



# LONDON BOROUGH OF BRENT

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

PRESENT: Councillors Moher (Vice-Chair, in the Chair), S Choudhary, Colacicco, Daly, Kabir (substitute for Councillor Agha) and Maurice

Apologies for absence were received from Agha and Hylton.

### 1. **Declarations of interests**

None.

Approaches.

6. Parkwood House, Albion Way HA9 0LP (Ref. 17/2782)  
All members received an email from the applicant's agent

7. Units 1-5 Cannon Trading Estate First Way HA9 0JD (Ref. 17/3797)  
All members received an email from the applicant's agent introducing the scheme.

### 2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 15 November 2017 be approved as an accurate record of the meeting.

### 3. **107 Brondesbury Park, Brondesbury, London, NW2 5JL (Ref. 17/2670)**

PROPOSAL: Demolition of existing single storey rear extension, conversion of garage into a habitable room to include replacement of garage door with window and new entrance door, erection of a single storey side to rear extension, roof extension to also include a rear dormer window, insertion of seven rooflights and conversion of dwellinghouse into 6 self-contained flats (1x 3bed and 5x 2bed), provision for cycle parking spaces and bin stores and subdivision of rear garden space

RECOMMENDATION: That the Planning Committee resolve to grant planning permission and delegated 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 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 adjacent Willesden Green Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

David Glover (Acting Development Management Manager) in reference to the supplementary report amended the recommendation to deferral to enable a further period of consultation

DECISION: Deferred for re-consultation.

#### **4. 48 Brondesbury Park, Kilburn, London, NW6 7AT (Ref. 17/2807)**

PROPOSAL: Conversion of the dwellinghouse into 7 self-contained flats (5 x studios, 1 x 1bed and 1 x 3bed) to include the insertion of rooflights to existing side extension, new door opening to the ground floor rear elevation, car and cycle parking spaces, bin stores, landscaping, amenity space and replacement of the hinged gates with new sliding gates to the front boundary elevation.

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.

Members agreed additional informatives on Party Wall Act 1996, repairs to damaged public realm, maximum standards of fire safety and that the Council encourages payment of London Living Wage to all employees.

DECISION: Granted planning permission as recommended with additional informatives as set out above.

(Voting for approval was unanimous: For 6: Against 0)

**5. 634-640 Kingsbury Road, London, NW9 9HN (Ref. 17/2545)**

PROPOSAL: Variation of condition 8 (gym opening hours) of application reference 98/0338 and condition 1 (car parking opening hours) of application reference 98/1106, to allow 24 hour operation of the first floor gym and associated car parking area.

RECOMMENDATION: That the Planning Committee resolve to grant planning permission subject to conditions as set out in the report.

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 or informatives) 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.

Victoria McDonagh (Area Planning Manager) outlined the proposal and set out the key issues. She clarified that allowing the operation of the first floor of the building and the car park would result in the conditions no longer serving a useful purpose (as they solely restricted those matters) and as such they have been removed from the draft decision notice. She continued that the condition relating to the use of the first floor (as a health and fitness centre) had been replicated and additional conditions have been attached regarding noise mitigation measures, amplified noise and plant noise as discussed within the report.

John Fairbairn (objector) raised concerns on behalf of his fellow residents on the following issues;

- (i) Disturbance to sleep.
- (ii) Noise nuisance from the car park and when weights were dropped.
- (iii) By allowing the use of the car park on 24 hour basis, residents' security would be compromised.
- (iv) Applicant's lack of consultation with the residents on the proposal.

In response to a member's question, the objector stated that residents had not in the past complained to the Council's Environmental Health because they were comfortable with the gym's operation up to 10:00pm, although the Police had been called about a fire incident.

Peter Tanner (applicant's agent) informed members that detailed noise and vibration assessment report was submitted with the application which was considered acceptable by the Council's Environmental Health Officer. He added that the extension of operating hours would promote on-going security and CCTV in the car park area, thus enhancing the quality of the environment.

In responding to the objector's concerns, the Area Planning Manager highlighted that no resident complaints had been made to the Council's Environmental Health Officer. Members agreed, however, to amend condition 4 to add reference to measures to reduce vibration in order to safeguard the amenities of residents

DECISION: Granted planning permission as recommended with amended condition 4 to include measures to minimise vibration.

(Voting on the recommendation for approval was: For 4; Against 1)

**6. Parkwood House, Albion Way, Wembley, HA9 0LP (Ref. 17/2782)**

PROPOSAL: Demolition of existing building including clearance of site, and erection of a part 13 and part 17 storey building comprising 113sqm of affordable workspace (Use Class B1) at ground floor level and 283 bedroom student accommodation (Use class Sui Generis) on the above floors with ancillary student reception area on the ground floor, cycle parking, bin stores, amenity space, landscaping, public realm works, installation of a rainwater attenuation tank and other associated works.

RECOMMENDATION: Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and referral to the Mayor.

That the Head of Planning be granted delegated authority to negotiate the legal agreement to achieve the matters set out in the report.

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, 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.

Victoria McDonagh (Area Planning Manager) introduced the report and summarised the key issues as set out in the report. She added that 3 letters of objection were received from residents from Danes Court and Empire Court highlighting issues including anti-social behaviour of students.

Fatema Karim-Khaku (objector) stated that out of 350 flats in Danes Court and Empire Court, only a few residents received consultation letters, although letters were sent to all students in the nearby student accommodation. She continued that as the Wembley Area Action Plan (WAAP) policies did not make any mention of student accommodation, she considered that the proposal constituted a breach of policies. In response to a member's question, the objector clarified that noise nuisance and drug dealing would be on an increase at night and therefore the proposal would be inappropriate within the area. She added the management plan referred to in the report would not be adequate to control the resulting harm.

Simon Marks (applicant's agent) stated that the proposal which would be managed by Fresh Living would be completed with 2 years of the grant of planning permission and would respond to the high demand for student accommodation in the Wembley area. He added that the proposal which complied with daylight and sunlight assessments would make significant contributions to the Community Infrastructure Levy (CIL), CPZ for the area as well as the local economy.

In response to members' queries, Simon Marks stated that as part of the engagement process, 2 public exhibitions were held and leaflets were sent to residents of Dane Court and Empire Court. He added that the management plan submitted with the application included a Student Liaison contact and the installation of CCTV. Members heard that the proposal would incorporate sprinkler systems throughout the building and although there would be no requirement a car park, a lay-by would be provided for drop off, pick up and to minimise any possible disturbance.

In the ensuing discussion, members sought clarification on the height of the building, the potential impact of the proposal on on-street parking, the potential impacts of students on surrounding areas and whether the 20% cap for student accommodation had been reached or breached by the proposal. Officers were also asked to explain the consultation process with the residents and clarify measures to resolve possible anti-social behaviour.

Victoria McDonagh clarified that while the building was in an area identified as "inappropriate for tall buildings", the stepped approach to height between the proposed building and the existing and approved buildings in the immediate vicinity meant that the height of the building fitted well with its context and that student accommodation was supported by the London Plan. In overall terms, the proposal which would not constitute a breach of the 20% cap on student accommodation in the area complied with the Site Specific Allocation for the site which did not exclude the provision of student accommodation. In respect of anti-social behaviour, she recommended an amendment to condition 25 for a Dedicated Community Liaison Contact to be specified within the management plan.

David Glover (Acting Development Management Manager) added that in accordance with legal advice sought the 20% cap under policy WEM 23 had not been reached. He added that the CPZ contribution was a for a 5 year period to limit the impact of the proposal on parking in the immediate area.

DECISION: Granted planning permission as recommended with reference to a “Dedicated Community Liaison Contact” to be specified within the management plan – condition 25.

(Voting on the recommendation for approval was unanimous: For 5; Against 0)

**7. Units 1-5 Inc, Cannon Trading Estate, First Way, Wembley, HA9 0JD (Ref. 17/3797)**

PROPOSAL: Demolition of the existing buildings and erection of a part 7/9/10/11 storey building, comprising educational use (Use Class D1), office use (Use Class B1(a)) and student accommodation (Use Class Sui Generis), with ancillary external landscaping.

RECOMMENDATION: Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and to a Stage 2 referral to the Mayor.

That the Head of Planning be granted delegated authority to negotiate the legal agreement to achieve the matters set out in the report.

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, 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.

Victoria McDonagh (Area Planning Manager), introduced the application and outlined its key aspects. With reference to the supplementary report, she clarified nomination rights/affordable housing, the number of wheelchair accessible bed spaces proposed, the applicant's update on the financial contribution for CPZ contribution, amendments to several conditions and the heads of terms of the Section 106 legal agreement.

Owain Nedin (applicant's agent) in endorsing the recommendation for approval set out the key aspects of the proposed development including permanent facilities for UCFB, office workspace on flexible rental terms and realistic delivery times. He added that the height of the proposal would respond and respect similar buildings in the area; 2 metres lower than Kelaty House and the nearby Quintain building but below the previously approved height.

Victoria McDonagh in summing up stated that the height of the building was acceptable in policy terms. She reiterated the recommendation for approval subject to conditions as amended and a further amendment to condition 21 to refer to a "Dedicated Community Liaison Contact" to be specified within the management plan

DECISION: Granted planning permission as recommended subject to alterations to heads of terms and conditions as amended as follows: 8 (car free development), 11 (car parking spaces), 13 (materials), 14 (landscaping), 17 (external lighting), 22 (air quality assessment), 23 (noise impact assessment), 26 (waste management) as set out in the supplementary report and a reference to a "Dedicated Community Liaison Contact" to be specified within the management plan – condition 21.

(Voting on the recommendation was unanimous: For 6 : Against 0).

#### **8. Land East of Wembley Stadium Plot E05, First Way, Wembley (Ref. 17/3213)**

PROPOSAL: Full planning application for the construction of a building ranging between 3 to 22 storeys (and basement level) comprising of 458 residential units, 285sqm of commercial floorspace (Use Class A1, A2 or A3) and/or community use floorspace (Use Class D1) and/or leisure floorspace (Use Class D2), and/or Office floorspace (Use Class B1) 77 coach parking bays, 202 disabled car parking spaces, 141 standard car parking spaces, cycle storage, refuse provision, landscaping and servicing provision (and associated infrastructure).

RECOMMENDATION: That the committee resolve to GRANT planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Head of Legal Services.

That the Committee resolve to GRANT planning permission subject to any direction by the Mayor of London pursuant to the Mayor of London Order and any direction by the Secretary of State pursuant to the Consultation Direction.

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.

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.

Colin Leadbeater (Principal Planning Officer) introduced the application and set out the key issues. He referenced the supplementary report which addressed the inaccuracies within the original report, clarified the quantum of affordable housing and drew members' attention to the amendment in condition 17.

As members had indicated they were minded to approve the recommendation to grant planning permission the applicant's agents advised they would withdraw their request to address the committee.

DECISION: Granted planning permission as recommended and amended condition 17 as set out in the supplementary report.  
(Voting on the recommendation for approval was unanimous: For 6; Against 0)

## **9. Former VDC/Careys site, South Way, Wembley HA9 0HX (Ref. 17/3151)**

PROPOSAL: Coach park to provide 290 coach parking spaces (or up to 1,015 car parking spaces) (Sui-Generis Use) over two levels (lower ground and upper ground floor levels) and car park to provide 734 car parking spaces (Sui-Generis Use) over five levels above (first to fifth floor levels) on the western portion of the application site along with associated hard and soft landscaping and access arrangements; vehicular access to the coach and car park would be from South Way and access to the tracks and maintenance shed would be retained for Network Rail.

RECOMMENDATION: Resolve to grant planning permission subject to conditions, the completion of a satisfactory Section 106 or other legal agreement and a Stage 2 referral to the Mayor of London.

That the Head of Planning be granted delegated authority to negotiate the Section 106 legal agreement to achieve the matters set out in the report.

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, 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.

Colin Leadbeatter (Principal Planning Officer) introduced the report and set out the key aspects including the principle of use and development, scale, layout and appearance, highways, light, noise and air quality. He referenced the supplementary report which addressed an inaccuracy within the report; an 8m high lighting column and not 12m as stated.

As members had indicated they were minded to approve the recommendation to grant planning permission the applicant's agents advised they would withdraw their request to address the committee.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation for approval was unanimous: For 6; Against 0)

## **10. Any Other Urgent Business**

None.

The meeting closed at 8.50 pm

R MOHER  
Vice Chair (in the Chair)

