

LOCATION: The Pillar Hotel and Chapel, 19 Brent Street, London, NW4 2EU
REFERENCE: H/03781/13 **Received:** 21 August 2013
WARD(S): West Hendon **Accepted:** 21 August 2013
APPLICANT: The Pillar Ltd **Expiry:** 16 October 2013
PROPOSAL: Retention of boundary gates and formation of emergency access **Final Revisions:**

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan RG LP1, RG 101A, RG 102.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2 The vehicular access hereby approved shall only be used for fire, police or ambulance vehicles in the event of an emergency, or when Brent Street or Brent Green is closed to vehicular traffic by traffic order or instruction from the police.

Reason: To safeguard the residential character of Elm Park Gardens in accordance with policies DM01, DM02, and DM04 of the Adopted Barnet Development Management Policies 2012.

INFORMATIVE(S):

1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

The Mayor's London Plan July 2011

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM04, DM06, DM17

Supplementary Planning Documents and Guidance

The Council has adopted two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD and Sustainable Design and Construction SPD are now material considerations.

Relevant Planning History:

H/02271/10 and H/02272/10 - Change of use of former hostel areas to C1 hotel, with ancillary parking facilities. – Approved – 02/08/2010

Site Address:	19 Brent Street, London, NW4 2EU
Application Number:	04188/09
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	11/01/2010
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	Proposed new entrance lobby to main entrance.
Case Officer:	Graham Robinson

Site Address: 19 Brent Street, London, NW4 2EU
Application Number: H/04669/09
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 17/02/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Proposed new entrance lobby to main entrance. LISTED BUILDING CONSENT**
Case Officer: Graham Robinson

Site Address: Lower Lodge, 19 Brent Street, London, NW4 2EU
Application Number: 00077/10
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 01/03/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Proposed alterations to the Lower Lodge.**
Case Officer: Graham Robinson

Site Address: 19 Brent Street, London, NW4 2EU
Application Number: 00608/10
Application Type: Listed Building Consent
Decision: Finally disposed of
Decision Date: 28/01/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Internal repairs, alterations and improvements to Main Cloister Block.**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 02271/10
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 02/08/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Listed building consent for change of use of former hostel areas to C1 hotel, associated internal alterations.**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 02272/10
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use of former hostel areas to C1 hotel, with ancillary parking facilities.**
Case Officer:

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: H/02272/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 02/08/2010
Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use of former hostel areas to C1 hotel, with ancillary parking facilities.**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 00273/11
Application Type: Full Application
Decision: Refuse
Decision Date: 28/09/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of gates and alterations to fence to facilitate creation of vehicular access to Elm Park Gardens to enable emergency access.**
Case Officer: Graham Robinson

Site Address: Flat 3, 19 Brent Street, London, NW4 2EU (Known as Unit 2 on plans)
Application Number: H/02478/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/09/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Internal alterations and improvements including installation of new doors and removal of internal stair. External works including new window and flat roof over court yard at north elevation to Unit 2 in main cloister block.**
Case Officer: Graham Robinson

Site Address: Flat 3, 19 Brent Street, London, NW4 2EU (Known as Unit 2 on plans)
Application Number: H/02470/11
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 28/09/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Internal alterations and improvements including installation of new doors and removal of internal stair. External works including new window and flat roof over court yard at north elevation to Unit 2 in main cloister block. LISTED BUILDING CONSENT**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: H/02928/11
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 04/11/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of alteration to first floor windows and increase to height and depth of existing windows to match. (AMENDED DESCRIPTION)**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: H/03297/11
Application Type: Retention/ Contin. Use
Decision: Approve with conditions
Decision Date: 04/11/2011
Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of alteration to first floor windows and increase to height and depth of existing windows to match.**
Case Officer: Graham Robinson

Site Address: The Pillar of Fire Chapel, 19 Brent Street, London, NW4 2EU
Application Number: H/01144/12
Application Type: Full Application
Decision: Refuse
Decision Date: 12/07/2012
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use of land at rear for erection of marquee in connection with the chapel. The marquee would be used for up to 40 events per year. Provision of 20 additional parking spaces.**
Case Officer: Graham Robinson

Consultations and Views Expressed:

Neighbours Consulted: 73 Replies: 12
Neighbours Wishing To Speak 2

One letter of support was received and twelve letters of objection.

A joint letter with 19 objections was received.

The objections raised may be summarised as follows:

- Permission has previously been refused and there has been no change since
- Design of the gates is ugly and dominant
- Use of emergency access will be detrimental to neighbouring amenity
- Could a condition be enforced
- Is the access necessary
- Residents have helped plant trees and these would have to be removed.

Internal /Other Consultations:

- Urban Design & Heritage - No objection, comments contained within main report
- Green Spaces (inc Allotments) - No comments received at the time of writing report
- Traffic & Development - No objection
- London Fire Brigade - No comments received at the time of writing report. Had no objection to previous similar application.

Date of Site Notice: 05 September 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is the former Pillar of Fire Society, 19 Brent Street.

The site is located on the south-west side of Brent Street. The site is located approximately 200m south-east of Brent Street District Town Centre.

The site has historically been used as a church with associated bible school and home 'for the rehabilitation of fallen women'. In more recent years, rooms have been provided by the Society for those in need of short-term accommodation. There are 4 self-contained flats within the building, some of which are currently occupied as dwellings.

Permission was granted to convert part of the site to a 22 bedroom hotel under reference H/02272/10.

The general locality of Brent Street is primarily residential with a mixture of dwellings and flats, with a small number of commercial premises. Buildings vary in size and scale but these include two storey dwellings and residential blocks of 3-4 storeys. To the south of the site are two storey dwellings on Elm Close and Elm Park Garden. Similarly to the west are two storey dwellings on Goodyers Gardens. Immediately to the west of the site is Acacia Court, a three storey block of flats. To the south-east is Hendon Adath Yisroel Synagogue.

The former chapel building is a Grade II listed building and the remainder of the site is listed by association with the chapel.

The application relates to the boundary of the site with Elm Park Gardens to the west of the site. Elm Park Gardens is a suburban residential close and there has historically been no vehicular access to the Pillar site.

Proposal:

The proposal is for retention of gates and alterations to fence to facilitate creation of vehicular access to Elm Park Gardens to enable emergency access.

The gates are black painted steel and are a maximum of 2.1m high, and are approximately 5.3m wide including pedestrian access. Either side of the gates is a timber fence.

The applicant has not specified the circumstances they consider to be an emergency.

Planning Considerations:

A similar application was recommended for approval by officers and was refused by

members at the West Area Sub-Committee on 28/09/2011. Little has changed on site since this time except that new trees have been planted on the footway outside the gates.

The main issues are considered to be:

- Whether the introduction of a vehicular access in this location would harm the established residential character of Elm Park Gardens.
- The impact on neighbouring residential amenity
- The impact the gates would have on the character and appearance of the streetscene and locality

The applicants agent has advised that they consider that the gates could be removed and an access created without the need for planning permission. This is not accepted by the officers of the Council who consider that this does require permission. The formation and laying out of an access is an engineering operation, even if this would be creating a hole in the fence.

Whether the introduction of a vehicular access in this location would harm the established residential character of Elm Park Gardens.

Elm Park Gardens is a small residential close of 17 properties and has a suburban residential character.

The proposal seeks to create an emergency vehicular access to Elm Park Gardens. The applicant has not specified what circumstances that they would consider to be an emergency.

There is an emergency access which exists for the Hasmonian Preparatory School to Elm Close in a similar location.

The impact from any gate and such access on the quiet residential character of Elm Park Gardens needs to be considered. Taking into account that the access is only required in emergencies, a condition could be attached to any grant of permission to ensure that any gate is used for the purposes of emergency vehicular access only. It is considered that the use of gates on the exceptional occasion where access is required by the fire brigade or ambulance services would not compromise the residential character of Elm Park Gardens. Any condition needs to be precisely defined to ensure that it is enforceable. It is considered that a condition limiting the access to use by fire brigade, police and ambulance services is warranted, and that the proposal would have an acceptable impact on neighbouring residents if attached.

Furthermore, following discussions with the applicant, they have expressed concern that such a condition would prevent vehicular exit from the site in the rare event when Brent Street or Brent Green is closed to vehicles. It is considered that the condition could incorporate this without prejudicing the character of the area or the amenities of occupiers on Elm Park Gardens.

The condition suggested would read:

'The vehicular access hereby approved shall only be used for fire, police or ambulance vehicles in the event of an emergency, or when Brent Street or Brent Green is closed to vehicular traffic by traffic order or instruction from the police.'

The impact on neighbouring residential amenity

It is noted that the area around Elm Park Gardens is a relatively quiet residential area.

It is proposed to attach a condition to any grant of permission that the gates are used only where access is required by the fire brigade or ambulance services. In these circumstances the vehicular access would only be used on rare occasions, and it is not considered that the use of the access for these purposes would cause a harmful level of noise and disturbance for neighbouring residents.

It is not considered that the use of the gates and access for emergency purposes only would harm the residential amenities for neighbouring residents.

The impact the gates would have on the character and appearance of the streetscene and locality

The chapel part of the main Pillar Hotel building is Grade II Statutory Listed, and the remainder of the building is listed by association. The gates are located a significant distance from the main building.

The gates are a maximum of 2.1m high and are made of black painted steel. There is an existing timber fence to the remainder of this boundary. Historically there has been a timber fence to this boundary of a lower height. Whilst the gate is higher than the previous timber fence it is not considered that this form of boundary treatment would appear obtrusive in this location.

Urban design officers have recommended that the removal of the board behind the gates would improve their appearance. However, the provision of views into and from the site may not be welcomed by local residents. Historically there were limited or no views into the site at this point.

It is noted that trees have been planted on the footway outside the gates. The applicant would need to apply to the Council's Greenspaces team to remove these. However, this is not a reason to withhold planning permission.

It is considered that the gate has an acceptable impact on the character and appearance of the streetscene and general locality.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report.

It is not considered that the creation of a controlled emergency access would increase local parking pressure.

Gates have already been constructed - *This is not reason to withhold permission.*

Do gates provide adequate visibility - *The highways team have assessed this and it is considered acceptable.*

No regulatory requirement for emergency access - *This is not reason to withhold permission.*

It is the officers understanding that historically a pedestrian access existing but was used only by one local resident. The issue of right of way over a pedestrian access is not a planning matter.

It is not considered that the replacement gate would significantly impact security in the vicinity or that of local residents.

4. EQUALITIES AND DIVERSITY ISSUES

The proposal is for a gate for emergency vehicular access. The access would only be used in emergencies. This would not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

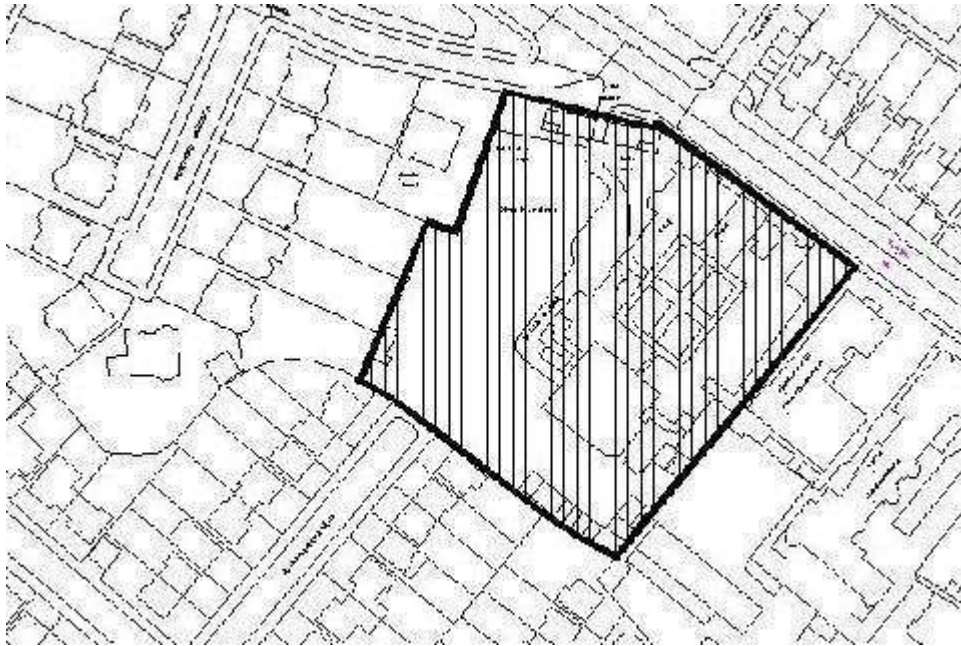
The application is recommended for **APPROVAL**.

SITE LOCATION PLAN:
London, NW4 2EU

The Pillar Hotel and Chapel, 19 Brent Street,

REFERENCE:

H/03781/13



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