

**MINUTES OF THE PLANNING COMMITTEE**  
**Tuesday, 19<sup>th</sup> June 2007 at 7.00 pm**

PRESENT: Councillor Kansagra (Chair), and Councillors Baker, Butt, Cummins, Detre (alternate for H M Patel), Hashmi, Hirani, Jackson (alternate for Anwar), R Moher and Powney (alternate for Singh).

Apologies for absence were received on behalf of Councillor Anwar, H M Patel and Singh.

Councillors Dunn, Dunwell, Mrs Fernandes, Motley, Tancred, Thomas and Tullet also attended the meeting.

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

07/0340      Tiverton Youth & Community Centre, Wrentham Road NW10

Councillor Cummins declared a personal interest in that he had been approached by both sides to the application. He withdrew from the meeting room and did not take part in the discussion or voting in this application.

**2. Minutes of Previous Meeting held on 31<sup>st</sup> May 2007**

RESOLVED:-

that the minutes of the meeting held on 31<sup>st</sup> May 2007 be received and approved as an accurate record (subject to the following amendment);

Under the decision column for 2A St Johns Avenue NW10, delete "Jones" and insert "R Moher".

**3. Requests for Site Visits**

None at this 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 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.

<b>ITEM NO</b>	<b>APPLICATION NO</b>	<b>APPLICATION AND PROPOSED DEVELOPMENT</b>
	<b>(1)</b>	<b>(2)</b>

**APPLICATIONS DEFERRED FROM THE LAST MEETING**

0/01	07/0647	2A St Johns Avenue, London, NW10 4EE
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Retention of 1-bedroom self-contained flat, change of use of vacant shop to 2-bedroom maisonette and demolition of rear part of shop to create amenity space.

**OFFICER RECOMMENDATION:** Grant planning permission subject to conditions.

In reference to the supplementary information circulated at the meeting, the Planning Manager addressed the issues raised during the site visit. He clarified that the concerns raised about the windows installed which opened outwards towards the highway and their impact on pedestrian safety, had been addressed by the imposition of a suitable condition restricting the outward opening. He added that the current proposal had overcome the previous reasons for refusal as it had reduced the size and bulk of the original building and involved the change of use of a shop unit to a 2-bedroom self-contained flat whilst retaining an existing one-bedroom flat. Together with the provision of some outside space for residents, the application complied with SPG17 guidance. The Council's Building Control Consultancy which was consulted about the entrances to the two flats had confirmed that access into a domestic property that can be achieved by a single step complied with Part B of the Building Regulations. In respect of the height of the building, he stated that plans submitted indicated that the ground-floor level of the existing building had been lowered by 250mm in order to allow for a replacement mezzanine floor with a new first floor, without raising the roof height of the building.

Mr Matthew Jennings in objecting to the application stated that in his view the reasons given for the refusal of the application in the past had not changed. The building, by the use of materials which were not in keeping with the colour, form and character with the area would provide a substandard accommodation and a detrimental impact on the outlook and lighting of neighbouring occupiers. He also expressed concerns about the height of the new building and the outward opening of the window at ground floor level.

Ms Ida Lewis speaking in a similar vein referred to several letters of objection which reflected the sentiments of local residents on the application. She submitted that in addition to being a substandard form of accommodation, there were several outstanding issues including the windows and details of refuse storage. Ms Lewis urged members to either refuse or defer the application pending further investigations.

In responding to some of the issues raised, the Planning Manager submitted that the current application which included the provision of additional amenity space and refuse storage area had overcome the main reasons for which the previous application was refused.

**In accordance with the provisions of the Planning Code of Practice, Councillor J Long**, a ward member said that she had been approached by the objectors to the application. She submitted that there was no distinction between this and the previous application for the site that was refused. The concerns about the windows, lighting and outlook remained. She added that the current application built on a compact site, had no amenity space for the occupiers.

During debate members expressed views indicating that they were minded to refuse the application. Councillor Cummins stated that the application had no visual appeal in terms of design and the windows. Councillor R Moher also felt that the scheme which did not provide for adequate amenity space would be a substandard accommodation. The Chair submitted that although the windows were a matter for the Building Control Consultancy and Health & Safety Unit, the development for 2 flats would constitute an overdevelopment of the site without adequate residential amenity space. Members were minded to refuse the application contrary to officers' recommendation and in accordance with the Planning Code of Practice submitted the following statement of reasons to support their decision: overdevelopment of the site; lack of amenity and inappropriate outlook.

**DECISION:** Planning permission refused on grounds of overdevelopment of the site, lack of amenity space and poor outlook.

### **NORTHERN AREA**

1/01 07/0930 59 & 61, Draycott Avenue, Harrow, HA3

Demolition of existing house and the erection of a three storey building comprising of 8 flats, 8 car parking spaces, cycle store, bin store and associated landscaping

**OFFICER RECOMMENDATION:** Refuse planning permission.

In his introduction, the Planning Manager updated Members that the legal agreement for application reference 04/2151 was completed only on 14<sup>th</sup> June 2007 but a decision notice was due to be issued. He reiterated that the application which would be inharmonious would result in a detrimental impact on the character and the visual amenity of the streetscene. In reference to the supplementary information circulated at the meeting, he clarified that the application which would lead to loss of family accommodation did not meet Council's standards, drawing attention to amended reasons for refusal as set out in the supplementary information.

Mr Carlos Martinez objected to the proposed development on grounds of its negative impact on the character of the area in terms of increased traffic, parking and noise pollution.

Mr Bill McLeod the agent submitted that the principle of the development which would provide generous amenity space had been established. He added that the loss of family accommodation would be counterbalanced by increased number of

dwellings with parking arrangement that complied with the Council's standards. In his view the design issues could be addressed by the imposition of conditions.

**In accordance with the provisions of the Planning Code of Practice, Councillor Mrs Fernandes**, a ward member said that she had been approached by the objectors. In endorsing the officer's reasons for recommending a refusal she added the following objections;

- a) A 3-storey building would be excessively high and out of character in the area.
- b) The development would result in a substandard accommodation contrary to the Council's UDP policies.
- c) It would exacerbate the traffic congestion and noise nuisance in the Draycott Avenue area

Councillor Mrs Fernandes urged members to give a wider consideration to the Draycott Avenue area by affording it some form of protection that would prevent the area from redevelopment proposals involving applications for the demolition of existing character family homes and converting them into flats.

DECISION: Planning permission refused for reasons set out in the reports.

1/02 06/2540 Carrick Nursing Home, 61 Northwick Avenue, Harrow, HA3 0AU

Erection of an extractor duct to the side elevation of the building fronting Churchill Avenue (as amended)

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

1/03 07/0856 29 Mayfields, Wembley, HA9 9PR

Two-storey side/rear infill extension incorporating lower ground-floor extension to dwellinghouse (Article 4 Direction)

OFFICER RECOMMENDATION: Grant planning permission subject to conditions as amended in condition 3.

DECISION: Planning permission granted subject to conditions.

1/04 07/0848 14 Lennox Gardens, London, NW10 1AB

Erection of rear dormer window, 1 front rooflight and 2-storey side, single-storey rear extension to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions as amended in condition 5.

1/05 07/0981 59A & B, Blenheim Gardens, London, NW2

Replacement of existing windows with new, double-glazed windows, with composite aluminium (external) and PVCu (internal) frames, to the ground-floor and first-floor flats.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions and an informative on the original front door.

### **SOUTHERN AREA**

2/01 07/0843 Bidy's, 205 Kilburn High Road, London, NW6 7HY

Erection of side extensions to 2nd, 3rd and 4th floors and conversion of 1st floor (bar/club area), 2nd floor (pub managers flat), 3rd and 4th floors (bedsitting rooms) of existing pub building into 13 self contained flats (1x studio flat, 10x 1-bedroom flats and 2x 2-bedroom flats) ("Car Free" Development).

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

DECISION: Planning permission granted subject to conditions as amended in condition 4 and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

2/02 07/0746 Land rear of 203 and 205 Willesden Lane, London, NW6

Outline planning application for demolition of existing garages and existing single-storey building and erection of a 2-storey building comprising 12 three-bedroom flats, 25 car-parking spaces with associated landscaping, new vehicle access onto Willesden Lane and new pedestrian access

OFFICER RECOMMENDATION: Refuse planning permission.

DECISION: Planning permission refused.

2/03 07/0340 Tiverton Y & C Centre, Wrentham Avenue, London, NW10 3HN

Erection of a single-storey front extension, single-storey and two-storey side extension, single-storey and two-storey opposite side extension, single-storey and three-storey rear extension and a 19.4m high, stair-tower extension with a glazed link at the second floor, formation of 1 self-contained, one-bedroom caretaker's flat, alterations to roof materials and windows level to former church

building (Use Class D1 - non-residential institutions), and continued use for purposes within Class D1, including use as a community centre centred around the Islamic faith but accessible to all, and incorporating a range of uses including gymnasium/games space, creche, exhibition space, performance space, and ancillary coffee shop and bookshop and office space (as amended)

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

In his introduction, the Planning Manager stated that the application was requested to be reported to Committee by Councillors Tancred and Tullett in view of concerns expressed by local residents. In reference to the application he said that although the applicant had reduced the height of the proposed tower from 20m to 18m prior to the report being finalised, it was felt that as this amendment was relatively minor it was not considered necessary to consult again. He noted that there was a petition signed by 111 residents requesting a deferral and submitted that a deferral was not necessary as the reports reasonably addressed all relevant matters in accordance with the Unitary Development Policies (UDP) and the Council's Planning Code of Practice. He referred to additional representations received that raised new issues to which he submitted the following responses;

- i) The site was not within an area of special architectural interest as designated in the UDP and although the tower would be visible from adjoining area of distinctive residential character (ADRC) and the Queen's Park Conservation Area, the development was not considered harmful to their character and appearance.
- ii) A condition had been imposed on the operation of the lantern rooflight to ensure that it did not cause noise nuisance or any specific harm to residential amenity.
- iii) Samples of the proposed cladding have been provided and conditions imposed to ensure the materials are installed in accordance with the samples provided.
- iv) A condition has been imposed requiring details of bollards or a similar means of preventing vehicles from using the access. Further conditions requiring details of refuse storage and collection and cycle storage for staff have been imposed.
- v) The impact of the tower on television reception was not considered significant to warrant a recommendation for refusal.

He also referred to an additional letter of support that pointed out that the proposed development would create a new landmark in the area that would bring back into use an existing derelict building.

Ms Ruth Dar on behalf of Aylestone Park Residents and Tenants Association (APRATA) objected to the application in respect of the tower. She expressed a

view that the design merit of the tower was unappealing, inharmonious with and inappropriate within the locality. She pointed out that whereas she had no problems with the proposed use of the building and the existing tower, the proposed tower was objectionable in terms of its height, shape and bulk.

Mr John Keutgan also objected to the proposed development on grounds of its visual impact on the residents in the Queens Park area and road safety. He noted the lack of input from Environmental Health on potential toxic impact and inadequate clarification on the impact of the tower on television reception in the area. Mr Keutgan therefore requested a deferral of the application to enable further discussions on the above issues to be addressed.

Mr Yusuf Islam the applicant stated that the application was a revision to the scheme approved in October 2001 which was currently being implemented. He added that the proposed use as a community centre centred around the Islamic faith but accessible to all would incorporate a range of uses including gymnasium/games space, creche, exhibition space, performance space, and ancillary coffee shop and bookshop and office space. Mr Islam submitted that the centre would be open to the public and provide opportunities for members of the wider community to engage in activities at the centre or learn about the Islamic faith. He was, however, unable to respond to queries about the tower.

**In accordance with the provisions of the Planning Code of Practice, Councillor Motley**, a ward member said that he had been approached by the applicants and the objectors to the application. Although he commended the idea of the community use of the centre, Councillor Motley felt that the tower would not assist or create community cohesion due to the extent of local objection to it. He added that due to its massing, the tower would be out of character with the area and urged the Committee to defer the application pending further discussions.

DECISION: Planning permission granted subject to conditions.

2/04 06/3471 Jungle World, 79 College Road, London, NW10 5ES

Change of use shop from A1 use class to A3 use class (Restaurant) as accompanied by various manufacturer's literature for extract equipment (stamped Other)

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

In reference to the supplementary information circulated at the meeting, the Planning Manager drew the Committee's attention to a list of minor amendments to the conditions and clarifications as advised by the Borough Solicitor.

Mr Maison raised objections to the application on the following grounds;

- a) An increase in traffic to the detriment of highway safety.
- b) Limited parking facilities in an area with double yellow lines.
- c) Increase in noise nuisance and litter from a take-away operation.
- d) Inadequate provision for refuse storage.

The Planning Manager clarified that appropriate conditions including a restriction on the use as a restaurant (Use Class A3) but not a take-away (Use Class A5) had been imposed that would address the concerns of the objector.

DECISION: Planning permission granted subject to conditions as amended in conditions 3, 4, 6 and 8.

2/05 06/0988 21 The Quadrant, Kilburn Lane, London, W10 4AL

Demolition of existing single family dwelling and garage and construction of 2 studio units, 2 x 1-bed and 2 x 2-bed flats in a four storey building ("CAR-FREE" DEVELOPMENT).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions as amended in condition 3 and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

The Planning Manager (South Team) drew the Committee's attention to the supplementary information which amended and added clarity to condition 3 on advice of the Borough Solicitor.

DECISION: Planning permission granted subject to conditions as amended in condition 3 and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

2/06 07/0901 143A Harvist Road, London, NW6 6HB

Single-storey rear extension to ground-floor flat

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

In response to Members' concerns about the rear elevation, it was clarified that the would only be 2 steps down into the garden, which was less than the existing situation, and a similar step down into the existing kitchen from within the flat. The Planning Manager added that condition 3 had therefore been amended to ensure that the development was carried out in accordance with approved plans.

DECISION: Planning permission granted subject to conditions as amended in condition 3.

2/07 07/0677 35 Palermo Road, London, NW10 5YS

Retention of single storey extension at rear of dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.



## WESTERN AREA

3/01 07/0676 WEMBLEY MINI MARKET, Lancelot Road, Wembley, HA0 2BU

Demolition of existing market structures and formation of new vehicular and pedestrian access for change of use to a temporary public pay car-park, providing 23 car-parking bays

OFFICER RECOMMENDATION: Grant temporary consent for a period of three years, subject to legal agreement.

DECISION: 3 year temporary planning permission granted subject to a legal agreement and other conditions as amended in conditions 1 and 2, the deletion of condition 3 and the inclusion of an informative on any future change of use.

3/02 07/0464 SAYA ENTERPRISE, SHREE SWAMINARAYAN HINDU MISSION, 54 Meadow Garth, London, NW10 8HD

Erection of a canopy with timber lattice screens to front elevation and over main entrance and formation of new glazed openings, new entrance doors to front side and rear elevations, landscaping to front and side elevations including seating area at side with detached canopy and replacement security gates at entrance onto Meadow Garth, in connection with internal alterations to existing Visitor and Cultural Centre and associated increase in retail (use class A1) and restaurant (Use Class A3) floor space.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

It was clarified that the consent for the space at the rear was for a one year temporary permission.

DECISION: Planning permission granted subject to conditions as amended in condition 6 and the deletion of condition 5.

3/03 07/0422 74 & Land R/O 66-80, Charterhouse Avenue, Wembley, HA0

Demolition of existing dwelling at no. 74 Charterhouse Avenue and erection two 2 storey buildings forming 8 self contained dwellings, comprising 6 x 3 bedroom dwelling and 2 x 4 bedroom dwelling, formation of new vehicular and pedestrian access, provision of 16 parking/garage spaces and associated hard and soft landscaping to site.

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

The Planning Manager informed the Committee that following the applicant query the inclusion of condition 4 on windows and condition 11 on site investigation had been deleted. He added that in order to ensure that the development did not prejudice the free flow of traffic or conditions of general safety of the highway and maintained adequate access to and egress from the site he recommended amendments to conditions 8 and 9 as set out in the supplementary information. An informative had also been added advising the applicant to contact the Council's Director of Transportation to arrange for these works to take place at the applicant's expense. It was noted that adequate landscaping would be carried out and in order to ensure adequate maintenance and protection, a Tree Preservation Order (TPO) would be made on all new trees planted and some screen planting would also be sought.

DECISION: Planning permission granted subject to conditions as amended in conditions 8 and 9 and an informative and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

3/04 06/3543 6 Sylvester Road, Wembley, HA0 3AG

Demolition of existing bungalow and erection of 2 semi-detached, three-bedroom houses

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

3/05 07/0376 311 East Lane, Wembley, HA0 3LG

Conversion of single family dwellinghouse into 3 self contained flats, conversion of garage into habitable room, single and two storey side and rear extension, alterations to existing rear extensions, erection of rear dormer window, provision of 3 car parking spaces at front with associated landscaping

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

For the sake of transparency the legal adviser informed the Committee that this application had been submitted by the Vice Chair of the Committee who was currently away from the country and had given his apologies for absence.

The Planning Manager confirmed that there were no conversions in the immediate vicinity of the site, applications for future conversions would need to be assessed on their own merits in relation to the Council's policies for flat conversions set out in Brent's UDP 2004 and its guidelines set out in SPG17. In this case, current policies allow conversions and a key issue was the number of flats provided and the provision of 3 parking spaces. In order to ensure a satisfactory development and appearance which did not prejudice the amenity of the locality he suggested amended amendments to conditions 2 and 3 as set out in the supplementary information circulated at the meeting.

DECISION: Planning permission granted subject to conditions as amended in conditions 2 and 3.

## 5. **Planning Appeals**

Members were requested to note the list of planning and enforcement appeals for 1<sup>st</sup> to 31<sup>st</sup> May 2007.

RESOLVED:-

that the following list planning and enforcement appeals for 1<sup>st</sup> to 31<sup>st</sup> 2007 be noted:-

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

## 6. **Any Other Urgent Business**

### ***Oriental City - Update***

The Planning Manager (North Team) updated the Committee that following consultations with the Office of the Mayor of London, the London Development Agency (LDA) had given a grant of £250,000 to assist the traders for 2 years until the completion of the Oriental City. This new development had resulted in the withdrawal of objections to the application by the traders and allowed the section 106 agreement for planning gain to be signed on 13<sup>th</sup> June 2007.

## 7. **Date of Next Meeting**

It was noted that the next meeting of the Planning Committee would take place on Wednesday, 4<sup>th</sup> July 2007. As that meeting will consider reports on planning policy issues only, there will be no prior site visits. It was noted that the next meeting of the Planning Committee that would consider planning applications would take place on Wednesday, 11<sup>th</sup> July 2007 and the site visit on the preceding Saturday, 7<sup>th</sup> July 2007 at 9.30 am when the coach leaves from Brent House.

The meeting ended at 9.50pm.

S KANSAGRA  
Chair