

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

12 September, 2018
06
17/5292

SITE INFORMATION

| | |
|---|--|
| RECEIVED | 13 December, 2017 |
| WARD | Mapesbury |
| PLANNING AREA | Brent Connects Kilburn |
| LOCATION | 57 Cricklewood Broadway, London, NW2 3JX |
| PROPOSAL | Change of use from hotel (Class C1) to 9 x self-contained flats (1 x 3 bed, 4 x 2 bed and 4 x 1 bed) (Class C3) with retention of public house (Class A4); three storey rear extension. |
| PLAN NO'S | 16-033 AE(P)-001E; AG(P)-G02D; AG(P)-102B; AG(P)-202B; AG(P)-R0C; AX(P)-001C; AZ(P)-001A; AZ(P)-003C; YZ(P)-001 3548-02; 03; 04 |
| 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_137678</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 "17/5292" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab |

RECOMMENDATIONS

Resolve to **grant** planning permission subject to conditions.

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

1. Time limit for commencement
2. Approved drawings/documents
3. Materials to match those of the existing building
4. Submission of obscured glass.
5. That the homes are "parking permit restricted"
6. Pub opening hours
7. No permitted development change of use to Class C4
8. Implementation of Delivery and Servicing Plan
9. Use of Servicing Bay
10. Details of landscaping scheme, including revisions to the amenity spaces
9. Air Quality Impact Assessment


Informatives

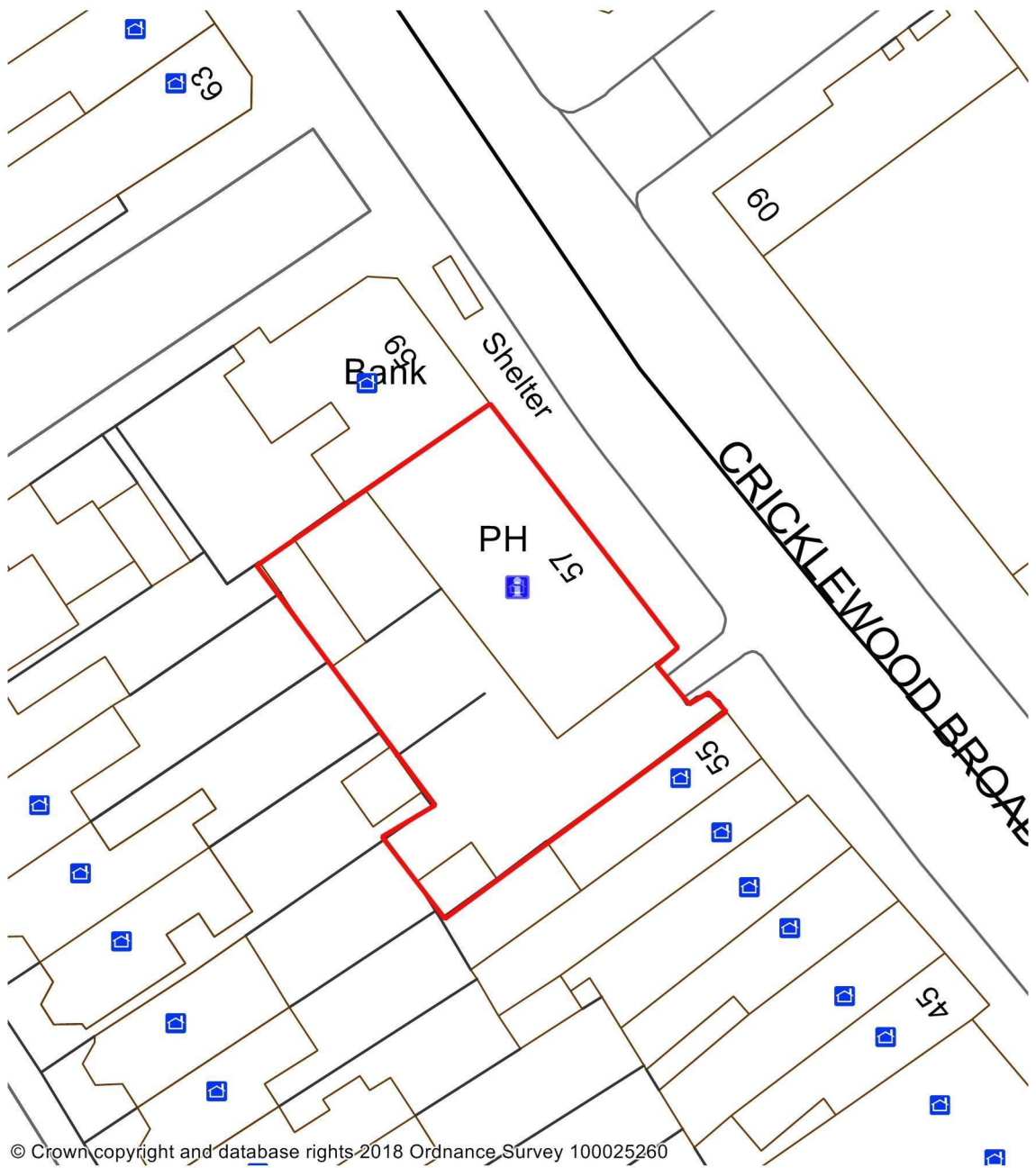
1. CIL liability informative
2. Party Wall Act
3. Fire safety
4. London Living Wage
5. Notify Brent Highways prior to works taking place

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.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

| | |
|---|--|
|  | <p>Planning Committee Map</p> <p>Site address: 57 Cricklewood Broadway, London, NW2 3JX</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p> |
|---|--|



© Crown copyright and database rights 2018 Ordnance Survey 100025260

This map is indicative only.

PROPOSAL IN DETAIL

The current application seeks planning permission for the change of use from hotel (Class C1) to 9 x flats (Class C3) with retention of public house (Class A4); two storey rear extension.

EXISTING

The application site relates to a large two storey building in use as a public house at ground floor level with a hotel occupying the upper floors and part of the ground floor. The bar, which comprises approximately two thirds of the ground floor area and occupies the south-eastern part of the building, is according to the documents submitted, currently not in use as a public house but instead used as a lounge/breakfast area by hotel guests.

The property is not situated within a conservation area, although it does border the Mapesbury Conservation Area to the rear. The building is located within the designated Cricklewood Town Centre and its front elevation forms part of a designated secondary shopping frontage.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

Principle: The proposal would result in the loss of the hotel. However, this is not contrary to planning policy and there is no objection to the introduction of residential uses in this location, subject to the remainder of the material planning considerations. The proposal does not affect the area within the building that was used as a public house and thus does not result in any loss of floorspace for the public house. The proposal would result in the loss of the beer garden of the public house (ancillary space to the public house) as this is proposed to change to gardens for the residential units. However, as the proposal would not affect the internal space, it is not considered likely to affect the viability of the public house use and is considered to be acceptable.

Character and Appearance: The proposal is considered to have a high quality design that has regard to the character of its surroundings and to not inappropriately challenge or dominate surrounding development.

Standard of Accommodation: The living conditions of future occupiers of the development would be acceptable. One home would fall marginally below the minimum floorspace standards, but has an efficient internal layout which maximises usable space. The

Impact on Neighbouring Amenity: The development has been assessed against loss of light, outlook and privacy as well as any increased sense of enclosure to all neighbouring properties. It has been found that the relationship between the proposed development and all surrounding properties is, on balance, acceptable.

Parking & Highways: No additional off street car parking has been provided. In regards to on-street parking, the scheme would be a parking permit free development. Cycle parking proposed accords with standards. Access for pedestrians is considered to be acceptable.

Environment: The principles and methodology outlined in the environmental reports regarding air quality and contamination are considered acceptable. Further details in terms of mitigation will be secured by condition.

Representations received: Ten objections were received. The most common issue raised is the loss of the public house. However, no loss of the pub is proposed except for the outdoor beer garden as discussed above. The other main concerns were against the overdevelopment of the property and its harm upon the neighbouring conservation area, and the potential impact on neighbouring amenities. These issues are discussed fully in the report and are deemed to be acceptable.

RELEVANT SITE HISTORY

09/1456: Replacement of ground floor window with french doors to rear elevation of public house. **Approved.**

09/0276: Retention of timber trellis and pergola in beer garden to the rear of Windmill Public House. **Approved.**

CONSULTATIONS

Individual notification letters were sent to the occupiers of 38 neighbouring properties. Ten objections and six letters of support have been received.

The issues raised in objection can be summarised as follows:

The issues raised in support can be summarised as follows:

1. More housing is required within the neighbourhood / London
- See Officer Report

2. Ground floor bar has only been used for private functions so proposal would reintroduce the public house.
- See Officer Report

Individual notification letters were sent to the occupiers of 38 neighbouring properties. Ten objections and six letters of support have been received.

The issues raised in objection can be summarised as follows:

| Issue | See paragraph |
|--|---|
| Bar has been in use as a public house open to the public within last ten years | 1.5 to 1.10 |
| Extensions are harmful to the adjoining conservation area | 3.1 to 3.6 |
| Extensions are overdevelopment of the property | 3.1 to 3.6 |
| Loss of light / increased sense of enclosure to neighbouring residents | 4.1 to 4.9 |
| Noise from pub | 4.10 |
| Additional strain on local services and amenities | The creation of nine units is not expected to have an unreasonable impact on local services, and contribution towards infrastructure to support development is paid pursuant to the Communitiy Infrastructure Levy. |

The issues raised in support can be summarised as follows:

1. More housing is required within the neighbourhood / London

2. Ground floor bar has only been used for private functions so proposal would reintroduce the public house. These matters are discussed later in this report.

POLICY CONSIDERATIONS

Key Policies Include

London Plan (2016)

Policy 3.5 Quality and Design of Housing Developments

Policy 6.9 Cycling

Core Strategy (2010)

CP2: Population and Housing Stock
CP17: Protecting and Enhancing the Suburban Character
CP23: Protection and Enhancement of Community Facilities

Local Plan (2016)

DMP1: Development Management General Policy
DMP2: Supporting Strong Centres
DMP3: Non-Retail Uses
DMP6: Visitor Accommodation
DMP12: Parking
DMP18: Dwelling Size and Residential Outbuildings
DMP19: Residential Amenity Space
DMP21: Public Houses

Other

National Planning Policy Framework
Technical Housing Standards
SPG17: Design Guidelines for New Development (2001)
Emerging SPD1: Brent Design Guide (2018)

DETAILED CONSIDERATIONS

1.0 Principle

The proposal would result in the loss of the existing hotel and provision of residential units. The proposal would not result in the loss of internal floorspace for the public house, but it would result in the loss of the pub beer garden (changed to gardens for the residential units).

Loss of Hotel

1.1 Core Strategy CP1 states that Wembley will become the primary location for new hotels. Local Plan Policy DMP6 states that visitor accommodation and attractions will be encouraged in Wembley Strategic Cultural Area and in town centres in accordance with the sequential approach.

1.2 The existing hotel is located within the designated Cricklewood Town Centre, which is regarded as a 'District Town Centre'. As such, while hotel accommodation is deemed an appropriate use within the site, the loss of the existing one would be regarded as acceptable providing an equally appropriate land use could be found and the new development was of a high standard of design. The current proposal is for the creation of nine new residential units, including a family sized unit. As new residential accommodation is a pressing need across London and particularly within Brent, which has an annual target of 1500+ new dwellings to meet, the new use is deemed appropriate. The scheme is, in general regarded as being of a high quality design providing good standards of accommodation (this is discussed in further detail below). As such, the loss of the hotel is deemed acceptable in this instance and the proposal complies with Core Strategy Policy CP1 and Local Plan Policy DMP6.

New Residential Units

1.3 The National Planning Policy Framework identifies the need for additional housing. The London Table 3.1 sets an annual target of 1,525 net additional dwellings for Brent. This is supported by Core Strategy Policy CP2 and Local Plan Policy DMP 16 which state that the Council will resist development resulting in a net loss of residential units apart from in exceptional circumstances.

1.4 The application seeks to provide a total of nine net additional residential units, contributing towards local and national housing targets. Accordingly, the proposal complies with Core Strategy Policy CP2 and CP21.

The Public House

1.5 Core Strategy Policy CP23 states that community facilities will be protected, or their loss

mitigated where necessary. This is supported by Local Plan Policy DMP21 which states that the loss of public houses will be resisted except in exceptional circumstances.

1.6 It is claimed by the applicant that the bar at ground floor level has not been in use as a public house since a fire in 2007, and has instead been mostly used as a lounge/breakfast area by hotel guests, with the bar occasionally rented out for private functions. The applicant has submitted a number of documents to demonstrate this including statutory declarations and company accounts. However this information does not correspond with other details that have been provided during the course of the application.

1.7 Officers acknowledge that there has been a strong interest from the local community in regards to the use of the premises at ground floor level, with numerous objections over the proposed loss of the 'public house' and questions raised over the validity of the evidence supplied by the applicant. A number of objectors have also claimed to have personally frequented the pub on occasions in the recent past.

1.8 Regardless of whether the premises has been used as a public house or a breakfast bar within the last few years is not a determining factor to this proposal. It has not been demonstrated that the site does not accommodate a public house so policy DMP21 is relevant. However, this application does not propose to reduce the internal floor area of the public house premises. Planning applications from almost a decade ago (ref: 09/1456) show the size of the 'pub' being exactly the same size as the current proposal. The only loss to the pub with this scheme is to the beer garden at the rear, which is proposed to be transformed into private gardens.

1.9 The authorised use of the beer garden to the rear is also considered to be likely to be as an area ancillary to the public house (again with a lack of evidence to demonstrate continued use for an alternative purposes for a period of 10 years) and the proposal will result in the loss of this area for ancillary purposes (to the pub). However, the Council does not possess any powers to require its use as a beer garden and irrespective of this proposal, and even if the premises was currently and regularly used as a public house, there is nothing stopping the applicant from restricting public access to it, or for example, from converting it into a car park for the pub or a different area in ancillary use. Therefore on balance, given that the internal layout and floor area of the public house premises has remained the same as it is for nearly a decade and the retained floor space is considered to be useable and practical for a future use as a pub, the loss of the beer garden is not considered to be contrary to Policy DMP21 in this instance.

1.10 Therefore in summary, it is considered that the proposal accords with Core Strategy Policy CP23 and Local Plan Policy DMP21 as it does not result in the loss of the internal space associated with the public house.

2.0 Quality of Residential Accommodation

2.1 London Plan Policy 3.5 'Quality and Design of Housing Developments' says that housing developments should be of the highest quality. The Mayor has prepared Supplementary Planning Guidance entitled 'Housing' (herein referred to as the Housing SPG) which is clear that new housing must also enhance the environment, improve choice and affordability and provide better quality homes.

Size and Aspect

2.2 Local Plan Policy DMP 1 states that it is important that development provide high levels of internal amenity and create a high quality environment. Meanwhile, Local Plan Policy DMP 18 states the size of new dwellings should be consistent with London Plan Policy 3.5, Table 3.3 'Minimum Space Standards for New Dwellings', which follows the standards set out in the government's 2015 report 'Technical housing standards'. This is supported by SPG17.

2.3 It is proposed to arrange the accommodation to form nine self-contained flats, 1 x three bedroom/four person family unit, 4 x two bedroom/three person flats, and 4 x one bedroom/two person flats. All of the proposed flats are considered to provide a good standard of accommodation for potential residential occupiers and be in accordance with the policies outlined above. However, it is considered vital to attach a condition restricting the ability to change the use of the proposed flats from Use Class C3 (dwellinghouses) to Use Class C4 (smallscale houses in multiple occupation) and such a change of use would result in a poor standard of accommodation for future occupants. This is recommended to be secured through condition.

2.4 All of the residential units would meet minimum space guidelines, with the exception of Flat 201 which is marginally under (Flat 201 is a one bed/two person flat and measures approx. 47sqm, whilst the housing standards request 50sqm). This unit would however be dual aspect with a very practical layout,

which has limited circulation space (thus maximising the usable accommodation), giving well sized rooms. It would also have access to the shared garden, the living conditions for future occupiers would be good, and the proposed flats would be acceptable in terms of layout, room size, and storage.

2.5 Seven of the nine flats would be multi-aspect, with the only exceptions being Flat G01 and Flat 102. Flat G01 is south-easterly facing and is a relatively small unit with large windows to the rear. It would also benefit from a private garden which would mean the overall living conditions of this unit would be good. Meanwhile, Flat 102 is north-western facing however the unit is well proportioned with a practical layout. It will also benefit from the use of the communal garden and overall the flat provides good quality of accommodation as well.

2.6 In regards to Flat 203, the unit has a pitched roof, but the floorplans show only the floor area with a height greater than 1.5m, and so the total usable floorspace of the unit remains 51sqm. Meanwhile, 88% of the floor area remains over 2.3m in height, complying with national standards.

2.7 SPG17 requires the windows of new residential units to be at least 5m away from boundary walls in order to provide adequate light and outlook, and the proposal would comply with this guideline. As such, the internal living spaces are deemed to receive good levels natural light, outlook and ventilation. The gardens of the ground floor units would be enclosed with 1.7m high fences, protecting the privacy of the occupiers of Flat G01 and G02 from any use of the communal garden.

2.8 In regards to noise, between 2007 and 2017, the Nuisance Control Team received 11 noise complaints about loud music from the public house. There is concern that prospective occupants of the proposed development may be affected by loud music and general commercial noise from the public house. However, a number of these related to the use of the beer garden, which is to be removed as part of the application. The application has been submitted within a noise assessment and the agent has confirmed that the pub would not require any external plant, therefore any concerns regarding noise transfer between uses would be addressed through a building regulations application.

2.9 In conclusion, despite the slightly substandard size of Flat 201, it is considered that the proposal provides a good quality of internal amenity for future occupiers, and that it would be unreasonable to argue that it does not comply with Local Plan Policy DMP1 and DMP18 and SPG17

Outdoor Amenity Space

2.10 Local Plan Policy DMP1 and DMP19 requires that family sized units provide 50sqm metres of private outdoor amenity space and all other units provide 20sqm.

2.11 Both ground floor flats are provided with private outdoor amenity space. Flat G01 possesses a private garden measuring approximately 32sqm whilst Flat G02 (the three bedroom home) is shown to have 120sqm of garden space, comprising 81.7 sqm on one side of the flat and 41 sqm adjacent to the communal garden.

2.12 The areas of private amenity space significantly exceed the Council's standards. However, the proposal only includes a 60sqm communal garden for the seven upper floor flats which is significantly below the Council's standards. It is accordingly considered that the 41 sqm area that is currently proposed for use as private amenity space for the 3-bedroom flat should become a part of the communal garden, thus increasing the size for this to 100 sqm. Whilst still below the Council's standards (140 sqm), it would provide a usable space. The quality of layout and landscaping of the space would need to be very good to justify the shortfall, with details recommended to be secured through condition. The landscaping would need to include defensible planting in front of the windows of the three bedroom unit. On balance, Officers are of the opinion that provision of private outdoor amenity space is acceptable, and in general is compliant with Local Plan Policy DMP19

3.0 Design

3.1 Paragraph 58 of the NPPF requires planning decisions to ensure that development will add to the overall quality of the area, to respond to local character and history and reflect the identity of local surroundings. London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality that responds to the surrounding context, and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood.

3.2 Core Strategy Policy CP17 states that the distinctive suburban character of Brent will be

protected from inappropriate development. Local Plan Policy DMP1 states that development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design and complements the local area. This is supported by Supplementary Planning Guidance 17 which provides additional detail for new development.

3.3 The building is a handsome Edwardian public house featuring windmill motifs. Large central oriel window, brick pilasters and terracotta entrance. Towering central circular pedimented gable with oculus and terracotta heraldic cartouche. It backs onto the Mapesbury Conservation Area - a heritage asset. The Windmill building has heritage merit and should be considered as non-designated heritage asset. As such, the Council are pleased to see that the frontage will be retained and no alterations will be carried out.

3.4 The three storey extension is a fairly modest extension to the building, and include a pyramid-hipped roof. Officers are of the opinion that the extension to the rear will not harm the character of the building or views from or to the nearby conservation area. To ensure that the areas of new development have an appropriate appearance a condition has been recommended to agree the new materials.

3.5 As an aside, it is important to note that the pub would does not include a kitchen and would not serve hot food. It would therefore not require additional flues or vents to the rear elevations. Planning permission would be required for the installation of external flues should these be proposed in the future.

3.6 Consequently, the works are regarded as being modest in scale and sympathetically designed. Furthermore the extension is deemed as being subservient to the original building and compatible with its setting. It is therefore considered to be visually acceptable and in accordance with Core Strategy Policy CP17 and Local Plan Policy DMP1.

Aboriculture

3.7 Local Plan Policy DMP1 states that development will be acceptable providing it retaining existing green infrastructure including open space, high amenity trees and landscape features or providing appropriate additions or enhancements.

3.8 No trees of any note within the pub ground itself although the Mapesbury Conservation Area finishes directly behind the pub garden in Hoveden Road. A wooden close board fence and wall spans the rear of the site behind the covered garden area and a sizable rear garden tree can be seen in site photos located in Hoveden Road, maybe a Corkscrew Willow. However, given the existing boundary treatment it is unlikely that roots from any of the adjacent garden trees or shrubs will have breached the ground beneath the application site and therefore the Council are satisfied with the works.

4.0 Neighbour Amenity

4.1 Local Plan Policy DMP1 seeks to ensure new development, amongst other things, provides high levels of external amenity and does not unacceptably increase exposure to noise, light and general disturbance. This is supported by SPG17.

Overbearing / Outlook

4.2 To ensure that development does not appear overly dominant or appear overbearing for any nearby occupiers, SPG 17 states that in general, new development should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, and should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m.

4.3 The nearest affected property to the rear is 29 Hoveden Road. The proposed rear extension would comply with the 30 degree line taken from the windows serving the rear habitable rooms. The roof of the extension would modestly contravene the 45 degree line taken from the boundary wall at 2m. However the roof is a pyramid-hip design and slopes steeply away and from the boundary, reducing the level of impact. Moreover, No. 29 possesses a large outbuilding located in the rear garden adjoining the boundary wall with the hotel. Taken from the front of the outbuilding, the proposal easily complies with the 45 degree line. As such, whilst not completely compliant with the 45 degree line, Officers are of the opinion that, on balance, the breach is not significant enough to warrant the withholding of planning permission.

4.4 The building adjacent to the south of the hotel is 55 Cricklewood Broadway. The property is in use as a dentist at ground and first floor level, and there is a high boundary wall between the two

properties. Taken from the top of the party wall, the three storey rear extension would comply with the 45 degree line.

4.5 To the north of the property is 59 Cricklewood Road. This is in use as a solicitors at ground floor level with flats above and a car park to the rear. Due to the relationship between the two buildings there is not expected to be any harm to the amenities of the of the residents No. 59.

Privacy

4.6 SPG17 requires new windows to be at least 20m away from existing neighbouring windows and 10m from neighbouring boundaries, in order to prevent overlooking and loss of privacy.

4.7 The property at 29 Hoveden Road would be most affected in regards to privacy by the development, as it is located directly behind the proposed three storey rear extension. The first and second floor rear windows of the proposed extension would remain approximately 18m away from the opposing rear windows at No. 29. Whilst this is slightly below the 20m guidance, it is compliant with the distances proposed in emerging SPD1, and remains a sufficient distance away. Any loss of privacy would thus be in line with guidance and therefore not unduly detrimental. The first and second floor rear windows of the extension, which serve the open planned living/kitchen areas of flats 104 and 203 respectively, would be located approximately 4m away from the rear garden of No. 29. In order to overcome overlooking into the neighbouring garden of 29 Hoveden Road, they would be fitted with fixed shut obscured glass to a height of 1.7m.

4.8 Further along, the rear windows serving Flats 101 and 201 would both remain approximately 10m away from the rear boundary wall of 33 Hoveden Road. Any overlooking from these properties into the rear garden of No. 33 would be in line with guidance and thus not unduly detrimental.

4.9 As mentioned above, the adjacent property at 55 Cricklewood Road is in use as a dentist surgery at ground floor level. Any overlooking into the rear yard of that property would not harm residential amenity and would not significantly affect the users of the site.

Noise

4.10 Objections have been raised in relation to the noise associated with the public house. However, the internal area of the public house is not proposed to change. The beer garden of the public house is proposed to change to gardens to be used by the residential dwellings. It is considered likely that the noise levels associated with residential gardens are likely to be lower than those associated with a pub beer garden. Reasonable use of this area is unlikely to result in significant noise and disturbance.

5.0 Traffic Generation, Car Parking, Cycle Parking and Access

5.1 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Policy 6.1, 6.3, 6.10, 6.11 and 6.13 of the London Plan support development that reduces the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

Car Parking

5.2 Car parking provision is set out in Local Plan Policy DMP 12 and Appendix 1. As the site has very good access to public transport services, the lower residential allowances would apply.

5.3 Whilst only operational and disabled parking is allowed for the hotel use. There are no particular standards for the public house. The existing six-space car park at the rear of the building therefore exceeds current maximum standards.

5.4 The nine proposed flats would be allowed up to 7.2 parking spaces, whilst the retained public house would still not be permitted any parking. The removal of the rear car park to provide amenity space for the flats would therefore bring the site into line with current restraint based standards.

5.5 Local Plan Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. Cricklewood Broadway is a major London distributor road and bus route with a bus lane along the site frontage though, so is unable to safely accommodate on-street parking. To mitigate this, a

'parking permit restriction' agreement is recommended for the flats, withdrawing the right of future residents to on-street parking permits, in line with the recommendations of Policy DMP12. This has been acknowledged by the applicant in their Design & Access Statement and could be secured by an appropriate condition if Officers were minded to approve the scheme.

Servicing

5.6 In terms of servicing, beer deliveries for the public house would generally be expected to be made by 10m rigid lorries, with other sundry deliveries by smaller vans. At present, the car park provides an off-street area from which some deliveries can be made, but the restricted width of the access gates and crossover means this is only of use to smaller vehicles, with 10m beer drays still having to deliver from the street.

5.7 The proposed site layout will not change this, with a service yard retained for vans to reverse into, but the access gate width remaining unchanged.

5.8 To help to manage arrangements within and alongside the site, a Delivery Management Plan has been submitted. Drivers of smaller vans will be expected to call ahead to schedule their delivery, to ensure space is available within the yard. The plan also states that vans will be used for alcohol deliveries to the public house, which would be a significant improvement.

5.9 For larger deliveries, vehicles will need to stand in Cricklewood Broadway when off-loading and will therefore need to comply with the loading restriction times in operation in the street.

Cycle and Refuse

5.10 The London Plan requires the provision of at least one secure bicycle space per 1-bed flat and two spaces per 2-bed flat, giving a total requirement of 15 spaces for the new flats. A shared bicycle store is proposed at the rear of the retained service yard for 12 bicycles, whilst the two ground floor units will have their own private amenity space within which bicycles can be stored. As such, the London Plan requirements for the flats are met.

5.11 The London Plan also requires five spaces for the public house (one long-stay and four short stay). However, it is acknowledged that there is little space within the site boundary to locate any publicly accessible bicycle stands, so this requirement can be waived.

5.12 Brent's standard refuse collection vehicles would also be unable to enter the site and thus would need to collect from the road, but the location shown for the bins is well within the stipulated 20m maximum carrying distance from Cricklewood Broadway for refuse collection staff.

Crossover and Access

5.13 With the existing gates remaining unchanged, no changes are required to the existing crossover to the site. Finally, pedestrian access will be taken directly from Cricklewood Broadway, which is welcomed and will allow ease access for the fire service.

Highways Summary

5.14 In conclusion, as access to the car park is already restricted, the future arrangements do not worsen the existing situation for the public house and with the proposed Delivery Management Plan, the operation of the site should have less impact on the adjoining highway than the current arrangements for the pub and hotel. Subject to a condition to designate the proposed flats as 'car-free' and thus withdraw their right to on-street parking permits, there would be no objections on transportation grounds to this proposal.

6.0 Environmental Health

Air Quality

6.1 The submission is specified as being accompanied by an Air Quality Assessment. However, the document that has been submitted is a methodology and quote for an air quality assessment rather than an assessment in itself. Nevertheless, the Council's Environmental Health Officers have commented that the submitted methodology is acceptable, and that having regard to the scheme, the location of the site and their

knowledge of previous assessments that have been undertaken in the vicinity, that if air quality was deemed to be unacceptable for residential receptors, mitigation measures could be put in place. As such, they have recommended that a condition is attached requiring the submission of an air quality impact assessment.

CIL DETAILS

The proposal is liable to pay CIL as set out below because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£175,133.21*** 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): 533 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 | 533 | 0 | 533 | £200.00 | £35.15 | £148,954.46 | £26,178.75 |

| | | |
|--|--------------------|-------------------|
| 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 | £148,954.46 | £26,178.75 |

*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.



Application No: 17/5292

To: Mrs Carolyn Apcar
Apcar Smith Planning
Kinetic House
Theobald Street
Borehamwood
Herts
WD6 4PJ

I refer to your application dated **12/12/2017** proposing the following:

Change of use from hotel (Class C1) to 9 x self-contained flats (1 x 3 bed, 4 x 2 bed and 4 x 1 bed) (Class C3) with retention of public house (Class A4); three storey rear extension.

and accompanied by plans or documents listed here:

16-033 AE(P)-001E; AG(P)-G02D; AG(P)-102B; AG(P)-202B; AG(P)-R0C; AX(P)-001C; AZ(P)-001A; AZ(P)-003C; YZ(P)-001
3548-02; 03; 04

at **57 Cricklewood Broadway, London, NW2 3JX**

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: 04/09/2018

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.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

London Plan (2016)
Core Strategy (2010)
Local Plan (2016)
Supplementary Planning Guidance 17: Design Guidelines for New Development (2001)
Emerging SPD 1: Brent Design Guide (2018)

Relevant policies in the Development Plan are those in the following chapters:-

CP2: Population and Housing Stock
CP17: Protecting and Enhancing the Suburban Character
CP23: Protection and Enhancement of Community Facilities
DMP1: Development Management General Policy
DMP2: Supporting Strong Centres
DMP3: Non-Retail Uses
DMP6: Visitor Accommodation
DMP12: Parking
DMP16: Resisting Housing Loss
DMP18 Dwelling Size and Residential Outbuildings
DMP19 Residential Amenity Space
DMP21: Public Houses

- 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):

16-033 AE(P)-001E; AG(P)-G02D; AG(P)-102B; AG(P)-202B; AG(P)-R0C; AX(P)-001C;
AZ(P)-001A; AZ(P)-003C; YZ(P)-001
3548-02; 03; 04

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

- 3 All new external work 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 The first and second floor rear windows of flats 104 and 203 shown on drawing ref: 16-003-AE(P)-001E hereby approved shall be fixed shut or high level opening only (at least 1.7 m above finished floor level) and obscurely glazed below this height, and shall be maintained as such for the life of the development.

Reason: In order to ensure the residential amenity of occupiers and neighbours is not adversely affected through overlooking or loss of privacy.

- 5 Occupiers of the residential development, 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. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. 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 residential development.

Reason: To ensure the safety and free flow of the surrounding highway network.

- 6 The premises shall only be open and used for the preparation or sale of hot food or for the sale of alcoholic liquor:

Sunday to Thursday: 10:00-00:00

Friday and Saturday: 10:00-01:00

And shall be cleared, with all ancillary activity completed, within 30 minutes of closing time, and the premises shall not be open outside of these hours.

No deliveries to the premises should take place between the hours of 23:00 and 07:30

Reason: To protect the amenities of nearby residential occupiers.

- 7 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

- 8 The cycle parking detailed within the submission shall be installed prior to first occupation of the residential units hereby approved and shall thereafter not be used other than for the provision of cycle parking ancillary to the residential units.

Reason: In the interest of highway flow and safety, and sustainable transportation.

- 9 The delivery and servicing of the premises shall not be carried out other than in accordance with the "Delivery and service management plan", dated October 2017 hereby approved and the measures in the plan shall be implemented in full for the life of the development.

Reason: In the interest of the free and safe flow of traffic on the local highways.

- 10 The servicing area shown within drawing 16-033-AG(P)-G02 Rev D, being the open area adjacent to the cycle storage, shall not be used other than for the servicing of the premises and shall be kept clear at all times with no storage taking place within this area (other than the storage of refuse bins in the areas shown as such within this drawing) and shall be maintained as such for the life of the development.

Reasons: In the interest of highway flow and safety, and of amenity.

- 11 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the

approved development. The areas of external amenity space shall thereafter not be used other than as external amenity space for the flats hereby approved. The scheme shall include details of:

1. The layout of the external amenity spaces shown on drawing 16-033-AG(P)-G02 Rev D, which shall include the incorporation of the area denoted as "private garden 41.0 m2" as a part of the communal garden;
2. Planting, including a planting plan detailing plant species, size, location and number/density;
3. Walls / fences / means of enclosure;
4. Any levels or contouring within the site;
5. Hard landscaping, including materials and any proposed furniture;
6. Drainage;

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.

- 12 The proposed development is in an Air Quality Management Area and an air quality impact assessment shall be submitted for the approval of the local planning authority. The assessment shall include the impact of the building works and operation of the development on local air quality, as well as the impact of local air quality on the future residents of the development. The assessment shall include mitigation proposals for any identified adverse impacts. The approved mitigation measures shall be implemented in full.

Reason: To ensure acceptable levels of air quality for future occupiers.

INFORMATIVES

- 1 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.
- 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
- 3 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 4 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.
- 5 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should Application for such works should be made to the Council's Safer Streets Department, Brent Civic Centre, Engineers Way, Wembley HA9 0FJ Tel 020 8937 1234. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

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