

MINUTES OF THE PLANNING COMMITTEE
Thursday, 8th June 2006 at 7.00 pm

PRESENT: Councillor Kansagra (Chair), Councillor Singh (Vice-Chair) and Councillors Anwar, Cummins, Dunwell, J Long, Lorber (alternate for Hashmi), R Moher and H M Patel

Apologies for absence were received from Councillors Allie and Hashmi.

1. Declarations of Personal and Prejudicial Interests

St Andrews Church Hall, High Road Willesden NW10

It was noted that all members had received a communication from Jarvis, the applicant.

2. Minutes of Previous Meeting – 26th April 2006

RESOLVED:-

that the minutes of the meeting held on 26th April 2006 be received and approved as an accurate record.

3. Requests for Site Visits

There were no requests for site visits at the start of the meeting.

4. 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 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
		SOUTHERN AREA
2/01	06/0852	Rear of 9 Nicoll Road, Car Park rear of 14 High Street, NW10 Outline planning permission for demolition of existing garage and warehouses and erection of 4-storey building comprising of 33 self-contained flats (matters to be determined: siting, design and means of access)

OFFICER RECOMMENDATION: Refuse planning permission

The Planning Manager (Southern Area) stated that this was an outline planning permission for the development of 33 dwellings at the site. In referring to the plans for the current scheme displayed at the meeting, he outlined the relative differences between the size and height of the building. He added that due to its excessive bulk, scale, location and car parking spaces, the proposed development failed to comply with adopted standards. Additionally, the residential accommodation would result in a sub-standard form of accommodation which would fail to provide an adequate standard of amenity for future occupiers. He then referred to the contents of the supplementary information circulated at the meeting that set out a further reason for refusal in the following terms; the proposed development failed to provide any Section 106 educational contribution which would be required to meet the needs of the community and to provide the necessary mitigation measures as a result of the proposed development contrary to Policy CF6 of the Brent Unitary Development Plan 2004.

DECISION: Planning permission refused

2/02 06/0857 Rear of 9 Nicoll Road, Car Park rear of 14 High Street, NW10

Outline planning permission for demolition of existing garage and warehouses and erection of three-storey residential building comprising of 21 self-contained flats (incorporating a Sustainable Development Checklist and as clarified by letter dated 17/05/06) (matters to be determined: siting, design and means of access) "Car Free Development"

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

The Planning Manager (Southern Area) stated that officers had received confirmation from the agent that Nos 8, 10, 12 and 14 High Street, Harlesden had a right of pedestrian and vehicular access. In view of this, officers were recommending the imposition of a further condition which would restrict vehicular access from the High Street, in the interest of pedestrian and highway safety. In respect of the Ash trees, he stated that the landscape officer had confirmed that there were no objections to the removal of these trees as they were in poor condition. In reiterating the recommendation for approval, subject to conditions and a section 106 agreement, he added further conditions as set out in the supplementary information and the deletion of informative No 2.

Mr Vukovic, the applicants' agent, stated that he would not be exercising his right to speak.

DECISION :Planning permission granted subject to conditions including an additional condition 12, a section 106 agreement and the deletion of informative No.2

2/03 06/0359 St Andrews Church Hall, High Road, NW10 2SJ

Variation of condition 17 of full planning permission reference 04/2046 dated 29/09/04 for Demolition of scout-hut building and outbuilding adjacent to St Andrews Church and partial demolition of hall and erection of new church hall, new access road off St Andrews Road with new vehicular crossover to vicarage, new access road off High Road adjacent to St Andrews Church including new vehicular crossover, erection of 5 three-bedroom dwellinghouses (including 5 affordable units, one being a wheelchair-accessible dwellinghouse with car port) with private gardens, rear outbuildings and off-street parking, erection of 2.5-storey building with internal open courtyard including 2 one bedroom and 10 two-bedroom, self contained flats (12 affordable units), doctors' surgery with ancillary facilities on ground floor and first floor level, communal amenity space, provision of 15 vehicular parking spaces, bicycle store and bin store adjacent to 6 St Andrews Road and associated landscaping (car-free agreement) to allow the use of the proposed doctors' surgery for any purpose within Use Class D1, s accompanied by letter from agent dated 08/02/06

OFFICER RECOMMENDATION: Refuse planning permission

Members agreed to take together the representations on application references 06/0359 and 06/0361 but to decide each separately. The Planning Manager (Southern Area) clarified that the purpose built medical centre was intended to provide a medical practice at the site but this had now been relocated to the new redeveloped Willesden Hospital site with the support of Brent Primary Care Trust (PCT). He added that in terms of planning Policy CF3 and in the context of a purpose built facility, it was considered necessary to explore further with the PCT and other health providers, such as dentists, whether there was any demand for this particular building. He added that it was considered appropriate in the light of possible alternative health needs to continue to seek to protect this community facility. Given the background and the review period which may take some time to fully understand, officers were recommending that a decision on this application be deferred in order to allow such a review to take place.

Mr Peter Rudge, the applicants' designer, stated that work was current progressing on the details and drawings to be submitted for D1 use. In setting out the background, Mr Rudge stated that the PCT had withdrawn its funding when the building was partially completed and that there was no timescale for when the PCT would arrive at its decision on whether to re-use the facility. As there was no end user, he requested that the building be granted an unrestricted D1 use.

In responding to Members' questions, Mr Rudge stated that he had explored and found a couple of users for unrestricted D1 by one or two users. In respect of the parking provisions, he added that his client needed to know precisely who the D1 user would be before he could submit further plans for parking provisions.

In accordance with the provisions of the code of practice, Councillor L Jones, the Ward Member, stated that she had had discussions with the priest. Councillor Jones supported the officers' recommendation to defer this application in order to allow the PCT review to take place and/or an end user found.

DECISION: Deferred to allow the review of the nature of health needs in that part of the Borough to take place.

2/04 06/0361 St Andrews Church Hall, High Road, NW10 2SJ

Change of use of building to office use (class B1), as accompanied by letter from agent dated 08/02/06

OFFICER RECOMMENDATION: Refuse planning permission

DECISION: Planning permission refused

2/05 06/0770 17 Craven Park, NW10 8SU

Erection of a 4-storey building, including semi-basement level containing 10 self-contained units, comprising 2 studio, 4 one-bedroom and 4 two-bedroom flats "Car Free" development (as accompanied by Planning Statement)

OFFICER RECOMMENDATION: Refuse planning permission

The Planning Manager (Southern Area) drew Members' attention to the supplementary information circulated at the meeting that set out the differences between the original and the revised submissions. He noted that the applicant's revised checklist for sustainable development had not been properly assessed and that the sustainability rating was low. He added that given the amendment submitted by the applicant, the Borough Solicitor had advised that two additional reasons for refusal as set out in the supplementary information be imposed.

DECISION: Planning permission refused.

WESTERN AREA

3/01 06/0462 Dexion House, Empire Way, Wembley, HA9 0EF

Erection of 2 floors (9th and 10th) to central part of building and one floor (4th) to remainder of building, for use as B1 office accommodation

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

Councillor Lorber queried the height of the extended building in relation to the surrounding area and, in particular, the flats on the opposite side of Empire Way and the first phase of the Quintain redevelopment and indicated that he was minded not to support the proposal.

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

3/02 06/0312 Chill Out After School Club, Seventh Day Adventist Church, 217 East Lane, Wembley, HA0 3NG

Internal alterations to provide an internal balcony to be used for video and audio recording, duplicating DVDs and training in video-editing for young people

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

The Assistant Planning Manager (West Area) referred to a letter from the occupiers of 149 Sudbury Avenue in which they raised concerns about parking, traffic problems and the noise impact that was likely to be generated as a result of this development. In response, the Assistant Planning Manager stated that the concerns raised about the likely impact on traffic and parking were not considered to be significant enough to lead to a worsening of the highway conditions or traffic safety.

DECISION: Planning permission granted subject to conditions and an informative

3/03 06/0228 Ryan Estates, 2 Neeld Parade, Wembley Hill Road, Wembley, HA9 6QU

Change of use from estate agency to restaurant (Use Class A3) with installation of extraction equipment to the rear (as accompanied by elevational drawings dated 12/05/06)

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

The Assistant Planning Manager (West Area) stated that following advice from the Council's legal officers, amendments were suggested to conditions No 8 and 10 as set out in the supplementary information.

DECISION: Planning permission granted subject to conditions as amended in conditions 8 & 10 and informatives

3/04 06/0645 145 Preston Road, Wembley, HA9 8NQ

Erection of two-storey side extension and part single and two-storey rear extension to dwellinghouse and conversion into two three-bedroom residential units, with the formation of a new pedestrian access on to Preston Road and formation of access on to Logan Road in conjunction with the provision of frontage parking and provision of two parking spaces at bottom of garden with access off Logan Road

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

The Assistant Planning Manager (West Area) informed the Committee that the revised plan received detailed the changes as set out in the supplementary information circulated at the meeting. As a result of the submission, officers felt that condition No 3 had been adequately covered by condition No 1 and therefore he recommended the deletion of condition 3. He also amended condition No 10 on repair and the reinstatement of the brickwork. He however added two new conditions on requiring details on landscaping and fencing as set out in the supplementary information.

DECISION: Planning permission granted subject to conditions as amended in conditions 3 & 10, additional conditions on landscaping and fencing and an informative.

3/05 06/0554 Ex Natco Foods, Lancelot Road, Wembley, HA0 2BG

Details of design, external appearance and landscaping (the 'reserved matters') pursuant to condition 1 and details pursuant to conditions 4 (hard surfacing materials) and 5 (soft landscaping) of outline planning permission ref 04/1644 dated 10/03/06 for the redevelopment of the site to provide 107 dwellings (including 35 affordable housing units) within a three-storey block of apartments 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 car parking spaces, provision of gardens, shared and public amenity space and associated landscaping (as accompanied Design Statement by KCA/Landscape Statement by Breeze dated February 2006, Planning Statement by Consensus Planning dated February 2006 and Landscape management/maintenance schedule dated 11/05/06)

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

The Assistant Planning Manager (West Team) informed the Committee that requests had been received on behalf of the applicants that consideration should also be given under this current application to the details submitted for condition 6 on boundary fencing, walls and gates and other means of enclosure and condition 16 on details of the internal access roads and associated footpaths at the junction with Lancelot Road. He stated that in his view, adequate detail had been submitted to satisfy the above conditions and therefore he recommended that planning permission be granted under condition 6 and 16 as requested by the applicant. He referred Members to some specific issues raised as set out in the supplementary report and recommended that they should be attached as an informative, as this application only related to conditions attached to an outline planning permission.

Mrs Celia Stern, speaking on behalf of the residents of Lantern Close, stated that although the residents had no objection to the principle of housing development on the site, they had raised the following concerns:

- (i) noise nuisance
- (ii) outlook and lighting
- (iii) noise and vibration
- (iv) safety and access to the railway tracks
- (v) pressures on water supply
- (vi) air pollution
- (vii) inadequate parking spaces leading to congestion on Lancelot Road

Mrs Stern also queried the purpose and the application of the educational provisions under the Section 106 agreement.

In responding to the above objections, the Assistant Planning Manager stated that the concerns raised by the objector were dealt with at the outline stage, reminding the Committee that the current application only dealt with the details of the application. He added that the traffic likely to be generated by the development was not likely to give rise to traffic problems on adjoining roads. In responding to Members' queries, the Head of Area Planning stated that a report would be submitted to a future policy meeting which would clarify the uses of the Section 106 educational funds.

Mr Nick Lloyd Davies, the applicant's consultant in his submission stated that the proposed development emphasized the significant design incorporated into the application. He added that his client had consulted with Network Rail and the local residents. He added that in order to significantly improve greenery and the local environment, 73 trees were proposed to be planted.

DECISION: Planning permission granted subject to conditions 6 and 16 and an informative.

3/06 06/0557 51 Norval Road, Wembley, HA0 3TD

Erection of first floor side/rear extension and rear dormer window extension and installation of 1 side rooflight to dwellinghouse (as amended by revised plans received on 23/05/06)

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

Mr Gilbert, speaking in objection to the application, stated that the development would obstruct sunlight to, and cause permanent overshadowing of, his adjoining property. He felt that the alterations proposed would be out of character within the Sudbury Court Conservation Area. As the development would significantly enlarge the property, he speculated that it could be intended for multi-occupational use which would then put pressure on facilities including water and sewerage. He urged Members to be minded to refuse the application or to defer it for a site visit.

DECISION: Deferred for a site visit.

3/07 06/0563 50 East Lane, Wembley, HA9 7NS

Demolition of garage and erection of part single, part two-storey side and rear extension to dwellinghouse

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

DECISION: Planning permission granted subject to conditions and an informative.

3/08 06/0452 12 Hollycroft Avenue, Wembley, HA9 8LF

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

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

Mr Charles Clark-Maxwell objected to the proposed development on the following grounds:-

- (i) that the site was already over-developed by a shed in the rear garden and a large loft conversion;
- (ii) that the proposed development would further reduce light and outlook for neighbouring properties and reduce the amenities of the occupiers of No 10 Hollycroft Avenue who had a small garden space to the rear;
- (iii) that the alterations would be out of character with the dwelling.

In responding to the issues raised by the objector, the Head of Area Planning stated that the dormer window at the property had a certificate of lawfulness of use and that officers would look into the porch development and if it did not comply then an enforcement action would have to be investigated.

Members agreed to Councillor Cummins' request that a site visit for this application should take place to enable all Members, in particular those who were new to the Planning Committee, to assess the planning merits of the application.

DECISION: Deferred for a site visit.

3/09 06/0289 53 Blockley Road, Wembley, HA0 3LN

Erection of single storey rear and side conservatory extension infilling area between dwellinghouse and garage/store, part conversion of rear garden store to disabled bathroom, replacement of front garage doors and widening of opening to provide door and window in front wall between house and garage (as accompanied by applicants' Disabled Parking Cards and 4 site photographs)

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

Mr Gideon Fiegel stated that he had not been in contact or approached any of his former colleagues on the Council in this matter. He objected to the application on the grounds that it would constitute a substantial over-development of the site, materially alter the character of the area and set an unnecessary undesirable precedent for others to follow. Thus the proposed development would be contrary to the guidelines and the design plan of the Sudbury Court Conservation Area. Although he was sympathetic to the applicants as disabled persons, Mr Fiegel said that he had fully adapted his own dwelling at No 57 for disabled use without having to apply for an extensive development, suggesting that his neighbours could do the same. In conclusion, Mr Fiegel requested Members to be minded to visit the site and form their own impression that this was a substantial over-development of the site.

In response to Members' questions, Mr Fiegel stated that the proposed development would materially alter the character of the Sudbury Court Conservation Area by creating a terracing effect.

The Borough Solicitor advised Members to consider if they had any interest in this or any other application and if so to declare it for the record.

In accordance with the provisions of the Planning code of practice, Councillor Detre, the Ward Member, stated that he had been approached by Mr Fiegel and that he had no other interest to declare. Councillor Detre re-stated that the property was within a conservation area and that the proposal, which would be an over-development of the site would be contrary to the design guide and create a terracing effect. He urged Members to be minded to visit the site so as to form their own opinions.

Jenny Han, the applicants' architect, stated that the applicants were both severely disabled persons and unable to use the first floor toilet facilities without being assisted by strong helpers up the stairs. She added that there was a genuine case for adaptation to the property.

In responding to some of the issues raised, the Head of Area Planning advised that the site was a corner property with the existing house having been constructed with side access. He added that although disability factors were relevant they were not dominant in the decision-making process for the grant of planning permission. He also added that the infill could not be seen from outside and that this would not significantly alter the character of the Sudbury Court Conservation Area, nor would it warrant a refusal of the application. Councillor Lorber supported the assessment that the development would have a limited impact when viewed from the open space to the rear.

DECISION: Planning permission granted subject to conditions and an informative.

3/10 06/0728 137-143 Preston Road, Wembley, HA9 8NW

Outline application for demolition of 4 semi-detached houses and erection of a three-storey block of 14 No flats (6 x three-bedroom and 8 x two-bedroom) with access off Preston Road to 6 car parking spaces and access off Logan Road to 13 car parking spaces, provision of bin storage on Logan Road frontage and bike

store to rear (as accompanied by 2 No site photographs and revised by letter and drawing received 22/05/06), (matters for determination: siting and means of access)

OFFICER RECOMMENDATION: Refuse planning consent

The Assistant Planning Manager (West Team) stated that 3 further objections had been received raising the following concerns; poor visual amenity, traffic problems on Logan Road, excessive building in the area, problems of an increase in crime, loss of enjoyment of neighbouring occupiers and loss of character for the area. In clarifying the density and affordable housing thresholds, he stated that the density levels for neighbouring properties which were approved in 1963 and 2001 were much lower than the present density requirements. On affordable housing, he clarified that the affordable housing provision would be sought for developments of at least 15 units under Policy H12 of the adopted Unitary Development Plan. He further added that under Policy H3, a target of 50% of the new units to be affordable would be sought with a minimum provision of 30%.

The Assistant Planning Manager added that although there had been amendments to the scheme and whilst there was an improvement in the relationship between the parking spaces and the neighbouring building at No 1 Logan Road, the buffer area was considered to be insufficient to mitigate the noise, disturbance and smell pollution that would result. Additionally, the provision of parking spaces adjacent to 2 elevations of the north western most ground floor units would likely result in the loss of amenity for the occupiers. For this reason he recommended a further reason for refusal as set out in the supplementary information circulated at the meeting.

The Head of Area Planning highlighted the issue of density in comparison with earlier surrounding developments and its relevance to the threshold for affordable housing.

DECISION: Planning permission refused.

3/11 06/0194 Cedars Nursing Home, 24-26 Craven Park, NW10 8TE

Demolition of 24-26 Craven Park Road and single storey extension to nursing home and erection of a part three and four-storey building for use as a nursing home, providing 56 bedrooms, an external staircase and a part single and three-storey link extension to the existing three-storey (28-bedroom) nursing home, together with communal areas and parking for 7 cars (as accompanied by a design statement)

OFFICER RECOMMENDATION: Refuse planning consent

The Assistant Planning Manager (West Team) stated that the application site lay within an air quality management area and was likely to contribute towards background policing levels. He drew Members' attention to the supplementary information which amended reasons 1 and 3 for recommending the refusal of the application.

Mr Tim Edens, the applicants' agent referred to the officer's reasons for recommending refusal of the application and submitted the following to counter them;

- (i) that a flat roof was a common feature in the area;
- (ii) that Nos 28, 30 and 32 were owned by his client and that reconfiguration of the properties could be changed by the imposition of a Grampian condition;
- (iii) that the Council's Highway Authority had no objections to the proposals.

Mr Edens also added that the proposal, which was of a contemporary design in the street scene, had been welcomed by the Council's Social Services. He added that the Planning Service had not raised any issues on densities with his client. Mr Edens urged Members to be minded to approve the application or to defer it for a site visit.

In responding to the points raised, the Assistant Planning Manager stated that the gates and fencing were required for security reasons as there were concerns about vehicles leaving the site and causing problems for pedestrian safety. He expressed doubts about the significance of a site visit in resolving issues concerning outlook and lighting. He also added that the proposed development was tall, bulky and its design was of insufficient quality which would not add to the street scene. He reiterated the recommendation for refusal.

During discussion, Members considered that there were problems of amenity and parking provisions which had not been fully met. In endorsing officers' recommendation for refusal, Members asked that a further reason for refusal on inadequate parking provisions be added to the list of reasons.

DECISION: Planning permission refused.

6. **Planning Appeals**

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

RESOLVED:-

that the following be noted:-

- (i) Planning appeals received – 1st – 30th April 2006
- (ii) Enforcement appeals received – 1st – 30th April 2006
- (iii) Planning appeal decisions – 1st – 30th April 2006
- (iv) Enforcement appeal decisions – 1st – 30th April 2006
- (v) Selected planning appeal decisions list – 1st – 30th April 2006
- (vi) Copies of selected appeal decisions – 1st to 30th April 2006

8. **Date of Next Meeting**

Members noted that the next scheduled meeting of the Committee would take place on Wednesday, 28th June 2006 at 7.00 pm. The site visit for this meeting would take place the preceding Saturday, 24th June 2006 at 9.30 am when the coach would leave from Brent House.

The meeting ended at 10.30 pm

S KANSAGRA
Chair

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