

MINUTES OF THE PLANNING COMMITTEE
Tuesday, 28th June 2005 at 7.00 pm

PRESENT: Councillor Cribbin (Chair) Councillor Harrod (Vice Chair) and Councillors Allie, Freeson, Kansagra, J Long, McGovern, Sayers and Singh.

Apologies for absence were received from Councillor H M Patel.

Councillors V Brown, Fox and Sattar-Butt also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

Councillor Harrod declared a personal interest in the Chalkhill Health Centre application, item number 1/03, which he felt could be perceived as prejudicial so he therefore did not take part in any discussion or vote on this application.

Councillor McGovern declared a personal interest in the Rustins, 51 Waterloo Road application, item number 1/05, which he felt could be perceived as prejudicial so he therefore did not take part in any discussion or vote on this application.

2. Requests for Site Visits

None at the start of the meeting.

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 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)
NORTHERN AREA		
1/01	05/1125	92 Regal Way, Harrow, HA3 0RY Erection of a two-storey side, two-storey and single storey rear extension, rear dormer window, installation of 1 side and 1 rear roof-light, conversion of the garage into a habitable room involving the insertion of a window to front elevation and the demolition of the detached outbuilding in rear garden of dwellinghouse

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

DECISION: Planning permission granted subject to conditions and an informative

1/02 05/0635 Garages rear of Magnolia Court, Harrow, HA3

Demolition of existing garages, erection of two 3-bedroom dwellinghouses and one 4-bedroom dwellinghouse, with associated landscaping and 5 parking spaces as revised by plans received on 10/06/05

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

The North Area Planning Manager drew Members' attention to additional comments, deletion of condition 3 and an amendment to condition 4 as set out in the supplementary report circulated at the meeting. He also advised Members that an additional condition be included that a timber fence of at least 2 metres plus 0.3 metres trellis in height be erected on the site boundary.

Ms May White, representing Kenton Home Owners Association and Preston and Mall Youth and Community Centre, expressed concern about the possible loss of a section of hedgerow and sought confirmation that it would be retained at its current height. She also suggested that the Section 106 Agreement should include a contribution for facilities for young people which she felt was currently lacking in the area.

In reply to a query from Councillor Kansagra, Ms White claimed that £20,000 had been provided by the applicant, Metropolitan Housing Trust (MHT), to Preston and Mall Residents' Association and not to either of the associations she was representing.

Mr Robert Dunwell, representing the Queensbury Area Residents' Association Group of Associations in objecting to the application, also expressed concern about the possible removal of the hedgerow, claiming that its entire removal would require further planning permission. He expressed regret in the loss of the garages as he felt they could still be of use to local residents. He also objected to the application on the grounds that the border fence was too low and the scale of the development was incompatible with the area.

In reply to queries from Councillors Harrod and Sayers, Mr Dunwell stated that MHT had taken ownership of the garages in most recent years and had terminated the leases, resulting in increased parking problems in the area.

The Chair commented that MHT had owned the garages for a longer period than had been suggested by Mr Dunwell.

Mr Maurice Heather, the applicant's agent, stated that the applicant had made a number of compromises to ensure that the proposals were suitable for all parties concerned and that every effort had been made to preserve the character of the area. He felt that there had been a misunderstanding concerning the hedgerow which he believed the Transportation Unit had requested be cut down for safety reasons and he added that the applicant would be happy to retain it if this was possible. He confirmed that MHT had owned the garages for the past 10 years.

In reply to a query from Councillor Kansagra, Mr Heather felt that a timber fence offered greater security than a brick wall as it was more difficult to climb. In reply to a query from Councillor J Long, Mr Heather stated that the site's access would be where the current garages were, that the houses would be terraced and located 2 metres from the boundary fence. In reply to a query from Councillor Freeson, Mr Heather informed Members that 9 new nursery standard trees of small to medium size would to be planted.

In reply to a query from Councillor Kansagra, the North Area Planning Manager advised Members that the owners of the land where the hedgerow stood was currently unknown and that a survey by Transportation would determine how much, if any, of the hedgerow would need to be removed, adding that 4 metres would be the maximum amount removed.

During debate, Councillor Kansagra enquired if a condition could be attached that if the outcome of the survey indicated that part removal of the hedgerow was necessary, that the final decision should be made at a future Committee meeting. Councillor Sayers indicated his support of Councillor Kansagra's request. Councillor Freeson stated that officers were clearly sympathetic to concerns regarding the hedgerow and that the intention was to retain as much of it as possible, adding that removal of any part of the hedgerow would only be undertaken to address safety concerns. Councillor J Long commented that any attempt to impose a condition concerning retention of the hedgerow would be likely to be subject to appeal from the applicant. He she also felt that a timber fence along the border of the site would be more attractive than a brick wall.

In reply to the issues raised, the Head of Area Planning informed Members that a detailed survey would be undertaken with regard to the hedgerow with the intention of minimising the extent of any removal required. He advised Members that a condition preventing the removal of any part of the hedgerow would jeopardise the application if the survey indicated that any such removal was necessary for safety reasons.

Councillor Kansagra moved that a condition be attached ensuring that the hedgerow was retained. This motion was put to the vote and declared lost. Councillor Kansagra then moved that a condition be attached that a solid brick wall of a height of at least 2.7 metres be erected across the boundary of the site. This motion was put to the vote and declared lost.

DECISION: Planning permission granted subject to conditions, deletion of condition 3 and an amendment to condition 4 as set out in the supplementary report, an additional condition requiring that a timber fence of at least 2 metres plus 0.3 metres of trellis in height be erected on the site boundary and a Section 106 Agreement

1/03 05/0968 Chalkhill Health Centre, Chalkhill Road, Wembley, HA9 9BQ

Erection of 14 No 1-bedroom and 28 No 2-bedroom flats, office accommodation for Housing Association, community centre and Brent Primary Care Trust incorporating 2 GP practices, 38 car parking spaces, landscaping to car park, re-alignment of 1 turning-head and 1 crossover, with elevated walkway linking PCT to Asda car park

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

The North Area Planning Manager drew Members' attention to an amendment the recommendation, additional conditions 26 and 27, deletion of conditions 12 and 14, amendments to conditions 2 and 8, additional informatives 6 and 7 and an amendment to the Section 106 Agreement as set out in the supplementary report.

Mr David, representing Windsor Crescent Residents' Association, opposed the application because of proposals for 2 halls in the community centre. He expressed concern that use of the halls for entertainment events would attract anti-social behaviour and parking problems created by visitors, especially during the evening. He felt that there had been no assurance of an increased police presence for such events and also suggested that parking difficulties could result in blocking the passage of emergency vehicles.

In reply to queries from Councillor Freeson, Mr David expressed reservations about a joint management scheme involving both the applicant and residents. He stressed that he was not opposed to the application in its entirety nor necessarily events taking place if restrictions were placed, particularly on night time events.

Mrs Gloria Travers, in supporting the application, stressed that the proposals would provide a much needed community centre for Chalkhill and that people would welcome facilities such as cafes and venues for family celebrations.

In reply to queries from Councillor Kansagra, Mrs Travers stated that the proposals offered a permanent location for residents to meet, that all events would be adequately policed and that the 2 halls had a capacity of approximately 200 and 150 people respectively. In answer to queries from Councillor Freeson, Mrs Travers stated that most facilities were aimed at families, although young people, who so far had not significantly participated in the applicant's consultation, were being encouraged to do so. In reply to a query from Councillor Allie, Mrs Travers stated that the opening hours of the community facilities would be 8.00 pm to 10.30 pm, Friday and Saturday.

During debate, Councillor Freeson commented on the importance of consulting with the existing residents on what community facilities should be offered. Councillor Sayers enquired about parking facilities and also about parking arrangements for events such as weddings.

In reply to Members' queries, the North Area Planning Manager drew Members' attention to conditions 4 and 13 relating to hours of activities in the community building and type, capacity, steward and managing of events that were included to limit impact on local residents. He advised Members that parking spaces were essentially for residents and office workers on site and that condition 14 would allow those travelling by car to use the Asda car park.

Councillor Harrod declared a personal interest in this application which he felt could be perceived as prejudicial and therefore vacated the meeting room and took no part in discussion or voting on this item.

DECISION: Planning permission granted subject to an amendment to the recommendation as set out in the supplementary report, conditions, additional conditions 26 and 27, amendments to conditions 2 and 8 and deletion of conditions 12 and 14 as set out in the supplementary report, informatives and additional informatives 6 and 7 as set out in the supplementary report and a Section 106 Agreement as amended in the supplementary report

1/04 05/0782 Maple Grove Garages, rear of 29 Maple Grove, London, NW9

Demolition of existing garages and erection of a two-storey, five-bed detached dwellinghouse, repositioning of vehicular access and new pedestrian access to front and side of property (as amended by revised plans received 09/05/05)

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

The North Area Planning Manager drew Members' attention to the supplementary report circulated at the meeting, in particular comments regarding the public meeting held with local residents on 20th June 2005 and to the deletion of condition 7, amendments to conditions 8, 9 and 10 and informative 1 being changed to a Grampian condition as set out in the supplementary report.

Ms Sharon Birrane objected to the application on the grounds of:-

- (a) The excessive scale of the building
- (b) The proposals being out of character with the surrounding area
- (c) Part of the building encroaching upon the pavement
- (d) Concerns that the development would not facilitate good social interaction

In reply to a query from Councillor Freeson to elaborate on concerns that the proposals would discourage social interaction, Ms Birrane felt that the inhabitants of the proposed building would be likely to keep their curtains closed as the windows were in close proximity to the pavement.

Mr Batandoust objected to the application on the grounds of:-

- (a) Excessive scale of building
- (b) Invasion of privacy to his property caused by the proposed side windows

In reply to a query from Councillor Harrod, Mr Batandoust confirmed that there were other properties in the area which had side windows, but they were currently were not inhabited, and he added that the proposals in the application would mean that the side windows would only be 1.5 metres from the site boundary.

In accordance with the Planning Code of Practice, Councillor Crane confirmed that he had been approached by local residents with regard to this application. He stated that both residents and ward councillors had voiced their objections to the application at 2 public meetings. He felt that the application was inappropriate in terms of scale and size of the building and would have an adverse impact on residents of the estate. He also felt that the applicant had not consulted residents properly. He requested that the application be deferred to allow for the opportunity for discussions with the applicant to amend plans to a 3 bedroom house which he felt would be more in character with the area.

During debate, Councillors Allie and Sayers stated their intentions to object to the applications in view of the residents' opposition to it. Councillor Kansagra felt the application was inappropriate in terms of size and scale and was out of character with the area and suggested that the application should be deferred in order for the applicant to revise their proposals. Councillor J Long commented that the applicant should take further consideration of residents' views but felt that as the site was in a corner location that it was not excessive in size. She also noted that the width of the street separated the side windows from Mr Batandoust's property and she felt there was no reason to refuse the application. Councillor Freeson commented on the lack of consultation on behalf of the applicant, although he felt that proposals for a building larger than those surrounding it did not merit sufficient reason for refusal in itself. He suggested that it would be desirable if the applicant was able to re-design the building plans to make it appear less excessive in scale and more in keeping with the character of the area. Councillor Harrod commented that the applicant should have consulted more with local residents but in his view he felt the proposals would not be out of character with the area. He stressed that there was a need for the type of housing proposed generally in the Borough and he felt that the site was suitable for such an application.

In reply to the issues raised, the North Area Planning Manager advised Members that the application met Supplementary Planning Guidance requirements and that the side windows were appropriate as they provided relief to the side elevation. He confirmed Councillor J Long's observation that the entire width of the road separated the side windows from Mr Batandoust's property was correct and therefore there would be no detrimental impact in terms of loss of privacy.

DECISION: Planning permission granted subject to conditions, deletion of condition 7 and amendments to conditions 8, 9 and 10 as set out in the supplementary report, informatives and the changing of informative 1 to a Grampian condition as set out in the supplementary report

1/05 04/3925 Rustins, 51 Waterloo Road, NW2 7TS

Demolition and erection of warehouse unit at 51 Waterloo Road
(as amended by plans received 14/06/05 and 16/05/05)

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

The North Area Planning Manager drew Members' attention to the supplementary report circulated at the meeting, commenting that 2 amended plans had been received on 14th and 16th July 2005 respectively and he stressed that the Environmental Health Unit were responsible for the authorisation of the process and emissions of paint manufacture. Members heard that the applicant had confirmed that they had obtained the relevant fire certificates. The North Area Planning Manager advised the Committee that a Section 106 Agreement to secure a staff travel plan was not necessary as this was covered by conditions 15 and 16 in the report.

In accordance with the Planning Code of Practice, Councillor Fox confirmed that he had been approached by both the applicant and residents with regard to this application. Councillor Fox commented that a petition from local residents that had initially gone to the Executive before being referred to this Committee had highlighted residents' concerns after a fire incident. He enquired what discussions had taken place to reassure residents and also queried whether the applicant's possession of the relevant certificates was sufficient to ensure safety. He expressed surprise at the applicant's claim that no paints were stored on the premises. He also sought confirmation that all relevant authorities were aware of this application.

The Head of Area Planning acknowledged the residents' concerns as outlined by Councillor Fox, however he advised Members that the applicant had followed a regulatory process and that all the appropriate standards were met.

Mr Ronnie Rustin, the applicant, stated that he understood the concerns voiced by residents, however he stressed that a fire that had occurred at the premises had started elsewhere. He stated that all paint chemicals were

securely stored and he welcomed Members to visit the factory to allay any safety concerns.

In reply to a query from Councillor Singh, Mr Rustin stated that every effort was being made to improve overall safety of the building.

During debate, Councillor Kansagra felt that the building was now safer than before the fire incident. Councillor Sayers stated that as the building met all the planning requirements that it should be approved. Councillor Freeson commented that as planning, fire and safety requirement had been met, and the applicant had been persuaded to change their plans, that all that could reasonably be expected from the applicant had been achieved, and therefore there was little reason to object to the application. Councillor J Long expressed surprise that the applicant's insurers had not requested that a sprinkling system be installed on the premises.

Members agreed to the Head of Area Planning's suggestion that an informative be added that all relevant agencies be informed of residents' concerns in respect of this application.

Councillor McGovern declared a personal interest in this application which he felt could be perceived as prejudicial and therefore vacated the meeting room and took no part in discussion or voting on this item.

DECISION: Planning permission granted subject to conditions and informatives and an additional informative that all relevant agencies be informed of concerns expressed by residents

1/06 05/0685 43 Basing Hill, Wembley, HA9 9QS

Alterations to and reduction of existing outbuilding in garden at rear of dwellinghouse

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

The North Area Planning Manager drew Members' attention to an amendment to condition 2 as set out in the supplementary report that was circulated at the meeting.

Mr Johns objected to the application on the grounds that the outbuilding was excessive in size. He commented that the application was seeking retrospective planning permission, and expressed concern that the applicant may in future commence other works without the relevant permission.

In reply to a query from Councillor Kansagra, the North Area Planning Manager confirmed that the proposals included a reduction in size, appearance and height of the outbuilding.

DECISION: Planning permission granted subject to conditions, an amendment to condition 2 as set out in the supplementary report and an informative

SOUTHERN AREA

2/01 05/0963 Land next to 864 Harrow Road, NW10

Erection of a four-storey building including a total of 6 x 2 bed flats and 6 x 1 bed flats, including 3 basement flats, with associated amenity space

OFFICER RECOMMENDATION: Refusal

DECISION: Planning permission refused

2/02 05/0804 2-120 (even), 4A and Garages rear of Clarendon Court, Sidmouth Road, NW2

Alterations to the roof of the premises involving the installation of dormer windows to create 12 self-contained flats within roof space (8 x 2-bedroom and 4 x 3-bedroom flats), replacement fire stairs and 14 associated car parking spaces (and incorporating a statement in support of the planning application)

OFFICER RECOMMENDATION: Refusal

The South Area Planning Manager drew Members' attention to the revised plans as set out in the supplementary report circulated at the meeting.

Councillor Freeson stated that serious consideration should be given to widening the pavement and that this issue should be discussed in future negotiations with the applicant.

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

2/03 05/0662 Land next to 760 Harrow Road, NW10 5LE

Erection of part four-storey and part five-storey building, consisting of 14 self-contained flats, two B1 units to ground floor, bicycle storage area, recycling area, communal terrace and associated landscaping

OFFICER RECOMMENDATION: Refusal

DECISION: Planning permission refused

2/04 05/0396 192-206 High Road, NW10 2PB

Enclosure of existing atrium with glazed roof as revised by plans submitted 18/04/05

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted subject to conditions

WESTERN AREA

3/01 05/1033 20 Conway Gardens, Wembley, HA9 8TR

Retention of modified single storey rear conservatory and detached outbuilding in rear garden of dwellinghouse

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

The Assistant West Area Planning Manager drew Members' attention to the deletion of condition 1 and an amendment to condition 2 as set out in the supplementary report circulated at the meeting.

Ms Raj Taylor objected to the application on the grounds of the loss of light to her garden caused by the excessive height of the boundary fence. She also complained of obstruction to parking spaces whilst the works had been taking place.

During debate, Councillor Kansagra noted that 12 metres of the boundary was faced by a building on the application site which he considered excessive and he therefore requested a site visit. Councillor Harrod indicated his agreement with Councillor Kansagra's request and Members then agreed that the application be deferred for a site visit.

DECISION: Application deferred for site visit

3/02 04/1644 NATCO Foods, Lancelot Road, Wembley, HA0 2BG

Outline application for the redevelopment of the site to provide 107 dwellings (including 35 affordable units) formed of 22 one-bedroom flats, 53 two-bedroom flats, 5 three-bedroom flats, 13 three-bedroom houses and 14 four-bedroom houses within a three-storey block of flats and terrace of three houses fronting Lancelot Road, a three-storey terrace of houses and flats adjacent to the North and West boundaries of the site and a four-storey block of flats in the centre of the site, formation of two accesses to Lancelot Road and internal access road with 79 vehicular parking spaces, provision of gardens, shared and public amenity space and associated landscaping (matters to be determined: means of access and siting) (as accompanied by Design Statement 2 dated May 2004, Transportation Assessment dated May 2004, and a Planning Statement dated

May 2004)

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

The Assistant West Area Planning Manager drew Members' attention to corrections on the report, deletion of condition 8 and amendments to condition 4 and to the Section 106 Agreement as set out in the supplementary report circulated at the meeting.

Mr Nick Fennell, the applicant's agent, stated that the application was for a 4 storey building for residential use and of medium density. Members heard the proposals would mean the removal of an unattractive industrial building and that the site was appropriate for residential use. Mr Fennell added that the application was within planning guidelines, a fully equipped children's play area was proposed and 33% of the units had been allocated for affordable housing.

In reply to a query from Councillor Freeson, Mr Fennell confirmed that the applicant was required to provide public open space.

In accordance with the Planning Code of Practice, Councillor V Brown confirmed that she had been approached by local residents in respect of this application. She commented that residents had expressed concern about loss of light and increased traffic which would add to the congestion occurring at the junction of Lancelot Road and the High Road. She asked that the Section 106 Agreement contribute towards the costs of producing a filter to direct traffic right at the junction and that there be a guarantee that allocation of the education contribution provision be in the vicinity of the site.

During debate, Councillor Harrod queried whether the affordable housing proportion could have been higher and also asked if there were other 4 storey buildings in the area. Councillor J Long enquired about transport links in the area and also what youth facilities were proposed. Councillor Allie enquired about the possibility of ring fencing the education contribution in the Section 106 Agreement to ensure provision within the local schools' catchment area. Councillor Freeson commented that it was important that there be flexibility in the allocation of education resources to ensure the most efficient distribution of their provision. Councillor Freeson sought clarification concerning the proportion of habitable rooms and also expressed that there should be some concern where there was to be a loss of employment as a land use as in this application. Councillor Kansagra enquired where the current occupiers, NATCO Foods, were re-locating to.

In reply to the queries raised, the Assistant West Area Planning Manager advised Members that there were some 3 storey buildings with pitched roofs in the vicinity of the area which were similar in height to 4 storey buildings and that there was a 5 storey building to the south of the railway line on the southern border of the site. He confirmed that there had been considerable discussion concerning the affordable housing element and that it was felt that

this site was suitable for such use, especially as the proposals included family-sized units where there was much demand for such accommodation. Members heard that transport provision was good and the maximum requirement of parking spaces had been provided and the Assistant West Area Planning Manager anticipated no parking problems would result from this development in surrounding streets. The Assistant West Area Planning Manager confirmed that NATCO Foods were moving outside London.

The Head of Area Planning acknowledged concerns about the loss of employment use, however he stressed that it had been recognised that this was a problem site and that a change of use was therefore more desirable in this instance. He advised Members that the large family units proposed for the affordable housing element would mean a greater proportion of habitable rooms for this use. He confirmed that the proposals included a play area and that it was preferable to have some flexibility in distributing education resources in order to address the changing priorities in educational needs.

On the advice of the Legal Adviser, it was agreed that it be specified in the Section 106 Agreement that the public be allowed access to the 'public amenity space' (as referred to in the Agreement).

DECISION: Planning permission granted subject to conditions, deletion of condition 8 and an amendment to condition 4 as set out in the supplementary report, informatives and a Section 106 Agreement as amended in the supplementary report and a further amendment that the public be allowed access to the 'public amenity space' (as specified in the Agreement)

6. Any Other Urgent Business

None

7. Date of Next Meeting

The next scheduled meeting of the Committee to consider planning policy issues only will take place on Wednesday, 6th July 2005 at 7.00 pm. The next meeting to consider planning applications will take place on Thursday, 28th July 2005. The site visit for this meeting will take place on Saturday, 2nd July 2005 at 9.30 am when the coach leaves from Brent House.

The meeting ended at 10.00 pm.

M CRIBBIN
Chair

Mins2005'06/Council/planning/pln28jnk