



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE

Tuesday, 12 July 2011 at 7.00 pm

PRESENT: Councillors Sheth (Chair), Daly (Vice-Chair), Baker, Cummins, Hashmi, Kabir, McLennan, CJ Patel, RS Patel, Singh and Van Kalwala

Apologies for absence were received from Mitchell Murray

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

None.

### 2. **Government Consultation - Relaxation of Planning Rules for Change of Use from Commercial to Residential**

Ken Hullock the Policy Manager introduced the report which explained the recent Government consultation on relaxation of the planning rules for change of use from commercial to residential use and the Council's response to it. He informed members that as the consultation deadline was 30 June 2011, officers submitted a response on behalf of the Council a copy of which was appended to the report. Members could however suggest amendments which could be forwarded to the DCLG consultation team.

He stated that the proposals were meant to introduce permitted development rights to allow changes of use from B1 (business – offices, research and development premises and light industry) to C3 (dwelling houses) to take place without the need for planning applications. He continued that the consultation document also suggested making changes of use from B2 (general industrial) and B8 (storage and distribution) to C3 (dwelling houses) permitted development and hinted at an opportunity for converting unused space above a shop into a flat.

Ken Hullock emphasised that as the proposals related only to change of use, where a development required any additional work to the exterior of an existing building, or was a new build development, a planning application would be required in the normal way. He advised members that building regulations consent would still be required despite the proposals. He added that the Government's stated aim of the consultation was to minimise all unnecessary regulation and ensure that good quality proposals were not delayed by the planning system. He continued that the Government's belief was that greater freedom would also encourage the more efficient use of land and buildings and thus encourage developers to bring forward more proposals for housing.

Members expressed concerns that the proposals contained within the consultation could lead to loss of income to the Planning Services and also encourage developers to patch up sub-standard properties to let, resulting in poor quality accommodation and housing conditions. This was particularly thought to be the case for the less well off thus giving rise to diversity implications. The Policy Manager informed members similar concerns had been expressed by other local authorities about the proposals, adding that the proposals could mean loss of New Homes Bonus to the Council at a time it could ill afford.

RESOLVED:

That the response made by officers to the consultation be endorsed.

### **3. Localism Bill & Neighbourhood Plans**

Members received a report that provided an update on the Localism Bill and in particular anticipated changes to local plan-making as a result of the proposal for Neighbourhood Plans. The report also provided details of an emerging neighbourhood plan proposed for Sudbury. Ken Hullock, Policy Manager informed the Committee that the Localism Bill would introduce wide ranging changes to the powers and responsibilities of local government in a push to decentralise power from central government. He highlighted the main changes included in the Localism Bill (currently being considered by the House of Lords) as follows; general powers of competence, local government funding, governance arrangements, the right to challenge and buy community assets, housing reform and planning reform. He then focussed on the key provisions of the Bill affecting the planning system including; abolition of regional strategies, a new National Planning Framework and Neighbourhood Plans.

Ken Hullock referred to amendments to the Localism Bill which included a new clause (124) which required planning authorities to have regard to material considerations including finance when considering planning applications. It was noted with concern that financial considerations were being given prominence by the amendment which would go contrary to a fundamental principle of planning that unacceptable development should not be permitted because of inducements or financial benefits. Members observed that the amendment could lead to public suspicion that permissions were being bought and sold.

Members also noted that a key element of planning reform was the introduction of Neighbourhood Plans as a new tier to the planning system. While the new Neighbourhood Plans would have equal status as other parts of the development plan such as the Core Strategy, they would need to be in line with strategic policies. It was also noted that the local authority would be required to provide support and advice to neighbourhoods undertaking neighbourhood planning which might include gathering relevant evidence or advising on consultation.

Ken Hullock updated members that the Planning Services had been approached by members of Sudbury Town Residents Association (STRA) who wished to develop a Neighbourhood Plan and apply for the government's Neighbourhood Planning Frontrunners scheme. An application for the Frontrunners scheme would be made by the council on behalf of STRA and if successful, £20,000 grant would be made available by the Government for assisting communities in creating a Neighbourhood Plan. He added that planning officers had recommended a boundary for the neighbourhood planning area which would be included in the Frontrunners application (Appendix 1). Should the application be successful, the boundary would need to be formally agreed by the council.

Members noted that the proposal for supporting neighbourhood plans was not be advantageous to the Council as it would involve a drain on resources including officer support time. Chris Walker, Director of Planning added that neighbourhood plans were more likely to be suitable to parish areas and would be challenging in built up areas like Brent. He added that the pilot scheme in Sudbury would be assessed for its success.

RESOLVED:

- (i) That the key legislative and planning policy changes as set out in this report and the likely resource implications of future neighbourhood plan proposals be noted;
- (ii) That the proposals for a Sudbury Neighbourhood Plan and the proposed boundary attached as appendix 1 to the report be noted.

#### **4. LDF - Wembley Area Action Plan**

Ken Hullock, Policy Manager introduced a report that explained progress to date in producing a Wembley Area Action Plan as agreed by the Executive in November 2010 and how the Plan was proposed to be taken forward. In outlining the progress made to date he stated that officers had begun the process of gathering evidence and were currently drafting "Issues and Options" paper which was intended to form the basis of the initial public consultation. Residents and stakeholders' views would be sought on what they considered ought to be in the Plan in the consultation scheduled for September. Ken Hullock drew members' attention to a number of issues which were identified for consideration during the public consultation as set out in the report and which would be added to the final consultation before it was agreed. He also drew members' attention to the timetable for preparing the area action plan adding that due to a reduction in available resources, the timetable had changed from that originally agreed by the Executive. He continued that the on-going gathering of information would end in December 2011, with the draft plan to Committee in February 2012 and its adoption by July 2013.

In the ensuing discussion, Councillor Hashmi emphasised the need for adequate car parking spaces in town centres, the merits in ensuring that buses were allowed to drive into retail and town centres and the supply of affordable housing in the area. In responding to the above, Ken Hullock stated that there was a need to balance the impact of cars which would also require road improvements. He added that a business case would need to be put before the bus companies for the suggestion to be accepted. He continued that due to the downturn in economic activity and the consequent reduction in bigger developments, it was not always feasible to secure more affordable homes as part of a development.

Councillor Singh suggested that measures be taken to ensure cheaper public transport fares and thus encourage more people to the town centre. Councillor McLennan noted the proliferation of betting shops in the Wembley area and enquired about stricter planning controls that could be adopted to curb their growth in the Wembley area. Councillor Van Kalwala referred to the growing number of student accommodation in the area and expressed concerns that this could materially alter the character of the Wembley area.

In responding to the above, the Policy Manager stated that issues about public transport fares were not within the remit of the Council. With respect to the growth of betting shops, he stated that each application was considered on its own merits. He continued that planning applications granted and those yet to be submitted for student accommodation were around the stadium area which did not have any special character. In addition, it was felt that students would be better able to cope with the impact of the activities from stadium and arena.

Councillor Kabir noted the diversity implications of the report and suggested that the involvement of the voluntary sector in the consultation, in view of the diverse population in the area. This should be additional to any full statutory public consultation that would be carried out.

Councillor Sheth, Chair, enquired about the level of influence that the authority had over the London Mayor's transport policy and strategy and sought an update on the proposed alterations to Wembley Triangle and Wembley Court Parade. Chris Walker, Assistant Director of Planning stated that the Council would have an opportunity to comment on the London Mayor's consultation document and thus feed into the strategic plans of the transport policy. In addition local ideas were developed and fed into our local investment plans and subject to a good business case being made, were funded by Transport for London.

The Policy Manager added that consultants had been engaged to examine the options and advise on safe measures for the bridge and improve pedestrian movements. In respect of Wembley Court Parade, he stated that officers had had discussions with a number of developers but due to the downturn in economic activity, no firm proposals had been received.

RESOLVED:

that the proposals for processing the Area Action Plan to adoption be noted.

## **5. Alperton Masterplan - Supplementary Planning Document**

Beth Kay, Regeneration Officer (Major Projects) introduced the report that set out the consultation process carried out and the representations made on the draft Alperton Masterplan Supplementary Planning Document (“the draft SPD”) together with proposed officer responses to the consultation representations. She reminded the Committee that the Alperton “growth area” was a strip of brownfield land along the Grand Union Canal from Middlesex House in the west to the border with the Northfield Industrial Estate in the east, encompassing some of the poorest quality industrial land in the borough. She emphasised that continued that the draft SPD was a planning document developed to inform and influence developers in the types of development the council would consider appropriate in Alperton as the council owned very little of the land identified and therefore could not physically deliver the change on its own.

Beth Kay drew members’ attention to a number of responses received following the consultation and officer responses as set out in the report which included social and physical infrastructure, housing and overcrowding, transport congestion and improved public transport and community involvement through to completion. The responses had been incorporated into the draft for members’ support sought.

In the ensuing debate, Councillor McLennan enquired as to whether the vision would conflict with the wider regeneration proposals for the Wembley area and whether health facilities would be provided for the Alperton growth area. Councillor Kabir in reference to the canal emphasised the need for partnership working with British Waterways and in the same vein, the Chair enquired about the use of the canal for transportation.

In responding to the above, Dave Carroll Major Projects Manager clarified that Wembley and Alperton would maintain different emphasis with the Alperton growth area which currently comprised of industrial units focussing on lower level family housing units of 1 or 2 bedroom dwelling units aimed at young families. He continued that in addition to the local Primary Care Trust (PCT) discussions would be held with potential developers with a view to encouraging them to fund the health facilities within the area. Members were advised that the vision had the support of the British Waterways and that opportunity for exploring the transport use of the canal was being explored subject to viability issues. Dave Carroll confirmed that the vision was envisaged to be completed in stages and in partnership with landowners who were keen to see the Masterplan progressed to adoption. He advised members that there were no plans within the vision for a free school to be built on the site and in response to the Chair’s enquiry on transport improvements, stated that such improvements tended to take place after new homes had been built.

RESOLVED:

- (i) that the proposed responses to the consultation representations and amendments to the draft masterplan SPD as outlined in section 4.0 and detailed in appendix 3 of the report be supported;
- (ii) that the council's Executive be recommended to adopt the Alperton Masterplan as a Supplementary Planning Document to the Councils Local Development Framework (LDF) Core Strategy.

## **6. Future of Planning Committee Site Visits**

Chris Walker, Assistant Director of Planning introduced the report that set out some options for members' consideration on how to ensure a continuation of visits but with a focus on reducing the number of visits, confining attendance at the visits to members of the Committee and looking at alternatives to the regular Saturday morning arrangements in advance of the Committee meeting. He referred to the deliberations of the Constitutional Working Group (CWG) which requested a further report on the proposals. He advised that as the changes would have implications for the Planning Code of Conduct any decision to change the arrangements would require a decision by the full Council. Chris Walker also highlighted concerns expressed by some members over the burden of site visits on Saturday mornings and the need to examine an alternative option of mid-week site visits.

At the start of member discussions Councillor Singh expressed a view that Saturday site visits were more appropriate particularly for members who were working full time. He continued that due to the impact that some smaller developments may have on adjoining properties, site visits for smaller developments should be maintained. Councillor McLennan expressed similar views in her support for site visits on Saturday mornings and added that visits to sites where it was felt that the proposed development would result in adverse serious socio-economic impact should be continued irrespective of its size.

The above views were also shared by Councillors Cummins who went on to add that any changes to mid-week site visits could have resource implication for the Council. In a similar vein Councillor Daly supported the retention of Saturday site visits but went on to suggest an amendment that the applicant or their agent should be in attendance at site visits to provide access and if requested by the Committee, to explain aspects of the proposed development. Councillor Hashmi also expressed a view that members should continue with visits to sites for large developments even though there may be a single objector involved. Councillor RS Patel however supported a shift towards mid-week site visits so as to avoid clashes with member surgeries which took place on Saturday mornings. Councillor Kabir added that it was incumbent on all members to check the websites to familiarise themselves with the applications that may concern their wards and emphasised the usefulness in officers giving clarity to members on

what constituted major developments. Members then voted on the recommendations which were agreed as amended by Councillor Daly.

RESOLVED:

- (i) that the following changes to the way site visits are carried out be agreed:
  - a) To have site visits to more major developments (with residential schemes normally over 10 new dwellings);
  - b) To restrict attendance at site visits to members of the Committee and relevant officers, with the applicant (or their agent) in attendance to provide access and if requested by the Committee to explain aspects of the scheme;
  - c) That consideration be given to mid-week visits;
- (ii) That the above changes agreed be reflected in the in the Planning Code of Conduct to be finally agreed by the full Council.

## **7. Any Other Urgent Business**

None

The meeting ended at 9:10pm

K SHETH  
Chair