



Supplementary Planning Committee

Wednesday 29 July 2015 at 7.00 pm

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

Membership:

Members

Councillors:

Marquis (Chair)

Agha
S Choudhary
Colacicco
Ezeajughi
Mahmood
Maurice
M Patel

Substitute Members

Councillors:

Chohan, A Choudry, Hoda-Benn, Hylton, Khan
and W Mitchell Murray

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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

ITEM		WARD	PAGE
3.	24-51 inc. John Barker Court, 12-14 Brondesbury Park, Kilburn NW6 7BW (Ref. 15/1539)	Brondesbury Park	1 - 2
4.	All Flats, Jubilee Heights, Shoot-up-Hill, London NW2 3UQ (Ref. 15/0064)	Mapesbury	3 - 4
5.	Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA (Ref. 15/2083)	Preston	5 - 6
6.	Garages rear of 32, Crownhill Road, London (Ref. 14/4241)	Harlesden	7 - 10
7.	62 The Avenue, London, NW6 7NP (Ref. 14/3892)	Brondesbury Park	11 - 12
8.	Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London	Queens Park	13 - 16
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9.	1 Thanet Lodge, Mapesbury Road, London, NW2 4JA (Ref. 15/1205)	Brondesbury Park	17 - 18

**Supplementary Information
Planning Committee on 29 July, 2015**

Case No. 15/1539

Location 24-51 INC John Barker Court, 12-14 Brondesbury Park, Kilburn, London NW6 7BW
Description Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

Agenda Page Number: 5

This application will not be considered at this Planning Committee. The reason for this is to ensure that all people who have made representations on the application have adequate notice of the Planning Committee meeting. All those residents who had made representations on the application, as well as the Ward Councillors, were emailed about this on the evening of Monday 27th July 2015.

Recommendation: Defer.

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**Supplementary Information
Planning Committee on 29 July, 2015**

Case No. 15/0064

Location All flats, Jubilee Heights, Shoot Up Hill, London NW2 3UQ
Description Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers with access from Exeter Road.

Agenda Page Number: 21

This application will not be considered at this Planning Committee. The reason for this is to ensure that all people who have made representations on the application have adequate notice of the Planning Committee meeting. All those residents who had made representations on the application were emailed about this on the evening of Monday 27th July 2015.

Recommendation: Defer

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Supplementary Information**Planning Committee on 29 July, 2015**

Case No.

15/2083

Location	Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA
Description	Variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year on 31 July 2017 of application ref: 14/3670 dated 13 November 2014 for variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year in July 2015 of planning permission ref: 13/1975 dated 18 November 2013 for Retention of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space.

Agenda Page Number: 41Members site visit

Members visited the site on Saturday 25 July. The following clarification is provided:

Details of soft landscaping to be provided and timescales for planting

As part of the original permission for the temporary school, there was a requirement to plant a new English Oak tree with a 12-14cm girth and a mixed hornbeam, beech and dogwood hedge. This planting was carried out but has struggled to establish itself. Subsequent landscape enhancements have been approved following the previous renewal of this consent which includes a new native hedge along the boundary with No. 7 Ashley Gardens. The new hedge will be planted during the next planting season (November to March).

Number of people who attend Ashley College and when is it used

Ashley College is an alternative education provision, mainly for children with medical conditions, which was previously called Brent Tuition Service (BTS). There are 32 pupils on its roll and it is open 5 days a week term time only. It was previously a BACES site, which is likely to have had a much higher footfall and operate at different times.

Update on timescales for implementing the highway works on Preston Road/Ashley Gardens junction

Officers in Transportation have advised that they will shortly be providing a programme date for implementing the outstanding highway works. These outstanding works include converting the existing traffic islands in Preston Road near to Ashley Gardens to pedestrian islands. It is anticipated that these works will be carried out this financial year.

Recommendation: Remains approval subject to the conditions set out after paragraph 27 of the main committee report.

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Supplementary Information**Planning Committee on 29 July, 2015**

Case No.

14/4241

Location	Garages rear of 32, Crownhill Road, London
Description	Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)

Agenda Page Number: 59

The Members of the Planning Committee visited the site on Saturday 25th July. A number of points were raised which require clarification and these are set out and addressed below.

Outdoor space and fire safety standards:

The level of outside space provided for the annex was raised and whether this meets guidelines for outside space for schools.

The Education Act 1996 places a duty on the Secretary of State to prescribe standards for the premises of all maintained schools in England and Wales. Those for England are set out in The School Premises (England) Regulations 2012 and they apply to all existing and new schools maintained by a local authority. Similarly, the Education Act 2002 empowers the Secretary of State to prescribe standards for the premises of independent schools, which include Free Schools. These are set out in Part 5 of The Education (Independent School Standards) (England) Regulations 2010. Both of the above pieces of legislation now require:

“Suitable outdoor space must be provided in order to enable—

- (a) physical education to be provided to pupils in accordance with the school curriculum; and*
- (b) pupils to play outside.”*

The Government’s 2015 ‘Advice on standards for school premises’ guidance document recognises that ‘Some schools will be on restricted sites and will not have enough outdoor space to meet requirements. In these situations pupils will need to be provided with access to suitable off-site provision’.

The applicant has indicated that Physical Education lessons would take place at the main school site as set out in paragraph 2 of the report. The applicant has also confirmed that the school uses off-site sporting facilities for example. The site would have an area of outside space approximately 118m² in area (excluding the access to the site) with staggered play times and it should be borne on mind that the proposed building would act as an annex to the main school site. In any case, the above legislation operates separately from the planning system and the school would need to comply with the above standards regardless of a planning decision.

The issue of fire safety and access to the site for emergency vehicles was raised. Returning the vehicular crossover to footpath obviously removes the possibility of access for emergency vehicles. Officers have discussed the point with Building Control Officers again. Any building which is erected would be required to comply with Building Regulations, as well as relevant Fire Safety legislation. The site is, as Members saw, a tight backland site which will present a number of challenges as far as fire safety is concerned. However, the applicants are aware that they need to discuss the proposal with the Fire Brigade and that a full Fire Risk Assessment would be required before any development takes place. The Assessment may conclude that a range of measures, including sprinkler systems and/or introduction of on site fire hydrant, may be required and this would need to be addressed in due course. It is suggested that an Informative Page 7 attached to any permission stating that:

ADDITIONAL INFORMATIVE

"The applicant is informed that they must contact Brent Council's Building Control Service to discuss Fire Safety issues relating to this development as a matter of urgency."

Impact on neighbours:

Clarification was sought about the height of the proposed building in relation to neighbours. The building would have a maximum height on the boundaries of 3.2m, reducing to 2.5m at the boundaries with No.2 and No.4 Burn's Road. Considering the height of existing structures and boundary treatments on the site and the separation distance to neighbours, the proposed building is considered of an acceptable scale and is considered to form an acceptable relationship with neighbours as discussed in paragraphs 6-22 of the report.

It has been suggested that the access to the site could be fully enclosed with a tunnel-type structure. Whilst this would have the potential to alleviate the noise impact of the development, such a structure could have its own implications in terms of the impact of the structure itself on neighbours, in terms of loss of light and overbearing impacts and such a structure would require planning permission in its own right. For the avoidance of doubt such a structure does not form part of the current proposal.

Further clarification was sought as to the potential impact on the rooflights of the neighbour at 'Fabline' which is the building that Members visited and which serve ground floor habitable rooms. The proposed building would be positioned 0.5m from this neighbour and 0.2m higher than the level of the rooflights in question. This relationship is not considered to create an unacceptable loss of light or overbearing impact on these windows.

Further concern was raised about the noise impact on 'Fabline' in terms of noise transmission through walls. It is acknowledged in paragraph 14 of the report that the flank walls of 'Fabline' directly abut the site. As set out in the report, potential direct contact between users of the site and the walls can be addressed by the introduction of landscaping features. For clarity and the avoidance of doubt, it is recommended that condition 15 is amended to specifically mention the requirement for a landscape buffer around the external walls of 'Fabline'. It is therefore recommended that Condition 15 is re-worded as follows:

A hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. All detailed works shall be carried out as approved prior to the occupation of the building hereby approved. Such details shall include:

*(i) details of soft landscaping including the planting of trees, shrubs and climbing plants and species and pot sizes/spacing, **including details of landscaping adjacent to the flank wall of the neighbour at 'Fabline'***

(ii) details of materials to be used in areas of hard surfacing

Any trees or plants planted in accordance with the approved landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

*Reason: To ensure a satisfactory appearance **and in the interests of visual and neighbouring amenity.***

Reassurance was sought that the proposed acoustic fencing would mitigate the noise impact of the development. Acoustic fencing was introduced as part of the amended scheme and was welcomed by Environmental Health Officers. Acoustic fencing would not eliminate all noise emanating from the site, but Officers consider that they would help mitigate the impact on neighbours and contribute to making the scheme acceptable in terms of neighbouring amenity.

Transportation Issues:

The applicant states that 86% of pupils at the school live in Brent. The applicant has provided Officers with the postcodes of pupils at the school which demonstrates this to be the case and Officers further calculate that the majority of these live within a 2 mile radius of the school. The applicant has requested that the postcode information is treated confidentially. As detailed in paragraphs 23-35 of the report, Officers are satisfied that the proposal would, as far as it is possible to assess, be to the benefit of the provision of school places in Brent and that for this reason the transportation impact of the development would be within acceptable limits.

Sewerage arrangements:

Concerns about sewerage arrangements for the development were reiterated with concerns over the impact on neighbours that emptying septic tanks could have. The applicant has confirmed, as was mentioned at the site visit, that the intention is to connect the proposed development to mains sewers. For clarity, the provision of adequate infrastructure to deal with sewerage would be a requirement of Building Regulations.

Asbestos:

It was mentioned that the buildings on site may contain asbestos. The removal of asbestos would be controlled separately by the Control of Asbestos Regulations 2012. Contractors would have to comply with these regulations and may require a licence from the Health and Safety Executive (HSE).

Side-facing window at 'Fabline'

The issue of the first floor side-facing French doors as mentioned in paragraph 15 of the report was raised. Enforcement Officers have confirmed that one complaint has been received, but no action has been taken at this time. In any event, the treatment of this window opening is not considered material to the determination of this application, save for the fact that it should lawfully be obscure glazed and fixed closed, in accordance with the original approval. The proposal is considered to be acceptable in terms of its relationship with this window for the reasons set down in the report.

Recommendation: Remains approval, subject to amended condition 15 and additional Informative.

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**Supplementary Information
Planning Committee on 29 July, 2015**

Case No.

14/3892

Location	62 The Avenue, London, NW6 7NP
Description	Erection of a rear dormer window with Juliet balcony and conversion of the property into 3 self-contained flats comprising 1 x 1bed and 2 x 3bed, erection of a rear timber fence and gate to form a private rear amenity space; rear cycle parking and associated forecourt landscaping with car parking spaces and a timber bin enclosure

Agenda Page Number: 79

At the Committee site visit on 25 July 2015, Councillors saw there was change in levels to the existing rear garden which is proposed as providing future private and communal garden spaces. The details of this treatment, in order to ensure an acceptable quality of space and relationship between spaces in different ownership, are needed.

As such, an additional condition requiring further details of the sub-division, including ground level changes and planting, is suggested:

"Details of the rear garden layout shall be submitted to and approved in writing by the Local Planning Authority, and all detailed works shall be fully carried out as approved prior to the occupation of the premises. Such details shall include:

- (i) A contextual plan to show existing and proposed changes in rear ground level
- (ii) The retention of existing hedges and shrubs;
- (iii) The use of planting for subdivision and boundary treatments including a planting schedule;
- (iv) Any fencing for subdivision to be close boarded timber in material and to be no higher than 1.5m from natural ground level;
- (v) Access to the rear garden spaces where level changes are present;

Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation".

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

In addition, one of the boundary fences to the front of the site was seen to be in a state of some disrepair and it would be appropriate to secure future details of this through condition 9 which already seeks further details of the front garden treatment:

- (vii) replacement boundary fence.

Recommendation: Remains approval with additional condition and amendment to condition 9.

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**Supplementary Information
Planning Committee on 29 July, 2015**

Case No.

15/1820

Location Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London
Description Demolition of existing garages and community centre and the erection of a four storey building comprising 14 self-contained flats (3x1bed, 9x2bed and 2x3bed), new community centre (Use class D1) and a sub-station with associated car and cycle parking spaces, bin stores and landscaping

Agenda Page Number: 99

Members visited the site on Saturday 25th July 2015. A number of points were raised:

Loss of trees

As stated in the report the siting of the building requires the removal of 3 trees. Each of these trees has been identified as category C, which is described as being of low quality and usually either young and small or nearing the end of their life, the protection of such trees in a location which would prevent a development would not be recommended. However, it is important to ensure that there are appropriate replacement trees within the development and officers are satisfied that this is the case. A tree is proposed in front of the new building which isn't shown on the CGI's that Members saw at the weekend as it was requested by Planning Officers during the lifetime of the application. The species of this tree is to be confirmed, but a feature tree providing a high level of visual amenity is required. In addition to this an area of the scheme is dedicated to fruit trees between the new building and Weston House so that there will be an increase in the number of trees on the site overall.

Car parking

BHP do intend to proceed with a 'residents only' parking scheme on site having been advised by residents that non-residents park there to then catch a train. BHP proposes to undertake a survey of residents to seek views before proceeding and this arrangement is separate to the current planning application, but will be complimentary.

Impact on residents during construction

In order to ensure that the development is carried out in a way which minimises disruption to existing residents condition 3 has been recommended requiring the developer to sign up to the considerate constructors scheme. In addition to this condition 8 requires a construction method statement to mitigate environmental impacts of development, officers recommend this condition be expanded to include construction logistics including parking, storage or materials, hoarding etc. A revised condition is set out below.

Allocation of flats

A point was raised in an objection from a neighbour suggesting that existing residents should have the opportunity to move into the new development. The main report advises that BHP are responsible for allocating the flats as appropriate and that they do so on the basis of the Council's adopted Allocations policy. This policy does not currently give any priority to people living locally.

Existing buildings

The external decoration/cyclical works for Mapes & Weston House are planned for the year 2019/20. Following the discussion at the site visit the applicant is now commissioning consultants to survey and report on the external decorations which will provide up to date information on the work needed and costs involved so that there can be consideration of whether this could be brought forward and to start consultation on this with leaseholders and tenants accordingly. For the avoidance of doubt, from a

planning point of view, although it is to be welcomed that the programme is to be looked at again given that existing residents will be impacted upon by the proposal, the decision as to whether or not to grant planning permission here must be made on the individual planning merits of this scheme.

Landscaping proposals

The quality of the landscaping scheme is critical in order to mitigate the reduction in the quantity of the area. The scheme provided with the application shows a very varied and high quality proposal, but as it is indicative at this stage further details are required.

The agent has suggested that the landscaping condition could be required *prior to the commencement of the relevant works associated with the communal amenity* rather than prior to the commencement of works on site. The proposed landscaped works will be an integral part of the completed estate. Such works will be undertaken once the building is almost complete, so it is felt that a construction period will allow landscaped details to be designed fully and submitted for approval whilst the building is being constructed. Condition 10 needs to be amended accordingly and is set out below.

Recycling for Weston House

The proposal includes, on the site plan, a new area for recycling for Weston House residents. Officers require further detail specifically including its exact location, height and external appearance and have required these by condition (see condition 12).

Bicycle storage provision

Two external lockers with capacity for two bicycles each are proposed for the larger 3-bedroom flats at ground floor level, whilst an internal storeroom with capacity for 12 bicycles is proposed for the upper floor flats. This proposed level of provision meets standards. 3 Sheffield cycle stands are proposed in front of the community space providing a total of 6 spaces.

Lighting

The agent has queried the point at which condition 11 (lighting) is required and officers agree that the details shall be required only prior to the relevant part of the development. The condition needs to be amended to reflect this

Plan numbers

Drawing AA5211/2005 (second and third floor plans) is to be added to the list of approved plans.

Revised ground and first floor plan AA5211/2004 B is to be substituted as it shows the improved amenity space arrangements for the ground floor flats which while shown on the landscaping plan were not on the ground floor plan. The amendments shown sought to provide 50sqm of usable and good quality amenity space to each unit, not relying on the space between the block and the railway.

Additional Conditions

Condition 8 shall be amended to read:

Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:

- i. Measures that will be taken to control dust, noise and other environmental impacts of the development.
- ii. Specification of construction works at each phase of the development including the provision of car parking for existing residents
- iii. Construction Logistics Management

- iv. Erection and maintenance of security hoarding
- v. Wheel-washing facilities
- vi. Parking of vehicles of site operatives and visitors
- vii. Arrangements for the loading and unloading of plant and materials
- viii. Storage of plant and materials used in constructing the development
- ix. Scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Condition 10 shall be amended to read:

All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant works associated with the communal amenity. Such landscaping work shall be completed prior to the occupation of the development hereby approved.

Such scheme shall also indicate:-

- (i) Proposed walls and fencing, indicating materials and heights.
- (ii) Hardsurfacing materials and detail to demonstrate SUDS
- (iii) Details of any proposed play facilities
- (iv) Details of any proposed seating
- (v) Screen planting between the development and the western boundary
- (vi) How the arboricultural method statement and tree protection plan (required by condition) has been taken into account in the proposed landscaping scheme

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

Condition 11 shall be amended to read:

Details of lighting shall be submitted to and approved in writing by the local Planning Authority prior to the commencement of any work associated with the improvements to the estate wide communal areas. Once approved the details shall be fully implemented and permanently maintained.

Reason: In the interests of safety, amenity and convenience.

Recommendation: Remains approval subject to amended conditions 8, 10 & 11 and inclusion of revised plan.

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Supplementary Information**Planning Committee on 29 July, 2015**

Case No.

15/1205

Location	1 Thanet Lodge, Mapesbury Road, London, NW2 4JA
Description	Erection of a 2 storey 4x bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road (amendment to approved application ref: 14/3463 to include a basement level)

Agenda Page Number: 123

Following the publication of the Committee Report 2 additional representations have been received.

These representations have suggested that the proposed dwelling should not have access to the communal garden to the rear of Thanet Lodge and that this restriction was agreed under previous applications.

Looking at the history here, there was no planning condition on previous approvals preventing access of the occupants from using the communal space at Thanet Lodge and such a condition would, in any event, be difficult to enforce, particularly as access to the amenity space is not physically restricted. However the applicant has confirmed that it is intended that the occupants of the proposed unit would not have access to the communal amenity space and there would be no direct access from the site.

The report explains that the proposed house exceeds the London Plan internal floor standards by a significant degree and whether the occupants make use of the amenity space at Thanet Lodge, or not, Officers are satisfied that the proposed dwelling would achieve an acceptable level of residential environment and overall living conditions regardless of the issue of the communal amenity space.

Concern was also raised that the proposed dwelling should be entirely independent of Thanet Lodge and the Service Charges of existing Thanet Lodge residents should not contribute towards the proposed development in any way. This matter is a Civil one to be resolved between the parties and is outside the scope of this application. It is not considered a material planning consideration that can be taken into account in the final decision.

Recommendation: Remains approval

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