

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
09
18/1636

SITE INFORMATION

RECEIVED	30 April, 2018
WARD	Kensal Green
PLANNING AREA	
LOCATION	74 Park Parade, London, NW10 4JB
PROPOSAL	Conversion of a vacant commercial unit into 2 No. residential flats (2 x 2 bed) with associated internal alterations; new front flat doors, external fence and winter garden
PLAN NO'S	Please see Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_139729</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/1636" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission and that the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions:

1. Time
2. Approved Drawings
3. Materials to Match
4. Restriction of access to residential parking permit
5. Mix/Size of unit
6. Details of Railings
7. Details of Landscaping
8. Details of Cycle Storage

Informatives:

1. Party Wall Act
2. CIL Liability
3. London Living Wage
4. Fire Safety Standards

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

SITE MAP



Planning Committee Map

Site address: 74 Park Parade, London, NW10 4JB

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This map is indicative only.

PROPOSAL IN DETAIL

Conversion of a vacant commercial unit into 2 No. residential flats (2 x 2 bed) with associated internal alterations; new front flat doors, external fence and winter garden.

EXISTING

The site comprises of a vacant ground floor corner commercial unit with residential (1-21 Freestone Court) above, on the corner of Park Parade and Willows Terrace. Immediately to the east, on the junction with Leghorn Road is 1-12 St Josephs Court, a purpose-built block of flats.

The site is not located within a Conservation Area or contains any heritage assets. In addition, it is not within the Harlesden District Centre.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are:

The loss of a vacant retail unit, albeit outside of the designated Harlesden District Centre boundary, any resulting impact on the vitality and viability of the Harlesden District Centre, and whether this is outweighed by the provision of additional residential accommodation.

The quality of accommodation of the proposed units.

RELEVANT SITE HISTORY

Planning permission (ref: 13/3702) was granted in April 2014 for the erection of a part three, four and five storey building with a set back fifth storey accommodating 21 flats and ground floor A1 retail use, together with associated cycle storage, landscaping and amenity space subject to a Deed of Agreement dated 2nd April 2014 under Section 106 of the Town and Country Planning Act 1990, as amended. This scheme provided for 100% affordable rent and the commercial unit was restricted to A1/A2 Uses (excluding betting shops/bookmakers).

Planning permission (ref: 13/0507) was granted in June 2013 for the erection of a four and five storey building accommodating 22 flats, ground floor A1 and/or D1 floorspace and retention of electricity sub station and subject to a Deed of Agreement dated 31st May 2013 under Section 106 of the Town and Country Planning Act 1990, as amended.

Planning permission (ref: 12/0915) was granted in July 2012 for the erection of a four and five storey building accommodating 22 flats, ground floor A1 and/or D1 floorspace and retention of electricity sub station and subject to a Deed of Agreement dated 24 July 2012 under Section 106 of the Town and Country Planning Act 1990, as amended.

CONSULTATIONS

Letters were sent to the occupiers of 50 neighbouring and nearby properties on 16/05/2018.

Ten objections have been received raising some or all of the points below, together with officers' responses:

Comment	Response
I have not seen a public notice associated with the property	The consultation undertaken complies with statutory requirements and no press notice or site notice is required in the case of minor developments outside of conservation areas. However, due to the significant number of residents in the immediate vicinity who would not

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	have received a letter, two site notices were also posted: on Park Parade and Willows Terrace.
The conversion of commercial to residential causes a high street to lose its vitality, having a detrimental effect on community cohesion.	As part of a borough wide review of town centre boundaries, the Harlesden Town Centre boundary was adjusted to strengthen its vitality and viability.
The conversion is contrary to the new London Plan/the current London Plan/SPG/Neighbourhood plans.	As set out within the report, the application has sufficient regard to policies within the London Plan (adopted and draft) and the draft Neighbourhood Plan.
This stands against all efforts of Harlesden Area management, neighbourhood groups and the SPG to attract investment and an interest new businesses to establish themselves in this area	The town centre boundary was adjusted to strengthen its vitality and viability.
We need more commercial properties to improve the community on Park Parade not more tiny residential flats too small for people to live in	The two residential units exceed minimum standards and are of a size identified within the draft Neighbourhood Plan as being of greatest need.
The Harlesden Neighbourhood Forum has identified Harlesden's commercial areas (Station Road/High Street Harlesden/Park Parade) as areas which should be encouraged to convert current ground floor residential use back to commercial use and to strongly discourage any change of use away from current commercial	The NP only identifies Station Road as the only exception where the net loss of housing would be acceptable, particularly where former ground floor commercial units have been converted to residential use. This is to support the aim of the extension of the town centre to Willesden Junction Station (draft NP, para.6.36).
This will set an unwanted precedent	The local planning authority must assess each application in accordance with the policies in the adopted Development Plan, with each application assessed on its own merit. The proposal would bring a vacant section of a building into use and provide 2 homes.
For many of the reasons set out in the pre application advice, the units are poorly designed and lack meaningful outdoor amenity space, unlike the purpose built units in the remainder of the building.	The pre-application advice suggested that the internal layout could be improved. The internal space proposed is not unacceptable. It is not always possible to provide amenity space in conversion schemes.
The incorporation of the restricted forecourt to form a so-called Winter Garden is totally unusable as outdoor space for residents and will serve only as a litter bin for pedestrians	The "winter "garden" is not private amenity space but provides defensible space in front of the units to assist in providing some privacy for the occupiers. This area adds to the quality and of the proposed dwellings. It is not dissimilar to the space in front of St Joseph's Court.
Losing active frontage will lead to increased anti-social behaviour at a location subject to various Met Police/Council dispersal orders.	The units has been vacant since completion, therefore there is no loss of active frontage. Having a residential use will increase activity and passive surveillance.

POLICY CONSIDERATIONS

The London Plan

Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.8	Housing choice
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.15	Water use and supplies
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.19	Biodiversity and access to nature

Core Strategy

CP1	Spatial Development Strategy
CP2	Population and Housing Growth
CP3	Design and Density in Place Shaping
CP17	Protecting and Enhancing the Suburban Character of Brent
CP19	Brent Strategic Climate Change Mitigation and Adaptation Measures

Development Management Policies

DMP1	Development Management General Policy
DMP2	Supporting Strong Centres
DMP9B	Onsite Water Management and Surface Water Attenuation
DMP12	Parking
DMP18	Dwelling Size and Outbuildings
DMP19	Residential Amenity Space

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
draft National Planning Practice Guidance (2018)
Technical housing standards - nationally described space standards (2015)
draft London Plan (2017)
draft Harlesden Neighbourhood Plan (2017)
LB Brent S106 Planning Obligations SPD (2013)
LB Brent Design Guide for New Development (SPG17) (2001)
LB Brent Shopfronts SPD (SPD3) (2018)
LB Brent Waste Planning Guide SPG
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle

1. The site, which was known as the Former Willesden Social Club & St Joseph's Court, was initially allocated in 2011 in the Site Specific Allocations document for mixed use (residential and new community facility or contributions). Subsequently, the committee report for application reference 13/3702 demonstrated that the social club use had long ceased (the building had been demolished) and that case law had established that when a building has been demolished, there was no obligation for the former uses to be re-established and the permission granted included an A1/A2 unit for the ground floor.
2. In broad terms, the proposals would be consistent with the aims of the London Plan and policies within the Core Strategy, the Development Management Policies and the draft Harlesden Neighbourhood Plan,

which seek to support development which contributes to the strategic housing needs of Greater London and the Borough. However, notwithstanding the in-principle support for additional housing, it is equally important that all other relevant planning considerations which seek to ensure that appropriate regard is given to the loss of a retail unit, design, the character of the area, neighbour and occupier amenity, traffic generation and highway safety, are properly considered.

Loss of Retail

3. Town Centre boundaries were reviewed throughout Brent in 2015 (Town Centre Policies Background Report) to ensure that the boundaries were robust and based on a clear definition of primary and secondary frontages. The boundary of the Harlesden District Centre was accordingly adjusted south towards Willesden Junction, and two additional units were included within the primary frontage, and 44 units included within the secondary frontage primarily along Station Road. It was also noted that some town centre uses extended beyond the designated frontage along various roads (inclusive of Park Parade) but these are considered peripheral and the high proportion of vacancies suggested insufficient demand to sustain the units.
4. Policy DMP2 (Supporting Strong Centres), seeks to ensure that town centres offer customer choice and a diverse retail offer. The Policy advises that the conversion of peripheral secondary frontage to residential will be permitted where it does not impact on the vitality and viability of the town centre, and frontage will be considered peripheral where it is outside the primary frontage and its conversion would not result in residential between frontage in main town centre use.
5. Whilst the application site sits opposite shop units on Park Parade, the unit, and those shops opposite, are not part of the Harlesden District Centre, which is located approximately 35m east of the site. Moreover, it does not sit between main town centre uses because immediately to the east is St Joseph's Court, a residential development, and to the west on the opposite side of Willows Terrace is an office building. In addition, the unit has been vacant since the building was completed, and prior to this, the site remained undeveloped as the former social club had been demolished. As such, the unit has never contributed to the vitality and viability of the Harlesden District Centre.
6. It should be noted that the conversion to residential would contribute to the identified housing need of the Harlesden NP area, where the Housing Needs Assessment identifies a target of 2249 new homes to be provided in Harlesden between 2015 and 2037 (para. 6.17). Amongst the recommendations of the Assessment is that the NP seeks to deliver an increase in social housing, and the majority of flatted provision should be 2-bed (para.6.18). It should also be noted that the application is supported by the Council's Empty Properties team, who will use the accommodation for temporary social housing for families in housing need.

Quality of Accommodation

7. The conversion of existing shops to residential will need to satisfy internal floorspace requirements for the size of unit proposed and other policies and guidance which seek to ensure an acceptable level of accommodation and amenity for the occupiers and neighbours. To this end, each unit would be approximately 77sqm and bedrooms range in size between 12.5sqm and 17.8sqm, denoting 2b4p units. The proposed Flats and their bedrooms exceed the minimum standard of 70sqm and 11.5sqm (for double/twin rooms) contained within the Technical Standards. As discussed above, the provision of two, 2-bed units will accord with one of the goals contained within the draft Harlesden Neighbourhood Plan which seeks flats of this size (para.6.18).
8. The layout of individual units should be carefully considered in order to achieve the appropriate stacking or laying out of rooms to minimise noise and disturbance between incompatible uses, as per the guidance within SPG17. On this element, it is considered acceptable that the living rooms/kitchens are adjacent to each other. It is noted that the existing first floor accommodation would have a living/dining room above the corner bedroom of proposed Flat 2 and both bedrooms of Flat 1 will sit beneath the kitchen, living/dining room, and a bathroom of the flat above. Notwithstanding, insulation between floors should be sufficient to overcome any potential harm.
9. The upper floors overhang the ground floor element by approximately 1m, and it is this which demarcates the site boundary. Being a purpose-built commercial unit, the shopfront directly adjoins/opens onto the footway. One metre high railings will be erected around the perimeter of the site, behind which some plantings are also proposed. This will help to create some defensible space and some privacy for the occupiers of the two units. It should be noted that railings are also present at the adjacent site, St

Josephs Court, so would not appear out of keeping. Details of the railings and the planting can be secured by an appropriately worded condition.

Amenity Space

10. In relation to amenity space provision, flats should be providing 20sqm. The submitted drawings show the space between the building façade and the proposed railings as being a “winter garden”, however this space cannot be directly included as it is not private space. The lack of private amenity space is considered acceptable in this instance when weighed against the internal accommodation being in excess of the minimum requirements, the provision of additional housing, and the overall quality of the living space. Whilst it is noted that a financial contributions was received to compensate for the shortfall in amenity space for the units above, from a scheme of this scheme the provided areas are considered sufficient and the cost of pursuing any in-lieu payment would outweigh the benefit of any money received.

Highways Considerations

11. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (Policy 6.12) and parking (Policy 6.13). Policies DMP11 and 12 provide the criteria upon which developments will be assessed with regard to layout and access / servicing / parking standards.

Parking / Access

12. Whilst it was indicated at pre-application stage that the undercroft space at the eastern end of the building could be used as a parking space, concerns were raised in relation to visibility splays. As a consequence, the scheme will be car-free, which is considered acceptable in this location. However, to ensure that there is no additional pressure placed on on-street parking, a condition is proposed to restrict potential residents from gaining access to parking permits.
13. Due to the change in level between the pavement and internal floor thresholds, internal ramps are proposed. This is considered acceptable.

Cycle Parking

14. Cycle parking should be provided in line with the current cycle parking standards set out in the London Cycling Design Standards and the London Plan which requires a minimum of 2 spaces per 2-bed or greater. Drawing No. XEVA/74PP/102 Rev.A shows two spaces within each unit. Whilst these are not ideal, it is not uncommon for some cycle storage to take place informally within flats and there is nowhere else they can reasonably be located. Wall mounted racks may be a better solution but in any event, details will need to be secured by condition.

Refuse and Servicing

15. Drawing No. XEVA/74PP/102 Rev.B shows bin storage areas near to the front doors of each unit, facing Park Parade. This is acceptable for the size of containers that are required and the proposed plantings should help to screen the bins.

Sustainable Design & Construction

16. Chapter five of the London Plan sets out a comprehensive range of policies to underpin London’s response to climate change. This is supported by policies within the Core Strategy and the DMP (Chapter 7). Being a minor conversion scheme, it will not be possible to implement the full range of measures normally sought for new-build schemes, however some plantings are proposed along the frontage and the D&A Statement confirms the use of energy efficient materials and appliances.

CIL DETAILS

This application is liable to pay **£51,455.65*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 156.6 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	156.6		156.6	£200.00	£35.15	£43,764.11	£7,691.54

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	313	
Total chargeable amount	£43,764.11	£7,691.54

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



DECISION NOTICE – APPROVAL

Application No: 18/1636

I refer to your application dated **30/04/2018** proposing the following:

Conversion of a vacant commercial unit into 2 No. residential flats (2 x 2 bed) with associated internal alterations; new front flat doors, external fence and winter garden

and accompanied by plans or documents listed here:
Please see Condition 2

at **74 Park Parade, London, NW10 4JB**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 03/08/2018

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

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SUMMARY OF REASONS FOR APPROVAL

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

Brent Development Management Policies
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

- 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 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and/or documents:

APL-001	Site Location and Block Plan
APL-002	Existing Ground Level and Basement Level Plans
APL-003	Existing Levels 01 and 02 Plans
APL-004	Existing Level 03 and Roof Plans
APL-005	Existing Section
APL-006	Front and Internal Rear Elevations
APL-007	Proposed Ground Level and Basement Level Plans
APL-008	Proposed Levels 01 and 02 Plans
APL-009	Proposed Levels 03 and 04 Plans
APL-010	Proposed Roof Plan
APL-011	Proposed Section
APL-012	Proposed Front and Internal Rear Elevations

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

- 3 All new external works and repair shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

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

- 4 Occupiers of the residential units hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the 1-bed unit.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 5 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the

Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space in the front garden to accommodate additional bin or cycle storage.

- 6 Details of the proposed boundary railings shall be submitted to the Local Planning Authority for approval in writing. The boundary railings shall be installed in accordance with the approved details prior to first occupation of either of the units hereby approved and permanently maintained.

Reason: In the interest of visual amenity and to protect the privacy of the occupiers of the units.

- 7 Details of the proposed soft landscaping shown on Drawing No. XEVA/74PP/203 REV.A shall be submitted to the Local Planning Authority for approval in writing. The soft landscaping shall be provided in accordance with the approved details prior to first occupation of either of the units hereby approved and permanently maintained. Any planting which dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with new planting in accordance with the approved details, or an approved alternative to the satisfaction of the Local Planning Authority.

Reason: In the interest of visual amenity and to protect the privacy of the occupiers of the units.

- 8 Prior to any internal works commencing, details of the design, type and siting of the two cycle spaces to be provided per flat shall be provided to the Local Planning Authority for approval in writing. The approved cycle storage shall be provided prior to first occupation of the either of the units approved and permanently maintained, kept free from obstruction, and available for the parking of cycles only.

Reason: To provide secure cycle storage facilities free from obstruction in the interest of promoting sustainable travel

INFORMATIVES

- 1 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
- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 3 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 4 The Council recommends that the maximum standards for fire safety are achieved within the development

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Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166