

**MINUTES OF THE PLANNING COMMITTEE**  
**Thursday, 28<sup>th</sup> July 2005 at 7.00 pm**

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

Councillor Chavda attended the meeting.

**1. Declarations of Personal and Prejudicial Interests**

Councillor Sayers declared a personal interest in the The Green Man, Slough Lane, NW9 8YG application, item number 1/02, which he felt could be perceived as prejudicial so he therefore did not take part in any discussion or vote on this application.

Councillor Allie declared a personal interest in the Preston Park JMI School, College Road, Wembley, HA9 8RJ application, item number 3/07, 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.

| <b>ITEM NO</b> | <b>APPLICATION NO (1)</b> | <b>APPLICATION AND PROPOSED DEVELOPMENT (2)</b>   |
|----------------|---------------------------|---|
|                |                           | <b>ITEM DEFERRED FROM LAST MEETING</b>  |
| 0/01           | 05/1033                   | 20 Conway Gardens, Wembley, HA9 8TR<br><br>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

In correcting an error in the officers' report, the Assistant Area Planning Manager clarified that to the south and west of the application property was railway land and to the north was the boundary with no. 18 Conway Gardens. In response to Councillor Freeson's question about possible measures to ameliorate any overdevelopment in terms of height and scale, the officer said the proposal was not considered to be unduly high and thus no such conditions had been imposed. In approving the application, the Committee agreed an amendment in the name of Councillor Kansagra to add a further condition for smooth rendering of the fence to be painted white.

DECISION: Planning permission granted, subject to conditions including smooth rendering of fence to be painted white and informatives

### **NORTHERN AREA**

1/01 05/1506 1-12 (inc) Westly Court, Dartmouth Road, NW2

Erection of part roof extension to existing residential block of flats to create an additional 2-bedroom, self-contained flat at third floor level

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

1/02 05/0644 The Green Man, Slough Lane, NW9 8YG

Proposed erection of 2/3 storey building comprising 4 x 1-bedroom, 2 x 2-bedroom and 2 x 3-bedroom self-contained flats together with 26 associated underground car parking spaces to the rear of The Green Man public house and a further 19 spaces for use by patrons and public as accompanied by the Design Statement submitted (and as amended by revised drawings received 06/06/05)

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

The Northern Area Team Manager referred to residents' concerns about loss of the car park which could lead to serious on-street parking problems in the area and added the use of the car park by the public at large was by private agreement only. In order to comply with the Council's parking standards set out in PS9, the proposal required only 6 car parking spaces which had been increased to 19. In addition, a school travel plan had been approved and that the local school was involved in the Safer Routes to Schools programme.

Mr John Hart objected to the proposed development on grounds of inadequate parking provision and possible traffic congestion. He added that the reasons for rejecting the application in the past which included its adverse impact on the neighbourhood and the narrowness of the local streets had not changed.

Mr John McDermott echoed similar sentiments adding that the grant of planning permission would lead to loss of residential amenities, an increase in noise nuisance and litter.

In the debate that followed, Councillor Freeson argued that the community amenity of the building should be retained as a public house and urged the Committee to reject the application. Councillor Kansagra expressed that the proposal in its current form would put pressure on parking provision and added that an acceptable scheme would be one half of the scheme with surface parking to allow others to use the car park.

The Head of Area Planning confirmed that the application complied with the Council's parking standards and that there was no clear basis for its rejection on parking grounds.

DECISION: Planning permission granted, subject to conditions as amended in conditions 10 & 18 and a Section 106 agreement

1/03 05/1367 12 Woodcock Hill, Harrow, HA3 0JG

2 storey side and single storey rear extension to dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

1/04 05/1105 United Synagogue, 131 Walm Lane, NW2 3AU

Removal of stained-glass window panels, installation of replacement glazed window glass, retention of external security window panels, removal of external Ten Commandment panel from side of synagogue (Article 4)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The Area Planning Manager informed the Committee that the applicant's agents had raised concerns about the financial implications of condition 4 which requires the reinstatement of the original windows and the east window. In response to these, he stated that although the Council was sympathetic to the financial constraints of the organisation, it was required to ensure that the development would preserve and enhance the character and appearance of the Mapesbury Conservation Area. The claim about a loss of privacy had been addressed by requiring obscure glazing in the western flank wall windows. He undertook to write to the applicant asking about what they intended to do with the stained glass and the "Ten Commandments" tablet

DECISION: Planning permission granted, subject to conditions

### **SOUTHERN AREA**

2/01 05/0382 208-212 High Road, NW10

Erection of an additional storey to the existing roof to provide 1 studio flat and 1 x 2-bed flat (as clarified by plans received on 25/04/05 and as accompanied by photographs) – Car Free Development

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

2/02 05/0815 Rising Sun Public House, 25 Harlesden Road, NW10 2BY

Erection of rear infill extension, replacement of window with door to side elevation, replacement of double doors with window to rear elevation of public house and replacement of window with door to the side elevation of the single storey toilet block to the rear of the public house

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

2/03 05/1464 School Kitchen, NW London Jewish Day School, Willesden Lane, NW6 7PP

Retention of existing extraction unit mounted on roof level of school kitchen

OFFICER RECOMMENDATION: Grant planning permission, subject to a condition

DECISION: Planning permission granted, subject to conditions including installation of activated charcoal filters

2/04 04/3002 The White Hart, Church Road, NW10 9NR

Redevelopment of The White Hart Hotel and adjacent car park incorporating the erection of a two-storey building and a part 3-, 4- and 6-storey building comprising an indoor retail market, 61 residential apartments and car parking at basement

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

The Southern Area Planning Manager referred to a number of corrections mainly on affordable housing as set out in the supplementary information which sought to clarify the main report. He also clarified the insertion of a clause in the Heads of Terms that made reference to compensatory provision or payment to the Council if an independent review showed that sustainability measures had not been implemented on site. He declined the applicant's request to employ their own team of solicitors to draw up the section 106 agreement as the Borough Solicitor had developed a legal precedent which had been successfully used as a basis for preparing all section 106 agreements. He recommended a further condition on excavation and construction as the site fell within the council's Archaeological Priority Area and additional wording to condition 3 on possible replanting.

During debate, Councillor Harrod asked about the possibility of increasing the affordable housing to 50% and whether the scheme would fit in with the development proposals by The Church of Miracle Signs & Wonders. Councillor Sayers felt that the imposition of an additional condition on excavation could delay the development. Councillor Freeson expressed a view for a proper management plan to address the chaos at the junction on market days.

Officers responded that although there was no firm master plan for the area, the scheme which did not suffer from the previous defects would not prejudice the church development. Officers had negotiated for the maximum possible affordable housing for this scheme and for a 6-day market operation that would minimise possible traffic chaos in the area. As an added measure to reduce traffic chaos, stallholders' servicing would be from the rear.

DECISION: Planning permission granted, subject to conditions as corrected, additional condition on exaction, a Section 106 agreement and the deletion of condition 10.

2/05 05/0259 Land adjacent to 23 Bolton Gardens, NW10

Demolition of three existing garages and erection of two-storey dwellinghouse (as accompanied by photographs) – Car Free Development

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

2/06 05/0442 Land rear of St Andrew's Church, High Road, NW10

Details pursuant to conditions 3 (landscaping), 4 (fencing) and 5 (tree protection) of full planning permission reference 04/2046 dated 29/09/04

OFFICER RECOMMENDATION: Grant planning permission

DECISION: Planning permission granted, subject to conditions

### WESTERN AREA

3/01 05/0996 11 Grasmere Avenue, Wembley, HA9 8TB

Retention of replacement fencing and detached outbuilding in rear garden of dwellinghouse (as accompanied by unnumbered elevations, site plan and photograph)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

Mr Leslie Smith urged the Committee to refuse the application for the following reasons;

- i) Excessive height of the outbuilding
- ii) Loss of privacy and outlook
- iii) Unacceptable pressure on residential amenities especially drainage system
- iv) Possible flooding due to differences in land levels with number 13

Ms Nanita Patel, the applicant stated that the size and height of the extension and the fence constructed to prevent future break-ins were in accordance the Council's standards. She added that the drainage system was sufficient for the proposal.

In responding to the issues raised, the Area Planning Manager said that the drainage was a matter for the Council's Building Regulations to resolve and although the height of the building was greater, it would not affect privacy as it abuts a service road.

DECISION: Planning permission granted, subject to conditions

3/02 05/0626 575 North End Road, Wembley, HA9

Outline planning application for a part 8/9/10/11/12/13/14/15/16/17 storey building to provide a 120-bed hotel on the 1<sup>st</sup> – 5<sup>th</sup> floors, 108 timeshare or apartment hotel lets on 6<sup>th</sup> – 15<sup>th</sup> floors (84 studios, 24 1-beds), a public viewing gallery and restaurant on the 16<sup>th</sup> floor, one basement level of 40 parking spaces and associated facilities

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

The Western Area Planning Manager drew members' attention to the supplementary information that set out a number corrections and amendments. He referred to additional correspondence received raising objections to the scheme on grounds of loss of sunlight, enclosure, overlooking, traffic congestion and additional noise and officers' responses as set out in the supplementary information circulated at the meeting.

Ms Jeanette Foster reiterated her objections on behalf of Danes Court residents that the proposed development would lead to loss of sunlight, over shadowing and loss of privacy. She added that the car parking provision would be inadequate to support the development.

Mr Martin Robeson the applicant's agent stated that a detailed analysis had been carried out to secure adequate daylight and sunlight. The orientation which would ensure a 40 metre distance would prevent direct overlooking. In his view, the scheme would be an imaginative proposal that fitted in with the Wembley master plan and which would serve as a catalyst to other developers in the area. In response to Councillor Freeson's questions, Mr Robeson said that the scheme would make effective use of the site whilst meeting the standards in the Master Plan and respecting the amenities of residents. It would in addition provide up to 10 staff employed locally.

Councillor Allie expressed concern about the size of the proposal adding that it would change the character of the area. Councillor Kansagra also expressed concerns about the height of the building and condition 10 about unimpeded public access to the viewing gallery.

DECISION: Planning permission granted, subject to conditions as amended in conditions 11, 12 & 13 and a Section 106 agreement

3/03 05/1172 54 Sudbury Court Drive, Harrow, HA1 3TD

Erection of first floor side and rear extension, rear dormer window extension, top rooflight to crown roof and mono-pitch roof to rear ground floor extension to dwellinghouse

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

DECISION: Planning permission granted, subject to conditions

3/04 05/1108 1 Atlip Centre, Atlip Road, Wembley, HA0 4PE

Use of basement as nightclub, conversion of unit 5 on ground floor to provide reception and access to nightclub and installation of door in side elevation

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

The Western Area Planning Manager stated that the main issues were potential noise and disturbance from the night club operation, however, the operator had a legal responsibility to ensure that all measures were in place to control them. In addition, condition 4 had been imposed requiring the applicant to ensure that noise and sound were not audible from residential premises. A further condition had been imposed to ensure that the operating times of the club complied with that of the Clay Oven. As the night club operators would require a regularly renewable licence, issues of environmental disturbance and neighbour's objections would be regularly re-assessed before the licence is reviewed.

Mr. Raj Patel the applicant referred to similar establishments he owned and successfully operated elsewhere in London. He expressed his concern about the s106 financial contribution of £25,000 towards on street parking controls and requested that it should be reduced to £15,000. In response to that, the Planning Manager said that a sum of £1,000 per car estimated to be generated on street was recommended to be consistent with other A3 uses in the Borough giving £25,000.

In accordance with the Planning Code of Practice the ward member Councillor Chavda said that he had been approached by the local residents. He expressed concerns about the level of noise and traffic that could result from the night club operation and also sought clarification on the s106 contribution.

The Head of Area Planning responded as it was in the basement of the premises, the operation would have an inherent degree of sound proofing subject to other measures. He however added that if members wished, one of the conditions could be amended to require an assessment of the noise level and sound proofing. He reiterated that the £25,000 contribution was towards on-street parking controls in the area.

DECISION: Planning permission granted, subject to conditions and a Section 106 agreement

3/05 05/0505 264 Grasmere Avenue, Wembley, HA9 8TW

Demolition of an existing outbuilding in the rear garden and erection of ground floor rear and part first floor side and rear extension to dwellinghouse (as amended by fax received on 18/05/05)

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

Ms Christina Mooney raised objections about the first floor side extension and its likelihood to obstruct sunlight to her property. She also expressed concerns about 3 boiler flues on the side of the property and the possibility of the proposed building being used for multiple occupation.



Mr Barry Parsons also expressed concerns about multi occupation use of the property alleging that with a cooker in the front room which was being used as a bed-sit, the property could not be described as a family dwelling house. He added that the current sewer system which was unable to cope with the existing residents would worsen with increased number of residents.

DECISION: Deferred for site visit.

3/06 05/0647 Whitesands, Dadoos Supermarket, 2 Atlip Road, Wembley, HA0 4LU

Demolition of existing building and erection of a 'car free' part 3-, 4-, 5-, 6-, 7- and 8-storey building containing a broadcast studio on part of the ground floor and 5 studio units, 37 one-bedroom flats, 37 two-bedroom flats and 4 three-bedroom flats with basement parking for 29 cars with access off Atlip Road

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

The Western Area Planning Manager referred to the supplementary report circulated at the meeting which clarified the use and ownership of the car park, the operational times of the television studio and responded to further objections raised to the application on grounds of parking. He added that the parking provision was in line with the UDP standards and that the development would make funds available to extend the CPZ in the area. Furthermore, condition 3 requires the applicant to submit a Travel Plan and a car park management plan for approval whilst the s106 agreement requires for a car pooling scheme. These would mitigate against any undesirable traffic and parking impacts. In reiterating the recommendation for approval, he amended condition 12 as set out in the supplementary information. Mr Neal Khanna objected to the application on the grounds that with only 29 spaces for 83 flats, there was likely to be an overspill leading to parking and traffic problems and noise nuisance to his premises (Clay Oven). These could adversely impact upon Clay Oven's entertainment licence with possible loss of employment for 70 people.

Mr Kyriou Spyrou, the applicant's agent drew the Committee's attention to the models displayed at the meeting. He said that the development which was compatible with the area would assist with the regeneration of Alperton Town Centre. Using high quality materials, the design would be both attractive and of high quality. The s106 contribution would provide both financial benefits to the Council for use towards improving the environment and educational facilities. He added that the applicant planned to hold 2 further meetings with residents aimed at addressing the issues raised in their objections including security, fencing, landscaping, lighting, drainage, parking and noise.

In accordance with the Code of Practice Councillor Chavda, ward member, said that he had been approached by the residents. He raised the following objections;

- i) The traffic problems in the area would worsen
- ii) Parking provision and agreement made with the temple authority was unsatisfactory
- iii) There would be an undue pressure on the local educational and medical facilities
- iv) Noise nuisance would rise to unacceptable levels

Members then discussed the application in particular the car parking provision, traffic impact and the arrangement made between the applicants and the temple authority. In response, the Planning Manager said he was not aware of any such agreement and that the proposal would not have detrimental impact on parking in the Atlip Road area. He added that the Council had secured substantial sums under the s106 agreement towards educational and environmental improvements in the local area. In his view, the proposal was compatible with the Clay Oven whose operators were required by national agreements to limit any resulting noise nuisance.

DECISION: Planning permission granted, subject to conditions and a Section 106 agreement

3/07 05/1826 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 building to northwest of main building, provision of pedestrian access to College Road, play areas, landscaping and modification to car park to provide 22 spaces (Revised Scheme of ref 05/0040)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

3/08 05/1518 75 Paxford Road, Wembley, HA0 3RJ

Alterations to and completion of half completed detached outbuilding to be used as games room at the bottom of the rear garden area of the dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Deferred for a site visit

3/09 05/1671 Land rear of 97 & 99 Elms Lane, Wembley, HA0

Erection of detached garage and formation of driveway and vehicular crossover

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

DECISION: Planning permission granted, subject to conditions

3/10 05/0397 0 Olympic Way, Wembley, HA9

Continued use of Olympic Way to temporarily accommodate the re-siting of Wembley Sunday Market (as supported by Management Plan and Procedures received on 11/04/05)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The western Area Planning Manager updated the Committee about an order made in the High Court in favour of representatives of 1 Olympic Way against the market operators. He added that the order which required an area for a turning head and an access width from Fulton Road to be kept clear of stalls and vehicles had been allowed for within the submitted plans under consideration.

Mr. Jerome Cohen said that although he supported the market operation in general, he was experiencing difficulty in gaining access to his office on Sundays. This obstruction was caused problems of safety in the area.

Mr David Thomson spoke in support of his application adding that the present site was only temporary pending the refurbishment of the Wembley Arena. He added that the market which had been in operation for 30 years was recognised within the Council's Unitary Development Plan.

DECISION: Planning permission granted, subject to conditions

## **7. Any Other Urgent Business**

Councillor Freeson called for a report to a future meeting of the Committee on options for sites for a new secondary school in the Borough. He also asked that members give consideration to the need for new primary school sites (allowing for national and local government policy for developing extended schools). He also requested that zoning/site allocation for education, community and health facilities be included in the preparation of Brent's new Unitary Development Framework and appropriate Supplementary Planning documents.

**8. Date of Next Meeting**

The next scheduled meeting of the Committee to consider planning applications will take place on Wednesday, 24<sup>th</sup> August 2005. The site visit for this meeting will take place on Saturday, 20<sup>th</sup> August 2005 at 9.30 am when the coach leaves from Brent House.

The meeting ended at 10.15 pm.

M CRIBBIN  
Chair

Mins2005'06/Council/planning/pln28jlk