



Supplementary Planning Committee

Tuesday 17 June 2014 at 7.00 pm

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

Membership:

Members

Councillors:

Marquis (Chair)

Agha

S Choudhary

Colacicco

Filson

Hylton

Kansagra

Mahmood

Substitute Members

Councillors:

Chohan, Choudry, Colwill, Conneely, Duffy,

Daly, Ezeajugbi, Willhelmina Mitchell-Murray,

BM Patel

For further information contact: Joe Kwateng, Democratic Services Officer
020 8937 1354, joe.kwateng@brent.gov.uk

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 6.00pm in Boardrooms 7 and 8

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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Agenda Item 03

Supplementary Information

Planning Committee on 17 June, 2014

Case No.

14/1108

Location	Land next to Harrod Court, Stag Lane, London, NW9
Description	Details pursuant of condition 4 (Reserved Matters in relation to Appearance, Scale, Landscaping and Layout design of the Medical Centre including Pharmacy) of hybrid planning application ref 13/2103 for full planning permission for the erection of a three storey building with a pitched roof to accommodate 11 affordable residential units for shared ownership (5 x 1-bed, 5 x 2-bed and 1 x 3-bed) with associated car parking, cycle storage, landscaping and amenity space; and outline planning permission for the erection of a medical centre of approximately 1,256sqm, including a pharmacy of approximately 90sqm, together with associated car parking, subject to a Deed of Agreement dated 10 February 2014 under Section 106 of the Town and Country Planning Act 1990, as amended.

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Members Site Visit

At the Planning Committee site visit, the following issues were raised:

External materials

As detailed in the main Committee Report, the external materials for the medical centre will be guided by the Design Code which was approved as part of the hybrid application. This is to allow consistency in materials between the medical centre and residential scheme. Full details of external materials including samples for the medical centre are secured as part of condition 17(ii) of the hybrid application. This condition has not been discharged to date.

Marking out of different parking areas e/g colour and signs

Full details of hard landscaping including materials for the car parking spaces are secured as part of condition 18 of the hybrid consent. This condition has not been discharged to date but this does allow the opportunity for marking out the different parking areas.

In addition to the above, a sign is proposed for each residential car parking spaces showing which flat it is allocated to and a management plan for the residential units and care home has been approved as part of condition 13 of the hybrid consent. Both the residential flats and care home are managed by Network Housing.

Details of the signage for the medical centre which will include freestanding signs within the car park will be secured as part of condition 23 of the hybrid consent. This condition has not been discharged to date.

Heads of Terms for Section 106 Agreement

The hybrid application was subject to a Section 106 Agreement that secured the following Heads of Terms

(a) Payment of the Councils legal and other professional costs in

- (i) preparing and completing the agreement; and
- (ii) monitoring and enforcing its performance

(b) 100% Affordable Housing - based on 11 shared ownership units (5 x 1 bed, 5 x 2 bed and 1 x 3 bed units);

(c) Sustainability - submission and compliance with the Council's Sustainability check-list ensuring a minimum of 50% score is achieved. Compliance with Code for Sustainable Homes Code Level 4 for the residential units and BREEAM rating 'Excellent' for the medical centre, carbon reduction of 25% improvement on 2010 Building Regulation and adherence to the Demolition Protocol (with compensation should it not be delivered);

(d) Submission of a Travel Plan for the medical centre, including the provision of further mitigation if the targets within the Travel Plan are not met. The Travel Plan should be compatible with the i-trace software, or any successor;

(e) Join and adhere to the Considerate Contractors Scheme

Recommendation: Remains approval

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Agenda Item 04**Supplementary Information****Planning Committee on 17 June, 2014****Case No.****14/1327**

Location	Land next to Harrod Court, Stag Lane, London, NW9
Description	Variation of condition 22 (change opening hours from 8:00 - 20:00 Mon-Sat to 7:00 - 22:00 Mon-Sun), of application ref: 13/2103 dated 11/02/2014 for A hybrid planning application for full planning permission for the erection of a three storey building with a pitched roof to accommodate 11 affordable residential units for shared ownership (5 x 1-bed, 5 x 2-bed and 1 x 3-bed) with associated car parking, cycle storage, landscaping and amenity space; and outline planning permission for the erection of a medical centre of approximately 1,256sqm, including a pharmacy of approximately 90sqm, together with associated car parking, subject to a Deed of Agreement dated 10 February 2014 under Section 106 of the Town and Country Planning Act 1990, as amended.

Agenda Page Number: 19Members Site Visit

Members viewed the site from within site and from car park of existing sheltered accommodation.

Reasons why longer hours (including weekends) are sought

The agent has advised that whilst the practice currently does not operate on a Sunday, the new development has been designed and funding approved on the basis of the practice having the capacity and flexibility to operate 7 days a week if necessary.

The NHS nationally is moving towards offering patients increased accessibility to clinical services in a primary care setting and improved availability of appointments, to meet the needs of patients. This amendment to the opening hours condition will provide the practice with the required flexibility to meet the changing demands of the NHS by also allowing them to offer access to appointments throughout the weekend. With the general increase in population and the requirements to provide better access to services, the move to operating 7 days a week will allow the practice to meet the needs of patients both now and in the future.

Heads of Terms for Section 106 Agreement

The hybrid application was subject to a Section 106 Agreement that secured the following Heads of Terms

(a) Payment of the Councils legal and other professional costs in

- (i) preparing and completing the agreement; and
- (ii) monitoring and enforcing its performance

(b) 100% Affordable Housing - based on 11 shared ownership units (5 x 1 bed, 5 x 2 bed and 1 x 3 bed units);

(c) Sustainability - submission and compliance with the Council's Sustainability check-list ensuring a minimum of 50% score is achieved. Compliance with Code for Sustainable Homes Code Level 4 for the residential units and BREEAM rating 'Excellent' for the medical centre, carbon reduction of 25% improvement on 2010 Building Regulation and adherence to the Demolition Protocol (with compensation should it not be delivered);

(d) Submission of a Travel Plan for the medical centre, including the provision of further mitigation if the targets within the Travel Plan are not met. The Travel Plan should be compatible with the i-trace software, or any successor;

(e) Join and adhere to the Considerate Contractors Scheme

Concerns have been raised about the limited on site parking facilities for the medical centre and overspill parking onto neighbouring roads.

Your officers can advise that the highway considerations of the medical centre were considered as part of the outline consent that form part of the hybrid application. This was on the basis of up to 50 staff occupying the site. The layout plans for the medical centre have not altered since the outline consent in terms of number of consultation/treatment rooms etc allowing for up to 50 staff. The Council's parking standards for medical centres requires up to one space per five staff, plus 20% for visitors. A total of 12 spaces are proposed together with a setting down area and ambulance bay in the front of the building, meeting the requirements of standard PS12. The hybrid consent also included a Travel Plan for the medical centre which was secured as part of the Section 106 Agreement to encourage alternative modes of transport and appropriate cycle parking facilities

In addition, this application proposes a condition for the management of the car park for the medical centre to take into account the longer opening hours.

Recommendation: Remains approval

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Agenda Item 06

Supplementary Information

Planning Committee on 17 June, 2014

Case No.

14/1335

Location	87 & 89 Wembley Park Drive, Wembley, HA9 8HF
Description	Change of use of No 87 from an estate agent (Use class A2) into a restaurant (Use class A3) to run in conjunction with the existing A3 use at No 89 Wembley Park Drive

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Members Site Visit

At the Members site visit, a number of points were raised which are clarified below:

- In terms of evening use of the outside area to the rear of number 89, as set out in the Committee Report, the hours of operation of this premises are restricted by condition to between 06:00 and 20:00 (LPA Ref: 08/1785). Any variation would require planning permission.
- The 'Fire Escape Route' has been omitted from the plans as this is not usable. Revised Plan 14/301/PL Rev C & 14/302/PL Rev D have been submitted to reflect this and it is recommended that Condition 2 is accordingly updated.
- The refuse storage area shown on the plans is to be used in the same way as no 89 where the refuse bags are taken through the unit to the frontage on collection day.
- The agent has confirmed that the residents above no. 87 do not have access to the outside area to the rear.
- It is recommended that Condition 6 is amended to require the removal of the side access gate to protect the residential amenity of the neighbouring occupiers. The revisions are set out below:

Prior to the commencement of the use hereby granted consent, a close boarded boundary fence at a height of at least 1.5m and no higher than 2.0m shall be erected and retained at all times between the rear curtilage of 87 and 89 and the existing gate on the western boundary shall be removed and replaced with a fence to match the existing. There shall be no external seating provided to the front of 87 Wembley Park Drive and no access shall be provided to the rear (including seating and smoking area) by patrons to 87 Wembley Park Drive.

Reason: In the interests of the general amenities of the locality and in the interests of the free flow of traffic and conditions of highway safety within the site and on the neighbouring highways.

Other Matters

- There is scope for funding for the existing business as part of an initiative to support business on the high streets around Wembley Park (known as 'Wembley Fringe') by Regeneration Investments within Regeneration and Growth. This has been funded by sources including the High Street Innovation Fund. This does not have a bearing on the assessment of this planning application.
- A further letter of support has been received from same address as previous submission.

Recommendation: Remains approval

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Agenda Item 07

Supplementary Information

Planning Committee on 17 June, 2014

Case No.

14/0846

Location	Former Kensal Rise Branch Library, Bathurst Gardens, London, NW10 5JA
Description	Conversion of the existing vacant building to provide 5 residential units (2 x studios, 1 x 1 bed duplex flat and 2 x 2 bed duplex flats) on part ground and upper floors and 186m2 community space (Use Class D1) on the ground floor. Single storey ground floor extension to west elevation, provision of roof extension and communal residential roof terrace fronting onto Bathurst Gardens and creation of basement for bin/cycle store. Provision of new entrance door on Bathurst Gardens serving D1 space, with associated cycle parking and landscaping to Bathurst Gardens and College Road. Erection of temporary site hoarding to protect site for period of vacancy.

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Committee Site Visit on Saturday 14th June 2014- Members Concerns

At the site visit Committee Members raised issues in relation to the following matters:

- The location of the refuse and recycling store for community use in the basement
- The layout and provision of fittings for proposed community use
- The scope for providing a wider, automatic entrance to the community space with internal lobby.
- Hours of use and protection of amenity of prospective and neighbouring residents.
- The design and appearance of entrance and signage.

The existing application shows the waste storage provision of 5.5sqm for the community use situated in the basement. The Council's policy towards waste seeks to differentiate commercial waste/recycling storage from domestic as they are collected by different waste collection contractors. The 5.5sqm proposed is potentially in excess of what is required for a community use of this size and it is considered that the space could be accommodated within the current indicative community layout at ground floor level without resulting in a loss of community floor space. To address this a proposed condition requiring the submission and approval of revised refuse storage for the community use stating the following is proposed:

Notwithstanding the plans hereby approved further details of the waste storage space for the community use provided at the ground floor level shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The proposed development shall be implemented in accordance with the approved plans.

Reason: To ensure safe, efficient and adequate servicing of the site in accordance with the Council's policy TRN11 of the adopted Unitary Development Plan 200

The applicants have submitted an indicative layout for the proposed fit out of the community space and have confirmed that they will work with the lessee to provide the shell, core and fixtures (toilet/sink) and internal structures as shown on the layout through the section 106 agreement. This layout would also need to be amended to accommodate the refuse/recycling as mentioned above.

The proposed entrance has a sufficient width to comply with DDA legislation as set out in the main report. There

is scope for a wider door and one with automatic opening, but it is considered that this is not required in this instance and could result in an additional unnecessary service charge for its maintenance. The proposed development could accommodate an internal lobby for the community space, however, this is not a planning requirement and would result in a loss of community floor space. As a result, it has not been sought as an amendment here.

Condition 3 relates to the hours of use for the community space and these have been agreed with the applicant. Condition 10 requires the submission and approval of details of insulation for the flats and Condition 12 has been included to prevent use of amplified sound systems. These conditions are considered to provide protection for amenity of prospective residents and existing neighbours while not being unduly restrictive on the proposed community use.

The applicants have submitted indicative details of the proposed entrance door, design detailing and signage. However, at this stage these have not been agreed and condition 11 is suggested to be amended to the following wording:

Notwithstanding the plans here by approved revised details of proposed entrance and signage for the proposed community use identified on the Bathurst Road elevation, shall be submitted to and approved in writing by the LPA prior to commencement of use.

Reason: To ensure that the proposed details preserve the character and appearance of the building

Committee Site Visit - Residents Concerns

At the site visit local residents raised issues in relation to the following:

- Increased parking demand
- Increase in population density
- Unauthorised hoarding
- why rep from FKRL not invited inside
- lack of local community uses and space
- why aren't entrances shared
- will flats be rented or F/H
- Is cycle parking sufficient

Dealing with these points:

- Parking provision is addressed in paragraphs 27 and 28 of the "Remarks" section of the main report.
- The proposed development will result in the provision of 5 additional units providing 7 additional bedrooms. This will not have a significant impact on local population density.
- The Hoarding is addressed in paragraph 42 of the main remarks section.
- Access to the site is controlled by the applicant. They made the decisions relating to the visit at the weekend.
- This is addressed in paragraphs 10 and 11 of the main remarks section.
- The applicants have proposed two separate entrances. There is no requirement for them to be shared.
- The tenure for the flats is not a consideration for this application.
- Highways Officers have confirmed that cycle parking is sufficient.

Comments from Newly Elected Councillor (submitted prior to election).

Councillor Filson provided written comments on the proposed development prior to his election as a local councillor. These comments related to the following matters:

- Bin Storage Arrangements
- Communal Roof Terrace
- Emergency Exits
- Lift
- Bicycle Storage
- Sound Insulation
- Internal Design Features
- Mark Twain plaque.

Dealing with the points raised:

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- The bin store provision for the residential accommodation is in line with current standards. A condition

has been attached requiring details of management arrangement to move bins to and from store on collection day. Matters such as ventilation and fire safety will be addressed by building regulations.

- The communal roof terrace will be accessible to all proposed residents as communal amenity space. It would not be reasonable, or necessary, to control its use or hours of use.
- Officers have reviewed the proposals with Council Building Control Officers who have confirmed that the emergency exits are sufficient for a community use of this size. They will be formally considered at the building regulations stage.
- The lift size and doors are sufficient to allow access for bins or a bicycle.
- The proposed bike storage both internal and external is in accordance with Highways standards.
- A condition has been attached requiring detail of the proposed sound insulation to ensure that there is not detrimental impact on the amenity of prospective residents.
- The applicants have confirmed in their Design and Access Statement that they have sought to preserve the existing layouts, structural walls and design features where possible. It should also be noted that a request to list the structure was turned down by English Heritage due to the loss of many of the original internal features.
- The Council's Operational Director Property & Projects has indicated that the plaque was moved to archive when it was removed from the building.

Recommendation: Remains Grant planning permission, subject to the amended conditions set down in his report, and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

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