevations should normally be 20m to maintain privacy. Whilst the distance between these windows falls slightly below the 20m guidance, given the proposed opaque screening to the terrace and that the windows are angled so that they do not directly face one another and are set at slightly different levels it is considered that the distance, in this case, would be adequate to avoid any unreasonable loss of privacy.

In terms of the impact on outlook and daylight, the relationship between the habitable windows to Flat 11 Hoopers Yard and the proposed additional storey would comply with the 30/45 degree guidance contained in SPG17.

Transportation

The proposal would involve the marking out of five full sized parking spaces, including one disabled parking space, and two smaller spaces to be used by electric cars. Kimberley Road is not identified as a heavily parked street and it is also considered that there is overspill capacity for up to six cars to be parked on-street along the frontage of Geko House if required. It is considered that the proposed development would enjoy an adequate level of car-parking that would meet the practical demand of the proposed development without exceeding the maximum car parking standard for the site and unduly encouraging traffic movements along Kimberley Road. Whilst welcoming the introduction of parking/ recharging facilities for electric vehicles the Council's Transportation Unit have suggested a condition requiring the submission of further details of the management arrangements for these spaces.

In terms of servicing the commercial floor space within Geko House, the proposed plans indicate that four units, each with a floor space in excess of 100m², will be provided across the ground and first floors. According to plan standards commercial units of this size should be capable of being serviced by an 8m ridged vehicle as does the existing commercial space within Geko House which could lawfully be used as one unit. However, the applicant has stated that it is likely that creative industry uses would occupy these units and that servicing by larger vehicles would not be required. The Transportation Unit and the applicant have agreed that a condition could be imposed on any permission restricting the servicing of the site to transit sized vehicles. It is considered that this

would improve the existing servicing arrangements which are currently unregulated. The Council's Transportation Unit have also suggested a condition that parking space 3, adjacent to the designated loading area to the rear of Geko House, be marked out for loading only in order to provide a transit sized bay.

The proposed development would provide a covered storage area for 14 bicycles to the rear of Geko House which would satisfy plan standards. A Refuse storage area would also be provided within the rear of Geko House which would be serviced from the access road to the side of the building. The Council's Streetcare Unit have previously expressed their satisfaction with this arrangement which is similar to that of Hoopers Yard.

Consideration of Objections

The concerns of objectors relating to traffic and parking, the amenity of adjoining occupiers and urban design have been addressed in the above report.

The objectors from Flat 11 Hoopers Yard have raised concerns regarding the impact of the proposed development on their security. This concern, whilst somewhat unclear, would appear to relate to a loss of privacy in terms of overlooking and noise transmission between the existing and proposed flats. The issue of privacy has been addressed in the above report.

Concerns have been raised regarding the impact of the proposed development on property values in the surrounding area. As Members will be aware, such impacts are difficult to assess or quantify and are therefore not a material planning consideration. Similarly, observations that there are a number of vacant flats in the locality are not considered directly relevant to the determination of this application. It is widely acknowledged that there is a general shortage of housing across the Borough and London as a whole.

Officers acknowledge that any form of building work is likely to cause some level of temporary disturbance to neighbouring occupiers but this is an unavoidable consequence of development. It is recommended that a condition be placed on any permission controlling the hours of work to ensure that any disturbance will be kept to a reasonable level.

The issue of affordable housing liability has been thoroughly investigated by Officers during pre-application discussions with the applicant. It has been confirmed by the Borough Solicitor that the subject site should be independently assessed for affordable housing liability. The proposal falls below the 10 unit threshold that would require an affordable housing contribution.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 :- Design Guide For New
Development
Council's Supplementary Planning Document:- s106 Planning Obligations

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
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) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (3) Notwithstanding the approved plans, prior to occupation of the development the parking space label "3" (indicated on drawing no. 010 Rev A) shall be marked out for "Loading Only" and shall be maintained as such unless agreed in writing by the Local Planning Authority.

Reason: To ensure adequate servicing facilities are maintained to Geko House.

- (4) Further details of the management arrangements for the electric car parking spaces shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of works on site and the development shall be carried out and maintained in accordance with the approved details unless agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory arrangements for parking on the site.

- (5) The parking spaces shown on the approved plans shall be constructed prior to the occupation of the building and shall be permanently retained and used solely in connection with the use of the site hereby approved.

Reason: To ensure that the approved standards of parking provision are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- (6) The development hereby approved shall not be serviced by larger than transit sized vehicles.

Reason: To ensure that servicing of commercial element of the site does not conflict with the amenity of residential occupants.

- (7) The windows on the second floor of the building, annotated on the approved plans as having "opaque glass", shall be constructed with non-opening obscured glazing and shall be permanently retained and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- (8) The roof of the building at first and second floor levels, unless designated as a terrace area on the approved plans, shall not be used as a balcony or sitting out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

- (9) Further details, including membrane type and planting species, of the 'green roof' as shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site and the development shall be completed in accordance with the approved details.

Reason: To ensure that the proposed development enhances the visual amenity of the surrounding Conservation Area.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan 2004
Supplementary Planning Guidance 17:- Design Guide for New Development
Supplementary Planning Document:- s106 Planning Obligations
12 letters of objection.

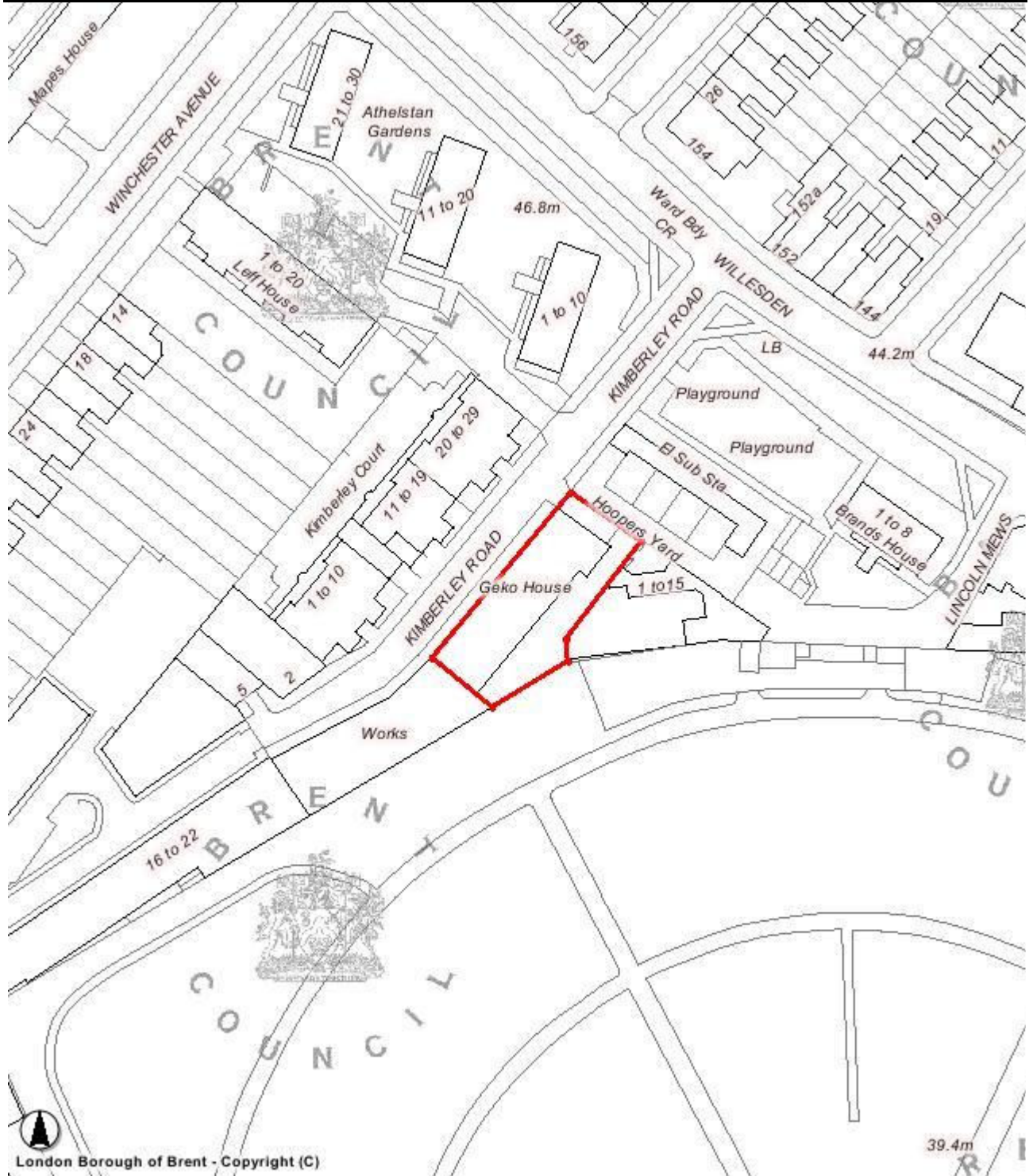
Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: GEKO HOUSE, Kimberley Road, London, NW6 7SG

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Committee Report
Planning Committee on 16 September, 2009

Item No. 3/01
Case No. 09/1677

RECEIVED: 15 July, 2009

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: 84 Paxford Road, Wembley, HA0 3RH

PROPOSAL: Demolition of existing detached garage, erection of single-storey and two-storey side and rear extension, installation of rear dormer window and rear rooflight to dwellinghouse

APPLICANT: Mr Thavendran

CONTACT: Jackson Property Consultancy Ltd

PLAN NO'S: Site location plan; paxfordrd-84/0; paxfordrd-84/1a; paxfordrd-84/2; paxfordrd-84/3a; paxfordrd-84/4a; paxfordrd-84/5; paxfordrd-84/6a; paxfordrd-84/8a

RECOMMENDATION

Approval

EXISTING

The subject site is a two storey semi detached dwellinghouse located on Paxford Road Wembley

The surrounding uses are predominantly residential. The property is located within the Sudbury Court Conservation Area.

PROPOSAL

Demolition of existing detached garage, erection of single-storey and two-storey side and rear extension, installation of rear dormer window and rear rooflight to dwellinghouse

HISTORY

08/1691 - Installation of replacement timber-framed windows to front elevation of dwellinghouse (Article 4 Direction). *Granted 19/08/2009*

POLICY CONSIDERATIONS

Brent UDP 2004

BE2 – Townscape: Local Context & Character
BE7 – Public Realm: Street scene
BE9 – Architectural Quality
BE25 – Development in Conservation Areas
BE26 - Alterations and Extensions in Conservation Areas
TRN23 – Parking Standards – Residential Development
PS14 – Parking Standards – Residential Development

SPG

SPG 5 – Altering and extending your home Sudbury Court Conservation Area: The Design Guide to Development

- Impact on the character and appearance of the dwellinghouse and surrounding streetscene.
- Scale and design of the proposal and impact on the character and appearance of the conservation area
- Impact on residential and visual amenity of neighbouring occupiers
- Provision of off-street parking

CONSULTATION

Consultation period: 21/07/2009 – 26/08/2009. 5 neighbouring properties were notified, and a site notice was posted. One letter of representation was received from the neighbouring property at no 86. The concerns raised are summarised as follows:

- The proposal will partially block the sunlight into their property.
- The two storey side extension would be too close to their property and the 45 degree angle has not been incorporated
- The north is wrongly marked on the drawings
- The extension will not be in keeping with the appearance of the conservation area
- No objection to an extension which is in keeping with the conservation area.

Sudbury Court Residents Association (SCRA) have objected to the loss of the garage.

Environmental Health have advised that an informative be attached to any approval with regards to potential contamination of the soil where a garage is to be replaced.

REMARKS

The subject site is a two storey semi-detached dwellinghouse located on Paxford Road, Wembley. The property is located within the Sudbury Court Conservation Area.

The application is to demolish the existing detached garage and replace this with a two storey side and part single storey and part two storey rear extension and also a proposed rear dormer window and rear rooflight to the house.

The existing garage is a large flat roofed structure with a roller door and is attached to the main house. It is therefore not the small detached, pitched roof, gabled fronted style of garage that characterise many of the properties in the Sudbury Court Conservation Area and that the Council would seek to preserve.

Loss of garage, parking provision and landscaping

The maximum parking standards, as set out in Brent's UDP for a 5 bedroom residential property is 2.0 spaces. Although the property would lose a parking space with the loss of the existing garage as a result of this proposal, the front garden is large enough to accommodate one off-street parking space, and also provide a minimum of 50% soft landscaping as required by Brent's policy BE7. A second parking space can be provided on-street. This is considered acceptable as Paxford Road is not a heavily parked street.

The proposal includes the provision of a low hedge along the boundary with the neighbouring property at 86 Paxford Road. Further details of this hedge will be required as part of landscaping condition.

A condition will be attached to any approval requiring further details of the proposed soft landscaping, and materials to be used for the hard landscaping within the front garden, as well as the proposed materials for the proposed low front boundary wall.

Two-storey side and rear extension

The existing garage is not in keeping with the original character of the Sudbury Court Conservation Area. It also projects forward of the original front wall of the house. The proposed replacement extension will at ground floor be set back in line with the front wall of the house. The proposed parapet to the front of the single storey side extension is not fully detailed. At the time of writing this report further details of the parapet were still awaited, however in principle a properly designed and proportioned parapet would be considered acceptable. A supplementary report will cover the agreed design of the parapet.

The proposed two storey side to rear extension complies with SPSS guidelines when assessed in relation to both neighbouring properties at numbers 82 and 86 Paxford Road. The two storey side extension is to be set down approximately 0.65 metres from the roof, and the first floor element of the extension is to be set in 1.0 metres from the shared boundary and set back 1.5 metres from the front wall of the house.

In relation to no 86 Paxford Road, the proposed two storey extension complies with the 1:2 guidance as set out in SPSS. This neighbouring property has an existing single storey rear extension, which would still protrude further (at ground floor) than the proposed two storey extension at number 84. The flank wall of the two storey side to rear extension at no 84 is to be 6.0 metres from the mid point of the nearest habitable room window at 86 Paxford Road. The two storey extension is also to be located 6.0 metres from the midpoint of the nearest habitable room window of the attached dwelling at no 82 Paxford Road.

The proposed two-storey extension would have a depth of 3.0 metres from the rear wall of both neighbouring properties. It consequently complies with the 1:2 guidance within SPSS.

The single storey element of the proposed side extension it is a partial replacement of the existing garage, which has no set back from the front wall of the house, and in fact protrudes 1.3 metres forward of the front wall of the house and is not considered to be in keeping with the original character of the Sudbury Court Conservation Area. It also projects forward of the original front wall of the house. The proposed replacement extension will at ground floor be set back in line with the front wall of the house. The proposed parapet to the front of the single storey side extension is not fully detailed. At the time of writing this report further details of the parapet were still awaited, however in principle a property designed and proportioned parapet would be considered acceptable. A supplementary report will cover the agreed design of the parapet.

Single storey rear extension

The proposed single storey element of the extension is to project 3.0 metres beyond the rear wall of the dwellinghouse. The height of the single storey extension is to be 2.7 metres to the eaves and 3.5 to the ridge. The extension would comply with SPSS guidelines.

Rear dormer and rooflight

The overall design, scale and bulk of the proposed dormer window is considered to be acceptable. The average width of the roof of the original dwellinghouse is 4.35 metres wide. The proposed dormer is 2.1 metres wide, 2.4 metres in height and 2.6 metres deep. The dormer is less than half the average size of the total roof width. It is set up 0.5 metres from the eaves and set down 0.8 metres from the ridge, and will be positioned on the central line of the original roof plane.

The proposal complies fully in terms of its size, position and design with the guidelines for rear dormer windows as set out in the Sudbury Court Conservation Area Design Guide part of which is superseded by the Supplementary Planning Guidance 5 "Altering and Extending Your Home".

Impact on Residential amenities and comments on objections received

As explained above, it is considered that the loss of the existing garage can be supported because the proposed extension would be an improvement in terms of design and character. There would also be little impact on the parking provision to the property as parking can be provided both off-street and on street, whilst providing further improvements to the front garden layout by proposing to provide soft landscaping.

The applicants have confirmed that they propose to use timber framed windows in the front elevation of the proposed side extension in order to be in keeping with the character of the conservation area. Further details of the proposed windows will be required as part of a condition.

The objection with regard to the proposed extensions complying with the '45 degree rule', is not part of any Brent policy or guidance. However, the proposed two storey extension complies with the 1:2 guidance as set out in Brent's SPSS, as explained above.

The applicants have amended the plans to ensure there is no confusion over where the north direction is. Whilst it was incorrect on the original, now superseded plans, it has not effected the assessment of the application.

Summary

The proposed extension is of a scale, size and design that would be in keeping with the character and appearance of the original house and preserves the character and appearance of the conservation area. As such it is in compliance with the Council's policies BE2, BE7, BE9 and BE25 of Brent Unitary Development Plan 2004, as well as *Supplementary Planning Guidance 5 on Altering and Extending Your Home* and also the *Sudbury Court Conservation Area Design Guide*. It is subsequently recommended for approval, subject to conditions.

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
Sudbury Court Conservation Area Design Guide

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) Notwithstanding the plans hereby submitted and approved, further details of the proposed hard- and soft-landscaping works (including plant species, size, densities, access width and hard surfacing) and front boundary wall to the garden, shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site. The soft-landscaping works shall then be completed within the first planting season following the completion of the rest of the development hereby approved. If, within 5 years of planting, any trees or shrubs die, are removed or become seriously damaged or diseased, they shall be replaced with others of the same species and size in the same positions, except with the prior written permission of the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality within the Sudbury Court Conservation Area, in accordance with the Council's policies BE6, BE7, BE25 and BE26 in the Adopted Unitary Development Plan 2004 and the Sudbury Court Conservation Area Design Guide.

- (3) Details of materials for all external work, including brick samples, roof tiles and further details of the parapet on the front elevation of the side extension, 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.

- (4) Notwithstanding the plans hereby submitted and approved, further details of the proposed windows, that would match the window materials and design of the original dwellinghouse, shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site. These proposed windows should reflect the details approved for replacement windows to the original dwellinghouse, given permission under planning application ref 08/1691. The development shall be implemented in accordance with the details approved under this condition.

Reason: To ensure a satisfactory development that would be in keeping with the character and appearance of the original house located within the Sudbury Court Conservation Area.

- (5) The windows in the western wall elevation of the building (as extended) shall be glazed with obscure glass and the windows shall open at high level only (not less than 1.8m above floor level) and top hung and shall be so maintained unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness.

- (6) No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the western and eastern elevation walls of the extensions without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers.

INFORMATIVES:

- (1) The development constitutes a sensitive end use under PPS23. It is important that the workers are vigilant for signs of potential contamination in the soil during excavation works. This may include obvious visual or olfactory residues, asbestos, buried drums, buried waste, drains, interceptors, tanks or any other unexpected hazards that may be discovered during site works. If any unforeseen contamination is found during works Environmental Health must be notified immediately. Tel: 020 8937 5252. Fax 020 8937 5150. Email: env.health@brent.gov.uk

REFERENCE DOCUMENTS:

Planning Application papers Ref 09/1677

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



Planning Committee Map

Site address: 84 Paxford Road, Wembley, HA0 3RH

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Received PLANNING Appeals between 1-Aug-2009 and 31-Aug-2009

Planning Committee: 16 September, 2009

Application Number: 08/3162 **Team:** Western Team **Application Type** S78 FUL
Appeal Received: 12/08/2009 **Appeal Against:** Refusal of planning permission
Location: 16 Iron Bridge Close, London, NW10 0UF
Proposal:
 Single-storey extension to rear of warehouse unit

Application Number: 09/0330 **Team:** Western Team **Application Type** Other CLU
Appeal Received: 26/08/2009 **Appeal Against:** Refusal of planning permission
Location: 5 Compton Avenue, Wembley, HA0 3FD
Proposal:
 Certificate of lawfulness for the retention of an existing conservatory to the rear of the property and for the retention of a green house in the rear garden

Application Number: 09/0467 **Team:** Southern Team **Application Type** S78 FUL
Appeal Received: 07/08/2009 **Appeal Against:** Refusal of planning permission
Location: 196 Church Road, London, NW10 9NP
Proposal:
 Retention of single-storey rear extension to ground-floor flat

Application Number: 09/0505 **Team:** Northern Team **Application Type** S78 FUL
Appeal Received: 28/08/2009 **Appeal Against:** Refusal of planning permission
Location: 20 Mardale Drive, London, NW9 0RU
Proposal:
 Removal of ground floor rear bay window and erection of a single storey extension and replacement of rear dormer window with larger dormer window to dwellinghouse

Application Number: 09/0550 **Team:** Southern Team **Application Type** S78 FUL
Appeal Received: 06/08/2009 **Appeal Against:** Refusal of planning permission
Location: 3 High Road, London, NW10 2TE
Proposal:
 Retention of shop front

Application Number: 09/0981 **Team:** Northern Team **Application Type** S78 FUL
Appeal Received: 13/08/2009 **Appeal Against:** Refusal of planning permission
Location: KINGS CAFE, 177 Edgware Road, Kingsbury, London, NW9 6LP
Proposal:
 Proposed change of use from restaurant (Use Class A3) to restaurant and take-away (Use Classes A3 & A5)

Application Number: 09/1292 **Team:** Southern Team **Application Type** S78 FUL
Appeal Received: 19/08/2009 **Appeal Against:** Refusal of planning permission
Location: 6 Heathfield Park, London, NW2 5JD
Proposal:
 Demolition of a two-storey dwellinghouse and erection of a 4-storey building, comprising 2 one-bedroom flats, 2 two-bedroom flats and 4 studio flats (8 flats in total), with associated landscaping

Received PLANNING Appeals between 1-Aug-2009 and 31-Aug-2009

Planning Committee: 16 September, 2009

Application Number: 09/1293 **Team:** Southern Team **Application Type** S78 CAC
Appeal Received: 19/08/2009 **Appeal Against:** Refusal of planning permission
Location: 6 Heathfield Park, London, NW2 5JD
Proposal:
Conservation Area consent for demolition of two-storey dwellinghouse

Application Number: 09/1486 **Team:** Northern Team **Application Type** S78 FUL
Appeal Received: 21/08/2009 **Appeal Against:** Refusal of planning permission
Location: 24 West Hill, Wembley, HA9 9RS
Proposal:
Retention of single-storey rear conservatory extension to dwellinghouse

Received ENFORCEMENT Appeals between 1-Aug-2009 and 31-Aug-2009

Planning Committee: 16 September, 2009

Application Number: E/07/0376 **Appeal Against:** Enforcement Appeal **Team:** Northern Team

Appeal Started: 12/08/2009

Location: 29 Exeter Road, London, NW2 4SJ

Description:

Without planning permission, the painting of the front elevation in white, the installation of uPVC windows on the ground and first floor front elevation and alterations to the entrance door and associated features.

Application Number: E/07/0889 **Appeal Against:** Enforcement Appeal **Team:** Northern Team

Appeal Started: 11/08/2009

Location: 26 Girton Avenue, London, NW9 9SU

Description:

Without planning permission, the change of use of the premises from a dwelling to a house of multiple occupation, the erection of a habitable outbuilding and the erection of a plastic/wooden greenhouse to rear of premises.

Application Number: E/09/0111 **Appeal Against:** Enforcement Appeal **Team:** Western Team

Appeal Started: 11/08/2009

Location: 20 Elspeth Road, Wembley, HA0 2BW

Description:

Without planning permission, the change of use of the premises from a single dwellinghouse into eight self-contained flats.

Decisions on PLANNING Appeals between 1-Aug-2009 and 31-Aug-2009

Planning Committee: 16-Sep-2009

Application Number: 08/1976 **Team:** Southern Team

Appeal Decision: Appeal Dismissed **Appeal Decision Date:** 04/08/2009

Location: Garages R/O 55 Mount Pleasant Road, Henley Road, London, NW10

Proposal:

Demolition of an existing single-storey double garage to the rear of 55 Mount Pleasant Road, NW10, and erection of a new two-storey (basement and ground-floor level), 3-bedroom dwellinghouse, replacement of boundary fences and walls, removal of existing vehicular access onto Henley Road, NW10, and formation of new pedestrian access onto Henley Road, with associated landscaping

Application Number: 08/2007 **Team:** Northern Team

Appeal Decision: Appeal Dismissed **Appeal Decision Date:** 13/08/2009

Location: 9 East Hill, Wembley, HA9 9PT

Proposal:

Erection of a single-storey rear conservatory, front porch and formation of hard and soft landscaping to front of dwellinghouse

Application Number: 08/2317 **Team:** Southern Team

Appeal Decision: Appeal Dismissed **Appeal Decision Date:** 14/08/2009

Location: 26A Chatsworth Road, London, NW2 4BS

Proposal:

Creation of self contained flat in basement of existing building

Application Number: 08/2463 **Team:** Northern Team

Appeal Decision: Appeal Dismissed **Appeal Decision Date:** 20/08/2009

Location: 72 Winchester Avenue, London, NW9 9SY

Proposal:

Conversion of dwellinghouse into 2 self contained flats

Application Number: 08/2484 **Team:** Northern Team

Appeal Decision: Appeal Dismissed **Appeal Decision Date:** 03/08/2009

Location: 32 Barn Hill, Wembley, HA9 9LD

Proposal:

Installation of replacement upvc windows to front elevation of dwellinghouse together with the erection of a upvc front porch to dwellinghouse

Application Number: 08/3051 **Team:** Southern Team

Appeal Decision: Appeal Dismissed **Appeal Decision Date:** 05/08/2009

Location: 11 Wrentham Avenue, London, NW10 3HT

Proposal:

Certificate of Lawfulness for proposed rear dormer window, 1 rooflight and extension to front roof plane of dwellinghouse

Application Number: 09/0387 **Team:** Northern Team

Appeal Decision: Appeal Dismissed **Appeal Decision Date:** 05/08/2009

Location: 93-97 Kenton Road, Harrow, HA3 0AN

Proposal:

Retention of canopy to front of shop

Decisions on ENFORCEMENT Appeals between 1-Aug-2009 and 31-Aug-2009

Planning Committee: 16 September, 2009

Application Number: E/04/0697**Team:** Western Team**Appeal Decision:** Appeal withdrawn**Appeal Decision Date:** 03/08/2009**Location:** 3 Chestnut Avenue, Wembley, HA0 2LU**Proposal:**

Without planning permission, the material change of use from a dwellinghouse into 2 self-contained flats.

Application Number: E/08/0497**Team:** Northern Team**Appeal Decision:** Appeal Dismissed**Appeal Decision Date:** 06/08/2009**Location:** 694 North Circular Road, Neasden, London, NW2 7QJ and access way to the rear.**Proposal:**

Without planning permission, the change of use from residential and access way to mixed use as residential, access way, car repair, car servicing and storage of car-repair equipment, car parts and other equipment associated with the repair and servicing of vehicles.

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