



## Planning Committee

**Wednesday 20 August 2014 at 7.00 pm**

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

### Membership:

#### Members

Councillors:

Marquis (Chair)  
Colacicco (Vice-Chair)  
Agha  
S Choudhary  
Filson  
Hylton  
Kansagra  
Mahmood

#### Substitute Members

Councillors:

Chohan, Choudhry, Colwill, Conneely, Duffy,  
Daly, Ezeajubdi, Willhelmina Mitchell-Murray and  
BM Patel

**For further information contact:** Joe Kwateng, Democratic Services Officer  
020 8937 1354, [joe.kwateng@brent.gov.uk](mailto:joe.kwateng@brent.gov.uk)

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

[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 5.30pm in Boardrooms 7 and 8**

# Supplementary Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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**Date of the next meeting: Thursday 11 September 2014**



Please remember to **SWITCH OFF** your mobile phone during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

# Agenda Item 10

## Agenda Item 03

### Supplementary Information Planning Committee on 20 August, 2014

Case No. 14/1168

Location 13-18 INC and 19-24 INC LAWNS COURT, The Avenue, Wembley, HA9 9PN  
Description Alterations and replacement of some of the existing windows and erection of a third floor to residential blocks at 13-18 and 19-24 to provide 4 self contained flats (2 x 2 bed at block 13-18 and 2 x 2 bed at block 19-24) (as per revised plans received on 4 July 2014)

#### Agenda Page Number: 5

Members visited the site on Saturday 16 August 2014. Further detail is provided on the following points:

#### Structural Stability of the existing buildings

The existing structural stability of the building was queried and whether an additional storey can be erected. In response to this concern, the agent has advised that the roof extensions that will accommodate the new flats will be of a lightweight construction of which there are many systems available within the industry. The construction of the roof terraces will need to be built in accordance with Building Regulations.

Cllr Shafique Choudhury raised particular concerns regarding cracks in the wall to Flat 13 Lawn Court. The applicant has spoken with the managing agent for the block (Grey & Co) who has advised that Flat 13 is one of the most affected flats in the Block, mainly through gross neglect. There are major improvement and refurbishment works being carried out including works to the walls internally, thermal insulation, removal and treatment of wet rot and a complete refurbishment of the entire flat. The applicant has been advised that there was no cause for concern to the flat internally with regards to cracks.

#### Repair of render to front facade of existing building

Your officers recommend that condition 3 is amended to also secure works to render the front façade of existing buildings as part of this scheme. The wording of the condition is recommended to be amended as follows:

*Prior to commencement of any works on site, details of all new external work to be carried out in materials that match, in colour, texture and design detail those of the existing building together with a methodology to render the front façade of existing buildings at Nos. 13 to 18 and 19 to 24 Lawns Court shall be submitted to and approved in writing by the Local Planning Authority. The external works shall be carried out in accordance with the approved details prior to first occupation of the new flats hereby approved.*

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

**Recommendation: Remains approval subject to the conditions as set out within the main committee report and revisions as set out above.**

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## Agenda Item 06

### Supplementary Information Planning Committee on 20 August, 2014

Case No. 14/1896

Location Durham Court and Garages, Kilburn Park Road, London, NW6 & Gloucester House and Garages, Cambridge Road, London, NW6  
Description Demolition of 209 existing dwellings and garages at Gloucester House and Durham Court and erection of 4-8 storey blocks comprising of 236 flats (134 private and 102 affordable (social

rent)), an energy centre for the South Kilburn Neighbourhood Decentralised Heating System, basement car-park, associated landscaping and general amenity space, provision of replacement public play space and stopping up of existing public footpath between Cambridge Road and Kilburn Park Road.

## **Agenda Page Number: 43**

### **SITE VISIT**

During the recent site visit clarification was sought on a number of issues. These are covered below.

#### **RELATIONSHIP WITH THE CHURCH OF ST AUGUSTINES**

Clarification was sought on the relationship between the proposed development, as it fronts Kilburn Park Road, and the Church of St Augustines. In particular clarification was sought on the height of the proposed development in relation to the main roof of the church and the church spire.

The applicants have provided a further drawing (1713/SK/0150) which clarifies the levels of the relevant elevations. This drawing confirms that where the proposed block would directly face the church that the eaves level of the 4th floor 'creaseline' of these blocks would be just below the base of eaves line of the main church roof and that the top of the parapet on the 6th floor of these blocks would be no higher than the base of the three smaller church spires and would below the ridge of the front gable to the main body of the church building.

#### **BELL RINGING**

Clarification was sought as to whether the specification of the building had been altered to address concerns regarding the impact of bell ringing on future occupiers of the development (covered in the main report). The applicants have confirmed that the potential impact of bell ringing had already been considered in the design following the acoustic surveys undertaken to support the development of the proposals.

Whilst it is acknowledged that bell ringing would still be perceptible within the proposed development, the building has been designed to deliver internal ambient noises levels that accord with *BS8233: 1999 Sound Insulation and Noise Reduction for buildings-Code of Practice* and officers have already recommended a condition (9) requiring post construction testing to ensure that these standards are met.

The Vicar of St Augustines has written querying the description of the issue within the main report, emphasising the historic pattern and frequency of bell ringing events.

For clarity, it is not possible to prevent complaints by way of a planning condition. However, the applicant has confirmed that it is their intention to make reference in the developer agreement to the church bells which will ensure that potential leaseholders are aware that bell ringing from the Church of St Augustines may be audible from the site.

#### **FLOODING & DRAINAGE**

Clarification was sought on local drainage and flooding issues particularly affecting the church. Representations have been received from the church which include photos showing instances of surface water flooding around parts of Kilburn Park Road the Church of St Augustines.

The submission is accompanied by a Flood Risk Assessment and this is covered in the 'Sustainability' section of the main committee report The FRA acknowledges that the greatest risk of flooding to the site is from excess surface water run-off caused by the inability of high rainfall events to naturally drain into the ground due to the high proportion of impermeable ground covering as well as the underlying layer of impermeable London Clay.

To address this issue Sustainable Urban Drainage Solutions (SUDS) have been included in the design proposal, to reduce peak flows of surface water run-off from the site. Proposals include: green roofs; rain gardens; SUDS planters and permeable paving. In addition to these measures, below ground attenuation with controlled discharge is proposed to attenuate flows and reduce the peak rate of surface water run-off. These proposals have been reviewed by the Environment Agency, who were consulted on the application, and are considered suitable to adequately mitigate the potential risks of surface water flooding. Officers have already recommended conditions (12 & 14) ensuring that appropriate drainage and other flood mitigation measures are implemented as part of the proposals.

Further to the main report, Westminster City Council, have issued their response to the application. WCC have raised objection to the application on the following grounds:-

a) That insufficient information has been provided to demonstrate that the proposals would not adversely affect the daylight and sunlight of properties within Westminster, particularly the sheltered housing at Carlton Dene and St Augustines School.

It appears that this objection may have been raised prior to the submission of an additional study by the applicant on the daylighting and sunlighting impacts of the proposed development. The findings contained in this additional study are already covered in the main report. The study finds that the impacts of the proposed development on the daylight and sunlight of Carlton Dene would be in general accordance with the Building Research Establishment (BRE) guidelines on daylight and sunlight. The impact on the daylight/sunlight of the school is also considered within the main report and is considered acceptable in planning terms.

b) That the height and massing of the proposals would fail to respect the setting of St Augustines Church.

The impact of the proposed development on the setting of St Augustines Church is considered in both the main committee report and above.

### **Recommendation: Remains Approval**

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## Agenda Item 07

### **Supplementary Information Planning Committee on 20 August, 2014**

Case No. 14/1412

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Location	36 & 37 Regal Building, 75 Kilburn Lane, North Kensington, London, W10 4BB
Description	Extension to roof of existing four storey building to provide additional living space for two third floor flats and installation of proposed south facing roof terraces on third and fourth floor.

### **Agenda Page Number: 67**

Members visited the site on Saturday 16 August 2014. Further detail is provided on the following points:

#### Height of Proposed Screen

The screens as measured on the proposed plan (Section Drawing) are show as 1.5m above external ground level of the roof terrace on the third floor and 1.7m from external ground level of roof terrace on the proposed fourth floor.

#### Impact on Amenity of Neighbouring Residential Properties

The Council are concerned with the detrimental impact on the amenity of the residents of the lower groundfloor/basement of the frontage block of the Regal Building which contains units 1-14 and the residents of the dwellings at 1 and 2 Bannister Road. It should be noted that bedrooms are classed as habitable rooms and the amenity impact including loss of light and outlook are given careful consideration.

#### Petition and additional comments from members of the public.

The applicant has submitted a petition in support of the proposed plans which has been signed by residents of 11 out of the 14 flats within the Regal Building South Block (Units 1-14). In addition to this, the applicant has submitted details of 2 comments which were submitted by local residents but which are not registered on the website. These comments are from residents of flat nos 5 and 21 of Regal Building and state that they are satisfied with the efforts to ensure there will be no detrimental impact on amenity and that the proposal is sympathetic to the existing building.

#### Letter from Applicants

A letter has been submitted by the applicants with points of clarification in relation to the committee report. The content of the letter is summarised as follows: **Page 3**

1. The applicants are Mr J Barrett and Mr D McCausland;
2. In relation to the reasons for refusal for the case reference 10/1543, they note that the current proposal is set in from the western boundary and is more lightweight in appearance than the previously refused scheme. The current proposal also does not include any new residential units;
3. They emphasise support from residents of Regal Building as set out above and respond to 3 points of objection by stating that there will be no change to character of building; they consider that there will not be any loss of daylight, sunlight or outlook; and, the massing of the proposal is in keeping with neighbouring developments and will not set a precedent for future proposals;
4. They contend that the current proposal is not similar to the previously refused scheme - it has an area of 148sqm as opposed to 196sqm of the refused scheme;
5. The lightweight material and set back of the additional storey ensure that it is subservient to the original and frontage development;
6. The screens proposed are 1.5m in height rather than 1.8m as set out in the report, they also state that these could be amended to make them more lightweight in appearance or the terraces could be removed;
7. In relation to the 30 degree rule, the applicants contend that the scheme complies with 30 degree rule and that the impact on Nos. 1 and Bannister Road is limited as the proposed extension is not directly behind these units; that the scheme should not have to comply with 30 degree rule when applied to basement habitable rooms; the rule was not taken into account when considering the neighbouring development; and, the proposal is positioned on the north side of Bannister Road so there will be no impact on sunlight.

#### Officer Comment

The Council's officer has the following comments in relation to this:

1. This is noted;
2. This history section records recent applications and notes the reasons for refusal. It is not a comment on the current proposals but does form the planning history for the site;
3. Additional comments are set out above;
4. It is noted that the current proposal is smaller in area than the previous proposal, contains no new residential units and is set in from the western boundary. The previous proposal is similar in that it involves the creation of an additional, albeit smaller in size, storey on the existing building. The recommended reason for refusal reflects this;
5. Lightweight materials and setback can create a more subservient appearance however in this case it is considered that an additional storey would not be acceptable for the reasons set out in the main Committee Report ;
6. The height of the proposed balcony treatments are clarified above. The reason for refusal also relates to the additional storey which would not be overcome by changes to the terrace boundary material;
7. The proposal does not comply with the 30 degree rule when measured from the habitable room windows of the lower groundfloor/basement units of the Regal Building. While these rooms are located at a lower level and may have some restricted outlook already, this does not justify the additional loss of outlook from or additional overbearing impact on these rooms. This guidance was not adhered to at the neighbouring NOKO development as there was an existing building of a similar scale prior to redevelopment of that site.

#### Network Rail Comments

Network Rail have submitted comments in relation to the proposed development. They have no objections to the proposed development but have requested that as the application site is located adjacent to Network Rail's operational railway infrastructure they recommend that the developer contacts its Asset Protection team prior to works commencing on site and signs up to an Asset Protection Agreement with them. If the application were to be approved conditions would need to be attached to address matters relating to noise and vibration, drainage and construction.

#### **Recommendation: Remains Refusal**

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## Agenda Item 08

### **Supplementary Information Planning Committee on 20 August, 2014**

Case No.

14/1252

Description      Road, Parkside & Cricklewood Broadway, London  
Installation of 0.5mm clear nylon wire spans between poles in 14 locations within the London Borough of Brent (and additional ones in adjacent boroughs) to complete a notional 'enclosure' (as defined in Jewish law) so as to ease Sabbath observance for non-ambulant persons and their carers -- locations in Brent are indicated in the schedule of pole locations and circled in red on the 1:10,000 Brondesbury 'Eruv' site plan 870\_01

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The proposal for the 'Brondesbury Eruv' extends into other boroughs, including Barnet and Camden. As noted in the committee report, one of the pairs of poles is located in Barnet and measures 1m in height. This received planning permission on 6 June 2014. 15 locations are proposed in Camden, however, that authority has not yet determined their planning application, nor have officers made a recommendation on the proposal.

A schedule of the proposed poles in Brent has been included within the 'Proposal' section of the committee report, this includes the heights of each of the pairs of poles. A map showing the locations of each of the poles and colour coded depending on height (red is 5.5m, green is 3m and blue is 1m) as well as photographs of a 5.5m and 2.5m pole will be available at the Members Briefing.

Cllr Colacicco contacted the case officer as her name appeared on the council's website as having made a comment on this application. The addition of the Cllr Colacicco's name to the website was made in error and no representation has been made by Cllr Colacicco on this application. The Council's online records have since been amended accordingly.

**Recommendation:** Grant Permission

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