



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Wednesday 9 March 2016 at 7.00 pm

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

ALSO PRESENT: Councillors McLennan, Perrin and Warren

Apologies for absence were received from Councillor Agha

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

Moberly Sports Centre, Kilburn Lane, London W10 4AH

The applicant sent by email, supporting documents to all members. Members also attended a presentation by the applicant in the presence of officers on 23 February 2016.

Byron Court Primary School, Spencer Road, Wembley HA0 3SF

Councillor Perrin sent emails to members and officers with detailed representations.

Barry Gardiner MP tried to call or called Councillors Choudhury, Colacicco, Ezeajughi and Mili Patel.

All members re-affirmed that they would consider all applications with an open mind.

### 2. **Minutes of the previous meeting - 10 February 2016**

RESOLVED:-

that the minutes of the previous meeting held on 10 February 2016 be approved as an accurate record of the meeting subject to amendments to item 8 (76-78 Salusbury Road, London NW6 6PA ref. 15/4590) relating to Judy Wilcox's address. Please see the minutes of that meeting for the full text. The text is also re-produced below:

"Judy Wilcox, speaking on behalf of the Hopefield Avenue residents raised concerns on the application on grounds of noise nuisance from staff and visitors to the pub and added that the previous owner had consistently failed to adhere to planning conditions including amplified music and hours of operation of the event rooms. She added that whilst some groups had moved to other sites, the use of the premises by other groups could worsen the problems being experienced by residents. She also reiterated residents' objection to the use of the entrance to the pub on the corner of Hopefield Avenue and Salusbury Road."

**3. Moberly Sports Centre, Kilburn Lane, North Kensington, London, W10 4AH (Ref.15/4226)**

PROPOSAL: Details pursuant to condition 17 (Construction Logistics Plan) relating to planning application reference 13/3682 dated 04/02/2015 for full planning permission sought for demolition of all existing buildings and erection of a part 7/part 6/part 5/part 4-storey building with 9293sqm of Sports and Leisure Centre (Use Class D2), 56 flats ( 22 x 1-bed, 34 x 2-bed) and 240sqm of retail floor space (Use Class A1/A2/A3) and erection of 15 terraced townhouses (15 x 4-bed) with associated car and cycle parking and landscaping and subject to a Deed of Agreement dated 02 February 2015 under Section 106 of the Town and Country Planning Act 1990, as amended.

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

Angus Saunders (Area Planning Manager) outlined the scheme which was considered at the last meeting at which members decided to refuse the application, contrary to officers' recommendation. With reference to the supplementary report, he informed the meeting that prior to the decision notice being issued, the applicants approached and made a presentation to the Committee on 23 February after which the Planning Committee agreed that the application with any amendments and further supporting information, could be reported back to the meeting on 9 March 2016. He then referred to amendments proposed by the applicants including servicing of large heavy goods vehicles (HGV's) from either Banister Road or Kilburn Lane.

The Area Planning Manager advised the committee that in order to reduce traffic impact, the applicants were now proposing to further reduce the hours that the service bay would be in operation as detailed in the supplementary report. This measure would avoid school peak hours and thus limit potential congestion and pollution caused by standing traffic. Furthermore, in order to minimise impact on local shops, the applicants had offered access to the proposed servicing bay when not in use for HGV deliveries on an organised basis and would involve marshalled access controlled by the contractor's staff. He continued that the Head of Transportation had agreed with the applicant's assessment of potential congestion and the advantage of reducing the HGV servicing hours.

Members heard that the applicants had also met with local residents associations and had subsequently provided further information. As a result, all the local residents associations who had originally objected to the proposal (APRATA, KRRRA and KTRA) accepted Chamberlayne Road as the location for an off site loading bay and thus no longer objected to this element. He drew members' attention to additional responses submitted to other concerns expressed by Residents' Associations as set out in the supplementary report.

John Keutgen speaking on behalf of the Residents' Associations confirmed that they had met with the applicants and were satisfied that the additional extensive information received would mitigate concerns expressed previously.

DECISION: Granted planning permission subject to conditions as recommended - (7 in support; 1 abstention).

**4. Land at the Junction of Brondesbury Park & Christchurch Avenue  
Christchurch Avenue, London (Ref.16/0169)**

PROPOSAL: Demolition of existing single storey nursery building and erection of a part three part four storey building to provide educational accommodation for use by Marylebone Boys' School for a temporary period of 2 years until September 2018, with associated works to include fenced multi-games area (MUGA), car and cycle parking spaces, creation of vehicular and pedestrian access, boundary alterations and hard and soft landscaping.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice and additional conditions on bus capacity and windows.

Angus Saunders (Area Planning Manager) outlined the scheme and with reference to the supplementary report responded to issues raised at the site visit. In respect of the relationship between the proposed school and Marada House, he recommended imposition of a condition to secure an undertaking from the applicant that the windows would be obscure glazed. He added that the temporary structure proposed would not have a materially harmful impact on the outlook of neighbouring residents. He then referred to the list of objections set out in the supplementary report adding that the issues raised had been addressed in the main report. The Area Planning Manager advised members that Transport for London (TfL) were yet to confirm whether there was likely to be an impact on the capacity of bus routes serving the school. In the absence of the confirmation, he recommended a further condition to address this as set out in the supplementary report.

In accordance with the provisions of the Planning Code of Practice, Councillor Warren (ward member) stated that he was addressing the Committee in place of Councillor Shaw but he had not been approached. Councillor Warren stated that although he was not against the principle of the development, he raised the following three issues of concerns:

- a) Flawed Travel Plan.
- b) The proposed four storey building would be out of character with the properties in the area and represented an overdevelopment of the site.
- c) Noise nuisance from the pupils would result in a detrimental impact on the quality of life of the residents in the area.
- d) Impact on the local highways network and public transport in an area with a moderate PTAL rating.

Kieron Porter (applicant's architect) in responding to the issues raised by the ward member stated that adequate measures including a Travel Plan would be put in place to ensure that the development would not result in parking problems whilst a

separate vehicle access would address road safety concerns. He added that the massing and design of the proposed development accorded with guidelines and standards and ensured it was not out of character. The applicant's architect continued that the provision of outside playing space coupled with planting in and around the site would minimise any potential noise from pupils.

In response to members' questions, the applicant's architect stated that any potential pollution via the heating and cooling system would be addressed by natural ventilation measures. Although he did not have the figures for Brent residents who would be attending the school, he stated that most of the pupils would be drawn from the local area and other pupils who lived outside of the area would be encouraged to use public transport including the tube stations nearby. Tony Kennedy (Head of Transportation) stated that from highways perspective, there would be no detrimental impact on the surrounding roads.

DECISION: Granted planning permission subject to conditions as recommended - (7 in support; 1 abstention).

**5. College of North West London, Priory Park Road, London, NW6 7UJ (Ref.15/0406)**

PROPOSAL: Retention of a 2.4 m high fence with associated doors to the building

Members noted from the supplementary report that the strip of land, queried at the site visit, was in the ownership of Brent Housing Partnership (BHP).

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

DECISION: Granted planning permission subject to conditions as recommended (Unanimous).

**6. Land East of Victoria Centre, Acton Lane, London (Ref.15/4496)**

PROPOSAL: Outline planning permission for erection six storey building comprising 103 self-contained one bed apartments as supported housing units (Use Class C2) with associated community facilities.

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

DECISION: Granted planning permission subject to conditions as recommended (Unanimous).

**7. Community Centre, Crystal House, 2 Agate Close, London, NW10 7FJ (Ref.15/4559)**

PROPOSAL: Variation of condition 23 (to allow the change of use of the ground floor from a doctor's surgery into a day nursery Use class D1) of full planning

permission reference 04/0401 dated 26/04/2005 for Demolition of Guinness Sports and Social Club building and 2 squash courts and redevelopment of land to West of Abbeyfields Close and to rear (South) of Abbeyfields Close and Moyne Place to provide a total of 192 residential units (80 affordable) and community facility, doctors' surgery and childcare facility.

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

John Haston (Vice Chair of West Twyford Residents' Association) and Councillor Joy Morrissey of London Borough of Ealing in addressing the Committee emphasised the need for a new GP surgery in the locality, to cope with new residential units being built in the locality. John Haston added that the local community had many elderly and infirm persons who would find it difficult to travel further to other GP surgeries.

Officers advised that discussion with the local Clinical Commissioning Group (CCG) was undertaken as part of the application. The CCG maintained that as the existing GP/medical space did not meet the requirements of their new strategy for provision of primary healthcare, the space would become a children's nursery.

DECISION: Granted planning permission subject to conditions as recommended (Unanimous).

**8. 280 Ealing Road, Wembley, HA0 4LL (Ref. 15/5425)**

PROPOSAL: Removal of existing and installation of 2No. A/C condensers and 2No. Refrigeration condensers to the rear elevation of the shop and installation of louvre to existing flank wall (as amended).

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

DECISION

Granted planning permission subject to conditions as recommended (unanimous).

**9. Yellow Car Park, Fulton Road, Wembley (Ref.15/5394)**

PROPOSAL: Reserved matters application in relation to outline planning permission 14/3054. This application relates to Plots NW07 and NW08 for the construction of two buildings with two cores each ranging from 2 to 17 storeys in height, providing 361 residential units (within private, intermediate and affordable rented tenures), with private communal residential landscaped gardens, 59 car parking spaces for residential use, and 3,578 sqm (GEA) of commercial space for either Class A1 or A2 (Retail), A3 (Café and Restaurant), A4 (Drinking establishments), A5 (Hot food takeaway), B1 (Business) and/or D2 (Leisure and Entertainment), ancillary space, and associated plant, cycle storage for 584 bicycles, refuse provision and associated infrastructure including the creation of

” West Olympic Way” . The application has been submitted pursuant to conditions 1 (Layout, Scale, Appearance, Access and Landscaping); 8(c) Layout details; 8 (8(d) Highways layout; 8(e) Cycle storage; 8(f) Parking; 8(h) Access; 8(i) Daylight; 8(k) Wind); 9 (Noise); 12 (Noise); 20 (Vehicular access); 23 (Sustainability Implementation Strategy); 26 (Surface water drainage); 28 (Affordable Housing Storage). This application also provides information pursuant to the S106 obligations with regard to Plots NW07 and NW08: 4: Affordable Housing, 10.5 Demolition, 12 Sport and Play Space, 19 Brent Access Forum.

RECOMMENDATION: Approve the Reserved Matters subject to conditions set out in the decision notice and approve details pursuant to conditions 1, 8d, e, f ,h, i, k, 9, 12, 20, 23, 26 and 28 in relation to plot NW07 and NW08, subject to the conditions as set out in the Draft Decision Notice.

David Glover (Area Planning Manager) outlined the scheme and in referencing the supplementary report, clarified the issues raised at the site visit including the relationship between the proposed building and Olympic Way, concerns raised regarding Use Class A4 premises fronting on to the new street and community based use.

Anne Clements (applicant) stated that the design and appearance of the proposed buildings continued with the design approach and quality of design adopted for the two previous buildings granted planning permission within the North West Lands. She continued that the layout, scale, appearance, access and landscaping were considered to be acceptable and in line with the parameters set out in the outline consent and Design Specification for North West Lands. Details provided relating to the layout, highways layout, cycle storage, parking, access, daylight and wind would provide appropriate standards for future residents as well as have an acceptable impact on and relationship with the wider locality. Anne Clements added that in addition to the financial contributions secured under the Section 106 legal agreement, the proposal would provide affordable housing units and 27 car club car units.

DECISION: Approved reserved matters subject to conditions as recommended - (unanimous).

**10. Byron Court Primary School, Spencer Road, Wembley, HA0 3SF (Ref.15/4523)**

PROPOSAL: Demolition of eight existing buildings on site comprising 4x teaching blocks, 1x shelter, 1x shed, 1x storage/garage and 1x kitchen and dining facilities and construction of new part single and part two storey building (to accommodate expansion of the school from 3 form to 5 form entry primary school), all-weather MUGA to include the reconfiguration of the School’ s playing field and associated landscaping and parking, upgrading of the Nathans Road access and temporary permission for the erection of a single teaching block (2x classrooms) for use until July 2017.

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

David Glover (Area Planning Manager) outlined the scheme and referenced the supplementary report which contained officers' responses to issues raised at the site visit. In terms of visibility in Nathans Road, he reported that in addition to the speed cushions on either side of the crossover, Transportation had also requested a speed table outside the entrance which would extend to the adjoining properties and the opposite driveways and would further help manage the speed outside the school entrance. He continued that tracking diagrams provided in the Construction Management Plan demonstrated that access can be achieved from Nathans Road by tipper trucks, cement mixers and mobile cranes.

Members were advised that the proposed hours for community access to the MUGA would be comparable to other schools within the borough and therefore the level of use envisaged was not expected to result in significant levels of traffic or disturbance to local residents. In respect of the Travel Plan, he continued that Officers in Transportation had advised that the Travel Plan generally met with standards and that more emphasis on the park and stride option, centred around Northwick Park, with more ambitious targets was required. The applicant had also advised that the use of shuttle school buses from a "park & ride" location was looked at but was not considered a suitable measure for a primary school, given the local catchment which provided suitable opportunities for walking and cycling / scooting. Instead, park & stride measures were considered more suitable to reduce existing traffic impact, as proposed at Northwick Park car park, as well as walking bus proposals.

David Glover then referred to a submission by Councillor Perrin and members of Sudbury Court Residents' Association (SCRA) regarding signatories to the objections and clarified that the reference to it as a petition did not diminish the weight given to the objections or the fact that a very large number of people were objecting to the proposals. He also referred to a suggestion by Barry Gardiner MP for a site visit during weekday which would provide a proper reflection of the traffic impact and submitted that the Council's Highways service visited the site on multiple instances to observe the traffic conditions and had provided information regarding this. The observations were taken into account when providing their views on the proposal.

Suzanne D'Souza speaking on behalf of SCRA stated that the proposed expansion of the school from 3 form entry (3FE) to 5 form entry (5FE) constituted an over-development of the site. She continued that the school's Travel Plan and the traffic assessment were inadequate to address the level of traffic and parking which would be unacceptably high in the surrounding area, giving rise to health and safety issues. She added that this point had been confirmed by officers who had major concerns for pupil safety. Despite the school having a silver rated Travel Plan, even on the existing 3FE the traffic problems around the school were still unresolved. There had been failed attempts by the school, the Safer Neighbourhood Team, the local councillors and the Council to resolve the

problems. She therefore stated that the revised Travel Plan would be inadequate to deal with the increase in pupil numbers, most of whom would come from outside the catchment area. With regards to the park & stride proposal, she highlighted the fact that the Transportation officers stated that this was essential to deal with the traffic problems from such an expansion but the school had admitted the trialled take up had been poor. Finally she added that as the Council had not notified about 1,500 residents who signed the SCRA objection letter about the committee meeting or site visit, the proposed expansion should not proceed.

In accordance with the provisions of the Planning Code of Practice, Councillor Perrin (ward member) stated that he had been approached by the residents. Councillor Perrin informed the Committee that 1,500 residents who objected to the proposed expansion of the school were not notified of the committee meeting or site visit and therefore had been denied the opportunity to respond. He added that the school was unable to enforce the existing Travel Plan and the revised Travel Plan was inadequate as it relied on park & stride, which was impractical. His analysis of the potential use of the car park showed at least 200 cars during the existing school run. An extra 299 car journeys would be generated by the expansion according to the report. This would require 324 cars entering and exiting a single carriageway in 30 minutes, the equivalent of a car every 5 seconds. Due to other logistical issues with the use of the car park, such as cars arriving at the same time, numbers of staff required to collect 160 children, whether parents would drive past the school to use the car park etc. he stated the park & stride would not address the traffic problems generated by the expansion.

He also stated that historically police and parking enforcement had failed to deal with the current traffic problems which are exacerbated by commuter parking and an increase in Northwick Park Hospital staff using the roads. He stated that parking enforcement was lacking and was imperative to any potential solution. Councillor Perrin continued that the report by the Council's Highways officers was inadequate in several respects to support the application, especially its reliance on the park & stride scheme and urged members to refuse the application.

Cllr Perrin queried whether the committee had considered the detailed representations he had submitted prior to the meeting. Mr Weeks confirmed members and officers had received the representations but due to lack of time before the meeting they had not had an opportunity to consider them in full.

Martin Clark (Executive Headteacher) and John Grantham (applicant's agent) addressed the Committee. The Executive Headteacher summarised the rationale for the expansion of the school from 3FE to 5FE adding that concerns about traffic and parking would be addressed through a relentless Travel Plan to support the application. The agent added that the demonstrable need for the expansion had been established by the Council's Capital Programme officers who were on hand to offer further information to the Committee. He stated that there were no material planning reasons for refusal as the siting and layout of new school buildings within the school site complied with SPG17 guidance and would not adversely impact on the amenity of neighbouring occupiers. Cheryl Andani (Capital Programme Manager) informed members that a report about the increase



in school places to meet the growing deficit in the borough had been agreed by the Cabinet. She added that the resulting surplus at Byron Court school would be filled with children from other planning areas: (PA1 – Queensbury, Fryent and Welsh Harp and PA3 – Wembley, Sudbury and Tokyngton), which would increase the number of children travelling in cars. She confirmed that there would be a 2FE surplus in planning area 2 if the expansion was approved. In relation to the Council meeting its duty to provide a reasonable offer to children from these other planning areas – a place within 2 miles of home for 5-8 year olds – she could not say whether these areas would meet the distance requirement.

Members then raised questions about the school's Travel Plan and generally about the traffic impact of the proposed application including the feasibility of an off-site park and ride scheme, which would reduce the number of cars entering the roads adjoining the school. In response to members' questions, the applicant's agent stated that through a mix of encouragement to parents to engage in responsible parking and staggered parking, the Travel Plan would adequately address the traffic impact of the application. He added that park and ride was considered but was not found to be practical. Instead the focus would be on a scheme for a car share and park and stride.

Tony Kennedy (Head of Transportation) attended the meeting to respond to queries on highways' issues presented by the application. He stated that officers were aware of the current congestion problems around the school during drop off and pick up and to address that, Highways officers had recommended that additional measures be secured to mitigate the potential increase in traffic and parking on the roads, including improvements to the Travel Plan and Highways improvements. These would include junction improvements around Nathans Road, raised tables, weight and waiting restrictions, traffic enforcement officers and proposed park and stride measures for the Northwick Car Park. He advised members that the Travel Plan which would incorporate better targets, taking into consideration the increase in staff, would be challenging, monitored and checked annually to ensure its effectiveness. Mr Kennedy talked the members through the road plans showing the proposed highways improvements as this information had only been made available to the members immediately prior to the meeting.

DECISION: Granted planning permission subject to conditions as recommended and additional conditions for a work buffer of 5m to be implemented beyond the roots zone of the trees in the location; the gate be set back 10m from the school on Nathans Road; and amendment to condition 27 to specify applicable hours in the car management plan - (4 in support; 3 against; 1 abstention).

#### **11. Uxendon Manor Primary School, Vista Way, Harrow, HA3 0UX (Ref.15/5240)**

PROPOSAL: Expansion of current 2FE to 4FE primary school with associated landscape works and including:

1. Demolition of two classroom blocks, sports hall, toilet wing and staff room.
2. Construction of new 2 storey block providing 16 classrooms and associated spaces linking to existing building, new single storey providing 4 classrooms and associated spaces in SE corner of the site and a new larger sports hall.

3. Internal alterations and remodelling to main school building providing enlarged reception and main entrance, converting existing reception classrooms into new music/dance studio space and upgrading and remodelling of the existing kitchen and dining hall.
4. New incoming electrical connection
5. Provision of temporary classrooms and toilets for the duration of the works, including creation of services connections

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

David Glover (Area Planning Manager) introduced the scheme and with reference to the supplementary report, responded to queries raised during the site visit. He reported that grey-water use was discounted because of the relatively low water volume used in the kitchen and sinks and the capital cost and use of the area for storage/treatment/pump plant. He added that the storage of rain water could also eventually overflow to attenuation tanks which was already providing sustainable drainage. He continued that officers in Transportation had also advised that a number of parking restrictions were being considered within the area which would include the introduction of a 3hr restriction along Woodcock Hill. David Glover also drew members' attention to the relevant paragraphs in the main report that addressed the highways concerns expressed by some residents.

John Poole (local resident) objected to the proposed development on the grounds that the local area was already experiencing serious problems with flooding and road drainage. He circulated pictures showing the flooding of the school playing fields. He added that the sewer system which was currently working to full capacity with overflows from Shaftesbury Avenue would not be able to cope with the school expansion.

David Rubin (local resident) raised concerns on highways issues and the impact of the proposal on local traffic congestion. He added that the use of the school hall outside of school normal hours would lead to noise nuisance as well as raise health and safety issues. He also raised security concerns about the nearby synagogue.

Lucy Read (applicant's architect) stated that the proposed works would not disturb the existing building and therefore the attenuation tanks would have no impact on the sewerage in the area. She reported on her meeting with Thames Water which supported her view and added that the proposal complied with design standards. In response to members' questions, the applicant's agent stated that the sustainability strategy of the proposal achieved BREEAM standards.

DECISION: Granted planning permission as recommended and an informative regarding the need for additional parking enforcement to be undertaken by the Council after completion - (7 in support; 1 against).

**12. Any Other Urgent Business**

None.

The meeting closed at 10.48 pm

S MARQUIS  
Chair

Note: At 10:00pm the Committee voted to disapply the guillotine procedure so as to be able to consider all applications on the night.