



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 8 June 2016 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Agha (Vice-Chair), Daly (alternate for Councillor Moher), Hylton, Kabir (alternate for Councillor Long), J Mitchell Murray, Pitruzzella and Maurice

ALSO PRESENT: Councillors Collier, Patel and Perrin

Apologies for absence were received from Councillors Long and Moher

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

3. All Units, Watling Gate, Edgware Road, NW9 6NB (Ref. 15/3639)
All members declared that they had received emails from objectors, supporters and a letter from the applicant
4. 163 Preston Hill, Harrow HA3 9UZ (Ref. 15/0287)
Councillor Daly declared that as she knew one of the objectors to the application, she would withdraw from the meeting room during consideration of the application.
9. 76 Burnley Road, London NW10 1EJ (Ref. 16/0857)
Councillors Kabir and J Mitchell Murray declared that they were members of the Co-operative Group (the applicant). Councillor Marquis also declared that her close friend was a member of the applicant. All of the above Councillors stated that they would withdraw from the meeting room during consideration of the application.
All Committee members also received a letter from the applicant.

2. **Minutes of the previous meeting - 9 May 2016**

RESOLVED:-

that the consideration of the minutes be deferred to the meeting on 5 July 2016.

3. **All Units, Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB (Ref. 15/3639)**

PROPOSAL: Demolition of existing four storey building used as offices (Use class B1) and adult learning centre (Use class D1) and erection of part 5, 6 and 7 storey building providing 43 residential units (21 x 1bed, 12 x 2bed and 10 x 3bed) and office space (Use class B1) on the ground floor with associated basement level car parking, cycle parking spaces, alterations to existing vehicular crossover, landscaping and amenity space.

RECOMMENDATION: Refuse planning permission for reasons set out in the report.

Victoria McDonagh (Deputy Area Planning Manager) in responding to issues raised by members clarified that although the applicant had provided information on the current levels of occupation as set out in the supplementary report, it differed to some degree from the Council's business rates information.

She added that the applicant had not demonstrated that there was no reasonable prospect of the site being used for employment purposes although the most recent Employment Land Demand Study identified a net additional demand for B1a floorspace in Brent. She raised additional concerns on highways grounds, including conflict with pedestrian footway, poor disabled access from Hay Lane, lack of communal amenity space and an agreement for affordable housing. Victoria McDonagh reiterated the reasons for refusal as set out in the draft decision notice.

Sati Panesar (applicant's agent) stated that there had been very little permanent occupation of the building hence the need for temporary lettings as set out in the submissions to officers. He added that the application would assist in reducing the housing shortage in the borough without loss of employment uses. He continued that the proposal would not result in harm or detrimental impact and that outstanding areas of concern for officers could be addressed via imposition of conditions.

During the ensuing debate, it was suggested that the application could be deferred to enable the applicant to re-negotiate the application with officers to which Mike Kiely (Head of Planning) advised against. He added that in accordance with the London Mayor's Density Matrix, there was an indication of an over-development of the site.

DECISION:

Refused planning permission as recommended.

(Voting: unanimous).

4. 163 Preston Hill, Harrow, HA3 9UZ (Ref. 15/0287)

PROPOSAL: Demolition of existing building and erection of a 2 storey building with a basement level to provide 4 self-contained flats (1 x one bedroom units, 2 x two bedroom units and 1 x three bedroom unit) to include alteration to existing and creation of an additional vehicular crossover off Kinch Grove, car and cycle parking spaces, provision for waste and recycling, fencing and associated landscaping (as per revised plans received on 24 April 2016).

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

Victoria McDonagh (Deputy Area Planning Manager) introduced the proposed development adding that it complied with the Development Plan and the

Supplementary Planning Guidance 17 (SPG17) with no adverse impact on adjoining occupiers. In reference to the supplementary report which set out additional comments following consultation, she advised that parking consideration had already been considered within the main committee report and that a construction management plan was recommended to be conditioned to any forthcoming consent (condition 6 within the draft decision notice). She continued that Highways officers had examined the scheme and considered (satisfactory) the location of the crossover.

In endorsing the recommendation for approval, members added an informative requesting the applicant to inform highways before starting work on site.

DECISION:

Planning permission granted as recommended and an informative requesting the applicant to inform highways before starting work on site.
(Voting was unanimous).

5. 154 Watford Road, Wembley, HA0 3HF (Ref. 15/4960)

PROPOSAL: Removal of existing canopy and erection of new raised canopy to existing petrol filling station

RECOMMENDATION: Grant consent subject to conditions in material accordance with those set out within the draft decision notice.

DECISION: Granted planning permission as recommended.
(Voting: Unanimous)

6. 2 Atlip Road, Wembley, HA0 4LU (Ref. 15/2061)

PROPOSAL: Proposed demolition of existing former retail warehouse building and erection of development comprising a part 3 storey to part 10 storey building of 99 residential units (4 x studio, 31 x one-bedroom, 51 x two-bedroom and 13 x three-bedroom units).with associated cycle parking, x13 no. disabled only parking spaces at basement level with, x2 car club only spaces and new vehicle accesses off Atlip Road and associated landscaping (as amended).

RECOMMENDATION: To delegate authority to the Head of Planning, or other duly authorised person, to grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement in material accordance with the Heads of Terms set out within this report, the exact terms thereof to be agreed on advice from the Chief Legal Officer conditions in material accordance with those set out the draft decision notice.

David Glover (Area Planning Manager) outlined the scheme and in reference to the supplementary report informed members that the affordable units (23 in total) and private sale units would each have their own dedicated entrance fronting Atlip Road with both entrances having the same appearance. Members heard that a

contribution of £50,000 towards future extensions of existing Controlled Parking Zone "E" (to be secured through the Section 106 agreement) was considered to be sufficient to cover the public consultation and physical implementation costs of introducing a CPZ extension in the Sunleigh Road / Woodside Avenue areas, as well as average permit costs for a 5 year period for existing residents.

Mike Kiely (Head of Planning) advised that although the scheme was a departure from the London Plan, this reason was not sufficient to warrant refusal. In the discussion that followed, members generally felt that a review mechanism for affordable housing should be added to the Section 106 agreement and that an informative be also added advising the applicant to inform Highways unit before starting work on site to ensure ant damage to the public realm around the site caused by development would be the responsibility of the applicant.

DECISION:

Granted planning permission as recommended and an informative to the applicant to advise Highways Officers about the commencement of works plus the addition of a review mechanism in the S106 for affordable housing and an informative to the applicant to inform highways before starting work on site.

7. Land Adjacent to Morritt House, Talbot Road, Wembley, HA0 (Ref. 16/0120)

PROPOSAL: Partially retrospective application for variation of condition 2 (approved plans) to allow the following:

- creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse (one) and installation of new 2m high pedestrian gate
- erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high)
- reduction in width of vehicle access to part 3.6m and part 4.6m
- reduced width of vehicle barrier arm and re-siting of the front garden layout alterations to include relocation of car parking and landscaping

of full planning permission reference 12/1383 dated 09/04/2013 for Demolition of existing garage block and construction of a pair of 2-storey semi-detached houses with rear gardens and parking spaces to the front, on land to the rear of Morritt House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morritt House, with associated landscaping and refuse storage and subject to a Deed of Agreement dated 18th March 2013 under Section 106 of the Town and Country Planning Act 1990, as amended.

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

David Glover (Area Planning Manager) explained that the application was for a retrospective application for a variation of a condition of full planning permission reference 12/1383 dated 09/04/2013.

Shah Pulavar and Hinanshu Gajira (objectors) alleged that the extension built to Morritt House was illegal and constituted a flagrant disregard for planning laws and

regulations. He also claimed that the path to be created by the development would be a constant source of tension for the residents. He continued that the proposal would set an undesirable precedent for future unwelcome developments in the area.

Brian Peppiatt and David Weaver (applicant's agents) stated that the proposal would address the concerns expressed by the residents including potential danger to children. David Weaver explained that Highways officers considered the proposals acceptable as they would address concerns including visibility and parking spaces.

Further to members' enquiries regarding alternatives for the grasscrete, Mike Kiely (Head of Planning) drew members' attention to condition 13 and recommended an amendment to allow alternative surfaces to be submitted.

DECISION:

Granted retrospective application for variation of condition 2 subject to an amended condition 13 to allow alternative surfaces to be submitted.

(Voting: Unanimous).

8. 1A-C, 3, 5A-D Deerhurst Road and Shree Swaminarayan Temple, 220-222 Willesden Lane, Willesden, London, NW2 (Ref.15/4998)

PROPOSAL: Erection of a three storey rear extension to the temple, and demolition of Nos 1, 3 and 5 Deerhurst Rd and erection of two 2 storey buildings with converted loft space providing a 14 bed care home and 5 self-contained flats (1 x 1bed, 1 x 2bed, 2 x 3bed and 1 x 4bed) with associated two storey basement level car and cycle parking and landscaping.

RECOMMENDATION: The application is removed from the agenda for 6 June 2016 and rescheduled for the next Planning Committee on 5 July 2016.

Angus Saunders (Area Planning Manager) explained that the recommendation to remove the report from the agenda was made because of difficulties in printing individual letters notifying people of the date of the Committee meeting. He continued that whilst the Council had complied with its statutory duties as required by the Local Government Act 1972 around publicising a public meeting and notifying interested parties, officers felt that as since some letters had not been sent coupled with the logistics of accommodating an unusually large number of people at the meeting, it was considered appropriate to defer consideration of the report to a future meeting. He added that the processes would be reviewed and a further supplementary report would be published in advance of the next Committee meeting, addressing any further material considerations raised since the Committee report was published.

DECISION:

Agreed the removal of report from the agenda by officers.

9. 76 Burnley Road, London, NW10 1EJ (Ref. 16/0857)

PROPOSAL: Change of use from Use Class B2 (Car Repair Garage) to Use Class A1 (Retail), partial demolition, installation of plant equipment and associated external alterations

RECOMMENDATION: Refuse planning permission for reasons set out in the draft decision notice

Angus Saunders (Area Planning Manager) introduced the report and outlined the proposed change of use. Angus Saunders updated members that although the applicant had submitted further information as set out in the supplementary report, it did not raise further material consideration nor significantly outweigh the harms of the scheme. Consequently, the proposal did not overcome the employment and sequential test reasons for refusal. He continued that as elements of potential unacceptable conflict between pedestrians, cyclists, cars and servicing vehicles remained, officers concerns on the safety audit had not been addressed. Members heard that there was no confirmation of permission from Transport for London (TfL) for the relocated bus stop; furthermore, residents and businesses were more likely to object to the provision of an on- street loading bay during consultation on the grounds of loss of on street parking along their frontage as well as having a bus stop located outside their house. He advised that Burnley Road was a heavily parked street and therefore the loss of any on street parking would not be acceptable to local residents and businesses. The Area Planning manager also drew members' attention to comments submitted by Councillor Long as set out in the supplementary report.

Mark Cummins (an objector) stated that the proposed change of use in particular, the use of heavy goods vehicles (HGVs) would be not be suitable in Burnley Road which was already a heavily parked street. He added that the proposal would destroy the local community services as well as be detrimental to residential amenities including the quiet enjoyment of sleep.

In accordance with the provisions of the Planning Code of Practice, Councillor Collier, ward member for Willesden Green declared that he had been approached by the Co-operative Group of which he was a member. Speaking in support, Councillor Collier informed the Committee that the proposal would be an important public utility which would increase shopping traffic and enhance business activity locally. In addition, the proposal would generate a 3 fold increase in local employment. Councillor Collier, in responding to a member's question about the aspects of the proposal which was not currently available, cited the ethical procurement of the Co-op, availability of a brand name and a greater range of stocks

Robert Tindale and Emily Shields (applicant's agents) addressed the Committee. Robert Tindale informed members that the proposed change of use would complement existing shops in the locality and create up to 25 jobs. He continued that technical data had been provided to the Council to demonstrate satisfactory servicing arrangements and to meet the sequential test criteria. He also referred

to the safety audit and added that the local bus stop would be relocated 2 metres away subject to a Traffic Order, from the existing location to facilitate the servicing arrangements. In response to members' questions, the agent clarified that the proposal would provide a mix of full and part time jobs and that any outstanding issues including measures to mitigate noise could be conditioned. Emily Shields added in response that the applicant was in negotiation with TfL about moving the bus stop although no firm response had been received from TfL.

The Area Planning Manager clarified that as the proposal was for a change of use, no weight had been given to the issues raised by Councillor Collier and that convenience did not outweigh the reasons for refusal, which he reiterated.

DECISION:

Planning permission refused as recommended.

(Voting: For 4; Against 0; Abstention 1).

Note having made their declarations, Councillors Marquis, Daly and Kabir left the meeting room and did not take part in the discussion and the voting.

10. Any Other Urgent Business

None.

The meeting closed at 9.02 pm

S MARQUIS
Chair