



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 18 November 2015 at 7.00 pm

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

ALSO PRESENT: Councillors Jones, Nerva and Pavey

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

None by members. The Chair however drew members' attention to the following approach:

75 Okehampton Road NW10 (Ref. 15/3570)

Ruth Dar (Secretary of Aylestone Park Residents and Tenants Association (APRATA) made approaches to Councillors Denselow, Nerva and Southwood for support against the application and copied this to the Planning Committee.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 22 October 2015 be approved as an accurate record of the meeting.

3. **33A Wrentham Avenue, London NW6 (Ref. 15/3316)**

PROPOSAL: Proposed erection of single storey rear and side extension and separate access to ground floor flat

RECOMMENDATION: Refuse planning permission.

The application was considered at the last meeting when the Committee were minded to grant planning contrary to officers' recommendation for refusal and in accordance with the Constitution, the application was being referred back for decision. The Head of Planning reiterated his recommendation for refusal on the grounds that the proposal would incorporate a 'wrap around' extension which extended further than was normally considered acceptable and would relate poorly to the existing building in design terms. While all applications needed to be considered on their merits, this proposal may make it difficult to resist similar undesirable developments in future. He however drew members attention to a set of conditions set out in the report, should members continue to be minded to grant planning permission contrary to the recommendation for refusal.

Michael Woodman-Smith (applicant's agent) stated that the application which complied with the London Plan and the Council's Supplementary Planning

Guidance 5 (SPG5) would preserve the amenities of neighbouring residents. He added that the mono pitch roof and the width of the extension accorded with the SPG5. In his view, officers had not put forward evidence to substantiate the reasons for recommending refusal of the application. In response to members' questions, the agent stated that his client would be minded to alter the roof from a pitched to flat roof if members felt it a necessary requirement for the application to be approved.

During debate, a member suggested that as the applicant would be willing to make changes to the roof, the application could be deferred for a revised scheme. The Head of Planning advised that a flat roof would increase the eaves level and that members should consider the scheme as submitted. Members voted by a majority to refuse the recommendation. Voting on the recommendation was recorded as follows;

FOR	Councillors Marquis and Agha	(2)
AGAINST:	Councillors Choudhary, Ezeajughi, Maurice and Mili Patel	(4)
ABSTENTION:	Councillors Colacicco and Mahmood	(2)

DECISION: Granted planning permission subject to conditions as set out in the Draft Decision Notice.

4. Kingsbury High School and Roe Green Park, Princes Avenue, London, NW9 9JR (Ref. 15/1508)

PROPOSAL:

Installation of 2.2m wide pedestrian path from Bacon Lane to Kingsbury High School, partly through Roe Green Park and partly Kingsbury High School grounds, removal (in part) of existing hedge and erection of metal gates, new lighting and CCTV column, and installation x 2 bollards together with removal of existing gates fronting Bacon Lane and their replacement with fencing and hedge (as amended).

RECOMMENDATION: Defer to allow further consultation.

The Head of Planning recommended that additional consultation be carried out to ensure that local residents considered the location of the path as shown in the proposed site plan rather than the visual impression. The Chair stated that the committee had also raised issues on the site visit that would need to be addressed and required additional time.

DECISION: Deferred to allow further consultation as recommended.

5. 40 Donaldson Road, London, NW6 6NG (Ref. 14/1494)

PROPOSAL:

Demolition of rear garage and change of use of the ground floor from launderette (sui generis use) to a 2 bedroom self-contained flat with proposed entrance off Lonsdale Road and associated external alterations to include replacement of shop front with brickwork and windows, new windows and doors to the side and rear,

front garden landscaping with new boundary wall and new boundary wall with gate to the side.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

Stephen Weeks, Head of Planning outlined the scheme and set out the key planning considerations for recommending approval. He informed members that the proposed change of use which would provide a decent standard of accommodation for future occupiers and the loss of the current launderette was acceptable in the circumstances set out in the report.

Susan Tomkins who operated a nearby Yoga Class, opposite the front of the site, objected to the process of conversion on the grounds that it would cause noise nuisance and adversely impact the tranquillity of the classes, due to its proximity. In response to members' questions, the objector stated that the application would create parking problems for her users. She added that the proposal would result in loss of residential amenity as the nearest launderette was about half a mile away.

In response to the Chair's suggestion for additional conditions for a Construction Management Plan (CMP) and signing up to the Considerate Contractor Scheme (CCS) the Head of Planning advised that these were not usually applied to developments of this scale and that, while they represented good practice they would not necessarily address the concerns and suggestions expressed by the objector including reducing working hours. He continued that the additional conditions covering these issues would not mitigate all the harm but would seek to control it.

Members however decided to grant planning permission as recommended with additional conditions for a Construction Management Plan and a requirement for the applicant to sign up to Considerate Contractors Scheme (CCS).

DECISION: Planning permission granted as recommended and additional conditions for a Construction Management Plan and a requirement to sign up to the Considerate Contractors Scheme (CCS).

6. 42A-D and 43A-C St Julians Road, London, NW6 7LB (Ref. 15/3316)

PROPOSAL:

Proposed erection of mansard roofs with two front dormer windows and two rear dormer windows with inset balconies, to create two third floor flats (1x1bed) with front refuse storage to front of properties.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

David Glover (Deputy Area Team Manager) outlined the scheme and with reference to the supplementary report addressed the issues raised during the site

visit. He informed members that the separation distance between the site and the residential units in Opal Mews complied with the guidance in SPG17. In respect of waste management, he stated that each property would be provided with 240 litre bins and that creating two designated bin stores for each building would help to remove at least two of the existing bins per building from the footpath. This would be an improvement on the current visual amenity and highway safety of the area. He continued that as a permit free development, prospective residents would not be able to obtain a parking permit and thus the application would not give rise to parking issues.

Christopher Pearce objected to the proposal on the following grounds:
Reduced pedestrian space due to the location of the waste refuse bins:
Detrimental impact on parking facilities in the area:
Concern for the safety of children due to the design of the balcony and
Noise and light pollution

Brian Kavanagh (applicant's agent) stated that the proposal which accorded with the London Plan and the Council's policies would not give rise to parking issues or highways concerns as it was a permit free scheme. He continued that the Council's Building Control unit had not raised concerns about safety and waste management. The applicant's agent also drew members' attention to the separation distance between the site and the neighbouring properties which officers considered acceptable.

During the ensuing debate, members suggested additional conditions to ensure collection of the bins from footpath level, cleaning and decoration of the building exterior after construction and the provision of a higher balcony to limit the scope for items to be dropped from the proposed balconies into the communal area. These were put to the vote and declared carried unanimously.

DECISION: Planning permission granted as recommended with additional conditions requiring the bins to be located at street level; cleaning and decoration of the building exterior after construction and to provide a higher balcony screen.

7. 40D St Julians Road, London, NW6 7LB (Ref. 5/3315)

PROPOSAL:

Erection of mansard roof with front and rear dormers and inset rear balcony, to create a single one-bedroom flat at third floor level, with associated refuse-storage area by the front entrance.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

See the previous application for preamble.

DECISION: Planning permission granted as recommended with additional conditions requiring the bins to be located at street level; cleaning and decoration of the building exterior after construction and to provide a higher balcony screen.

8. 75 Okehampton Road, London, NW10 3EN (Ref. 15/3570)

PROPOSAL:

Excavation of a basement level with front and rear lightwells, erection of single storey side infill and rear extension, two storey side extension, addition of hipped roof to existing two storey side extension, rear dormer window with Juliet balcony, insertion of 2x front roof lights, insertion of glazing into front gable and conversion of garage into habitable accommodation (amended plans and description).

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

Stephen Weeks (Head of Planning) outlined the scheme and with reference to the supplementary report clarified the issues raised during the site visit. Members heard that whilst some loss of light and a change in outlook to rooms in adjoining properties would be inevitable, it was not considered to result in an unacceptable loss of light or an unacceptable overbearing impact. He added that the extensions complied with normal SPG5 guidance and was considered acceptable. He continued that due to its orientation, there would be no loss of direct sunlight to the property to the south west and that to the north east it did not exceed what could be built as 'permitted development'.

Gillian Newton objected to the proposed development on the grounds that it would constitute an over-development of the site and result in loss of light, outlook and privacy. She continued that the proposal which could also give rise structural risk damage to the other properties, would set an undesirable precedent for similar unacceptable developments in the area.

In accordance with the provisions of the Planning Code of Practice, Councillor Nerva, ward member stated that he had been approached by local residents in connection with the application. Councillor Nerva reiterated the comments by the objector and added that the proposal involving a large basement development would take sometime to complete resulting in a significant adverse impact on residential amenities. He added that the proposal would be out of keeping with the character of the area and in the absence of a guarantee bond against subsidence to neighbouring property at No 77 and a revised guidance on such developments, urged members to be minded to refuse the application.

Mathias Hamms (applicant's agent) informed the Committee that the applicant had addressed all of the concerns raised by the adjoining neighbour and although he was not aware of any potential local subsidence, any such risks would also be addressed in the construction process of the basement. He drew members' attention to the applicant's intention to preserve the mature tree for which officers had imposed a condition.

In response to members' enquiries, the applicant's agent stated that a structural survey to ensure the structural integrity of the scheme had been undertaken. He continued that there would no loss of sunlight and that improvements to the side

extension including the reduction of side facing windows and unchanged parapet level would ensure that there would be no overlooking and no over-shadowing.

In bringing the discussion to a close, the Chair summarised the issues raised by the objector, the local ward member and the agent's responses. She also referred to concerns raised by members on the site visit in respect of the detrimental impact of the two storey side extension on the neighbouring property, which had a single aspect habitable room, the totality of the development including the basement on neighbouring properties and the cumulative impact on the character of the area. Members then voted on the officer's recommendation for approval which was declared lost

Voting on the substantive recommendation for approval subject to conditions as set out in the Draft Decision Notice as amended in the supplementary report was recorded as follows:-

FOR:	Councillor Mahmood	(1)
AGAINST:	Councillors Choudhary, Marquis and Maurice	(3)
ABSTENTION:	Councillors Agha, Colacicco, Ezeajughi and M Patel	(4)

DECISION: Refused planning permission for the following reasons;
Impact of the first floor side extension on amenities of the first floor side habitable room window to the neighbouring property; cumulative impact of the extensions and basement on the character of the house and area and the potential impact on the structural integrity of the attached house in view of the scale of the basement works.

9. Knowles House, 51 Longstone Avenue, London, NW10 3UN (Ref. 15/3702)

PROPOSAL:

Continued use of the building as a hostel providing bed and breakfast accommodation (Use Class Sui Generis) for a temporary period of 2 years and 6 months.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice..

Stephen Weeks (Head of Planning) outlined the proposal and referencing the supplementary report, informed members that the application which sought permission for 2 and a half years would time in with the management agreement for the site. He continued that the issues raised by objectors during the consultation were not necessarily directly related to the proposal. He drew members' attention to condition 1 which revised the temporary time limit for the permission from 2016 to 2018 as set out in the supplementary report.

Emma Asare, an objector informed members that the current use of the premises as a temporary hostel was creating anti social behaviour including break-ins and drug taking in the stairwell of the blocks in the Longstone Avenue area. In response to members' questions, Emma Asare stated that the incidents had been

reported to the Police who had the crime records. She added that although the Council had promised to address the problem this had not been done and for those reasons she urged a refusal.

Tim Gray (applicant's agent) stated that whilst he was aware of some level of complaints it had not been proven that acts of anti social behaviour to which the resident referred were being caused by the hostel residents. He however undertook to bring them to the attention of the Brent Housing Partnership (BHP) Anti Social Behaviour Officer who he understood had started to investigate the issues raised. In response to members' questions, the applicant's agent stated that the applicant would be willing to provide a CCTV camera to help monitor the situation.

Members then discussed the application after which they decided to add additional conditions as set out below to address the issues raised by the local residents.

DECISION:

Granted temporary planning permission for 2 years and 6 months ending 2018 as recommended and subject to the amended condition set out within the Supplementary with additional conditions covering the approval of measures to; deter Knowles House residents from using common parts of the neighbouring BHP property including clauses within tenant licences, a potential contribution to funding the installation of CCTV cameras following a review and details of clear reporting mechanism for anti social behaviour).

10. Land on site of former Craven Park Health Centre, Knatchbull Road, London NW10 (Ref. 15/0822)

PROPOSAL:

Construction of two buildings ranging from 4 to 6 storeys high providing 109 residential units (4xstudio, 60x1-bed, 44x2 bed, 1x3 bed) together with community space (Class D1/D2), private and communal amenity space, new areas of public realm, basement and on-street car parking, vehicle and pedestrian access, landscaping and ancillary development at Stonebridge Site 27, Stonebridge, London.

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.

David Glover (Deputy Area Team Manager) outlined the scheme and in reference to the supplementary report, responded to the issues raised at the site visit. Members heard that the majority of the open space had been transferred to Brent as agreed as part of the wider regeneration plans for Stonebridge and that it had been secured to mitigate the shortfall in the provision of on-site amenity space. In respect of disabled access, he advised that the applicant would be required to

make arrangements for the maintenance of the lift, which was required due to the in height of land and other options being impractical. He clarified the shared ownership and requested members to delegate its final wording and viability issues to officers for inclusion in the legal agreement.

David Glover informed members that there was sufficient social infrastructure including a school and medical facilities to accommodate the development as a result of the wider regeneration of Stonebridge. In respect of parking, he stated that the on-street parking situation would be formalised with the inclusion of bays which would provide some on-street capacity, for use by the existing churches, doctors surgery and visitors to the site. He then drew members' attention to an amended condition 9 on landscaping as set out in the supplementary report.

Mike Johnson (applicant's agent) stated that the proposal which incorporated a high quality design and community facility would provide a real and long lasting change within the community. He emphasised the applicant's commitment to deliver an acceptable scheme which was amplified in the heads of terms of the section 106 legal agreement. In response to members' questions, the agent stated that the scheme incorporated a large number of smaller housing units so as to meet the demands of the social rented sector. He continued that lift access to the development would be provided and that maintenance issues would be addressed.

In the ensuing discussion, members were concerned to understand how the applicant was able to provide affordable housing, which apparently contradicted the financial viability assessments, and sought reassurance that these units would not be later withdrawn from the scheme, Mr Johnson explained that due to the applicant's commitment to affordable housing it was willing to transfer profits from other sites to support affordable housing on this site, Members also expressed views about parking facilities and the impact of the community facility on parking, especially if it was to be used to accommodate a church. The chair added further conditions for a Travel Plan for use of the Community Facility and a clause in the Section 106 legal agreement for a minimum of 20% affordable housing to be provided prior to 50% occupation of the development and a clause as offered by the applicant to require a review mechanism on commencement of the development. Members also noted the applicant's commitment to providing the affordable housing aspect of the scheme.

DECISION:

Planning permission granted as recommended and additional conditions for a Travel Plan (community facility) and a further clause in the S106 legal agreement that 20% affordable units be provided before 50% of the development was occupied and a review mechanism to allow for an increase in affordable housing on commencement but no decrease in the agreed 20%.

11. Any Other Urgent Business

None.

The meeting closed at 9.58 pm

S MARQUIS
Chair