

MINUTES OF THE PLANNING COMMITTEE
Wednesday, 10th March 2004 at 7.00 pm

PRESENT: Councillor Cribbin (Chair), Councillor Harrod (Vice-Chair) and Councillors Chavda, Freeson, Kabir, Kansagra, McGovern, H M Patel, Singh and Steel.

Councillors Coughlin, Fox, Joseph, Lorber, H B Patel, Sattar-Butt and Thomas also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

None declared at this meeting.

2. Requests for Site Visit at Start of Meeting

None requested at the start of this meeting.

3. Minutes of the Previous Meetings – 19th February 2004

RESOLVED:-

that the minutes of the meeting held on 19th February 2004 and 28th January 2004 be agreed as a true and accurate record subject to the following amendments to the minutes of the 19th February 2004;

Add “apologies for absence were received from Councillor Kabir”. Under reference 1/04 add Councillor Kansagra to the list of those who voted for the application and amend votes (For 7, AGAINST 1)

4. Planning Applications

RESOLVED:-

that the Committee’s decisions/observations on the following applications for planning permission under the Town and Country Planning Act 1990 (as amended), as set out in the decision column below, be adopted. The conditions for approval, the reasons for imposing them and the grounds for refusal are contained in the Report from the Director of Planning and in the supplementary information circulated at the meeting.

ITEM NO	APPLICATION NO (1)	APPLICATION AND PROPOSED DEVELOPMENT (2)	DECISION (3)
NORTHERN AREA			
1/01	03/3584	29 Barn Hill, Wembley, HA9 9LF Erection of 2-storey side and single-storey rear extension, rear dormer window, rear and side roof-light to dwelling house (Article 4 Direction)	Approval, subject to conditions as amended by the Committee in respect of condition 4

In introducing the supplementary report, the **Northern Area Planning Manager** stated that in response to a neighbour's concerns raised during the site visit regarding an earlier extension to 2 Barn Hill, he recommended an amendment to condition 4 requiring the applicant to submit a written request of approval, detailing measures to be taken to screen the view of the neighbouring garden.

Mrs Agnes Williams, in objecting to the application, stated that she appreciated the efforts by officers in respect of the amended condition 4 but still felt that the extension would be an invasion of privacy as it would overlook her property. She explained to Members that in her view the extension would not enhance the immediate environment. She also stressed the sense of enclosure created by an extension to the rear of her property.

Members voted unanimously to approve the application, subject to conditions as amended in condition 4.

NB: Cllr Steel was not available during consideration of this application and therefore did not take part in the discussion or voting.

1/02	03/3750	Garages R/O 27-34, Oxgate Court, Coles Green Road, London NW2 Outline application for the erection of 7 three-bedroom dwellinghouses, 3 one-bedroom and 3 two-bedroom flats and 13 car parking spaces	Approval, subject to conditions and subject to a Section 106 or other legal agreement Authority delegated to the Director of Environmental Services to agree the exact terms thereof on the advice from the Borough Solicitor. An informative will be added to the decision in relation to site security.
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In introducing the supplementary report, the **Northern Area Planning Manager** referred to issues raised by residents during the site visit in respect of landscaping, loss of privacy, parking provision, the possibility of retaining the rear garage walls and the proximity of the site to a bus stop. He advised the Committee that as this was an outline application that those issues would be considered when detail plans were submitted.

In respect of the proximity of the access road adjacent to 1 Crest Road, the **Northern Area Planning Manager** advised the Committee that the Transportation Unit would not support a relocation of the bus stop as it was situated to serve the shops at Oxgate Court and that occasional traffic queues were an acceptable level of inconvenience to car users. He added that Transportation Unit were proposing to improve the highway safety for the access and exit of vehicles by providing junction platforms at the intersection of the access road and Crest Road, thereby reducing traffic speed and assisting the flow of traffic on the highway.

Mr Brendel objected to the application on the grounds that the development would add to the congestion, noise and density of the area. He stated that he felt the proposed public footpath would compromise residents' privacy. He added that he did not feel the site was large enough for the type of development proposed.

In accordance with the Planning Code of Practice, **Cllr Fox** stated that he had been approached by local residents. He enquired as to why an earlier application in 1989 proposing a smaller number of residential units had been refused whereas this application for a higher number of units was being recommended for approval. He felt that the development would compromise safety concerning access in the area and added that the presence of 2 buses outside the block would effectively block the access route. He requested a confirmation as to whether the owners of the site also owned Oxgate Court.

Mr Michael Sierens, representing the applicant, confirmed that the site owners did not own Oxgate Court. He stated that he believed that planning policy encouraged housing on such sites. He informed the Committee that he had spoken with Mr Brendel and explained that there were still issues to be resolved as the application was only at the outline stage. He stated that it was the applicant's intention to provide security gates at the site entrance to prevent fly parking and 1 car parking space for each residential unit. In response to Cllr Fox's comments concerning the 1989 application, he explained that the residential units for the current application would be smaller with good communal facilities provided.

During Members' discussion of the application, **Cllr Freeson** enquired about the possibility of an alternative access route and suggested that the site be considered at the next meeting of the Public Transport Liaison Body. **Cllr Kansagra** asked for details concerning the withdrawal of the applicant's earlier application in May 2003. He suggested that a yellow box at the junction would be more effective than the proposed junction platforms. He asked if the retention of the rear garage walls could be approved at this meeting.

Cllr McGovern expressed reservations concerning site access, in particular the prospect of the access being blocked by buses and thought the proposed development inappropriate for the site. **Cllr Singh** took the view that the development would be an improvement. However, he expressed concerns about the sharp turning of the access and added that he had observed traffic congestion during the site visit.

In response to **Cllr Freeson's** query concerning the possibility of other access routes, **Mr Sierens** explained that the applicant had not been able to obtain planning permission for an alternative access route proposed because it would have gone through a private road. The **Northern Area Planning Manager** added that there were no other viable alternative access routes but ongoing consultation with the Transportation Unit would address access concerns. In reply to **Cllr Kansagra's** query concerning the earlier application withdrawal of May 2003, **Mr Sierens** stated that the applicant had been advised to withdraw because further consultation was required. The **Northern Area Planning Manager** added that the May 2003 application was considered by Planning Services as an under-use of the site. In answer to other Members' queries, the **Northern Area Planning Manager** advised that the retention of the garage wall would be considered at a later stage as the stability of the wall had not yet been assessed. The **Head of Area Planning** added that the wall could also affect the future layout and recommended adding an informative regarding the security of the site. This was agreed by Members.

Members voted by a majority decision to approve the application, subject to a Section 106 or other legal agreement and delegated authority of the Director of Environmental Services to agree the exact terms thereof on the advice from the Borough Solicitor, conditions and an informative in relation to site security.

In accordance with the provisions of Standing Order 66 (d), voting on this application was recorded as follows:

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|---------------------|--|------------|
| FOR: | Cllrs Cribbin, Chavda, Freeson, Harrod, Kabir,
Kansagra, H M Patel, Singh & Steel | (9) |
| AGAINST: | Cllr McGovern | (1) |
| ABSTENTIONS: | None | (0) |

1/03	03/3190	Land R/O 1-7 Coles Green Road, London NW2 6ED	Approval, subject to conditions and subject to completion of a Section 106 or other legal agreement. Authority delegated to the Director of Environmental Services to agree the exact terms thereof on the advice from the Borough Solicitor
		Erection of 2- & 3-storey building comprising 4 four-bedroom houses 5 five-bedroom houses and 4 detached garages	

In introducing the report, the **Northern Area Planning Manager** advised the Committee of a letter of objection received from a resident in Coles Green Road regarding dangerous site access and insufficient parking. He stated that the parking provision complied with standards and that Transportation Unit had recommended approval of the revised plans which amended carriageway width and junction radius.

In accordance with the Planning Code of Practice, **Cllr Fox** stated that he had been approached by local residents. He explained that many residents had not had prior knowledge of the application and that some had expressed concerns regarding site access and traffic impact. He also stated that some residents had requested if it was possible for demolition and construction hours to commence at 0900 hours as opposed to 0800 hours on Saturdays. He informed the Committee that he fully supported the Section 106 agreement.

In reply to Cllr Fox's comments, the **Northern Area Planning Manager** advised the Committee that the current access route was the only possible option. He stated that the 9 proposed residential units allowed enough space for a larger vehicle to be able to manoeuvre to and from the site. He advised the Committee that the Saturday working hours of demolition and construction were standard and that reducing the number of working hours would only prolong completion of the site.

Members voted unanimously to approve the application, subject to a Section 106 or other legal agreement and delegated authority of the Director of Environmental Services to agree the exact terms thereof on the advice from the Borough Solicitor and conditions.

1/04	03/2884	GLADSTONE PARK, Parkside, London NW2	Deferred as in the supplementary information.
		Erection of a changing-room pavilion in the south-east corner of the park behind the existing community club adjacent to Midlothian House	
1/05	03/0781	1-12INC, WESTLY COURT, Dartmouth Road, London NW2	Approval subject to conditions
		Erection of roof extension to provide 3 rd floor (4 th level) comprising 3 self-contained two-bedroom flats, extensions to two external rear and two internal existing staircases	

In introducing the report, the **Northern Area Planning Manager** advised referred to a letter of support for the proposed development. The Residents' Association had contacted Planning Services with no objection in principle but had expressed concerns regarding the welfare of the residents of the proposed development. He then referred to an allegation by some residents that they had not been consulted about the latest plans and that they felt the proposals would have an adverse impact on their view and would also overlook into their windows.

He confirmed that standard consultation had been undertaken with occupiers of adjoining properties and the Residents' Association and that subsequent amendments to the plans were not subject to further consultation, as there was no change in principle to the development. He advised the Committee that the proposals were not considered to materially affect the privacy of neighbours. A resident of the second floor at 153 Dartmouth Road had expressed concern about the impact of the extra floor on a rear rooftop terrace but in officers' view, its impact would not be significant.

Mr David Parker, in objecting to the application, stated that he had not received any consultation in respect of this application and that he had only received details from his neighbour the day before this meeting.

Mrs S Jayaswal, in objecting to the application, requested a deferral of the application to provide an opportunity for a wider consultation. She stated that not all residents had been consulted and that there would be an invasion of privacy if the application was approved. She also stated that as the site was in a Conservation Area she did not feel the proposals were appropriate and complied with the adopted Unitary Development Plan (UDP).

Mr Beresford, also in objecting to the application stated that the proposals would affect the light to his third floor terrace, obstruct sunlight into the bedrooms and the views of Gladstone Park. In his view, the plans were incomplete and the report was flawed. He reiterated Mrs Jayaswal's views that the proposals were inappropriate for a Conservation Area. He requested further consultation or a refusal of the application and invited officers to visit his property to assess the full impact and his views.

Mr Cooney, the applicant explained to Committee that he had shown the plans to Mrs Jayaswal and that they had discussed the possible blocking of sunlight on her bedroom but that there would be no other effects on light.

In reply to **Cllr Kansagra's** query regarding the consultation process, the **Northern Area Planning Manager** stated that there were only minor changes to the design of the proposals and therefore apart from the standard notices, letters were only required to be sent to residents in the immediate area.

Members voted by a majority decision to approve the application, subject to conditions.

In accordance with the provisions of Standing Order 66 (d), voting on this application was recorded as follows:

FOR:	Cllrs Cribbin, Chavda, Freeson, Harrod, Kabir, McGovern, & Singh	(7)
AGAINST:	Cllrs Kansagra and H M Patel	(2)
ABSTENTIONS:	None	(0)

NB: Cllr Steel was not available during consideration of this application and therefore did not take part in the discussion or voting.

1/06 03/3488 22 Woodland Close, NW9 8XP Approval, subject to conditions

Rear dormer window, 1 rear and 2 front roof-lights and erection of 2-storey side, single-storey rear extension to dwellinghouse

In introducing the report, the **Northern Area Planning Manager** advised the Committee that the proposals were in keeping with the character of the area and met with SPG5 guidance in respect of scale and position of extensions in residential areas. He stated that the proposals would not affect privacy, amenity and outlook of neighbouring properties and were considered consistent with adopted UDP policies.

Mr Treptow in objecting to the application, circulated information to Members. He stated that the application represented a doubling of the living area and that he did not believe there was precedence for such a proposal. He stated that the proposals were almost identical to the one refused for 20 Woodland Close. In his view the proposals would make a significant change to the landscape. He requested a deferral of the application pending further consultation with residents. In reply to a query from **Cllr Harrod**, **Mr Treptow** confirmed that the nearby synagogue did not present any problems because of the ample vegetation along the borders.

Mrs McBride, in objecting to the application queried the report adding that the Planning Services website quoted different measurement. She informed the Committee that her application for a similar extension at 20 Woodland Close was refused on grounds that it affected the character of the local area so she had opted for a loft extension. She stated that the application at 22 Woodland Close if approved would overshadow her garden and affect the quality of life of her home. She requested that a site visit be undertaken.

In reply, the **Northern Area Planning Manager** stated that there were differences between this and Mrs McBride's application in that her proposals included a bulkier extension extending across the whole house. He advised the Committee that the report before Members was factually correct and confirmed that the first floor element would extend 1.9 metres to the rear.

Members voted unanimously to approve the application, subject to conditions.

1/07 03/3720 77 Dollis Hill Lane, London NW2 6JH Approval, subject to conditions as amended by the Committee in respect of condition 3

Change of use from single family dwellinghouse to residential children's home

In introducing the report, the **Northern Area Planning Manager** advised Members of a letter from the applicant informing Planning Services that the number of children intended to be housed on the site had been reduced from 6 to 3 and accordingly, condition 3 had been amended. Three letters of objection and two petitions had been received expressing concerns including safety of children in the area, impact on the value of property, opportunity for crime, increased traffic, loss of community spirit and the potential to attract drug users to the area.

He advised the Committee that such judgements could not be made on the likely behaviour of future residents at the site in advance of any Statement of Purpose by the Care Standards Commission. He stated that Cllr Fox had queried the role of Social Services in the running of the home and advised Members that the home required registration with the National Care Standards Commission (NCSC), the regulatory body. The applicant had been involved in pre-registration discussions with the NCSC with a view to applying for full registration. The NCSC were responsible for dealing with any alleged breach of regulations and standards and he advised Members that it was not a concern of the Planning system. He added that planning permission would be required if there was a change of use from what was being applied for.

In objecting to the application, **Mr Lefebvre** stated that he believed the site was under covenant that excluded change of use. He expressed concerns that the site was yet to obtain a Statement of Purpose. In reply, the **Northern Area Planning Manager** confirmed that a covenant agreement was not a planning issue. Concerning the Statement of Purpose, he advised Members that they could request one before considering the decision.

Mrs Naqvi, in objecting to the application stated that her garden backed on to the site and expressed concerns about a possible invasion of her privacy and the safety of her own children. She requested a wider consultation with the residents and a review of the application. In response to Members' queries, she stated that the potential noise and disturbance from the site would have a detrimental effect on the quality of life of her and her family.

Miss Albert, the applicant, noted the concerns of the residents but asked that there be a greater understanding of the service provided at the site. She explained to the Committee that care, support and stability would be given to children who had previously been abused. After consultation with NCSC she had decided to reduce the number of children to be accommodated to 3 in order to provide higher level quality care. She advised the Committee that as Manager of the home she had control over admission criteria to the premises in addition to the high standard of requirement by the NCSC.

In reply to Members' queries, **Miss Albert** explained that the home would provide 24 hour care to children aged 10 to 15 until an appropriate permanent home had been found for them. She explained that although this application did not constitute a material of use, she had applied for planning permission for clarification in view of the objections received.

In accordance with the Planning Code of Practice, **Cllr Thomas** stated that he had been approached by local residents. He stated that he believed more consultation should have been undertaken with residents, especially in the light of the concerns raised. He suggested that greater consultation may have prevented the misunderstandings between the residents and the applicant.

In accordance with the Planning Code of Practice, **Cllr Sattar-Butt** stated that he had been approached by local residents. He stated that the 2 petitions submitted were a testimony of the depth of residents' concerns. He asked if any measures were in place to prevent the applicant from increasing the number of children housed in the future and requested that there be further consultation with residents.

In accordance with the Planning Code of Practice, **Cllr Fox** stated that he had been approached by the applicant and local residents. He explained that his Ward shared the boundary with which the site was located. He stated that as Lead Member for Social Services he was aware of concerns expressed with regards to a number of care homes in the Borough and that this was often because of the lack of consultation with local residents.

Cllr Steel then queried whether planning permission would be required if the applicant wished to accommodate more than 3 children.

In response to the queries raised, the **Head of Area Planning** stated that a single dwelling of up to 6 people living as a household would not require planning permission. In this case however, the applicant had expressly requested it to be decided by Committee. In clarification, the **Borough Solicitor** advised the Committee that a condition could be attached restricting approval for up to 6 people on the premises.

During Members discussion of the application, **Cllr Steel** expressed reservations about approving the application against the residents' wishes and stated that he was concerned that it could set a precedent for future applications of this nature. **Cllr Freeson** stated that the applicant had sought planning permission with the fair intention of seeking public recognition of her proposals in light of the objections received. **Cllr Kansagra** requested that Condition 3 as set out in the supplementary report be amended to limit the total number of children to 3 and the total number of carers to 3.

Members then voted by a majority decision to approve the application, subject to conditions as amended by **Cllr Kansagra** in Condition 3 as follows; *"That the maximum number of children accommodated in association with the use shall not exceed 3 and the maximum number of carers accommodated in association with the use shall not exceed 3."* This was put to the vote and declared CARRIED by a majority.

In accordance with the provisions of Standing Order 66 (d), voting on this application was recorded as follows:

FOR:	Cllrs Cribbin, Chavda, Freeson, Harrod, Kabir, Kansagra, H M Patel & Singh	(8)
AGAINST:	Cllrs McGovern & Steel	(2)
ABSTENTIONS:	None	(0)

SOUTHERN AREA

2/01 04/0014 2, 4 and Land Adjacent to 6 Oldfield Road, London NW10 Approval, subject to conditions

Demolition of existing wall, alterations to the front garden area to provide landscaped area and provision of 2 off-street parking spaces and refuse collection area on the frontage of the properties

2/02 03/3280 CENTRAL RELIEF SERVICE, 2 Scrubbs Lane, London NW10 6RB Approval, subject to conditions

Erection of two-storey and single storey rear extensions to both dwellinghouses to existing single-storey building including extension to ground floor, two new upper floors, including a tower entrance with aspire to extend nursery and provide church, community and advisory centre with ancillary offices and car parking (as revised by letter and plans received 24th February 2004)

In introducing the supplementary report, the **Acting Southern Area Planning Manager** advised the Committee that the site was located in both Brent and Hammersmith & Fulham Boroughs. A letter had been received from Hammersmith & Fulham Borough stating no objection to the application.

In accordance with the Planning Code of Practice, **Cllr Joseph** stated that she had been approached by the applicant and local residents. She informed the Committee that all Ward Councillors supported this application.

Members voted unanimously to approve the application, subject to conditions.

2/03 03/3708 79 & 81 Whitmore Gardens, London NW10 Approval, subject to conditions

Erection of two-storey side and single-storey rear extensions to both dwellinghouses

In introducing the report, the **Acting Southern Area Planning Manager** advised the Committee that both properties were 2-storey end of terrace dwelling houses and were not situated within a Conservation Area. He stated that the proposed single storey rear extension would have a depth of 4.8 metres, except along the boundary of 81 and 83 Whitmore Gardens where it would be 2.5 metres, as per the SGP5 guidance. Taking into account the separation and the maximum height of 3 metres, the impact of the increased depth on 83 Whitmore Gardens would not justify a refusal.

Mrs Kissoon-Diehl, in objecting to the application, stated that there were no significant changes to the original application which had been refused and that the excessive depth and dominant nature of the proposed extension remained. In her view, it conflicted with planning policy because of excessive infilling of space and were not in keeping with the local area. She added that the proposal could increase air and noise pollution and requested that a refusal of the application.

Mr David Rouco, in objecting to the application, stated that the revised application only proposed minor adjustments and that the 3 metre height exceeded the height proposed in the first application..

During Members' discussion of the application, **Cllr Harrod** queried whether the depth on the border with 77 Whitmore Gardens would be 2.8 metres, which would exceed the depth limit for terraced housing. **Cllr Steel** stated that he felt the properties should remain as 2 separate dwellings. He expressed concerns that the applicant might be able undertake works and then apply for planning permission retrospectively. In reply, the **Chair** expressed agreement regarding Cllr Steel's comments on retrospective planning permission and added that it was an issue that required further investigation, along with ways of improving enforcement. **Cllr Kansagra** asked for clarification concerning differences between these proposals and the applicant's earlier proposals and why the proposed extension to 81 Whitmore Gardens would be larger than that at 79 Whitmore Gardens.

In reply to Members' comments, the **Acting Southern Area Planning Manager** advised the Committee that the extension along the border of 77 Whitmore Gardens already existed at 2.8 metres. He advised the Committee that any change of use at either dwelling would require planning permission. He stated that this application proposed a lesser ground floor space to previous applications and that the extension to 81 Whitmore Gardens was larger than 79 Whitmore Gardens because it had greater depth storage at the rear of the premises.

Members voted by a majority decision to approve the application, subject to conditions.

In accordance with the provisions of Standing Order 66 (d), voting on this application was recorded as follows:

FOR: Cllrs Cribbin, Chavda, Freeson, Harrod, Kabir, Kansagra, McGovern, H M Patel & Singh (9)

AGAINST: Cllr Steel (1)

ABSTENTIONS: None (0)

2/04 03/3747 SCHOOL MAIN BUILDING, CONVENT OF JESUS & MARY, Crownhill Road, London NW10 4EP Approval, subject to conditions

Erection of two-storey southeast-facing extension to existing 6th form block, two-storey extension to northeast-facing elevation to existing gym block and

canopy to southwest elevation of the 6th
form block and extension of parking area

In introducing the report, the **Acting Southern Area Planning Manager** advised the Committee that the proposal provided improved facilities for an existing school with extensions of an appropriate scale and design, which would not impact on the amenities of nearby residents. It would provide an increase in parking provision.

In answer to a query from **Cllr Harrod**, the **Acting Southern Area Planning Manager** confirmed that the trees by the Sixth Form College would be retained.

Members voted unanimously to approve the application, subject to conditions.

2/05	03/3744	I P R LUCAS SERVICE, 133-137 Kilburn Lane W10 4AN	It is likely that this application would have been refused had it not been withdrawn although the application will be decided on its merits if re-submitted.
		Outline planning application for the demolition of the existing dairy buildings and erection of 2 x three-storey buildings containing 11 flats and 13 parking spaces and gardens	

WESTERN AREA

3/01	03/3680	100 & ALLOTMENTS R/O 96-112 Harrowdene Road, Wembley HA0	Approval, subject to conditions and subject to completion of a Section 106 or other legal agreement. Authority delegated to the Director of Environmental Services to agree the exact terms thereof on the advice from the Borough Solicitor
		Demolition of 100 Harrowdene Road to create vehicular access and footpath and erection of 33 dwellings comprising a two-storey pair of 4-bedroom houses, a three-storey terrace of 15 units (1 four-bedroom maisonette, 8 three-bedroom, 5 two-bedroom flats and 1 one-bedroom flat), a three-storey terrace of 16 units (6 four-bedroom, 3 three-bedroom including a disabled maisonette, 3 two-bedroom flats and 4 one-bedroom flats), provision of 18 car parking spaces and 1 disabled space under a car port, landscaping with children's play area, bike storage to side of block B, storage sheds in rear gardens and bin-stores to front.	

In introducing the supplementary information, the **Western Area Planning Manager** advised the Committee that revised drawings of the site had been submitted with changes to footpaths and parking spaces. He confirmed that the designated open space proposed of 0.063 hectares would be accessible by public footpath. The proposed residential units would house up to 94 children. He stated that part of the footpath to the east of the site was proposed to be widened. The application was also subject to policy OS7: that the provision of new or extended public space be sought on appropriate sites in local public open space deficiency areas where redevelopment takes place and including where a new development creates a deficiency. He also drew Members' attention to landscape observations and issues regarding acoustic screens, trees and boundary maintenance.

He advised the Committee that a petition objecting to the application had been submitted by Lancelot and Harrowdene Residents' Association along with a further letter of objection from a local resident. He then drew Members' attention to the following observations raised by **Cllr Lorber** and officers' responses concerning:

- (a) The level of priority regarding open space use of the site
- (b) The provision of the pedestrian link between the site and the public footpath
- (c) The L-shaped design of the development
- (d) The length of process of the application and consideration given to responses made
- (e) Transportation Unit's initial recommendation of refusal of the application
- (f) Car parking provision

The **Western Area Planning Manager** stated that the proposed 3 metre high fence to be provided along the boundary of the site with the railway in the original report had implications for the amenities of the residents in that part of the site and also users of the footpath. He therefore recommended an amendment to Condition 7 to safeguard the amenities of the prospective occupiers arising from noise from the adjacent railway.

Mr Rajeev Sahjpal, in objecting to the application, stated that there was a lack of green space in the area and he understood that only 10 per cent of land on this site was proposed as open space. He felt that the proposed ground floor flats would not have adequate sized gardens and would therefore also require use of open space. He suggested that the proportion of open space on the site should be in the region of 25 to 50 per cent. In reply to Members' queries, he informed the Committee that the current open space, which was previously in popular use, had not been extensively used for the last 3 years due to lack of maintenance. He felt that there was no adequate alternative open space provision in the immediate local area.

Mr Robert Williams, in objecting to the application, raised a number of issues he felt the application would have an impact on, including:

- (a) The loss of open space the proposals would entail
- (b) An increase in traffic congestion
- (c) Compromise of public footpath safety
- (d) An increased burden on local medical and health facilities

He questioned the suitability of the site for residential purposes in light of its proximity to a railway line and whether parking requirements would be met. He felt the site required open space priority under the UDP. He also stated that Transportation Unit's reservations during the consideration of this application should be taken into account. He suggested that the application be deferred for a re-assessment of the site.

In reply to Members queries, **Mr Robert Williams** stated that he believed the public footpaths' safety could be compromised because the buildings would block out light. In reply to a Member's query concerning land use of the site, he stated that because the site was relatively no development should be allowed and that the entire area be given over to open space.

Mr Ali, representing the applicant, stated that the land had been defined by the local authority as suitable for both residential and open space use. He believed the application represented a balance between the needs of new and existing residents, in light of the need for more housing provision in the Borough. He stated that existing residents' needs had been addressed and that the plans had been modified accordingly to accommodate them. He referred Members to the Section 106 agreement in report and highlighted its considerable benefit to the local community. He believed that there had been ample consultation in respect of this application and the site visit had presented the opportunity for the expression of views. He added that the proposals were an opportunity to regenerate a site that had not been in use for approximately 10 years and supplied the Borough's need for affordable housing.

In reply to Members' questions, **Mr Ali** stated that the proposed designated area of communal open space on the site was approximately 700 square metres and would receive high quality land management. In reply to a Member's query regarding the expenditure from the Section 106 agreement, he stated that approximately £500K would be available to the Council to be allocated at its discretion. He also added that a 3-years consultation with Planning Services had resulted in the optimum layout included in this application.

In accordance with the Planning Code of Practice, **Cllr Lorber** stated that he had been approached by local residents. He suggested that as the site was currently owned by the Council, its sale to the applicant would be deducted from funds generated by the Section 106 agreement. He believed the land should have originally been designated for open space, as had been identified in the UDP, and not for housing, which he considered erroneous. He referred to the example of Windmore Close in the supplementary report, where 40 parking spaces had been allocated, stating that he had observed at least 50 parked vehicles at that location during the site visit. He therefore believed the provision of 19 off-street and 8 on-street car parking spaces for this application was unrealistic. He added that affordable housing did not necessarily mean that smaller parking provision was suitable. He stated that Lancelot Avenue in particular suffered from lack of open space, a deficiency that would be exacerbated by this application. He believed that the application offered an imbalance between residential and open space use and suggested that the plans be reviewed.

In reply to Cllr Lorber's comments, the **Head of Area Planning** stated that there were a number of factors to be considered regarding the usefulness of open space. He advised the Committee that the open space on this site had limited use, backed onto private gardens and was not suitable for recreational sports. He stated that the proposals offered a reasonable children's playing area with an acceptable management scheme. He added that there was plenty of common open spaces in the nearby areas of Valley Farm and King George. He felt that the site was large enough for the mixed use proposed and advised Members that the approximate 10 per cent of open space proposed represented a greater share than other applications previously approved by the Committee. He believed that the revised proposals offered better quality of life through higher fence borders, the addition of new trees and an upgraded footpath. With regards to car parking provision, he accepted that parking was limited in the area but advised the Committee that Transportation Unit were satisfied with the proposals and that it was unlikely the development would result in overspill parking in Harrowdene Road. In conclusion, he considered that benefits of the application outweighed other considerations and recommended its approval.

During Members discussion of the application, **Cllr Freeson** expressed concern that only 10 per cent of land was proposed for communal open space and requested if a review of the configuration could be undertaken to increase this proportion and also if there could be more flexibility regarding parking provision. **Cllr Kansagra** stated that he believed the development would exacerbate the problems of traffic congestion, parking and road safety if the development went ahead. He believed that the area was already deficient in open space provision and that the Section 106 agreement was not appropriate. He added that any proposed residential units should be low-level semi-detached houses, designed to be in keeping with the area. **Cllr Chavda** stated that he thought the open space provision insufficient and that the residential land use element should be smaller in scale. He also regarded the parking provision as insufficient and thought the development would add to traffic congestion and compromise road safety in Harrowdene Road. He requested that the scheme be deferred for revision. **Cllr Harrod** stated that since the land was currently under-utilised, the proposals represented a significant improvement to the current land use. He understood concerns regarding the proposed parking provision for affordable housing on the site but noted the application was for low density housing. He stated that on balance the application merited approval.

The Chair added that the traffic lights proposed for Harrowdene Road would improve road safety.

Cllr Chavda made a request that the application be deferred. This application was put to the vote and declared LOST.

Members then voted by a majority decision to approve the application, subject to a Section 106 or other legal agreement and delegated authority of the Director of Environmental Services to agree the exact terms thereof on the advice from the Borough Solicitor and conditions.

In accordance with the provisions of Standing Order 66 (d), voting on this application was recorded as follows:

FOR: Cllrs Cribbin, Freeson, Harrod, Kabir, McGovern & Singh (6)

AGAINST: Cllrs Chavda, Kansagra & Singh (3)

ABSTENTION: None (0)

3/02 04/0072 SAGAR SWEETS, UNIT 1, Temporary consent
WHARFSIDE, Rosemont Road, for 1 year subject to
Wembley, HA0 PE conditions

Continued use of premises as restaurant

In introducing the report, the **Southern Area Planning Manager** informed the Committee that there was insufficient evidence to suggest that:-

- (a) the proposals would result in a significant increase in traffic flow on the site and at the Rosemont Road and Ealing Road junction
- (b) there would be a decrease in the amenity of existing occupiers of the other units in the Wharfside Estate or the units located under the Archway and would not have a detrimental impact on a Borough Employment Area.

He recommended to Members that temporary consent be granted for 1 year subject to conditions in order for a review of the impact of this use to be undertaken.

In reply to a query from **Cllr Chavda**, the **Southern Area Planning Manager** confirmed that the premises were no longer owned by Sagar Sweets.

Members voted unanimously to approve temporary consent of 1 year for the application, subject to conditions.

3/03 04/0039 31 Sylvester Road, Wembley, HA0 3AA Approval, subject to
9AA conditions.

Erection of single-storey side extension
to bungalow

3/04 03/3362 ELIZABETH HOUSE OFFICES, Approval, subject to
ELIZABETH HOUSE, High Road, Wembley conditions
HA9 6AQ

Erection of additional 5th floor with curved
aluminium roof to create four flats (two 2-
bedroom and 2 3-bedroom)

In introducing the report, the **Southern Area Planning Manager** asked Members to note the conditions and reasons of the recommendation of approval.

In objecting to the application, a resident of Elizabeth House circulated to Members a letter stating the reasons for the objection and requested that the Committee consider the concerns raised by it.

During discussion of the application, **Cllr Harrod** expressed sympathy for the concerns raised by the resident but advised that they contact their Ward Councillor to discuss them. **Cllr Freeson** felt that, in light of the proposals, the residents of Elizabeth House would require more parking provision. **Cllr Kansagra** enquired as to whether the existing garages were already used by the current residents of Elizabeth House.

In reply to the issues raised by the resident and Members, the **Southern Area Planning Manager** advised the Committee that the concerns raised by the resident were not planning issues. He confirmed that the garages were already used by existing residents of Elizabeth House although the owners could sell them to other residents. **The Head of Area Planning** advised the Committee that the layout of the site did not allow for much additional parking provision.

Members voted by a majority decision to approve the application, subject to conditions.

In accordance with the provisions of Standing Order 66 (d), voting on this application was recorded as follows:

FOR: Cllrs Cribbin, Harrod, Kabir, McGovern, H M Patel & Singh (6)

AGAINST: Cllrs Chavda, Freeson & Kansagra (3)

ABSTENTIONS: None (0)

NB: Cllr Steel was not available during consideration of this application and therefore did not take part in the discussion or voting.

3/05	03/3684	WEMBLEY STADIUM ACCESS CORRIDOR, Great Central Way, London NW10	Approval, subject to conditions as amended by the Committee in respect of conditions 2, 3, 4, 5, 6 and 7 but with the deletion of conditions 8 and 9
		Construction of Wembley Stadium Access Corridor (SAC) by widening, altering and improving an existing highway along Great Central Way between the junction with Fourth Way and the junction with Hannah Close, and erecting two new footbridges over the River Brent, together with the demolition of existing buildings and structures, accommodation works and ancillary landscaping.	

In introducing the supplementary report, the **Head of Area Planning** advised Members that a letter had been received from Nathaniel Lichfield & Partners on behalf of Wembley National Stadium (WNSL) and Multiplex agreeing to the improvements to the highway network in principle. The letter had also requested confirmation and clarification that the Wembley Stadium Access Corridor would not impede construction traffic accessing the stadium site on

the Great Central Way and requested conditions to this effect be attached. In reply, the agent had advised Nathaniel Lichfield & Partners that the issue would be addressed by the Highway Authority who was committed to minimising disruption along the Great Central Way.

The **Head of Area Planning** also advised the Committee that the agent, in response to objections received from the Environmental Agency, had submitted revised drawings and that if considered necessary, the proposed amended condition 3 could be extended to include the specific matters raised by the Environmental Agency.

Members noted amendments to conditions 2, 3, 4, 5, 6 and 7 and the deletion of conditions 8 and 9 and voted unanimously to approve the application.

NB: Cllrs Freeson and Steel were not available during consideration of this application and therefore did not take part in the discussion or voting.

3/06	03/3450	Monks Park Clinic, Monks Park, Wembley, HA9 6JE	Approval, subject to conditions and a Section 106 agreement
		Demolition of clinic and toilets and erection of part 2-storey and 3-storey primary health care centre and single storey kiosk/café with associated 8 car parking spaces, cycle parking and landscaping	

9. **Any Other Urgent Business**

The Chair noted with thanks, the efforts of **Cllr Sayers** during his period as a Planning Committee Member. Members in expressing these sentiments asked the Democratic Services Manager to convey this message to Councillor Sayers. The Committee formally welcomed **Cllr H B Patel** as his replacement.

10. **Date of Next Meeting**

The next meeting of the Committee is scheduled to take place on **Monday, 15th March 2004 at 7.00 pm and will consider policy reports only.** The next meeting that will consider planning applications will take place on Wednesday 31st March 2004. The site visits for the meeting will take place on Saturday 27th March 2004 at 9.30 a.m. when the coach leaves from Brent House.

NB: Members agreed to disapply the guillotine procedure at 10.30 pm.

The meeting ended at 11.05 pm

M CRIBBIN
Chair

Mins2003'04/Council/planning/pln10mrj