



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday, 23 November 2011 at 7.00 pm

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

ALSO PRESENT: Councillor Muhammed Butt

Apologies for absence were received from Baker, Mitchell Murray and Singh

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

None declared.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 25 October 2011 be approved as an accurate record of the meeting.

3. **66 Springfield Mount, London, NW9 0SB (Ref.11/2182)**

PROPOSAL:

Variation of condition 4 (personal consent for use of garage as living accommodation exclusively by Mr Teden or Mrs Teden) of full planning permission 99/1724, dated 24/04/2000, for conversion of a garage into living accommodation, in order to remove the restriction on this use by specific named individuals, to enable the garage to form living accommodation in conjunction with the main dwellinghouse

RECOMMENDATION: Grant planning permission subject to conditions.

Steve Weeks, Head of Area Planning reiterated his advice to members that allowing the garage to be used as ancillary living accommodation not specially restricted to a named person(s) was likely to lead to difficulties in enforcing against inappropriate use of the building. He continued that without clear conditions of use the building could potentially be used as independent accommodation (e.g. tenanted), resulting in a significant intensification of use of the site compared with the current use as a single family household. With that in view, he drew members' attention to suggested conditions with reasons as set out in the report, if members were minded to grant planning permission contrary to his recommendation for refusal.

Mr Robert McAteer, the applicant, in reference to the conditions suggested for the grant of planning permission considered that condition 1 which sought prevent future alterations to the building and condition 2 that restricted the use of the roofspace of the converted garage were unreasonable. He confirmed his acceptance of condition 3 for reinstatement of the drop kerb and condition 4 which sought to prevent the erection of fences, or other means of enclosure on the site.

In responding to the above, the Head of Area Planning stated that the conditions suggested were to allow the Local Planning Authority to exercise proper control over the development in the interests of amenity and to maintain access to the available amenity area. He continued that conditions 1 and 2 were aimed at removing permitted development rights, encouraging enforcement of planning conditions and preventing over-intensification of use of the building to the detriment of the amenities of future occupiers.

Members were minded to approve the application contrary to officers' recommendation for refusal. In accordance with the Planning Code of Practice voting on the substantive recommendation for refusal was recorded as follows:

FOR: Councillors Sheth and McLennan (2)

AGAINST: Councillors Cummins, Daly, Hashmi, Kabir, CJ Patel and RS Patel (6)

ABSTENTION: None (0)

DECISION: Planning permission granted subject to conditions.

4. **338-346 inc, Stag Lane, London, NW9 (Ref.11/1743)**

PROPOSAL:

Variation of condition 2 (approved plans and documents) to allow minor material amendment comprising:

- Installation of additional door to front elevation to create an extra commercial unit
- Removal of part of the existing building at the rear
- Installation of 2 satellite dishes to rear extension roof
- Modification to ground floor front glazing, removal of rear ground floor windows, alterations to rear extension roof design plus removal of door to south elevation of rear extension
- re-positioning of bin, cycle storage and plant areas

of full planning permission 09/1947 dated 21 April 2011.

RECOMMENDATION:

- (a) Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission

DECISION:

- (a) Granted planning permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

5. Flat G01, Jubilee Heights, Shoot Up Hill, London, NW2 3BD (Ref.11/2278)

PROPOSAL:

Retrospective application for garden decking with balustrade at front of flat

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted subject to conditions and informatives.

6. Garages rear of, Magnolia Court, Harrow, HA3 (Ref.11/2402)

PROPOSAL:

Demolition of existing garages, erection of seven self-contained flats (4 x 1-bedroom, 2 x 2-bedroom, and 1 x 3-bedroom), with associated landscaping, bicycle storage and refuse storage, alterations to existing vehicular access and new pedestrian access and 7 parking spaces (as per revised plans received on 9 November 2011).

RECOMMENDATION:

- (a) Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or

- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission

Rachel McConnell, Area Planning Manager, addressed the following issues raised by members at the site visit:

Hedgerow and Ash Tree

The removal of the 4m hedgerow and Ash Tree at the entrance of the site was necessary to meet transportation requirements for a safe access for pedestrian and vehicular traffic. He continued that the loss of 2 Ash Trees which would be removed as a result of the development would be replaced with Ash Trees with semi mature trees in a more suitable location within the site, a proposal that was supported by the Council's Tree Protection Officer and would be secured through condition 7.

Site boundary and security

The Area Planning Manager drew members' attention to an amendment in condition 7 as set out in the tabled supplementary report which required a timber fence of at least 2m plus 0.3m of trellis in height being erected on the site boundary alongside Magnolia Court. In reiterating the recommendation for approval, he added that the other issues raised in respect of the site being in flood zone 2, the impact of the development on outlook and overlooking had been addressed in the main report.

Mr Harsha Padhye, an objector, raised the following concerns on the proposed development:

- (i) The height of the two-storey development would be overbearing, leading to loss of daylight and outlook.
- (ii) The proposed development would result in loss of security and maintenance.
- (iii) As Magnolia Court and the surrounding streets were always fully parked, the proposal would create parking problems in the area.

Mr Robert Dunwell, Chair of Queensbury Area Residents' Group of Associations (QARA) stated that the implications of the site being located within flood zone 2 were not covered. He claimed that under Planning Policy Statement 25 (PPS25) flood zone assessment statement should have accompanied the report for members' consideration. Mr Dunwell considered as irrelevant, comments by officers on issues of overbearing and height and urged members to take them into account in deciding the application.

Mr Sentur Attur, the applicant's architect stated that the proposal had been improved with a reduction in the building envelope, relocation of refuse storage and an increase in parking provisions from six to seven. In reference to the conditions recommended, he stated that the boundary height would provide adequate security and maintain residential amenity. He added that the existing garages which were derelict encouraged vandalism and compromised security. He continued that the communal gardens provided exceeded the minimum requirements, thus enhancing amenity space for the residents. Mr Attur noted that the Department of Environment had not raised objections to the application.

In responding to members' comments and questions, Rachel McConnell confirmed that a 1metre set in had been provided for the 2 storey building and that the boundary treatment would be of timber fencing. She added that the proposal did not raise issues of outlook, privacy and size of units as it complied with the Supplementary Planning Guidance 17 (SPG17).

DECISION:

- (a) Granted planning permission, subject to conditions as amended in condition 7, an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

7. 182-184 Preston Road, Wembley, HA9 8PA (Ref.11/2432)

PROPOSAL:

Retrospective application for an existing canopy structure to the rear of premises

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

Neil McClellan, Area Planning Manager, informed members that the applicant had submitted revised drawings to correct an error, hence an amendment in condition 2. He also informed members about an amendment in condition 4 which would restrict the hours of operation to 22:00 hours.

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

8. Wembley Arena, Engineers Way & Wembley National Stadium, Olympic Way, Wembley, HA9 (Ref.11/2367)

PROPOSAL:

Erection of temporary structures, a temporary retractable walkway and cable bridge across Engineers Way, vehicle and pedestrian access areas, temporary secure perimeter fencing and civil engineering works to level surface of land to north of Engineers Way. Proposal includes the temporary closure of Engineers Way from the 18th July 2012 to the 13th August 2012. The proposed temporary works are to facilitate the hosting of events at Wembley Arena and Wembley National Stadium during the London 2012 Olympics.

RECOMMENDATION:

Grant temporary planning permission subject to the final agreement of the Environment Agency.

In reference to the tabled supplementary report, Neil McClellan, Area Planning Manager amended condition 1 as set out in the supplementary report and updated members that as the additional information on site drainage had overcome their concerns, the Environment agency had withdrawn its objection to the proposed development.

DECISION: Temporary planning permission granted subject to conditions and an amendment in condition 1.

9. 72, 72A, 74, 74A & Garages rear of 58-74, Harrow Road, Wembley, HA9 6PL (Ref.09/2619)

PROPOSAL:

Retrospective planning permission for the change of use of 74 Harrow Road from retail (Use class A1) to community centre and place of worship (Use class D1), to be used in conjunction with the existing community use and place of worship at 72 Harrow Road and for the change of use of garages to the rear to classrooms and washrooms ancillary to 72 & 74 Harrow Road and for the replacement of the existing frontage to the ground floor of 72 & 74 Harrow Road.

RECOMMENDATION: Grant planning permission subject to conditions.

Neil McClellan, Area Planning Manager, in responding to a request made on behalf of the applicants for use of the rear service area for funerals suggested an additional condition. The condition would require the applicant to submit a management plan setting out a scheme for managing the use of the premises including appropriate restrictions on numbers, hours of use and the means of managing special events, within 3 months of the decision. He also amended conditions 1 and 3 as set out in the tabled supplementary report.

DECISION: Planning permission granted subject to conditions as amended in conditions 1 and 3 and an additional condition requiring a management plan for managing the use of the premises.

10. Planning Appeals 1 - 31 October 2011

RESOLVED:

that the appeals for the period 1 to 31 October 2011 be noted.

11. Special Item

RESOLVED:

that the briefing paper previously circulated be noted.

12. Any Other Urgent Business

None raised at this meeting.

The meeting ended at 7:50pm

K SHETH

Chair