



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 17 September 2014 at 7.00 pm

PRESENT: Councillor Marquis (Chair), Councillor Colacicco (Vice-Chair) and Councillors Agha, S Choudhary, Filson, Hylton, Kansagra and Mahmood

Also present: Councillors Chohan and Pavey

1. Declarations of personal and prejudicial interests

None.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 20 August 2014 be approved as an accurate record of the meeting subject to amending "Perdregast" to "Prendergast" in clause 6.

3. 1-42 INC, Thanet Lodge, Mapesbury Road, London, NW2 4JA (Ref. 13/3902)

PROPOSAL:

Erection of a 2 storey 1 x 4 bedroom dwelling house to the north of Thanet Lodge.

RECOMMENDATION:

The Council would have granted planning permission, had it been in a position to do so, subject to the conditions and reasons set out in the report and the completion of a satisfactory Section 106 or other legal agreement.

Members deferred this application at the meeting on 9 April 2014 to allow for further negotiations to take place between the applicant and the residents of the existing Thanet Lodge. Andy Bates (Area Planning Manager) informed members that a number of changes in respect of the matters for which the application was deferred had been made to the proposal. These had been consulted with residents who had expressed their support to the amended scheme. He continued that the applicants had however submitted an appeal against non-determination of the application which meant that the Planning Inspectorate would consider the application and make a final decision on the proposal taking into account all material considerations. Andy Bates added that the Planning Authority would have granted planning permission, had it been in a position to do so, subject to the conditions and reasons set out in the report and the completion of a satisfactory Section 106 or other legal agreement.

Mr Alan Ward, the applicant's architect confirmed that following a series of meetings and the outcome of the Council's consultations, the applicant felt that all differences had been resolved. He added that the appeal was lodged by the deadline date otherwise the applicant would have lost the right to appeal. He understood that the Planning Authority would shortly validate a second identical application that he had submitted and if approved, the applicant would then withdraw the appeal to the Planning Inspectorate.

Members then raised a number of questions with the architect including the proximity of the building in relation to amenity space, the level of the windows, the right to light and a confirmation that the applicant would withdraw the appeal if the Planning Authority approved the revised scheme. The architect was also asked to clarify issues relating to the refuse and bicycle store and the implications of construction traffic on the wall in Mapesbury Road.

Alan Ward explained that the applicant had agreed with the tenants that the remainder of the garden would be retained as an amenity space which he added would be in excess of the amenity space requirements for the development. He continued that the windows were now slightly smaller than those in the previous scheme and had been moved to maintain adequate lighting. Alan Ward clarified that the refuse and cycle stores would be relocated and that a new wall would be constructed to replace the current wall which he felt was not quite stable. He also confirmed that if the recently submitted scheme was approved by the Planning Authority, the applicant would withdraw the appeal.

Andy Bates explained that matters relating to the garden could be dealt with under landscaping conditions and these could include the details of the replacement front boundary wall. However the re-construction of the wall along the side boundary in the event that was ever needed was covered under the Party Wall Act rather than Town and Country Planning Act. He therefore suggested an informative rather than a condition to address this matter. In response to a suggestion for the recently submitted application to be dealt with by officers under delegated authority without the need to come back to Committee Stephen Weeks stated that this would be explored after the consultation taking into account whether or not any comments had been received.

DECISION: Planning permission would have been granted as recommended.

4. Asda, Forty Lane, Wembley, HA9 9EX (Ref. 14/2592)

PROPOSAL:

Variation of condition 4 (change opening hours from 08:00 to 20:00 Monday to Sunday to 08:00 to 22:00 Monday to Sunday), of full planning permission reference 13/3646 dated 07/02/2014 for construction of a permanent "Home Shopping" van loading canopy and grocery collection "Drive To" canopy within the car park, with associated fencing and alterations to the existing store of leaning building including the provision of a chiller and freezer.

RECOMMENDATION: Grant planning permission subject to conditions.

Andy Bates (Area Planning Manager) in reference to the supplementary report responded to the issues raised by members during the site visit. He informed members that with each customer being allowed 15 minutes for collection of their purchases, up to 12 cars could visit the facility every hour during opening times. Members heard that the investigation into noise complaints as a result of the operation of the air conditioning vents and the compactor was historic and on-going and that the Council's Environmental Health officers were in dialogue with Asda regarding those concerns. He confirmed that the application did not include proposals for external lighting and that any new lighting columns would require a separate planning application.

In respect of parking Andy Bates clarified that despite the loss of car parking spaces as a result of the applications, the standard would exceed the current restraint-based car parking standards for a supermarket of this size which would permit a maximum of 378 spaces, hence the Council's Transportation officers did not raise any objections. The car wash facility was considered to be incidental to the supermarket and would not require planning permission. Andy Bates advised members that the issuing of parking tickets to customers parking in excess of 2 hours was in accordance with the legal agreement and furthermore, the management arrangement of the car park was outside the control of the Council as it was privately owned.

Alan Jones (applicant's Estate Planning Manager) speaking in support stated that the application only sought an extension of hours of operation (variation of condition 4) to an extant planning permission. He continued that no additional noise nuisance would be generated by the application and clarified that the operation of the service yard was not connected with this application.

In response to members' questions, Alan Jones stated that the car wash facility was incidental to the store and although parking provision had been reduced as a result, the number of remaining parking bays exceeded parking standards for a store of Asda's size. He noted members' concerns on the air conditioning vents and compactor and undertook to reconsider the policy about charging customers who parked their vehicles at the car park in excess of 2 hours. Alan Jones further stated that because not all users of the car park visited the store, Asda did not have the data with which to consult users of the car park about any changes to the parking bays at its Wembley store.

The Chair noted that Councillor Choudhary, ward member, had a number of peripheral questions which needed to be resolved and in bringing the discussion to an end the Chair urged Asda, through the Estate Planning Manager, to engage with the local ward members and progress the other concerns they may have regarding the application.

DECISION: Planning permission granted as recommended.

5. 1-12 and 13-24 inc. Leeland Way, London, NW10 1SA (Ref. 14/2515)

PROPOSAL:

Construction of roof extensions to create a third floor over two existing blocks of flats at 1-12 and 13-24 Leeland Way, to form 6 new self-contained flats (2 x 1bed and 4 x 2bed) with associated cycle parking spaces and bin stores

RECOMMENDATION: Grant planning permission subject to conditions.

With reference to the supplementary report, Andy Bates (Area Planning Manager) explained that each flat within the development would be allocated a parking space to the rear of the site. With the proposed 'permit free' agreement, future occupiers would not be able to obtain parking permits for on-street parking in addition to their off-street provision, thus preventing additional pressure for the existing on-street spaces. He did not consider that the removal of the garages was necessary but if they were removed then this should enable improvements to hard surfaces and landscaping in that site. In respect of the car park to the rear of the flats on the opposite side of the road, he reported that the applicant's agent had confirmed that it was being used as a temporary compound for the contractors but would be cleared.

Andy Bates advised members that as the existing refuse facilities were neither used, or capable of being used, the waste management of the site needed to be considered in some detail and made clear to the applicant of the need for this if the additional units were to be built. He added that as the applicant had indicated that he would accept the proposed condition regarding refuse storage, this would ensure there was a formalised and convenient arrangement for storage for the existing and proposed units without obstructing the vehicular route. The Area Planning Manager continued that the agent had advised that the corner site hoarding which was boarded up during the site visit would, in the meantime, be painted and in due course, repaired. The Area Planning Manager addressed the issues raised by Councillor Long and added that the details agreed by condition would make clear that nothing can be stored that could obstruct the vehicular access route.

In the ensuing debate, members felt that due to their poor condition, the garages could be demolished and replaced with marked bays for car parking so as to alleviate pressure on parking within the development site. The Chair concurred with that view and added that appropriate lighting to the site should also be sought. It was also suggested that part of the garage site could be landscaped for use as a children's play area. A member remarked that the proximity of the bins sheds to the garages could obstruct access for refuse trucks to the site and enquired as to measures that could be put in place to prevent any possible obstruction to the access route.

In responding to the above, the Area Planning Manager stated that condition 4 could be amended to ensure adequate landscaping to the site and to achieve an improvement to the vehicle turning areas. The Head of Planning added that condition 7 could be amended to ensure the proposed bin store complied with safer street guidance. In addition to the amendments stated above, members

agreed a further amendment to condition 6 for the demolition of the garages to make more room for car parking spaces.

The Chair noted that part of the front of the building on the opposite side of the road was of timber cladding and suggested that in order to maintain consistency of the façade of the building an additional condition could be imposed. Andy Bates advised that the suggestion advising that there should be no changes to the façade should be sought through an informative rather than a planning condition. He added that as a property issue, it was the responsibility of the landlord to ensure that all communal areas were free from any obstruction. A member enquired as to whether there was a planning guideline on the number of upper floors for which there was a need for a lift service. Clarification was also sought on references to the report on archaeological interest. The Head of Planning clarified that the threshold for new build was 4 floors but as the application before members was for 3 floors, there was no requirement for a lift. He continued that although the northern building was identified as a site of archaeological importance, as no development was proposed at ground floor other than cycle and refuse storage, there was no archaeological interest in the site and as such there was no need for a condition relating to ground works.

In approving the application subject to conditions, members reaffirmed the following amendments to conditions as set out below;
condition 4 to include the disused bin area and the path;
condition 4c to include the vehicle turning area and drive area;
condition 6 for the demolition of garages to make more parking spaces and lighting;
condition 7 to specify rubbish collection point to meet carry distance and safer street guidance.

DECISION: Planning permission granted as recommended subject to amendments in conditions 4, 6 and 7.

6. 110 Walm Lane, London, NW2 4RS (Ref. 13/3503) - Public Inquiry - Housing

The report informed members that following the Council's decision in March 2014 to refuse planning permission for the redevelopment of 110 Walm Lane (including the Queensbury Public House), an appeal had been submitted by the applicant, Fairview New Homes Ltd which would be determined through the Public Inquiry procedure. Stephen Weeks (Head of Planning) drew members' attention to the issues set out in the supplementary report which recommended deferral of the application to allow members more time to consider the background documents associated with the report.

RECOMMENDATION:

Defer to allow members more time to consider the background documents associated with the report.

DECISION: Agreed as recommended

7. Any Other Urgent Business

None.

The meeting ended at 8.35pm

S MARQUIS
Chair