



Planning Committee Map

Site address: Joy House, 69-85 Rucklidge Avenue, London, NW10 4QA

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RECEIVED: 5 July, 2013

WARD: Kensal Green

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Joy House, 69-85 Rucklidge Avenue, London, NW10 4QA

PROPOSAL: Renewal of planning permission reference 08/0593, dated 27/05/2008, for change of use from offices (Use Class B1) to 49-bedroom (116-bed) hostel for the homeless, including the erection of an entrance canopy, installation of front boundary railings, access door for disabled and construction of a bicycle store and subject to a Deed of Agreement dated 27th May 2008 under Section 106 of the Town and Country Planning Act 1990, as amended

APPLICANT: CALUMET PROPERTIES LTD.

CONTACT: RKA

PLAN NO'S:
RK/TP/754/01
RK/TP/754/02
RK/TP/754/03
RK/TP/754/04
RK/TP/754/05
RK/TP/754/07
RK/TP/754/08
RK/TP/754/09

RECOMMENDATION

Approval

EXISTING

Joy House is part of a former four storey office block with an H-shaped footprint, located between the south-western side of Rucklidge Avenue and the north-eastern side of High Street, Harlesden. Joy House, currently used as a hostel for the homeless, occupies the northern section of this block, fronting Rucklidge Avenue. The main access from Joy House to the High Street is provided by way of a pedestrian footpath running along the north-western side of the site.

PROPOSAL

As above

HISTORY

Current Planning Use

Planning permission for the change of use of the premises from Office (Use Class B1) to a 49 bedroom hostel was originally approved in October 2002 under application 01/1877. This permission was granted for a temporary period of 5 years from the date of first occupation in order to accord with Unitary Development Plan policy H27 which set out that hostel uses should only be granted on a temporary basis in order to allow the LPA to conduct an on-going review of the demand for such accommodation. The original temporary permission was renewed in May 2008 under planning application 08/0593 for a further period of 5 years from 1st September 2008. As such, permission for the current use of the site as a hostel expired on 1st September 2013.

Applications for Permanent Hostel Use

A planning application (10/0188) for the permanent change of use of the property to a hostel for the homeless was submitted in February 2010. However, this application was withdrawn by the applicant prior to

determination. A further application (10/3148) for a permanent change of use was submitted in January 2011 and this application was refused by the Council in March 2011 for the following reason:-

"In the absence of an identified future demand for homeless hostel accommodation within the Borough, the proposed permanent use of the premises for the provision of non self-contained hostel accommodation would constitute the inappropriate provision of a substandard form of residential accommodation on a site capable of providing local employment opportunities or, potentially, permanent self-contained affordable residential accommodation for which there is an identified demand contrary to policy CP21 of the London Borough of Brent LDF Core Strategy 2010 and policy EMP9 of the London Borough of Brent Unitary Development Plan 2004."

Following the refusal to grant permission for a permanent change of use the applicant appealed the decision. Following a public hearing, the appeal was dismissed by the Planning Inspector in August 2011.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings are required.

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

London Plan 2011

London Borough of Brent LDF Core Strategy 2010

CP21 A Balanced Housing Stock

London Borough of Brent Unitary Development Plan 2004

EMP9 Local Employment Sites

SUSTAINABILITY ASSESSMENT

The application does not trigger the requirement for a sustainability appraisal.

CONSULTATION

Public Consultation

Consultation letters, dated 30th July 2013, were sent to Ward Councillors and 107 neighbouring owner/occupiers, including the Rucklidge Avenue Residents Association (RARA). Three letters were received in response, including representations from RARA. The letters raise the following issues.

- The access gate to the site from Rucklidge Avenue is not being restricted to disabled users only and signage informing visitors of this restriction has not been erected.
- There have been problems with loud music being played by occupiers of the hostel when the windows are open.
- There is no mention in the application of a roof extension that has been erected to the property.
- There is strong objection to the granting of permission on a permanent basis.
- Will the development provide s106 contributions for local improvements.

Internal

Housing

The Council's Accommodation Service Manager has stated that the Council are looking to reduce their dependency on BB/hostel accommodation but they would support an extension to the existing hostel use for a further 24 months.

Environmental Health

Confirmed that they have no recent records of complaints about the property and therefore they have no objection to the application.

REMARKS

Background

1. The conversion of the former office building to a hostel for the homeless was first permitted following a grant of temporary planning permission in 2002. In planning policy terms the principle of the change of use was justified as the hostel was required in order to help address an acute need at that time for accommodation for homeless families in the Borough. At that time the permission was subject to a block booking arrangement with the Council, secured through a s106 agreement, which ensured that the hostel would be used principally to support homeless families within Brent.
2. In 2008 an application to extend the use for a further period was submitted to the Council. In assessing this further application the need for hostel accommodation to support homeless families was again reviewed and it was found that this need still existed. On this basis permission was granted, on similar terms to the previous application, for a 5 year extension to the use. This permission expired on 1st September 2013 and the current application seeks permission to extend the use once again.

Housing Need

3. In order to assess the need for this type of hostel accommodation to address homelessness within the Borough, advice was sought from the Accommodation Service Manager (ASM). Housing and welfare reforms, particularly through the Localism Act, and budgetary pressures placed on the Council mean there is greater uncertainty around the ways in which the Council will seek to address the issue of homelessness, and further reforms are expected. The ASM states that the Council are looking to reduce dependency on private BB/Hostel accommodation as a means of satisfying the Council's statutory obligations to accommodate homeless families. The Council are reluctant to enter into block booking agreements and therefore cannot guarantee continued use of BB/Hostel type accommodation moving forward.
4. Given the Council's reluctance to enter into a block booking agreement it would now seem unreasonable to impose this obligation on the any new permission even though this has been applied to the previous permissions for the hostel use. However, given the level of uncertainty around the future need for this type of accommodation it is considered appropriate to restrict the length of any temporary permission to a period of 2 years to allow the situation to be reviewed in a timely manner.

Residential Amenity & Transport

5. The impacts of the development on residential amenity and transport have been considered under the previous applications and have generally been found to be acceptable within the context of the use and site. There have been no material changes, in respect of these particular issues, since the previous application on the site that would require further consideration in the determination of the current application. Issues relating to the use of the access gate on to Rucklidge Avenue and the playing of loud music within the building have been raised in the representations received. These matters have been addressed in the table below.

Consideration of Representations

6. The following table sets out to address the issues raised in the submitted representations.

Issue

The access gate to the site from Rucklidge Avenue is not being restricted to disabled users only and signage informing visitors of this restriction has not been erected

There have been problems with loud music being played by occupiers of the hostel when the windows are open.

There is no mention in the application of a roof extension that has been erected to the property.

Officers Comments

A condition ensuring the erection of appropriate signage should be attached to any further permission. If this is not adhered to this matter can be referred to the Planning Enforcement Team.

This issue relates to the unreasonable behaviour of individuals rather than being a direct impact of development. The Council's Environmental Health team have powers to deal with instances of unreasonable noise disturbance.

It appears that this extension was constructed sometime ago and is now likely to be immune from enforcement

There is strong objection to the granting of permission on a permanent basis.

Will the development provide s106 contributions for local improvements.

action.

The recommendation to approve the current application is on the basis that the permission will be for a temporary period of 2 years.

Since the adoption of Brent CIL it is not currently possible for the Council to seek financial contributions to public realm improvements through s106. In any case, it is noted that s106 contributions have already be secured under previous applications on the site and these have been used towards additional tree planting within the locality of the site. Temporary permissions are exempt from CIL.

Conclusion

7. The renewal of the consent for the hostel use on a 2 year basis will secure the provision of a form of accommodation for which there is currently an identified need. On this basis, at present the proposal accords with the Council's Local Development Framework and approval is recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent LDF Core Strategy 2010
Brent Unitary Development Plan 2004

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

Built Environment: in terms of the protection and enhancement of the environment
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) This permission shall be for a limited period of 2 years only, expiring on 1st September 2015 when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) the use hereby approved shall be discontinued..

Reason: The proposed use is considered to be acceptable only on a temporary basis to accommodate an existing and exceptional need for accommodation of this type in accordance with Policy CP21 of the London Borough of Brent LDF Core Strategy 2011.

- (2) The pedestrian access gate on to Rucklidge Avenue shall be used to provide access to the premises for disabled persons only and visitors to the site shall be informed of this restriction by way of a sign installed on the pedestrian gate clearly indicating this restriction. This sign shall be displayed until such time that the use of the premises, hereby approved, ceases.

Reason: In the interests of residential amenity.

INFORMATIVES:

- (1) The applicant is informed that with regards the condition relating to the pedestrian access gate on to Rucklidge Avenue and the need for a sign to be installed on the pedestrian gate in order to clearly indicate the restriction this must be complied with as a matter of urgency. Failure to do so will result in the Council having to consider taking enforcement action.

Any person wishing to inspect the above papers should contact Ben Martin, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231