



## Supplementary Planning Committee

**Wednesday 21 August 2019 at 6.00 pm**  
Conference Hall - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

### Membership:

#### Members

Councillors:

Denselow (Chair)  
Johnson (Vice-Chair)  
S Butt  
Chappell  
Hylton  
Mahmood  
Maurice  
Sangani

#### Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Kennelly, Lo,  
W Mitchell Murray and Patterson

Councillors

Colwill and Kansagra

**For further information contact:** Joe Kwateng, Governance Officer  
joe.kwateng@brent.gov.uk; 020 8937 1354

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**[democracy.brent.gov.uk](http://democracy.brent.gov.uk)**

**The press and public are welcome to attend this meeting**

**Members' briefing will take place at 5.00pm in Boardrooms 7 and 8**

**Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.**

## **Notes for Members - Declarations of Interest:**

If a Member is aware they have a Disclosable Pecuniary Interest\* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest\*\* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

### **\*Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

### **\*\*Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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3. Preston Library, Carlton Avenue East, Wembley, HA9 8PL (19/1305)	Preston	1 - 2
5. Argenta House, Argenta Way, London, NW10 0AZ (18/4847)	Tokynghon	3 - 4

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# Agenda Item 3

## Agenda Item 03

### Supplementary Information Planning Committee on 21 August, 2019

Case No. 19/1305

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Location	Preston Library, Carlton Avenue East, Wembley, HA9 8PL
Description	Redevelopment of preston library including erection of a part 2 to part 4 storey building comprising a library on ground floor and 12 self-contained flats (6 x 1 bed, 2 x 2 bed and 4 x 3 bed), provision for private amenity space, parking, cycle and refuse storage, new access and associated landscaping

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#### **Additional Comments:**

Following publication of the Committee Report, further comments have been received by the Local Planning Authority from local residents and the South Kenton Park Residents Association.

#### Summary of South Kenton Park Residents Association comments:

- A Sunlight and Daylight Report was not initially available on the Council's public website.
- The Sunlight and Daylight Report subsequently submitted does not demonstrate the land level changes.
- Diagrams within the submitted report bear no relation to the BRE analysis.

#### Officers Response:

A Sunlight and Daylight Assessment was requested by the case officer during the course of the application. The report submitted by the applicant demonstrated to the Council's satisfaction that the proposed development would not have any significant negative impact on access to daylight and/or sunlight from existing adjacent or nearby residential buildings.

The report did however highlight a potential impact on the windows located along the western elevation of the neighbouring Twinstar Garage, however this building is in commercial use and as such there is no policy requirement for daylight for these windows.

It is considered that the proposed development does not significantly or substantially reduce access to either daylight or sunlight to surrounding properties.

The 30-degree and 45-degree design guidance stipulated within the Council's SPD1 has been taken into consideration as part of the assessment of this application and is referred to within the original Committee Report (Paragraphs 23-26). Overall given the significant separation distance to the neighbouring properties to the west and the findings of the Sunlight and Daylight Report the proposal is considered acceptable with regard to daylight, sunlight and outlook.

#### Summary of Additional Local Resident Comments

- Concerns have been raised with regards to the Council's public consultation exercise. The objector highlighted that not all registered members of the existing community library have been consulted on the application.
- An objector raised further concerns with regard to the proposed size and massing of the library building, and the proposed parking provision.
- An objector raised concerns that the proposal may negatively affect local businesses within the area and local residents.

#### Officers Response

Officers confirm that all relevant public consultation has been carried out in accordance with both the

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Council's adopted guidance, along with all statutory requirements.

All adjoining properties sharing a boundary with the application site and the occupier of the existing property on site were consulted via letter on the 30<sup>th</sup> April 2019. A site notice posted was posted within the vicinity of the application site on the 30<sup>th</sup> April 2019. In addition to this a press notice was printed on the 09<sup>th</sup> May 2019.

The Council sent letters on the 30<sup>th</sup> of April to other nearby properties within 50m of the application site. This level of consultation is well beyond statutory requirements, however in this instance the Council decided to carry out a consultation process beyond the statutory requirements as a courtesy to nearby residents.

The Council (as applicant) also undertook a pre-application consultation exercise ahead of this application being made. This was discussed in the main committee report.

Parking and proposed size of the library have been addressed within the Committee report.

The impact on neighbours has been assessed within the Committee report (paragraphs 23-31). Given the nature of the development it is not considered that the development would have any significant negative impact on local businesses in the area.

#### Other Issues

Other issues were raised by some objectors which do not directly relate to the planning application currently under consideration, as they would not constitute material planning matters.

It is raised that a proportion of responses received during the application process were negative. These comments have all been considered and the proposal has been evaluated and discussed, having regard to planning policy and guidance.

Other issues have been raised which relate to the Council's funding arrangements, and other matters which are not material planning issues, and are instead the responsibility of other Council departments. These cannot be considered when determining this planning application.

The Local Planning Authority is considering this application as a 'Council's Own Development', which triggers the requirement for the application to be considered at a public meeting of the Council's Planning Committee, where members of the public are welcome to attend, and may register to speak.

**Recommendation:** Remains to grant permission subject to s106 agreement and conditions as recommended in main report.

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# Agenda Item 5

## Agenda Item 05

### Supplementary Information Planning Committee on 21 August, 2019

Case No. 18/4847

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Location	Argenta House, Argenta Way, London, NW10 0AZ
Description	Demolition of the existing two storey building (Use class B1) and redevelopment to provide a 24-storey building comprising 130 residential dwellings (37 x 1bed, 75 x 2bed and 18 x 3bed) with associated car and cycle parking, provision for bin stores, landscaping and ancillary works (revised description)

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#### Clarification on Daylight/Sunlight testing BRE methodology (paragraphs 57 - 66)

Members are advised that NSL (no sky line) testing is a supplementary, not additional, test of daylighting. It is not only undertaken where VSC testing fails to meet the target levels as the BRE does not set out an "either/or" approach. Therefore, if a room achieves the NSL target when one of its windows does not meet the default BRE recommendation for VSC (as is the case with one window serving the side elevation of 52 Tokyngton Avenue) then it would not be correct to report full compliance with the BRE guidelines, as both measures should be satisfied if full compliance is achieved.

As such, where it is stated in the report that VSC testing is failed and an additional test (NSL) applies, it should be clarified that this is not strictly accurate and that NSL testing is always applicable, not just where VSC testing falls short of the specified target.

It is also clarified that NSL testing is undertaken for rooms, not windows.

**Recommendation: Continues to be to grant consent, subject to a Stage 2 referral to the GLA, the imposition of the conditions and informatives set out in the committee report and the completion of a S106 agreement capturing the obligations set out in the heads of terms outlined in the committee report.**

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