

	Planning Committee Map
Site address: Tiverton Youth & Community Centre, Wrentham Avenue, London, NW10 3HN	
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RECEIVED: 14 February, 2011

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Tiverton Youth & Community Centre, Wrentham Avenue, London, NW10 3HN

PROPOSAL: Erection of single storey glazed extension to the Wrentham Avenue frontage, external seating area, inclusion of a swimming pool (use class D2) within the building (in place of the originally approved hall area) and other alterations, including tree planting, erection of boundary wall and provision of a green wall at ground floor level fronting Wrentham Avenue.

APPLICANT: WAQF AL BIRR FOUNDATION

CONTACT: Burke Rickhards

PLAN NO'S:
See Condition 2.

RECOMMENDATION

Approve.

EXISTING

The former Tiverton Youth and Community Centre is a former church building situated on the northwest corner of Tiverton Road and Wrentham Avenue. The building is currently vacant.

The adjoining properties on Wrentham Avenue and Tiverton Road are residential properties, the immediate neighbour to the west being a post-war housing block, with 1930s semi-detached and terraced properties to the south. Residential uses characterise the area, although the Queen's Park School and community college is 200m to the northwest. To the opposite side of Tiverton Road to the northeast is the Tiverton Green Public Open Space.

The building is not listed (statutory or locally) and is not within any conservation area or area of distinctive residential character (ADRC).

PROPOSAL

This application seeks consent for the erection of a single storey glazed extension to the Wrentham Avenue frontage, the creation of an external seating area, the inclusion of a swimming pool (which falls within use class D2) within the building (to be provided in place of the originally approved hall area) as well as other alterations. These would include tree planting on site, the erection of a boundary wall and provision of a green wall at ground floor level fronting Wrentham Avenue. The submitted drawings indicate that a creche will be provided on the site, ancillary to the main activities undertaken in the building. Creches also fall within use class D1 which is the lawful use of the building.

HISTORY

Members may be aware that the site has been the subject of a number of planning applications over the years.

98/0988 – Planning permission **granted** in October 1999 for erection of single-storey front and side extensions and alterations to lower ground-floor to provide caretaker's flat, reading rooms, conference room and entrance foyer, provision of access for the disabled through lift within proposed tower, and continued use of the premises as a community centre/religious centre within Use Class D1.

01/1613 – Planning permission **granted** in October 2001 for variation to planning permission 98/0988 involving raising the enclosure around the stairwell on the Wrentham Avenue frontage, replacement of the roof with blue/black fibre cement slates and removal of the timber cladding and aluminium louvres around the existing lantern and its replacement with glazing.

01/1716 – Planning permission **granted** in October 2001 for variation to planning permission 98/0988 to include new internal fire-escape staircase, rearrangement of caretaker's flat on lower ground and mezzanine floors and additional plant room on upper floor.

01/2719 – Details **approved** in January 2002 of landscaping pursuant to condition 10 of planning permission granted under references 01/1613 & 01/1716, dated 03/10/2001, for erection of single-storey front and side extensions and alterations to lower ground-floor to provide caretaker's flat, reading rooms, conference room and entrance foyer, provision of access for the disabled through a lift within the proposed tower, and continued use of the premises as a community centre/religious centre within Use Class D1, to include new internal fire-escape staircase, rearrangement of caretaker's flat on lower ground and mezzanine floors and additional plant room on upper floor.

06/0052 – Outline application **withdrawn** in March 2006 for demolition of existing building and erection of part 3-storey and part 6-storey building comprising a Medical Centre, Community Centre and 24 self-contained flats.

07/0340 - Erection of a single-storey front extension, single-storey and two-storey side extension, single-storey and two-storey opposite side extension, single-storey and three-storey rear extension and a 19.4m high, stair-tower extension with a glazed link at the second floor, formation of 1 self-contained, one-bedroom caretaker's flat, alterations to roof materials and windows level to former church building (Use Class D1 - non-residential institutions), and continued use for purposes within Class D1, including use as a community centre centred around the Islamic faith but accessible to all, and incorporating a range of uses including gymnasium/games space, creche, exhibition space, performance space, and ancillary coffee shop and bookshop and office space (as amended). **Approved** 19 June 2007.

08/1509 - Erection of a single-storey front extension, single-storey and two-storey side extension, single-storey and two-storey opposite side extension, single-storey and three-storey rear extension and new stair/cooling tower reduced in height with a glazed link at the second floor including open gallery, formation of 1 self-contained, one-bedroom caretaker's flat, alterations to roof materials and windows level to former church building (Use Class D1 - non-residential institutions), and continued use for purposes within Class D1, including use as a community centre centred around the Islamic faith but accessible to all, and incorporating a range of uses, including gymnasium/games space, creche, exhibition space, performance space, and ancillary coffee shop and bookshop and office space. **Approved** 10 September 2008.

POLICY CONSIDERATIONS

Brent Unitary Development Plan 2004

STR11 – The quality and character of the Borough's built and natural environment will be protected and enhanced; and proposals which would have a significant harmful impact on the environment or

amenities of the Borough will be refused.

STR14 – New development will be expected to make a positive contribution to improving the quality of the urban environment in Brent by being designed with proper consideration of key urban design principles relating to townscape (local context and character), urban structure (space and movement), urban clarity and safety, the public realm (landscape and streetscape), architectural quality and sustainability.

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, or have an unacceptable visual impact on Metropolitan Open Land. 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 – Relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.

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, 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 treatments which complement the development and enhance the streetscene and screening of access roads and obtrusive development from neighbouring residential properties.

BE7 – A high quality of design and materials will be required.

BE9 – Creative and high-quality design solutions (for extensions) specific to 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 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.

CF2 - Location of small scale community facilities.

SUSTAINABILITY ASSESSMENT

Not applicable.

CONSULTATION

A total of 220 letters were sent out to local residents in February 2011. In addition, Ward Councillors serving Queens Park and Brondesbury Wards were also notified of the proposal at the same time. In response to this consultation a total of 15 letters of objection and 135 letters of support were received.

The objections related to the following:

- creation of glazed balustrading onto Tiveton Green (subsequently deleted from the scheme).
- query the choice of planting for the site.
- replacement trees must be substantial and these aren't. The applicants have previously removed perfectly good (TPO) trees and they must be replaced at the same quality.
- although extension reduced in size it remains inconsistent with the style required for the building.
- too much "green wall." Potential to be scruffy and unkempt.
- idea of a public swimming pool is ridiculous. There is already one within walking distance.
- health concerns concerning swimming pool, chemicals and noise from associated pumps.
- a leisure centre is proposed. Too many people with resulting traffic problems.
- this is not a D1/D2 use, but is pure D2.
- disturbance/nuisance is likely to local residents.
- need to clarify the use of the pool. Must not be able to be used by only one section of the community.
- skeptical about the proposal. Work has stopped on site due to financial problems so the larger scheme is unlikely to happen.
- the previously proposed single storey extension onto Wrentham Avenue has been built as a two storey structure.
- insufficient consultation has taken place.

The letters of support stated that the swimming pool would provide a valuable enhancement to the range of facilities available in this part of the Borough. It, when considered alongside the other activities proposed for the Centre, will be at the heart of the community. Reference is made to the importance of the proposal for children and the need for them to be active. For the avoidance of doubt, the majority of letters of support come from people who were not consulted on the original application, with more than one letter coming from particular properties (although from different householders) in a number of instances.

In response to changes to the submitted scheme, including the provision of tree planting on the site, all those previously consulted about the proposal were re-notified on 19 July 2011. A total of 6 objection letters have been received from residents who had previously written in connection with the application.

ENVIRONMENTAL HEALTH OFFICER

A resident has made specific comments about the provision of a swimming pool and possible health impacts for people living nearby. The Environmental Health Officer states that:

- chemicals used to clean the pool, such as chlorine, are under strict control. Where hazardous chemicals are used they would be subject to stringent measures for use and storage and therefore should not give rise to nuisance odours.
- operators are required to conduct risk assessments and regular testing to prevent spread of *Legionnaires disease*. Well-operated pools should not normally contain *Legionella* species.

They say that there are not normally any checks or specific requirements that they would require to be undertaken and that the measures the operator would be required to take would mean that there would be no grounds for objecting to the proposed use.

TRANSPORTATION OFFICER

No objection. See detailed comments in Remarks section below.

LANDSCAPE DESIGNER

No objection. See detailed comments in Remarks section below.

URBAN DESIGNER

Originally objected to the proposal, but amendments have overcome those original concerns

REMARKS

INTRODUCTION

Some Members will be very familiar with the background to this particular site. Planning consent was granted for a development of the site as a community/religious centre in October 2001 and a revision to that scheme (07/0340) was approved in June 2007. Both approved developments involved erecting extensions, including a tower feature, and at the time of considering the proposal in 2007 the applicants stated that the work that had taken place on the site was essentially common to both schemes.

A revised proposal (08/1509) that the applicants indicated was changed in order to take account of the level of objection expressed in the 2007 scheme was then submitted and approved at Planning Committee in September 2008. The changes did not involve re-visiting the principle of the community/religious centre itself, but rather centred on the tower element of the proposal, which became the focus for much of the objection when the matter was considered in 2007.

Works have not progressed on the site and the applicants have indicated that the revisions proposed here will allow this situation to change. Importantly for Officers, this application deals with the matter of trees on the site (or absence of them) which has been a long-standing unresolved issue in connection with the site. The matter is expanded on below.

As explained above, the original submission within this application generated some objection and a good deal of support, organised by the applicants. The changes to that scheme, on which a second round of consultation took place in July, involved:

- provision of tree planting along the Wrentham Avenue frontage.
- removal of external outside terrace on Tiverton Road frontage.
- reduction in the size of the glass extension on Wrentham Avenue elevation.
- further details of proposed boundary treatments.
- clarification that the proposed use is a hybrid D1/D2 use to take account of the fact that a swimming pool falls within the D2 use class, whilst the building has previously been a D1 use.

INTRODUCTION OF SWIMMING POOL

As explained above, the use of the building falls within use class D1 (non-residential institutions). Therefore, in the past the planning applications have related to the physical works proposed to the building, rather than the use itself which has never changed. For the information of Members, activities within Class D1 include, but are not limited to, a church (the original use of the building) or any other centre of religious worship or education including a mosque, a community centre, a creche, medical centre, library museum or public hall.

It is evident that the applicants continue to see the proposed use of the building as a community centre that would be centred on the Islamic faith, although it would be open to the public. The hope is that it would provide opportunities for members of the wider community to engage in activities at the centre or learn about the Islamic faith.

This application involves retaining the vast majority of the community uses/spaces proposed previously, but also includes the replacement of the approved 2008 hall with a swimming pool in the centre of the building. The submitted drawings indicate that the pool would be 15 metres long by 5.7 metres wide and be accompanied by associated changing facilities, as well as a sauna and a spa pool. A swimming pool actually falls in the D2 use class (assembly and leisure) and as a result it has been necessary to expand the scope of the development in order to include the change of use to swimming pool (class D2). The Council is now formally considering a hybrid D1/D2 use and all third parties have been re-consulted on this change.

The Council has policies which seek to protect D1 uses through the planning process. However, it is clear that in terms of this application, the proposal is for a D2 use (in this case a swimming pool) that would enhance the overall level of community facilities available within the building and that the range of uses proposed would be complimentary to each other. The application is acceptable in policy terms.

The Council is keen to encourage access to leisure/sporting facilities throughout the Borough wherever possible and Officers have sought to ensure that the pool would be available to as many people, groups of people, as possible, notwithstanding the relatively limited size. To this end, the applicants have confirmed that this would be their intention. Specifically, in addition to the opportunities for single sex bathing sessions, it is intended that local schools would also be able to use the pool and that the general public would have access to it in the evening, via a membership arrangement. It is suggested that a management condition be attached to any consent securing the specific details of the pool use.

Comments have been raised about the possible health implications for local residents as a result of the inclusion of a pool, in terms of fumes, use of chemicals, etc. As explained in the Consultation section of this report, the Council's Environmental Health Officer has looked at these concerns and does not feel that there would be likely to be any nuisance, or health problems, arising from the pool.

LANDSCAPING

One of the key issues when schemes were determined in 2007 and 2008 was the matter of trees and landscaping on the site. For information, the site is subject to a TPO where 10 trees were protected. Seven of the trees have been removed from the site, as was authorised by the original permission to develop the site (98/0988, October 1999) subject to details of replacement planting and landscaping. A section in the 2008 report to Committee read:

"A further three TPO trees were removed without any authorisation in about October 2000. In investigating the removal of these trees, Officers have also maintained that they must be adequately replaced at the completion of building works at the site. Subsequent permissions amending 98/0988 (ref: 01/0613 and 01/1716) were granted in October 2001 also authorised removal of the trees subject to conditions requiring details of landscaping and planting to be approved. These details were approved in January 2002 (01/2719) and showed 5 trees re-provided on site along the Wrentham Avenue frontage.

Until they stopped relatively recently, works have been ongoing on site, and the 2007 application was considered to represent an opportunity to ensure that the replacement planting and landscaping at the site accords with policy. A condition is attached to ensure that the quality of planting and landscaping implemented at the site is acceptable, and is at least commensurate with that approved in January 2002. There is considered to be sufficient space within the site for new,

and appropriate, landscaping and tree planting."

Discussions have taken place between the applicants and the Council's Landscape Design Officer. As a result, the precise details of planting are shown on the submitted drawing and will not, therefore, need to be the subject of a conditional submission in the future. The size and species of trees have been agreed and Officers consider that the proposal would assist in greening the site and re-introducing landscape features to it which, as explained above, has been a long-standing aspiration/requirement of the Council.

Objectors have queried the choice and appropriateness of the planting proposed for the site. This has been put to the Council's Landscape Design Officer who has responded as follows.

Pyracantha is generally an excellent choice when maintained. It presents an impermeable barrier with thorns that have come about as an evolutionary response to browsing from herbivores. If not maintained, Pyracantha like any other shrub suitable for hedging, can become problematic. In specifying it, the Landscape Designers are looking for a hedging shrub with good biodiversity and consider that if regularly maintained it remains an appropriate choice for this site.

The proposed front elevation to Tiverton Green proposed a green wall on it and this is now also proposed for the central element of the Wrentham Avenue elevation. Green walls do need to be carefully thought through and maintained if they are to work successfully and if that is the case can become attractive landscape features. A condition is proposed to be attached to any future permission which should ensure that it is appropriately installed and maintained in the future.

EXTENSION TO WRENTHAM AVENUE FRONTAGE

The application proposes the erection of a single storey glazed structure to the side of the building fronting Wrentham Avenue. Submitted plans indicate that space within it would be used in connection with a proposed cafe area. Following amendments the extension has been reduced in size so that it would now be 8.5 metres wide, but only 1.6 metres in depth. It would be located between an original part of the building at the junction of Wrentham Avenue and Tiverton Road (essentially under the tower feature) and an extension previously approved.

There is a change in levels here which the applicants are intending to take advantage of allowing the extension to be below the Wrentham Avenue footpath level. As a result of this, the visual impact of the extension will be minimised and this, particularly when considered alongside the enhanced planting discussed above, means that it is considered that the impact of the extension on the streetscene would be acceptable. The proposal also involves the creation of an outside patio area to be used in association with the inside space. This has the effect of formalizing the use of the space fronting Wrentham Avenue, albeit in an informal way. There have been objections to this element of the proposal on the basis that it would be introducing a non-residential type of activity into what is essentially a residential road. This point is understood, but it is considered that the type and level of activity associated with the glazed extension and outside space, particularly given that it would be one element of the overall use of the building and ancillary to that use would not result in an unacceptable impact on residential amenity. A plan has been provided showing that the patio would be set below the pavement by approx. 1.0 metre and that the glazed extension would be 4.5 metres from the pavement edge. The use of the outside space is proposed to be restricted by condition.

For the avoidance of doubt, as mentioned elsewhere the building, and the land around it, does benefit from a lawful community use.

TRANSPORTATION ISSUES

The application site is located on the north-western side of WA, a local access road which is defined as being heavily parked. The site lies within CPZ "KS" which operates 08:00 – 18:30

Monday to Friday, and has moderate accessibility with a PTAL rating of level 3. Kensal Rise Station (Overground rail) is within walking distance of the site, however, and six bus routes are locally available. The site does not benefit from off-street car parking or vehicular access facilities, except for a servicing access and bay on the Wrentham Avenue frontage.

The Council's Transportation Engineer is of the opinion that the indoor swimming pool will not have a noticeable effect on Highways & Transport Delivery considerations, except in that there may be a difference in visitor numbers between the proposed pool and the existing hall. This also applies to the proposed glazed extension to the premises, which does not add significant amounts of floorspace.

The application form lists the proposed number of employees as eight full-time staff, two part-time staff. Parking standards for D1 uses are set out in PS12 of the UDP-2004, whereby 1 car space can be permitted per 5 staff members. Policy PS10 relates to Assembly & Leisure uses (D2) and states that spaces equivalent to 1 in 60 patrons will be allowed. The space to staff ratio is the same as D1. While the site does not provide off-street car parking, it has a large enough street frontage to accommodate up to 2 no. car spaces, despite the street being heavily parked in the evenings.

As explained above, part of the site is intended to operate a crèche. This could mean numbers of parents picking up and dropping off infants at the site, although it is envisaged by the applicants that the facility would be more likely to be used by parents attending the Centre itself on a more short-term basis. The crèche element of the use is not large and it is not, therefore, necessary to require any formal travel planning measures. For the avoidance of doubt, the creche would be ancillary to the main use of the building and it could not be run independently from that main use as the Tiverton Centre is one planning unit.

The submitted proposed external works plan lacks details of secure cycle parking. D1 facilities should provide cycle parking at a rate of 1 space per 8 staff and visitors. Whilst accepting the fact that this application does not envisage a new D1 use, the hybrid D1/D2 use should provide some bicycle parking facilities to meet the demands of projected visitor numbers. It should be possible to provide 12 cycle spaces on the site and the matter will be conditioned in any approval.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

- Brent Unitary Development Plan 2004
- Council's Supplementary Planning Guidance

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

CONDITIONS/REASONS:

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

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

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

- 2115-100.
- 2115-110A.
- 2115-120A.
- 2115-200C.
- 2115-201B.
- 2115-202B.
- 2115-203.
- A-2115-300C.
- 2115-301C.
- 2115-790-A.

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

- (3) The landscape works and planting shown on the approved plans shall be carried out:-

(a) prior to the occupation of any part of the development;

(b) in accordance with a programme agreed in writing with the Local Authority. The programme must include details of future maintenance arrangements.

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

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

- (4) The community centre shall not be used outside the hours of 0900-2100 from Sunday to Thursday and 0900-2300 on Fridays and Saturdays. The external patio area on the Wrentham Avenue frontage shall not be used outside the hours of 0900-0900 on any day.

Reason: To preserve the amenity of adjoining occupiers and the area generally.

- (5) The details of the proposed railings on the Wrentham Avenue elevation of the building shall not be other than those approved through this planning application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and for the avoidance of doubt.

- (6) No access shall be provided to the roof of the extension fronting onto Tiverton Road, by way of window, door or stairway and the roof of the extension shall not be used as a balcony or sitting out area at any time.

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

- (7) Further details, including maintenance arrangements, of the green wall, hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of this feature. Once installed, it shall be maintained in a healthy condition and any planting that is part of the approved scheme that, within 5 years of being planted, is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season with other planting of a similar size and species, unless the Local Planning Authority gives written consent otherwise.

Reason: To ensure a high standard of landscape design.

- (8) Details of adequate arrangements for the storage and disposal of refuse, food waste, and paper and cardboard waste, including litter bins inside and outside the premises, and means for collection, shall be submitted to and approved in writing by the Local Planning Authority and shall be installed prior to the commencement of the use hereby approved.

Reason: To protect the amenities of the locality and in the interests of hygiene.

- (9) Details for the provision of secure cycle-parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Once approved the details shall be fully implemented prior to first occupation of the building and permanently maintained,

Reason: To ensure satisfactory facilities for cyclists.

- (10) 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 the part of the building to which the materials relate. These samples should include the areas of hardsurfacing within the site, as well as brick piers. Once approved the details must be fully implemented, and permanently maintained, unless otherwise agreed in writing by the Local Planning Authority.

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

- (11) A Management Plan relating to the use of the swimming pool, including use by the general public and local schools, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use of the facility and any such plan, as is agreed, shall be fully implemented.

Reason: To ensure community use of the facility and assess likely highway implications of the use.

INFORMATIVES:

- (1) The applicant is informed that they must have regard, and adhere, to a number of planning conditions that were attached to planning permission 08/1509 relating to the development of this site.

REFERENCE DOCUMENTS:

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