

MINUTES OF THE PLANNING COMMITTEE
Tuesday, 5th October 2004 at 7.00 pm

PRESENT: Councillor Cribbin (Chair), Councillor Harrod (Vice-Chair) and Councillors Chavda, Freeson, McGovern, Sengupta, Singh, Steel and Van Colle (alternate for Kansagra)

Apologies for absence were received from Councillor Kansagra.

Councillors Hughes and Rands attended the meeting.

1. Declarations of Personal and Prejudicial Interests

Councillor Sengupta declared personal interest in 59 & 61 Draycott Avenue application (received correspondence from the public).

2. Requests for Site Visits at the Start of meeting

Councillor Van Colle moved a request for a site visit for 5 East Hill. This was put to the vote and declared lost by a majority.

Councillor Steel moved a request for a site visit for 59 & 61 Draycott Avenue. This was put to the vote and declared lost by a majority.

3. 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 full description of applications, 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	APPLICATION AND PROPOSED DEVELOPMENT
APPLICATION DEFERRED FROM PREVIOUS MEETING		
0/01	04/1397	242-242B (inc) Ealing Road, Wembley, HA0 4QL Change of use of ground floor retail shop (242 Ealing Road) and first floor ancillary offices (242B Ealing Road) to restaurant, incorporating first floor rear extension with roof terrace
OFFICER RECOMMENDATION: Approve, subject to conditions		
DECISION: Agreed, subject to conditions as amended in conditions 5 & 12 and an additional condition on take-away service		

The **West Area Planning Manager** informed the Committee about additional representations he had received from the adjoining neighbour and a petition signed by 192 persons on behalf of the adjacent Hindu Temple re-stating objections against the proposed restaurant and its potential disturbance of prayers at the Temple. He reiterated that conditions were being recommended that would control the use of the restaurant. In respect of the right of way, he said that this was not an issue for the Planning Committee, other than the amendments and clarification already obtained. He reiterated the recommendation for approval, subject to conditions, as amended in conditions 5 and 12 as set out in the supplementary information circulated at the meeting.

Mr Raj Sacher stated that the proposed development would lead to the loss of the right of way and that loading and unloading at the site would become cumbersome. In addition, it would interfere with the means of escape in the event of fire. He urged members to impose a Section 106 agreement to require the applicant to maintain the right of way.

Mr K Patel, speaking in similar vein, added that the proposed development would restrict access to the rear yard.

Mr J Patankar, the applicant's agent, said that objections raised by the objectors were not planning issues for this Committee. He added that the proposed development would be used in connection with the restaurant use only.

In accordance with the planning code of practice, Councillor Havard Hughes, the Ward Member, stated that he had been approached by numerous objectors. He stated that the proposed development would generate increased traffic and congestion and lead to an over-saturation of restaurant uses in the Ealing Road area. He urged Members to either refuse the application or to require the applicant to enter into a Section 106 agreement for street cleaning and maintenance of the access road.

In responding to some of the issues raised, the **Planning Manager** stated that the access issue could not be resolved by this Committee and that the proposed A3 use could not be controlled as urged by the objectors. He added that the application did not warrant a Section 106 contribution.

The **Head of Area Planning** drew attention to the main report that dealt with the UDP policy on A3 uses in a primary centre. In response to some of the issues raised by Members, he stated that conditions were being imposed that would seek to limit the proposed use interfering with the Temple. He noted the concerns expressed by Members on take-away uses and recommended additionally that the grant of permission be subject to no take-away food service at the premises without prior written approval of the Council.

Members voted to approve the application, subject to the conditions as set out in the main and the supplementary reports and a further condition that there should be no take-away food service without prior written approval of the Council.

1/01	04/2199	65 The Ridgeway, Harrow, HA3 0LW Erection of rear dormer window, 2 front and 2 rear roof lights, conversion of garage into habitable room, two-storey side, two-story rear and single storey rear extension to dwellinghouse
OFFICER RECOMMENDATION: Application withdrawn		
The Head of Area Planning drew Members' attention to the supplementary information circulated at the meeting that confirmed the receipt of a letter from the applicant's agent that they wished to withdraw the application.		
1/02	04/1946	5 East Hill, Wembley, HA9 9PT Erection of rear dormer window, single storey side and rear extension, conversion of garage to habitable room and erection of an outbuilding in the rear garden
OFFICER RECOMMENDATION: Approval subject to conditions		
DECISION: Agreed		
<p>Mr David Graham objected to the proposed development on the following grounds:-</p> <ul style="list-style-type: none"> (a) over-development of the site; (b) loss of residential amenities; and (c) parking and congestion. <p>He urged Members to either refuse the application or to defer it for a site visit to enable them to assess the impact of the application.</p>		
<p>Mr Sam Uwechue, the applicant stated that there would be adequate parking spaces and that the proposed development, which will be used as a single family dwellinghouse, would not constitute an over-development of the site. He added that as the proposed development was to the rear of the property it would not create a terracing effect.</p>		
<p>Councillor Van Colle stated that the proposal would constitute an over-development of the site. He therefore urged Members to be minded to refuse given the earlier decision not to defer the application for a site visit.</p>		
Members voted by a majority to approve the application, subject to the conditions as set out in the main report.		
1/03	04/2026	16 Wotton Road, NW2 6PX Retention of roller shutters on factory building and erection of new metal gate at entrance to premises
OFFICER RECOMMENDATION: Approve subject to conditions		
DECISION: Agreed		
The Assistant Northern Area Planning Manager drew Members' attention to		

additional conditions in the supplementary information circulated at the meeting. This required the removal of the new metal gates and the roller shutters within four months of this decision unless the metal gates had been reduced in height and painted in a colour which has been approved by the local planning authority. He reiterated the recommendation for approval, subject to the additional condition.

Mr James Irwin objected to the proposed development on the grounds that the premises would be used for an unlawful Use Class B1, leading to increased noise nuisance and a risk to himself and pedestrians.

Members voted by a majority to approve the application, subject to the conditions as set out in the main and supplementary report.

1/04	04/2151	59 & 61 Draycott Avenue, Harrow, HA3
		Demolition of two semi-detached houses and erection of 8 self-contained flats with associated off-street parking and landscaping

OFFICER RECOMMENDATION: Approve subject to conditions, a Section 106 agreement and an additional condition 8 on dropped kerbs

DECISION: Agreed

The **Assistant Northern Area Planning Manager** drew Members' attention to an extra condition No 8 seeking the reinstatement of existing dropped kerbs to the front of the site as set out in the supplementary information circulated at the meeting. Subject to this and other conditions as set out in the main report, he reiterated the recommendation for approval.

During debate, **Councillor Steel** stated that the proposed development would be out of character with the area and add to the problems of congestion and drainage. In addition, it would set an undesirable precedent in future for similar unacceptable developments in the area.

Councillor Sengupta echoed similar sentiments in respect of traffic flow on Draycott Avenue.

In responding to the issues raised, the officers stated that the Highways Engineer had concluded that the application was acceptable in highway terms and that it met with standards. He reiterated the recommendation for approval, subject to a section 106 agreement and other conditions including dropped kerbs.

Members voted by a majority to approve the application, subject to the conditions as set out in the main and supplementary reports.

2/01	04/1472	Scout Hut, Donnington Road, NW10 3QY
		Demolition of existing building and construction of 2-storey building comprising church hall

OFFICER RECOMMENDATION: Approve subject to conditions and a Section 106 agreement		
DECISION: Agreed		
<p>In introducing this report, the Head of Area Planning drew Members' attention to the supplementary report circulated at the meeting that addressed some of the points raised by the objectors and which were omitted from the main report:-</p> <ul style="list-style-type: none"> (a) The re-routing of a bus along Donnington Road was not a planning issue and could not be treated as a material consideration in determining the planning application. (b) The application made at No 3 Alexandra Avenue for change of use from residential dwelling Use Class C3 to place of worship Use Class D1 was refused and is now the subject of enforcement action. (c) The application made at 76 Donnington Road for alterations to the property and conversion into four self-contained flats was approved on 25/08/04. <p>He recommendation approval, subject to a Section 106 agreement.</p>		
<p>Mr Charles Njindou raised objections to the proposal on the following grounds:-</p> <ul style="list-style-type: none"> (i) The proposed two storey building would block out a significant amount of light to his church hall. (ii) The overhanging floor would detrimentally affect access for maintenance purposes. (iii) Parking problems. (iv) Restrictive covenants existed to prevent the proposed development. 		
<p>Mrs Joan Hooper, Chair of Brent Youth Council, speaking in support of the application, stated that the proposed development would create facilities that would benefit the whole community especially in that part of Brent. She urged Members to be minded to approve the application as recommended by officers.</p>		
<p>In responding to the issues raised, the Head of Area Planning stated that although there would be some effect on lighting to the objector's church, the existing standards of lighting could not be fully protected. He added that there would remain a gap between the two buildings. In responding to comments about the five events per annum as a condition, he stated that this was to give the Council a measure of control. The condition which had been accepted by the church could be reviewed in future, if necessary.</p>		
<p>Members voted unanimously to approve the application, subject to the conditions as set out in the main report.</p>		
WESTERN AREA		
3/01	04/2639	<p>22 Mulgrave Road, Harrow, HA1 3UG</p> <p>Erection of single side and rear extension to dwellinghouse</p>
OFFICER RECOMMENDATION: Approve subject to conditions.		
DECISION: Agreed		

The **West Area Team Manager** drew Members' attention to the contents of the supplementary report circulated at the meeting that gave details of additional representations received on behalf of the Sudbury Court Residents' Association. He added that these and other objections raised by the neighbour at No 20 Mulgrave Road had been addressed in the main report. He reiterated the recommendation for approval, subject to the conditions.

Ms Ghelani objected to the proposed development on the following grounds:-

- (i) The ground floor side extension would block out daylight and sunlight to her adjoining property.
- (ii) The drawings did not reflect the full impact on her property.
- (iii) Suspicion that the applicant would in future add a further extension to the first floor leading to an over-development of the site.

She added that if Members were minded to approve the application then a strict condition on hours of working should be imposed.

Mr N Bhatee, the applicant, stated that the proposed extension would not affect lighting to the adjoining property as alleged by the objector. He added that there were properties along the road that had been granted planning permission for similar extensions in the past. He drew attention to his written submissions circulated at the meeting that sought to challenge the neighbour's objections.

In accordance with the planning code of practice, **Councillor N Rands** (the Ward Member) stated that he had been approached by the objectors. Councillor Rands stated that the side extension would lead to the loss of a garage and create a terracing effect in an Area of Distinct Residential Character. In addition, the proposed development would lead to loss of light and loss of amenity and that the plans submitted were not a true representation of the proposed development. He added that if Members were minded to approve the application, then a strict set of conditions be imposed.

In responding to some of the issues raised, the **Planning Manager** stated that a terracing effect would not be an issue and that the impact on sunlight to the adjoining property was not sufficient to warrant a refusal of the application.

3/02	04/2689	63 & Builders' Yard next to 61 Station Grove, Wembley, HA0
		Demolition of existing builders' yard, offices and warehouse and erection of 1 x 3-storey and 2 x 4-storey blocks containing 30 flats

OFFICER RECOMMENDATION: Refuse application

DECISION: Agreed

The **West Area Planning Manager** referred to additional submissions as set out in the supplementary information circulated at the meeting. This highlighted objections from the Ward Member on behalf of residents on grounds of loss of light and parking problems, a petition containing 16 signatures from residents opposite and adjacent to the proposed development objecting to the application

on grounds of loss of natural light and privacy, parking problems and drastic alteration to the residential character of the area.		
Members voted by a majority with one abstention to refuse the application for the reasons set out in the main report.		
3/03	04/2158	<p>1A, 1B, 1C, 2A, 2B, 3-9 (inc) & 18 Wembley Retail Park, Engineers Way, Wembley, HA9</p> <p>Creation of new horseshoe-shaped layout to retail park with central parking area, including the demolition of existing retail units and erection of new retail units, office units, restaurant, café and customer amenity building.</p>
OFFICER RECOMMENDATION: Approve subject to conditions and a Section 106 agreement		
DECISION: Agreed subject to a Section 106 agreement and conditions as amended including the retention of some lands for estate access corridor		
<p>The West Area Planning Manager informed Members that following further discussions, agreement had been reached to include amendments to the scheme covering the deletion of the café on the south eastern corner of the site, amendments to the parking around the entrance, a requirement for further details of the design of the restaurant unit. He added that the overall parking spaces although reduced would exceed the required minimum and would be controlled so that they would not be used by Wembley Stadium users.</p>		
<p>The Area Planning Manager referred to concerns expressed by Quintain Estates Development regarding the timescale of the development, the main access being formed on to Engineers Way, on-site parking and a Section 106 agreement and detailed highways issues. In response, he stated that the development would be acceptable as a medium term use in accordance with the objectives set out in the development framework and Wembley Masterplan. He then drew attention to a number of minor amendments to conditions as set out in the supplementary information circulated at the meeting, including the deletion of condition 20 and reiterated the recommendation for approval.</p>		
<p>Councillor Freeson supported the view that the proposal did not cut across the Masterplan approved for the area and asked that close attention be given to good planting and landscaping within the car park.</p>		
<p>In responding to this and other issues raised by Members, the Head of Area Planning said that there was scope for long term development of the site and that the proposed refurbishment would not prejudice the development framework for Wembley. He also added that it would present an opportunity to reconfigure and improve the site, its appearance and operation in the short term.</p>		
<p>The Borough Solicitor advised that a further condition be added to retain some of the land for the development of the estate access corridor, the exact wording of which was to be formulated by officers.</p>		

Members voted unanimously to approve the application, subject to the conditions as set out in the main report and as amended in the supplementary information.		
3/04	04/1945	<p>Sainsbury, 360 Ealing Road, Wembley, HA0 1PF</p> <p>Full planning application for the redevelopment of part of the existing Sainsbury's car park, comprising a part 4-, 5- and 7-storey building with 90 customer and 60 residential parking spaces at lower ground level, 23 x 1-bedroom flats, 76 x 2-bedroom flats, 9 x 3-bedroom flats (with 50% affordable housing), associated amenity space and landscaping</p>
OFFICER RECOMMENDATION: Approve subject to conditions and a Section 106 agreement		
DECISION: Agreed		

3/05 04/2712 30 & 32 Pitfield Way, NW10

Demolition of two existing dwellinghouses, redevelopment of site including the erection of 1 two-storey building containing a 1 one-bedroom flat and bin storage and bike storage area, 1 three-storey building containing 3 one-bedroom flats and 1 three-storey building containing 2 three bedroom flats and 8 one-bedroom flats, provision of 2 car parking spaces with access off Mitchell Way and amenity space

OFFICER RECOMMENDATION: Refuse

DECISION: Agreed

The **West Area Planning Manager** referred to proposals by the applicant's agent that sought to reduce the three-storey block containing 3 one-bedroom units at the rear of the site to a one-storey building containing a one-bedroom flat. He said that whilst this may address some of the reasons for refusal, it did not overcome the fundamental objection to the proposed development that it would represent an inappropriate form and scale of development for the site. He therefore reiterated the recommendation for refusal.

Mr Paul Harbard, the applicant stated that the proposed development (offering a car-free agreement) would provide homes for sale to key workers. He added that no current masterplan existed for the area and that the local Ward Members and the Mayor of London supported the proposed development as it complied with the supplementary planning guidance on housing for key workers. In response to Members' questions, Mr Harbard said that he was in discussion with a registered social landlord and that his draft Section 106 agreement guaranteed the development as a key worker and affordable housing development.

The **Planning Manager** added the following reasons for refusal; the proposed development, with lack of off-street parking in an unadopted road, would cause a detrimental impact on residential amenities and would be out of character with the properties in the area. He reiterated the recommendation for refusal.

Members voted by a majority to refuse the application for the reasons set out in the main report as amended at the meeting.

3/06 04/2749 90 St John's Road, Wembley, HA9 7JN

Demolition of existing single storey rear extension and detached garage and erection of two-storey side and single storey rear extension to dwellinghouse

OFFICER RECOMMENDATION: Approve subject to conditions

DECISION: Agreed

The **West Area Planning Manager** stated that Brent Transportation Team had expressed no objections to the proposal as there would be no significant increase in the parking requirement of the dwellinghouse. He reiterated the recommendation for approval, subject to the conditions as set out in the report.

Mrs Lynne Roberts, speaking in objection to the proposed development, stated that it would block light to two of her bedroom windows and the garage window. She also expressed concerns about possible change of use to 2 dwelling houses and hours of work and urged members to impose strict conditions to control it and to monitor the progress of works.

In responding to the issues raised by the objector, the **Planning Manager** stated that conditions were being recommended to control the development and that if the property became two separate dwellings this would constitute a material alteration to the use of the property which would require planning permission.

7. **Any Other Urgent Business**

None raised at this meeting

8. **Date of Next Meeting**

The next scheduled meeting of the Committee will consider policy reports only and will take place on Tuesday, 26th October 2004 at 7.00 pm. The next meeting that will consider planning applications will take place on Thursday, 11th November 2004. The site visits meeting will take place on the preceding Saturday, 6th November 2004 at 9.30 am.

The meeting ended at 9.17 pm.

M CRIBBIN
Chair

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