



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Wednesday 28 June 2017 at 7.00 pm

PRESENT: Councillors Agha (Chair), Moher (Vice-Chair), S Choudhary, Colacicco, Daly, Hylton, Maurice and W Mitchell Murray

ALSO PRESENT: Councillors Denselow, Dixon, Mahmood, Nerva, Perrin, Councillor Pitruzzella and Krupa Sheth

### 1. **Declarations of Interest**

None.

Approaches.

16/1506 290B Ealing Road HA0 4LL

All members received emails from neighbouring residents and businesses.

16/5398 76-78 Salusbury Road NW6 6PA

Councillor Choudhary received a telephone call from a resident.

All members received an email from Councillor Duffy.

### 2. **Minutes of the Previous Meeting - 24 May 2017**

RESOLVED:-

that the minutes of the previous meeting held on 24 May 2017 be approved as an accurate record of the meeting.

### 3. **16/1506 - 290B Ealing Road, Wembley, HA0 4LL**

PROPOSAL: Demolition of existing warehouse (Use Class B8) and ancillary buildings and erection of part-two, part-three storey residential development providing 9 self-contained units (1 x 1 bed and 8 x 2 bed) with associated cycle parking, bin stores, landscaping and amenity space (car free development) (Revised drawings).

RECOMMENDATION: To 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 and to secure the benefits set out in the agreement.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the terms of the agreement and meet the policies of the Development Plan by concluding an appropriate agreement.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions (and informatives) to secure the matters set out in the report.

Chris Heather (Principal Planning Officer) introduced the application and answered members' questions. He referenced the supplementary report which reiterated issues previously raised and covered in the main report., They included access to the site and how the existing and proposed uses would co-exist, refuse storage, security and overlooking, loss of daylight and sunlight, noise, pollution and rodents.

He informed members that the principle of a residential use was acceptable as the existing situation was not suitable for continued use as B8 or ideal in terms of land use or design. The existing access was a fixed characteristic of the site and the only opportunity to improve it would be to re-surface it as widening it was not possible. The height was broadly similar to existing terrace of properties and it would maintain an acceptable relationship with the existing residential units nearby and would provide natural surveillance of the access road. He advised that the level of impact on surrounding residential dwellings was not considered to be unduly detrimental.

James Holmes, objecting on behalf of his client who owned properties in the surrounding area, raised concerns about inadequate amenity space for each dwelling unit, overlooking and lack of privacy. He added that the access to the site was too narrow to allow service vehicles into the site and accordingly would conflict with pedestrian use.

Debbie Quail speaking in a similar vein on behalf of his mother added that the excessive height which she felt would result in a loss of privacy, loss of light and overlooking to bedroom and gardens, would constitute a significant detriment to the quality of life of adjoining residents.

Simon Toplis (applicant's agent) addressed the Committee and answered members' questions. He referenced the derelict state of the site in excess of five years, resulting in a considerable state of disrepair and poor visual amenity. He added that despite the challenges and constraints of the site, the development proposed generous internal layout, improved amenity and outlook to each dwelling unit. Members heard that due to its proximity to Alperton station and access to public transport network, the site had a good PTAL rating.

Members raised queries about access for emergency vehicles, refuse arrangements including bin storage, construction arrangements, gate arrangement and ventilation. The agent responded that ambulances could gain access to the site and that issues relating to fire were covered under Building Regulations. He continued that Veoila (refuse contractor for Brent) were satisfied with the refuse arrangements and that the developer had made arrangements with Alperton Community school for use of the access road during construction in order to

minimise any potential disruption. In respect of ventilation he confirmed that although no report had been submitted, each flat would have a dual aspect.

Prior to voting, the Chair referred to the site visit during which members observed that the proposed site was in a real mess and requested that officers from the relevant service departments be requested to inspect the site with a view to addressing the following issues of concern:

- Houses in Multiple Occupation (HMO) issues and Landlord licensing
- Planning Enforcement and Environmental Health.
- Waste management issues including licensing for commercial waste.
- The owner of the proposed development be asked to open or establish communication links with the residents.

In the ensuing discussion, members expressed concerns about over-development of the site in respect of safety aspects of future residents, narrowness of the access to the site with a possible conflict for vehicles and pedestrians, poor outlook and poor living conditions. For the above reasons, Members voted to refuse the application contrary to officers' recommendation.

Voting on the officer's recommendation for approval was recoded as follows:

|          |                                                                    |     |
|----------|--------------------------------------------------------------------|-----|
| FOR:     | Councillors Agha, Moher and Choudhary                              | (3) |
| AGAINST: | Councillors Colacicco, Daly, Hylton, W Mitchell Murray and Maurice | (5) |

DECISION: Refused planning permission for reasons as set out above.

#### **4. 17/1227 - 2 Talbot Road, Wembley, HA0 4UE**

PROPOSAL: Redevelopment of the site comprising the erection of a part two, part three storey building providing 5 self-contained flats (4 x 1bed and 1 x 2bed) with associated rear roof terrace, front balconies, cycle parking spaces, bin stores, front boundary railings, amenity space and landscaping.

RECOMMENDATION: GRANT planning permission subject to conditions and informatives and delegate authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out in the report

That the Head of Planning is delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Chris Heather (Principal Planning Officer) introduced the report and informed members that the proposed flats, which would not have a significant impact on adjoining residents, complied with standards. He referenced the supplementary report and advised members with the aid of an extract of the CPZ map that should over-spill parking in the uncontrolled local streets become significant, the CPZ could be extended by the Council (subject to public consultation).

DECISION: Granted planning permission as recommended.  
(Voting on the application was unanimous).

**5. 16/5342 - Garages next to 7, Princes Close, London**

PROPOSAL: Redevelopment of the site to provide a 2 storey building comprising 4 self-contained flats (4 x studios) with associated car and cycle parking spaces, bin stores and amenity space.

RECOMMENDATION: GRANT planning permission subject to conditions and informatives and delegate authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

That the Head of Planning is delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

DECISION: Granted planning permission as recommended.  
(Voting on the application was unanimous).

**6. 17/0298 - All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, London**

PROPOSAL: Demolition of all existing mixed used buildings and garages and construction of part three, part four and part five storey building providing 219 sqm of flexible retail floorspace for shop / financial and professional services (Use Classes A1 / A2), hot food takeaway (Use class A5) and 153 sqm for public house (Use Class A4) at ground floor level, and 38 residential units (Use Class C3) on

the upper floors comprising 16 x 1 bed, 12 x 2 bed, 9 x 3 bed and 1 x 4 bed units with associated car and cycle parking spaces, bin stores and landscaping.

RECOMMENDATION: To 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 and to secure the benefits set out in the agreement.

To delegate authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the terms of the agreement and meet the policies of the Development Plan by concluding an appropriate agreement.

That the Head of Planning is delegated authority to issue the planning permission and Impose conditions (and informatives) to secure the matters set out in the report.

Angus Saunders introduced the application and responded to members' questions. With reference to the supplementary report he responded to queries raised at the site visit on the building line, the offer of new tenancies to existing occupiers, loss of trees and amenity space. Members were advised that the building was currently set back from Edgware Road by 9 metres and that the proposed building would be sited about 4 metres and 8 metres from the road on the northern and southern side, respectively. He continued that the applicant was understood to have been in contact with the existing tenants of Skippers Choice fish and chip shop about occupying the proposed A5 use and was also in negotiations with the other existing tenants. He continued that as the existing trees were believed to be of low quality, the proposals would provide replacement tree planting of five trees to the landscaped areas along Edgware Road as well as new tree planting to the communal garden to the rear of the property. In respect of amenity space, he stated that residents would have access to a mixture of their own private balconies and 388sqm of communal roof terraces that combine to meet Brent DMP19 amenity space requirement.

Michael Cawthorne an objector alleged that he was not consulted on the application. He felt that the proposal was an inappropriate development, adding that, in his view, the existing garages only required a refurbishment and not a demolition.

Alison Hopkins, speaking in a similar vein, felt that the proposal constituted an over development of the site which would result in loss of community asset and employment. She added that the funding for CPZ was apparently dependent on the redevelopment of Brent Cross station which she thought might not happen.

Christopher Kilcoyne objected on the grounds that the proposed development would affect his right of way.

Andy Thompson on behalf of Dollis Hill Residents' Association echoed similar sentiments adding that the proposal failed to comply with local and national density levels and that it should be 1 bedroom flats for key workers rather than family size accommodation. He also objected on the grounds of inadequate parking provision and the resulting congestion in the area.

Ben Rogers (applicant's agent) informed members that the design, density and massing were agreed via detailed pre-application to ensure that the scheme complied with Council's standards. He added that the parking provisions were agreed with the Council's Highways with additional funding towards CPZ. John Ashton (applicant's architect) clarified the BREEAM standards for the scheme. The agent added that the applicant would welcome an informative for a "Car Club".

In accordance with the provisions of the Planning Code of Practice, Councillor Dixon, ward member for Dollis Hill stated that she had been approached by the residents. Councillor Dixon felt that the proposal would offer insufficient affordable housing units and congested accommodation as well as result in loss of employment and disruption to the community. Councillor Dixon also expressed a preference for refurbishment of the block rather than demolition.

Angus Saunders clarified that statutory consultation including site notices and press notices was carried out. He continued that the principle of development was acceptable and complied with the Development Plan and the London Plan. He added that the proposal, which responded responsibly to the site constraints, would offer 30% affordable housing with re-provision for the Chip shop. The financial viability of the scheme had been independently assessed and a pre-completion review built into the s106 legal agreement. He advised members that the Council had no powers to direct a refurbishment as requested by various speakers.

DECISION: Granted planning permission as recommended with additional condition for car club and informatives regarding repairs to damage to the public realm during construction.

(Voting on the application was: FOR 7; AGAINST 1)

**7. 16/5398 - 76-78 Salusbury Road, London, NW6 6PA**

PROPOSAL: Change of use of the 1st, 2nd and part of the ground floor of the public house (Use class A4) to create 9 self-contained flats (2 x 1bed, 3 x 2bed, 2 x 3bed and 2 x 4bed), retention of the ground floor public house including the provision of an ancillary function room together with associated alterations to include erection of a partial third floor, new 2nd floor rear extension, replacement and relocation of some of the windows, insertion of new windows and rooflights, terraces and screening and bin stores.

**RECOMMENDATION:** To grant planning permission subject to the prior 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 and to secure the benefits set out in the agreement.

To authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the terms of the agreement and meet the policies of the Development Plan by concluding an appropriate agreement by 1 September 2017.

That the Head of Planning is delegated authority to issue the planning permission and Impose conditions (and informatives) to secure the matters set out in the report.

Angus Saunders (Area Planning Manager) introduced the report and answered members' questions. He informed members that the proposal would bring back into use a vacant pub with an ancillary community use and would make efficient use of a site that is currently vacant by introducing nine flats to the boroughs housing stock. The proposal which would be subject to a legal agreement to re-provide a function room for community groups to use for forty hours per week (from Mondays and Thursdays), along with a financial contribution, was considered to have significant planning merits hence the recommendation for approval. With reference to the supplementary report he responded to queries raised by members at the site visit on the access to the function room, bookings for the function room and provided a further clarity on the definition of community groups within the draft s106 agreement and as set out in the supplementary report. He summarised objections received from Councillor Duffy and Councillor Conneely.

Robin Sharp (QPARA) welcomed the current proposals and in particular the availability of the function room for forty hours from Mondays to Thursdays which were a direct result of engagement with Corrib Rest. He, however, requested an extension of the use of the function room to Friday 3:00pm which he felt would appropriately serve the needs of the residents and local community groups.

Kevin Barrett (Irish Pensioners) expressed concerns about reduced facilities and the internal layout of the proposed function room which he felt appeared enclosed and attached to the main bar area.

Dan Judelson, speaking in a similar vein, stated that the proposed priority days of the function room for community groups would not meet need as evidenced by the meanwhile uses which generated greater demand for local public and private functions and educational uses. He felt that a more appropriate days would be Wednesdays to Sundays

Helen Monaghan (Hopefield Residents' Association) speaking in support of the application stated that all of the concerns previously expressed by Hopefield residents in terms licensing hours, excessive noise had been addressed. She

added that the first floor community space was viable and sustainable for the residents of Hopefield Road.

Kieron Hodgson (applicant's agent) addressed the Committee and answered members' questions. He stated that the current application was welcomed by residents in particular the provision of a bigger function room with better quality facilities including level access for disabled people. He added that the proposal with s106 planning obligations including a contribution towards community facilities in the local area, would strike a balanced delivery of a viable public house and a flexible community space to meet a wide range of community uses. The agent continued that the community space availability to Thursdays and which had been increased from 23 to 40 hours, would ensure commercial viability for the operation of the pub.

In accordance with the provisions of the planning Code of Practice, Councillor Denselow, ward member, stated that he had been approached by both objectors to and supporters of the application. He referenced the listing of the building as an asset of community value (ACV) and whilst welcoming its retention, requested the input of an independent party into the marketing plan.

In accordance with the provisions of the planning Code of Practice, Councillor Nerva, ward member, stated that he had been approached by both objectors to and supporters of the application. Councillor Nerva reiterated the following issues of concern:

- Access to the community room through the pub.
- Further information required of the marketing plans for the function room.
- Comparable costs of community rooms.
- Clear measures on how the ACV, if unsuccessful, may be revoked.
- Whether it would be possible for the residents to book the community rooms on Friday to Sunday nights and whether the hours for community use could be extended.

In accordance with the provisions of the planning Code of Practice, Councillor Pitruzzella, ward member for Kilburn, stated that she had been approached by the local residents. Councillor Pitruzzella whilst welcoming the community rooms, expressed concerns about the hours of use and sought clarity on the following; whether the application would qualify to CIL and if so whether it would be ring fenced; whether there would be a review mechanism for the function room; and the hire rates for residents.

Angus Saunders clarified that there would be no restriction to the community groups for use of the community space and that from Thursday to Sunday, it would be available for hire via the booking process. He added that the application qualified for CIL payment and under the s106 legal agreement, a further financial contribution of £64,000 would be made available to community facilities in the local area including the option of improving the acoustics of the Salusbury Rooms. Additionally, the s106 agreement including advertisement of the community rooms would be reviewed and measures would be put in place to identify why the



community were not using the rooms (if that was the case) before being put on the open market. He then read out in full the written representations submitted by Councillor Duffy and Councillor Conneely. In conclusion, the Area Planning Manager felt that the application represented an efficient use of the site with 9 flats and significant planning merits for the community.

In welcoming the application, members agreed an additional informative requiring the applicant to repair any damage to the public realm during construction.

DECISION: Granted planning permission as recommended as amended in condition 5 and an additional condition requiring the submission of a marketing plan for approval within 3 months of material start, as set out in the supplementary report and an additional informative on repairs to public realm.  
(Voting on the application was unanimous).

**8. 17/1080/PRE - Access Storage, First Way, Wembley, HA9 0JD**

The Committee decided to defer the presentation of the scheme to the next meeting.

**9. Any Other Urgent Business**

None.

The meeting closed at 11.15 pm

A AGHA  
Chair

Note:

At 9:15pm the meeting was adjourned for 5 minutes.

At 10:00pm, the Committee voted to disapply the guillotine procedure to enable members to consider all applications for decisions on the night.