

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Westbourne	
Subject of Report	5-7 Sutherland Avenue, London, W9 2HE,		
Proposal	Use of basement floors of Nos.5-7 Sutherland Avenue and Nos.346-348 Harrow Road as a community centre (Class D2) by the Asian Muslim Cultural Centre (ADDENDUM REPORT)		
Agent	Mr Lukman Vika		
On behalf of	Mr Ahmed Issa		
Registered Number	12/07598/FULL	Date amended/ completed	3 December 2012
Date Application Received	27 July 2012		
Historic Building Grade	Unlisted		
Conservation Area			

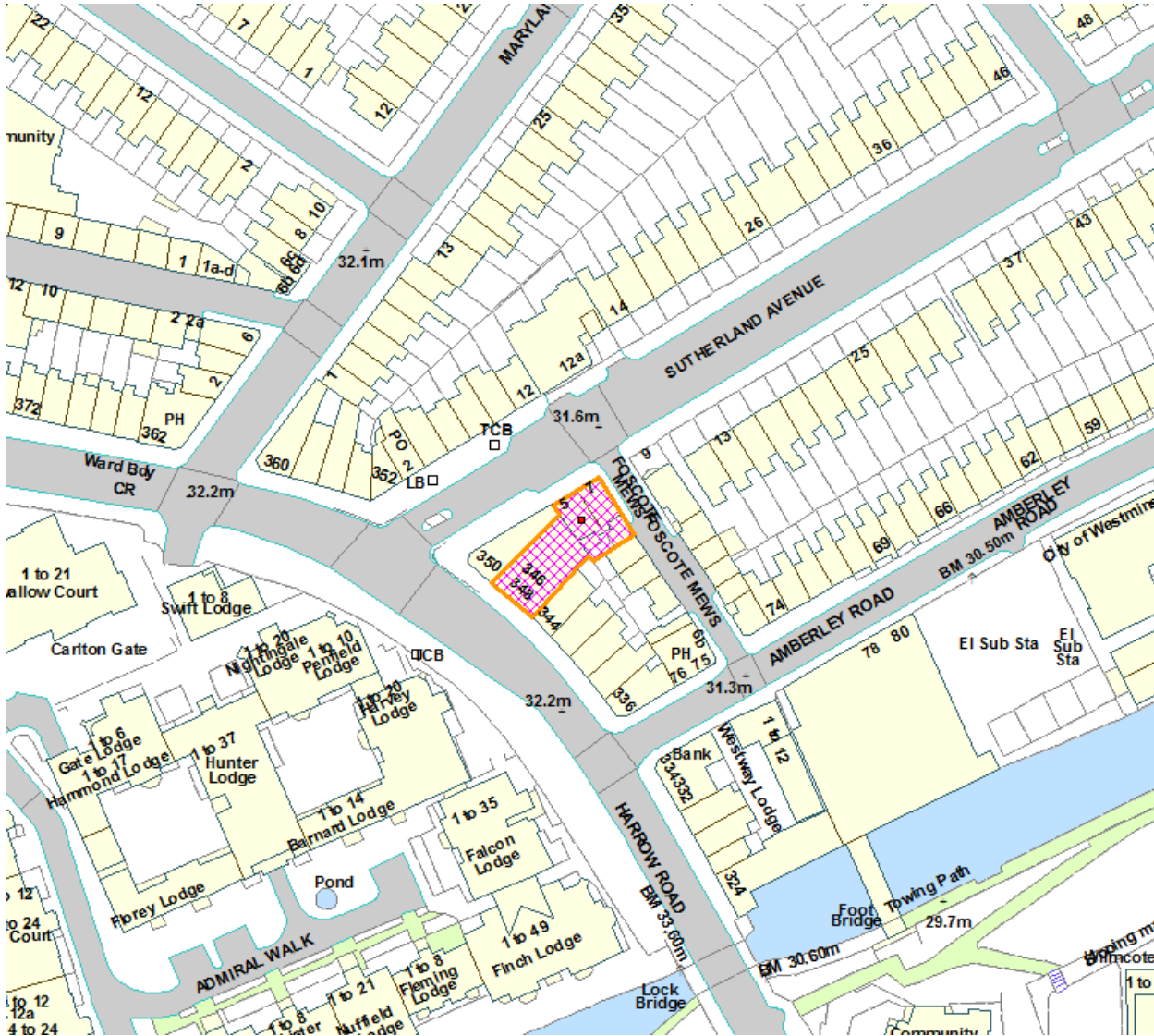
1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

This proposal for planning permission was previously reported to the Planning Applications Committee on 9th August 2016. At that meeting the application was deferred to allow the Committee to visit the application site prior to determining the application. The site visit took place on 19 September 2016 and the application is being reported back to the Committee for its further consideration and determination.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Sutherland Avenue elevation (top) and Harrow Road elevation (bottom).



5. CONSULTATIONS

No further representations have been received since the Committee meeting on 9th August 2016.

6. BACKGROUND PAPERS

1. Committee Report for Committee on 9th August 2016.
2. Minute from Planning Applications Meeting on 9th August 2016.
3. Representations as reported to the Planning Committee on 9th August 2016.

Selected relevant drawings

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk.

7. KEY DRAWINGS

The drawings are arranged as follows:

- EXISTING BASEMENT FLOOR PLAN:** Located in the top left, showing the current subterranean layout.
- EXISTING GROUND FLOOR PLAN:** Located in the top middle, showing the current ground level layout with street names **FOSCOTE MEWS**, **SUTHERLAND AVENUE**, and **HARROW ROAD**.
- EXISTING FRONT ELEVATION:** Located in the top right, showing the current facade of the building.
- PROPOSED 346/8 BASEMENT FLOOR PLAN:** Located in the bottom left, showing the planned subterranean layout.
- PROPOSED GROUND FLOOR PLAN:** Located in the bottom middle, showing the planned ground level layout.
- GENERAL NOTE:** A vertical column of text on the right side of the drawings.
- TITLE BLOCKS:** Two title blocks are present on the right side, one for the existing drawings and one for the proposed drawings, both featuring the **COMPASS** logo.

Handwritten red annotations include "CASE COPY" written twice, once near the existing ground floor plan and once near the proposed ground floor plan.

DRAFT DECISION LETTER

Address: 5-7 Sutherland Avenue, London, W9 2HE,

Proposal: Use of basement floors of Nos.5-7 Sutherland Avenue and Nos.346-348 Harrow Road as a community centre (Class D2) by the Asian Muslim Cultural Centre.

Reference: 12/07598/FULL

Plan Nos: 01A, 03, 04B and Design and Access Statement by Compass Architectural and Consultants.

Case Officer: Victoria Coelho

Direct Tel. No. 020 7641 6204

Recommended Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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

- 2 Only the Asian Muslim Cultural Centre can carry out the community centre use. No one else may benefit from this permission.

Reason:

Because of the special circumstances of this case we need to control future use of the premises if the Asian Muslim Cultural Centre leaves. This is as set out in SOC1 of our Unitary Development Plan that we adopted in January 2007. (R06AB)

- 3 The community centre use allowed by this permission can continue until 27 September 2017. After that the land must return to its previous condition and use. (C03AA)

Reason:

So that we can assess the effect of the use and make sure it meets SOC1, TRANS2, TRANS22 and ENV6 of our Unitary Development Plan that we adopted in January 2007 and S34, S29, S32 and S34 of Westminster's City Plan that we adopted in July 2016. (R03CB)

- 4 You must not allow more than 80 people into the basement community centre at any one time. (C05HA)

Reason:

To protect the environment of the neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and SOC 1 of our Unitary Development Plan that

we adopted in January 2007. (R21CC)

- 5 No amplified music or prayers shall be played on the premises.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S29, S32 and S34 of Westminster's City Plan (July 2016) and ENV 6 and SOC1 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 6 The basement community centre use hereby approved shall only be accessed via the entrance on Harrow Road. The entrance in Sutherland Avenue shall only be used as a means of emergency escape in the event of emergency. The access on Fosco Mews shall only be used as a means for disabled access or as a means of escape in the event of emergency.

Reason:

To protect the noise environment of the neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and SOC 1 of our Unitary Development Plan that we adopted in January 2007. (R21CC)

- 7 Within 2 months of the date of this permission, you must apply to us for approval of an Community Centre Management Plan that includes details of how you manage the following aspects of the community centre use:

(a) How visitors entering and leaving the community centre will be controlled so that they do not cause noise disturbance to neighbouring residents or obstruct the public highway.

(b) Measures to be put in place to encourage visitors to park vehicles in accordance with local parking restrictions.

(c) Measures to minimise noise breakout from the community centre when it is in use.

You must then operate the community centre use in accordance with the Community Centre Management Plan that we approve, unless or until we approve an alternative Community Centre Management Plan.

Reason:

To make sure that the use will not cause a noise nuisance for people in the area and to prevent obstruction of the public highway outside the premises. This is as set out in S29, S32 and S41 of Westminster's City Plan (July 2016) and ENV 6, TRANS 3 and TRANS22 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 8 Users and visitors of the community centre shall not be permitted within the premises before 05:00 or after 00:00 hours (midnight) each day. (C12AD)

Reason:

To protect neighbouring residents from late night noise nuisance, as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 9 Within 2 months of the date of this decision letter you must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the community centre within one month of the date on which we approve the details that you submit pursuant to this condition. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 10 Within 2 months of the date of this decision letter, you must apply to us for approval of a Travel Plan. The Travel Plan must include details of:
- (a) A comprehensive survey of all users of the community centre;
 - (b) Targets set in the Plan to reduce car journeys to the community centre;
 - (c) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over the year long period of this permission.

You must then carry out the community centre use in accordance with the Travel Plan that we approve.

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S41 of Westminster's City Plan (July 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You are advised that the advertisement above the entrance to the community centre in Harrow Road may require the benefit of separate advertisement consent.

- 3 In respect of the Travel Plan required by Condition 10, at the end of this temporary one year permission you should review the effectiveness of the Travel Plan and set out in a report any changes you would make to the Plan to overcome any identified problems. This report and an amended Travel Plan should be submitted along with any future planning application you may make to continue the use of the basement area as a community centre beyond the expiry of this temporary permission.
- 4 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: , www.westminster.gov.uk/cil , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form** , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> , Forms can be submitted to CIL@Westminster.gov.uk , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.