



## Supplementary – Planning Committee

**Wednesday 18 September 2013 at 7.00 pm**

Conference Hall - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

### Membership:

#### Members

##### Councillors:

Ketan Sheth (Chair)  
John (Vice-Chair)  
Aden  
Baker  
Cummins  
Hashmi  
Kabir  
Kataria  
CJ Patel  
Powney  
Singh

#### first alternates

##### Councillors:

R Moher  
Van Kalwala  
J Moher  
Kansagra  
Sneddon  
Cheese  
Oladapo  
Long  
Hopkins  
Gladbaum  
Hossain

#### second alternates

##### Councillors:

Adeyeye  
Ogunro  
Moloney  
HB Patel  
Hopkins  
Beck  
Al-Ebadi  
Naheerathan  
Lorber  
Harrison  
Mashari

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020 8937 1354, [joe.kwateng@brent.gov.uk](mailto:joe.kwateng@brent.gov.uk)

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

**Members' briefing will take place at 5.30pm in Boardrooms 7 and 8**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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# Agenda Item 16

## Agenda Item 03

### Supplementary Information

**Planning Committee on 18 September, 2013**

Case No.

13/1996

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Location	Brent Town Hall, 54 Forty Lane, Wembley, HA9 9HU
Description	Listed building consent for the change of use and refurbishment of the existing Town Hall (Sui Generis) into a new primary and secondary French International School (Use class D1) involving the demolition of a number of ancillary buildings (single storey pre fabricated building and freestanding garages to the rear, and the existing print room attached to the main Town Hall building) and the erection of a part 2/part 3 storey extension along with associated works.

**Agenda Page Number: 13**

#### Members Site Visit

Members queried what would be happening with fixtures, fitting and artifacts within the Town Hall building and site. Your officers can advise that a review was carried out at the time of the decision to sell the building setting out which fixtures, fittings and artifacts will remain within the site and which ones will be relocated elsewhere including relocation to Brent Museum and the Civic Centre. A summary includes:

- War Memorial on Town Hall steps to remain on site.
- Council crest and lettering from Town Hall frontage to be move to store at Brent Museum.
- List of mayors (boards facing inside and outside of the Council Chamber) to be move to store at Brent Museum.
- Plaques for Councillors and for Events to be moved to new memorial areas in the Civic Centre garden.
- Staff/department awards to be returned to relevant service.

It is recommended that full details of all of the fixtures, fittings and artifacts within the building and elsewhere on site are conditioned as part of any forthcoming consent. Such details shall include the method of removal and subsequent making good together with details of how items that will be kept on site will be protected during the construction works.

#### Conditions

The applicant has reviewed the draft conditions, and has advised that whilst the general condition requirements are acceptable, they do have concerns with the time triggers for discharging the pre-commencement condition. This is due to the development being implemented in phases, and requiring their submission before any development begins on site, will cause significant delays to the construction programme.

Your officers have reviewed the suggested timeframes which are generally acceptable, but request that members provide delegated powers to the Head of Area Planning to agree on the exact time frames for the submission of pre-commencement conditions.

**Recommendation: Remains approval subject to additional condition and agreement to delegate the consideration of timeframes with other conditions to the Head of Area Planning and referral to Secretary of State.**

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## Agenda Item 04

### Supplementary Information

**Planning Committee on 18 September, 2013**

Case No.

13/1995

Location	Brent Town Hall, 54 Forty Lane, Wembley, HA9 9HU
Description	Change of use and refurbishment of the existing Town Hall (Sui Generis) into a new primary and secondary French International School (Use class D1) involving the demolition of a number of ancillary buildings (single storey pre fabricated building and freestanding garages to the rear, and the existing print room attached to the main Town Hall building) and the erection of a part 2/part 3 storey extension along with associated works.

## **Agenda Page Number: 35**

### **Members Site Visit**

#### *Historic elements inside and outside the Town Hall*

Members queried what would be happening with fixtures, fitting and artifacts within the Town Hall building and site. A review has been carried out setting out which fixtures, fittings and artifacts will remain within the site and which ones will be relocated elsewhere. This is discussed in further details within the Listed Building Consent supplementary ref: 13/1996.

#### *Removal of trees along the frontage and boundary treatments*

Your officers in Landscape have advised that the removal of the trees along the frontage of the building is acceptable. The trees in question are later additions (probably planted around 1970s) that are not considered to contribute towards the significance of the listed building. They are not considered to be of high quality and will shortly be coming to the end of their life span. The removal of the trees to facilitate a running track is considered to be of benefit for the school. Replacement tree planting is proposed elsewhere within the site, which will be secured as a condition to any forthcoming consent.

Low boundary walls with railings on top are proposed around the school site for securing purposes. English Heritage have not raised objections to the proposed boundary but have requested full details of the design of the railings, which are recommended to be conditioned to any forthcoming consent.

#### *Status of parking controls around Town Hall*

On-street parking along the Forty Lane frontage is prohibited at all times, with a bus stop and associated clearway located in front of the main building entrance. Parking along the Kings Drive and The Paddocks frontages to the site is generally unrestricted, other than on Wembley Stadium event days when permits are required to park between 10am and midnight.

The Travel Survey for the Town Hall which was undertaken when the Town Hall was fully occupied, revealed that 55% of staff travelled by car and 5% of staff car shared. This accounts to around 326 staff. The existing car park has 107 spaces, which resulted in a large number of vehicles parking on surrounding roads including Kings Drive and The Paddocks when the Town Hall was in use. Whilst this proposal will result in a reduction of the number of spaces within the car park to 46, based on the survey figures (see Transport Assessment below) around 29 staff will travel by car. Given that there will be spare spaces within the car park, it is not considered that there will be significant overspill parking on surrounding roads when compared with the Town Hall when at full occupation.

### **Additional information on Transport Assessment**

Your officers in Transportation have reviewed the predicted modal share use by car, and have undertaken a sensitivity test using higher modal share figures based on a comparison with Travel Plan surveys for other primary and secondary schools in Wembley. The impact of predicted vehicle movements for the new school upon the local highway network has been considered in detail, in particular during the morning and evening peak hours, when the local road network is under greatest pressure. The results conclude that there is more vehicle movement during the morning peak but less during the evening peak. Junction capacity studies have been undertaken that conclude that the local road network has capacity to accommodate the traffic associated with the new school during both the morning and evening peak, and is not considered to be detrimental to the local highway network. A detailed assessment is set out below:

#### *Modal share and impact on local highway network*

The Transport Assessment has predicted modal share by car to 15% for primary school children and 5% for secondary school children, with 28% of staff estimated to use cars. To check that these results are reasonable, Travel Plan survey results for 2012/13 for other schools in Wembley (five primary and two secondary) have been

examined by your officers in Transportation. These show current modal share by car amongst pupils to average 16% (plus 3% car share) for primary school children and 10% (plus 1% car share) for secondary school pupils. The figures are considerably lower than recorded in 2010 in some instances, demonstrating the success that a Travel Plan can have and the importance of securing a Travel Plan with this proposal.

Based on the comparison figures with other School Travel Plans in the area, it is estimated that a total of 117 pupils will travel to school by car alone (plus a further 14 car sharing), with 27 staff travelling by car alone (plus two car sharing). Given that each pupil travelling by car generates four car movement per day (two in the morning when being dropped off and two in the afternoon when being picked up), a total of 544 car journeys are predicted to be generated by this proposal. In addition, a limited number of additional visitor and trade trips across the course of the day will also take place, although these are not expected to be significant. These figures have been compared with surveyed car trips to and from the Town Hall from October 2012, when the site was still occupied by Brent Council. The survey included a total of 635 car journeys, resulting in an overall decrease of 15% in traffic movements across the course of the day.

However, the impact during the morning and evening peak hours also needs to be considered in detail, as this is when the local road network is under greatest pressure. For the morning peak, surveys for the Town Hall showed a total of 98 arrivals/10 departures by car between 8am-9am, with a further 128 arrivals/47 departures between 9am-10am. With both primary and secondary school classes proposed to commence at 8.30am, the majority of arrivals for the school are likely to occur between 8-8.30am. However, an early day care provision is proposed to run from 7.30am for primary school children, which is estimated to be attended by one-third of primary school children. It is also assumed that one-third of staff would arrive on site prior to 8am. Taking these factors into account, car trips for the proposed school are estimated to total 131 arrivals/112 departures in the morning peak hour – a significant increase compared with the Town Hall.

In contrast, the afternoon peak hour (5-6pm) should see a decrease in traffic movements compared with the Town Hall use (when 19 arrivals/85 departures were observed), with the primary school finishing at 4pm and the secondary school at 6.30pm. Departures between 4pm-5pm are therefore only likely by a limited proportion of primary school children attending after school clubs (which will run to 6.30pm) and by a limited number of staff. The proposed school use is therefore likely to have a beneficial impact on traffic conditions on the local road network in the afternoon peak hour, compared with the former use as a Town Hall. This is important, as past modelling has shown the local road network suffering more problems in the evening peak hour than the morning peak hour.

#### *Junction capacity*

To understand the impact of the predicted car movements upon the local road network, junction capacity tests have been undertaken for the two signal controlled junctions on Forty Lane adjoining the site for both the morning and afternoon peak periods. The modelling also considered the effect of introducing pedestrian crossing facilities at the junction with The Paddocks, operating during a stage when all traffic is held at red. These showed both junctions to operate with plenty of spare capacity in both the morning and evening peak periods with the revised traffic flows and pedestrian crossing facilities.

Due to the large amount of development proposed in the wider Wembley area, Brent's Transportation engineers have also tested the operation of The Paddocks junction with the new pedestrian crossings and additional traffic from committed development in the area, including all of the Quintain lands. These still showed this junction to operate with practical reserve capacity exceeding 10%, so it is confirmed that the proposal would not have any detrimental impact on traffic conditions adjacent to the site. Further detailed modelling and checking will be required in order for TfL Signals to approve the revised junction operation, but at the present time, the proposed introduction of pedestrian crossing facilities at The Paddocks as a condition of any approval is recommended.

With regard to the more distant junction of Forty Lane and Bridge Road, the operation of this junction has not been tested. However, the net increase in traffic flows through the junction as a result of this proposal would not be significant, with the increase in the morning peak hour being less than 5% of the existing flow whilst as mentioned above, flows would be likely to fall in the evening peak hour with this proposed use. The junction is in any case known to operate satisfactorily in the morning peak hour at present and whilst committed development is predicted to push its operation up to and above capacity in the future, S106 funds have been secured from those developments to improve the junction operation.

#### *Catchment areas*

Officers have requested information on the catchment area for the new school. It is acknowledged that it is difficult to predict the exact catchment area for the new school, but it is noted that Brent is currently the fifth most populated borough with French residents in London.

The applicant has however provided information within the Design and Access Statement setting out the location of other French Schools in London together with areas with significant French populations. The areas of London that have a significant French population are located within West and North West London, and include the Boroughs of Camden, Kensington and Chelsea, Hammersmith and Fulham, Westminster and Brent. Similar, the majority of other French Schools are located within the West and North West of London within the boroughs set out above.

The applicant has advised that the secondary school will be supported by a number of feeder primary schools currently located within Camden, Kensington and Chelsea, Hammersmith and Fulham, and Westminster. The new school will also be a feeder school for at upper secondary level education for pupils of the College Francais Bilingue de Londres (CFBL) in Kentish Town, which currently provides lower secondary level education but not upper secondary level education.

### **Consultation Responses**

#### **Ward Councillor**

Councillor Choudhary has advised that he general finds the proposal acceptable subject to traffic arrangements around the site and adjacent area being reviewed and adjusted accordingly. Your officers have provided further consideration of the impact of proposal upon the local transport network, where officers have concluded that the proposal will not have a significant impact upon the local highway network. Improvements to pedestrian crossing facilities are also proposed to be secured as part of s.278 agreement.

It is also considered that the proposal will result in less on street parking around the site throughout the day when compared to the existing use of the Town Hall when at full operation.

#### **Transport for London**

TfL have reconfirmed their concerns with the likely impact of the proposal on local buses, and the lack of a financial contribution towards a bus capacity assessment. Your officers can advise that in response to TfL initial comments, officers have written to TfL to advise that they have considered the request but are of the opinion that it is difficult to justify such a contribution. The site has an existing high density use with both staff and visitors arriving and departing throughout the day. There will be some offset throughout the day with the vacation of the site by Brent Council. The positive benefits of the proposal also need to be materially considered. The National Planning Policy Framework emphasis the importance putting a heritage asset (Grade II Listed Building) into a viable use consistent with its conservation and attach great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and proposed communities and requires local planning authorities to take a proactive and positive approach to meet this requirement. Such considerations are also set out within policies 3.18 and 7.8 of the London Plan.

TfL have also suggested measures such as staggered time to be considered. The school is proposing an early day care provision/breakfast club starting at 7.30am and an after school club which will run until 7pm for primary school pupils. Staff for the secondary school will also have staggered arrival and departure times depending on their class schedules. All secondary school pupils are required to stay until 6.30pm. This is later than the school hours of other schools within the vicinity of the site, for example, the school day for secondary school pupils at the Ark Academy ends at 5pm. This time is also later than the main peak of the PM rush hour (5pm to 6pm), when the buses are likely to be at their highest capacity.

TfL have also raised concerned with the lack of cycle parking to be provided on site. The London Plan 2011 requires 1 cycle space per 10 staff or students. Saved Policy PS16 within Brent's UDP 2004 requires one space per ten staff and one space per ten secondary school pupils, giving a total requirement of 100 spaces. Space has been shown for 100 spaces in secure locations within the site, although 22 of the student spaces are shown only as potential future spaces. Your officers have recommended a condition requiring all 100 spaces to be secured at the outset, and consider that this level of provision of considered reasonable to meet the needs of the school.

In conclusion, your officers have considered the request for a financial contribution from TfL towards a bus capacity assessment, but consider that it is difficult to justify for the reasons as set out above.

### **Amendments to wording within the Section 106 Heads of Terms and Planning Conditions**

The applicant has reviewed the draft planning conditions, and has advised that whilst the general condition requirements are acceptable, they do have concerns with the time triggers for discharging the pre-commencement condition. This is due to the development being implemented in phases, and requiring their submission before any development begins on site, will cause significant delays to the construction programme.

Your officers have reviewed the suggested timeframes which are generally acceptable, but request that members provide delegated powers to the Head of Area Planning to agree on the exact time frames for the submission of pre-commencement conditions.

They have also requested that the hours for use of the MUGAs is increase by half an hour to operate until 18.30. This amendment is considered acceptable by your officers in Environmental Health as the MUGAs will be used by the school only and no floodlighting is proposed. It is therefore recommended that condition 11 is reworded to allow the MUGAs to operate until 18.30.

The applicant has also requested flexibility within the Heads of Terms of the Section 106 Agreement in relation to sustainability and the carbon reduction measures to achieve a minimum saving of 25% in line with London Plan requirements. Once again your officers request that delegated powers are provided to the Head of Area Planning to consider this more flexible approach in the event that it is not possible to fully achieve the anticipated carbon savings set out within the Energy Strategy.

**Recommendation: Remains approval subject to agreement to an amendment to condition 11 to allow the MUGAs to operate until 18.30, to delegate the consideration of the timeframes with other conditions to the Head of Area Planning together with the wording within the Heads of Terms of the Section 106 Agreement in relation to carbon reduction in the Energy Strategy, completion of Section 106 Agreement and referral to the Secretary of State**

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## Agenda Item 05

### Supplementary Information

**Planning Committee on 18 September, 2013**

Case No.

13/1640

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Location	227B, 229B, 231B & 233B, All Souls Avenue, London, NW10 3AE
Description	Erection of mansard roof extension to accommodate 2 x two-bedroom flats with associated landscaping and car parking.

#### Agenda Page Number: 69

This application has been withdrawn by the applicant. The applicants' agent has confirmed that the incorrect ownership certificate was submitted with the original planning application.

**Recommendation: Withdraw the application.**

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## Agenda Item 06

### Supplementary Information

**Planning Committee on 18 September, 2013**

Case No.

13/2058

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Location	Former Kensal Rise Branch Library Building, Bathurst Gardens, London, NW10 5JA
Description	Conversion of the existing vacant building to provide 7 residential units (3 x one-bed flats, 3 x two-bed flat & one x two-bed house) on the ground and upper floors and 175m2 multi-functional community space (Use Class D1) on ground floor and basement. Alteration to roof pitch over and increase in height of rear wall of central section of main building, proposed new roof with flank wall windows to existing west wing. Provision of new entrance doors on College Road and replacement rear and flank wall windows with associated waste storage,



cycle parking and solar panels.

## **Agenda Page Number: 77**

### **Site Visit Issues**

At the site visit on Saturday 15 September 2013 a number of issues were raised.

#### **Parking Problems -**

During the site visit objectors highlighted the congested parking conditions that exist within the vicinity of the site. This issue has already been covered in the main report and it is acknowledged that the surrounding streets are 'heavily parked'. However, it is also acknowledged that the presence of a controlled parking zone (CPZ) and the very good public transport accessibility of the site (PTAL4) means that a permit-free agreement, where future residents would not be entitled to residents parking permits, would be a potential means of suitably addressing this issue. This would need to be secured through a s106 agreement but given that the application is recommended for refusal no such agreement has been made. This issue is addressed in the fifth recommended reason for refusal.

#### **Refuse/Recycling storage -**

The quantity and siting of facilities for the storage of residential refuse/recycling was raised at the site visit. The "Waste and Recycling Storage and Collection Guidance for Residential Properties, 2013" sets out the Council's normal requirements for new developments. In terms of the proposed flats, under the guidance, each would need to be provided with 120l for residential waste, 120l for dry recycling and 23l for organic waste. This would be equivalent to 3 x 240l wheelie bins for residual waste, 3 x 240l wheelie bins for dry recycling and 6 x 23l kerbside containers. It is envisaged that the proposed house would have 3x 240l wheelie bins, one for each waste stream. The applicant has indicated proposals for the storage of refuse/recycling that would appear to be insufficient to meet the guidance and Officers have already recommended an informative drawing the applicants attention to this issue. A larger bin store could, of course, have an increased and unacceptable visual impact. However, as such matters can normally be dealt with by planning conditions this has not been cited as a specific reason for refusal.

#### **Forecourt -**

Issues were raised regarding the ownership/management of the forecourt area. The forecourt is included within the red line indicated on the submitted location plan indicating that this would form part of the development site. As this is private land, if the development were to go ahead, the management of this area would be a matter for the developer and any other subsequent landowner.

#### **Heritage -**

Concerns were raised regarding the proposed alterations to the building, in particular the proposed alterations to the western elevation and the general replacement of windows. The building is not listed nor is it within a conservation area. Although the existing building does have some quality, the fact that it is not protected means that the changes are considered to be acceptable. The external alterations have been inspected by the Council's urban design officers whose comments have been used to inform the main report. For the avoidance of doubt, the concerns about the bulk of the proposed roof extensions does form the basis of one of the reasons for refusal.

#### **Cycle Parking -**

No designated cycle parking facilities appear to be indicated for the community hub. No cycle parking standards are set out for general community facilities in either the UDP or in the guidance issued by the Mayor. Standards for libraries are set out at 1 space per 10 staff and 1 space per 10 visitors and, if the application were to be approved, it would be reasonable to require a similar provision. This type of detail could normally be secured through a planning condition and Officers consider that this would be the correct approach in these circumstances.

#### **New entrance to Community Hub-**

Concerns were raised regarding the formation of a new entrance onto College Road to access the proposed community hub and the impact of this on the appearance of the eastern elevation. As above, the proposals have been considered by the Council's Urban Design Officers and proposals to form a new entrance are generally considered acceptable, subject to sufficient detailing. It is considered that it would be difficult to object to the creation of the new entrance, in principle, providing that the design detailing was of the required standard.

### **Consultation Update**

Following the publication of the main report the consultation response now stands at 459 representations, 289 in objection, 164 in support, 5 comments and 1 petition of objection (another 39 signature have been received



since the main report taking the overall number of signatures to 1497). However, Members will be aware that Officers have received a number of allegations that some of the comments submitted in response to the public consultation appear on the face of it to have been fabricated. Officers have looked into this matter and would bring the following matters to the attention of Members.

#### Undelivered E-mails

On Friday 6th September 2013 notifications were sent to all representees informing them of the inclusion of the application on this Planning Committee agenda. In terms of those notifications sent electronically, via email, 78 of the emails were returned undelivered due as the e-mail address of recipient did not appear to exist. Of those e-mails which could not be delivered, 70 were to registered supporters and 8 were to registered objectors to the application. Three e-mails were also received from individuals who received notification of the committee who say that they did not make the comments of support attributed to their e-mail address. It is, therefore, reasonable to assume that a large proportion of the supporting emails appear to have been fabricated. Given the number of representations it is difficult to be absolutely certain about the integrity of all of those submissions that the Council has received, but it does appear that it is the emails submitted via the Council's web-site that have been the subject of more fraudulent activity than the hand-written objection letters that do appear to be genuine submissions. As explained, however, this conclusion is inevitably not based on fact.

#### Removed comments

In addition to the above, prior to the notification emails being sent out 5 comments had already been removed (these were not reported in the figures given in the main report). Two of these were objections made using the details of the applicant and the applicants company. The other 3 were comments in support which followed complaints that they were fabricated.

#### Timing of Comments

The majority of comments made in support of the application were received between 27/08/13 and 06/09/13. The majority of comments objecting to the application were received between 03/08/2013 and 09/09/2013.

#### Suspicious Addresses

Letters of support have been received addressed from 95 High Road, NW10 (Willesden Library) and the Kensal Green Library which adds to the Council's theory that fraudulent activity appears to have taken place.

Whilst representations are a material planning consideration, Members will be aware that it is the issues raised in representations dealing with the planning merits of the application, and not just the quantity of letters received, that need to be given careful consideration.

### **Daylight & Sunlight Report**

The applicant's agent wrote to Officers on 12th September 2013 to highlight an error contained in the Daylight & Sunlight report submitted with the application. The original report fails to take account of a sky-light to the living dining area to the proposed ground floor flat and sets out that this room would be reliant upon artificial light sources to be adequately lit for potential occupiers.. A revised report has been submitted, taking into account the sky-light, which sets out that adequate daylighting would be provided to this room.

Officers acknowledge the content of the revised report but, notwithstanding the revised view on the issue of daylight, remain of the opinion that this room would provide an unsatisfactory form of outlook for potential occupiers. On this basis it is recommended that the reference to daylight be removed from the second reason for refusal so it would read:-

*"2. The proposed development would fail to provide sufficient amenity space, or compensate for this deficiency through the provision of larger internal space standards, and would include habitable rooms on the ground floor that would suffer from substandard levels of outlook. As such the development would provide a substandard quality of accommodation and amenity for future occupiers contrary to policy BE9 of the London Borough of Brent Unitary Development Plan 2004 and Supplementary Planning Guidance 17:- Design Guidance for New Development."*

### **Further Correspondence from Applicant**

The applicant's agent has written to a number of Councillors regarding a number of issues relating to the main committee report. Officers would make the following comments on the issues raised.

#### **Plan No's -**

The report does not refer to the reports submitted as part of the applications. Whilst the content of these reports were used by officers in assessing the application and forming their recommendations, for the avoidance of doubt, Members are advised to consider the following reports which were submitted with the application.

- Design and Access Statement
- Daylight & Sunlight Report (as revised)
- Community Hub Supplementary Report
- Sustainability Report
- Planning Statement

#### Consultation -

The issues raised in letters of support for the application have not been summarised in the same way as the objections. As discussed above, there are concerns regarding the authenticity of a number of the letters of support received. However, in general the issues raised in support include:-

- The proposed development would make use of a redundant building and safeguard its future.
- The community hub would serve the local community.
- The development would contribute much needed new homes
- The current pop-up library harms the appearance of the area.
- Contesting a planning appeal would waste Council resources.

#### Mitigation for the Loss of Community Facilities -

Officers consider the main report already responds to this issue.

#### Asset of Community Value -

The applicant states that the contract to purchase the building was agreed prior to the listing of the building as an Asset of Community Value (ACV) and therefore this is irrelevant to the case. Whilst officers acknowledge that the ACV is relevant to qualifying transactions taking place after the listing it is still considered to be a material planning consideration as the building may be subject to further qualifying transactions in the future.

#### Floorspace -

The applicant criticises the way the existing and proposed floorspace is presented. Officers consider the floorspace to be clearly presented, including a distinction between the existing ground floor and the existing building as a whole.

#### Residential Floorspace standards -

The floor areas for the proposed residential accommodation are set out in the table in the main report. For clarification, flats 1-6 comply with the minimum floorspace standards. The proposed house has 2-bedrooms and it is indicated that this is designed for occupation by 3 people. There is no floorspace standard in the London Plan for a 2-bedroom 3-person house and therefore the table relates to the closest available standard which is a 2-bedroom 4-person house. This is clearly labelled in the table.

#### Amenity Space Deficiency -

The applicant highlights that SPG17 suggests s106 payments could be an appropriate means to mitigate a shortfall in amenity provision. The reason this has not been discussed in the main report is that the Council are not currently able to accept such contributions due to the restrictions imposed on the use of s106 obligations in the Community Infrastructure Regulations 2010, as amended. The restrictions set out in Regulations 122 and 123 of the CIL Regulations came into effect in Brent on the 1st July 2010 when the adopted Brent CIL charging schedule came into effect. As the Council have not yet published a notice under Regulation 123, the Council are not permitted to secure any s106 contributions towards the provision of infrastructure. The definition of infrastructure contained in section 216(2) of the Planning Act 2008 confirms that open space should be treated as infrastructure. As such, the guidance contained in SPG17 has been superseded and it is considered the most appropriate form of mitigation for a lack of amenity space would be to provide larger internal areas.

#### Character and Appearance -

The view of officers relating to matters of character and appearance have already been covered in the main report.

**Recommendation: Remains Refusal, subject to amending condition 2.**

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Agenda Item 07

## 2013

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Location	1A-C, 3 & 5A-D INC, Deerpurst Road & Shree Swaminarayan Temple, 220-222 Willesden Lane, Willesden, London, NW2
Description	<p>The erection of a rear extension to the temple, the demolition of 1, 3, 5 Deerpurst Road and the erection of</p> <ul style="list-style-type: none"> <li>• Block A - 13 bedrooms care units, 2 staff units and 1 visitor unit</li> <li>• Block B - Lounge and 3 x One Bed</li> <li>• Block C - 12 flats</li> <li>• Two storey basement parking area with associated landscaping to the site</li> </ul>

### Agenda Page Number: 89

The applicants representative formally withdrew the application on Monday 16<sup>th</sup> September 2013.

**Recommendation: Application is withdrawn**

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### Agenda Item 08

#### Supplementary Information

**Planning Committee on 18 September, 2013**

Case No. 13/1512

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Location	Olympic Office Centre, Fulton Road, Wembley, HA9
Description	Erection of 2-storey retail units (flexible Use Class A1 / A2 / A3 / A4 / A5 use) and 3-storey car park to accommodate 170 car parking spaces to serve the adjoining building on the site in association with cycle parking, landscaping and other works incidental to the development (parking permit restricted scheme).

### Agenda Page Number: 105

#### Comments received from Highways on the revised details

Highways have commented that they have no objections to the proposals subject to the following additional matters being secured (in addition to the conditions that have been recommended):

- The submission and approval of a revised Travel Plan for the site of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme;
- A "parking permit restriction" for the offices and retail unit;
- That all alterations to crossovers to the site along the Rutherford Way frontage to be undertaken at the developer's expense prior to occupation of the development

**Recommendation: Remains approval subject to additional conditions requiring a revised Travel Plan, "parking permit restriction" and the reinstatement of redundant crossovers at the developers expense.**

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### Agenda Item 10

#### Supplementary Information

**Planning Committee on 18 September, 2013**

Case No. 13/1218

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Location	CROWN HOUSE, Wembley Hill Road, Wembley, HA9 8AU
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Description Change of use of the exiting office space within the building to a hotel and the erection of two additional storeys on top of existing building and the re-cladding of the whole existing building to create a 47 bed hotel. (Including revised daylight/sunlight report)

### Agenda Page Number: 123

The following two minor changes to the conditions are recommended:

- condition 6 is amended to accommodate the Transportation request to demonstrate the car parking allocations;
- condition 11 on page 132 is removed as this will be addressed within condition 6.

**Recommendation: Remains approval subject to amended condition 6 and the removal of condition 11.**

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## Agenda Item 11

### Supplementary Information

**Planning Committee on 18 September, 2013**

Case No.

13/1522

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Location	Olympic Office Centre, Fulton Road, Wembley, HA9
Description	Outline planning permission for the mixed use redevelopment of the car park element of the site including the construction of new buildings and structures to provide a total of 40,000 sq m to provide a range of uses comprising: residential dwellings (Use Class C3), offices (Use Class B1), student accommodation (sui generis), hotel (Use Class C1), retail (Use Class A1/A2/A3/A4/A5) and/or leisure (Use Class D2) and associated car parking, public realm works and associated works.

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#### Viability assessment and proportion of Affordable Housing.

The submitted assessment is being considered by external consultants and the Council will not receive the results of that assessment prior to Committee. The consultants will comment on the proportion of affordable housing (10 %) that the submitted assessment sets out is the maximum that is viable and the mechanism to review the level of Affordable Housing at the time of the Reserved Matters application or completion. It is recommend that authority to agree the minimum level of Affordable Housing and the review mechanism based on the results of the review by the Council's external consultants, on the basis that the level of Affordable Housing shall not be less than 10 %. If looking at other residential schemes in the locality, 2010-2011 Quintain "north-west lands" outline planning consent secured a minimum of 10 % Affordable Housing with a review mechanism which would increase the base level of Affordable Housing to 17.5%.

#### Further comment from G.L.A. officers

GLA Officers have also requested that compliance with the Mayor's London Housing Design Guide is secured through condition. They have also commented that they continue to have concerns regarding the levels of activity within the Rutherford Way frontage. They suggest the reductions in the level of parking could help to alleviate this. As this is an application for outline planning consent, such matters can be addressed within the Reserved Matters applications and your officers recommend that an informative is attached highlighting that a greater level of activity will be sought within the detailed design.

The GLA also consider that a minimum proportion of family (3+ bedroom) housing should be secured through condition. The indicative mix of units, as set out within the Committee Report, includes half of the Affordable Rented accommodation and 15 % of the private / intermediate accommodation as 3-bed units. Your officers accordingly recommend that these proportions are secured with the condition also specifying "unless otherwise agreed in writing" to allow flexibility in delivery if this is considered acceptable within the Reserved Matters submission.

TfL have commented that contribution towards bus priority may be required given the peak am trips that are likely to be generated by the development. This matter requires further discussion with the applicant and TfL

and it is recommend that authority is delegated to officers to agree the need for and level of contributions towards bus services with the applicant and TfL. This would form an additional Section 106 Heads of Terms if contributions are required.

#### **Comments from Highways on the revised details**

Highways have commented that the indicative levels of parking and cycle parking remain acceptable and that the proposed indicative details regarding the vehicle ramps to the basement parking area address their concerns and are acceptable. They have commented that the revised Travel Plan is acceptable. The Section 106 Heads of Terms already require the approval of a revised Travel Plan so no change is required to address this issue.

Highways continue to object to the absence of a full-sized servicing bay for the retail units. As such, the applicant now proposes that the maximum quantum of Use Class A1 (retail) floorspace is set to 1,000 square metres to reduce the servicing requirement. Your officers consider that this is acceptable. They have highlighted that the trolley distances from the suggested servicing bays (within the Rutherford Way frontage of the buildings) to the retail units are long. However, this can be addressed through the location of servicing accesses within the Reserved Matters application(s).

Highways have also commented that two of the public cycle stands should be moved to a different location within the site and that the width on one of the vehicle accesses is excessive. However, such matters can be addressed within the Reserved Matters application(s).

Your officers consider that the issues that have been raised have been addressed in part through the change to the maximum level of Use Class A1 floorspace whilst the remainder of the issues can be addressed within the Reserved Matters application(s).

**Recommendation: Remains approval subject to Section 106 legal agreement, the Stage 2 referral to the Mayor of London, and additional conditions regarding compliance with the London Housing Design Guide, the minimum proportion of 3-bedroom units and a condition specifying the maximum floorspace for each use. An additional informative is recommended regarding the level of activity within the Rutherford Way frontage.**

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## Agenda Item 12

### **Supplementary Information**

**Planning Committee on 18 September, 2013**

**Case No.**

12/3089

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Location	SKL House, 18 Beresford Avenue, Wembley, HA0 1YP
Description	Erection of first floor extension to front of building, alterations to the front forecourt layout, reduction in width to existing vehicle access, retention of extraction plant and wood burner installation to the rear and change of use from office (B1a) to a mixed use with B2 (general industrial), B8 (warehouse & distribution) with ancillary office and kitchen showroom (as amended by revised plans dated 22/01/13 and 16/04/2013).
	<b>N.B. This is a revised description.</b>

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It has come to light that a system error has occurred which has meant that not all interested parties have been notified of the Committee arrangements. In these circumstances it is considered appropriate that the application be deferred to allow the Committee notification issue to be rectified before the application is considered by Members. Officer's therefore request that Members defer the application to allow all interested parties to be notified in advance of the Committee meeting, and the application will be reported back to the next available Committee.

**Recommendation: Defer the application.**

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