

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 15 December 2015	Classification For General Release	
Report of Director of Planning	Ward(s) involved Church Street		
Subject of Report	27 Tresham Crescent, London, NW8 8TW		
Proposal	Variation of Condition 8 of planning permission dated 05 November 2013 (RN 13/08537), to allow the second and third floors of the premises to be used for by the Pentecostal Church for a temporary period not exceeding four years and variation of Condition 9 in relation to the hours of use to allow extended use of the church for four nights to allow for night vigils until 23.00 hours		
Agent	Lisa Skinner		
On behalf of	Westminster City Council		
Registered Number	15/09502/COFUL	Date amended/ completed	19 October 2015
Date Application Received	12 October 2015		
Historic Building Grade	Unlisted		
Conservation Area	Outside a Conservation Area		

1. RECOMMENDATION

Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992

2. SUMMARY

This application for Council's Own Development seeks to vary the wording of Condition 8 of the planning permission for this new community building to allow the upper two floors to be occupied by the Central Pentecostal Church as a decant site for 4 years whilst their existing premises at No 141 Harrow Road are being redeveloped as part of the Dudley House development.

It is also proposed to vary Condition 9 to change the permitted hours of use to allow the church use on four nights in any one year until 23.00 hours.

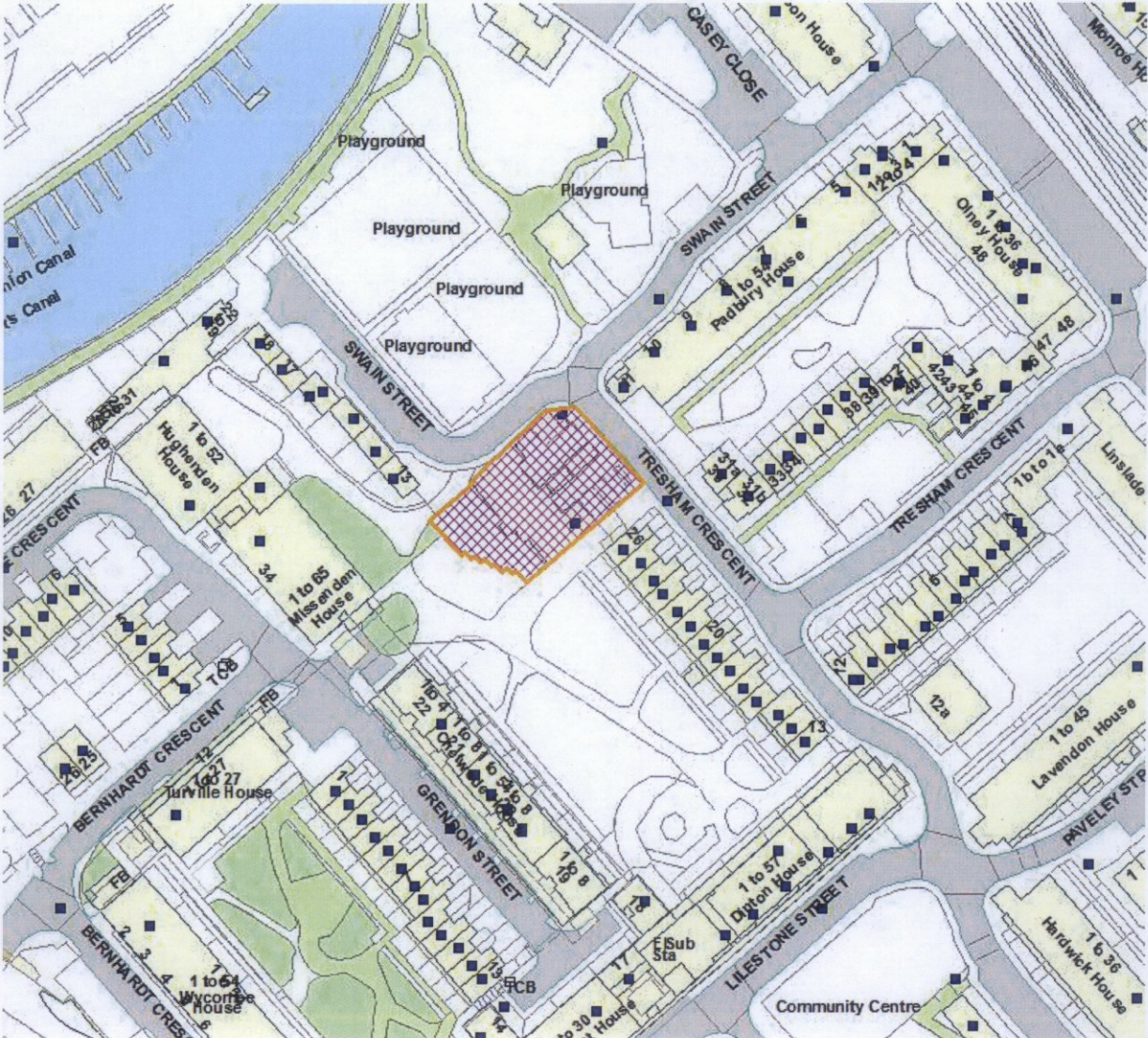
Objections have been received from local residents to the principle of a church use in the building, noise and disturbance to nearby residents and increased traffic. The St Marylebone Society have also raised concerns on noise grounds.

The key issues are:

- The impact on the amenities of neighbours from the proposed church use; and
- the impact on on-street parking in the area.

It is considered that the proposed church use for a limited period is an acceptable use in this soon to be completed community building. Although residents' concerns are well understood it is not considered that the proposed church use will harm the amenities of neighbours. The Highways Planning Manager raises no objections on parking grounds. The application is recommended for conditional approval.

3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013

4. PHOTOGRAPHS



Front elevation

5. CONSULTATIONS

WARD COUNCILLORS : Councillor Grahame approached by a resident as the City Council does not normally allow its buildings to be used for the purposes of religious worship or prayer or the promotion or study of a particular religion. Is Tresham House subject to this restriction? How is it possible to consider that planning application by the church?

PROJECT MANAGER HOUSING : Confirm no restrictions on the use of Tresham House.

ST MARYLEBONE SOCIETY : There are local worries about noise and disturbance for residents. Support residents and Church Street Planning & Licensing Group.

HIGHWAYS PLANNING MANAGER : Acceptable in transportation terms.

CRIME PREVENTION DESIGN ADVICE : Passed the application to the local police team.

ENVIRONMENTAL HEALTH : To be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS :

No. Consulted: 75; Total No. of Replies: 2

No. of objections: 2: No. in support: 0

Two objections received to date

Land Use

Placing a church in a building designed to accommodate children's services which will cause considerable unease and worry for parents .There are a large number of religions and sects on the Lisson Estate and the City Council is apparently favouring one group at the expense of another and this may leave it open to religious discrimination. The City Council has an active policy disallowing individual worshipping groups on the estate

Amenity

This type of church creates a significant amount of noise . One service a week would be invasive , four or five would be intolerable .

Transportation

Increased traffic and limited parking, children being out a risk by any increase in traffic flow. Concerned that 100 people arriving at the Church on Sundays with no parking. Also raised concerns about amplified music .

Other Matters

Question why Westminster is providing this space for the church when there are many other worthwhile and less controversial proposals!

ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application relates to a 4 storey building under construction which is due to open in December 2015 which is located on the west side of Tresham Crescent .The application site is located outside a Conservation Area and within the North Westminster Economic Development Area (NWEDA) .

6.2 Recent Relevant History

5 November 2013: permission granted for the demolition of existing building and construction of two to four storey building for community uses within Class D1.

Prior to this permission, a former two storey building occupied the site and was last used as a day care centre.

The new building is designed to accommodate two children services providers (being relocated from alternative locations), but also includes additional floorspace on the second and third floors to allow future growth in light of the forthcoming Church Street regeneration proposals.

7. THE PROPOSAL

This application under Section 73 seeks to vary the wording of two conditions attached to the 2013 planning permission in order to allow the two upper floors of this new building currently under construction as a church on a temporary basis.

Condition 8 currently limits the use of the new building as a family support centre, day nursery and for community group use and no other user in Class D1. It is sought to amend the wording of this condition in order to allow the second and third floors to be occupied by the Pentecostal Church as a decant site for a temporary period not exceeding four years.

Condition 9 controls the hours of use from 07.00 to 21,00 and the associated external terrace from 07.00 to 19.00 hours, and this condition needs to be varied to allow church use until 23.00 on 4 nights in any one year to allow night vigils.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Under the terms of the 2013 planning permission, a condition was imposed to limit the occupation of this new building so that it may only be used as a family support centre, day nursery and for community group use and no other purpose within Class D1 of the Use Classes.

The Central Pentecostal Church currently occupies No. 141 Harrow Road W2 and the Council together with City West Homes is proposing to submit a new planning application to redevelop Nos. 139 -147 Harrow Road and Dudley House for a new school, church and residential flats. This planning application is due to be submitted shortly, and if permission is granted a decant site is required for the Church for a limited

four year period. An earlier permission was granted for the redevelopment of this site which secured the temporary decant of the church in an unilateral undertaking.

Policies S34 in the City Plan and SOC1 in the UDP seek to protect all social and community floorspace. Whilst local residents concerns regarding the siting of a church in Lisson Estate are understood, it is considered an appropriate social and community use. This decant site is required to allow a comprehensive redevelopment of Dudley House which will deliver significant housing and educational benefits to the City. There are few suitable sites which can accommodate the church, for a limited period, and this new building is suitable in terms of its size, layout and disabled access.

The proposal is for a limited period, and the church will move to their permanent site when the Dudley House development is completed.

8.2 Townscape and Design

This application raises no townscape issues.

8.3 Residential Amenity

The Church has a congregation of 100 and residents are concerned that this use may affect amenity in terms of noise and disturbance and the playing of amplified music, and the frequency of services in the building.

The church in their supporting letter which is set out in the background papers advise that singing and playing of amplified musical instruments will take place on Sundays during the church service from 11.00 to 13.00 hours and there will be some practising and sound checks from 10.00 hours onwards. Music may also be played during the week between 18.00 to 21.00 hours but at a low level. Night vigils will take place on four occasions during the year and are for quiet contemplation and will finish no later than 23.00 hours. The Church will occupy the building throughout the week between 09.00 to 21.00 for church activities, administration and social activities.

Whilst residents' concerns are well understood It is not considered that the use as a church for a limited period of four years will result in a material loss of amenity for neighbours.

8.4 Transportation/Parking

Objections have been raised to the additional traffic the church will create as there is no car parking on site, and cars will park on the street and pose a danger to local children.

The Highways Planning Manager advises that the proposed use is for a D1 use and for a temporary period, therefore the impact of the changes to the conditions on highway and transport will not be significant. It is not considered that the proposal will pose a highway danger.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The building has level and lifts access.

8.7 Other UDP/Westminster Policy Considerations

There are outdoor terraces, and it is recommended that these are not used for religious services in order to safeguard the amenities of nearby residents in terms noise and disturbance.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

8.11 Environmental Impact Assessment

Not relevant in the determination of this application.

8.12 Other Issues

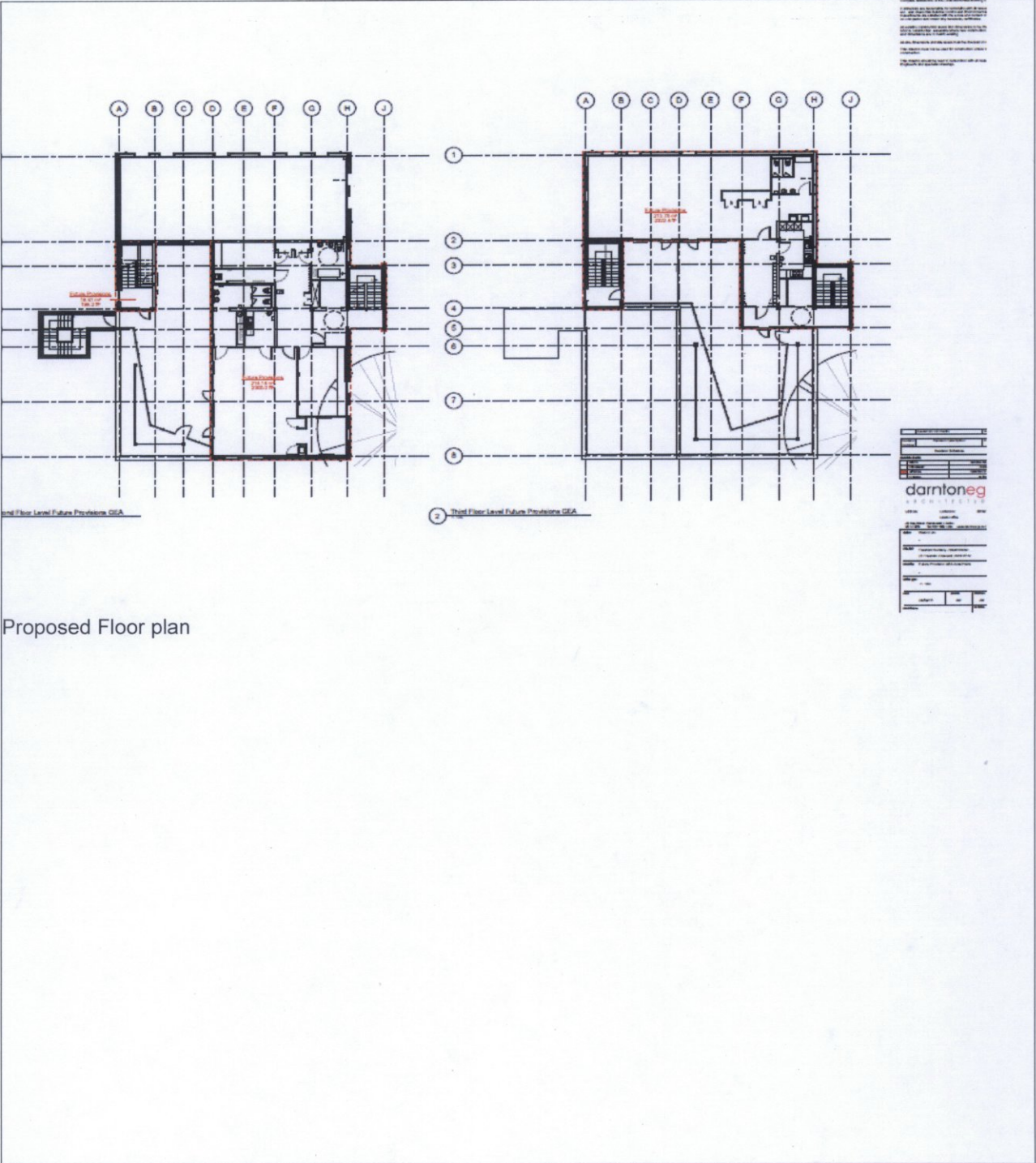
It has been raised by one of the objectors why the Council is proposing this decant as it is favouring one religious group over others. As set out in the report, a temporary decant site needs to be found in order to allow another site in the City to be redeveloped, which will provide a new school and affordable housing.

It has also been raised by Councillor Grahame and a resident that the Council does not permit its premises to be used for religious worship or prayer or the promotion or study of a particular religion. The new building is not subject to any such restrictions on the lease.

9. BACKGROUND PAPERS

1. Application form
2. Response from Highways Planning Manager dated 23 October 2015
3. Letter from occupier of 26 Tresham Crescent London NW8 dated 29 October 2015.
4. Email from St Marylebone Society dated 14.November 2015
5. Email from 34 Hughenden House London NW8 dated 11.November .2015
6. Response from Metropolitan Police dated 5.November 2015
7. Letter from the agent dated 12.October 2015.
8. Statement by the Central Pentecostal Church.

10. KEY DRAWINGS



Item No.

7

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 OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT NATHAN BARRETT ON 020 7641 5943 OR BY E-MAIL – NBARRETT @westminster.gov.uk