



Supplementary - Planning Committee

Wednesday, 23 February 2011 at 7.00 pm

Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

Membership:

Members

Councillors:

RS Patel (Chair)
Sheth (Vice-Chair)
Adeyeye
Baker
Cummins
Daly
Hashmi
Kataria
Long
McLennan
CJ Patel

First alternates

Councillors:

Kabir
Mitchell Murray
Hossain
HM Patel
Cheese
Naheerathan
Castle
Oladapo
Thomas
J Moher
Lorber

Second alternates

Councillors:

Gladbaum
R Moher
Mashari
HB Patel
Allie
Ogunro
Beck
Powney
Van Kalwala
Moloney
Castle

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The press and public are welcome to attend this meeting

Members' briefing will take place at 6.15pm in Committee Room 4

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM Supplementary report

All

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**Supplementary Information
Planning Committee on 23 February, 2011**

**Item No. 5
Case No. 10/3093**

Location 1-16 Inc, Greencrest Place, London, NW2 6HF
Description Demolition of 16 existing residential units and erection of an 8-storey building comprising 27 self-contained flats (8 x 1 bed, 14 x 2 bed, 5 x 3 bed) with private balconies, provision of 34 off-street parking spaces, 54 cycle storage spaces and associated landscaping to site.

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Comments from Borough Solicitor

The Borough Solicitor has recommended that the reasons for refusal are amended to include reference to the London Plan policy on density, the Council's SPD on s106 obligations and the failure of the scheme to secure sustainable design principles, energy conservation, air quality and sustainable construction as detailed in the Section 106 Heads of Terms. The reason for refusal shall read as follows:

Reason for refusal 1

Amend to read: "*contrary to planning policies CP6, CP17 of Brent's Core Strategy 2010, BE9 and H13 of Brent's UDP 2004, **3A.3 of the Mayor's London Plan 2008** and the guidance set out in SPG 17: 'Design Guide for New Development'*".

Reason for refusal 7

Amend to read: "*contrary to policies TRN3, TRN4, TRN10, TRN11, CF6, EP3, H1, H2, H3 and BE7 of Brent's adopted Unitary Development Plan 2004 and **Supplementary Planning Document "S106 Planning Obligations"***".

And add the following reason:

Reason for refusal 8

In the absence of a legal agreement to control the matter, the proposed development has failed to achieve and employ sustainable design principles and without sufficient evidence to support the application, the proposed residential development will not contribute towards energy conservation, air quality and sustainable construction, and would significantly impact the natural and social environment, contrary to policy CP19 of Brent's adopted Core Strategy 2010 and policy BE12 of Brent's adopted Unitary Development Plan 2004, and the guidance as outlined in the adopted Supplementary Planning Guidance No. 19: "Sustainable Design, Construction & Pollution Control" and Supplementary Planning Document "S106 Planning Obligations".

Recommendation: Remains refusal

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**Supplementary Information
Planning Committee on 23 February, 2011**

**Item No. 6
Case No. 11/0104**

Location Land Between 10 and 11, Chambers Lane, London
Description Erection of two 2-storey dwellinghouses and associated landscaping

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Following the completion of the committee report amended plans have been submitted to address the details sought by a couple of the conditions.

Condition 5 was recommended to specifically require an alternative material for the main front elevation instead of the proposed timber. A revised elevation plan has been received which indicates brick, this is considered more suitable for the location and as samples would still be required this level of detail is acceptable. The second door in the front elevation which was to a proposed externally accessible store has been omitted and the stores are now accessed internally.

Condition 5 should now read:

Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

Condition 8 was proposed to require the omission of the rear balcony from the dwelling on the left (when viewed from the rear), a revised plan has been received which proposes, rather than the recessed glazing and balcony screen, moving the glazing outwards so the balcony space is brought into the bedroom. This amendment is also considered to be acceptable and it is considered that condition 8 can be omitted.

The revised plans numbers are:

A_PL_01 A A_PL_02 A
A_PL_E1 A A_PL_E2 A

Recommendation: Remains approval subject to amendment to condition 5, removal of condition 8 and legal agreement

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**Supplementary Information
Planning Committee on 23 February, 2011**

**Item No. 7
Case No. 10/3052**

Location Newfield Primary School & Newfield Nursery School, Longstone Avenue & Mission Dine Club, Fry Road, London, NW10
Description Demolition of single storey building Mission Dine Community Centre and two temporary classrooms and the erection of a single and two storey extension to Newfield Primary school, creation of 2 external multi use games, 3 key stage play areas and associated hard and soft landscaping

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Officers are recommending that consideration of this application be deferred in order to allow additional consultation to take place and, specifically, to allow the Mission Dine Club to formally comment on the planning application. It is anticipated that the proposal will be considered at the Council's Planning Committee on 16 March 2011.

Recommendation: Deferral.

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Supplementary Information	Item No.	8
Planning Committee on 23 February, 2011	Case No.	10/2789

Location	Flats 1C-D & 2C, 9 The Avenue, London, NW6
Description	Demolition of two storey building and erection of 4 storey building plus basement level, consisting of 9 self contained flats (4x 2-bedroom, 3 x 3-bedroom and 2x 4-bedroom), provision of 9 car parking spaces at basement level and associated landscaping

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During the recent Members site visit a number of issues were raised. Many of these issues have already been addressed in the main report. However, for the avoidance of doubt the following clarification is provided.

TREE PROTECTION

During the site visit, particular concerns were raised regarding the proximity of the proposed development to an existing Holm Oak on the site, which is the subject of a TPO. As discussed in the main report, the applicant has submitted a Arboricultural Method Statement (AMS) alongside the application which sets out full details of proposals to ensure that the Holm Oak is protected during the development of the site. The AMS has been assessed by the Tree Protection Officer who is satisfied that the proposed tree protection works would be sufficient to ensure that the development could be carried out without causing unreasonable harm to the health of the tree. Members will note that Officers have recommended a condition (number 9) be placed on any permission ensuring that the development be carried out in strict accordance with the proposals contained in the submitted AMS.

It was noted that there is a discrepancy on drawing no. 09TA-101-E&P Rev A whereby the canopy of the Holm Oak is shown in the incorrect position. The applicant has submitted revised plans to correct this issue and as such it is recommended that condition 2 be updated to refer to the revised plan (09TA-101-E&P Rev B).

CHARACTER OF THE AREA

The merits of the scheme, in terms of urban design, have already been addressed in the main report. However, particular concerns were raised during the site visit by objectors that the contemporary architectural style of the proposed building would be at odds with the traditional character of the surrounding area. Concern were expressed that the contemporary building, known at Marada House, is being used to justify the design approach for the proposed building when this in itself is an exception in terms of the general character of the surrounding area.

For clarification, Officers have fully appraised the design of the proposed building on its own individual merits, without prejudice given to any particular architectural style, and it is considered that the design of the proposed building provides an appropriate, albeit modern, response to the context of the surrounding area.

During the site visit, the symmetry between the existing building on site and the building within the neighbouring school site (7 The Avenue) was highlighted by objectors. This symmetry has already been referred to within the main report, but it is not considered that the loss of the existing relationship between the two buildings would provide sufficient grounds to resist the demolition of the existing property. In design terms the proposed building would also have a direct visual relationship with the existing property at 11 The Avenue, to which it would be attached, and, as discussed in the main report, this relationship is considered acceptable.

OVERDEVELOPMENT & IMPACT ON AMENITIES

Concerns were raised that the proposed development would increase the number of occupants on the site and that this would place further strain on local amenities. As discussed in the main report, if Members are minded to approve the application, planning permission would be subject to the applicant entering into a s106 agreement which would secure a contribution of £45,000 which will be used towards mitigating the impact of the development on local amenities.

SUSTAINABILITY

During the site visit, objectors argued that the demolition of a perfectly good building is not a sustainable form of development. Whilst it is acknowledged that as an isolated matter the demolition of good quality buildings can lessen the sustainability rating of a development, as reflected in the Council's sustainability checklist, a wider assessment of the sustainability merits of the scheme is required in order to ascertain a more holistic view of the developments sustainability credentials. Having carried out such an assessment it is the view of Officers that through other sustainability measures, such as recycling materials from the demolished building, that overall the proposed development would comply with the Council's normal sustainability standards. Compliance with the Council's sustainability requirements would be secured through a s106 legal agreement.

Recommendation: Remains approval subject to amendments to condition 2 and a s106 legal agreement

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Supplementary Information	Item No.	12
Planning Committee on 23 February, 2011	Case No.	10/3031

Location	Garages rear of 55 Mount Pleasant Road, Henley Road, London
Description	Variation of condition number 2 (plan numbers) to allow the following minor material amendments:

- Increase in size of basement area;
- Alteration to rooflight over bathroom from flat to domed.

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to the scheme granted by full planning permission 10/0932 dated 13/07/10 for

the demolition of an existing single-storey, double-garage building to rear of 55 Mount Pleasant Road, NW10; and erection of a new single-storey, flat-roofed, two-bedroom dwellinghouse with basement storage accommodation, removal of the existing vehicular access onto Henley Road with associated landscaping of the garden amenity area and subject to a Deed of Agreement dated 8th July 2010 under Section 106 of the Town and Country Planning Act 1990, as amended).

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Since the Committee report was completed one more objection has been received (now totalling 7). The issues raised reiterate the points stated in the main report.

Recommendation: Remains approval subject to conditions

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Supplementary Information	Item No.	13
Planning Committee on 23 February, 2011	Case No.	10/2942

Location	93 & 93A, 94 & 94A, 95, 96 & 96A, 97 Ealing Road, Wembley, HA0
Description	Demolition of the existing buildings (93 to 97 Ealing Road,) and the construction of a 4-storey mixed-use development consisting of ground-floor and basement retail/ financial/ professional services/ restaurants (Use Classes A1, A2, A3,) offices (Use class B1) at first floor and 9 residential flats (Use Class C3,) on second and third floors, (four 2-bed units, four 1-bed units, one 3-bed unit,) with associated parking and landscaping

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Sustainability

Additional sustainability information has been submitted, officers are satisfied that further improvements can be secured through the s106 legal agreement. The offer of installing a CHP system is welcomed and if it can be achieved will allow a reduced carbon offset. Consequently clause 'e' of the s106 heads of terms should be amended to:

- e) Offset 20% of the site's carbon emissions through onsite renewable generation, or 11.4% if a suitable CHP system is installed in combination with a renewable technology. If proven to the Council's satisfaction that this is unfeasible, provide it off site through an in-lieu payment to the council who will provide that level of offset renewable generation.

Revised Drawings

Drawings detailing the amendments agreed between officers and the applicants and set out in the committee report have been received including:

- The basement parking area has been removed, only surface level provision is now proposed with a small amenity area at ground floor
- Internal flues have been provided for all 3 ground floor/ basement commercial units.
- 3 car park spaces are to be provided, 2 for the residential units and 1 disabled commercial space. One van servicing space and one truck/van servicing space is laid out and landscape buffers introduced along the northern and eastern boundaries.
- A CHP riser shown to roof-level and PV panels are introduced

Following consultation with the design officer, add condition relating to a communal satellite. *No external satellite dishes or aerials shall be erected/ installed on the site without the prior submission and approval by the local planning authority of details of any external plant and equipment and thereafter any such equipment shall be erected strictly in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.*

Reason: In the interests of the visual amenity of the locality and the amenity of occupiers of units within the development and at neighbouring sites.

Recommendation:

Remains approval subject to the suggested amending wording to clause 'e' of the S106 heads of terms, conditions and the following revised drawing numbers:

GA.00 Rev B	GA.07	GE.04 Rev A
GA.01 Rev A	GA.08 Rev A	GE.05 Rev A
GA.02 Rev B	GA.12 Rev A	GS.00 Rev A
GA.03 Rev B	GE.00 Rev A	GS.01 Rev A
GA.04 Rev B	GE.01 Rev A	GS.02
GA.05 Rev B	GE.02 Rev A	
GA.06 Rev B	GE.03 Rev A	

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Supplementary Information Planning Committee on 23 February, 2011

**Item No. 14
Case No. 10/3203**

Location	Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA
Description	Erection of a one and two storey building to form a permanent primary school in the grounds of Preston Manor High School, with a new access between 109 & 111 Carlton Avenue East, comprising new classrooms, small and large halls, staff room, reception, kitchen and office space, with plant and photovoltaic panels, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees

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Sport England have raised no objections to the proposal subject to conditions/ s106 to achieve off-site improvements at Eton Grove, community access to the High School improved fields and community access to the main hall and Multi Use Games Area, (MUGA,) which shall be type 2 base material and maintained regularly

Following committee site visit Members asked for the following to be clarified:

- e) *In the initial pre-application consultation residents were informed that the school would be single storey only. At a follow up pre-application consultation meeting held on 29/11/10 residents were informed that the school would be two storeys prior.*
- f) *Why this site over the Ashley Gardens site?* In summary the Ashley Garden's highway capacity was not found to be sufficient for a permanent primary school, but the Carlton Avenue East capacity was. The capacity study was carried out by consultants and agreed by the Council's own highway engineer.
- g) *The current playing field entrance has a locked vehicle barrier across it to prevent unauthorised parking and fly tipping in the access road. This barrier is due to be removed.*

Officers expect that when the school opens there is less likely to be fly tipping due to the increased pedestrian activity. It is also expected that enhanced security measures such as CCTV monitoring will also act as a deterrent.

- h) *There used to be Elm trees at this end of the playing field that were lost to Dutch Elm Disease.* The applicants have been asked for some disease resistant Elms to be incorporated into the landscape scheme.
- i) *A number of residents raised issues relating to traffic and parking impacts.* These are dealt with in the main committee report and in addition based on the addendum proposed by Motts, the applicants are proposing the following Travel Plan actions:
- Staggered opening times across both schools
 - Walking Buses from Ashley Gardens, Princess Avenue and the Secondary School to avoid parents walking pupils into the school.
 - Review of other potential drop-off areas in the local area such as the Catholic Church
 - Breakfast Club and After school clubs for those children with working parents who need to be dropped off early or kept late.

Revised drawings confirm the following:

- The applicants have demonstrated that the proposed hall on site has capacity for badminton sized court in width, height, and length.
- The refuse vehicle will be able to turn solely in the vehicle parking area and will not interfere with the entrance. The entrance surfacing details have been varied to provide a high-quality pedestrianised zone.
- Further details of landscaping- hard and soft surfacing, play equipment and the re-siting of the cycle store.
- Details of the disabled parking space.
- A direct pedestrian route to the school entrance shall be prioritised.
- MODCELL is no-longer to be used for the construction of the external walls. Accordingly officers will consider appropriate, sustainable primary school materials by condition.

Contamination

- Following the receipt of further contamination testing the site has been found not to be contaminated. The trace findings previously found were as a result of several of the samples being taken through tarmac. The Council's EH Officer has confirmed that the contamination conditions are no-longer required, as there is no risk to the future site-users.
- The applicants have demonstrated that safe ICNIRP levels may be achieved in relation to the substation on site provided a suitable buffer zone is incorporated. Landscaping condition varied to include 5m buffer.

Condition changes

Following feedback from the Council's solicitor and at the applicant's request, changes to the wording of conditions 4, 6, 7, 8, 9, 11, 12, 15, 16, 18, 20 & 21 requiring submission of details within 3 months of the commencement of development:

Additional condition regarding the MUGA

Following further consultation with Sport England add the following MUGA condition:

The MUGA shall be laid out to comply with Sport England Design Guidance Notes and include consideration of 'Access for Disabled People 2002'. The upgraded surface should be a minimum type 2 facility. The proposed facilities shall be constructed in accordance with the approved design and layout details prior to occupation.

Reason: To ensure the development is fit for purpose, subject to high quality design standards and sustainable in order to meet an Exception Policy for Sport England

Additional condition regarding the construction of the access road

Following consultation with the Council's Highway Engineers and the following condition:

Within 3 months of the date of this decision or within 3 months of the commencement of development, the applicant shall submit details of the construction and surfacing treatment for the access route. If development commences, these approved details shall thereafter implemented

Reason: To ensure a satisfactory development and in the interests of highway safety

Revised Drawing numbers- vary condition 2:

L (9-) 901 P02 - landscape general arrangement and Q- landscaping specification
Revised contamination report - 51594A

Recommendation: remains approve subject to conditions and s106

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Supplementary Information	Item No.	15
Planning Committee on 23 February, 2011	Case No.	10/2041

Location	Shree Saibaba Mandir, Union Road, Wembley, HA0 4AU
Description	Retrospective application for change of use to a place of worship (Use Class D1), and proposed erection of a single-storey rear extension, a canopy to the side elevation and two front canopies of entrance doors

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Officers have received a letter dated 20.02.2011 from ASK Planning, the agents for this application, stating that the applicants wished to withdraw the application. This application is now formally withdrawn and members are no longer required to make a decision.

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