

 **Planning Committee Map**

Site address: Cedars Nursing Home, 24-26 Craven Park & 1 Craven Road, Craven Road, London, NW10 8RR

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This map is indicative only.

**RECEIVED:** 29 June, 2011

**WARD:** Stonebridge

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Cedars Nursing Home, 24-26 Craven Park & 1 Craven Road, Craven Road, London, NW10 8RR

**PROPOSAL:** Extension to time limit of full planning permission 07/1518 dated 30/03/2010 for the demolition of 24-26 Craven Park Road and single-storey extension to existing nursing home, erection of a part three-storey and four-storey building for use as a nursing home providing 53 bedrooms, a part single-storey and three-storey link extension to the existing three-storey (28-bedroom) nursing home, formation of new pedestrian access, provision of refuse and recycling store, 7 car-parking spaces, including 1 disabled bay and 2 cycle bays, and landscaping to site, subject to a Deed of Agreement dated 02/10/2008 under Section 106 of the Town and Country Planning Act 1990 (as amended)

**APPLICANT:** Gilbert Allan & Co.

**CONTACT:** Mr Tim Edens

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

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## **RECOMMENDATION**

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of 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
- Contribution of XXXX (£1500 per additional bed unit based on the net increase in bed units) due on Material Start, index-linked from the date of committee for Education, Sustainable Transportation, Air Quality and Open Space & Sports in the local area.
- Car Free, the residents can not apply for on site residents parking permits.
- A requirement to implement sustainability measures implemented on TP6 Form "Sustainability Checklist" submitted with the original application (ref; 07/1518) and measures to ensure that a "Excellent" BREEAM rating has been achieved. Following the completion of construction works, appropriate independent evidence (such as a BRE Post-Construction Review) should be submitted to the Local Planning Authority to verify this.
- Compensatory provision of payment to the Council if an independent review shows sustainability measures have not been implemented on site.

- Additional units to achieve 25% improvement on 2010 Building Regulations. Acceptable evidence for which must be submitted before Material Start and post construction validation of this. Where it is clearly demonstrated that this cannot be achieved on-site, any shortfall may be provided off-site or through an in-lieu contribution to secure the delivery of carbon dioxide savings elsewhere.
- Join and adhere to the Considerate Contractors scheme.
- Fully adhering to the Demolition Protocol for demolition.

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 application relates to what were originally two large detached dwellings with accommodation in the roof space, which have both been extended and linked at the rear. The properties are currently vacant and in a state of disrepair but have most recently been used as a hotel. The properties are located on the corner of Craven Park (which they face) and Craven Road. Located to the rear of these properties and forming part of the application site is a newer three storey 28 bedroom nursing home which is within the same ownership as the applicants.

To the West of the site are three similar properties which at one time formed part of the same hotel as the application site but that have now been converted into 13 flats.

On the East side of Craven Road by the application site is a branch line railway that is set in a cutting. To the North of the site on the other side of Craven Park are detached properties in use as flats. The character of the area is generally residential.

There are two non illuminated 48 sheet advertisement hoardings located on the flank boundary of 24 Craven Park. This boundary is otherwise formed of a high masonry wall with close boarded fencing on top. Other similar hoardings are located on either side of the railway bridge to the East of the site.

## **PROPOSAL**

Extension to time limit of full planning permission 07/1518 dated 30/03/2010 *'for the demolition of 24-26 Craven Park Road and single-storey extension to existing nursing home, erection of a part three-storey and four-storey building for use as a nursing home providing 53 bedrooms, a part single-storey and three-storey link extension to the existing three-storey (28-bedroom) nursing home, formation of new pedestrian access, provision of refuse and recycling store, 7 car-parking spaces, including 1 disabled bay and 2 cycle bays, and landscaping to site, subject to a Deed of Agreement dated 02/10/2008 under Section 106 of the Town and Country Planning Act 1990 (as amended)'*.

### Summary of Development

It is proposed to demolish the two properties presently fronting Craven Park, demolish the single storey addition to the nursing home and to provide a 53 bedroom extension to the nursing home. The extended nursing home would have a total of 81 bedrooms.

The main part of the extension is four storeys high and is arranged on an L shaped footprint facing Craven Park and Craven Road. The fourth storey is set in from the edge of the floor below. A new single storey link to the rear of the extension will connect it to the existing care home

As well as the additional bedrooms the proposed extension will provide a large communal dining room, a large communal lounge, a smaller communal lounge/gallery at second floor, a new kitchen, two communal gardens at ground floor and a landscaped courtyard at first floor. The scheme includes seven off street parking spaces.

## **HISTORY**

**07/1518** - Demolition of 24-26 Craven Park Road and single-storey extension to existing nursing home, erection of a part three-storey and four-storey building for use as a nursing home providing 53 bedrooms, a part single-storey and three-storey link extension to the existing three-storey (28-bedroom) nursing home, formation of new pedestrian access, provision of refuse and recycling store, 7 car-parking spaces, including 1 disabled bay and 2 cycle bays, and landscaping to site, subject to a Deed of Agreement dated 02/10/2008 under Section 106 of the Town and Country Planning Act 1990 (as amended) **Granted**

**06/0194** - Planning permission refused for the demolition of 24-26 Craven Park Road and single storey extension to nursing home and erection of a part three and four-storey building for use as a nursing home, providing 56 bedrooms, an external staircase and a part single and three storey link extension to the existing three-storey (28-bedroom) nursing home, together with communal areas and parking for 7 cars (as accompanied by a design statement). **Refused 2006.**

**94/1848** - Demolition of existing properties in use as nursing home and erection of three storey and part four storey block comprising nursing home.  
**Withdrawn in 1996.**

**94/1236** - Erection of single storey extension to provide matron's office and provision of new entrance and reception area.  
**Approved on 4 October 1994.**

**93/1853** - Change of use from hotel to nursing home including erection of rear extension to provide lift up to third floor of extension.  
**Approved on 1 March 1994**

**91/1853** - Partial redevelopment to provide new three star 95 bedroom hotel with 69 parking space (outline application)  
**Withdrawn in 1991.**

**89/1073** - Change of use from homeless family accommodation to hotel.  
**Approved on 11 October 1989.**

**88/0694** - Erection of three storey extension to hotel to provide accommodation for homeless persons.  
**Approved on 22 November 1988.**

**86/1333** - Change of use to homeless families accommodation, erection of single storey and two storey rear extensions, provision of parking spaces and vehicular access (24-32)  
**Approved on 5 November 1986.**  
Details of level or ramped access (Condition 10a) approved on 26 April 1989 (87/0332)

### 28-32 Craven Park

Planning permission was granted on 3 June 2004 for the following :

Alterations in conjunction with the conversion of existing three-storey hotel into 5 x three-bedroom and 8 x two-bedroom self-contained flats, provision for 12 car parking spaces, cycle parking and amenity area.(Ref 04/0767)

Approved on 2 June 2004.

## **POLICY CONSIDERATIONS**

### **Policy Considerations**

#### Brent Unitary Development Plan 2004

*BE2 – Townscape Local Context & Character*

*BE3 – Urban Structure: Space & Movement*

*BE5 – Urban Clarity & Safety*

*BE6 - Public Realm: Landscape Design*

*BE7 – Public Realm – Streetscape*

*BE9 – Architectural Quality*

*BE12 – Sustainable Design Principles*

*EP2 – Noise & Vibration*

*H22 – Protection of Residential Amenity*

*TRN3 – Environmental Impact of Traffic*

*TRN4 - Measures to Make Transport Impact Acceptable*

*TRN10 – Walkable Environments*

*TRN11 – The London Cycle Network*

*TRN14 - Highway Design*

*TRN22 – Parking Standards – non-residential developments*

*TRN34 – Servicing in New Development*

*TRN35 – Transport Access for Disabled People & others with Mobility difficulties*

*PS14 - Parking Standards*

*PS15 - Disabled Parking Standards*

*PS16 - Cycle Parking Standards*

Supplementary Planning Guidance Note 17 – ‘*Design Guide for New Development*’

#### Brent Core Strategy 2010

CP15 – Infrastructure to Support Development

CP17 – Protecting & Enhancing the Suburban Character of Brent

CP19 – Brent Strategic Climate Change Mitigation and Adaptation Measures

CP21 – A Balanced Housing Stock

#### Regional Planning Policy

The London Plan – Spatial Development Strategy for Greater London (July 2011)

#### National Planning Policy Guidance

##### *Planning Policy Statement 1 – Creating Sustainable Communities*

PPS1 sets out the Government's vision for planning and the key policies and principles which should underpin the planning system. These are built around three themes – sustainable development – the purpose of the planning system; the spatial planning approach; and community involvement in planning.

##### *Planning Policy Statement 3 – Housing*

PPS3 establishes the Government's objectives for housing and reinforces the commitment to more sustainable patterns of development. PPS3 sets broad guidelines for the provision of affordable housing, placing emphasis on the importance of high quality design and creating mixed, balanced and integrated communities with wider opportunities for home ownership and improved affordability through an increase in supply of housing. The guidance also requires Local Authorities to deliver sustainable development objectives.

##### *Planning Policy Guidance 13 - Transport*

## **SUSTAINABILITY ASSESSMENT**

Sustainability and energy are considered to be policy areas that have changed since the 2007 application was determined, the original application did include a 'Sustainability Checklist'. An assessment revealed the impact on sustainability in Brent would be 'Very Positive'. Details of which were secured by the original S106 legal agreement. This will be secured through a new s106 agreement that requires amending to secure the obligations discussed below.

The changes that have occurred to regional and local policy have been applied to this application for an extension of time, these changes relate to sustainable design and construction. The recently published London Plan requires improvements in terms of the carbon dioxide emissions (policy 5.2) and at a local level the 2010 Core Strategy expects BREEAM 'Excellent' to be achieved (policy CP19). Please see the 'remarks' section for further discussion on this.

## **CONSULTATION**

Consultation letters dated 20/07/11 were sent to 102 properties, and to date no objections have been received.

A site notice was displayed on 02/08/2011 and the application was advertised in the local press on 28/07/2011.

**Brent Transportation Unit** – No objection subject to a revised parking layout being agreed. The submission and approval of which is to be secured as a condition of any approval. The exact wording of this additional condition will be reported in the supplementary report.

**Landscape Design** – No objection raised subject to a condition requiring the submission and approval of further details of hard and soft landscaping.

**Social Services - Housing and Community Care Dept.** - No response but it is worth noting that when asked to comment on the 2007 application they welcomed this application and supported the proposal. This was on the basis that Brent lacks capacity in nursing home beds. A recent survey found 98% utilisation of nursing home beds in Brent.

## **REMARKS**

### Introduction

This application is for an extension to the time limit for starting work on the original permission 07/1518 reported to Committee on 5 September 2007 (subject to an s106 agreement dated 02/10/08) and judged to be acceptable in principle by Members. The original committee report can be found appended to this report. The report itself does not change as the quantum of development, its design, scale, layout and massing are all to remain the same as previously approved. For this reason the issues discussed in the original report will not be discussed again unless the relevant policies have changed.

The following is a summary of the issues for consideration, relating to the application to extend the time limit of the original planning permission.

### Principle of development

Under the adopted Unitary Development Plan 2004 (UDP) and Core Strategy (2010) policies there can be no objection to the loss of the present hotel use which has been vacant since mid 2003. The provision of a replacement nursing home is considered to provide an acceptable alternative use of the site, particularly in view of there being no loss of residential accommodation and the presence of an existing nursing home to the rear to which this use will be intrinsically linked.

The principle of development has already been accepted by Members when it was resolved to grant permission following consideration of the scheme at Planning Committee on 5 September 2007.

### Why has development stalled?

The recession has had a significant impact on the development industry over the past two-three years. The ability for developers to raise finance to purchase and construct schemes has been restricted as bank lending has contracted. Demand for retail space has declined in the face of reduced household income and the ability of potential homeowners to secure mortgage finance has been severely limited, although house prices have remained surprisingly resilient.

As a result a number of consented schemes are at risk of not being commenced within three years of the permission being issued. The need for homes remains, however, and it is expected that the construction sector, which makes a significant contribution to the economy, will recover as the recession eases and liquidity returns to the credit markets.

### Government response

In 2009 the Government recognised the difficulties facing the development industry, as a result of the recession and introduced legislation to help maintain the delivery of sustainable development in the face of the UK recession. As of October 2009 applicants have been able to apply to their Local Planning Authority (LPA) for a new planning permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development. This has been introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.

### Procedural matters

The process is referred to as an extension to time limit of planning permission. More formally, a new planning permission will be granted, with a new reference number, for the development granted permission by the original decision. This new permission will be subject to a new standard timescale condition and all original conditions and S106 obligations will be retained and updated if necessary. There is scope to impose additional conditions and obligations if necessary too, if these can be justified through policy.

The Department of Communities and Local Government stresses that, although this is not a 'rubber-stamp' exercise, "development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date"

### Brent's Approach

Guidance titled '*Greater Flexibility for Planning Permissions: Guidance*' has been published by the Government and this document informs how LPAs are to approach these types of applications (Communities and Local Government, 2009). LPAs are instructed to take a "positive and constructive approach" towards those applications which improve the prospect of sustainable development being taken forward quickly. The focus of attention in determining the application should be on those development plan policies and other material considerations (including national or regional policies) "which may have changed significantly since the original grant of permission".

### Policy changes since September 2007

Below is a summary of the main policy changes to have occurred since the original permission was reported to Planning Committee. Not all policy changes affect the scheme and of those that do, not all would make the scheme unacceptable. If any policy is now at odds with the scheme, its significance should be balanced against the guidance from the Government that LPAs take a positive and constructive approach to deciding these applications, which should be given substantial weight.

### National policy changes

In terms of national policy statements, none of the changes are considered to affect the way this application should be considered or dealt with;

Planning Policy Statement 3 - Housing (June 2010);  
This has only been changed in respect of the definitions of previously developed land.

Planning Policy Guidance 13 - Transport (April 2010);  
This has been changed but only in relation to parking standards.

### Regional policy changes

The London Plan – Spatial Development Strategy for Greater London (July 2011)  
The newly adopted plan includes policy 5.2 relating to minimising carbon dioxide emissions from new developments, this states:

*"Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy;*

- 1 Be lean: use less energy*
- 2 Be clean: supply energy efficiently*
- 3 Be green: use renewable energy*

*The Mayor will work with boroughs and developers to ensure that major developments meet the following targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations leading to zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019."*

The policy states that for the years 2010-2013, on non-domestic buildings a 25% improvement on the 2010 Building Regulations should be sought in terms of carbon dioxide emissions reductions.

As this is adopted policy significant weight is given to this when assessing the extension of time limit to this application, this is a material consideration. This policy approach supersedes the 2008 London Plan requirement for major developments to off set 20% of the sites carbon emissions through on-site renewable generation. The requirement to achieve this 25% reduction on carbon dioxide emissions will be secured as an additional Head of Term within the revised s106 legal agreement.

### Local policy changes

Brent Core Strategy - 2010

The process to replace Brent's Unitary Development Plan (2004) with a Local Development Framework (LDF) had not been finalised prior to the decision to grant planning permission 07/1518. The Core Strategy DPD was submitted to the Secretary of State on 30 September 2009. The Core Strategy has now been examined and the Council received the Inspector's report on 16 April 2010. This concluded that the strategy was sound subject to a number of recommended changes. The strategy was formally adopted in July 2010.

Of relevance to this extension of time limit application is Core Strategy Policy CP15 (Infrastructure to Support Development, policy CP17 (Protecting and Enhancing the Suburban Character of Brent) which states that the distinctive character of Brent will be protected from inappropriate development and policy CP19 (Brent Strategic Climate Change Mitigation and Adaptation Measures) which states that for non-residential development, a rating of BREEAM 'Excellent' is expected.

SPD "Section 106 planning obligations" (October 2007)

Adopts a standard charge approach for planning obligation contributions. A standard charge will be applied to each bed unit, that developers will be expected to pay as a contribution. This is in relation to the additional physical, social, and economic infrastructure that will be required from new developments. These contributions will be towards education, transport, public space and sport improvements.



The SPD establishes this clear formula for calculating a standard charge in respect of infrastructure requirements. The standard charge approach is sought to provide more clear and consistent guidance to developers, while allowing the Council to adequately plan for mitigation of the effects of developments across the Borough.

The Council will consider on a case by case basis schemes which claim the standard charge is economically prohibitive.

The SPD was adopted in October 2007, which was after the 2007 application was reported to Committee, this explains why the standard charge approach was not applied to the initial grant of permission. It is now a material change to Council policy and the SPD should be applied to all new applications, including those such as this which are for an extension of time. A reduced amount of £1500 per additional bed unit is sought on developments such as nursing homes, care homes and hotels. Accordingly the legal agreement will need to be revised as there is a requirement for £1500 per additional bed unit, this calculation is based on the net increase in bed units. Due to the lack of existing floor plans it is not known how many existing hotel bed units there are, Officer's await confirmation of this from the applicant and the exact contribution sought will be confirmed, and reported as a supplementary report once agreed by the applicant.

#### Substantial physical changes to the area since April 2007

No changes have occurred along the boundaries of the site and no applications to make changes in the future have been received.

#### Changes to the scheme

No changes to the scheme approved by Members at Committee in April 2007 are proposed. The only changes required will affect the Heads of Terms. Additional obligations are to be sought through a revised s106 agreement, the additional obligations are to reflect the changes in planning policy that have taken place since 2007 and these are discussed in the paragraph below.

#### Changes to the planning permission/s106 legal agreement

To reflect the changes in regional and local policy described above, the following changes are proposed to be made to the s106 legal agreement;

1. A requirement to implement sustainability measures implemented on TP6 Form "Sustainability Checklist" submitted with the original application and measures to ensure that a "Excellent" BREEAM rating has been achieved. Following the completion of construction works, appropriate independent evidence (such as a BRE Post-Construction Review) should be submitted to the Local Planning Authority to verify this.
2. Additional units to achieve 25% improvement on 2010 Building Regulations. Where it is clearly demonstrated that this cannot be achieved on-site, any shortfall may be provided off-site or through an in-lieu contribution to secure the delivery of carbon dioxide savings elsewhere.
3. Terms to ensure the payment of £1500 for each net additional bedroom unit (Total amount to be confirmed).
4. Join and adhere to the Considerate Contractors scheme
5. Adhere to the Demolition Protocol

#### Conclusion

The Government, when introducing this legislation, expected LPAs to assist the wider economy and the delivery of sustainable development by keeping alive those planning applications which would otherwise lapse during the UK recession. Some policy changes were anticipated in the legislation and although the guidance made it clear that applications to extend planning permissions should not be considered a rubber stamp exercise, it also made clear that LPAs should be positive and constructive in their approach to determining them.

Your officers are of the opinion that there are no planning policy changes which mean permission should not be given to extend the 2007 planning permission. In reaching this decision, your officers have attached substantial weight to the Government's guidance on how to approach these applications and where there have been changes in policy these have been applied, and this is reflected in the need for a revised s106 legal agreement.

**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  
Brent Core Strategy 2010  
Council's Supplementary Planning Guidance 17 relating to 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
- Transport: in terms of sustainability, safety and servicing needs

**CONDITIONS/REASONS:**

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

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

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

2809/P01 Rev. C;  
2809/P02 Rev. C;  
2809/P03 Rev. C;  
2809/P04 Rev. C;  
2809/P05 Rev. C;  
2809/P06 Rev. C;  
2809/P08,  
2809/P09 Rev. C;  
2809-P10 Rev. A  
2809-P11

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

- (3) The existing vehicular crossovers shall be closed and reinstated as a footpath and proposed car-parking spaces and associated accesses shall be formed, surfaced and available for use prior to the first occupation of the new accommodation. Thereafter, the parking spaces shall not be obstructed or used for any other purpose.

Reason: To ensure adequate car-parking and access is provided and retained in conjunction with the residential development hereby permitted, in the interests of conditions of general highway safety and the free flow of traffic on the neighbouring highway.

(4) (a) Prior to the commencement of the use of any part of the approved development the following shall be constructed and permanently marked out in accordance with:-

(b) The following shall be commenced within [£] of the commencement of the development:-

- (a) parking spaces;
- (b) turning areas;
- (c) loading bays;
- (d) access roads;
- (e) footways.

shall be constructed and permanently marked out in accordance with:-

- (i) the approved plans;
- (ii) details [including details of lighting and drainage] to be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Thereafter they shall be retained and used solely for the specified purposes in connection with the development hereby approved and shall not be obstructed or used for any other purpose/s. No buildings shall be occupied until such roads have been constructed.

Reason: To ensure a satisfactory design and access to service the development and to enable vehicles using the site to stand clear of the highway so that the proposed development does not prejudice the free-flow of traffic or the conditions of general safety within the site and / or along the neighbouring highways and in the interests of pedestrian safety.

(5) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a detailed 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:-

(a) during the first available planting season following completion of the development hereby approved.

Such scheme shall also indicate:-

(i) Walls and fences

Proposed walls, fencing and any other means of enclosure to the site, indicating materials and heights.

(ii) Screen planting on boundary

Screen planting to include new trees along the eastern (Craven Road) and northern (Craven Park) boundaries confirming size, density, species and number of trees.

(iii) Physical separation

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

(iv) Seating

Other appropriate matters within the context of a landscaping scheme, such as

details of seating, foot ways and other paved pedestrian and vehicle parking areas.

(v) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

(vi) Other details to include:

Further details of the first floor courtyard roof garden, to include plant details of plant size, density and species.

Further details of the green roof, to include manufacturers specification.

Further details of the refuse/bin store enclosure.

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.

- (6) 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.

- (7) Details of the hard-surfacing of the parking and access areas, including, where necessary samples, of the materials, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, which shall be carried out in accordance with these approved details.

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

**INFORMATIVES:**

- (1) 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.

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

- (2) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)

#### REFERENCE DOCUMENTS:

London Borough of Brent, UDP 2004  
Brent Core Strategy 2010  
SPG17 'Design Guide for New Development'  
The London Plan – Spatial Development Strategy for Greater London (July 2011)

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

#### APPENDIX

<b>Committee Report</b>	<b>Item No.</b>	<b>3/01</b>
<b>Planning Committee on 5 September, 2007</b>	<b>Case No.</b>	<b>07/1518</b>

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**RECEIVED:** 28 May, 2007

**WARD:** Stonebridge

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** CEDARS NURSING HOME, 24-26 Craven Park, London, NW10 8TE

**PROPOSAL:** Demolition of 24-26 Craven Park Road and single-storey extension to existing nursing home, erection of a part three-storey and four-storey building for use as a nursing home providing 53 bedrooms, a part single-storey and three-storey link extension to the existing three-storey (28-bedroom) nursing home, formation of new pedestrian access, provision of refuse and recycling store, 7 car-parking spaces, including 1 disabled bay and 2 cycle bays, and landscaping to site

**APPLICANT:** Gilbert Allan & Co.

**CONTACT:** Mr T. Edens

**PLAN NO'S:** 2809/P01 Rev C; P01 Rev C; P02Rev C; P03 Rev C; P04 Rev C; P05 Rev C; P06 Rev C; P09 Rev C; P10 Rev C & P11 Rev C.

**Owing to an Administrative oversight, residents and the applicants were not made aware that the following application was being reported to the Planning Committee on 15<sup>th</sup> August. The proper notifications have now been put in place and the following application is being reported again to your Committee to enable Members to take account of the views of objectors or the applicant if they wish to speak.**

## **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 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
- Contribution of £7,500 towards the sustainable transport measures and improvements in the local area, to mitigate the increased impacts on the local area and principal access routes.
- Car Free, the residents can not apply for on site residents parking permits.
- A requirement to implement sustainability measures implemented on TP6 Form "Sustainability Checklist" submitted with the application and measures to ensure that a "Very Good" BREAM rating has been achieved. Following the completion of construction works, appropriate independent evidence (such as a BRE Post-Construction Review) should be submitted to the Local Planning Authority to verify this.
- (e) Compensatory provision of payment to the Council if an independent review shows sustainability measures have not been implemented on site.

## **EXISTING**

This application relates to what were originally two large detached dwellings with accommodation in the roofspace, which have been extended (in the case of 24 with a two storey flat roofed yellow stock brick and a single storey extension to 26) and linked at the rear in conjunction with their present use as an hotel. The properties have a stone clad finish on the ground floor with render on the first floor on the front. The properties face Craven Park, one of the main routes through the Borough, being stepped to reflect the other three properties in this group to the West and are set back approximately 4 - 5 metres from the back edge of the pavement. The site is located on the West side of the traffic light controlled junction with Craven Road, a street with one way traffic travelling South from the junction with Craven Park towards Knatchbull Road. The front corner of

24 Craven Park touches the back edge of the pavement in Craven Road, with the rear corner set back 6.5 metres. On the Craven Park frontage of the site there are low brick planters and landscaping with a small tree sited adjacent to the Western boundary of the application site.

To the West of the application site are three similar properties which previously also formed part of the hotel on the application site and which have been recently converted into 13 flats (8 two bedroom and 5 three bedroom) following the granting of planning permission in 2004, which have a car park for 12 cars at the Western end of the frontage.

To the rear of the application site, also within the ownership of the applicant, is a newer three storey 28 bedroom nursing home, which abuts the buildings on the application site through a single storey aside extension. The second floor is set within a mansard profiled concrete tile roof. The elevations of the building are formed of render with some yellow stock brickwork. The building is set at an angle behind a car park with access off Craven Road, some 18 - 31 metres from the back edge of footpath. There are 2 trees sited along the South boundary of this property and immediately to the South of this site is an electricity substation. Beyond around the bend in the road and fronting on to Knatchbull Road is the four storey Bernard Shaw House flats building with its hardsurfaced clothes drying area to the rear of the substation bordering the application site and the associated rear gardens bordering the existing nursing home. To the rear (North West) of the nursing home is its garden area.

On the East side of Craven Road by the application site is a branch line railway that is set in a cutting. To the North of the site on the other side of Craven Park are detached properties in use as flats, two in original properties and two redeveloped sites. The character of the area is generally residential.

There are two non illuminated advertisement 48 sheet hoardings at the application site on the flank boundary of 24 Craven Park. This boundary is otherwise formed of a high masonry wall with close boarded fencing on top. Other similar hoardings are located on either side of the railway bridge to the East of the site.

## **PROPOSAL**

It is proposed to demolish the two properties presently fronting Craven Park and retain the nursing home to the rear, apart from its single storey extension. In their place, it is proposed to erect a building that forms a single storey dining room link and conservatory extension on the South side, with the nursing home. Fronting Craven Park and Craven Road, an L shaped four storey building is proposed that is to be used as a 53 bed extension to the nursing home to take the total number of bedrooms to 81.

On the Craven Park frontage, the four storey building is to be separated from No 28 by a gap of 2.7 metres and set back 3 - 4 metre from the back edge of the pavement, although close to the road junction corner it will be set back on the ground floor by just over 5 metres. On the Craven Road frontage, which will contain the new pedestrian access into the home, the building will be set back 1.8 in the central part and the other two sections by 3 metres. The upper two floors of southern end of the building on this latter frontage extend to the Southern boundary. The southern part of the building extends over the vehicular access into the site and proposed bin storage, whilst the lower section extends over 4 proposed car parking spaces (including a disabled space located along the back edge of pavement) and a vehicle turning area. The other 3 proposed car parking spaces will be sited at right angles immediately adjacent to this covered provision. The remainder of this frontage is to be provided with 1.2 metre high railings. No treatment is specified on the Craven Park boundary to the site. The remaining area to the South of the present home and proposed conservatory extension and car parking will be used as a South facing garden area.

On the Craven Park frontage the third floor is to be set back 2.5 - 3.4 metres at the front with the area to be formed as a green roof. There is also no third floor over the corner feature on top of

which will be a rooflight. The corner feature at first and second floor level is formed of a large glazed panel with hidden mullions and transoms set within a lead sheet facade on both frontages and extending by a shallow angle through the wall on the Craven Road frontage. The corner feature is further accentuated by the inclusion of a brise soleil over the upper sections of the glass panels at first and second floor levels. The glazing will provide lighting to and outlook from a lounge on the first floor and a smaller lounge (referred to as a gallery) on the second floor. The drawings also indicate the third floor flat roof would provide a green roof.

Most of the new bedrooms face out to the two adjacent roads, although 1 at first floor and 2 at second floor level face into the site over the domed rooflight, the first and second floor link extension and landscaping to be formed on the roof of the single storey dining room extension.

The third floor of the accommodation is set back behind a parapet wall from the main frontages on Craven Park and Craven Road. The outer facades of the lower floors are a mix of render and brick to match the existing building. Horizontal galvanised steel railings in horizontal strips are proposed across the first and second floor windows in the central sections on both road frontages. The mix of square and vertical single pane windows are to have powder coated aluminium frames with reconstituted stone lintols over some windows. The finish to the parapets and edge of the feature wall on the corner are not specified. The inner facades of the development appear to be formed of a mix of brick and timber cladding.

Unspecified planting is suggested on the two road frontages in front of the bedroom windows, on the roof of the dining room extension and in the garden to the South of the present home and proposed conservatory extension. The two existing trees on the Southern boundary are indicated to be retained.

## **HISTORY**

06/0194 Planning permission refused for the demolition of 24-26 Craven Park Road and single storey extension to nursing home and erection of a part three and four-storey building for use as a nursing home, providing 56 bedrooms, an external staircase and a part single and three storey link extension to the existing three-storey (28-bedroom) nursing home, together with communal areas and parking for 7 cars (as accompanied by a design statement). Refused 2006.

94/1848 - Demolition of existing properties in use as nursing home and erection of three storey and part four storey block comprising nursing home.  
Withdrawn in 1996.

94/1236 - Erection of single storey extension to provide matron's office and provision of new entrance and reception area.  
Approved on 4 October 1994.

93/1853 - Change of use from hotel to nursing home including erection of rear extension to provide lift up to third floor of extension.  
Approved on 1 March 1994

91/1853 - Partial redevelopment to provide new three star 95 bedroom hotel with 69 parking space (outline application)  
Withdrawn in 1991.

89/1073 - Change of use from homeless family accommodation to hotel.  
Approved on 11 October 1989.

88/0694 - Erection of three storey extension to hotel to provide accommodation for homeless persons.  
Approved on 22 November 1988.



86/1333 - Change of use to homeless families accommodation, erection of single storey and two storey rear extensions, provision of parking spaces and vehicular access (24-32)  
Approved on 5 November 1986.  
Details of level or ramped access (Condition 10a) approved on 26 April 1989 (87/0332)

### 28-32 Craven Park

Planning permission was granted on 3 June 2004 for the following :  
Alterations in conjunction with the conversion of existing three-storey hotel into 5 x three-bedroom and 8 x two-bedroom self-contained flats, provision for 12 car parking spaces, cycle parking and amenity area.(Ref 04/0767)  
Approved on 2 June 2004.

## **POLICY CONSIDERATIONS**

BE1 - An Urban Design Statement should be submitted for all new development proposals.

BE2 - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character and improvement or variety within an area of poor or uniform character by creating a new area of distinctive quality on suitable sites. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

BE3 - Proposals should have regard for the existing urban grain, development patterns and density and should be designed that spaces between and around buildings should be functional and attractive to their users, layout defined by pedestrian circulation, particular emphasis on prominent corner sites, entrance points and creating vistas, respect the form of the street by building to the established line of frontages, unless there is clear urban design justification. Development layouts should also make explicit the movement framework by prioritising movement by foot, cycle and public transport, minimise traffic conflicts between vehicles, pedestrians and cyclists by ensuring clear delineation of routes and unencumbered entrances and circulation and integrate the proposed development with public transport and car parking facilities.

BE5 - Development should be understandable, free from physical hazards and to reduce opportunities for crime, with a clear relationship between existing and proposed urban features outside and within the site. Public, semi-private and private spaces are clearly defined in terms of use and control, informal surveillance of public and semi-private spaces through the positioning of fenestration, entrances etc., front elevations should address the street with, where possible, habitable rooms and entrances, with private areas to the rear and significant areas of blank wall and parking should be avoided on back edge of pavement locations, entrances should be overlooked by development with good lighting and visible from the street, rear gardens should not adjoin public space, parking spaces are provided within view and if not made safe in other ways and are not normally accessible via rear gardens of residential properties and accessways are through or adjoining a site are overlooked by development, provided with good lighting, set away from cover, provide clear sightlines and not run next to rear gardens.

BE6 - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, the retention of existing trees, shrubs and hedgerows particularly where they form part of the character of the area, new planting of an appropriate species, size, density of planting with

semi-mature or advanced nursery stock, new integrally designed structural landscaping on appropriate larger sites, boundary treatment (fencing, railings ) which complement the development and enhance the streetscene, screening of access roads and obtrusive development from neighbouring residential properties.

BE7 - High quality of design and materials required for the street environment. In existing residential areas, the excessive infilling of space between buildings and between buildings and the road, the hardsurfacing of more than half of the front garden area and forecourt parking detracting from the streetscene or setting of the property or creates a road/pedestrian safety problem, will be resisted.

BE9 - New buildings should have an appropriate design solution specific to the site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design and landscape characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

BE11 - Proposals for higher densities than that prevalent in the surrounding area will be encouraged in appropriate locations which will include town centre locations in Areas of Very Good and Good Public Transport Accessibility and transport interchanges and will be encouraged to include a mix of compatible land uses.

BE12 - Proposals should embody environmental design principles commensurate with the scale and type of development including taking account of incorporating built forms , technologies, orientation and layout that will contribute to reduced energy consumption (ventilation, heating/cooling, lighting) and associated emissions, avoiding negative micro climate effects (e.g. wind turbulence, noise reflection), the potential for the re-use of existing buildings and materials and environmental effect of building materials used, making adequate integrally designed provision for the storage and recycling of waste, the potential for the management or recycling of water, methods to protect important flora, fauna and/or topographical features during construction and to minimise disturbance to the local amenity, methods to maximise recycling and re-use and minimising waste during demolition and construction, sustainable remediation of brownfield sites redeveloped for sensitive uses will be sought and where contamination remains in situ a monitoring regime will need to be agreed, measures to minimise the impact of poor air quality on sensitive users in Air Quality Management Areas and noise levels from traffic, trains other significant noise generators.

BE15 - Particular regard will be had to the design and attractiveness of all development proposals in the vicinity of and visible from Transport Corridors, including Harrow Road, which are also priorities for Townscape and Public Realm enhancement.

EP2 – Noise sensitive development will be permitted unless its users would suffer noise levels above acceptable levels and if this cannot be acceptably attenuated. Necessary noise insulation will be secured by condition.

H11 - Housing will be promoted on previously developed urban land which the plan does not protect for other land uses.

H12 - Layout and urban design of residential development should reinforce/create an attractive/distinctive identity appropriate to the locality creating a clear sense of place, housing

facing streets and defining roads, have access and internal layouts which achieves traffic safety where cars are subsidiary to cyclists and pedestrians, cul-de-sacs should only be used in parts of that cannot be serviced in any other way, appropriate car parking and cycle parking, where dedicated on-street parking is maximised as opposed to in curtilage parking, and avoids excessive tarmac and landscaping and provides an amount and quality of open landscaped areas appropriate to the character of the area, local availability of open space and needs of prospective residents.

H13 - The primary consideration in determining the appropriate density of new residential development will be achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites and meets the amenity needs of potential residents. The most dense developments will be in areas with good and very good public transport accessibility. Surrounding densities should at least be matched unless it would harm residential amenity. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.

H16 - Frontage redevelopment within an existing residential area must make an equal or greater contribution to the character and quality of the streetscene. The spacing around the development should be compatible with the character of the surrounding area.

H23 - Applications for supported housing/day centres should meet a known need in the Borough. They are acceptable in residential areas and on suitable sites in or adjoining town/district centres unless the location and/or scale would be inappropriate in terms of the impact of the proposed client group on residential amenity, unless these can be secured through management measures, the proposed client group would overstress local health and/or social services, overconcentration of these facilities would harm local amenity, the site lacks suitable access for any necessary ambulances and/or minibuses, the site, other than for a client group totally dependent on carers lacks access to local shopping/public transport facilities within 400 metres without gradients steeper than 1:12 on the route or the scale of the development is incompatible with the character of the area.

Where development for other categories of the C2 use class would cause such a problem then conditions will be imposed restricting development to the client group applied for or one or more subcategories of the use class.

TRN1 - Transport impact assessed, including cumulative impacts on the environment, on the road network and all transport modes including public transport, walking and cycling. Developments having a potentially significant impact on the transport network should submit a Transport Assessment, incorporating proposed traffic reduction by the developer (e.g. green transport plans). Where this transport impact is demonstrated to have an unacceptable public transport or environmental impact the application will be refused unless measures are secured as part of the application making this acceptable.

TRN2 - Development should benefit and not harm the operation of the public transport network and should be located where the public transport accessibility is sufficient to service the scale and intensity of the use, in particular, the capacity of the public transport network within convenient and safe walking distance of the site should be sufficient to accommodate any increase in passenger trips to an acceptable level of service, any significant increase in traffic generated by the development and/or associated highway works should not cause material harm to the speed and/or reliability of bus services.

TRN3 - Proposals that cause or worsen an unacceptable environmental impact from traffic will be refused, including where car generation is greater than the parking to be provided on site in accordance with the standards and any resulting on-street parking would cause unacceptable traffic management problems, it would result in unacceptable environmental problems such as noise and air quality, the development would not be easily and safely accessible to pedestrians and/or cyclists, additional traffic would have unacceptable consequences for access/convenience

of pedestrians and/or cyclists, it produces unacceptable road safety problems, the capacity of the highway network is unable to cope with additional traffic without producing unacceptable congestion especially through traffic, there is a significant increase in the number/length of journeys made by private car.

TRN4 - Where transport impact is unacceptable, measures will be considered which could acceptably mitigate this and enable the development to go ahead, secured at the developers' expense including public transport improvements sufficient to service the scheme or to integrate it with the surrounding area, the extension or bringing forward of on street parking controls/waiting restrictions, improvements to pedestrians and/or cycle facilities, traffic calming measures, acceptable road safety and essential highway improvements, not necessarily restricted to junctions and road lengths adjacent to the development, providing these improvements are limited to measures necessary to make the transport impact acceptable and management measures necessary to reduce car usage to an acceptable level (e.g. green transport plans). Such measures should be necessary for the scheme to go ahead and be related to the development, should be consistent with any existing or proposed parking controls and Local Area Transport Strategy covering the area and should not unacceptably divert traffic problems elsewhere. Wherever possible, measures should be completed before the development is completed/operational.

TRN10 The walkability of the public environment should be maintained and enhanced especially to key destinations such as schools, shopping centres and public transport and for those with mobility difficulties. New development should have safe walking routes which are overlooked, convenient and attractive within the site and to surrounding facilities and areas. These should normally be along streets or where not practical or desirable overlooked pedestrian routes. There should be level access at pedestrian crossing points

TRN11 - Developments should comply with the minimum cycle parking standards and site facilities in a convenient and, where appropriate, secure location.

TRN12 - Priority will be given to road safety issues, particularly those affecting the convenience and safety of vulnerable road users such as pedestrians and cyclists.

TRN14 –New highway layouts, visibility splays and accesses to and within developments should be designed to satisfactory standards in terms of safety, function acceptable speeds, lighting and appearance. There should be efficient internal circulation integrating with the existing road network in a convenient manner, including for emergency service vehicles, pedestrians, cyclists and buses.

TRN17 – New roadspace will be resisted unless necessary, inter alia, to provide essential access to or within regeneration areas, to provide essential access to and within a development site.

TRN23 - Parking for residential development should be to the standard specified in PS14. Lower standards apply for developments of affordable housing and units in town centres with good and very good public transport accessibility. Where development provides or retains off street parking at this level then on street parking will not be assessed. On local access roads outside heavily parked streets parking may be provided on-street for the frontage of the development providing this is safe and sufficient carriageway width remains.

TRN34 - Servicing required to standard

TRN35 - Access to parking areas and public transport within development should facilitate access for disabled people and others with mobility difficulties. Designated car parking spaces should be set aside for the exclusive use of disabled persons and comply with the Council's standards (PS15).

PS14 - Elderly Persons Accommodation Parking Standard 0.1 space per unit plus 1 warden's space.,

PS15 - 10% of spaces within 30 metres of the dwellings should be capable of being widened to 3.3 metres. Minimum of 1 space for developments of 10 units or more and should be marked and reserved for disabled persons.

PS16 - Cycle parking - 1 space per 5 staff

TEA7 - Small scale hotels will be permitted where they do not result in the loss of a site or accommodation whose best use is for residential purposes or would lead to a loss of a hostel which is needed for homeless accommodation for Brent residents, the scale and intensity of use does not have an adverse impact on residential amenity or character of the area, the original unextended floorspace is at least 150 square metres, it is in an area with moderate or better public transport accessibility, the design is sensitive to and compatible with the character of the surrounding area, it does not create highway safety or traffic problems and preferably located on the London Distributor road network.

## **SUSTAINABILITY ASSESSMENT**

The initial sustainability checklist submitted on behalf of the applicants produced a score of 50.5 % which places the scheme just within the 'very positive' rating.

To ensure these responses are addressed by the applicant if the proposal were to be implemented, these requirements would need to be incorporated within a Section 106 Agreement.

## **CONSULTATION**

Transportation - No objections subject to a Section 106 Agreement to secure £7,500 towards non car access, new parking controls and highway safety improvements in the area.

The proposal will increase the number of bedrooms in the home from 28 to 81 and the maximum staff numbers will increase from 6 to 12. The parking standard for nursing homes allow a maximum of 1 space per 10 bedrooms and the provision of 7 spaces is acceptable as there are good public transport links. The applicants claim the 12 staff members will not be driving to and from the workplace. The facility for two cycles shown adjacent to "stair 3" is acceptable.

Refuse storage has been suitably provided close to the proposed crossover, however the marked "turning bay" in between parking spaces 6 and 7 is very clearly not wide enough or deep enough to allow a refuse truck to enter the site, turn and leave in a forward gear. It might be preferable for such vehicles to pause on Craven Road while bins are collected, outside peak hours. An additional car parking space in place of the inutile bay would be acceptable. The proposed access marked 'pedestrian access' is wide but no longer as a large crossover. This was previously raised as a concern and it is welcomed that it has been deleted from the plans.

Landscape - There are no features of landscape importance of the road frontage.

To the rear is a London Plane by parking spaces 1 - 3 shown to be retained. It is very poor condition (hollow and actively decaying and it has previously been pollarded). It would be safe to retain in the short term provided no root damage occurred during the construction works. However it is not of sufficient value to justify any change to the design and layout to retain the tree.

To the South of the building is a Horse Chestnut shown for retention which is a fairly good specimen with no obvious defects. It is unbalanced, lacking branches on the building side of the tree. However it can be retained for many years.

The proposal provides adequate landscaping to the road frontages and the Craven Road frontages is improved from a landscape point of view. Potentially an improved frontage can be provided.

There are no defined standards for outside/amenity/garden space for nursing homes in the UDP. 2 spaces are provided associated with the dining room. The orientation is such that both will benefit from sunshine at some time of the day, either late morning or early afternoon. Whilst the spaces

are small they are probably sufficient for a nursing home use.  
If permission is to be granted, a standard landscape condition should be attached.

Social Services - Housing and Community Care Dept. welcome this application and supports the proposal.  
Brent lacks capacity in nursing home beds. A recent survey found 98% utilisation of nursing home beds in Brent.

The application was advertised in the local press, site notices were displayed and notification was sent to the local Members and occupiers of 53 properties in Craven Park, 9 in Craven Road and 38 in Knatchbull Road.

A letter was received from the Chairman of the Tenants Association in Bernard Shaw House was received objecting due to the :

1. loss of sunlight to flats 36 to 49.
2. the loss of privacy to flats 50 to 57 due to the height of the building.
3. the effect on the character of the area at a time when the Council is reducing the size of buildings in the surrounding area by pulling down the tower blocks and replacing with modern buildings.

## **REMARKS**

### Amendments to refused proposal

This application is a revision to the application that was refused at planning committee on 09/06/2006. Further pre-application discussion have occurred between the applicants and the Council's Officers. The revisions are set out as follows:

- 1) The number of bedrooms provided has been reduced from 56 to 53.
- 2) The building has been set further away from the neighbouring residential property at No. 28 Craven Park. However sections of this are still closer to the habitable room windows and higher than the existing buildings proposed for demolition.
- 3) The staircase on the flank wall of the building adjacent to no. 28 Craven Park has been removed.
- 4) The third floor section of the proposed building has been set back 1.1m from the main front wall of the 3-storey section of the proposed extension.
- 5) The proposed boundary railings have been reduced in height.
- 6) A brise soleil has been added to the corner feature.
- 7) The gates across the access to the car park have been removed and the wide pedestrian access also removed.

### Principle

Under the adopted Unitary Development Plan 2004 (UDP) policies there can be no objection to the loss of the present longstanding hotel use on this site. The provision of a replacement nursing home is considered to provide an acceptable alternative use, particularly in view of there being no loss of residential accommodation and the presence of an existing nursing home to the rear to which this use will be linked.

### Design, Appearance, Massing and Scale

In principle there is no objection to the demolition of the present buildings on site. However it is essential that in line with the built environment policies in the UDP set out above any replacement development makes an equal or greater contribution towards the streetscene and it relates to its context. This is a site fronting one of the major traffic routes through the Borough. It also occupies a very prominent corner site. At present on site are two houses that contain a number of interesting features and elements that are similar to the adjacent three properties to the West and are common to the established style of older property in the locality.

The new replacement development is sited further from the retained property to the West, with a gap of 2.7 metres being provided at the front. This gap is more than is presently the case and reduces the impact on the neighbouring property from that which was previously refused. The new building has an overall height of 10.9 metres that is 1.2 metre higher than main ridge of the detached dwellings to be retained to the West and a three storey parapet height, 8.8 metres, that is 1.9 metres higher than the eaves of the neighbouring properties to the West.

The glazed and lead feature on the corner that breaks through the Craven Road elevation provides an interesting feature to address this prominent corner. The use of the first and second floor rooms it serves as lounges will add to the visual interest and provide an interesting outlook for the residents.

On the Craven Road frontage the building is four storeys high overall, 11.5 metres high set back 3 metres from the back edge of pavement with a 16 metre long 1.2 metre forward projection from this. The pedestrian entrance sited on the forward projection of the Craven road frontage provides the development with a more prominent pedestrian entrance than the previous application. As this section of Craven Road Craven Road gradually falls to the South and at the Southern end of the frontage, it turns making the unrelieved second and third floor elevations set up on stilts a more dominant feature in the streetscene. Taking this part of the development to the boundary offers no setting for it. During the planning process the proposed entrance has been made more prominent along the Craven Road frontage. The development of the Craven Road frontage provides greater definition and informal surveillance of the public space along this section of the road.

Amendments to the design, including an increased set-back of the third floor behind a parapet wall and alterations to the proposed fenestration and materials so that they are more in keeping with the character of neighbouring buildings, have addressed previous concerns raised on the design and appearance of the proposed development.

#### Transportation issues

The number of parking spaces to be provided in conjunction with this extended home is considered to be acceptable. It is anticipated that waste collection lorries would wait in the highway and collect the bin from within the site as the area indicated on the submitted drawings for turning would be too narrow and the available height appears to be too low to accommodate a tall commercial vehicle. Expecting such a vehicle to reverse into or out of the access from Craven Road would involve a dangerous manoeuvre, notwithstanding this being a one way road.

#### Impact on the amenities of occupiers of neighbouring properties

The South elevation of the proposed development fronting Craven Road, which is part 11 metres/part 9m high and 9.2 metres deep, set at a slight angle with the furthest point being only 1 metre from this boundary, contains minor windows in the second and third floors. The proposed building will be sited 13 metres from the nearest point (rear corner) of the four storey building at Bernard Shaw House which is sited at an angle to the proposed development. The side elevation of Bernard Shaw House facing the application site contains no windows. The garden for this neighboring block is mainly confined to the rear of the building, with the clothes drying area sited behind the electricity substation adjacent to this side elevation of the application development. As a consequence, notwithstanding the lower level at which Bernard Shaw House sits in relation to the application site, it is considered there will not be any appreciable overlooking and the building will not have an overbearing impact on the amenities of the occupiers of these flats in the use of their properties and their garden. With Bernard Shaw House lying to the South of the application site there will be no impact on sunlight arising from the proposed development.

The buildings on the other (East) side of Craven Road, Dunchurch House are far enough away not to be affected by the application proposal, as indeed are the other properties to the East which lie beyond the railway bridge.

The properties to the North, on the opposite side of Craven Park, despite the proposed building being taller and bulkier than the existing properties will not be significantly affected other than in terms of their outlook being altered by this proposal.

There is some impact on the amenities of the occupiers of the recently provided flats within the remainder of the former hotel to the West of the application site. However the proposed building is set further away from side elevation of No 28 Craven Park. The East side elevation of 28 Craven Park is sited on the boundary with the application site. In the approved scheme for the flats there are no windows to habitable rooms on the East side elevation of the first and second floors of 28. However on the ground floor, which has been previously extended the depth of the site, there are three habitable rooms (a kitchen within the rear of the main part of the property, a bedroom and a living room within the rear extension) where the sole source of lighting and outlook is from a window in this side elevation facing the application site. These windows face, in the case of the kitchen the side three storey wall of the main property of No.26 approximately 2.5 metres away, whilst the other two windows face a 6 metre wide courtyard beyond which is a similar flat roofed single storey extension to the rear of 26. Whilst these gaps did not meet the requirements of Supplementary Guidance 17 'Design Guide for New Development' (SPG17), a view was taken when dealing with this application that these deficiencies could be accepted as an exception as there was no other way of providing lighting and outlook to these proposed rooms and in view of the overall benefits deriving from allowing these properties to be converted from a redundant hotel to much needed residential accommodation.

The developer, who also owns the property at No. 28 Craven Park, has offered to reconfigure the layout of No. 28 so that there are no longer any habitable-room windows on the flank wall of this property. As this solution creates other problems and given that the proposed block is further from No. 28 than the existing building it replaces, the Council's officer believes that the existing layout is acceptable.

Under the application proposal, the front 6.8 metres of the development is sited 2.7 metres from the side wall of no. 28. This extends up three floors (9 metres), approximately 1.5 metres above the eaves level of the present building at No. 26. The third floor is to be inset 1 metre from the side elevation and set back 3.2 metres at the front. To the rear of this latter element is the dining room extension, 3 - 3.2 metres high, with its curved elevation which almost touches the side wall of No.28.

Although the three/four storey development extends behind the rear elevation of No. 28, the nearest affected windows in the flats at this neighbouring property serve bathrooms and with respect to the habitable room windows in the rear elevation, it would appear this development will comply with the 2:1 policy as set out in SPG17.

#### Landscaping

The proposal provides a 2.5 - 4.5 metre deep landscaped area on the Craven Park frontage which will be slightly shorter than existing. On the Craven Road frontage landscaping strips of 3 metres and just less than 2 metres are proposed. These will allow for some planting to be provided to offer some defensible space in front of the ground floor bedroom windows. In this respect it should be noted the Craven Park elevation faces North. Such planting will offer the opportunity to provide a setting for the development although this has to be viewed in terms of the height of the development and proximity to the back edge of the pavement. There is no detail of the planting provided to demonstrate whether it will possess the quality to integrate with the design of the building and make a significant contribution towards the streetscene.

The proposal provides a garden area varying in depth between 2.5 and 9 metres between the existing home and the car-parking and arm of the extension fronting Craven Road. The usefulness of this garden will be affected by its siting next to the car park and height and proximity to the proposed four storey development. The existing rear garden to the home is to be retained.



A landscaped courtyard is proposed to be provided at first floor level on the roof of part of the dining room. The usefulness of this area will be limited by a large rooflight serving the dining room sited within this area and the height of the adjacent three floors of accommodation on one side and the two storey link extension with a lead panelled top on the other, which will have an overbearing effect and limit what may be able to grow in this area. Planting on the roof will also be limited.

Despite the limitations outlined above, it is considered that adequate gardens can be offered to the residents of the 81 rooms and their visitors. The flat roofs of the extensions are proposed as green roofs which will contribute to the biodiversity of the locality. The scheme shows the provision of 1.2 metre high railings along the Craven Road and frontage with no further detail given. This treatment which will remove the high boundary walls and advertisement hoardings is considered acceptable in principle, subject to the details of the railings.

No boundary treatment is shown along the Craven Park frontage. At present there is a series of 0.6 metre high brick walls, some with piers with breaks to provide pedestrian accesses to the properties, to the front of the five similar properties 24 -32, along this section of this main route through the Borough. These form an attractive feature in the streetscene which should probably be retained in the interests of the visual amenity of the locality.

#### s106 contributions

At the site visit, Councillor Hashmi queried why the S106 contribution of £7,500 was not higher. This will be put towards sustainable transport measures and improvements in the local area, to mitigate the increased impacts on the local area and principal access routes. Further contributions were not sought as the proposed development will not result in an increase in rooms provided, due to the proposed demolition of the existing buildings in hotel use, and the nature of the proposed use providing on-site nursing care is such that it will have a limited impact on other services.

#### Conclusion

The amended scheme is considered to overcome the reasons for refusing the previous application. The proposed building will provide good quality accommodation for the elderly in an attractive building that makes a positive contribution to the street scene while achieving an acceptable relationship with adjoining buildings.

**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 relating to 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
- Transport: in terms of sustainability, safety and servicing needs
- Wembley Regeneration Area: to promote the opportunities and benefits within Wembley
- Design and Regeneration: in terms of guiding new development and Extensions

**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) 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 building.

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities by any work remaining incomplete.

- (3) 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.

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

- (4) Details of soft landscaping, including the retention of existing trees, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The soft landscape works shall be completed not later than the first planting season following the completion of the development. Following its completion, the soft landscaping scheme shall be maintained for a period of five years. If within this period, any tree, shrub or hedge dies, becomes diseased or is removed, it shall be replaced with another of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance, to ensure that the proposed development enhances the visual amenity of the locality and in pursuance of Section 197 of the Town and Country Planning Act 1990, as amended.

- (5) Details of external finishes to the building, including, where necessary, samples of the materials, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development which 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.

- (6) Details of the hard-surfacing of the parking and access areas, including where necessary samples of the materials, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, which shall be carried out in accordance with the approved details.

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

- (7) Details of the enclosure of the perimeter of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and the approved enclosure shall be completed in accordance with the approved details prior to the first occupation of any of the flats.

Reason: To ensure a proper standard of separation from, and standard of amenity with respect to, neighbouring property.

- (8) The existing vehicular crossovers shall be closed and reinstated as a footpath and car-parking spaces and associated accesses shall be formed, surfaced and available for use prior to the first occupation of any of the new accommodation. Thereafter, the parking spaces shall not be obstructed or used for any other purpose.

Reason: To ensure adequate car-parking and access is provided and retained in conjunction with the residential development hereby permitted in the interests of conditions of general highway safety and the free flow of traffic on the neighbouring highway.

**INFORMATIVES:**

None Specified

**REFERENCE DOCUMENTS:**

2809/P01 Rev C; P01 Rev C; P02Rev C; P03 Rev C; P04 Rev C; P05 Rev C; P06 Rev C; P09 Rev C; P10 Rev C & P11 Rev C.

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5376