

LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 22 January 2020 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Chappell, Dar (substitute for Councillor Sangani), Hylton, Kansagra and Mahmood.

ALSO PRESENT: Councillor Conneely, Councillor Hirani, Councillor Kennelly, Councillor Maurice, Councillor Nerva, Councillor Perrin and Councillor Thakkar.

Apologies for absence were received from Councillor Sangani.

1. Declarations of interests

Granville Centre, 80 Granville Road NW6 5RA (Ref. 19/2378)

All members received an email from Granville Kitchen (objectors).

Councillor Johnson declared that as a board member of South Kilburn Trust, he would abstain from the meeting room and take no part in the discussion and voting in the application.

19 Dudden Hill Lane, London NW10 2ET (Ref.19/2688)

Councillors Chappell and Johnson declared that they had received emails and/or been approached about this application.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 18th December 2019 be approved as an accurate record of the meeting.

3. 1 Olympic Way, Wembley, HA9 0NP (Ref. 19/0395)

PROPOSAL: Erection of up to 7 storey roof top extension to the existing building to create 90 flats; erection of a rear extension to existing building to create a new 15 storey block (including a 2 storey under-croft for vehicular and pedestrian access) to create 26 flats, conversion of existing 8th floor office space to create 3 flats, creating a total of 119 self-contained flats; infilling of ground floor undercroft of existing building to form new ground floor uses comprising retail floorspace (A1, A3, A4) and office floorspace (B1), creation of first floor podium above existing car parking space to provide a landscaped amenity space for residents with associated cycle and refuse storage, creation of public access alongside Wealdstone Brook and refurbishment of existing building facades to No. 1 Olympic Way (including replacement of windows) (Revised description).

RECOMMENDATION: That the Committee resolve to GRANT planning permission subject to:
Referral to the Mayor of London (stage 2 referral) and
The prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

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 within the Committee reports.

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 the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) 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.

Ms Victoria McDonagh (North Team Development Management Team Leader) introduced the report and answered Members' questions. She referenced the supplementary report and drew Members' attention to the list of additional objections following which she recommended amendments to conditions 3 and 21. She also recommended an additional condition on cladding also set out in the supplementary report.

Mr Paul Allen-Alvarez (Danes and Empire Neighbourhood Group) addressed the Committee and answered members' questions. He objected to the application on a number of grounds, including over-shadowing, intrusion to Danes and Empire Court by occupants of new developments, loss of natural daylight, inadequate parking facilities, excessive height and an over bearing development.

Mr Alun Evans, objecting on behalf of Pinnacle Development (freeholders of Nos.3 and 5 Olympic Way), requested the Committee to defer consideration of the application so that a more comprehensive approach could be taken which takes account of the development of 3 Olympic Way. This would enable the Committee

to consider all the proposals in tandem and gain a full understanding of their relationships.

Mr Jim Tarzey (agent) addressed the Committee and answered Members' questions. Mr Tarzey outlined the benefits of the application including the provision of affordable housing and added that the application would not prejudice any future proposals that the applicant for Nos.3 and 5 Olympic Way would submit for development.

In the ensuing discussions, members sought clarification on the issues raised by the objectors. Ms McDonagh advised that the application complied with policies and although the daylight and sunlight report submitted by the applicant showed marginal differences, it complied with BRE guidance.

DECISION: Granted planning permission as recommended subject to amended conditions 3 and 21 and an additional condition on cladding all of which were as set out within the supplementary report.

(Voting was recorded as follows: For 7, Against 0, Abstention 1).

4. Preston Library, Carlton Avenue East, Wembley, HA9 8PL (Ref. 19/1305)

PROPOSAL: Redevelopment of Preston Library including erection of a part 2 to part 4 storey building comprising a library on ground floor and 12 self-contained flats, provision for private amenity space, parking, cycle and refuse storage, new access and associated landscaping.

RECOMMENDATION: That the Committee resolve to GRANT planning permission and grant delegated authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee reports.

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.

In setting the background to the application, Mr Colin Leadbeatter (North Area Deputy Development Team Leader) informed the Committee that the application was being presented for consideration following a judicial review. He referenced the grounds (3) that the claimant cited for the challenge and added that following

officers' review and QC opinion, the Council agreed to the planning permission to be quashed only on the basis of misconstruction and misapplication of policy DMP19 of the Brent Development Management Policies. He then introduced the report, referenced the supplementary report that responded to additional objections received since the report was published and answered Members' questions.

Mr Michael Rushe (Chair of South Kenton and Preston Park Residents, SKPPR) spoke in objection to the application and answered Members' questions. In his view, the application was an unjustified departure from policies and alleged that the advice given to the Committee was misleading. In reiterating SKPPR's concerns as set out in the report, he spotlighted on the breakdown and calculation of the amenity space per flat.

Ms Grace Brown (objector) spoke in a similar vein and answered Members' questions. She spoke in objection in relation to a number of matters, including the impact of the proposed development on on-street parking in the vicinity and that she considered the proposal is contrary to Brent Policy CP23. She alleged that the application had no regard to the residential amenity of the occupiers and the operation of the library.

Mr Phillip Bromberg (Chair of Preston Road Library) spoke in support of the application and answered Members' questions. Members heard about a catalogue of design problems with the existing library, a grant of £267,000 from Brent Council for fittings for the new library which would be protected for 49 years at peppercorn rent. Mr Bromberg wished for a speedy conclusion, adding that an interim library provision would be made be available at Ashley Gardens.

In accordance with the Planning Code of Practice, Councillor Maurice stated that he had been approached. Whilst welcoming the re-provision of the library, he objected to the development on a number of grounds including; overdevelopment, excessive height, inadequate parking facilities and he also considered that the proposal would be contrary to Brent's development management policies.

In accordance with the Planning Code of Practice, Councillor Kennelly stated that he had been approached. Councillor Kennelly recognised the benefits of re-providing the library facility to allow its continued operation in the long term and welcomed the social housing provision. He however raised concerns regarding the impact of the proposal upon the privacy of the properties on Longfield Avenue. He added that the design of the building would not be in keeping with the character of the area and could set a precedent for future developments in the area.

Councillor Hirani (Cabinet Member for Public Health Culture and Leisure) spoke in support of the application, highlighting the re-provision of a sustainable library facility and the provision of 100% affordable housing.

In the ensuing discussions, Members sought clarifications on the amenity space values per flat, the parking provisions and legality of the application. Officers

clarified the amenity values with reference to the main report. Mr John Fletcher (Highways) advised that the on-site parking provisions (5 for residents and 1 for the library) coupled with the on-street pay and display facilities were adequate but that a CPZ could be introduced if necessary in the future. The Council's Senior Planning Lawyer advised that she was satisfied with the legality of the application. Councillor Kansagra however felt that the development represented an overdevelopment of the site which would be out of keeping with the surrounding area with consequent impact on parking and residential amenity.

DECISION: Resolved to grant planning permission as recommended subject to the Secretary of State's decision not to call in the application.
(Voting on the recommendation was as follows: For 7; Against 1).

5. Granville Centre, 80 Granville Road, London, NW6 5RA (Ref.19/2378)

PROPOSAL: Partial demolition of existing structures on site including part of the Granville building, refurbishment of the Granville and Carlton Centres and construction of 3 buildings ranging from one to eight storeys in height, to facilitate the provision of a mixed use development comprising 18 self-contained flats at part 1st - 8th floors and community facilities, offices and workshops at lower ground, ground and part first floors. Works include creation of play areas for the children's centre, nursery and school; additional community and event workspaces, outdoor amenity areas, secure cycle and refuse storage.

RECOMMENDATION: To grant planning permission subject to conditions.

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 within the Committee reports.

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.

Mr Damian Manhertz (Development Management Team Leader) introduced the report and answered Members' questions. He informed the Committee about an email from the local MP raising concerns about floor spaces and in addressing that drew Members' attention to the table set out in the proposal detail of the main report. He then referenced the supplementary report that set out additional comments and officers' responses to them.

Mr Pete Firmin raised concerns on the application for a number of reasons;

- a) The proposed change of use from D1 to B1 business use was not transparent in the committee reports.
- b) Loss of community space.
- c) Inadequate consultation.
- d) Negative impact on the community.

Ms Leslie Barton echoing the above added that the reports did not present convincing evidence that community event space would be required. She alleged that the report contained substantial inaccuracies including community floor space.

Mrs Lesley Benson (Headteacher, Granville Nursery Plus) addressed the Committee and answered Members' questions. She welcomed the proposed development as it would improve the fabric of the building, the provision for educational uses, an increase in usable space for the school and local charities in addition to the provision of 100% affordable housing.

Ms Juliette Scalbert (architect) addressed the Committee and answered Members' questions. She continued that the application, considered policy compliant, was informed by the monthly stakeholder meetings and further community engagements. She commented on the benefits of the scheme including the provision of community space and community hall, the provision of 18 affordable housing and improvements to the local environment.

In the ensuing discussions, members sought clarification on a number of matters including consultation, floorspace calculations and landscaping plans to which Mr Manhertz responded.

DECISION: Granted planning permission as recommended.

(Voting on the recommendation was as follows: For 5; Against 0; Abstention 1).

6. 19 Dudden Hill Lane, London, NW10 2ET (Ref.19/2688)

PROPOSAL: Demolition of the existing two-storey building and structures associated with the adjacent recreational sites and construction of a part 4-storey and part 5-storey building comprising D1 use on the ground floor and 29 residential units from part-ground to 4th floors. Works to include creation of communal roof terraces at 4th floor level, mechanical plant room, 48 cycle parking spaces, waste storage and associated landscaping.

RECOMMENDATION: To grant planning permission subject to conditions.

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 within the Committee reports.

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.

Mr Damian Manhertz (Development Management Team Leader) introduced the report and answered members' questions. Members noted that the scheme would provide 100% affordable housing units. He responded to questions about improvements to the play area, air quality and pollution, drawing Members' attention to conditions 24, 30 and 34 respectively, as set out in the main report.

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

7. Playground, Salusbury Primary School, Salusbury Road, London, NW6 6RG (Ref.19/2136)

PROPOSAL: The material change of use from a school to a mixed use as a school and a Sunday only farmers market; and for a temporary period of 18 months a market on Friday evenings only.

RECOMMENDATION: To grant planning permission subject to conditions.

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 within the Committee reports.

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.

Mr Damian Manhertz (Development Management Team Leader) introduced the report and answered Members' questions. He referenced the summary of objections, additional objections raised by QARA and officer responses as set out within the main and supplementary reports.

Mr Mark Handley (applicant) addressed the Committee highlighting the benefits of the market on the local economy and answered Members' questions.

In accordance with the Planning Code of Practice, Councillor Nerva declared that both objectors and supporters had approached him about the application. Councillor Nerva objected to the application for the following reasons; detrimental

impact on local residents, excessive car journeys into the area and consequent additional parking problems when CPZ ended after 6.30pm that could stretch any enforcement arrangements.

In response to a suggestion to vary the temporary permission being sought by the applicant from 18 to 12 months, officers outlined the logistic problems that could ensue. Councillor Kansagra, however, objected to the application due to its potential detrimental impact on local retailers, local traffic and residential amenity.

DECISION: Granted temporary planning permission for 18 months as recommended.

(Voting on the recommendation was as follows: For 5; Against 1; Abstention 0).

8. Any Other Urgent Business

None.

The meeting closed at 9.27 pm

COUNCILLOR J. DENSELOW
Chair

Notes:

- i) At 8.10pm, the Chair adjourned the meeting for 10 minutes.
- ii) Councillor Dar was not present during consideration of agenda items 6 and 7.
- iii) Councillor Johnson was not present during consideration of agenda items 5 and 7.