

MINUTES OF THE PLANNING COMMITTEE
Wednesday, 20th April 2005 at 7.00 pm

PRESENT: Councillor Cribbin (Chair), Councillor Harrod (Vice Chair) and Councillors Freeson, Kansagra, McGovern, Sengupta, Singh and Steel.

Apologies for absence were received from Councillor H M Patel.

Councillor V Brown also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

None

2. Requests for Site Visits

None

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 decisions 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	APPLICATION AND PROPOSED DEVELOPMENT
	(1)	(2)
NORTHERN AREA		
1/01	05/0679	NTC Oriental Carpets, Netlin Press & Howardine Calvert, North Circular Road, NW2
		Demolition of two existing factories to rear of site, and the erection of a new industrial unit with ancillary offices, and provision for 18 parking bays and service area

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The North Area Planning Manager drew Members' attention to additional comments, 2 additional conditions and an amendment to the recommendation stating that authority be delegated to the Director of Environment with advice from the Borough Solicitor to determine the application with a Section 106 agreement if necessary.

During debate, Councillor Harrod cited this application as a good example of the usefulness of a site visit and he indicated his support for a Section 106

agreement to be attached to support the Welsh Harp area. Councillor Freeson welcomed the landscaping plans and the suggested contribution from the applicant and he commented that other areas of the site should benefit from this landscaping.

In reply to Councillor Freeson's suggestion, the Head of Area Planning suggested an amendment to condition 8 to include landscaping for other areas on the site as well as those already specified which was agreed by Members.

DECISION: Authority delegated to the Director of Environment with advice from the Borough Solicitor to determine the application with a Section 106 agreement if necessary

1/02 05/0132 23 Kenneth Crescent, NW2 4PP

Demolition of existing shed and erection of two single storey side extensions to dwellinghouse (accompanied by design statement dated 18/01/05)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and an informative

The North Area Planning Manager drew Members' attention to the responses to objections as set out in the report and to additional comments as set out in the supplementary report circulated at the meeting.

DECISION: Planning permission granted subject to conditions and an informative

1/03 05/0159 2 Dawlish Road, NW2 4HP

Demolition of existing rear conservatory, erection of two-storey rear extension, reinstatement of two chimneys, formation of new vehicular crossover, installation of rear dormer window and two side rooflights to dwellinghouse and as confirmed by an email on 07/04/05

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The North Area Planning Manager drew Members' attention to an additional condition 4 as set out in the supplementary report circulated at the meeting.

Mr Mark Dyson, the applicant's architect, indicated his approval of the recommendation and of the contents of both the report and the supplementary report.

DECISION: Planning permission granted subject to conditions and an additional condition 4 as set out in the supplementary report

1/04 05/0312 80 Barn Hill, Wembley, HA9 9LQ

Rebuilding and repositioning the existing side dormer and alterations to rear elevation to include change of roof to ground floor bay window, first floor balcony railings, replacement of first floor window with door and removal of one chimney stack to dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The North Area Planning Manager drew Members' attention to further remarks and an additional condition as set out in the supplementary report circulated at the meeting.

The Chair then summarised a letter of objection from Barnhill Residents' Association submitted at the meeting which had requested that the application be deferred and that the applicants' architect submit new drawings. The Association objected to the removal of the side dormer on the grounds that this would be out of keeping with the character of the area and it disagreed with the report's statement that the north-west corner of the site was considerably set back from the front.

In reply, the Head of Area Planning advised Members that an additional condition as set out in the supplementary report had been included since the submission of the letter from Barnhill Residents' Association that specifically addressed their concerns.

DECISION: Planning permission granted subject to conditions and an additional condition as set out in the supplementary report

1/05 04/3300 39 Keyes Road, NW2 3XB

Conversion of single dwellinghouse to three self-contained flats, alteration to side elevation, extension of existing side/rear boundary wall and insertion of a pedestrian gate, provision of recycling and refuse bin enclosures, and provision of soft landscaping ("car-free" scheme as clarified by letter dated 22/12/04 from S Al-Wahid)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions, an informative and a Section 106 agreement

The North Area Planning Manager drew Members' attention to additional remarks and an amendment to condition 3 as set out in the supplementary report circulated at the meeting.

The Chair advised Members that the objectors who had indicated to speak at the meeting had since withdrawn their objections.

DECISION: Planning permission granted subject to conditions, an amendment to condition 3 as set out in the supplementary report, an informative and a Section 106 agreement

1/06 05/0380 Allied, 3 Burnt Oak Broadway, Edgware, HA8 5LD

Demolition of existing building and replacement with a 5 and part 6-storey building to provide mixed use development including basement car parking retail at ground and mezzanine levels and 73 flats in 2 separate blocks

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions, informatives and a Section 106 agreement

The North Area Planning Manager drew Members' attention to additional remarks, amendments to conditions 10, 15, 16 and 17 and an additional condition as set out in the supplementary report.

Mr Singh objected to the application on the grounds of the size and scale of the proposals, the perceived loss of light and privacy to existing nearby dwellings and concerns that the proposals would increase pressure on parking spaces in nearby roads.

Mr Sudarman reiterated Mr Singh's objections concerning loss of light and privacy which he believed would be caused by the proposed height of the building. He added that an excessive number of commercial uses were proposed which would contribute to parking problems and traffic congestion.

Mr Nick Macasis, the applicant's architect, stated that the size and scale of the application were within planning guidelines and that there was sufficient distance between the site and neighbouring houses to have no affect on natural light. He added that the access point to the site, although owned by the applicant, would be made available to the public as agreed in the proposals.

In reply to queries from Councillors Singh and Steel, Mr Macasis confirmed that 40% of the total area of the site was allocated for affordable housing and the site would accommodate approximately 190 to 200 people.

During debate, Councillor Kansagra enquired if a condition could be attached to ensure appropriate use of the access road. Councillor Harrod suggested that the amount of disabled parking spaces should be flexible to reflect the requirements of demand for this provision. Councillor Steel stated that the size and scale of this development was inappropriate and he would object to the application. Councillor Freeson enquired if there was any flexibility concerning the allocation of parking spaces for residents and shoppers and also whether the 68 parking spaces proposed in the report was fixed.

In reply to the issues raised, the North Area Planning Manager advised Members that the applicant was obliged to make up the rear access of the

road to an adoptable standard, as referred to in the supplementary report. With regard to height, he advised Members that the proposals were no higher than a number of nearby buildings and would be in character with the surrounding area. He added that there would be sufficient distance from the 2nd floor of the proposed building to surrounding houses to ensure there was no loss of light or invasion of privacy.

The Head of Area Planning advised Members that the allocated number of disabled parking spaces was designed to encourage their use and that there was a requirement to provide a minimum number of these spaces. He confirmed that the proposals were to include 74 parking spaces in total, of which 8 spaces would be allocated for shoppers and the remaining 66 spaces would be multi-use. With regard to the access road and the overall parking situation on site, Members agreed to the Head of Area Planning's recommendation that an additional condition be added requiring the applicant to provide a management plan for parking on site.

DECISION: Planning permission granted subject to conditions, amendments to conditions 10, 15, 16 and 17 and an additional condition as set out in the supplementary report, an additional condition requiring a management plan for car parking, informatives, a Section 106 agreement and an agreement under Part XI of the Highways Act 1980

1/07 04/3131 45 Barn Hill, Wembley, HA9 9LL

Demolition of existing side garage, erection of a 2-storey side extension, installation of two rear rooflights, vehicular crossover, alterations to front boundary wall, landscaping and hardsurfacing to front of dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted subject to conditions

1/08 05/0126 3 Barn Way, Wembley, HA9 9LE

Erection of a single storey side and rear extension to dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions,

The North Area Planning Manager advised Members of an amendment in the report, stating that 3 Barn Way and not 5 Barn Way should have been highlighted on the map.

Mr David Ben-Nathan questioned the accuracy of the plans and objected to the application on the grounds that the proposals would:

- (a) leave an insufficient gap between his property and the applicant's

- (b) result in a loss of privacy which could only be prevented by erecting an excessively high fence
- (c) concerns about the width of the extension and the possibility that a ventilation shaft would be externally attached to the extension
- (d) the proposed extension would be out of character with the surrounding area

In reply to the issues raised by Mr Ben-Nathan, the North Area Planning Manager advised Members that he had no reason to doubt the accuracy of the plans and in acknowledging concerns regarding the width of the extension, he stressed that any reduction in measurement would devoid it of any useful purpose. With regard to the construction of a replacement fence, he stated that the applicant would be required to submit details of height and materials used before it could be approved as set out in Condition 4 of the report and he confirmed that the fence height could be no higher than 2 metres without requiring further planning permission. He advised Members that the fence should limit concerns about omissions from a gas boiler and Environmental Health would address this issue if it became a concern.

DECISION: Planning permission granted subject to conditions

SOUTHERN AREA

2/01 05/0173 34 and Land next to High Street, NW10

Change of use of ground floor of premises from use Class A3 to Use Class A1/A2, erection of single storey side infill extension to form new Use Class A1/A2 unit, erection of single, two and three storey rear, single, two and three storey side, second floor side and mansard roof extensions, installation of 7 front and 5 rear dormer windows, two rear roof lights to create fourteen (12 two and 2 one-bed) self contained flats on the upper floors.

OFFICER RECOMMENDATION: Refuse planning permission

The South Area Planning Manager drew Members' attention to additional comments and notification from the applicant's agent that the application had been withdrawn as set out in the supplementary report circulated at the meeting.

Councillor Freeson commented that he felt a building such as the one on this site should be retained for community use wherever possible and he added that he did not think the site was suitable for residential use as was proposed.

DECISION: The Committee would have been minded to refuse the application based on the information available, had it not been withdrawn

2/02 05/0225 34 and Land next to High Street, NW10

Conservation Area Consent for proposed demolition of rear of existing three storey public house

OFFICER RECOMMENDATION: Refuse planning permission

DECISION: The Committee would have been minded to refuse the application based on the information available, had it not been withdrawn

WESTERN AREA

3/01 05/0193 2 & 4 Sudbury Court Drive, Harrow, HA1

Demolition of two dwellinghouses and the erection of a 4-storey building, comprising 12 two-bedroom, self-contained flats, 3 attached bin enclosures, communal gardens to the rear and 12 associated parking spaces and formation of vehicular access

OFFICER RECOMMENDATION: Refuse planning permission

The Assistant West Area Planning Manager advised Members that the applicant had indicated that they were withdrawing the application.

DECISION: The Committee would have been minded to refuse the application based on the information available, had it not been withdrawn

3/02 05/0040 School Main Building, Preston Park JMI School, College Road, Wembley, HA9 8RJ

Demolition of 2 portable buildings and northwest wing of building and erection of two-storey entrance and single storey extension to northwest end of main building, roofing over courtyard to form hall, provision of pedestrian access to College Road, play areas, landscaping and modification to car park to provide 22 spaces

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The Assistant West Area Planning Manager drew Members' attention to additional comments as set out in the supplementary report that was circulated at the meeting.

Ms Eleanor Jayawardane expressed concern about the loss of parking spaces in the school car park, fearing that this would have the effect of increasing pressure on parking spaces on nearby roads and causing traffic congestion and compromising safety. She added that the school's encouragement of visitors not to use cars had seen no effect on the overall number of traffic and she requested that the proposals to reduce parking spaces in the school car park be withdrawn.

In reply to a query from Councillor Freeson, Ms Jayawardane stated that the parents of pupils currently used the remaining spaces in the staff car park and any reduction in these spaces would result in parents parking in the already crowded surrounding roads. She confirmed that she had discussed the problem with 1 employee of the school but was not aware of what contact had been made between the school and the local residents' association.

The Chair commented that she was not aware that the local residents' association had expressed any concerns regarding parking for this application.

DECISION: Planning permission granted subject to conditions

3/03 05/0220 33 Park Chase, Wembley, HA9 8EQ

Erection of single storey side extension to ground floor flat (as accompanied by applicant's letter of 05/04/05)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted subject to conditions

3/04 04/3377 196 Ealing Road, Wembley, HA0 4QG

Removal of an existing unauthorised rear extension and erection of a new flat-roofed, single storey rear extension to provide a new storage area for a retail shop with provision for 1 off-street rear parking/servicing space and space for refuse bin storage (as amended by revised plans received on 30/12/04)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and informatives

The Assistant West Area Planning Manager drew Members' attention to additional comments, a new condition 8 and an amended condition 4 as set out in the supplementary report circulated at the meeting. The Head of Area Planning advised Members of the deletion of the word 'obstructed' in the first line of condition 8.

The applicant, Mr Syed, stated that the majority of goods were stored at the applicant's main warehouse and not at this site. He objected to the addition of condition 8 as set out in the supplementary report, as, in his view the use of the forecourt area of the shop to display goods was both typical and necessary for fruit stores such as his.

In reply to queries from Councillor Steel, Mr Syed acknowledged that a temporary wooden structure had been constructed without prior planning permission although he maintained that this was due to his lack of knowledge of planning regulations. He confirmed that the temporary structure would be

removed and replaced with a structure to be agreed with the Local Planning Authority. In reply to queries from Councillor Singh, Mr Syed stated that the loss of the forecourt to display goods would damage his business and that a member of staff was employed to clean the forecourt area and prevent fruit presenting a slip hazard to customers.

In accordance with the Planning Code of Practice, Councillor V Brown confirmed that she had been introduced to the applicant and had been contacted by the Ealing Road Residents' Association with regard to this application. She expressed concern that the site, in common with many other businesses along Ealing Road, were contributing to congestion through forecourt trading.

DECISION: Planning permission granted subject to conditions, an amendment to condition 4 and an additional condition 8 as set out in the supplementary report and informatives

3/05 04/3111 Cheap Fruits, 194 Ealing Road, Wembley, HA0 4QG

Removal of existing unauthorised canopies from the front and side forecourt of the existing shop and erection of a single storey side and part rear extension and installation of a new shopfront with provision for storage and unloading in the rear part of the existing shop and extension to the shop (as amended by letter received on 24/01/05 and revised plan and letter received on 14/03/05)

The Assistant West Area Planning Manager drew Members' attention to additional comments, an amendment to condition 3 and deletion of condition 10 as set out in the supplementary reported circulated at the meeting.

In reply to a query from Councillor Singh, the West Area Planning Manager confirmed that applicant's proposals included provision for disabled access.

In accordance with the Planning Code of Practice, Councillor V Brown confirmed that she had been approached by both the applicant and Ealing Road Residents' Association with regard to this application. She expressed concern regarding the previous planning history of this site as an earlier enforcement action had been required because of the poor condition of the shop front. In reply to a query from Councillor Freeson, Councillor V Brown confirmed that she felt that the application, if approved under the conditions recommended, would be an improvement to the current situation.

During debate, Councillor Harrod enquired if the removal of condition 10 would potentially allow the applicant to encroach upon the public footway.

Members discussed the conditions of the rear service road. Councillor Freeson, in expressing his concern about this road, suggested that Environmental Services take up this issue to ensure that the road was cleaned and serviceable and that the traders in this area come together and

discuss ways to improve the situation with the Local Authority. Councillor Kansagra enquired if a Section 106 agreement could be obtained to fund maintenance and service of the road. Councillor Singh enquired whether traders could be asked to pay a service charge to maintain the road.

In reply to the queries raised, the Assistant West Area Planning Manager confirmed that the applicant was not permitted to encroach upon the public footway. With regard to the rear service road, the Head of Area Planning advised Members that it would be inappropriate to obtain a Section 106 agreement from the applicant to fund maintenance for the road, although ways could be investigated to obtain funds to tackle issues of this type for the local area in general. He added that a forum could be created to investigate ways of how such funds could be collected and suggested that Members could request that updates on the condition of the rear access road be provided by the relevant service providers. With regard to issuing a service charge, the Head of Area Planning advised Members that this would be difficult to implement in practice due to the multiple use of the rear access road.

The Chair agreed with Councillor Freeson and the Head of Area Planning's suggestion that Environmental Services be requested to investigate the condition of service roads within the locality of this site and liaise with the relevant parties to seek improvements.

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and informatives

DECISION: Planning permission granted subject to conditions, an amendment to condition 3 and deletion of condition 10 as set out in the supplementary report and informatives

3/06 04/3805 240 & 240A Ealing Road, Wembley, HA0

Retention of first floor extension to restaurant

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and informatives

The Assistant West Area Planning Manager drew Members' attention to additional informatives 3 and 4 as set out in the supplementary report circulated at the meeting.

The applicant's agent, Mr Jay Patankar, stated that the freeholder of 242 Ealing Road had confirmed that permission was given to the applicant to brick up the openings within the common party wall. He added that the application was within all aspects of planning guidelines and he felt that the objections lacked a firm basis.

In reply to a query from Councillor Freeson, Mr Patankar confirmed that the applicant would comply with disabled access standards.

In accordance with the Planning Code of Practice, Councillor V Brown confirmed that she had not been approached by an interested party regarding this application. She stated that as a retrospective application that it represented a lack of respect for planning laws and she expressed concern about the level of enforcement across the Borough.

During debate, Councillor Steel reiterated Councillor V Brown's concerns regarding the frequency of retrospective applications, although he acknowledged it was difficult to refuse such applications once works had already been carried out. Councillor McGovern stated that, in mitigation, the extension was not visible from either the front or rear of the site.

In answer to the queries raised, the Assistant West Area Planning Manager advised Members that there was no legislation which currently prevented applicants from making retrospective applications.

The Head of Area Planning advised Members that Local Planning Authority enforcement was more frequent than most other authorities in London, despite comparably fewer resources being available. He stressed the importance in councillors and members of the public in informing the Local Planning Authority of any cases where enforcement may be necessary.

DECISION: Planning permission granted subject to conditions, informatives and additional informatives 3 and 4 as set out in the supplementary report

6. Any Other Urgent Business

None

7. Date of Next Meeting

It was noted that the next meeting of the Planning Committee would be confirmed at the Annual Council Meeting in May.

The meeting ended at 9.10 pm.

M CRIBBIN
Chair