



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Tuesday 13 January 2015 at 7.00 pm

PRESENT: Councillor Marquis (Chair), Councillor Colacicco (Vice-Chair) and Councillors S Choudhary, Filson, Hylton and M Patel

Also present: Councillors Pavey, Perrin, Ms Shaw, Krupa Sheth, Stopp and Warren

Apologies for absence were received from Councillors Agha, Kansagra and Mahmood

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

3. Bowling Club and Collins Lodge, King Edward VII Park, Park Lane
All members were contacted by Denise Cheong (objector) and Councillor Stopp.
4. Northwick Park, Hospital, Watford Road, Harrow HA1 3UJ
All members received representations from Councillor Perrin .
8. Car Park, Ainsworth Close, Neasden NW10
Councillor Choudhary declared that he was a board member of Brent Housing Partnership Board. He vacated the meeting room during consideration of the application and took no part in the discussion or voting during its consideration.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 10 December 2014 be approved as an accurate record of the meeting.

3. **Bowling Club and Collins Lodge, King Edward VII Park, Park Lane, Wembley (Ref. 14/4208)**

PROPOSAL: Change of use of the bowling pavillion and adjoining land (Use class D2) into a primary school (Use class D1) also including the erection of a single storey classroom block, and part change of use of the land adjoining Collins Lodge (Use class C3) into parkland (Use class D2)

RECOMMENDATION: Grant Consent subject to conditions as set out after paragraph 38 of this committee report.

Rachel Murrell (Area Planning Manager), in reference to the supplementary report clarified the issues raised during members' site visit. The Area Planning Manager

informed members that the application would not secure the use of any additional space beyond the application site as this would be subject to separate agreement with Sports and Parks Service. The application had been submitted on the basis that the site would be of a sufficient size to accommodate the school. She continued that Property and Asset Management had confirmed that the site would remain in the ownership of the Council. Should the proposal be granted planning permission, an agreement would be put in place for the Welsh School to manage the buildings and a lease entered into (provisionally for 15 years). Rachel Murrell then clarified issues raised about consultation received from residents and given the specialist nature of the Welsh School, from others who reside outside the Borough.

Members heard that the Welsh School looked into Collins Lodge as an alternative site but it was not considered that the existing building would be appropriate to accommodate the school. Rachel Murrell added that the adjacent site was not available as it had been allocated within the agreement with Veolia as a depot site. She advised members that the use/management of the car park could be secured as part of the School Travel Plan. She also advised that given the size and location of the proposed school, it was not considered to detrimentally impact on the surrounding road network. The Area Planning Manager then referred to officers' responses to other matters raised following the consultation as set out in the supplementary report including a recommendation for an additional condition to restrict opening hours of the school.

Denise Cheong (objector) stated that wider park users were not consulted on the application for the Welsh School, majority of which would be residents of the Borough. She continued that the proposed change of use of part involving the removal of trees would prejudice the use of the park. Denise Cheong urged members to either defer or refuse the application. In response to members' questions, Denise Cheong stated that park users had not been given an opportunity to comment on the application. She added that the application failed to evaluate the highways impact of the proposed change of use in particular, access for emergency services to Princes Court and Keswick Gardens.

Paolo Dipalo (objector) echoed the sentiments expressed by the previous objector adding that no tree survey had been submitted with the application and that the proposal would result in a loss of community facilities. He continued that the use of the site for a school was inappropriate as it would give rise to child protection issues which had not been considered. For the above reasons, he urged members to refuse the application.

In accordance with the provisions of the Planning Code of Practice, Councillor Stopp, Ward Member, declared that he had been approached by residents of Princes Court, Barnet residents and representatives of Welsh School. He informed members that although he had no personal prejudice against the school, he outlined the following key concerns about the application:

- (i) The use of the park for a school would set an undesirable precedent for others to follow.
- (ii) The use would give rise to increased parking demand and traffic.
- (iii) The applicant had not explored the availability of alternative sites.

- (iv) The site would be inappropriate due to community space deficiency
- (v) The site should be given to the state rather than the private sector.

Councillor Stopp urged members to defer the application.

Gwyn Richards (applicant's agent) stated that the Welsh School was a registered charity with services open to residents of Brent and other Boroughs. He continued that other sites were looked into but were not considered appropriate. He clarified that the classrooms would be tucked away in the interest of privacy and that a travel plan would be submitted which would seek to address the concerns on highways grounds raised by objectors. In response to a member's question, the applicant's agent stated that the admission policy of the school would permit everyone with a passion for Welsh language to apply for a school place.

Councillor Marquis (Chair) enquired as to whether an alternative land swap had been considered as it did not match the quality of the land in question, or attempts had been made to secure alternative sites thus ensuring that the Bowling Club could continue at the site. She also referred to concerns expressed by Sport England regarding the future use of the bowling green and clarity around its future status and whilst they advocated that the site remained in sporting use, other sporting uses should be considered ahead of non sporting uses. Councillor Marquis put forward a motion for deferral of the application for wider consultation and consideration of alternative sites within the park for land swap.

Prior to voting on the amendment, Stephen Weeks (Head of Planning) stated that the consultation undertaken for the application was wider than the statutory minimum. He added that detailed advice received from Parks Service confirmed that the proposed use of the site would not prejudice sports users for which there was a known demand.

Members voted unanimously for deferral of the application for wider consultation and further information on the consideration of alternative sites within the park for land swap.

DECISION: Deferred for wider consultation and consideration of alternative sites within the park for land-swap.

4. Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ (Ref. 14/4508)

PROPOSAL: Erection of part 4 to 5 storey building constructed over an existing substation and car parking located near Block J, providing ward accommodation on first, second and third floors along with an IDAR Unit, plant area, with ancillary café on the ground floor, a linked bridge to Block E, reconfiguration of parking area and associated landscaping.

RECOMMENDATION:

- (a) Grant planning permission subject an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report and subject to conditions listed after paragraph 75, 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 Planning, or other duly authorised person, to refuse planning permission.

With reference to the supplementary report, Rachel Murrell (Area Planning Manager) provided responses to concerns expressed by Councillor Perrin. She stated that the consultation process was carried out in accordance with statutory guidelines. Site notices were displayed adjacent to the site and the planning application publicised in the local press and in addition Sudbury Court Residents' Association and ward councillors of both Brent and Harrow were consulted on the application. She drew members' attention to responses received from various departments within the Council and the Environment Agency as set out in the main report. In respect of light pollution, Rachel Murrell clarified that given the existing buildings and lamp posts and the separation distance from the proposed ward to the golf course, it was unlikely that the application would give rise to wider light pollution nuisance.

Members heard that it was not considered necessary to require an ecological survey for the application as the site was located within a built up part of the hospital which was currently occupied by car parking and a substation. She also added that the application would be proposing some tree planting (details of which had been conditioned to any forthcoming consent) adding that the overall aspiration was to include wider tree planting within the hospital site which would form part of a wider strategy for the hospital as part of any redevelopment. On traffic congestion, she stated that the hospital had various car parking facilities including pay and display and therefore the loss of 10 parking bays was considered to be acceptable by officers in Transportation who advised that it would not lead to parking overspill on public highways.

In accordance with the provisions of the Planning Code of Practice, Councillor Perrin, Ward Member stated that he had not been approached by anyone in connection with the application. He informed members that whilst in principle he had no objection to the application he expressed concerns about the complete disregard of wildlife and hedgerows, lack of ecological survey, lighting pollution from the golf course, traffic congestion and parking problems. Councillor Perrin requested a review of the lighting and emphasised the need for ecology survey, a Travel Plan and a Section 106 contribution to fund road repairs and consultation on possible introduction of controlled parking zones (CPZ) to address the inadequate parking provision in the area.

In response to members' questions, Councillor Perrin stated that inadequate parking within the hospital compound was resulting in overspill parking in the local roads and causing traffic chaos. He clarified that the Section 106 funding could also be used for ecology survey.

Rachel Murrell advised members that the Travel Plan which already existed for the Accident and Emergency (A&E) Unit would be reviewed although the site was in close proximity to access routes and that condition 5 on lighting would be reviewed

by Environmental services. Stephen Weeks (Head of Planning) drew members' attention to condition 3 on noise emission but stressed that the existing site was a car park. He then recommended an additional condition requiring the applicant to submit details of drainage measures.

DECISION: Granted planning permission as recommended subject to additional conditions requiring wildlife assessment and details of sustainable drainage measures and revision to Condition 6 specifying clear details of route for disabled persons to entrance if new bays outside of application site.

5. 233 Willesden Lane, Willesden, London, NW2 5RP (Ref. 14/1176)

PROPOSAL: Outline planning application for demolition of gymnasium block and erection of part 4, part 5 storey extension, creation of additional storey to main building and roof extensions (matters to be determined: layout and scale)

RECOMMENDATION: Grant planning permission subject to the conditions set out after paragraph 12 and the completion of a satisfactory Section 106 legal agreement securing planning obligations set out in the Heads of Terms below 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 Services and Procurement.

Andy Bates (Area Planning Manager) clarified that the application was for the layout and scale only and gave an indication of how the extension would look like when built with all other matters reserved. He drew members' attention to the supplementary report which set out the relationship of the application site with the neighbouring Brondesbury Court. He added that despite the level differences, both blocks would be similar in height and with a 20m separation distance between the two blocks, no adverse impact on light, outlook and privacy would result. He advised members that the proposal would not have significant adverse impact on Henley Court and Honeyman Close. Andy Bates informed members that the applicant had submitted a Transport Statement and a draft Travel Plan which sought to evaluate the likely impact on local transport network. The draft Travel Plan proposed a number of measures to be implemented by a designated Travel Plan Co-ordinator, aimed at keeping the proportion of car journeys amongst staff and visitors to the hostel to very low levels thus increasing the proportion of walking and cycling trips. He then drew attention to key measures of the Travel Plan which would include publicity of travel options through the website, notice boards and welcome packs. The success of the Travel Plan over five years would be monitored in accordance with standard practice.

In accordance with the provisions of the Planning Code of Practice, Councillor Warren, ward member stated that he resided at No. 245 Willesden Lane, had been approached by local residents and had had discussions with the management of the hostel. Councillor Warren objected to the proposal on the following grounds:

- (i) The proposal would constitute an overdevelopment of the site.
- (ii) The proposal would be out of character with the neighbouring properties due to its height.

- (iii) As the Transport survey was conducted during winter months or when parking demand was low, the true picture of the transport impact of the proposal had not been reflected in the report.
- (iv) The resulting intensification of use would exacerbate noise nuisance which had in the past attracted the attention of officers from the Council's Noise Team.
- (v) The proposal would result in loss of light, outlook and privacy.
- (vi) The application did not propose to achieve carbon emission target.

During the discussions that followed, officers were asked to confirm the expected number of residents when the development was completed and comment on the impact of the proposal on neighbouring properties including transport impact.

Andy Bates advised members that the orientation of the proposal and the separation distance would minimise any potential impact on the neighbouring properties. He reiterated that Transport Statement and a draft Travel Plan had been submitted with key measures including publicity of travel options through their website, notice boards and welcome packs for guests. However, Transportation Officers had recommended additional safeguards requiring the provision of coach parking even if this meant during peak hours only.

Robert O'Hara (applicant's agent) stated that the applicant had operated the premises (Palmer's Lodge) for 5 years as a popular hostel for guests from all over the globe without complaints. He clarified that complaints regarding noise nuisance were associated with the gymnasium which was to be demolished. He continued that the proposal had been designed with adequate separation distances to avoid detriment to neighbouring properties. The agent confirmed that a Travel Plan was in place to ensure any such impact was minimised. In conclusion, the applicant's agent stated that the height and scale of the proposal would be commensurate with the adjoining Brondesbury Court. He confirmed that the maximum number of guests would be 516.

In response to members' discussion on the potential for light impact on nearby properties, the Head of Planning recommended an additional pre-commencement condition that prior to full planning permission the applicant should confirm the separation distances and sunlight guidance complied with SPG17.

DECISION: Granted planning permission as recommended and additional pre-commencement condition prior to full planning permission to ensure separation distances and sunlight guidance complied with SPG17.

6. 11A, 11B, 13A & 13B Buller Road, London, NW10 5BS (Ref. 14/2801)

PROPOSAL: Demolition of rear outbuildings and rear external staircases, and erection of two storey side and rear extensions to include alterations to front and rear elevations, creation of first floor terraces with glass balustrades to the rear, landscaping to the front and rear, and conversion of four flats at 11A, 11B, 13A & 13B into two single family dwelling houses.

RECOMMENDATION: Grant planning permission subject to conditions as set out after paragraph 15 of the main report.

With reference to the supplementary report, Andy Bates (Area Planning Manager) responded to queries raised by members at the site visit. He confirmed that adequate set back distances of 3m from the rear wall and separation distance had been maintained. He added that as the privacy of neighbouring properties would not be compromised, there would be no need to require a higher obscure glazed screen. In regards to complaints of noise nuisance, Andy Bates confirmed that the neighbouring property, No 15 Buller Road, had been referred to in the complaints regarding the unauthorised use of the roof of the two storey rear extension as a balcony and added that since 2010, there had been no record of any complaint.

Winni Olesen (an objector) raised concerns in respect of close proximity of the proposed development to neighbouring properties, noise concerns emanating from intrusive access to the roof area resulting in loss of privacy. She informed members that the issue about enforcement for unauthorised had not been resolved.

James Tuckey (applicant) stated that the proposal which would involve the demolition of the rear buildings would have considerable security merits and increased amenity for the residents. He added that the proposal which would not result in overlooking would assist with the Borough's housing shortage. In responding to references to higher obscured glazed screen, James Tuckey stated that rather than addressing any privacy issues, increasing height of screens would harm character of the building.

DECISION: Granted planning permission subject as recommended.

7. 227B, 229B, 231B & 233B, All Souls Avenue, London, NW10 (Ref. 14/3871)

PROPOSAL: Erection of mansard roof extension to accommodate 2 x two-bedroom flats with associated landscaping and car parking

RECOMMENDATION: Grant planning permission subject to conditions as set out after paragraph 17 of the main report.

Andy Bates (Area Planning Manager) informed members that a mansard roof was accepted in principle by the Planning Inspector in the appeal decision. He went on to clarify issues raised at the site visit on servicing, access and ownership. Andy Bates explained that as the parking and servicing arrangements fell short of requirement, the applicant proposed to re-surface much of the rear yard in tarmac to accommodate three marked off-street car parking spaces and a loading bay. This would be set back from the highway boundary to provide a turning facility (particularly when the service bay was not in use). He continued that pedestrian access to the proposed development which would remain unchanged would be taken from All Souls Avenue via the existing access arrangements and via two communal entrances for existing residential units. Members heard that sufficient space was available to accommodate wheelie bins and that conditions had been imposed to ensure that landscaping, parking and refuse arrangements proposed

were installed prior to occupation of the flat. He advised that the extractor duct to the rear of the building should not result in a poor quality living environment for the proposed occupiers.

Maria Frixon in objection stated that due to its bulk and overbearing aspects, the proposed development would obstruct natural sunlight into her home and not be in keeping with the area. She also raised concerns about traffic congestion and potential parking problems which would result.

In accordance with the provisions of the Planning Code of Practice, Councillor Shaw, ward member stated that she had been approached by the residents. Councillor Shaw objected to the proposed development on the grounds that due to increased number of residents, it would exacerbate the parking problems and create issues with the drainage system. She continued that due to its unsightly and overbearing aspects, the proposal would be out of character in the area, a situation which be made worse when the telephone mast was relocated.

Mark Jones (applicant's agent) informed members that due to adequate separation distances, the proposal would not result in any detriment to the neighbours. He added that the proposal had been amended to 2-bed flats only. In response to members' questions, the applicant's agent stated that the application complied with standards and guidance and that consultation was undertaken with all existing occupiers. He added that the parking issues would be addressed and that the location of the telephone mast would be the subject of a further planning permission. The agent made the point that if the various ownership/freeholder/leaseholder issues could not be resolved then the scheme would not be able to be implemented.

In bringing the discussion to a close, Councillor Marquis suggested an additional condition for some form of compensation to existing occupiers for any inconvenience that they may suffer. She also suggested an additional condition for the applicant to join the Considerate Contractors Scheme. The legal representative advised that in planning terms, the suggested condition to compensate occupiers for any inconvenience suffered would not be enforceable, applying the tests laid down in Planning Practice Guidance.

DECISION: Granted planning permission as recommended, subject to additional conditions for Considerate Contractor Scheme (CCS), an additional sunlight report on the opposite buildings with delegated authority to the Head of Planning for its appraisal and a pre-commencement condition for the applicant to confirm their ability to undertake the works.

8. Car Park, Ainsworth Close, Neasden, London NW10

PROPOSAL: Erection of 3 (x3 bed) two storey terraced dwelling houses including formation of off street parking, bin and cycle stores and associated hard and soft landscaping.

RECOMMENDATION: Grant planning permission subject to conditions as set out after paragraph 30 of the main report.

Andy Bates (Area Planning Manager) stated that the proposed building which would be set a further 3.5m away from the site boundary and was not considered to have a significant impact on the amenities of neighbouring residents. Officers considered that, whilst there would be an impact on residential amenity, on balance the relationship would be acceptable. In regards to children's play area, he submitted that as each unit would have 70sqm of private garden which exceeded the Council's requirements, the additional strain on the estate's existing communal open space would be limited. He reported that Thames Water had submitted that subject to additional condition on drainage they had no objections to the proposal. In his view, the houses proposed were designed to create a good level of overlooking in the street and as such in urban design terms, may help deter anti-social behaviour.

John McConalogue, Kim Darby and Alison Hopkins (objectors) addressed the Committee and raised issues relating to loss of outlook, detrimental impact on residential amenities, inadequate car parking spaces and obstruction to emergency vehicles. They clarified that given its location, the proposal would be detrimental to the residential amenities of 80 Brook Road and the block of flats behind the proposed development. In addition serious concerns were raised about the underground bunker and tunnels, and the potential for damage to the reservoir. Members heard that the number of residents' vehicles had been grossly understated in the report and until the car park was restored, residents would face serious parking problems. It was added that due to the narrowness of the roads, access for emergency vehicles would be obstructed. In response to a member's suggestion for a gate to be installed to control access, Kim Darby stated that that would not be a practicable solution to the inadequate parking.

Richard De Ville (applicant) and his architect also addressed the Committee. The applicant stated that the proposal was for a carefully considered scheme which would provide affordable housing for 3 families. He continued that by building on the site, a source of anti social behaviour would be much reduced. His architect added that the design of the proposal which had been consulted with interested parties complied with guidelines and by maintaining minimum distances and reduced footprint, would protect the amenities of neighbouring residents.

A member noted that although the car parking proposed on the site complied with the Council's maximum standards, the possibility of parking overspill would need to be considered in order to understand whether the proposal would result in an impact on existing highway conditions. The applicant was invited to comment on the transportation issue. The applicant stated that the Council's Transportation Officers had confirmed that there existed sufficient unused capacity on-street to satisfy any increased demand and address any potential overspill parking from the site. He however offered to look into parking management on the site.

In the ensuing discussions, members took the view that although the scheme would provide social housing, it would not resolve the on-going parking problems on the estate. They added due to its impact on Bell House and 80 Brook Road, the proposal would lead to loss of outlook. Members then voted by a majority

decision to refuse the application contrary to officers' recommendation for approval subject to conditions.

Voting on the decision to refuse the application was recorded as follows:

FOR:	Councillor Filson	(1)
AGAINST:	Councillors Marquis, Milli Patel and Hylton	(3)
ABSTENTION:	Councillor Colaccico	(1)

DECISION: Refused planning permission for the following stated reasons;
Over-development of the site due to its impact on Bell House and 80 Brook Road and failure to consider the likely impact of the development on highway conditions in the vicinity of the site.

Note: Councillor S Choudhary having declared an interest in the application as a member of the board of Brent Housing Partnership, vacated the meeting room and took no part in the discussion or voting on the application.

9. Any Other Urgent Business

None.

The meeting ended at 11.20pm

S MARQUIS
CHAIR

Note:

At 9.35pm, the meeting was adjourned for 5 minutes.

At 10.00pm, the meeting voted to disapply the guillotine procedure to enable all applications to be considered on the night.