



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Wednesday 29 July 2015 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Agha, S Choudhary, Colacicco, Ezeajughi, Mahmood and M Patel

ALSO PRESENT: Councillor Michael Pavey, Councillor Carol Shaw and Councillor Eleanor Southwood

Apologies for absence were received from Councillor Maurice

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

1. All members declared that they had received approaches by way of emails from either the applicants or objectors in connection with agenda items 3, 4, 6 and 8.
2. Councillor M Patel declared that she was a member of the Board of Trustees of Brent Housing Partnership (BHP) and would vacate the meeting room when the Committee was considering agenda item 8.

### 2. **Minutes of the meeting held on 2 July 2015**

RESOLVED:-

that the minutes of the meeting held on 2 July 2015, having been circulated prior to the briefing session, be approved as an accurate record of the meeting.

### 3. **24-51 inc. John Barker Court, 12-14 Brondesbury Park, Kilburn NW6 7BW (Ref. 15/1539)**

PROPOSAL:

Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year.

RECOMMENDATION:

Defer to ensure that all people who had made representations on the application were given adequate notice of the Planning Committee meeting.

Andy Bates (Area Planning Manager) informed the meeting that as those who had made representations on the application had not been given adequate notice of the meeting, it was being recommended that the application would not be considered by this Planning Committee. He confirmed that all those who made representations on the application had been notified about the recommendation for a deferral.

DECISION

Deferred as recommended.

**4. All Flats, Jubilee Heights, Shoot-up-Hill, London NW2 3UQ (Ref. 15/0064)**

PROPOSAL:

Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers with access from Exeter Road.

RECOMMENDATION:

Defer to ensure that all people who had made representations on the application were given adequate notice of the Planning Committee meeting.

Andy Bates (Area Planning Manager) informed the meeting that as those who had made representations on the application had not been given adequate notice of the meeting, it was being recommended that the application would not be considered at this Planning Committee. He confirmed that all those who made representations on the application had been notified about the recommendation for a deferral.

DECISION

Deferred as recommended.

**5. Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA (Ref. 15/2083)**

PROPOSAL:

Variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year on 31 July 2017 of application ref: 14/3670 dated 13 November 2014; for variation of condition 3 to allow the continued use of the temporary classrooms to operate until the end of the academic year in July 2015 of planning permission ref: 13/1975 dated 18 November 2013; for retention of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area, ancillary office and storage space.

RECOMMENDATION: Grant planning permission subject to conditions set out after paragraph 27 of the report as set out in the draft decision notice.

Andy Bates (Area Planning Manager) outlined the proposal and in reference to the supplementary report updated members on the timescale for implementing the highways works at the junction of Preston Road and Ashley Gardens and the landscaping work. Members heard that Highways Officers were confident that the works would be carried out within this financial year and that the new hedge would be planted during the next planting season (November to March).

John Grantham, applicant's agent assured the Committee that the retention of the temporary classrooms would last until the end of next academic year (July 2017) by which date Byron Court Primary School expansion would have been completed to take in additional children, subject to planning permission. He continued that a travel plan was in place with identifiable parking and drop off points to minimise any adverse parking impact and that the gates would be controlled and maintained to ensure that the school did not interfere with the operation of the nearby Ashley Road facility.

In approving the application as recommended, members expressed a view for a more rigorous enforcement of the travel plan in order to alleviate parking problems and requested officers to contact Highways Section to ensure that highway works were implemented before the end of 2015.

DECISION: Planning permission granted as recommended.

## **6. Garages rear of 32, Crownhill Road, London (Ref. 14/4241)**

### **PROPOSAL:**

Demolition of existing garages and erection of a single storey building to provide Junior School Annex to Maple Walk School with associated play area, waiting shelter, cycle storage and new fencing (amended plans and description)

RECOMMENDATION: Grant planning permission subject to conditions as set out in the draft decision notice, additional informative and amended condition 15.

Andy Bates (Area Planning Manager) outlined the proposed development and in clarifying the issues raised at the site visit, referenced the supplementary report. He informed members that the applicant had indicated that physical education (PE) lessons would take place at the main school site, in addition to off-site sporting facilities. In addressing concerns about fire safety, the Area Planning Manager advised members that the applicant would be required to comply with Building Regulations, as well as relevant Fire Safety legislation. In order to secure that, he added an informative requiring the applicant to discuss fire safety issues relating to the development with Building Control. He clarified the height of the proposed building in relation to nearby properties and continued that in view of the height of the existing structures, on site boundary treatment and the separation distance to neighbouring properties, the proposed building was considered an acceptable scale and relationship with neighbours. In respect of its impact on neighbours by way of transmission of noise through walls, Andy Bates recommended an amendment to condition 15 as set out in the supplementary report.

Polly Walker, an objector, raised concerns about the impact of the proposed school on traffic and parking, noise and loss of privacy. She added that as her bedroom would be directly above the playground and with an inadequate acoustic fencing, the impact on her amenity would be severe.

Chris Wickham (agent) and Peter Meyer (applicant) addressed the Committee. They informed members that the proposal, which complied with the Council's SPG17 guidance, would assist Brent with additional school places. In their view, the proposal, which had been revised to address residents' concerns including a permanent structure for acoustic fencing, would have no significant impact on light and outlook.

In the ensuing discussion, members raised concerns about the suitability of the playground for outdoor games, noise impact on neighbouring residents, traffic congestion, parking and access for emergency vehicles to the site and asked the agent for responses. Members also queried the proximity of the electricity sub-station to the school site and its health impact.

Chris Wickham, the applicant's agent stated that the size of the playground would be adequate with some sporting activities taking place off-site. He added that measures including noise insulation, landscaping, separation distances and the amended condition 15 would address the impact on neighbours. He drew members' attention to the school's travel plan which sought to address any inconsiderate parking and congestion that might occur and added that parents would be encouraged to use parking meters rather than the parking bays. Chris Wickham continued that due to the separation distance, there would be no health impact from the electricity sub-station.

Members took note of the responses submitted by the agent, however, in the discussions that followed, were minded to refuse the application for the reasons set out below.

**DECISION:**

Minded to refuse contrary the recommendation, for the following reasons;  
Impact on traffic and additional parking; noise nuisance; intensification of the site;  
access problems for emergency vehicles; constraints on site for up to 72 pupils.

Voting on the amended motion for refusal was recorded as follows:

<b>FOR:</b> Councillors Marquis, Agha, Choudhary, Ezeajughi and Mahmood	<b>(5)</b>
<b>AGAINST:</b> None	<b>(0)</b>
<b>ABSTENTION:</b> Councillors Colaccico and M Patel	<b>(2)</b>

**7. 62 The Avenue, London, NW6 7NP (Ref. 14/3892)**

**PROPOSAL:**

Erection of a rear dormer window with Juliet balcony and conversion of the property into 3 self-contained flats comprising 1 x 1bed and 2 x 3bed, erection of a rear timber fence and gate to form a private rear amenity space; rear cycle parking and associated forecourt landscaping with car parking spaces and a timber bin enclosure

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft decision notice.

Andy Bates (Area Planning Manager) outlined the proposal and, with reference to the supplementary report, addressed the issues raised at the site visit. He recommended an additional condition requiring the applicant to submit details of the sub-division and planting. In addition, one of the boundary fences to the front of the site was seen to be in a state of some disrepair and to address that, he felt it appropriate to require further details through condition 9.

Ben Harvey, applicant's agent, spoke in endorsement of the officer's recommendation adding that the applicant had addressed minor concerns expressed by local residents. He added that the development which complied with relevant policies and guidance, would offer high quality accommodation and assist with housing shortages within the Borough.

DECISION: Planning permission granted as recommended.

**8. Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London**

**PROPOSAL:**

Demolition of existing garages and community centre and the erection of a four storey building comprising 14 self-contained flats (3x1bed, 9x2bed and 2x3bed), new community centre (Use class D1) and a sub-station with associated car and cycle parking spaces, bin stores and landscaping

**RECOMMENDATION:**

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Head of Legal Services, subject to the conditions set out in the Draft Decision Notice.

Andy Bates (Area Planning Manager) informed the Committee that appropriate replacement trees within the development would be planted together with a feature tree, to provide visual amenity. He advised members that Brent Housing Partnership (BHP) intended the development to be 'residents only' parking, subject to a residents' survey and that the allocation of flats would be conducted in accordance with the Council's allocations policy. Andy Bates drew members' attention to amended conditions 8, 10 and 11 as set out in the supplementary report.

Jim Ford, Chair of Fiveways Residents' Association and another resident addressed the Committee and expressed the residents' full support for the scheme including consultations planned for the landscaping of the site and plans for a community hall.

Messrs Stephen Martin and B Chawla representatives of BHP confirmed that all existing residents were invited to attend the consultation meetings and re-affirmed BHP's commitment to continue to engage with residents.

Councillor Southwood (Cabinet Member for Environment) felt that all outstanding issues had been addressed by BHP and thanked the residents for their input.

In her closing remarks, the Chair noted that BHP had worked in close co-operation with the residents on all aspects of the scheme, thus gaining the support of all three local councillors for the proposal. She however urged BHP to continue engaging with the residents on all aspects of the scheme, including repairs.

#### DECISION

Granted planning permission subject to the completion of a satisfactory Section 106 or other legal agreement, amended conditions 8, 10 & 11 and inclusion of a revised plan and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Head of Legal Services.

### **9. 1 Thanet Lodge, Mapesbury Road, London, NW2 4JA (Ref. 15/1205)**

#### PROPOSAL:

Erection of a 2 storey 4x bedroom dwelling house plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road (amendment to approved application ref: 14/3463 to include a basement level).

#### RECOMMENDATION:

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement, amended conditions 8, 10 & 11 and inclusion of a revised plan and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Head of Legal Services.

Andy Bates (Area Planning Manager) introduced the report and outlined the proposal. In reference to the supplementary report, he explained that there was no planning condition on previous approvals that prevented access by the occupants to the communal space at Thanet Lodge, a fact that had been reiterated by the applicant. He continued that such a condition would be difficult to enforce. The Area Planning Manager clarified that issues relating to service charges were not material planning considerations in determining the application.

Victoria Pollard, an objector, expressed opposition to the development on behalf of the residents of Thanet Lodge. She alleged that a previous planning approval restricted access to the communal area and asked that such a condition be imposed again. Milly Guest, speaking in a similar vein, complained that the proposed development which she considered would be poorly constructed, would cause extensive damage including flooding to her property based on a previous application by the same developer. In response to a member's question, she stated that she understood a structural survey had been conducted for the proposal. Patricia Bramwell, the Committee's legal representative advised that matters relating to a structural survey were not issues for the Committee.

Councillor Shaw stated that she had been approached by residents in connection with the application. Councillor Shaw raised concerns about health and safety and requested that a condition be imposed to restrict access from the proposed development to the communal garden. She continued that the proposal which would incorporate lightwells, would result in loss of light and constitute a breach of the Mapesbury Conservation Area Guidance. Councillor Shaw urged members to defer their decision until the concerns by residents had been addressed.

Stephen Weeks, Head of Planning, added that the issues expressed by Councillor Shaw and in late representations provided at the meeting appeared have been addressed in the officer's (main and supplementary) reports before members. Patricia Bramwell, legal representative, advised that any condition imposed should be precise and enforceable and that access issues could be addressed via a further condition on boundary treatment. She added that the restriction of access to the communal garden was not enforceable.

Emma McBurney (applicant's agent) confirmed that there was no condition on any previous approval restricting access to the communal garden, however the applicant would accept the suggested additional condition on boundary treatment.

Members then asked questions about the erection of a permanent structure in place of soft landscaping and whether it would be possible to require the applicant to ensure that the fence would be erected to the full width of the rear of the development. The agent confirmed acceptance on behalf of the applicant. In approving the application, the Committee added a further condition requiring details of the treatment of the rear boundary fence to be erected to the full width of the development, prior to occupation, to be submitted for approval and to be permanently maintained.

#### DECISION

Granted planning permission as set out in the Draft Decision Notice, subject to an additional condition requiring details of the treatment of the rear boundary fence to be erected to the full width of the development, prior to occupation, to be submitted for approval and to be permanently maintained.

#### **10. Any Other Urgent Business**

None.

The meeting closed at 9.33 pm

S MARQUIS  
Chair