

MINUTES OF THE PLANNING COMMITTEE
Tuesday, 15th August 2006 at 7.00 pm

PRESENT: Councillor Kansagra (Chair), Councillor Singh (Vice-Chair) and Councillors Cummins, Dunn, Dunwell, Hashmi, Hirani, J Long, R Moher and H M Patel.

Apologies for lateness were received on behalf of Councillor Anwar.

Councillors Jackson and Pagnamenta also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

None

2. Minutes of Previous Meeting – 26th July 2006

RESOLVED:-

that the minutes of the meeting held on 26th July 2006 be received and approved as an accurate record subject to the following amendments;

page 2: delete "06/1046" and insert "06/1337" as the application reference number for John Billam Sports Centre, Woodcock Hill.

Page 3 paragraph 4: add "Dunwell" after "Dunn".

Page 4 paragraph 2 line 6: After "applicant" insert "Management plan had not been received from the applicant."

3. Requests for Site Visits

None

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 in the decisions below, be adopted. The conditions for approval, the reasons for imposing them and the grounds for refusal are contained in the Report from the Director of Planning and in the supplementary information circulated at the meeting.

ITEM NO	APPLICATION NO	APPLICATION AND PROPOSED DEVELOPMENT
	(1)	(2)

NORTHERN AREA

1/01 06/0909 10 East Hill, Wembley, HA9 9PT

Erection of a two storey side extension, enlargement of lower ground floor to form habitable space and construction of upper ground floor conservatory at rear to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Chair reiterated that concerns raised by some neighbours on drainage, subsidence and methods of construction were issues that could be dealt with by Building Regulations rather than the planning system. This view was echoed by the Head of Area Planning who added that in future, it was unlikely that extensions to both the roof and to the lower ground floor area would be acceptable because of the combined impact on the rear elevation. This view was endorsed by Members.

DECISION: Planning permission granted, subject to conditions

1/02 06/0803 34 Barn Way, Wembley, HA9 9NW

Erection of a two storey side extension to dwellinghouse.

OFFICER RECOMMENDATION: Refuse planning permission.

The Planning Manager (North Area) stated that the applicant had indicated a willingness to revise the application with an increased set back to the side extension of 1 metre at both floors, instead of 0.5 metres as submitted. The applicant had therefore requested a deferral to enable him to submit the amendments. Given the overall size, width and prominence, the Planning Manager considered this set back acceptable but given the lateness of the decision to amend the plans, he felt it appropriate that the recommendation for remain. He submitted that if members endorsed officers' interpretation of the Barn Hill Design Guide in these circumstances, the applicant would be advised to submit a revised application that would allow for consultation with the Barn Hill Residents' Association and the local residents and, subject to any responses, the application be decided under delegated powers.

DECISION: Planning permission refused.

1/03 06/1604 37 Oxgate Gardens, London, NW2 6EA.

Conversion of garage into habitable room, single storey front and rear extension, one front rooflight, rear dormer window, rear ground floor terrace, replacement of ground-floor rear single door and window with new double doors with side windows and first

floor rear bay window to flats.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

1/04 06/1849 41,41A-E & 43A, Cricklewood Broadway, London, NW2.

Part change of use of first floor of premises as an internet controlled mini cab office.

OFFICER RECOMMENDATION: Refuse planning permission.

The Planning Manager (North Area) stated that as there was no natural lighting to the application site because the only window was blocked and because the subdivided room lacked facilities, then occupants would use the entrance passageway between which would be likely to impact adversely on the entrance area to the flat.

Ms Judith Langley Secretary of Mapesbury Residents' Association objected to the change of use on grounds of adverse amenities to the gardens of the adjoining studio flat and parking problems especially in Keyes and Hoveden Roads whilst the drivers were waiting for clients. She added that the existence of the flat roof would encourage the drivers to congregate there and add to the detrimental residential amenities. In response to questions, Ms Langley said that although she did not know whether the use had already begun, a similar application in the Kilburn area was taking up residential parking spaces.

Mr Jack Sayers, in support of the application, said that as the proposal was for an internet minicab operation with only 1 person in the office and without any signage, there would be no detrimental impact on the residential amenities. He added that as there was a garage and a restaurant operating till 3.00 am, the internet minicab service would not add to increased activity and the existing noise level. Mr Sayers urged members to consider granting a 12 month temporary consent.

In reiterating the recommendation for refusal, the Planning Manager referred members to the amended reasons for refusal based on existing and possible future detriment as set out in the supplementary information circulated at the meeting

DECISION: Planning permission refused for the amended reasons set out in the supplementary information.

1/05 06/1235 Garages R/O 1-16, Kings Court, Kings Drive, Wembley, HA9

Demolition of 3 garage blocks and formation of hardstanding for use as parking bays.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

1/06 06/0892 12 Hayland Close, London, NW9 0LH

Retention of garage and brick wall

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Planning Manager (North Area) referred to the objections submitted by neighbours living opposite the application site as set out in the supplementary information. In response, he outlined the differences between the current and the previous application that was refused, adding that the current application would improve the external design detail and better reflect the architectural detailing of the house, including window design and treatment of the rafters. In addition, the size of the garage had been amended so as to reduce the height to the eaves by almost 0.4m.

DECISION: Planning permission granted subject to conditions.

SOUTHERN AREA

2/01 06/1302 32 Hardinge Road, London, NW10 3PJ

Details pursuant to conditions 5 (Design of roof) and 6 (Finish to flank wall) of full Planning Permission reference 05/3055 dated 2 February, 2006, for retention of and alterations to single-storey rear and two-storey side extension to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions.

The Assistant Planning Manager (South Area) referred to a fax from Councillor Shaw received on 14 August 2006 alleging that the previous application upon which this proposal was based had been granted without the knowledge of Mrs Antzoulitou, the owner of No. 30 Hardinge Road and other residents. He pointed out that Mrs Antzoulitou was informed of all developments in the case over the past nine months and indeed was met by the planning case officer. The Planning Committee's site visit on 28 January 2006 also visited Mrs Antzoulitou's house to assess the impact of the extension from her own property. She attended the meeting on the 1st February 2006, when planning permission for the application was granted, at which both Councillor Shaw and a solicitor acting for Mrs Antzoulitou addressed the Committee.

Ms Nicky Zorbas speaking on behalf of an objector Mrs Antzoulitou, the owner of No. 30 Hardinge Road raised concerns about the quality of workmanship and the submitted plans. She added that her client had not been served with a Party Wall Notice.

In accordance with provisions of the Planning Code of Practice, Councillor Pagnamenta, a ward member stated that he had been approached by objectors

to the application. He submitted that the quality of the extension was poor and urged the Committee to refuse the application.

DECISION: Planning permission granted, subject to conditions.

2/02 06/1567 School Main Building, College Of NW London Kilburn, Priory Park Road, London, NW6 7UJ

Conversion of 24-34 Glengall Road and redevelopment of the remainder of the site to provide a part 4-, part 5- and part 6-storey building facing Priory Park Road and Glengall Road, comprising 100 residential units (of which 30 units are affordable) and associated car-parking and accompanied by Planning Supporting Statement and Statement in support of the Sustainable Development Checklist.

OFFICER RECOMMENDATION: Refuse planning permission.

The Assistant Planning Manager (South Area) referred to the 2 main issues raised at the site visit in respect of access to Block D and the removal of 7 trees on the Priory Park Road frontage. He clarified that within the current proposal, block D would be accessed from the lower ground entrance of block A leading up through an internal staircase or via an internal lift. In addition the only other access into block D would be via the basement car park through a rear door of block A. As these would be contrary to policies BE3, BE5, BE9 and H12 of the Brent Unitary Development Plan 2004 and thus unacceptable, he recommended an additional reason for refusal as set out in the supplementary information.

In respect of the 7 trees on the Priory Park Road frontage which were to be removed within the current scheme in order to accommodate the new development, he re-stated officers' objection as they were mature trees in a good condition and contributed positively to the streetscape.

In accordance with the Provisions of the Planning Code of Practice, Councillor Jackson a ward member stated that he had not been approached about this application. He objected to the proposed development on the grounds that it would create a detrimental impact on the amenities of the residents in Glengall Road and Priory Park Road.

DECISION: Planning permission refused.

2/03 06/1266 Neasden Service Station, Neasden Lane, London, NW10 2UE

Outline planning application for erection of a 4-storey and 3-storey building and basement, comprising 12 self-contained dwellings (3 two-bedroom & 2 one-bedroom townhouses, 3 two-bedroom & 4 studio flats) with provision of 13 internal parking spaces at basement level (as amended by plans submitted under cover of agents letter dated 26 July 2006).

OFFICER RECOMMENDATION: Refuse planning permission

The Assistant Planning Manager (South Area) stated that the Council's Transportation Engineer considered that the amended plans incorporating a reduction in car parking provision from 17 car spaces to 13, the inclusion of a wide-bay for disabled parking and the provision of an electric charging point for vehicles were now acceptable. The Transportation Engineer also considered that the bicycle and refuse storage were also acceptable, however, he expressed concerns about the curve into the parking area and the narrowness of the width of the access road. In respect of that he recommended an additional reason for refusal as set out in the supplementary information.

The Assistant Planning Manager referred to a confirmation by National Grid that a single, high-pressure, gas pipeline went through the centre of this site. According to the plan submitted to Officers from National Grid the pipeline ran under the railway embankment to the rear of the site, straight across the petrol station site before turning south and continuing down the centre of Neasden Lane. In the view of National Grid, due to the presence of a High-Pressure main, there could be no development within a distance of 6.1 metres (20 feet) either side of the main. A further reason for refusal as set out in the supplementary information was also recommended.

DECISION: Planning permission refused for reasons set out in the main and in the supplementary information circulated at the meeting.

2/04 06/1365 240 Chamberlayne Road, London, NW10 3LN

Erection of two storey side and single storey rear extension to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions.

The Assistant Planning Manager (South Area) stated that the proposed development complied with the Council's Supplementary Planning Guidance Note 5: Extending Your Home and as there would be no unacceptable impact he reiterated the recommendation for approval.

Mr Henry Levy objected to the application on the grounds that as the boundary wall would extend into the garden, the development would block natural sunlight to his property that adjoined the application site and cast a shadow in the winter.

Mr Ashar also objected to the application on the grounds that it would reduce daylight, sunlight and outlook from the side window of his box room. In response to a member's question, Mr Ashar said that the box room referred to was used as a computer room

Members discussed the application after which an amendment by Councillor Cummins for a site visit to allow members to assess the impact of the development was put to the vote and declared carried.

DECISION: Deferred for a site visit.

WESTERN AREA

3/01 06/1311 93 Bowrons Avenue, Wembley, HA0 4QS

Erection of part single and two storey side extension and alterations to the front garden area to provide part soft landscaped and part hardstanding area to provide 1 off-street parking facility (as amended by revised plans received on 04/07/2006 and 28/07/2006).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Head of Area Planning stated that following further investigation of the use of the property, it was concluded that a change of use that required planning permission had not taken place as the former and current use fell within the same Dwelling Use Class C3. He added that behavioural problems referred to by some objectors were not a planning issue which would justify refusal for an extension which otherwise complied with normal guidance for domestic extensions.

DECISION: Planning permission granted subject to conditions

3/02 06/1276 19 Holt Road, Wembley, HA0 3PY

Retention and completion of works for the demolition of garage and porch and erection of open front porch and part single-storey and two-storey side and rear extension, rear dormer window extension and installation of a rooflight to rear roofslope of dwellinghouse (as amended by plans received on 03/07/2006 and further letter received on 25/07/2006).

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions.

DECISION: Planning permission granted subject to conditions.

3/03 06/1533 127 Sudbury Court Drive, Harrow, HA1 3SS.

Erection of part single-storey and two-storey side and rear extension, rear dormer window extension, and installation of one front rooflight to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions.

DECISION: Planning permission granted, subject to conditions.

3/04 06/1544 20 Conway Gardens, Wembley, HA9 8TR

Retention and completion of front boundary wall & gates to side of property.

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions.

DECISION: Planning permission granted, subject to conditions.

3/05 06/1354 62 Hallmark Trading Centre, Fourth Way, Wembley, HA9 0LB

Use of ground floor office as control centre for mini-cab hire.

OFFICER RECOMMENDATION: 12 month temporary planning permission granted, subject to conditions.

DECISION: Planning permission granted, subject to conditions.

3/06 06/1358 Post Office, 200 Ealing Road, Wembley, HA0 4QG

Erection of flat-roofed, single-storey rear extension to provide storage area for retail shop with provision for 1 off-street rear parking/servicing space and space for refuse-bin storage (as amended by revised plans received on 28/07/2006).

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions.

DECISION: Planning permission granted, subject to conditions.

3/07 06/0773 98 Hirst Crescent, Wembley, HA9 7HB

Change of use from retail (use class A1) to betting office (use class A2)

OFFICER RECOMMENDATION: Refuse planning permission.

The Head of Area Planning stated that in order to reflect the need for clarity on how the proposed change of use was considered to fail to comply with Council policy, Legal Services had recommended the reason be amended as set out in the supplementary information circulated at the meeting.

DECISION: Planning permission refused for the amended reasons set out in the supplementary information.

5. **Planning Appeals**

Members were requested to note the list of planning and enforcement appeals for 1st – 31st July 2006.

In referring to the appeals decisions, the Head of Area Planning submitted that changes in licensing laws and the relaxation of licensing provisions had affected the outcomes of some appeals, although 60% of appeals were dismissed. The appellants had sought to demonstrate that under the new licensing legislation the Local Planning Authorities scope for control was reduced. However, he indicated that this did not seem borne out by the majority of refusals being upheld. He added however, that there was a need to ensure that any refusals or conditions were based on clear evidence of harm rather than, for example, limited objection or a precautionary approach.. In response to a suggestion by Councillor Cummins for a joined-up thinking with the licensing unit, the Head of Area Planning stated that in addition to internal coordination, regular monitoring between planning services and all other partners including the police and the fire service were taking place. However, practice had shown that there was only a value in raising planning objections where there was strong evidence of significant harm at the Licensing stage and that subsequent planning applications could then be scrutinised appropriately.

RESOLVED:-

that the following list planning and enforcement appeals for 1st – 31st July 2006 be noted:-

- (i) Planning appeals received
- (ii) Enforcement appeals received.
- (iii) Planning appeal decisions.
- (iv) Copies of selected appeal decisions.

6. **Date of Next Meeting**

It was noted that the next meeting of the Planning Committee would take place on Tuesday, 5th September 2006 and the site visit would take place the preceding Saturday, 2nd September 2006 at 9.30 am when the coach leaves from Brent House.

The meeting ended at 8.35pm.

S KANSAGRA
Chair