

**Committee Report
Planning Committee on 7 June, 2011**

Item No. 2/11
Case No. 10/0683

RECEIVED: 26 April, 2010

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 233 Willesden Lane, Willesden, London, NW2 5RP

PROPOSAL: Second floor roof extension to form 9 additional bedrooms, conversion of gymnasium block into conference room on lower ground floor, 20 additional bedrooms on two upper floors, formation of external seating area and pedestrian access ramp to north elevation, provision of 19 car parking spaces and 1 coach space, bin store and various external alterations

APPLICANT: Hillspring Lodge

CONTACT: Robert O'Hara Architects Ltd

PLAN NO'S:
See condition 2.

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

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
- Financial contribution of £20,000 for open space, sport and sustainable transport.
- Travel Plan.

And, to authorise the Head of Area Planning, 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 building was formerly used as a police section house and is located on the northern side of Brondesbury Park. It also fronts onto Willesden Lane to the north and it is from here that the site benefits from vehicular access. Pedestrian access is gained from both Willesden Lane and Brondesbury Park.

The wing of the hotel facing Brondesbury Park has four upper storeys excluding the basement area, whilst the central wing has two upper floor levels and leads off the Brondesbury Park wing

level at right angles. There is a further wing that has been used as a conference centre in the past at the southern end of the building.

The building is currently occupied as "Hillspring Lodge" providing hotel-type occupation for predominantly young people according to the applicant, although it advertises itself as a hostel internationally.

PROPOSAL

This application seeks consent for a second floor roof extension to form 9 additional bedrooms, the conversion of the (currently unused) gymnasium block into a conference room on lower ground floor, 20 additional bedrooms on two upper floors, formation of external seating area within the central courtyard area and pedestrian access ramp to north elevation, provision of 19 car parking spaces and 1 coach space, bin store and other various external alterations.

For clarity, the use of the building does not form a part of this application.

HISTORY

There have been 2 relatively recent planning decisions that are useful in putting this current proposal in context. They are:

05/0740-Change of use from hotel (Use Class C1) to residential training centre (Use Class C2).
Granted at Planning Committee 8 June 2005.

01/1416-Second-floor roof extension to form 9 additional bedrooms, conversion of conference hall into conference room and 20 additional bedrooms on two upper floors, installation of bin store and various external alterations and associated car-parking spaces. Granted at Planning Committee 13 November 2001.

In addition to these two applications:

10/2690-Retrospective consent for a single storey structure on the eastern side of the building.
Granted 8 December 2010.

POLICY CONSIDERATIONS

BE2 - Proposals should be designed with regard to their local context, making a positive contribution to the area, taking account of existing landform, and the need to improve existing urban spaces and townscape.

BE3 – Proposals should have regard for the existing urban grain, development patterns and density and should be designed to ensure that spaces between and around buildings should be functional and attractive and respect the form of the street. Layouts should be defined by pedestrian circulation with development layouts prioritising movement by foot, cycle and public transport.

BE5 - Development should be designed to be understandable to users, free from physical hazards and reduce the opportunities for crime, incorporating the aims of both "Secured by Design" and "Designing Out Crime".

BE7- High quality of design and materials are required for the street environment. In existing residential areas, the excessive infilling of space between buildings, between buildings and the road, boundary treatments of character common to the street should be restored and reproduced and hard surfacing / forecourt car parking which detracts of the street scene, setting of the property of road safety will be resisted.

BE9 - New buildings and extensions should be designed to embody a creative and high quality design solution specific to the site's shape, size and development opportunities. Scale / massing should be appropriate with respect to setting and townscape location.

TRN1 - Planning applications will be assessed as appropriate for their transport impact, including cumulative impacts on the road network, and all transport modes including public transport, walking and cycling.

TRN11 - Developments shall comply with the Councils minimum cycle parking standard (PS16); with parking situated in a convenient, secure, and where appropriate sheltered location.

PS11 - Car parking standards for hotel uses.

PS13 - Car parking standards for residential institutions (C2) and hostels.

PS15 - Requires the provision of disabled car parking spaces.

SPG17 - "Design Guide for New Development".

SPD - "Planning Obligations".

SUSTAINABILITY ASSESSMENT

Not applicable.

CONSULTATION

A total of 128 neighbours, and the 3 Ward Councillors, were consulted about this application on 11 May 2010.

A total of 6 letters of objection, including one signed by 11 occupiers of Henley Court, have been received raising some, or all, of the following points:

- coaches visiting the site already cause a nuisance to residents.
- large groups of people already visit the site and wait around outside blocking the pavements. The proposal will result in more young people frequenting the area.
- the second floor roof extension will lead to overlooking and lead to loss of daylight.
- the proposed car parking areas will result to a loss of privacy and lead to further disturbance.
- recent increase in capacity of each room by use of bunk beds. This has led to instances where views of occupants are available from adjoining residential properties. This could be a child protection issue.
- increased traffic would be a nuisance for residents.
- refuse collection is already an issue.
- there is an unsightly unauthorised structure on the site.

ENVIRONMENTAL HEALTH OFFICER

Makes no comments on the application.

HIGHWAY ENGINEER

A full assessment of the highway implications of the proposal can be found in the "Remarks" section below.

LANDSCAPE DESIGNER

Concern about the possible impact of any widened vehicular access on existing well-established trees. Previous applications were approved on the basis of a landscaping condition.

REMARKS

As set out above, this application proposes the erection of a second floor roof extension to form 9 additional bedrooms, conversion of conference hall into conference room, 20 additional bedrooms on two upper floors, the formation of an external seating area, the installation of a bin store and the creation of car/coach parking spaces. In every respect, with the exception of the external seating area, it is identical to an application which was granted permission in 2001.

The current scheme seeks to increase the number of bedrooms by a total of 9 involving the extension of the second floor resulting in a further 2.3 metres additional height, and also change the existing vacant conference hall/gymnasium to a conference room at lower ground floor level and the creation of a new mezzanine floor that would allow the introduction of 20 new bedrooms.

Use

As explained above, this application does not seek planning permission for the use of the building itself. It is described by the applicant as a hotel and, although there may be something of a semantic discussion about this given the description of the current enterprise as a hostel in its own publicity material, there is little doubt that the site is run as a hotel and that people stay there for short periods as would be expected. The application is considered on this basis.

In the past the Council has granted consent for changes of use to this building with no objection, in principle, to amongst other things the change from hotel use to residential training centre (see history section above). The continued use of the site for a hotel use is acceptable in policy terms, given the history of the site, although for Members information this fringe Town Centre location may not be considered as the most appropriate for a hotel use were a new application be submitted on the site now without the planning background relevant here.

Second Floor extension

It is proposed to create a second floor extension to the central wing to provide a further nine bedrooms while some of the existing first floor rooms are to be increased in size to provide en-suite facilities. Windows to the western and eastern elevation will have clear glazing at part of the top level and obscured glazing to the remainder of the elevation. This would be controlled by way of condition. As a result of these physical measures it is not anticipated that there will be any increased overlooking into the neighbouring properties in Honeyman Close, which is immediately adjacent to the site, but, as explained, further clarification of the treatment of the elevations is sought via condition. As is evident from a visit to the site, the eastern elevation already has a number of windows within it at both ground and first floor level. The boundary with Honeyman Close is 7.5 metres from the subject building and there are a number of well-established trees between the two sites. In addition, the new storey is also set back behind the existing parapet wall, allowing a recess of approx. 0.6-0.7 metres. This serves to reduce any impact further and, whilst matters will change for people living nearby as a result of this proposal, the additional storey is acceptable both on design grounds and in terms of its relationship with neighbours.

For the information of Members, and notwithstanding that this current proposal needs to be considered on the basis of its own merits at this time, before the 2001 approval on this site, an appeal in relation to the Council's refusal of the creation of a second floor to create 8 additional bedrooms was dismissed. Despite dismissing the scheme the Inspector had no objections to the additional floor, or number of bedrooms, and he considered that the nearby occupiers at Honeyman Close would suffer no loss of amenity from the proposal. He commented at paragraph 10 that:

"The principal windows in the house at 37 Honeyman Close face north and south. There is a rear garden to that house, as well as a side garden which separates it from the appeal site. The hotel's central wing is in the order of 10 metres from the side of that neighbouring property. While the corridor serving the proposed bedrooms would face No.37, the windows to it would be at high level and it would not be readily possible to look out from those windows into that neighbouring garden

or its rear conservatory. In any event, there are already windows in the hotel which overlook that property and I do not consider that the proposal would have an unacceptable effect on the privacy of its occupiers."

He continued at paragraph 11:

"The windows to the proposed bedrooms would face the rear garden of the house at 63 Brondesbury Park. However, the Central wing is set well away from the boundary with that property and I do not consider that it would lead to an unacceptable degree of overlooking of the house or garden on that neighbouring site."

The Inspectors concern at the time related solely to the design of the new floor and its relationship with the existing building. This specific issue was resolved and on that basis the 2001 permission was issued. Although the decision was made a number of years ago, the views of the Inspector at the time remain of relevance at this time.

Conference room, 20 additional bedrooms and other external changes

The application also continues to propose the conversion of the existing vacant conference hall/gymnasium at the northern end of the building to a conference room at lower ground floor level, along with the introduction of a mezzanine floor to allow the creation of 20 additional bedrooms. The conference facility will not be capable of having any window openings on its eastern side facing Honeyman Close. The proposal effectively involves re-using an existing conference hall and, on this basis, it is considered that there will be no overall increase in the levels of activity likely to impact on neighbours amenity. In fact, as the proposal effectively results in a reduction in the extent of the conference hall it could be argued that the likely future activity generated by the accommodation could be less than is possible at present.

The creation of a new covered external terrace area, which is already in place, is additional to the 2001 permission. It is located within the central courtyard area of the building adjacent to the reception area and provides an outside seating area. Its location means that it is unlikely to have any impact on any third party, even allowing for the fact that by being covered it does provide opportunities for guests to sit outside at more times than they can at present.

Landscaping

The Council's Landscape Designers have considered the alterations to the access off Willesden Lane. Although it is acknowledged that the widening of the access was agreed previously, they have identified that the trees that may be affected by those works have had a significant amount of growth in the intervening 9 year period. A large additional amount of construction work details would be needed in order to demonstrate that the works to the access would not impact on the overall vitality of the trees. This is one of the areas where Officers need to have recognition of a change in circumstances since the 2001 decision.

Although Transportation colleagues have indicated that they would welcome the increase in the width of the access from a technical point of view (eliminating any possibility of vehicles having to reverse out onto Willesden Lane) Officers have taken the view that the evidence seems to indicate that the creation of a widened access to allow two-way traffic is not necessary in highway terms at this stage, given the traffic generation associated with the use, and the absence of problems in Willesden Lane associated with the use. On this basis the need to ensure the retention of the well-established tree planting along the western side of the access, on balance, takes precedence over the widening of the access road.

Highway Issues

This application is essentially a resubmission of an application which expired in 2006. As before, 29 new guest rooms will be provided within a new second floor extension and above the existing gymnasium area, which combined with an enlargement of several of the existing rooms at first floor level (reducing the number of bedrooms by four) will result in an overall increase in accommodation from 61 bedrooms to 86 bedrooms. As before, a new conference room will be provided on the ground floor of the existing vacant gymnasium.

Staffing numbers are estimated to increase from eight to twelve and car parking provision is to increase to 19 spaces (including one disabled) and a coach parking space, accessed via Willesden Lane.

Waiting and loading are prohibited in Willesden Lane during weekday peak hours and the road thus tends to be very lightly parked. The surrounding side streets are within Controlled Parking Zones (CPZ), but are not generally heavily parked. Public transport access to the site is moderate (PTAL 3), with Willesden Green Underground station (Jubilee line) and five bus services within 640 metres (8 minutes' walk).

Car parking allowances for hotels are set out in standard PS11 of the adopted UDP 2004. This allows up to one space per five bedrooms and one space per five staff. This proposal would, therefore, increase the overall parking allowance for the hotel from 13.8 spaces to 19.6 spaces and the proposed provision of 19 marked spaces would accord with standards. The widening of one of those spaces to the front of the reception area satisfies the requirements of standard PS15 for disabled parking, whilst the new access ramp also help to make the building accessible to wheelchair users. The provision of a new coach parking space with adequate turning space again satisfies requirements for a hotel of more than 50 bedrooms, whilst the turning space will also accommodate refuse vehicles accessing the bin storage area at the rear of the building.

TfL have produced guidance on Travel Plans and this sets a threshold of 50 bedrooms above which hotels should produce a Travel Plan. This hotel exceeds that threshold and, as a result, any permission should be subject to a S106 Agreement to secure a Travel Plan, prior to occupation of the extended building. The suggested financial contribution as set out in the draft Heads of Terms could go towards improvements to non-car access/highway safety and/or parking controls in the vicinity of the site, to reflect the additional trips attracted to the site.

Conclusions

This application seeks consent for a development that was granted consent in 2001, but was never implemented. The key issues centre on revisiting the proposal to see if there have been any material changes in circumstances, or planning policy, that would justify making a different decision to the one that was made in 2001. For the reasons set down in this report it is considered that the proposal remains acceptable.

Concerns have been raised by local residents about, amongst other things, increased parking, noise, disturbance and loss of privacy and outlook. As explained above Officers are satisfied that the development (the use of the site having been established) will not compromise residential amenities and that the highway impacts can be successfully mitigated. The physical changes to the building are considered to be of an appropriate design, relating well to the existing building and the retention of a relatively small conference facility, plus the additional 29 bedrooms will not cause an over-intensive use of the site. As a result, the application is recommended for approval, subject to a Section 106 legal agreement.

Section 106

The Council is seeking, and the applicants have agreed to pay, a sum of £20,000 to mitigate the impact of the development. Hotel users can, and do, make use of open spaces in the area, whilst it is likely that they will also wish to take advantage of public transport facilities. It is accepted that it is not necessary for contributions to be made to school provision. As a result, the figure is considered to be a reasonable contribution towards sustainable transport and open spaces in the local area.

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

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
- Housing: in terms of protecting residential amenities and guiding new development
- 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

CONDITIONS/REASONS:

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved drawings:

- 10003 (site plan).
- E-100, E-101, E-102, E-103, E-104, E-105, E-106, E-107 (existing).
- L-100A, L-101, L-102 P2, L-103, L-104, L-105, L-106 P1, L-107, L-108 P1, L-109 (proposed).

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

(3) 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, prior to occupation of the extended building.

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.

(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) No waste or other material shall be burnt on the application site;
- (e) 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) 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 on site. Following approval of the materials, all works shall be carried out and completed in accordance with this approval, prior to the occupation of the premises.

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

(6) Further details of the windows proposed for the western and eastern elevation of the additional storey, indicating that they will have clear glazing at part of the top level and permanently closed, obscured glazing to the remainder of the elevation, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the development commencing. Once approved the details shall be permanently maintained.

Reason: In the interests of residential amenity.

(7) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order (or any order revoking and re-enacting that Order with or without modification) the extension hereby permitted is approved in connection with the use of the building as a C1 (hotel) use.

Reason: No separate use should commence without the prior approval of the Local Planning Authority so as to enable other uses to be considered on their merits.

(8) The car parking spaces (including disabled space), and turning areas, shown on the approved plans shall be constructed prior to the occupation of the extended building and shall be permanently retained and used solely in connection with the use of the site.

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.

- (9) The remainder of the undeveloped land within the site shall be suitably landscaped in accordance with the scheme to be submitted to and approved by the Local Planning Authority before any works commence on the site. The approved scheme/work shall thereafter be carried out and completed during the first available planting season following completion of the development hereby approved. Any planting and/or works that are part of the approved scheme that within a period of 5 years after completion are removed, die or become 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, unless the Local Planning Authority first gives written consent to any variation.

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

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

- London Borough of Brent Unitary Development Plan 2004
- SPG17 "Design Guide for New Development."
- 7 letters of objection.

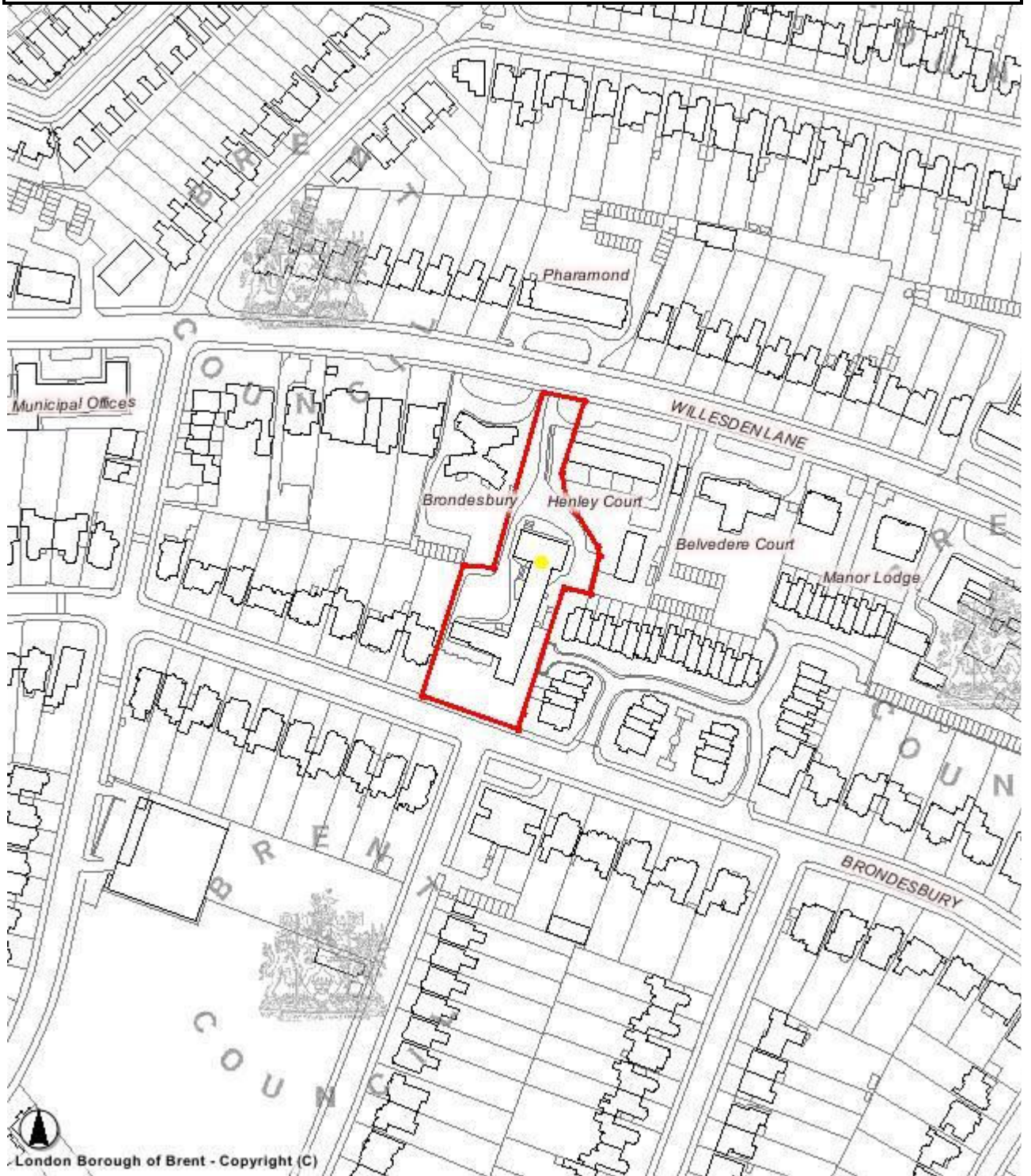
Any person wishing to inspect the above papers should contact Andy Bates, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5228



Planning Committee Map

Site address: 233 Willesden Lane, Willesden, London, NW2 5RP

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This map is indicative only.