



Supplementary Planning Committee

Wednesday 16 December 2015 at 7.00 pm
Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Marquis (Chair)
Agha (Vice-Chair)
S Choudhary
Colacicco
Ezeajughi
Mahmood
Maurice
M Patel

Substitute Members

Councillors:

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

Councillors

Colwill and Kansagra

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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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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 18 November 2015 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Agha (Vice-Chair), S Choudhary, Colacicco, Ezeajughi, Mahmood, Maurice and M Patel

ALSO PRESENT: Councillors Jones, Nerva and Pavey

1. **Declarations of personal and prejudicial interests**

None by members. The Chair however drew members' attention to the following approach:

75 Okehampton Road NW10 (Ref. 15/3570)

Ruth Dar (Secretary of Aylestone Park Residents and Tenants Association (APRATA) made approaches to Councillors Denselow, Nerva and Southwood for support against the application and copied this to the Planning Committee.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 22 October 2015 be approved as an accurate record of the meeting.

3. **33A Wrentham Avenue, London NW6 (Ref. 15/3316)**

PROPOSAL: Proposed erection of single storey rear and side extension and separate access to ground floor flat

RECOMMENDATION: Refuse planning permission.

The application was considered at the last meeting when the Committee were minded to grant planning contrary to officers' recommendation for refusal and in accordance with the Constitution, the application was being referred back for decision. The Head of Planning reiterated his recommendation for refusal on the grounds that the proposal would incorporate a 'wrap around' extension which extended further than was normally considered acceptable and would relate poorly to the existing building in design terms. While all applications needed to be considered on their merits, this proposal may make it difficult to resist similar undesirable developments in future. He however drew members attention to a set of conditions set out in the report, should members continue to be minded to grant planning permission contrary to the recommendation for refusal.

Michael Woodman-Smith (applicant's agent) stated that the application which complied with the London Plan and the Council's Supplementary Planning

Guidance 5 (SPG5) would preserve the amenities of neighbouring residents. He added that the mono pitch roof and the width of the extension accorded with the SPG5. In his view, officers had not put forward evidence to substantiate the reasons for recommending refusal of the application. In response to members' questions, the agent stated that his client would be minded to alter the roof from a pitched to flat roof if members felt it a necessary requirement for the application to be approved.

During debate, a member suggested that as the applicant would be willing to make changes to the roof, the application could be deferred for a revised scheme. The Head of Planning advised that a flat roof would increase the eaves level and that members should consider the scheme as submitted. Members voted by a majority to refuse the recommendation. Voting on the recommendation was recorded as follows;

FOR	Councillors Marquis and Agha	(2)
AGAINST:	Councillors Choudhary, Ezeajughi, Maurice and Mili Patel	(4)
ABSTENTION:	Councillors Colacicco and Mahmood	(2)

DECISION: Granted planning permission subject to conditions as set out in the Draft Decision Notice.

4. Kingsbury High School and Roe Green Park, Princes Avenue, London, NW9 9JR (Ref. 15/1508)

PROPOSAL:

Installation of 2.2m wide pedestrian path from Bacon Lane to Kingsbury High School, partly through Roe Green Park and partly Kingsbury High School grounds, removal (in part) of existing hedge and erection of metal gates, new lighting and CCTV column, and installation x 2 bollards together with removal of existing gates fronting Bacon Lane and their replacement with fencing and hedge (as amended).

RECOMMENDATION: Defer to allow further consultation.

The Head of Planning recommended that additional consultation be carried out to ensure that local residents considered the location of the path as shown in the proposed site plan rather than the visual impression. The Chair stated that the committee had also raised issues on the site visit that would need to be addressed and required additional time.

DECISION: Deferred to allow further consultation as recommended.

5. 40 Donaldson Road, London, NW6 6NG (Ref. 14/1494)

PROPOSAL:

Demolition of rear garage and change of use of the ground floor from launderette (sui generis use) to a 2 bedroom self-contained flat with proposed entrance off Lonsdale Road and associated external alterations to include replacement of shop front with brickwork and windows, new windows and doors to the side and rear,

front garden landscaping with new boundary wall and new boundary wall with gate to the side.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

Stephen Weeks, Head of Planning outlined the scheme and set out the key planning considerations for recommending approval. He informed members that the proposed change of use which would provide a decent standard of accommodation for future occupiers and the loss of the current launderette was acceptable in the circumstances set out in the report.

Susan Tomkins who operated a nearby Yoga Class, opposite the front of the site, objected to the process of conversion on the grounds that it would cause noise nuisance and adversely impact the tranquillity of the classes, due to its proximity. In response to members' questions, the objector stated that the application would create parking problems for her users. She added that the proposal would result in loss of residential amenity as the nearest launderette was about half a mile away.

In response to the Chair's suggestion for additional conditions for a Construction Management Plan (CMP) and signing up to the Considerate Contractor Scheme (CCS) the Head of Planning advised that these were not usually applied to developments of this scale and that, while they represented good practice they would not necessarily address the concerns and suggestions expressed by the objector including reducing working hours. He continued that the additional conditions covering these issues would not mitigate all the harm but would seek to control it.

Members however decided to grant planning permission as recommended with additional conditions for a Construction Management Plan and a requirement for the applicant to sign up to Considerate Contractors Scheme (CCS).

DECISION: Planning permission granted as recommended and additional conditions for a Construction Management Plan and a requirement to sign up to the Considerate Contractors Scheme (CCS).

6. 42A-D and 43A-C St Julians Road, London, NW6 7LB (Ref. 15/3316)

PROPOSAL:

Proposed erection of mansard roofs with two front dormer windows and two rear dormer windows with inset balconies, to create two third floor flats (1x1bed) with front refuse storage to front of properties.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

David Glover (Deputy Area Team Manager) outlined the scheme and with reference to the supplementary report addressed the issues raised during the site

visit. He informed members that the separation distance between the site and the residential units in Opal Mews complied with the guidance in SPG17. In respect of waste management, he stated that each property would be provided with 240 litre bins and that creating two designated bin stores for each building would help to remove at least two of the existing bins per building from the footpath. This would be an improvement on the current visual amenity and highway safety of the area. He continued that as a permit free development, prospective residents would not be able to obtain a parking permit and thus the application would not give rise to parking issues.

Christopher Pearce objected to the proposal on the following grounds:
Reduced pedestrian space due to the location of the waste refuse bins:
Detrimental impact on parking facilities in the area:
Concern for the safety of children due to the design of the balcony and
Noise and light pollution

Brian Kavanagh (applicant's agent) stated that the proposal which accorded with the London Plan and the Council's policies would not give rise to parking issues or highways concerns as it was a permit free scheme. He continued that the Council's Building Control unit had not raised concerns about safety and waste management. The applicant's agent also drew members' attention to the separation distance between the site and the neighbouring properties which officers considered acceptable.

During the ensuing debate, members suggested additional conditions to ensure collection of the bins from footpath level, cleaning and decoration of the building exterior after construction and the provision of a higher balcony to limit the scope for items to be dropped from the proposed balconies into the communal area. These were put to the vote and declared carried unanimously.

DECISION: Planning permission granted as recommended with additional conditions requiring the bins to be located at street level; cleaning and decoration of the building exterior after construction and to provide a higher balcony screen.

7. 40D St Julians Road, London, NW6 7LB (Ref. 5/3315)

PROPOSAL:

Erection of mansard roof with front and rear dormers and inset rear balcony, to create a single one-bedroom flat at third floor level, with associated refuse-storage area by the front entrance.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

See the previous application for preamble.

DECISION: Planning permission granted as recommended with additional conditions requiring the bins to be located at street level; cleaning and decoration of the building exterior after construction and to provide a higher balcony screen.

8. 75 Okehampton Road, London, NW10 3EN (Ref. 15/3570)

PROPOSAL:

Excavation of a basement level with front and rear lightwells, erection of single storey side infill and rear extension, two storey side extension, addition of hipped roof to existing two storey side extension, rear dormer window with Juliet balcony, insertion of 2x front roof lights, insertion of glazing into front gable and conversion of garage into habitable accommodation (amended plans and description).

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

Stephen Weeks (Head of Planning) outlined the scheme and with reference to the supplementary report clarified the issues raised during the site visit. Members heard that whilst some loss of light and a change in outlook to rooms in adjoining properties would be inevitable, it was not considered to result in an unacceptable loss of light or an unacceptable overbearing impact. He added that the extensions complied with normal SPG5 guidance and was considered acceptable. He continued that due to its orientation, there would be no loss of direct sunlight to the property to the south west and that to the north east it did not exceed what could be built as 'permitted development'.

Gillian Newton objected to the proposed development on the grounds that it would constitute an over-development of the site and result in loss of light, outlook and privacy. She continued that the proposal which could also give rise structural risk damage to the other properties, would set an undesirable precedent for similar unacceptable developments in the area.

In accordance with the provisions of the Planning Code of Practice, Councillor Nerva, ward member stated that he had been approached by local residents in connection with the application. Councillor Nerva reiterated the comments by the objector and added that the proposal involving a large basement development would take sometime to complete resulting in a significant adverse impact on residential amenities. He added that the proposal would be out of keeping with the character of the area and in the absence of a guarantee bond against subsidence to neighbouring property at No 77 and a revised guidance on such developments, urged members to be minded to refuse the application.

Mathias Hamms (applicant's agent) informed the Committee that the applicant had addressed all of the concerns raised by the adjoining neighbour and although he was not aware of any potential local subsidence, any such risks would also be addressed in the construction process of the basement. He drew members' attention to the applicant's intention to preserve the mature tree for which officers had imposed a condition.

In response to members' enquiries, the applicant's agent stated that a structural survey to ensure the structural integrity of the scheme had been undertaken. He continued that there would no loss of sunlight and that improvements to the side

extension including the reduction of side facing windows and unchanged parapet level would ensure that there would be no overlooking and no over-shadowing.

In bringing the discussion to a close, the Chair summarised the issues raised by the objector, the local ward member and the agent's responses. She also referred to concerns raised by members on the site visit in respect of the detrimental impact of the two storey side extension on the neighbouring property, which had a single aspect habitable room, the totality of the development including the basement on neighbouring properties and the cumulative impact on the character of the area. Members then voted on the officer's recommendation for approval which was declared lost

Voting on the substantive recommendation for approval subject to conditions as set out in the Draft Decision Notice as amended in the supplementary report was recorded as follows:-

FOR:	Councillor Mahmood	(1)
AGAINST:	Councillors Choudhary, Marquis and Maurice	(3)
ABSTENTION:	Councillors Agha, Colacicco, Ezeajughi and M Patel	(4)

DECISION: Refused planning permission for the following reasons;
Impact of the first floor side extension on amenities of the first floor side habitable room window to the neighbouring property; cumulative impact of the extensions and basement on the character of the house and area and the potential impact on the structural integrity of the attached house in view of the scale of the basement works.

9. Knowles House, 51 Longstone Avenue, London, NW10 3UN (Ref. 15/3702)

PROPOSAL:

Continued use of the building as a hostel providing bed and breakfast accommodation (Use Class Sui Generis) for a temporary period of 2 years and 6 months.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice..

Stephen Weeks (Head of Planning) outlined the proposal and referencing the supplementary report, informed members that the application which sought permission for 2 and a half years would time in with the management agreement for the site. He continued that the issues raised by objectors during the consultation were not necessarily directly related to the proposal. He drew members' attention to condition 1 which revised the temporary time limit for the permission from 2016 to 2018 as set out in the supplementary report.

Emma Asare, an objector informed members that the current use of the premises as a temporary hostel was creating anti social behaviour including break-ins and drug taking in the stairwell of the blocks in the Longstone Avenue area. In response to members' questions, Emma Asare stated that the incidents had been

reported to the Police who had the crime records. She added that although the Council had promised to address the problem this had not been done and for those reasons she urged a refusal.

Tim Gray (applicant's agent) stated that whilst he was aware of some level of complaints it had not been proven that acts of anti social behaviour to which the resident referred were being caused by the hostel residents. He however undertook to bring them to the attention of the Brent Housing Partnership (BHP) Anti Social Behaviour Officer who he understood had started to investigate the issues raised. In response to members' questions, the applicant's agent stated that the applicant would be willing to provide a CCTV camera to help monitor the situation.

Members then discussed the application after which they decided to add additional conditions as set out below to address the issues raised by the local residents.

DECISION:

Granted temporary planning permission for 2 years and 6 months ending 2018 as recommended and subject to the amended condition set out within the Supplementary with additional conditions covering the approval of measures to; deter Knowles House residents from using common parts of the neighbouring BHP property including clauses within tenant licences, a potential contribution to funding the installation of CCTV cameras following a review and details of clear reporting mechanism for anti social behaviour).

10. Land on site of former Craven Park Health Centre, Knatchbull Road, London NW10 (Ref. 15/0822)

PROPOSAL:

Construction of two buildings ranging from 4 to 6 storeys high providing 109 residential units (4xstudio, 60x1-bed, 44x2 bed, 1x3 bed) together with community space (Class D1/D2), private and communal amenity space, new areas of public realm, basement and on-street car parking, vehicle and pedestrian access, landscaping and ancillary development at Stonebridge Site 27, Stonebridge, London.

RECOMMENDATION: Grant planning permission subject to 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 Head of Legal Services, subject to the conditions set out in the Draft Decision Notice.

David Glover (Deputy Area Team Manager) outlined the scheme and in reference to the supplementary report, responded to the issues raised at the site visit. Members heard that the majority of the open space had been transferred to Brent as agreed as part of the wider regeneration plans for Stonebridge and that it had been secured to mitigate the shortfall in the provision of on-site amenity space. In respect of disabled access, he advised that the applicant would be required to

make arrangements for the maintenance of the lift, which was required due to the in height of land and other options being impractical. He clarified the shared ownership and requested members to delegate its final wording and viability issues to officers for inclusion in the legal agreement.

David Glover informed members that there was sufficient social infrastructure including a school and medical facilities to accommodate the development as a result of the wider regeneration of Stonebridge. In respect of parking, he stated that the on-street parking situation would be formalised with the inclusion of bays which would provide some on-street capacity, for use by the existing churches, doctors surgery and visitors to the site. He then drew members' attention to an amended condition 9 on landscaping as set out in the supplementary report.

Mike Johnson (applicant's agent) stated that the proposal which incorporated a high quality design and community facility would provide a real and long lasting change within the community. He emphasised the applicant's commitment to deliver an acceptable scheme which was amplified in the heads of terms of the section 106 legal agreement. In response to members' questions, the agent stated that the scheme incorporated a large number of smaller housing units so as to meet the demands of the social rented sector. He continued that lift access to the development would be provided and that maintenance issues would be addressed.

In the ensuing discussion, members were concerned to understand how the applicant was able to provide affordable housing, which apparently contradicted the financial viability assessments, and sought reassurance that these units would not be later withdrawn from the scheme, Mr Johnson explained that due to the applicant's commitment to affordable housing it was willing to transfer profits from other sites to support affordable housing on this site, Members also expressed views about parking facilities and the impact of the community facility on parking, especially if it was to be used to accommodate a church. The chair added further conditions for a Travel Plan for use of the Community Facility and a clause in the Section 106 legal agreement for a minimum of 20% affordable housing to be provided prior to 50% occupation of the development and a clause as offered by the applicant to require a review mechanism on commencement of the development. Members also noted the applicant's commitment to providing the affordable housing aspect of the scheme.

DECISION:

Planning permission granted as recommended and additional conditions for a Travel Plan (community facility) and a further clause in the S106 legal agreement that 20% affordable units be provided before 50% of the development was occupied and a review mechanism to allow for an increase in affordable housing on commencement but no decrease in the agreed 20%.

11. Any Other Urgent Business

None.

The meeting closed at 9.58 pm

S MARQUIS
Chair

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Agenda Item 03

Supplementary Information Planning Committee on 16 December, 2015

Case No. 15/1508

Location	Kingsbury High School and Roe Green Park, Princes Avenue, London, NW9 9JR
Description	Installation of 2.2m wide pedestrian path from Bacon Lane to Kingsbury High School, partly through Roe Green Park and partly Kingsbury High School grounds, removal (in part) of existing hedge and erection of metal gates, new lighting and CCTV column, and installation x 2 bollards together with removal of existing gates fronting Bacon Lane and their replacement with fencing and hedge (as amended).

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One further representation has been received by email on 6 Dec 2015 following to the second round of consultation that was carried out on 27 Nov 2015 . This email is from a local resident who has previously submitted objections to the proposal.

The latest comments raised in objection to the proposal are as follows;-

1. That the proposed path will not be used by pupils, and that they will end up walking onto the existing grass anyway.

Response;- To a large extent this issue has already been covered in the 'Introduction' section of the main report. Officer's considered view is the proposed path will encourage students to travel the most direct route. Whilst there would be nothing to stop students from straying off the path and onto adjacent lawn it is considered that the provision of a formal path will discourage this sort of behaviour from occurring on a regular basis. The alternative of not having any sort of path is not considered to be a practical solution for the reasons set out within the main report.

2. The path should not be laid as tarmac. A more sympathetic material (e.g rolled gravel) should be used.

Response;- The use of tarmac will ensure that the new path is in keeping with the existing path's through Roe Green park. For this reason the use of tarmac is considered appropriate here also.

3. The objector has requested that all email correspondence that relates to the application be provided to Members in an un-edited form.

Response;- The objector has been advised of the long standing protocol of reporting representations received to Members, which is by summarising the key points raised and the nature of any representations received within the Committee report. It is noted that the objector has not commented that their views were misrepresented in the main committee report.

Recommendation: Remains approval subject to the recommended conditions.

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Agenda Item 04

Supplementary Information Planning Committee on 16 December, 2015

Case No. 15/3599

Location	Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley
Description	A hybrid planning application for the redevelopment of the site including;- a) Full planning permission for the demolition of existing building and erection of a 13-storey building comprising a 312-bed hotel (Use Class C1) with ancillary and/or ground uses including a restaurant, bar, offices and gym (Use Classes A1-A4/B1 and/or D2) (referred to as Plot W11), on-site cycle parking and b) Outline planning permission for the demolition of existing building (The Red House, South Way) and erection of a 4-storey building comprising 1610sqm of and/or A1-A4/B1/D1 and D2 uses, with all matters reserved (referred to as Plot W12) and new pedestrian boulevard (outline). with associated service yard, landscaping and infrastructure works.

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Members visited the site on 12 December 2015. Further clarification was sought on the points listed below;-

Confirm the distance between the existing IBIS and Holiday Inn hotel buildings to the proposed hotel building.

Response;- At the closest point will be separation distance of 39m between the proposed hotel building and the IBIS building. The western facade of the Holiday Inn will be 14.2m from the hotel building, and it should be noted there are no windows within the facing flank wall.

Confirm the width of the hotel and the remaining boulevard.

Response;

Proposed hotel building

- At ground floor the hotel building is to be 21.1m at its widest part. On the upper floors it is set back, so there is a resulting reduced width of 16.6m, this reduces down further to 15.5m above ground floor level.

Existing boulevard

- The existing boulevard between Royal Route and South Way is 18.9m wide.
- The boulevard adjoining the Outlet Centre is 21 m wide (face of building to concrete seats). It will be 25 m wide when the buildings on the eastern side are constructed.

During construction works

- The boulevard adjacent to the proposed hotel will be reduced to 6m wide during construction.

Upon completion of the hotel building and removal of hoardings

- The boulevard will be 19m wide, reaching the edge of the lower level of the existing temporary red car park;

Final layout

- The boulevard adjacent to the hotel will be 23.1m wide. This will be delivered when the temporary two-storey car park has been demolished and the site redeveloped.

Can the service yard accommodate coaches manoeuvring and service vehicles?

Response;- The off-street service yard can accommodate a coach and a servicing vehicle at the same time, as demonstrated on tracking drawings that accompany the Delivery and Servicing plan. Only two servicing vehicles are anticipated to visit each day. Up to three coach visits may occur per day, though the number of times this number of coaches would visit daily is anticipated to be low. It is anticipated therefore that up to five servicing vehicles will use the service yard daily, and that it will be empty for long periods. As such it does not give rise to any highway safety concerns.

What is the future of the children's play centre currently being run from the Red House building?

Response;- This was always envisaged to be a meanwhile use of the building until such time that the site came forward for development, and that alternative premises would then need to be found. There is no specific policy protection afforded to the existing D2 use. It is however understood that vacant premises may

be available for them to re-locate to within the nearby Wembley Retail Park on Engineers Way.

It has been confirmed that the current occupiers have an existing lease which means that vacant possession of the building cannot be achieved until May 2018.

Aside from the above site visit queries consultation responses have been received from Regulatory Services (Environmental Health) and the MET police which require additional conditions to be attached. These are as follows:-

Contaminated Land condition 1

Following the demolition of the building ("The Red House") and prior to commencement of building works related to (b) Plot W12 / Phase 2, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site.

Contaminated Land condition 2

Post remedial works verification report to be provided, stating that such works have been carried out in accordance with the approved remediation scheme and that the site is suitable for end use.

Reason: To ensure the safe development and secure occupancy of the site.

Control of noise and vibration from plant

Prior to installation further details of the plant equipment to be installed within the ground floor sub-station shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but are not limited to proposed mitigation measures to guard against and eliminate exposure of end users to electromagnetic frequencies, noise and vibration. Thereafter the development shall be carried out in accordance with the approved details.

Reason; To ensure the safe development and secure occupancy of the site.

MET Police condition

The MET Police have requested that conditions are added to the consent regarding measures that may be required to ensure that the proposed development is suitable resilient to terrorism. It is accordingly recommended that an additional condition is attached to the consent requiring the submission and approval of details relating to the resilience to terrorism. This submission, when received by the Council, will be discussed with the MET Police.

Recommended condition:

Details of any proposed counter-terrorism measures shall be submitted to and approved in writing by the Local Planning Authority in consultation with the MET Police prior to the commencement of works to the superstructure for the hotel (plot W11) and the superstructure for plot W12, the approved details shall be implemented in full thereafter prior to completion of the development hereby approved.

Reason: To ensure that the development accords with Policy 7.13 of the London Plan 2011.

Additional condition relating to public access

It is recommended that the following condition is added regarding public access to the new element of the boulevard that is proposed:

Following first occupation of any building approved pursuant to this consent, the areas within the application site to the east and south of the land identified as W11 and W12 within drawing 3559_01_0204_ Rev A shall be made public accessible on foot and by cyclists on every day of the year subject to:

- Partial closure for such periods as are reasonably required for the purposes of maintenance, cleaning, construction;
- Partial closure to allow market stalls or other similar buildings or uses;
- Other periods of temporary closure, details of which shall be submitted to and approved in writing by the local planning authority prior to the closure and no such closure shall take place unless the submitted details have been approved;

An unobstructed route of a minimum width of 10 m shall be maintained between South Way and the Boulevard to the north of the site throughout any closure pursuant to this condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the area is sufficiently permeable in the interest of sustainable transport, placemaking and the linkage between the London Design Outlet Centre and the Wembley High Road.

Recommendation: Remains approval, subject to the additional conditions being attached.

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Agenda Item 05

Supplementary Information Planning Committee on 16 December, 2015

Case No. 15/4140

Location	Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY
Description	Erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building

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Members Site Visit

Members visited the site on 12 December 2015. The following issues were raised:

Community Access Arrangements

The main committee report highlights that community access is proposed for the new swimming pool during the following times:

- The swimming pool will be open during the week for use by local schools for four half day sessions
- Community use of the swimming pool and studio facilities is anticipated to be before school use on weekdays, between 7 and 9am, and after school, between 7 and 9.30pm
- Community access for swimming lessons is anticipated on two early evening sessions per week, as well as weekend mornings.
- General community access to the pool facilities is expected on weekend afternoons and during holiday periods.

A community access plan is recommended to be secured as a condition to any forthcoming consent and the full community access details will be secured pursuant to this condition.

A 6-lane 25 m swimming pool is currently being delivered within the Dexion House site in Wembley. This is required to be publicly accessible which entry charges at local authority comparable rates.

Car park management

A car park management plan is to be conditioned to any forthcoming consent. This will include the requirement for the car park to be open for community access use during weekends. This has been secured following a request by officers in Transportation.

Relocation of bus stop and shelter

The applicant has been in discussions with Brent's Traffic Engineer and TfL regarding the relocation of the bus stop and shelter. The principle to relocate the bus stop and shelter has been agreed, but the exact location of the bus stop and shelter will need further consideration taking into account frequency of buses, the new pedestrian crossing on Forty Lane and street furniture/trees and the telephone booth on Forty Lane.

As discussed in condition 14, the applicant is required to make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority and Transport for London for the works to the bus stop cage, shelter and associated works. Such works need to be approved by TfL and Brent's Transportation Unit prior to commencing works on the swimming pool building.

Pedestrian crossing improvements

The works regarding the pedestrian crossing on Forty Lane/The Paddocks are in progress, with the detailed design being considered by officers in Transportation. The traffic signals works (to be undertaken by TfL) cannot be commissioned until the pedestrian crossing works have been completed.

A variation of condition application was approved on 7 September 2015 (LPA Ref: 15/2790) to allow interim pedestrian access route and associated measures for a one year period in the event that the approved highway works were not fully implemented prior to first occupation of the school. The measures include the requirement for all entry into the site to be provided via the main entrance to the former Town Hall on the southern elevation of the building and to not use the access on The Paddocks.

Potential for vehicle damage at the junction with The Paddocks

The corner of the building has been set back away from the visibility splay at the junction of The Paddocks in response to concerns raised by Transportation. The amended layout has been reviewed by officers in Transportation and considered acceptable.

Memorial trees

The existing memorial trees are unable to remain in situ due to proximity to the swimming pool building. They will therefore need to be removed. Your officers have suggested that funding is secured for two new trees to be planted in Chalkhill Park with memorial leafs to be added to the Memorial Tree in the Civic Centre. An alternative option would be to have two new memorial trees planted in the lower landscape terrace of the site to the left hand side of the main steps into the building. If this is an option that members wished to pursue it is recommended that condition 9 is updated to add the following bullet point:

details of two replacement memorial trees (Flowering Cherry or similar species) to be planted in the lower landscape terrace on the left hand side of the main steps to the Lycee building

Impact of setting of listed building

As advised in the main committee report, the proposal has been subject to extensive pre-application discussions with Historic England and the 20th Century Society. Both of these statutory consultees have taken the view that the swimming pool building has been sensitively designed to respect the setting of the listed building, and read as a subservient addition to the main listed building.

The ancillary rooms (storage, plant, first aid and changing rooms) are to be situated under the car park. It is likely to be difficult to set the building further back from the road without reducing the width of the swimming pool itself as this would result in the open pool hall area projecting underneath the car park rather than just the ancillary rooms.

In light of the above, your officers are of the view that the proposed 1.4 m set back of the swimming building from the back edge of the pavement together with the height of the building at the same level as the car park is considered appropriate.

Full details of facing bricks for the swimming pool building together with details of windows (including depth of reveals) are recommended to be conditioned to any forthcoming consent.

Plant equipment and impact on neighbouring residential occupiers

The nearest residential property is on the opposite side of Forty Lane (No. 52 Forty Lane). A condition (No. 22) is recommended to be secured to any forthcoming consent requiring plant and ancillary equipment to be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

Recommendation: Remains approval

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Agenda Item 06

Supplementary Information Planning Committee on 16 December, 2015

Case No. 15/4141

Location	Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY
Description	Listed building consent for the erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building.

Agenda Page Number: 85

Impact of setting of listed building

As advised in the main committee report, the proposal has been subject to extensive pre-application discussions with Historic England and the 20th Century Society. Both of these statutory consultees have taken the view that the swimming pool building has been sensitively designed to respect the setting of the listed building, and read as a subservient addition to the main listed building.

The ancillary rooms (storage, plant, first aid and changing rooms) are to be situated under the car park. It is likely to be difficult to set the building further back from the road without reducing the width of the swimming pool itself as this would result in the open pool hall area projecting underneath the car park rather than just the ancillary rooms.

In light of the above, your officers are of the view that the proposed 1.4 m set back of the swimming building from the back edge of the pavement together with the height of the building at the same level as the car park is considered appropriate.

Full details of facing bricks for the swimming pool building together with details of windows (including depth of reveals) are recommended to be conditioned to any forthcoming consent.

Recommendation: Remains approval

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Agenda Item 07

Supplementary Information Planning Committee on 16 December, 2015

Case No. 15/1892

Location	Summit Court Garages and Laundry & Store Room nex to 1-16 Summit Court, Shoot Up Hill, London, NW2
Description	Demolition of redundant garages, caretakers storage and residents community room and erection of a four storey block of 11 self-contained flats (4x1bed, 3x2bed and 4x3bed) with associated space for community room (Use class D1) on the ground floor and additional car and cycle parking spaces, bin stores, and landscaping

Agenda Page Number: 105

Members visited the site on 12th December 2015.

There was a discussion regarding the scope to mark visitor bays. As set out in the main report there are currently 29 parking spaces plus 10 garages, only 3 of which were used for parking while the others were used for storage. As such it can be seen that there is a gain of 7 spaces and this could allow for the identification of some visitor parking bays within the site. The use of these could be managed through a scratch card permit system. BHP will consult with residents prior to finalising any plans regarding the allocation of spaces.

A query was raised about disabled parking bays. BHP are not providing new parking spaces for a new development but are replacing the provision for existing residents and at this stage none of the spaces are identified specifically as disabled access bays and none have been requested. However should a local need be identified then bays would be marked as required.

Temporary parking on the estate of service or delivery vehicles is permitted by the Wings parking scheme as long as the vehicle displays a notice of some sort stating its purpose and is parked so as not to obstruct other vehicles etc.

There was also a discussion regarding possible over spill parking on to Mapesbury Road, particularly from new residents and visitors to the wider block, if there is no scope for parking in the estate. The possible scope for visitor parking has been discussed above. Regarding future residents, they would not be able to obtain parking permits to park on Mapesbury Road or other nearby streets. The site has a very good PTAL score so future residents are expected to rely more on public transport rather than car ownership.

Recommendation: Remains approval subject to conditions

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Agenda Item 08

Supplementary Information Planning Committee on 16 December, 2015

Case No. 15/4484

Location	31 Montrose Avenue, London, NW6 6LE
Description	Proposed excavation of basement, installation of front lightwell, internal glass panels to form rear lightwells, insertion of three rear rooflights to existing single storey addition and replacement and enlargement of first floor rear facing window and alteration to first floor side facing window to dwellinghouse

Agenda Page Number:127

1. Trees

There is a mature cherry street tree to the front of the application site. The applicant has supplied a Tree Survey & Protection Plan which has been conducted by a certified Tree consultant.

The tree has been given a category U grade which means that irrespective of the proposed development it should be considered for removal and replacement by the Council in the next 12-24 months. In this context the Tree Protection Plan sets out appropriate measures to ensure that the tree will be reasonably protected during construction of the proposed basement and front light-well, which have been approved by the Council's tree officer subject to a condition to ensure that the proposed protection measures are carried out.

2. Construction Management

The applicant has provided further details of how noise and dust generated from the construction would be managed. Measures to manage dust include for example wind breaking nets around material stock piles and vehicle loading/ unloading areas, water spraying to reduce dust generation and wheel washing. Measures to manage noise include giving notice to neighbouring residents of likely periods of noisy activities and equipment hired should be serviced with anti vibration dampeners.

Nuisance during construction is managed separately by Environmental Health and there are established hours of construction for construction sites which should be adhered to. The applicant is reminded of these in an informative.

Whilst matters relating to the impact of construction are not normally planning considerations the details submitted by the applicant are welcomed. As set out in the main report it is recommended that any permission be subject to a condition requiring that the developer be registered and adhere to the Considerate Constructors Scheme.

Officers appreciate this level of concern with subterranean developments however the applicant is considered to have given due consideration to these issues.

Concern was raised that nos. 13 and 15 Montrose Avenue have been permitted basements. There could therefore be a situation where three basement excavations taking place in close proximity which could compound any neighbour impact. However each case must be considered on its own

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merits and it is not considered reasonable to resist the proposal on this basis.

3. New objection

A further representation has been received from number 33 Montrose Avenue. The objection is similar in nature to representations already received however it comments about the potential discovery of an unexploded bomb; no further evidence has been provided and as such it is not considered a reason for refusal.

4. Previous development of the application site

Attention was drawn to works carried out at the property in 2007. There is no planning history for previous development at no.31 Montrose Avenue however there is a building control record for 2007 for a single storey side extension, toilet and shower on second floor and alterations on ground floor. The works completed did not require planning permission.

5. Basements on Montrose Avenue and within Queens Park

There is a growing trend within the Queens Park Conservation Area for basement developments. In 2014, two basements have been approved on Montrose Avenue at nos. 13 and 15.

In the wider Queens Park Conservation Area in 2015, 14 basements applications were made, with 9 approved, 3 not yet determined including this application and 2 refused.

33 Milman Road initially had an application (15/1812) refused for a basement due to the visual impact of the front lightwell.

A revised application for a basement was subsequently approved.

38 Harvist Road (15/2792) was refused due to the overall scale of a number of extensions including the basement, single storey side and rear extensions and a rear dormer window.

6. Party Wall Act and liability of Council

The Borough Solicitor has confirmed that before the development commences the developer would need to satisfy Building Regulations to ensure all necessary surveys and compliances have been completed in accordance with Building Regulations.

With regards the Party Wall Act, the developer will need to serve the notices on neighbours and in the event of damage to the neighbour's property, the developer would need to rectify these.

The Council will not be liable for any structural issues provided Building Control has not been negligent in ensuring that they carry out the appropriate inspections when required.

7. Royal Borough of Kensington and Chelsea policy on basements

Reference was made to the Royal Borough of Kensington and Chelsea's Draft Basements Supplementary Planning Document and the requirement in this policy to keep carriageways and

footpaths unobstructed during construction, particularly on narrow roads. This policy is in draft form and not yet adopted. Brent's own Basement Practice Guide requires developers to consider the transportation impacts of basement developments and the applicant has indicated in their submission details of the siting of the skip and hoardings and how the footpath would not be obstructed. The applicant has also indicated their intention to consult with the Council's Transportation Team prior to commencement as required by the Basements Practice Guide. The applicant is therefore considered to have shown due consideration to the potential transportation impact of the proposal.

8. Implications of collapses in Barnet and Barnes

Attention was drawn to recent instances of building collapses associated with basement excavations. It would appear these have been due to poor construction methodology. The applicant has provided a detailed Method Statement which demonstrates they have given due consideration to their methodology.

9. Soil conditions

Concern was raised about the implications of soil conditions on the site. The applicant has provided a detailed Method Statement from a firm of Structural and Civil Engineers detailing how the basement would be constructed and indicating that the soil will be investigated. The applicant is considered to have shown due consideration to the build methodology of the development.

Additional condition

The proposed development, hereby approved, shall be carried out in accordance with the Tree Protection Plan.

Recommendation: Remains Approval subject conditions contained in the draft decision notice

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Agenda Item 09

Supplementary Information Planning Committee on 16 December, 2015

Case No. 15/4104

Location	222 Church Road, London, NW10 9NP
Description	Change of use of vacant shop (Use class A1) into funeral services (Use class Sui Generis) to also include the demolition of rear extension and erection of a new single storey rear extension

Agenda Page Number: 151

Members visited the site on Saturday 12th December.

Following completion of the committee report officers received further information from Transportation including tracking diagrams of a vehicle the length of a hearse manoeuvring in the service road to access the rear yard. The tracking diagram shows that with side boundary walls in place, the space is insufficient and a hearse cannot safely gain access to the rear to service the property.

It is considered vital to the acceptability of the use that it is able to be serviced from the rear and the applicant has proposed that they will instead use a smaller VW Transporter van which would still meet their requirements. Highways officers have confirmed that it is able to both enter and leave in forward gear with sufficient space for manoeuvring in the site and service road. Given the importance of this arrangement being carried out in practice officers recommend the addition of a condition requiring a service management plan. This would specify the type of vehicle, that it shall enter and leave in forward gear, not block the service road and how it will wait while gates are being opened or closed:

Prior to the commencement of the use a servicing management plan shall be submitted to and approved in writing by the Local Planning Authority. The use shall thereafter be operated strictly in accordance with the servicing management plan.

Reason: To ensure that the use operates without causing an obstruction to the public highway.

Members asked about rights of access over the service road. The Land Registry map shows ownership of the part of the service road to the rear of the application site. The statement regarding the right of access indicates that this may be limited to the section between Ilex Road and the site. In practice, as there is no physical barrier to restrict this, it is feasible to use the part of the service road beyond their boundary to help the manoeuvring of vehicles.

Cllr Long raised a number of queries in relation to the site itself and 212-214 Church Road:

1. Maintaining an active frontage

Officers recommend that the second informative can be amended to read 'The applicant is advised to note that if changes to or the replacement of the shopfront, *including the installation of a shutter*, are proposed this will require planning permission in its own right.'

2. Link between this site and 212-214 Church Road (the Afghan Islamic Cultural Centre)

There is no physical connection between the buildings and the proposed funeral parlour functions independently, however officers are unable to confirm or require that there is no connection in terms of attendees or the holding of prayers for example.

3. Use of the Afghan Islamic Cultural Centre

The Cultural Centre was granted permission in 2003 (LPA ref 02/3289) for the Change of use from Use Class A1 to community centre and internal alterations to provide reception, library, cafe and kitchen facilities. There were no restrictions attached to the D1 permission meaning that it is able to function as a place of worship and other uses under the D1 use class. There was no travel plan submitted with or required by the permission.

4. Shutters on the Afghan Islamic Cultural Centre

There does not appear to be planning history specifically relating to shutters on the Cultural Centre however investigations suggest they have been in situ for more than 4 years and are therefore immune from enforcement action.

Recommendation: Remains approval subject to additional condition

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