

MINUTES OF THE PLANNING COMMITTEE
Tuesday, 8th November 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.

Councillors Moloney, O'Sullivan and Van Colle attended the meeting.

1. Declarations of Personal and Prejudicial Interests

Councillor Cribbin (Chair) declared a personal interest in application reference 05/1300 (One Tree Hill Clinic, Bridgewater Road, Wembley), took no part in its discussion and vacated the room during its consideration.

Councillor Harrod (Vice Chair) declared a personal interest in application reference 05/2041 (Stonebridge Recreation Ground) as a member of Stonebridge Housing Action Trust (HAT)

2. Minutes of Previous Meetings

(a) 21st September 2005

RESOLVED:-

that the minutes of the meeting held on 21st September 2005 be received and approved as an accurate record.

(b) 11th October 2005

RESOLVED:-

that the minutes of the meeting held on 11th October 2005 be received and approved as an accurate record.

2. Requests for Site Visits

No requests made 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)
ITEM DEFERRED FROM LAST MEETING		
0/01	05/1616	2 Greenhill, Wembley, HA9 9HF Outline planning application for erection of a two-storey, detached, three-bedroom house with integral garage at rear of dwellinghouse

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

The Northern Area Planning Manager referred to the following three main concerns raised by residents and submitted responses:-

That an earlier planning application for a bungalow was refused because of its impact on No 4, yet the present proposal was being recommended for approval. He indicated that the current application had overcome several of the reasons for the refusal of the bungalow; it lied within a range of 9 metres and 10.7 metres (7.8-9.6 metres); footprint of 79 sq metres (95 square metres); retained the cedar tree and complied with supplementary planning guidance note 5.

- (ii) Road Congestion. He stated that increase in traffic levels was a London-wide problem and in particular, on street parking often by visitors to the Town Hall could make this section of the road busy.
- (iii) Loss of amenity and privacy. He referred to the contents of the supplementary report which clarified that issues of loss of privacy and amenity would not arise given the context of the development. He however recommended amendments to conditions 2 (d) and 4 and 5 as set out in the supplementary information circulated at the meeting.

Mr Maurice Pickering, the architect and landscape consultant engaged by the objectors reiterated that the life expectancy of the cedar trees could be as long as 250 years or more with the potential height of some 48 metres. He added that the felling of T2 may be beneficial but the removal of its root mat was not. He also added that severe damage to the cedar tree was inevitable during excavations for foundations, adding that in accordance with British Standards (BS5837), building operations should be carried out some 4.5 metres away from the tree trunk to prevent causing major root damage. In conclusion, Mr Pickering stated that he felt the trees were unlikely to survive the proposed development and urged Members to be minded to reject the application.

Mr Leech stated that the previous application was turned down due to loss of privacy and amenity and wondered why this application which had not overcome those deficiencies was being recommended for approval. He added that the drawing submitted was misleading and that the outline planning application failed to comply with Brent's Unitary Development Policy No BE3. He further added that the Ordnance Survey map suggested that the proposed development would be out of character and urged Members to be minded to refuse the outline planning application.

Mr Raymond Hands, the applicant's agent, stated that the proposed development would provide a much needed modest family home. He added that the application had evolved in close consultation with officers and that every effort would be made during construction to ensure that no detriment was caused to the cedar tree which would be saved during the construction stage.

The Council's landscape architect stated that subject to appropriate conditions being applied and as recommended by officers, the tree would survive the construction process. He confirmed the need to place considerable weight on BS5837, he added that his longer term view was that the tree would need to be replaced with a more appropriate species for this suburban garden setting.

Members then discussed the application during which Cllr Kansagra indicated that he would not be minded to support the recommendation for approval. Cllr Harrod noted that the application had been deferred previously for expert advice and that in his view the cedar tree could survive the construction. Cllr Sayers added that a need for housing should take priority over trees.

DECISION: Outline planning permission granted, subject to conditions as amended in conditions 2d, 4, 5 and 6 and informatives

Cllr Kansagra wished it recorded that he voted against the above application.

NORTHERN AREA

1/01 05/2069 Videk, Kingsbury Road, NW9 8RW

Construction of an additional floor to an existing 2-storey office/light industrial building

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

Cllr Kansagra wished it recorded that he voted for this application.

1/02 05/2462 19 Eversley Avenue, Wembley, HA9 9JZ

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

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

Cllr Kansagra wished it recorded that he voted for this application.

DECISION: Planning permission granted, subject to conditions

1/03 05/2490 London Christian Centre, Clifford Way, NW10 1AN

Erection of two-storey side extension, construction of second floor extension, construction of part-basement with disabled access, provision of fire escape to gabled end and replacement of existing windows

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions as amended in conditions 3, 6 and an additional condition 14

Cllr Kansagra wished it recorded that he voted for this application.

1/04 05/0774 8 Charlton Road, Wembley, HA9 9QT

Retention of altered outbuilding, raised garden level and altered fencing at joint boundary with No 7 Charlton Road and proposed landscaping to rear garden of dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The Northern Area Planning Manager recommended an amendment to condition No 2 to ensure that the development was completed within three months of the date of this permission and condition No 5 to ensure that the tree and shrubs were maintained in accordance with the established horticultural practice. He stated that at the request of the neighbour at No 7 Charlton Road, the proposal was changed to include planting of a tree in front of the climbing frame which they point out would restore the visual amenity considered to have been lost when the fruit trees were removed.

Mr K Greenfield, in objecting to the application, stated that the fence was shorter due to the revised level of the garden and urged Members to be minded to require the applicant to raise the fence by 2 ft. He welcomed the amendment in condition No 2 to require the applicant to complete the development within three months and added that this should be properly supervised to ensure conformity.

In accordance with the provisions of the Planning Code of Practice, Cllr Van Colle stated that he had been approached by objectors including the residents at No 7 Charlton Road who were his family friends. Councillor Van Colle urged Members to be minded to recommend the implementation of the enforcement notice that was served on the applicant for the unauthorised development.

In accordance with the provisions of the Planning Code of Practice, Cllr J O'Sullivan stated that he had been approached by the applicant. Cllr O'Sullivan supported officers' recommendation for approval, subject to conditions as stated in the main and the supplementary information. He commended officers for being helpful in resolving the problem between neighbours at Nos 7 and 8.

The Council's landscape architect stated that normal landscape plans would be adequate and that trees of between sizes 14 and 16 with a good quality sampling would provide adequate protection. The Northern Area Manager also stated that the fence which was already 5.6 feet would be increased by one foot to 6.6 (2 metres).

DECISION: Planning permission granted, subject to conditions as amended in conditions 2 and 5

Cllr Kansagra wished it recorded that he voted for this application.

SOUTHERN AREA

2/01 05/2509 758 & 760 Harrow Road, NW10

Erection of part four-, five- and six-storey building, consisting of 14 self-contained flats and two B1 units to ground floor, with rear servicing area, bin store, bicycle storage area and provision for one disabled parking bay – Car Free Development

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

The Deputy South Area Planning Manager stated that revised plans had been received which showed that the Wellington Road footway could be increased to a width of 2 metres. In respect of this, the Borough Solicitor had recommended amendments to the Section 106 Head of Terms and conditions 3, 8, 10 and 11 as set out in the supplementary information.

DECISION: Planning permission granted, subject to conditions as amended in conditions 3, 8, 10, 11, informatives and the Head of Terms of the Section 106 agreement.

Cllr Kansagra wished it recorded that he voted for this application.

2/02 O5/2477 85 & 87A-B Salusbury Road, NW6

Conversion of 4 existing self-contained flats into 10 self-contained flats (6 studio and 4 one-bedroom) with 4 rear dormer and 3 front rooflights

OFFICER RECOMMENDATION: Refusal

The Deputy South Area Planning Manager stated that the site was not felt to be suitable for more than four self-contained flats and that the proposed ten self-contained flats would constitute an over-development of the site. In addition, the scheme would not be a car free scheme and he therefore reiterated the recommendation for refusal.

DECISION: Planning permission refused

Cllr Kansagra wished it recorded that he voted for refusal of this application.

2/03 05/2380 Ryans Diner, Favourites Chicken & Ribs, 73-75 Kilburn High Road, NW6 5HY

Erection of four storey rear and roof extension, including extension of A3 use at ground floor level and creation of 11 self-contained units, incorporating 6 x one bed and 5 x two-bed units at first, second, third and fourth floor level and the installation of a replacement extract duct

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

The Deputy South Area Planning Manager drew Members' attention to the contents of the supplementary report that included amendments to conditions as recommended by the Borough Solicitor in relation to conditions Nos 5 and 6 as set out in the supplementary information. Subject to these, he reiterated the recommendation for approval and in addition to a Section 106 agreement.

During debate, Cllr Freeson enquired about sustainability and as to why the Section 106 agreement made reference to 10% energy efficiency. Cllr Allie also enquired as to why there was no provision for educational facilities compared to other applications that had been considered by the Committee. In response to these, officers stated that the 10% was proving to be a realistic initial target and that Members would be provided with a background note on the issue of sustainability. It was added that as the development was less than the threshold number of units there was no need for repayment in respect of educational facilities.

DECISION: Planning permission granted, subject to conditions as amended in conditions 5 and 6, informatives and a Section 106 agreement

Cllr Kansagra wished it recorded that he voted for this application.

2/04 05/2665 4 King Edward VII Mansions, Chamberlayne Road, NW10 3JG

Erection of rear dormer window and installation of 2 front rooflights to third floor flat

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

Cllr Kansagra wished it recorded that he voted for this application.

WESTERN AREA

3/01 05/1909 12 Hollycroft Avenue, Wembley, HA9 8LF

Demolition of garage and erection of front porch extension and single storey side and rear extension to dwellinghouse

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

The Western Area Planning Manager referred to additional objections received in respect of parking, the recently completed loft conversion and its apparent non compliance with adopted Council standards and guidance. He then drew Members' attention to the officers' responses as set out in the supplementary information.

Mr Clark Maxwell, in objecting to the application, stated that the ground level of No 12 was one metre higher and that the single storey side extension should be set back to prevent obscuring of sunlight to his windows. He added that the proposed development would lead to an enclosure of his garden and a further loss of light. In responding to this, the Planning Manager stated that the design of the proposed development complied with the Council's guidance.

Members however agreed to defer this application for a site visit in order to assess the planning impact of the proposed development.

DECISION: Deferred for a site visit

Cllr Kansagra wished it recorded that he voted for a site visit for this application.

3/02 05/2381 6 & 8 Nicoll Road, NW10

Alterations and extensions, including third floor extension with new hipped roof and 3 front and 3 rear dormer window extensions and two dormer window extensions on both sides and first-, second- and third-floor rear extension to No 6, demolition of single storey side and erection of two-storey side extension and three-storey rear extension with two-storey bay windows to No 8 with three-storey link extension to No 6 and 1 additional front dormer window extension and 2 rear dormer window extensions in conjunction with the conversion of the properties from houses in multiple occupation to 14 self-contained flats (7 two-bedroom, 6 one-bedroom and one studio unit).

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

DECISION: Planning permission granted, subject to conditions, additional condition 8 and a Section 106 agreement

Cllr Kansagra wished it recorded that he voted for this application.

3/03 05/1300 One Tree Hill Clinic, Bridgewater Road, Wembley, HA0 1AJ

Use of vacant clinic as a training and advice centre, with ancillary accommodation for the Safe Start Foundation and creation of 4 studio units and two one-bedroom flats on the first floor of the premises, retention and completion of internal and external alterations, including the installation of 13 rooflights and 7 air-conditioning units, erection of canopy to northeast rear elevation, provision of ramped access to main front entrance door, formation of pathway around building, refuse collection area to northwest rear corner, removal of vegetation and provision of additional soft landscaping and 4 car parking spaces including one disabled space (as accompanied by photographs – sheets 1-4 and pamphlet titled ‘Safe Start Foundation’)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The Western Area Team Manager informed the Committee that comments received from the Director of Highways and Transportation Team stated that the amendments to the scheme complied with relevant transportation policies and standards including access, parking and servicing arrangements.

The Chair, Cllr Cribbin, declared a personal interest, vacated the meeting and did not take part in the discussion nor voting. Cllr Harrod chaired the meeting for this application only.

DECISION: Planning permission granted, subject to conditions

Cllr Kansagra wished it recorded that he voted for this application.

3/04 05/2041 Stonebridge Recreation Ground, Brentfield Road, NW10

Application for approval of reserved matters pursuant to condition 11 of outline planning permission 97/0131 dated 04/09/97 (as amended by permission 03/1950 dated 22/08/03) in relation to construction of community sports pavilion building

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The Western Area Team Manager clarified that the Council was not involved in the development and management of the recreational facilities which were being provided for the community as part of the estate redevelopment scheme. He stated that as the local schools, Our Lady of Lourdes and Stonebridge Schools, lie outside the area of the application site for the Stonebridge Estate Redevelopment there were no schemes at this stage that the schools may be redeveloped. In respect of public conveniences, he stated that as the pavilion would be open in the evening until 11 o'clock at night and at weekends, the toilets inside the reception area should be available at most times for users of the recreation ground. In respect of landscaping and lighting, he said that a number of trees along the section of the path would be retained and street lighting provided, under the proposals. In respect of noise and disturbance, he stated that the provision of the pavilion with at least two members of staff on site should bring a measure of control over any anti-social activity that may arise. He then drew Members' attention to a number of amendments to conditions as set out in the supplementary information together with reasons.

In response to the applicant's request to remove condition No 7 as they felt it would be unnecessary and overly restrictive, the Team Manager stated the condition had been recommended in order to minimise undue nuisance. Hence a condition limiting the number of tournaments per year. He reiterated the amendment to condition No 7 to require that tournaments shall not be played on any part of the recreation grounds for more than 12 days in any calendar year except with the written permission of the local planning authority.

Ms Suzanne Johnson-Smith objected to the proposed development for the following reasons:

- (i) Loss of residential amenity
- (ii) Lawful right of peaceful use of their properties would be compromised
- (iii) Noise nuisance and fog lighting
- (iv) Privatisation of the land as a result of the development would deprive residents and the public of the use of the land which, they had hitherto had for free

Mr Wilson, a supporter of the application and Secretary of the Stonebridge Tenants' Housing Association, stated that the proposed development would provide recreational facilities for the youth in the area and subject to a proper management plan, would enhance residential amenity. He added that the only payment would be for the services from the cafeteria and that the project should be self-financing.

Mr Peter Frankum, the applicant's agent, stated that the proposed development would incorporate improved fencing and a grass pitch that would be open to the public. He added that there would be a small charge but that was only to ensure that the facility was maintained to a good standard and that it was self-financing. In respect of residential amenity, he stated that the resident majority controlled board for the management of the facility would ensure that any detriment in this respect was reduced to the minimum. He assured Members that charges that would be levied would significantly be discounted for the residents and the local community. In response to Cllr Kansagra's enquiry about the site problems and the location, Mr Frankum stated that this was probably the best site for the development as it provided a natural surveillance without being much closer to the railway line.

In accordance with the provisions of the Planning Code of Practice, Cllr Moloney, the Ward Councillor, stated that he was a member of the Stonebridge Housing Action Trust and Hillside Housing Association. He stated that the proposed development had been fully consulted on with the Youth Forum and that the proposal would not be any higher than any other such facilities. He raised objection to condition No 17 as stated in the supplementary information. He also added that the proposed development would constitute an integral part of the development of Stonebridge and would keep the youth occupied. In conclusion he stated that this was the best solution and the preferred choice of facility for the public.

During debate, Cllr Freeson expressed concern about the site of the facility and urged that this be moved further back. He indicated his vote to reject the application for this reason. Cllr Sayers also stated that he would not be supporting the application.

In responding to some of the issues raised, the Head of Area Planning stated that there was a need for some limit to be placed on the number of tournaments but that this needed to balance the needs of the users as well as local residents. He asked that Members delegate that part of the management plan (condition No 17) to officers to look at in some more detail.

DECISION: Planning permission granted, subject to conditions as amended in conditions 1, 2, 13, 15 and 18

Cllr Harrod (Vice-Chair) having declared a personal interest as a member of Stonebridge HAT did not take part in the discussion nor voting.

Cllr Kansagra wished it recorded that he voted for this application.

3/05 05/1121 25 Pebworth Road, Harrow, HA1 3UD

Retention and completion of a single storey rear extension, including retention of one front and one rear rooflight, with window in front gable "roundel" feature, provision of one car parking space in the front garden area and soft landscaping, erection of rear boundary fence along boundary with 23 Pebworth Road and installation of patio to rear of dwellinghouse, with adjoining fountain feature and soft-landscaped areas (as accompanied by photographs 1-9)

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

The Western Area Team Manager stated that details of the height of the patio and the fence in relation to the original rear ground level between this and the adjoining property had been considered in assessing the proposal. The extent of the planting to be provided had also been detailed in the submitted revised plans and more specific details regarding the species and densities had been requested through additional conditions.

He referred to additional letters of objection from the occupants at No 23 Pebworth Road and Sudbury Court Residents' Association regarding details of the proposal adding that these had been discussed at length between the case officer and objectors to the scheme. He also added that in order to ensure an attractive development that contributed to the visual amenity of the area, he recommended an additional condition requiring the applicant to submit further details of the scheme for car parking and landscaping on site including the provision of soft landscaping to the rear adjoining the side boundaries and patio to the local planning authority for approval.

Mr Kugaswaran, the neighbour at No 23 Pebworth Road, raised concerns on the following issues:-

- (i) The height, size and design of the development was prominent through the extension which had been increased to 3.5 metres and above the building line
- (ii) The patio which had been increased in size to 8.2 metres was contrary to Unitary Development Plan Policy PE9
- (iii) He sought assurances on further details on the driveway, front and rear garden landscaping before building work commenced.

In responding to the issues raised, the Planning Manager stated that the window would not require planning permission and as there was a large planting area within the site, he was hopeful that a scheme of landscaping could be commenced, subject to further details being approved. In response to Cllr Freeson's enquiry about lighting arrangement, the Planning Manager stated that this was not a particular problem and furthermore, it would be difficult to control lighting through planning conditions. In conclusion, the Planning Manager stated that the proposal as amended was considered to be in keeping with the design and character of the existing building and the surrounding street scene without causing harm to the amenities of adjoining occupiers.

DECISION: Planning permission granted, subject to conditions

Cllr Kansagra wished it recorded that he voted for this application.

6. Planning Appeals

Members were requested to note the information reports in the information bulletin circulated at the meeting.

RESOLVED:-

that the following be noted:-

- (i) Planning appeals received – 1st – 30th September 2005
- (ii) Enforcement appeals received – 1st – 30th September 2005
- (iii) Planning appeal decisions – 1st – 30th September 2005
- (iv) Enforcement appeal decisions – 1st – 30th September 2005
- (v) Selected planning appeal decisions – 1st – 30th September 2005
- (vi) Copies of Selected Appeal Decisions – 1st – 30th September 2005

7. **Any Other Urgent Business**

None

8. **Date of Next Meeting**

Members noted that the next scheduled meeting of the Committee to consider planning applications would take place on Wednesday, 30th November 2005. The site visit for that meeting would take place on Saturday, 26th November 2005 at 9.30 am when the coach leaves from Brent House.

The meeting ended at 9.35 pm

M CRIBBIN
Chair

Mins2005'06/Council/planning/pln8nk