



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Tuesday, 2 November 2010 at 7.00 pm

PRESENT: Councillors RS Patel (Chair), Sheth (Vice-Chair), Adeyeye, Cummins, Daly, Hashmi, Kataria, Long, McLennan and CJ Patel

ALSO PRESENT: Councillor Krupesh Hirani and Councillor Roxanne Mashari

Apologies for absence were received from Baker

1. Declarations of personal and prejudicial interests

Councillor Cummins declared a prejudicial interest in respect of items 9 and 10 on the agenda (see below) as a member of the Board of Paddington Churches Housing Association Limited, the applicant for both applications. Councillor Cummins left the meeting room and did not take part during the discussions and voting on both items.

- 9. 40A-D inc. St Julians Road NW6 7LB (Ref. 10/2304)
- 10. 42A-D & 43A-C inc. St Julians Road NW6 7LB (Ref. 10/2289)

2. Minutes of the previous meeting 13 October 2010

RESOLVED:-

that the minutes of the previous meeting held on 13 October 2010 be approved as an accurate record of the meeting subject to the correct spelling of Councillor "Sheth" in the recorded votes for 14 Heber Road..

3. 15 Eversley Avenue, Wembley, HA9 9JZ (Ref. 10/1942)

PROPOSAL: Erection of two storey side extension, single storey rear extension, raised terrace and steps to garden and erection of rear dormer window to dwellinghouse (as amended by plans received 22/10/2010)

OFFICER RECOMMENDATION: Grant planning permission subject to conditions as amended in conditions 3 and 4.

The Area Planning Manager amended conditions 3 and 4 as set out in the tabled supplementary, following advice from the Council's Legal Services.

DECISION: Planning permission granted subject to conditions as amended in conditions 3 and 4.

4. 55 Dollis Hill Lane London NW2 6JH (Ref. 10/2241)

PROPOSAL: Erection of a single-storey rear extension to the dwellinghouse (revised description as per plans received on 13/10/2010)

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

In response to objections raised, the Area Planning Manager Rachel McConnell informed the Committee that given the size of the extension and relationship with neighbouring properties, it was not considered that there would be a significant impact on the outlook of adjoining residents. The additional objection on grounds of loss of view was not a material planning consideration. She referred to the issues that Councillor Hirani asked to be considered: loss of privacy; whether or not the property would be occupied by the applicant; loss of view. In responding, she stated that the issue of loss of privacy had been adequately addressed in the main report and that disruption to the view of Gladstone Park and whether or not the property would be occupied by the applicant were not a material planning consideration. Rachel McConnell added that the overriding factor was whether the property would be used as a single family dwellinghouse (which was stated as the proposal) or a house in multiple occupation.

DECISION: Planning permission granted subject to conditions.

5. Fryent Primary School, Church Lane, London, NW9 8JD (Ref. 10/2026)

PROPOSAL: Erection of an all-weather games area with 3m high perimeter fence and 4 floodlighting columns

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

With reference to the tabled supplementary report, the Area Planning Manager informed the Committee that as the all-weather multi use games area (MUGA) would be in use during school hours it would not adversely affect the security, privacy and amenities of residents.

DECISION: Planning permission granted subject to conditions.

6. Former Blarney Stone, Blackbird Hill, London, NW9 8RR (Ref. 10/2053)

PROPOSAL: Proposed mixed-use redevelopment of the Blarney Stone Public House, Kingsbury, with the erection of two 3-storey houses and 34 flats in 3/4/5 storeys above a retail unit of 470m² and parking partly at basement level, with associated landscaping.

OFFICER 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 to agree the exact terms thereof on advice from the Director of Legal and Procurement.

In introducing the report, the Area Planning Manager Rachel McConnell drew the Committee's attention to additional letters which raised objections on grounds of harm to the adjoining conservation area and possible uses of the site adding that those issues had been addressed in the main report. Members noted that a number of issues raised including impact/scale from residential gardens to the north; use and prominence of the retail unit; play facilities; access for cars and servicing; and mix of units proposed on site had also been addressed in the report. She then compared the existing and proposed parking and servicing arrangements on the site and concluded that the proposed parking would not significantly exceed the previous provision. Rachel McConnell added that as the proposed building would be set further away from the boundary with No. 1 Old Church Lane with trees proposed along the boundary the proposed development was not considered to impact on the amenities of No. 1 Old Church Lane.

In terms of transportation, the Area Planning Manager stated that officers in transportation had not raised objections in term of any impact upon the local highway network. She added that the northern side of the car park access had been amended to include a 10m radius kerb as requested by your officers in transportation, amending condition 2 accordingly. She drew members' attention to an amendment in the Heads of Terms for affordable housing agreed with the applicant for 28% of the development and a further financial contribution of £50,000 towards off-site provision within the Borough.

Ms Amy Zubin objected to the proposal on the following grounds;

- By having access to the site, delivery and refuse collection from Old Church Lane only, the proposed development would lead to an increase in noise and dust pollution on an already congested quiet country road within a conservation area.
- The use of Old Church Lane for access and delivery purposes would make it extremely difficult for residents to get in and out of Old Church Lane.
- The parking provision of 37 car parking spaces for the proposal which was for 34 flats and a ground floor retail element would be inadequate and consequently was likely to cause problems for residents and their visitors.
- Although planning permission had not been obtained, the applicant had already carried out a considerable amount of work including advertisement.
- The residents had not been fully consulted on the proposals which would affect them in their daily lives.

Patricia Gray also an objector raised concerns on behalf of the residents on grounds of safety, noise nuisance, pollution within a conservation area and an undue pressure on the local sewerage system. Ms Gray requested a deferral to enable further consultation and to review the implications of the proposed

development. In response to members' question Ms Gray stated that although she was not opposed to some form of residential development on the site, she felt that full consultation with residents had not been carried out.

In accordance with the provisions of the Planning Code of Practice, Councillor Mashari, ward member stated that she had been approached by the applicant and the local residents. Councillor Mashari expressed concerns about the lack of satisfactory consultation with the residents. She also expressed concerns about the proposed single access and delivery point via Old Church Lane which would adversely impact upon residential amenities and create parking and congestion problems.

Mrs Theresa Neary who had given notice to speak was not present due to ill health. With the permission of the Committee, the applicant's agent Mr Pender read out a statement on her behalf reiterating her support for the proposal.

Mr Mark Pender, the applicant's agent speaking in support stated that the proposed development for a mixed use would fit in with the streetscape and the local environment. He drew members' attention to the 28% affordable housing that would be offered and the substantial financial contribution towards off-site provision. Mr Pender noted that transport and access issues had been adequately addressed in the report and added that it would be unsafe to use Blackbird Hill for access and deliveries to the site. He continued that the site was not within a conservation area.

In response to members' questions, Mr Pender stated although consultation with interested parties and residents was a matter for the Local Planning Authority, but as a form of good practice his client had also carried out additional consultation including an exhibition and distributing information leaflets. He added that as the proposal complied with the Supplementary Planning Guidance 17 (SPG17) it was not considered to be an over-development of the site. He did not anticipate problems with parking as he expected most of the shoppers to be local who would walk rather than drive. He confirmed that he felt that the development would not result in overlooking to neighbouring properties.

In clarifying issues raised about consultation, the Area Planning Manager stated that 276 neighbours were consulted in addition to site and press notices. In respect of access and deliveries to the site, she considered that Old Church Lane rather than Blackbird Hill was more appropriate in the interest of vehicular and pedestrian safety. She added that the proposal which complied with SPG 17 and in design terms was considered to be satisfactory would not constitute an over-development of the site.

In the ensuing discussion, Councillor Cummins asked whether it was possible to add an informative for "sensitive let" for the retail element to indicate that the shops would not be suitable for bulky goods. Councillor Daly raised concerns about pollution and possible overlooking. Councillor Long felt that there ought to be a condition on shared access to the site. Councillor Adeyeye felt that the convenience of future users and residents of the proposed development had not been adequately explored. Councillors Kataria and McLennan also felt that

transport issues, delivery vehicles and times had not been adequately addressed. Councillor Hashmi however expressed views that he would welcome the application.

The Head of Area Planning Steve Weeks in response stated that traffic to the site would not be significantly higher than at present and that expected traffic increase and scale were not sufficient reasons to warrant a recommendation for refusal. He continued that the Council's environmental Health Services had not raised the issue of pollution. He added that a relatively small retail unit was less likely to attract bulky goods and that no retail parking was proposed. Steve Weeks clarified that the site adjoined but was not within a conservation area and that, although higher the development set further away from No. 1 Old Church Lane and there was provision for landscaping along the joint boundary. On balance, he reiterated the recommendation for approval.

Having heard the responses by the Head of Area Planning and the Area Planning Manager members were minded to refuse the application for the following statement of reasons;

- Unacceptable increase in traffic using Old Church Lane due to the high density of development on site and servicing for the retail unit, resulting in further congestion;
- Overspill residential and retail parking onto Old Church Lane;
- Inadequate pedestrian/vehicular separation and control for the servicing area

In accordance with the Planning Code of Practice, and on the advice of the Head of Area Planning, the application was deferred to a later meeting for a further report.

DECISION: Minded to refuse the application for the following reasons and deferred for a further report;

Unacceptable increase in traffic using Old Church Lane due to the high density of development on site and servicing for the retail unit, resulting in further congestion;

Overspill residential and retail parking onto Old Church Lane;

Inadequate pedestrian/vehicular separation and control for the servicing area

7. Flats 1-4 INC, 142A High Road, London, NW10 (Ref. 10/2106)

PROPOSAL: Erection of second-floor extension and conversion of first and second floors to three self-contained flats (1x two-bedroom, 1x one-bedroom and 1 x studio) (car-free)

OFFICER 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 to agree the exact terms thereof on advice from the Director of Legal and Procurement.

In response to a member's question, the Area Planning Manager stated that opportunity for large family size accommodation within a property in a busy High Road was significantly limited.

DECISION: Planning permission granted subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

8. 26A Chevening Road, London, NW6 6DD (Ref. 10/1476)

PROPOSAL: Installation of replacement white UPVC-framed sash windows and a "oak leaf" UPVC/GRP door to front elevation of basement flat.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

9. 40A-D INC, St Julians Road, London, NW6 7LB (Ref. 10/2304)

PROPOSAL: Erection of front and rear mansard roof, with 2 dormer windows at front and 2 at rear, to create 1 two-bedroom flat at third-floor level, with associated refuse-storage area to front of flats.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions, an amended condition on refuse storage and the completion of a satisfactory Section 106 or other legal agreement with an amended Heads of Terms to £6,000 and delegate authority to the Head of Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

DECISION: Planning permission granted subject to conditions, an amended condition on refuse storage and the completion of a satisfactory Section 106 or other legal agreement with an amended Heads of Terms to £6,000 and delegate authority to the Head of Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Note: Councillor Cummins declared a prejudicial interest in the above item as a member of the Board of Paddington Churches Housing Association Limited. Councillor Cummins left the meeting room and did not take part during the discussions and voting on the application.

10. 42A-D INC & 43 A-C INC, St Julians Road, London, NW6 7LB (Ref. 10/2289)

PROPOSAL: Erection of front and rear mansard roof, with 2 dormer windows at front and 2 at rear, to create 1 two-bedroom flat at third-floor level, with associated refuse-storage area to front of flats.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions, an amended condition on refuse storage and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

DECISION: Planning permission granted subject to conditions, an amended condition on refuse storage and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Note: Councillor Cummins declared a prejudicial interest in the above item as a member of the Board of Paddington Churches Housing Association Limited. Councillor Cummins left the meeting room and did not take part during the discussions and voting on the application.

11. Land Surrounding Wembley Stadium, Royal Route, Wembley, HA9 (Ref. 10/2202)

PROPOSAL: Erection of a 7-storey building comprising 7,544m² of designer-outlet retail (Use Class A1), 306m² of sports retail (Use Class A1), 6,176m² of food & drink (Use Class A3, A4 or A5), 9,430m² of leisure (9-screen multiplex cinema, Use Class D2) and associated infrastructure, including partially covered pedestrian “retail walk”, relating to plot “W07” of the Quintain outline planning consent reference 03/3200.

This application is submitted as the Reserved Matters pursuant to condition 2 (i) (ii) (iii) (iv) (v) (siting, design, appearance, means of access and landscaping), and details pursuant to conditions 6 (iii) (iv) (v) (scheme parameters), 60 (disabled access), 63 (sunlight/daylight studies) and 64 (wind-tunnel testing) for Plot W07 only of outline planning permission reference 03/3200, dated 29 September 2004.

OFFICER RECOMMENDATION: Grant approval of reserved matters relating to Plot W07.

In response to query from Councillor Daly, the Head of Area Planning recommended a further condition requiring the submission of details on toilet provision within the development.

DECISION: Granted approval of reserved matters relating to Plot W07 with a further condition requiring the submission of details on toilet provision within the development.

12. Land next to Central Middlesex Hospital, Acton Lane, London, NW10 (Ref. 10/2073)

PROPOSAL: Application for the approval of reserved matters relating to appearance, landscaping, scale and access, pursuant to condition 1 of planning permission reference 10/0140, granted 25/02/2010, which varied condition 10 of outline planning consent reference 08/1043, relating to the scale of the development.

OFFICER RECOMMENDATION: That the Reserved Matters pursuant to condition 1 of planning permission reference 10/0140 be approved.

DECISION: Granted approval of the reserved matters pursuant to condition 1 of planning permission reference 10/0140.

13. Land next to Central Middlesex Hospital, Acton Lane, London, NW10 (Ref. 10/2164)

PROPOSAL: Erection of 3 linked buildings for mixed-use development on land next to Central Middlesex Hospital, to provide 891m² of retail/food & drink (Use Class A1 or A3) and 17,842m² of care & treatment or secure hospital floorspace (Use Class C2/C2A – residential institutions or secure residential institutions), with formation of refuse storage, loading bay, cycle storage, car-parking and associated landscaping.

OFFICER RECOMMENDATION: To grant planning permission subject to conditions and an additional condition 13, referral to the Mayor of London under the Town and Country Planning (Mayor of London) Order 2008 and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Director of Legal and Procurement.

DECISION: Planning permission granted subject to conditions and an additional condition 13, referral to the Mayor of London under the Town and Country Planning (Mayor of London) Order 2008 and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Director of Legal and Procurement.

14. Appeals September 2010

Following an introduction by the Head of Area Planning which highlighted the issues raised in allowed appeals, the outcome of overturned recommendations, the implications of costs and overall appeal performance, the Committee;

RESOLVED:-

That the appeals for September 2010 be noted.

15. Any Other Urgent Business

None

The meeting ended at 8.45pm

RS PATEL
Chair