



## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE PLANNING COMMITTEE Wednesday 16 December 2015 at 7.00 pm**

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

ALSO PRESENT: Councillors Chohan, Kelcher, Nerva, Perrin, Wilhelmina Mitchell-Murray and Tatler

#### **1. Minute's Silence**

The Committee observed a minute's silence in remembrance of the 140 people in an army-run school in Peshawar killed by militants from the Pakistani Taliban.

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

Summit Court Garages and Laundry and store room next to 1-16 Summit Court, Shoot-up-Hill, London NW2 (Ref. 15/1892)

Councillor Mili Patel declared that she was a Trustee on the board of Brent Housing Partnership (BHP) and indicated that she would leave the meeting room when that application was being considered.

31 Montrose Avenue, London NW6 6LE

All members declared that they were given a letter by the resident at 33 Montrose Avenue during the site visit.

#### **3. Minutes of the previous meeting held on 18 November 2015**

RESOLVED:-

that the minutes of the previous meeting held on 18 November 2015 be approved as an accurate record of the meeting.

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

The application was deferred at the last meeting to allow further consultation on the location of the path as shown in the site plan. David Glover (Area Planning Manager) outlined the scheme and in reference to the tabled supplementary report provided responses to the objections submitted by a local resident. He stated that the provision of a formal path would discourage the students from straying off onto the adjacent grassed area and that the use of tarmac was in keeping with the existing paths through Roe Green park.

Dan Hulsman (objector) stated that the proposal would effect the park and remove a section of ecologically valuable mature hedge and, as a wide public pavement already existed for use by the students, the proposal was not necessary. He considered that the current Travel Plan discouraged car usage and that the current footpath which needed to be protected was not being maintained particularly during winter months. In response to members' questions, the objector stated that to his knowledge there had been no accident in the area of the public footpath and that the dropping off times were between 2.00 and 4.00pm.

Stephen Moore (Director of Resources, Kingsbury High School) informed the Committee that as there were about four daily movements of children between the 2 sites of the school and thus the proposal would assist with the safety of the students. He added that as the pavement was not wide enough it resulted in conflict with passing vehicles to the detriment of the students' safety. In response to members' questions, Stephen Moore confirmed that residents had not complained about student movements between sites and that, although security guards were used, the proposal would help pupils to move more safely.

The chair asked the applicant's representative whether widening the footpath between Bacon Lane and the new path would help improve the safety of the schoolchildren. The applicant's representative agreed that widening the footpath would help to safeguard the children and indicated the applicant would be willing to financially contribute to such works.

Stephen Weeks (Head of Planning) recommended an amendment to condition 7 for a 'Grampian condition' (or negative conditions to control development under a planning permission where works are to be carried out off-site) regarding works to ensure the section of public footpath on Bacon Lane to the south of the proposed path had a minimum width of 2.2m. Grampian (or negative) conditions have been used to control development under a planning permission where works are to be carried out off-site

**DECISION:** Granted planning permission as recommended subject to an additional 'Grampian condition' regarding works to ensure the section of public footpath on Bacon Lane to the south of the proposed path has a minimum width of 2.2m to which the applicant was willing to contribute.

**5. Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley (Ref.15/3599)**

**PROPOSAL:**

A hybrid planning application for the redevelopment of the site including:-

a) Full planning permission for the demolition of existing building and erection of a 13-storey building comprising a 312-bed hotel (Use Class C1) with ancillary and/or ground uses including a restaurant, bar, offices and gym (Use Classes A1-A4/B1 and/or D2) (referred to as Plot W11), on-site cycle parking and

b) Outline planning permission for the demolition of existing building (The Red House, South Way) and erection of a 4-storey building comprising 1610sqm of and/or A1-A4/B1/D1 and D2 uses, with all matters reserved (referred to as Plot W12) and new pedestrian boulevard (outline) with associated service yard, landscaping and infrastructure works.

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft decision notice and an additional condition relating to public access.

David Glover (Area Team Manager) outlined the proposal and with reference to the tabled supplementary report responded to the issues raised by members at the site visit. He clarified the separation distances between the proposed hotel building and the IBIS and Holiday Inn hotels and the width of the hotel and the remaining boulevard. He added that the off-street service yard could accommodate a coach and a servicing vehicle at the same time. He continued that up to five servicing vehicles were expected to use the service yard daily, and as such the proposal would not give rise to highway safety concerns. He advised members that the children's play centre had always been a meanwhile (interim) use of the building and that vacant premises may be available for them to relocate to within the nearby Wembley Retail Park on Engineers Way. The Area Team Manager then referred members to additional conditions as set out in the supplementary report in respect of contaminated land, control of noise and vibration and on the advice of the Metropolitan Police, the submission and approval of details relating to the resilience to terrorism.

Paula Carney (applicant's agent) endorsed the recommendations in the report and added that the proposal, in addition to job creation, would assist Quintain in achieving its policy aspirations for Wembley as well as accord with the regeneration principles of the North West Lands, thus demonstrating Quintain's continued commitment to Wembley.

In the discussion that followed, members expressed concerns about the narrowness and safety aspects of the boulevard, the separation distance to the existing buildings and the design and scale of the proposed development. Concerns were also expressed about the over-development of the site and the uncertainty about the future of the children's play area. Members also asked why the proposal was not in the Masterplan, why the application did not accord with the London Plan and raised concerns regarding the number of marshals for events and the fact that the original boulevard consent was given on the basis that the

boulevard would remain a clear route connecting Wembley High Road and the Triangle to the London Designer Outlet (LDO).

In responding to the concerns, Paula Carney stated that concerns about the boulevard would be addressed by it being made wider (23m) once the development was completed. She added that studies by Quintain about pedestrian movement confirmed that the boulevard would be able to accommodate crowds without raising safety issues. The applicant's agent continued that although the children's play area was a meanwhile use, there would be an opportunity for the play area to be incorporated into the new masterplan.

Members were minded to refuse the application contrary to officers' recommendation, stressing that the site was a key gateway site and whilst they acknowledged that Quintain had given Wembley lots of attractive buildings, they were concerned about the narrowness of the boulevard for safety purposes and for the reasons set out below and referred the report to the next meeting.

DECISION: Minded to refuse planning consent for the following reasons:

- i) As a significant gateway site to the LDO and Wembley Stadium there were concerns that due to the the design, siting, scale and massing and the relationship with adjoining buildings, the proposed boulevard and future development, the proposal gave the appearance of overdevelopment on a relatively constrained site;
- ii) The width of the boulevard during construction and associated pedestrian safety implications; and
- iii) Concerns around the alignment of the proposed new boulevard and its relationship with the route to Stadium Station Square which does not appear to improve the connectivity, the openness and flow of the boulevard, from the High Road town centre through to the LDO.

Voting on the recommendation for approval was recorded as follows:

FOR:	None	(0)
AGAINST:	Councillors Marquis, Agha, Choudhary, Colacicco, Ezeajughi, Mahmood, Maurice and Mili Patel	(8)
ABSTENTION:	None	(0)

**6. Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY (Ref. 15/4140)**

PROPOSAL:

Erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building.

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

David Glover (Area Planning Manager) outlined the proposal and in reference to the tabled supplementary report addressed the issues raised at the site visit. Members heard that community access was being proposed for the new swimming pool for which an additional condition for a community access plan with full access details was being recommended. He added that as agreed with the Highways section, a car park management plan requiring the car park to be open for community use during weekends would be a condition of any forthcoming consent. He reported on the applicant's discussions with Transport for London (TfL) regarding the relocation of the bus stop and shelter and provided an update on the crossing on Forty Lane/The Paddocks. The Area Planning Manager continued that due to their proximity to the swimming pool building, the existing memorial trees to the front of the building would have to be removed. Alternatively, two new memorial trees could be planted in the lower landscape terrace of the site and added that if members wished to pursue this option then condition 9 would be updated as set out in the supplementary report.

In respect of the impact of the proposal on the setting of the listed building, David Glover explained that following pre-application consultations, both Historic England and the 20th Century Society had concluded that the swimming pool had been sensitively designed to respect the setting of the listed building. He added that the proposed 1.4m set back of the swimming pool building from the back edge of the pavement and its height, being at the same level as the car park, had been sought to improve the relationship to the street and was considered appropriate.

Andrew Murdock and Chris Picketts (applicant's agents) were present to answer members' questions on the proposal. In response to questions about the location of the bus stop and its impact on vehicles turning into The Paddocks, Andrew Murdock stated that the relocation of the bus stop had been agreed with TfL, subject to further detail design to determine the exact location. He continued that when TfL had decided on the exact location, the impact of the proposal on cars turning into The Paddocks could be further assessed.

Chris Picketts informed members that the location of the swimming pool had been selected as there was no other suitable stretch of open space within the site to accommodate it as other locations may affect neighbouring properties and the setting of the Paul Daisley Hall. He stressed that they had looked at alternative taking into account disability and cost profile and that this was the best solution for the proposal. He continued that the applicant would make the car parking spaces available to local primary school for community use and would consider requests for weekday parking also.

The ensuing discussions reflected members' concerns on the design, location of the proposed development, relocation of the bus shelter and the impact of the proposal on the listed building and streetscene. Members were therefore minded to refuse the application contrary to officers' recommendation.

Voting on the recommendation for approval was recorded as follows:

FOR:	None	(0)
AGAINST:	Councillors Marquis, Agha, Choudhary, Colacicco, Ezeajughi, Mahmood, Maurice and Mili Patel	(8)
ABSTENTION:	None	(0)

DECISION: Minded to refuse planning permission due to the siting, height and design of the building and associated impact on the setting of and views to the Listed Building; and due to the insufficient level of information regarding the siting of the re-located bus stop and shelter and failure to demonstrate this will not impact on pedestrian and highway safety.

**7. Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY (Ref. 15/4141)**

PROPOSAL:

Listed building consent for the erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building.

RECOMMENDATION: Grant listed building consent subject to conditions as set out in the draft decision notice.

See minute 6 above.

Voting on the recommendation for approval was recorded as follows:

FOR:	None	(0)
AGAINST:	Councillors Marquis, Agha, Choudhary, Colacicco, Ezeajughi, Mahmood, Maurice and Mili Patel	(8)
ABSTENTION:	None	(0)

DECISION: Minded to refuse planning permission due to the siting, height and design of the building and associated impact on the setting of and views to the Listed Building.

**8. Summit Court Garages and Laundry & Store Room next to 1-16 Summit Court, Shoot Up Hill, London, NW2 (Ref. 15/1892)**

PROPOSAL:

Demolition of redundant garages, caretakers storage and residents community room and erection of a four storey block of 11 self-contained flats (4x1bed, 3x2bed and 4x3bed) with associated space for community room (Use class D1) on the ground floor and additional 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.

Angus Saunders (Area Planning Manager) outlined the proposed development and referenced the tabled supplementary report. He explained that the parking spaces would allow for visitor parking bays and would be allocated and managed by Brent Housing Partnership (BHP) via a scratch card permit system following consultations with residents. He continued that although none of the spaces had been identified for disabled access bays, should a local need arise, BHP would ensure bays were marked accordingly. In respect of parking overspill, the Area Planning Manager stated that future residents would not be able to obtain parking permits to park on Mapesbury Road or other nearby streets. He added that as the site had a good PTAL rating, future residents were expected to rely more on public transport rather than private car ownership. Members heard that although the application fell below Supplementary Planning Guidance (SPG) standards in some relatively minor ways, the initial proposal had been amended to minimise this and was considered acceptable.

Michelle Minogue (applicant's agent) and Richard Deville (BHP) were in attendance. They informed members that the site had good public transport accessibility and as such BHP did not anticipate parking overspill to neighbouring streets. They advised that BHP had discussed the scheme with Highways and Transportation which considered it acceptable including the turning head for servicing vehicles. Members heard that BHP had consulted with residents to achieve an acceptable scheme which would enable BHP to respond to some of the issues of anti-social behaviour.

The Chair suggested an amendment to condition 13 to include a Demolition Statement, a Construction Method Statement and a further condition requiring submission of details of parking layout prior to any future change.

DECISION: Granted planning permission as recommended with amended condition 13 to include asbestos removal, a Demolition Statement, a Construction Method Statement and a further condition requiring submission of details of parking layout prior to any future changes.

**9. 31 Montrose Avenue, London, NW6 6LE (Ref. 15/4484)**

**PROPOSAL:**

Proposed excavation of basement, installation of front lightwell, internal glass panels to form rear lightwells, insertion of three rear roof lights to existing single storey addition, replacement and enlargement of first floor rear facing window and alteration to first floor side facing window to dwelling house

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

Angus Saunders (Area Planning Manager) introduced the report and with reference to the tabled supplementary report responded to queries raised. He informed members that due to the category (U grade) of the cherry tree in the pavement to the front of the site, it was considered appropriate for removal in the future. However, in the interim, a new condition was proposed to require protection during construction. He continued that in the interests of residential amenity, the applicant had submitted a Construction Method Statement which set out measures to address noise and manage dust during construction. He referenced the building collapses in Barnet and Barnes and explained that those incidents arose from poor construction method. In response to concerns about soil conditions, the Area Planning Manager stated that a detailed method statement showed how the soil would be investigated.

Janis Denselow (an objector) reiterated that residents were not convinced by the applicant's Construction Method Statement and added that their concerns including the protection of the tree and the claim about a possible unexploded bomb in the area had not been addressed. She requested a deferral of the application to enable residents to study how other local authorities approached similar applications.

*In accordance with the provisions of the Planning Code of Practice*, Councillor Nerva, ward member, stated that he had been approached by residents and had met with the applicant and the objectors. Councillor Nerva stated that there were serious concerns about the impact of basement developments in the area which was characterised by Edwardian houses with minimal and shallow foundations within the London clay belt area. It would therefore be necessary for all basement developments to be subject to geological surveys and for that reason he requested a moratorium whilst Brent developed a comprehensive basement policy.

Jennifer Taylor (applicant) and Ben Bates (applicant's architect) were in attendance. Jennifer Taylor informed members that the application met Brent's guidelines on basement developments and was in line with precedents. She added that residents' concerns would be addressed by the Construction Method Statement and a requirement to sign up to the Considerate Construction Scheme. Ben Bates added that although a geological survey had not yet been carried out for the proposal, the contractor would use a method of underpinning to ensure the stability of the foundations of nearby properties.

The chair queried whether the applicant could be required to comply with a condition to produce a geological soil survey which also commented on the potential impact of multiple basements developments on other properties. The chair also requested a formal review of Brent's existing basement policy and encouraged the Queens Park ward councillors to initiate the process by attending a meeting with the Planning team.

Stephen Weeks (Head of Planning) clarified that Brent had an existing practice guide towards basement developments which had been developed with the Planning Committee and enabled applicants to think through their projects and



possible construction methodologies, and had generally resulted in acceptable proposals. There was also recent amended design guidance for the Conservation Area which recognised basement development. In the circumstances, he did not endorse the request for a moratorium, and this view was endorsed by Patricia Bramwell, the legal representative. However, he referred to forthcoming discussions with Ward Councillors around basement issues.

In endorsing the recommendation for approval, members were minded to add a further condition for a Construction Method Statement and a soil survey.

DECISION: Granted planning permission as recommended subject to two additional conditions requiring (1) a Construction Method; and (2) a soil survey by a suitably qualified person.

#### **10. 222 Church Road, London, NW10 9NP (Ref. 15/4104)**

##### **PROPOSAL:**

Change of use of vacant shop (Use class A1) into funeral services (Use class Sui Generis) to also include the demolition of rear extension and erection of a new single storey rear extension.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the draft decision notice and an additional condition requiring a service management plan.

Angus Saunders (Area Planning Manager) introduced the proposed change of use and referenced the tabled supplementary report. He informed members that the Highways section had advised that the service space to the rear of the property was insufficient for a hearse to safely gain access and consequently, the applicant had agreed to use a smaller VW Transporter van which would still meet their requirements. In order to ensure that this arrangement was carried out, the Area Planning Manager recommended an additional condition requiring a service management plan as set out in the supplementary report. He drew members' attention to officers' responses to queries raised by Councillor Long as set out in the supplementary report. He also pointed out that the operational hours had been set by condition 6.

Harold Murray and Jackie Williamson (local residents) raised objections to the proposal on grounds of increased noise nuisance and traffic congestion to the detriment of residential amenities.

Omar Shahzad (supporter) stated the applicant had taken measures to ensure that the change of use would not give rise to traffic congestion and that visitors to the parlour would be by prior appointment. However, as he did not formally represent the applicant, Members noted that he was not able to speak on their behalf.

DECISION: Granted planning permission as recommended.

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

None.

The meeting closed at 10.20 pm

S MARQUIS  
Chair