



## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE PLANNING COMMITTEE Wednesday 13 September 2017 at 7.00 pm**

**PRESENT:** Councillors Agha (Chair), Moher (Vice Chair), Ahmed (substitute for Councillor Colacicco), S Choudhary, Daly, Hylton, Maurice and W Mitchell Murray

**ALSO PRESENT:** Councillors Nerva, Shaw and Warren.

Apologies for absence were received from Councillor Colacicco.

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

The Head of Planning, Transport and Licensing declared that she was acquainted with the applicant for 44 Hardinge Road.

Approaches.

All members received a correspondence from the applicant for The Willows, 136 Honeypot Lane NW9.

#### **2. Minutes of the previous meeting held on 9 August 2017**

**RESOLVED:-**

That the minutes of the previous meeting held on 9 August 2017 be approved as an accurate record of the meeting.

#### **3. 17/1829 The Willows, 136 Honeypot Lane, London, NW9 9QA**

**PROPOSAL:** Demolition of the existing care home building and redevelopment of the site comprising the erection of a five storey building providing 50 self-contained flats (4 studios, 11 x 1bed, 23 x 2bed and 12 x 3bed) with associated basement level, car and cycle parking space, bin stores, amenity space and landscaping

**RECOMMENDATION:** To grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement to secure the Heads of Terms. Set out in the report.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the draft decision notice

That the Head of Planning be granted 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, if by 3 months of the committee date the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

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.

David Glover (Area Planning Manager) introduced the report and answered members' questions and in referencing the supplementary report, he responded to issues raised by members at the site visit. Members heard that the applicant had advised that the care home operators wound down their operation on site from 2013 onwards, relocating tenants and not filling bed spaces when they became vacant. The site become fully vacant prior to August 2016, after which time "building guardians" were in place. He confirmed that the street tree identified in the arboricultural study and adjacent to the proposed substation access would be protected and retained.

He continued that being a new major development, construction methods would allow a significant reduction of noise between floors and thus address the issue of stacking that could arise. In regards to impact on the temple in Bowmans Trading Estate, members heard that the temple was situated on Westmoreland Road, to the rear of the Alpine House and some 255 m distance from the proposed development and as such there would be no material impact. The dwellings proposed were not considered to result in a material impact on parking in the surrounding streets, as sufficient levels of parking were proposed and a CPZ is scheduled to be introduced. Additionally, if planning permission was granted for the proposal the new homes will be "parking permit restricted". He then clarified the ecology impact and mitigation measures as set out in the supplementary report.

Hanif Ghourbandi, in objection, raised concerns about the height of the proposed development and its impact on outlook for residents in Acacia Court. He drew members' attention to the parking problems in the area which he added would be made worse by construction traffic and the proposal itself.

Councillor Dattani (Kenton East, Harrow) addressed the Committee highlighting inadequate parking provisions for residents in Alpine Place and the resulting overspill parking in neighbouring streets, particularly in Harrow. He continued that Harrow Council was not consulted, and that only half of Ruskin Road residents were consulted about the proposed development. He added that in order to

address the parking overspill following possible introduction of CPZ, the proposal should incorporate two levels car parking spaces.

Lawrence Quail and Luke Cadman (applicant's agents) addressed the Committee and answered members' questions. Members heard from the agents that the proposal would deliver 50 homes with 10 intermediate affordable housing and 39 car parking spaces as well as a contribution towards the introduction and implementation of controlled parking zone (CPZ) in the area. They added that the siting of the substation was in accordance with UKPN standards and that heating would be provided via a communal boiler system.

The agents clarified that the affordable housing proposed was based on viability assessment by the Council's independent consultant with a review mechanism to capture any uplifting in land values. They added that should a grant become available, the affordable housing element would be further reviewed. In response to a member's question, the agents confirmed that the applicant would be agreeable to an additional condition in the s106 Heads of Terms to make financial contribution to Harrow Council for the introduction and implementation of CPZ in the Harrow area.

Alice Lester (Head of Planning) confirmed that Harrow Council were notified about the scheme but no response was received. In summing up, David Glover stated that the mixed unit scheme proposed accorded with guidelines and standards in terms of design, scale, amenities and materials. He drew attention to the highway works which would be secured via s278 and recommended a further condition to capture the applicant's undertaking to make a contribution under the s106 Heads of Terms of up to £25,000, the exact amount to be delegated to the Head of Planning, to Harrow Council for its introduction and implementation CPZ. In responding to Councillor Daly's enquiry about the trees, David Glover undertook to ask the tree officer to consider if the trees could be granted preservation orders (TPO). He also added a further condition regarding measures to reduce noise transfer between floors and an additional informative specifying that the applicant be encouraged to ensure that the maximum standards were achieved in relation to fire safety

DECISION: Granted planning permission as recommended with additional conditions for the applicant's contribution to Harrow Council for its CPZ introduction of up to £25,000 (the exact amount to be delegated to the Head of Planning), measures to reduce noise transfer between floors and an additional informative specifying that the applicant is encouraged to ensure that the maximum standards were achieved in relation to fire safety.  
(Voting was unanimous).

#### **4. 17/2331 Manor Park Works, Manor Park Road, London, NW10 4JJ**

PROPOSAL: Redevelopment of industrial site to residential to form a total of 45 units comprising: conversion, top floor extension and change of use of existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed

maisonettes) over 6 storeys; and erection of a seven storey residential building with basement level accommodating 22 units (4 x studios, 14 × 2bed and 1 x 2bed and 1 3 x 3 bed maisonettes) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building

David Glover (Area Planning Manager) informed the Committee that due to amendments required to the application and the resulting changes to the description, it was necessary that a consultation period was extended to give consultees the opportunity to fully appraise the current scheme prior to a decision being made. He therefore recommended that the application be deferred for an extended consultation period and the report updated accordingly.

DECISION: Deferred for further consultation.

**5. 17/2643 44 Hardinge Road, London, NW10 3PJ**

PROPOSAL: The erection of a single storey ground floor rear extension, conversion of existing garage, a hip to gable roof extension, enlargement of existing dormer and associated internal alterations to accommodate for the conversion of a 4 bedroom single semi-detached dwelling house into 2 self-contained flats (1x3 bed and 1x2 bed).

RECOMMENDATION:

That the Committee resolve to GRANT planning permission and that the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

That the Head of Planning be granted 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.

David Glover (Area Planning Manager) introduced the report and answered members' questions. He set out the proposal and added that the proposed conversion of the dwellinghouse into two flats and associated extensions was considered to be in accordance with relevant policy.

Heather Jones (objector) raised the following issues;

- i) Lack of consultation with residents
- ii) The proposed change of use would set an undesirable precedence for similar developments in the Hardinge Road area.
- iii) The proposal, with its excessive footprint, would constitute an overdevelopment of the site.
- iv) Inadequate parking provision which would exacerbate the current parking situation.
- v) Inadequate amenity space provision.

Denny Fitzpatrick in objecting to the application referenced a petition signed by 59 residents opposing the proposed development and added that residents were not properly consulted and that no site notices were put up. She continued that the proposal which would be the only sub-divided property in Hardinge Road would alter the character of the streetscene. In addition, it would worsen the existing parking situation as well as give rise to waste management problems.

In commenting on the claim about lack of consultation, David Glover stated that in accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the application was publicised by serving the notice on the adjoining owners or occupiers and other neighbours on 30/06/2017. He thus referenced the significant responses from consultees as set out in the consultation paragraph of the report. He added that site notices and consultation meetings were not necessary for the application which was considered to be a small scale development.

In accordance with the provisions of the Planning Code of Practice, Councillor Warren (ward member) stated that he had been approached by some of the local residents. Councillor Warren circulated some photographs to the Committee. He then referenced several aspects of the policy paragraphs of the officer's report to support his contention that the application contained several breaches of the guidelines and policies. He clarified that the proposed alterations and extensions to the original residential property did not appear subordinate or respect the character of the original dwellinghouse and would therefore not be in harmony with its surroundings. He continued that the proposed conversion with its garden space deficiency, would be an uncharacteristic addition, adversely impacting the character of the streetscene and would also increase on-street parking pressures in Hardinge Road. Councillor Warren urged members to be minded to refuse the application or to defer it to enable residents' concerns to be addressed.

In accordance with the provisions of the Planning Code of Practice, Councillor Shaw (ward member) stated that she had been approached by some of the local residents. Councillor Shaw stated that the purpose of the proposal was to enable the applicant to accommodate his elderly mother within the family home rather than in a care home. She continued that the he proposal would not alter the character of the area, would not set a precedence nor give rise to parking problems as the area was already within a controlled parking zone. She added that claims for loss of amenities and loss of light were unfounded as the proposal complied with the criteria set out within policy DMP17.

Guy Parsons (applicant) informed members that the scheme had been revised to comply with guidelines and policies and urged members to endorse the recommendation.

In responding to the issues raised above, David Glover informed members that the application exceeded the requirements of policy DMP17 on minimum sizes and satisfied SPG5 in that it would improve the appearance of the property. He added that there already existed properties in the area with large dormer windows and that outlook and privacy would not be an issue. Members heard that the scheme accorded with parking standards and that the provision of 1.95 car parking spaces were acceptable. He added that the hip to gable roof would not substantially increase the size of the property and that the roof form of the gable would be an improvement.

Prior to voting members agreed an informative requiring the applicant to ensure that any damage to public realm is repaired and that the maximum standards were applied to fire safety issues.

DECISION: Granted planning permission as recommended subject to an additional informative that any damage to public realm is repaired and that the maximum standards were applied to fire safety issues.

(Voting was as follows: For 5; Against 1; Abstention 2)

## **6. 17/1139 Garages rear of 39 Keslake Road, Peploe Road, London**

PROPOSAL: Demolition of four existing garages and erection of a 4 bedroom dwellinghouse set at ground and basement level, with associated on-street car parking, cycle parking, bin stores, landscaping and amenity space

RECOMMENDATION: That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report

That the Head of Planning be granted 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 it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Queen's Park Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

David Glover (Area Planning Manager) introduced the report and answered members' questions. He referenced and gave weight to the Planning Inspector's decision on application 16/0440. Members heard that the current application addressed the Inspector's conclusions in terms of harm by reducing the height and bulk of the development so that its effect on the character and appearance of the conservation area and on the living conditions of the occupants of 44 Kempe Road would now be acceptable.

Duncan McCausland (objector) circulated photographs to support his views that the proposed development would not be in keeping with the character of the business park. He added that it would set a poor precedence for similar undesirable developments in the area. He continued that as the properties in the area had shallow foundations and therefore prone to subsidence, excavation which could cause subsidence to neighbouring properties should not be allowed. Members heard that due to high incidence of subsidence, residents found it difficult to obtain buildings insurance for their properties without piling.

Jan Lambrecht (objector) echoed similar sentiments and concurred with the views expressed by the previous objector and added that the wall and roof did not comply with the design guide for Queens Park Conservation Area.

In accordance with the provisions of the Planning Code of Practice, Councillor Nerva (ward member) stated that he had been contacted by local residents. Councillor expressed a view that the following factors had not been properly explored; parking problems in an over-parked area; impact on local residents; compliance with the design guide for Queens Park Conservation Area. Councillor Nerva also raised concerns about excavation, digging and piling for the basement element of the proposed development.

Nick Sutton (applicant's agent) addressed the Committee and answered members' questions. He informed members that the scheme had been revised following the Planning Inspector's decision on appeal to ensure that it complied with guidance and standards. In response to a member's question on the subsoil, Nick Sutton stated that extensive structural appraisal had been undertaken and that a concrete box would be erected around the basement to afford it a greater stability.

In summing up, Dave Glover informed members that the issues for which the Planning Inspector refused the application on appeal; height, bulk, massing and impact on the Conservation Area and the living conditions of number 44 Kempe Road had been addressed in the application. The scheme had therefore overcome the previous objections and would now be in compliance with DMP Policies such as DMP Policies DMP1, DMP7, DMP12, DMP16, DMP17 and DMP19, having regard to paragraph 132 of the NPPF and S72 of the P(LB&CA)A 1990. It was also in compliance with the criteria as set out in the London Plan as well as the Queen's Park Design Guide.

In approving the application as recommended, members added an additional informative that any damage to public realm be repaired at the applicant's cost.

DECISION: Planning permission granted as recommended subject to an additional informative that any damage to public realm is repaired at the applicant's cost.  
(Voting was unanimous).

**7. Any Other Urgent Business**

None.

The meeting closed at 9.25 pm

A AGHA  
Chair