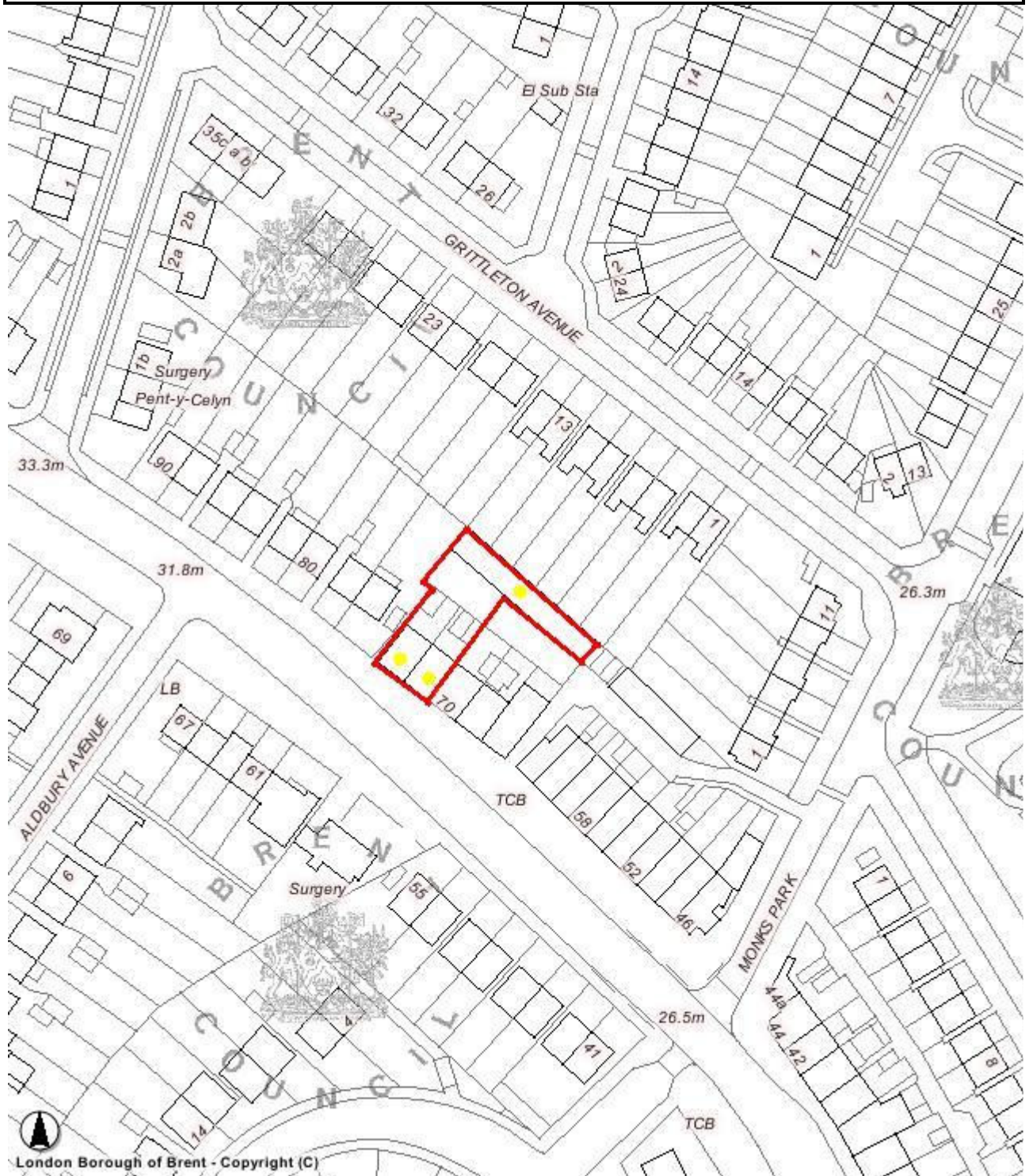




**Planning Committee Map**

Site address: 72, 72A, 74, 74A & Garages rear of 58-74, Harrow Road, Wembley, HA9 6PL

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This map is indicative only.

**RECEIVED:** 21 December, 2009

**WARD:** Tokyngton

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** 72, 72A, 74, 74A & Garages rear of 58-74, Harrow Road, Wembley, HA9 6PL

**PROPOSAL:** Retrospective planning permission is sought for the change of use of 74 Harrow Road from retail (Use class A1) to community centre and place of worship (Use class D1), to be used in conjunction with the existing community use and place of worship at 72 Harrow Road and for the change of use of garages to the rear to classrooms and washrooms ancillary to 72 & 74 Harrow Road and for the replacement of the existing frontage to the ground floor of 72 & 74 Harrow Road.

**APPLICANT:** Mr Muhammad Ata-Ullah

**CONTACT:** Mr Abdul Wajid

**PLAN NO'S:**  
See condition 2

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## **RECOMMENDATION**

Approve

## **EXISTING**

This application relates to two attached two storey units (72 and 74 Harrow Road) located at the end of a parade of shops designated in the UDP as the Monks Park Local Shopping Centre.

Formerly shops the ground floors of 72 and 74 have for a number of years been used as a place of worship and community centre by the Muslim community. The first floors provide ancillary office and community space. A row of lock up garages located behind the units on the opposite side of the service road that runs to the rear of the parade have been converted into small classrooms and washroom/toilet facilities ancillary to the community centre.

A covered veranda has been erected across the rear of the main buildings providing a shelter for the removal and storage of shoes.

The neighbouring attached property at 70 Harrow Road is occupied by the Monks Chemist. The unattached neighbouring property at 76 Harrow Road is a semi detached dwelling. The rear gardens of houses in Grittleton Avenue back on to the site.

Stonebridge Station is located approximately 450 metres from the site and the 18 bus runs past it.

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## **HISTORY**

### Relevant Planning History:

- 11/11/2005 Enforcement Notice served against the unauthorised erection of a large canopy across the rear service road behind 72-74 Harrow Road, the unauthorised erection of roller shutters to the front of both units and the unauthorised change of use both premises to a place of worship. The canopy was removed but the use had continued and the shutters to the front are still in place (E/04/0300).
- 30/07/1996 Planning permission granted for the Installation of a rear dormer and 2 front roof lights to 72 Harrow Road to provide room in roof space (96/0618).
- 12/10/1994 Planning permission granted for the change of use of 72 Harrow Road from a shop (use class A1) to a community and cultural centre and the erection of a single storey rear extension (94/1021).

## **POLICY CONSIDERATIONS**

### **Unitary Development Plan [UDP] 2004**

**BE2** – Townscape- Local Context and Character

**BE4** – Access for Disabled People

**EP2** – Noise & Vibration

**H22** – Protection of Residential Amenity

**TRN3** – Environmental Impact of Traffic

**TRN4** – Measures to Make Transport Impact Acceptable

**TRN22** – Parking Standards Non-Residential Developments

**TRN24** – On-street Parking

**TRN34** – Servicing in New Development

**TRN35** – Transport Access for Disabled People

**SH16** – Local Centres

**SH19** – Rear Servicing

**CF2** – Location of Small Scale Community Facilities

**CF14** – Places of Worship

### **Brent Core Strategy – July 2010**

**CP16** – Town Centres & the Sequential Approach to Development

### **Main Considerations;**

Principle of D1 use in this location

Impact on amenity of nearby residential neighbours

Transportation impact of proposed change of use

Parking provision

## **CONSULTATION**

### Local Consultation

56 neighbouring properties were consulted including properties on both sides of Harrow Road and in Grittleton Avenue.

1 response received from a neighbour occupying a flat located above one of the shops located further down the parade at 64 Harrow Road. They express concerns about the appropriateness of such a use in a residential area, the disturbance and congestion caused by people coming and going from the centre and its impact on safety.

Ward Councillors and officer of relevant Council services were also consulted.

## **REMARKS**

This planning application is largely retrospective and the changes of use proposed to 74 Harrow Road and to the lock up garages located on the opposite side of the service road running behind the parade have already occurred and according to Council records have now been operating for over 5 years. 72 Harrow Road already has planning permission granted in 1994 to operate as a community and cultural centre although a condition was attached to this consent prohibiting its use as a place of worship.

### **Principle of D1 use**

Policy SH16 states that within local shopping centres non-retail uses will be permitted where the proposed use is considered appropriate, as identified by Policy SH6, or provides an essential service to visiting members of the public, and will result in no more than 35% of the shop units being in non-retail use.

A survey of the parade has been carried out on 26/04/11 and this reveals that the parade (including the Islamic Centre) currently has 31% of its frontage in non retail use. The proposed change of use is therefore compliant with policy SH16.

Policy CF2 states that proposals for small scale community facilities serving a neighbourhood should be located in or adjoining a town or local centre, which this would be. However proposals for such facilities are also subject to the protection of neighbourhood amenity.

Policy CF4 support proposals for community facilities capable of holding functions while policy CF14 allows the provision of religious meeting places but only where there will be no significant loss of residential amenity or unacceptable transport impact.

In light of the above there is no in principle policy objection to a community centre (Use Class D1) in this location, subject to demonstration that the use would be acceptable in terms of its impact on parking, traffic and local amenity.

### **Impact on amenity of neighbouring occupiers**

The submitted design and access statement accompanying the application states that the number of visitors vary in number throughout the week. On a daily basis the centre is expected to receive around 20 people. However on a Friday the centre typically receives around 150 people over 1 hour period around lunchtime for the Jummah Prayer.

For most of the week therefore the centre experiences relatively modest attendance, which is reflected in the lack of complaints that the Council has received about the use over the last 5 years. Whilst 150 people attending over an hour period seems a relatively high number, the fact that it is confined to a narrow period in the middle of a week day, one day a week reduces its impact on the amenities of neighbouring occupiers.

The only complaint on record relating to the use of the site as an Islamic Centre was 6 years ago when a resident in Grittleton Avenue complained that the service road behind the centre had been covered over in order to provide a sheltered area for worshippers. This structure has been removed and no further complaints have been received.

In order to ensure that the use continues to operate without impact on the amenity of neighbours, conditions restricting prayers to within the building, prohibiting the use of amplified sound, limiting the number of visitors, the hours of use and requiring the completion of a noise survey and implementation of a scheme of mitigation if required by the survey are suggested.

### **Transportation impacts**

Policy TRN3 states that where a planning application would cause or worsen an unacceptable environmental impact from traffic generated it will be refused, including where the anticipated level of car generation/attraction is greater than the parking to be provided on site, and any on-street parking would cause unacceptable traffic management problems.

The relatively low levels of use over most of the week do not raise any cause for concern. However clearly the intense period of activity centred around Friday prayer does have a potentially significant impact. The submitted design and access statement and travel plan state that the majority of people attending live less than 1.5 miles from the Centre and that most do not drive. The travel plan makes unsubstantiated claims about the relatively low levels of car use by visitors. While no doubt the Centre does generate additional parking in the area, the Friday lunch time peak occurs at a time when on street parking levels are at their lowest hence the lack of complaints about the use of the Centre. However it is recommended that should members be minded to grant permission that a condition be attached requiring the submission and approval of a more detailed travel plan setting measurable targets to reduce and limit car travel. Policy TRN4 states that where transport impact is found to be unacceptable measures will be considered which could acceptably mitigate this, including management measures to reduce car usage to an acceptable level (e.g. green transport plans).

The applicants state in their application that they intend to install cycle stands to encourage cycle use. A condition is proposed requiring further details and a period for compliance.

A report was presented to October's Highways Committee on a petition by members of the Islamic Centre seeking the introduction of a new pedestrian crossing on Harrow Road south of Aldbury Avenue. The petitioners are concerned about access to Islamic Cultural Centre for the elderly and disabled. The report concluded that:

- i. There is no significant personal injury accident evidence to support the introduction of a new pedestrian crossing in the area,
- ii. a pelican crossing already exists within 60 metres of the Cultural Centre and
- iii. physical constraints on the public highway restrict the opportunity of introducing additional pedestrian facilities.

The report concludes that no changes should be made to the arrangements currently in place.

### **Replacement frontage**

The frontage to 72 and 74 Harrow Road is currently in a poor state of repair with the steel security shutters permanently down. This application proposes the replacement of the old shop fronts with a new frontage more in keeping with its use but still providing ground floor windows that provide a degree of visual interest.

### **Conclusion**

Whilst a use of this nature is rarely going to be impact free, the low level of complaint received about this use in the last 5-6 years indicates that subject to the conditions set out at the end of this report the proposed continuation of the site as an Islamic cultural centre and place of worship can be supported.

**RECOMMENDATION:** Grant Consent

## REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home

## 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) Within 3 months of the date of this permission a Travel Plan shall be submitted to and approved by the Local Planning Authority, and the applicants shall comply with any measures set out in the approved plan unless otherwise agreed in writing by the Local Planning Authority. Such measures shall (i) consider ways to encourage the use of public and sustainable transport methods, including bicycle, rail and bus routes and discourgae the use of cars, and (ii) include measurable targets to reduce car use linked to an I-trace compliant Travel Survey.

Thereafter the Travel Plan shall be monitored on an annual basis to create snap-shot surveys in accordance with ITrace/ TRAVL and the results shall be submitted to the Local Planning Authority on an annual basis and the results of the ITrace-compliant monitoring incorporated into the submission requirements below:

a)Within 3 months of the date of this decision, a Travel Plan that is compliant with the TfL "Guidance for workplace travel planning for development", with a site and staff ITrace- compliant survey and these details shall be submitted to the Local Planning Authority and this plan shall be approved in writing within 6 months and associated measures shall be implemented unless otherwise agreed in writing by the Local Planning Authority;

b)A review of the Travel Plan measures over the first 12 months from the approval of the Travel Plan required by part (a) shall be submitted to the Local Planning Authority within 15 months of that approval, and shall be approved in writing within 18 months, and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority

c)A review of the Travel Plan measures over the first 3 years from the approval of the Travel Plan required by part (a) shall be submitted to the Local Planning Authority within 36 months of the decision date and the review shall be approved in writing within 39 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority

d)A review of the Travel Plan measures over the first 5 years from the approval of the Travel Plan required by part (a) shall be submitted to the Local Planning Authority within 60 months of the decision date and the review shall be approved in writing within 63 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the transportation impacts from the additional employees are limited and sustainable transportation alternatives are provided for and promoted.

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

112/pl/01  
112/pl/02  
112/pl/04  
112/pl/05  
112/pl/01

Design and access statement

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

- (4) No music, public address system or any other amplified sound shall be installed on the site which is audible at any boundary outside the curtilage of the premises.

Reason: To safeguard the amenities of the adjoining occupiers.

- (5) No acts of worship or prayer shall take place outside the building without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of neighbouring occupiers.

- (6) Details of any air conditioning, ventilation and flue extraction systems including particulars of noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved details shall thereafter be fully implemented.

Reason: To safeguard the amenities of the adjoining occupiers.

- (7) Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the new shop front. 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.

#### **INFORMATIVES:**

None Specified

Any person wishing to inspect the above papers should contact Mumtaz Patel, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5244