

MINUTES OF THE PLANNING COMMITTEE
Wednesday, 31st January 2007 at 7.00 pm

PRESENT: Councillor Kansagra (Chair) and Councillors Anwar, Cummins, Dunwell, Hashmi, Hirani, J Long, R Moher and H M Patel

Councillor Motley also attended the meeting.

Apologies for absence were received on behalf of Councillor Singh

1. Declarations of Personal and Prejudicial Interests

None specific.

2. Local Development Framework Site Specific Allocations – Preferred Options

The Committee gave consideration to this report that presented a draft set of Site Specific Allocations (SSAs), an important document of the new Local Development Framework (LDF) on which the Council was required to consult with the local community on its 'Preferred Options'. The preferred options for the Site Specific Allocations had been drawn up after a round of public consultation on Issues and Options in Autumn/Winter 2005 and had been subject to Sustainability Appraisal. The report sought Members' views on the preferred options on the Site Specific Allocation due to be considered by the Executive on 12th March 2007. A supplementary report circulated subsequently presented a new draft Site Specific Allocation for Minavil House and Unit 7 Rosemont Road in Alperton and recommended that they be added to the Preferred Options document.

The Principal Planner informed the Committee that the report contained a number of allocations, referring to specific uses or a mix of uses at particular locations which had been made to respond to particular issues facing the borough, particularly population change. The preferred options had been prepared following a process of informal consultation internally and with the Council's partners and the community and took into account local public opinion and the Core Strategy that reflected national and regional planning policy. He added that in excess of 100 SSAs were considered, each of which was subject to sustainability appraisal after which 65 sites were selected and justifications provided for each of them.

The Principal Planner sought the Committee's views on the preferred options before being put to the Council's Executive with a recommendation to agree them for public consultation to be carried out for six weeks from during April and May 2007. The results of this consultation will be reported back to the Committee and the Executive in due course.

Members debated some of the preferred options as set out in the appendix during which the following views were expressed;

Preferred option for site allocation 11 - (London Transport Recreation Ground, Forty Lane).

Councillor Dunwell expressed a view that he did not find acceptable the preferred option as stated in the appendix which was put to the vote and fell. He asked that his dissent against this decision be recorded.

Preferred option for site allocation 22 - (Metro House, 1-3 The Mall).

Councillor Dunwell suggested the deletion of “over” in preference for a stated number of units. In response, the Director of Planning submitted that the stated preferred option would not compromise but would adhere to general standards policies. The Head of Policy and Projects added that the option would enable the Council to achieve higher densities at the rear of the site and deliver a number of units under the PFI initiative for the redevelopment of the site. It was agreed to amend the second sentence in the preferred option as follows; “There may be at the appropriate location of the site limited scope for higher densities with up to 4 and 5 storeys buildings”.

Preferred option for site allocation 39 – (Alpine House, Honeygot Lane)

Councillor Dunwell expressed a view that the mixed use development would result in a loss of employment and moved an amendment to that effect. This was put to the vote and fell.

Preferred option for site allocation 42 – Kingsbury Library & Community Centre, Stag Lane Kingsbury NW9

Different views were expressed about the fact that proposals must include the retention of the Pupil Referral Unit, currently on the site. The amendment to delete the retention of the unit was put to the vote and carried.

Preferred option for site allocation 84 – Lonsdale Road Kilburn NW6

Councillor Cummins stated that as the access to the site was not suitable for pedestrians, the use of the site for A use classes be deleted thus limiting to B use classes. This was put to the vote and carried.

In bringing the discussion to a close, the Chair suggested that any member could take their detailed suggestions to the officers as part of the consultations as individuals. In the case of Councillor Dunwell these could include details of his proposals on Grove Park Open Space for an additional building or extension to the present changing room in order to increase community use.

RESOLVED

- (i) that the Executive be recommended to agree the draft Site Specific Allocations Preferred Options (as set out in appendix 2 to the report) as a basis for public consultation subject to the following amendments expressed by Members of Planning Committee to be incorporated;

- a) Preferred option for site allocation 22 - (Metro House, 1-3 The Mall).
Amend the second sentence in the preferred option as follows; "There may be at the appropriate location of the site limited scope for higher densities with up to 4 and 5 storeys buildings".
- b) Preferred option for site allocation 42 – Kingsbury Library & Community Centre, Stag Lane Kingsbury NW9
Delete the proposal for the retention of the Pupil Referral Unit on site.
- c) Preferred option for site allocation 84 – Lonsdale Road Kilburn NW6
Delete use class A, limiting the site to use class B only.

3. **Queens Park Station Area Brief**

This report from the Director of Planning updated the Committee on the progress of the Queens Park Station Area Supplementary Planning Document (SPD). It was intended to take the Supplementary Planning Document to the Executive Committee at its meeting on 12th February for approval to adopt the final draft of the SPD and the accompanying final draft Sustainability Appraisal.

The Principal Planner, Mary Ann-Bye stated that about 89 responses were received to the consultation and set out the following key issues;

Height

About 11% of the respondents were concerned about the height of the tallest building at 12 storeys and several respondents expressed a preference for a limit of 4/5 or 6 storeys. Officers believed that due to the location of the site with good public transport accessibility, and the significant costs involved in assembling the site, 12 storeys on a small part of the site would be an appropriate height for development at this site.

Roads & Public Transport

About 10% of respondents raised "serious concerns" about the potential impacts upon traffic and public transport infrastructure (such as the capacity of tubes and trains) in the local area. It was noted that any planning application for development of the site would be required to carry out a full Transport Assessment (TA) to demonstrate that the proposals would not significantly impact upon the local area. In addition to this, the regeneration of wider South Kilburn area would generate funds from legal agreements which could be used towards improving Queen's Park Station.

Local Infrastructure & Density

Approximately 10% of representations objected to the proposals on the grounds that as there were several other developments proposed in the area the local infrastructure (schools, health care and community

facilities) would be stretched. Officers highlighted that the redevelopment of South Kilburn would require the development of a new 3 form entry primary school, a healthy living centre and improved community & sports facilities which would be available to the residents. However officers recommended appropriate amendments to the SPD in response to this and the request by the consortium of Hyde, Bellway and Taylor Woodrow for clarification on the appropriate density

Parking

9% of respondents expressed preference for the scheme to be car free, given the excellent public transport links and the bus routes in the area. However, officers recommended that no changes be made to the SPD, as the levels of car parking required reflected the Council's desire to balance the needs of car users, local residents and to protect the environment.

Safety & Security

About 13% of the representations raised concerns about safety and security of the proposed courtyard, as there would be no traffic running through the site to provide surveillance. An appropriate amendment was recommended to emphasise the requirement for developments to be safe and secure.

Level of Affordable Housing

5% of respondents raised concerns about the level of affordable housing, and that at least 50% should be affordable housing. Although the SPD required 50% of the units to be affordable housing, it recognised that there were particular development constraints on this site that may mean less than 50% could be achieved. In recognition of this and the request by Hyde, Bellway & Taylor Woodrow for a more flexible approach to the provision of affordable housing, appropriate wording had been recommended to ensure that the number of family social rented units should be maximised within the constraints of the site

Layout & Design

11% of representations cited the design of the scheme as not appropriate for this site, and would support the development of a "Victorian Mansion block" or "Victorian style terraces" on this site. Officers felt that the illustrations adequately illustrated these elements, and would therefore not recommend changes to the SPD.

Sustainability

The majority of respondents supported the sustainability measures required by the SPD although concerns were raised by Hyde, Bellway & Taylor Woodrow over the "catch all" nature of the requirements set out in the SPD. Your officers recommend that no changes be made.

In the discussion that followed, Councillor J Long expressed views in favour of car free development on the site and put forward an amendment in those terms which fell.

RESOLVED:-

That officer responses to representations on the SPD and the changes proposed to the SPD as a result of the consultations (as set out in Appendix 1 of this report) be agreed for adoption at the Executive meeting on 12th February 2007.

4. **Local Development Framework – UDP Saved Policies**

Members considered this report which provided an explanation as to why the Council must request the Secretary of State to save UDP policies beyond September 2007. The report also proposed with reasons the policies that should be saved.

The Policy Manager, Ken Hullock informed the Committee that under the Planning and Compulsory Purchase Act 2004, Brent's UDP policies would be saved for 3 years from the date of commencement of the Act (September 2004) unless expressly replaced by a new policy,. This meant that unless the Secretary of State (SoS) made a Direction to save the policies beyond this date the policies in the Plan would no longer be saved after September 2007 which meant that there would be no statutory planning policies applying in the Borough, except for the London Plan, with which to determine planning applications.

In recognition of the difficulties that Local Planning Authorities (LPA's) had experienced in progressing the new LDF process and the willingness of almost of all authorities to save their development plan policies for longer than the 3 year period, the SoS had issued a protocol for saving policies (attached as Appendix 1). The protocol, which set out the criteria, required planning authorities to indicate for each policy in the UDP, whether or not it should be saved and to give reasons for each. All requests to save policies would be scrutinised by Government and a decision made by the SoS.

The Policy Manager referred to appendix 2 to the report and added that policies STR1 (priority land uses for surplus land), STR2 (development of retail & town centre uses) and STR3 (development on previously developed urban land for sustainable development) were to be added to the schedules. He added that policy STR4 was not being recommended to be saved as detailed requirements for each Major Opportunity Site was contained in the schedule of Site Specific Proposals which the SoS was being asked to save. The Policy Manager also recommended that policy H21 (domestic extensions) be saved as it included specific local criteria for determining applications for domestic extensions. He submitted that in drawing up the schedules, officers considered the criteria set out in the protocol and also whether particular policies had been used or referred to in determining planning applications over the last 2 years. He recommended that almost all policies were to be saved.

In the discussion that followed, Councillor Dunwell queried the reason given for not requesting the SoS to save policy HP9 in relation to the Gwenneth Rickus building site. In response, officers stated that there were no firm proposals to relocate the current use at that time and that it was not necessary to promote the development at this stage. An amendment by Councillor Dunwell to add policy HP9 was put to the vote and carried. He also queried the lack of any reason for not saving policy DP2 in relation to former Kingsbury pool and argued for its retention as an additional amendment. This was also put to the vote and carried.

RESOLVED:-

That the Executive Planning Committee be recommended to request the Secretary of State to save the UDP policies as indicated in the schedule attached as Appendix 2 to the report and as amended to include policies H21, HP9, DP2, STR1, STR2 and STR3.

5. **Draft S106 Planning Obligations SPD – Standard Charging**

This report gave an outline of the proposed new Supplementary Planning Guidance (SPD) on Planning Obligations, which included the introduction of a standard charge, and highlighted the key implications for Brent's planning service and the wider Council.

The Head of Policy & Projects, Dave Carroll informed the Committee that the SPD proposed a standard charge to be applied to each bedroom or bed space or sqm of commercial developments. Developers would be expected to pay as a contribution to the additional physical, social and economic infrastructure that would be required from new developments. This contribution may be used towards education/training, transport, public space and sport improvements in the area in addition to the affordable housing units that would be secured. Based on past experience, it was felt that an overall level of £3,000 per residential bedroom/space would enable developments to achieve viability. As other Local Planning Authorities (LPAs) were also submitting set formulae of responses, the standard charge would be similar, save time in negotiations and benefit developers and LPAs.

During debate, Councillor J Long expressed concerns about the proposal to apply the sums received for the benefit of the area of development rather than the area which needed an improvement the most. She added that the proposal would benefit the north of the Borough where there were likely to be more developments to the exclusion of the south due to shortage of development sites. In responding to that, the legal representative submitted that although as much flexibility as possible would be built into the scheme, the basis of the proposal was largely dictated by Government guidance and advice. In reference to the proposal to use Area Consultative Forums (ACFs)

to help local communities allocate up to 5% of the received contributions Councillor Dunwell felt that it would compromise the executive powers of the Council. His amendment for the deletion of the proposal was put to the vote and carried.

RESOLVED:-

That the Executive be recommended to consult on the Planning Obligations SPD (as set out in appendix 1) in the Spring 2007 subject to the deletion of the proposal to use ACFs to help local communities to allocate 5% of the contributions received.

6. **Park Royal Opportunity Area Framework**

This report presented a summary of the *Park Royal Opportunity Area Planning Framework* (OAPF) and sought Members' views. The OAPF which had been prepared by the Park Royal Partnership, of which the Council was a part, would be referred to the Executive in the Spring 2007.

The Policy Manager outlined the key features of the document and informed the Committee that the OAPF was a non-statutory planning document which had been derived from the London Plan and was consistent with related Supplementary Planning Guidance and the West London Sub-Regional Development Framework. Brent Council's contribution to the preparation of the OAPF had ensured that the priorities and strategic objectives of the Council were reflected within the document. He added that the framework would have some weight in determining planning applications and would be used as a basis to produce an Area Action Plan for Park Royal. It would however not be as important as the adopted Unitary Development Plan 2004 and the forthcoming Local Development Framework. The OAPF would be endorsed by the Mayor of London for consultation by the Mayor's office in February 2007 after which it would be amended and issued as a Mayoral guidance.

During discussion, Councillor J Long drew attention to transport and access problems to the Park Royal area and suggested the need to improve walking and cycling in the area. In welcoming the report, Members agreed the suggestion as an amendment to the recommendation.

RESOLVED:-

That the Executive be recommended that, subject to further consultation, the Opportunity Area Planning Framework (as set out in appendix 1 of the report) and as amended to include improvements to walking and cycling in the area be agreed as the basis of a non statutory planning document.

7. **Barker Report & PDS Consultation, Overview & Implications for Planning**

This report gave an outline of the proposals from both the Barker Report on Land Use Planning (December 2006) and the revised Planning Gain Supplement (PGS) consultation (December 2006). It also outlined the position with the Householder Development Consents Review (July 2006) and Review of Planning Enforcement (November 2006) and highlighted the key implications for Brent's planning service and the wider Council.

In outlining the findings of the Barker report, the Head of Policy & Projects said that 3 main themes were identified to help in the delivery of the aims of the report. Firstly, the need for flexibility and responsiveness in terms of updating and modifying planning policies to take full account of economic benefits with greater efficiency, a presumption in favour of development where local plans were unclear subject to economic, social or environmental costs and the removal of needs test for retail applications. Secondly the report emphasised the need for efficiency of process involving substantial reform of the planning application process for major projects, the enhancement of the skills and resources of Planning Authorities and improvements in the efficiency of the planning application procedure. Thirdly the report recommended more efficient use of land including the reform of business rate relief for empty properties, raising the possibility of building on the green belt in cases where it offers the most viable site for development and the review of green belt boundaries.

The Head of Area Planning outlined the key features of the PGS document, the implications on Planning Services and the Council's responses to the consultation questions. He noted that the review highlighted the significance that the enforcement system could have for businesses and residents and added that its conclusion the need for additional resources to strengthen Brent's the enforcement role.

RESOLVED:-

That the Barker report and the revised Planning Gain Supplement be noted.

8. **Brent Annual Monitoring Report 2005-2006**

The Brent Annual Monitoring Report 2005-2006 is a statutory document informing the Secretary of State of the Council's progress in preparing the Local Development Framework. It outlined key development trends during 2005-2006. Because of its many illustrations, photographs and coloured graphics the report was separately sent to Members and was not attached to this agenda.

In introducing the report, the Policy Officer stated that the submission of the Annual Monitoring Report to the Secretary of State by the deadline date of 30/12/2006 would be a factor in determining the level

of Planning Delivery Grant for the year 2006 -07 to the Council. He added that Planning Delivery Grant was based on development control performance, plan making and housing delivery including compliance with "E Gov" and for 2005-2006 the grant received was £782,624. He drew attention to the appendix attached to the report that set out the highlights of the Annual Monitoring Report.

In welcoming the report, Councillor Dunwell congratulated officers for producing such detail report with highlights. On behalf of the Committee, the Chair endorsed the sentiments expressed by Councillor Dunwell.

RESOLVED:-

That the Brent Annual Monitoring Report be noted.

9. **Planning Policy Statement 3 - Housing**

This report informed Members of the Government's replacement of Planning Policy Guidance Note 3 (Housing) and Circular 6/98 (Affordable Housing) with a new Planning Policy Statement 3 (Housing) and the complementary Delivering Affordable Housing guidance. The report also considered the potential implications for the Borough's planning and housing strategies.

The Policy Officer Michael Maguire outlined the key planning objectives, the extent to which they would assist in providing the type of new housing that Brent needed and whether they would require a reconsideration of planning policies and guidance on various areas as set out in the report. He added that the publication of PPS3 and the cancellation of PPG3 and Circular 6/98 were to be generally welcomed.

RESOLVED:-

That the Government's new planning strategy on housing provision and its implications for the Borough's planning and housing strategies be noted.

10. **Date of Next Meeting**

The next meeting of the Committee will take place on **Tuesday, 13th February 2007 at 7.00 pm.** The site visit for the meeting will take place on Saturday, 10th February 2007 at 9.30 am when the coach leaves from Brent House.

11 **Any Other Urgent Business**

None raised at this meeting.

The meeting ended at 9.40pm.

S KANSAGRA
Chair

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