



# **LONDON BOROUGH OF BRENT**

## **MINUTES OF THE PLANNING COMMITTEE Wednesday 24 October 2012 at 7.00 pm**

PRESENT: Councillors Ketan Sheth (Chair), Daly (Vice-Chair), Aden, Baker, Cummins, Gladbaum (In place of RS Patel), Hashmi, John, CJ Patel and Krupa Sheth

Apologies for absence were received from RS Patel and Singh

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

None.

### **2. Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 27 September 2012 be approved as an accurate record of the meeting.

### **3. 72-74 Chamberlayne Road, London, NW10 3JJ (Ref. 12/2150)**

PROPOSAL: Change of use of the ground floor from a private members club (Sui Generis) use to a property lettings and estate agency (Use Class A2).

RECOMMENDATION: Grant planning permission subject to conditions as amended in condition 2 and informatives.

Andy Bates, Area Planning Manager informed members that amended plans had been submitted which removed the proposed alterations to the front forecourt. He therefore recommended an amendment to condition 2 to take account of the amended plans.

DECISION: Planning permission granted as recommended.

### **4. 1-5 Opal Mews, London, NW6 (Ref.12/2292)**

PROPOSAL:

Proposed change of use of upper floors to 5 residential units retaining B1 (office) at ground floors, erection of front dormer windows and replacement windows at ground and first floors, installation of 2 rear rooflights to unit 2, associated landscaping including soft landscaping and parking.

RECOMMENDATION: Grant planning permission subject to conditions as amended in condition 7, an additional condition to demonstrate the self-containment of the residential and commercial uses within unit 5, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

With reference to the tabled supplementary report, Andy Bates, Area Planning Manager responded to the issues that were raised during the site visit. In addressing the relationship of the proposal with Aldershot Road, he stated that by positioning the main habitable parts of the units away from Aldershot Road noise impact would be limited and would thus not be detrimental to neighbouring residential amenities. He also referred to the conclusion reached by the Planning Inspector (under appeal reference 10/3274 for 8 self-contained flats which was refused) to support the view that the level of noise that would be produced would not be significant.

Andy Bates continued that although officers were satisfied that the parking spaces were accessible, further details of soft landscaping would be required. He also referred to additional representations received which largely supported the application and additional conditions as set out in the tabled supplementary report.

Mrs Joanna Manca, an objector expressed concerns about loss of privacy and increased noise generation which would result from the proposed development. She added the current use of the site for office (B1) did not interfere with residential amenities unlike the proposed development.

Mrs Beck in objecting stated that security of the neighbourhood would be compromised as it would become possible for anyone to jump over their garden fence and into their gardens. She also expressed concerns about worsening waste management at the site and highway safety as a result of increased movement of traffic.

Mr Mark Pender, the applicant's agent in addressing the issues raised stated that the proposed development would improve the existing situation and protect the residential amenities including privacy. He added that overlooking would not result as the ground floor window would be obscure glazed and non-openable, the first floor skyline about 2.3m above floor level. Mr Pender continued that as the scheme would be gated and traffic controlled (unlike the existing situation), security and safety would be improved.

During question time, Councillor Daly sought from the agent evidence about the site being a crime hotspot and which could have impeded its marketing and employment use. Mr Pender stated that due to fly tipping and suspected drug taking at the site, the marketing response of the site since 2008 had been extremely poor. In response to Councillor Hashmi's enquiry about distance from windows, the agent stated that the ground floor distance of 5metres and the first floor distance of 6metres to the outrigger would be maintained and that the windows would be obscure glazed and non-openable.

The Chair invited the agent to comment on the issue of security, noise and landscaping. Mark Pender submitted that the boundary wall fronting Aldershot Road would be retained at approximately 3metres high and that the mix of soft communal amenities and hard landscaping as well as “green wall” would enhance residential amenities. He continued that the contractor had signed up to Considerate Construction Scheme (CCS) under a Section 106 legal agreement which would ensure that construction noise would be kept to the minimum.

In responding to members’ questions about on-site waste management, Andy Bates stated that the submitted drawings, showing clearly the area marked out for refuse collection, conformed to Brent’s waste management plan. He added that if it was felt desirable, he could seek additional details from Streetcare. He reiterated that condition 3 as set out in the main report sought to protect residential amenity. Steve Weeks, Head of Area Planning recommended an additional condition to require details of separate residential and commercial waste management and amendment to condition 7 requiring details of boundary treatment to be agreed.

DECISION: Planning permission granted as recommended subject to additional conditions to cover waste management and an amendment to condition 7 to include boundary treatment.

**5. Saya Enterprise, Shree Swaminarayan Hindu Mission, 54 Meadow Garth, London, NW10 8HD (Ref.11/2628)**

PROPOSAL: Change of use of part of the building from ancillary storage to residential accommodation for 35 priests; with associated internal and external alterations (Revised description).

RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

DECISION: Planning permission granted as recommended.

**6. Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ (Ref.12/1615)**

PROPOSAL:

Demolition of existing single storey building and the erection of a part 1, part 2 and part 3 storey building in order to provide a new accident and emergency department on land adjacent to blocks G and E of Northwick Park Hospital. Proposal includes a partial realignment of the existing site access road the creation of new access roads, new ambulance and public drop off areas, pedestrian ramps and footpaths, plant room, new retaining walls and landscaping.

RECOMMENDATION: Grant planning permission subject to conditions as amended in conditions 2, 5 and 9, addition of conditions 10 and 11 and delegate authority to the Head of Area Planning, or other duly authorised person, to agree

the exact terms thereof as amended, on advice from the Director of Legal and Procurement. If the applicant fails to demonstrate the ability to provide for the s106 terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an agreement within an appropriate timescale, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

Councillor Daly noted that the supplementary report contained more information than the main report and requested officers to encourage applicants to submit the required information at an early stage. Neil McClellan stated that this application was an exception and explained that it was due to reduced time on the part of the applicant.

DECISION: Planning permission granted as recommended.

## **7. Land Adjacent to Morritt House, Talbot Road, Wembley, HA0 (Ref.12/1383)**

### **PROPOSAL:**

Construction of a pair of 2-storey semi-detached houses with rear gardens and parking spaces to the front on land to the rear of Morritt House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morritt House, with associated landscaping and refuse storage.

RECOMMENDATION: Grant planning permission subject to conditions, informatives and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

Neil McClellan, Area Planning Manager with reference to the tabled supplementary report responded to the following issues that were raised during the site visit:

### *Access arrangements and pedestrian safety*

The access arrangements had been assessed by Transportation officers who advised that its width was sufficient to serve the number of spaces and would allow vehicles to pass one another. With a controlled access, an automated barrier and access to serve only serves 6 spaces, the site was unlikely to experience high volumes of car movements. For the above reasons the access was considered unlikely to pose a risk to pedestrian safety.

### *Compliance with Supplementary Planning Guidance 17 (SPG17).*

The scheme was not considered to be over dominant nor would it result in an overbearing impact on Morritt House. In addition as the size and siting of the proposed houses generally complied with the 30 degree rule, the scheme complied with SPG17. A number of flats would also benefit from much improved outlook through the removal of the existing garage block.

### *Waste management*

Refuse bins would be collected from a dedicated refuse storage area in Talbot Road which was considered more accessible for collection and an improvement on the existing arrangement.

### *Tree and landscaping*

The Arboricultural report concurred by the Tree Preservation Officer found that the existing horse chestnut tree had severe deficiencies and trunk decay was also evident. As its long term prospects were limited, the report recommended that it be felled. Against this background, the current scheme was supported by a site wide landscaping scheme including proposals for 6 new trees.

### *Parking spaces*

The Area Planning Manager confirmed that there were 16 spaces in total in the redundant garage block although the block had not been used for a considerable period of time (in excess of 10 years).

Miss Catherine O'Callaghan in objecting to the proposed development expressed concerns about the access road and parked vehicles, fly tipping and loss of light. She added that with the possibility of the houses being rented out for multiple-occupation, the development could give rise to over-population resulting with increased pressure on residential amenities.

Mr Shapulavar an objector expressed concerns about the access road and the likely risk it would pose to the safety of young children within the development. He continued that as the bins were located in close proximity to the block, they would result health hazard for the residents. Mr Shapulavar alleged that not all residents were consulted about the meeting thus denying them the opportunity to give their views about the proposal which would also lead to loss of light, contrary to the view expressed by the officer.

Mr Brian Peppiatt, the applicant's agent brought an architectural model to support his presentation to the Committee. With reference to the model, Mr Peppiatt stated that the scheme had been designed to be compatible with the area, giving an open feel to the development and using grasscrete, would result in a green outlook. He continued that the controlled (key or card) barrier arrangement would be available to all residents of Morrill House. He continued that in addition to each house having its own car parking space, there would be five informal parking spaces for use by residents which would on the basis of first come first served.

In response to members' enquiries, Mr Peppiatt stated that fencing would be provided from one end to the other which would prevent children from crossing and thus minimise any danger to them. He added that the current proposal would discourage irregular use such as on-site dumping of rubbish. Mr Peppiatt agreed to an additional condition recommended by Steve Weeks, Head of Area Planning, requiring the applicant to submit detail landscaping to enable disabled access to facilitate the use of wheel chairs.

The Chair requested the officer to comment on inadequate consultation, parking on the access road, measures to discourage the use of bin areas by non-residents and light impact. Neil McClellan responded that all residents who responded to the initial consultation were informed about the meeting. He advised that the issue of parking on the access road would have to be dealt with by the managing agents via parking enforcement including wheel clamping. He drew members' attention to condition 9 which addressed issues on bin enclosures and added that whilst there would be reduced direct light at certain times, the impact was not considered significant to warrant refusal on those grounds. The Head of Area Planning recommended a further condition requiring details of the barrier arrangement which was accepted.

DECISION: Planning permission granted as recommended subject to additional conditions for submission of further details of disabled access and barrier arrangement.

Note: In accordance with the Planning Code of Practice Councillor Aden could not vote on this application as he was not present throughout the meeting during consideration of the application.

**8. 280 Watford Road, Harrow, HA1 3TZ (Ref.12/2110)**

PROPOSAL:

Submission of details pursuant to Condition 3 (laying of topsoil and grass); Condition 4 (details of landscaping) and Condition 6 (parking management plan) of planning permission dated 22/12/2006 (LPA Ref: 06/0768) for the creation of an overflow car-park and a grassed area for special-events parking.

RECOMMENDATION: Grant planning consent.

DECISION: Planning permission granted as recommended.

**9. 280 Watford Road, Harrow, HA1 3TZ (Ref.12/0316)**

PROPOSAL: Internal and external works to the existing golf centre building to enable part of the ground floor to be used as a cafe.

RECOMMENDATION: Grant planning permission subject to conditions.

Mr Robin Harper an objector stated that the application would not constitute an acceptable use in Metropolitan Open Land (MOL). He added that under the current lease agreement with Playgolf Northwick Park Ltd, the operators of the existing restaurant had exclusive rights to be the sole caterers in respect of the application building and that no other caterers would be permitted to use any part of the building. He continued that as there were existing informal dining facilities on the premises to serve the needs of the primary use, the additional café was not necessary and would be contrary to the development policies seeking to protect Metropolitan Open Land under policy OS2.

Mr Harper also submitted that the proposals would inevitably generate some additional parking demand from passing trade which could not be accommodated within the existing car parking provision. This would result in further inappropriate overspill parking on the access road contrary to highway safety and would detract from the character and visual quality of the MOL.

Mr Murray Ross the applicant's agent stated that the proposal which accorded with the development plan policies of the Council would not impact on the MOL. He expressed a view that the existing restaurant was not suited to better provide the range of services required by the users of the golf club. Mr Ross urged members to endorse the officer's recommendation for approval.

Neil McClellan clarified that the proposal would not expand the footprint of the building and in terms of scale, control and management of the car park, the application was considered to be ancillary to the golf course.

DECISION: Planning permission granted subject to conditions.

#### **10. Planning Appeals - September 2012**

RESOLVED:

that the planning appeals for September 2012 be noted.

#### **11. Any Other Urgent Business**

##### ***Anthony Vincett***

The Chair informed the Committee that Anthony Vincett, Senior Property Lawyer and the legal representative for the Committee will be retiring at the end of October 2012. Members were unanimous in expressing their appreciation for the advice given by Mr Vincett over the years and wished him long and happy retirement.

In response, Mr Vincett thanked members for their kind and appreciative tribute.

The meeting ended at 8:30pm

COUNCILLOR KETAN SHETH  
Chair