



# **LONDON BOROUGH OF BRENT**

## **MINUTES OF THE PLANNING COMMITTEE**

**Held as an online virtual meeting on Wednesday 24 June 2020 at 6.00 pm**

**PRESENT:** Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Chappell, Hylton, Maurice, Sangani and Kabir

**ALSO PRESENT:** Councillors Councillor Anton Georgiou

Apologies for absence were received from Councillor Mahmood (substituted by Councillor Kabir).

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

None.

#### **Approaches.**

All members declared that they received approaches from the agents for Capitol Way and Salisbury Road planning applications.

Councillor Kabir added that she had a meeting with the applicant for the Capitol Way application last year but remained unbiased.

### **2. 19/4545 1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ**

**PROPOSAL:** Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to twelve storeys comprising residential units and commercial floorspace, and the erection of a part two part three storey commercial building with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.

**RECOMMENDATION:** To GRANT planning permission subject to:

- A. Any direction by the London Mayor pursuant to the Mayor of London Order
- B. Any direction by the Secretary of State pursuant to the Consultation Direction
- C. The prior completion of a legal agreement to secure the planning obligations set out within the Committee report.

That the Head of Planning be granted delegated authority to negotiate the legal agreement and to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee 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 the application "expiry date" the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

Ms Victoria McDonagh (Development Management Team Leader) introduced the report, outlining the key aspects of the application as set out within the main report and answered Members' questions. She referenced the supplementary report in which members noted the applicant's agreement for a contribution for an amount of £200,000 towards implementing a Controlled Parking Zone (CPZ). She drew members' attention to a number of amended conditions requested by the agent and considered acceptable, as detailed within the supplementary report.

Mr Pravin Patel (in remote attendance) raised objections to the scheme on the following grounds:

- Excessive height of blocks A & G would be overbearing and substantially alter the character of the area.
- Loss of privacy to the occupiers of a property in Stag Lane adjacent to block G
- The entrance to upper levels of block A to/from courtyard would result in loss of residential amenities to Stag Lane residents.
- Lack of adequate infrastructure in terms of school places, doctors' surgery, hospitals and day care facility.
- Inadequate public transport infrastructure to support the scheme.

Mr Jan Donovan (agent, in remote attendance) addressed the Committee and highlighted the following points:

- The site will deliver 501 new homes (an increase of 87 new homes from the previously consented scheme), 35% affordable housing, 60% of the affordable rented homes will be family sized, including eight 4 bedroom houses, and all of which will be at London Affordable Rent levels.
- The scheme would maintain the design principles of the consented scheme including the height of the commercial and residential blocks facing Stag Lane.
- The scheme will include 114 residential car parking spaces within the basement with 23 commercial and visitor spaces at street level, 901 new cycle spaces, two new cycle repair hubs, wide cycle bays, wash down facilities and e-bike chargers.
- The scheme included improvements proposed to the mini roundabout junction on Stag Lane/Capitol Way to enable buses to route along Capitol Way and Stag Lane in order to increase bus frequencies and improve local traffic capacity.

- The applicant had agreed to a contribution of £200,000 towards the implementation of future CPZ in the area and that the residents of the development would not be able to apply for an on-street parking permit.
- To encourage a shift towards more sustainable modes of transport the applicant would contribute funds to Transport for London to provide a new bus stop adjacent to the scheme and towards the ongoing upgrade of Colindale Underground Station.

In the ensuing discussions with officers, members raised issues relating to loss of privacy, height and bulk, employment opportunities, affordable housing and tenure mix and transportation to which the following responses were noted:

- With adequate set back and separation distances and the taller blocks sited away from Stag Lane, no privacy issues would result.
- The Section 106 legal agreement provides for employment and training plans.
- The robust financial viability assessment coupled with review mechanism for uplifts concluded that the improved number of affordable housing provided was the maximum possible. A significant benefit would be that the rent level mostly within blocks A and G would be set at London Affordable Rent, in line with the Mayor of London's Emerging Policy.
- In addition to being a car free development, the applicant had agreed to a Section 278 highway improvements and a contribution of £200,000 towards implementing CPZ in the area which had a PTAL rating of 2-3.
- With active frontages and lighting, the scheme had been designed out of crime.

With no further issues raised and having established that all members had followed the discussions, the Chair asked members to vote on the recommendation. Members voted by a majority decision to approve the application subject to the amendments set out within the supplementary report.

DECISION: Granted planning permission as recommended and amendments to conditions 5, 6, 8 – 23 (inclusive), 25, 26 and 30 as set out within the supplementary report.

(Voting on the recommendation as amended was as follows: For 6, Against 2).

### **3. 19/4541 2A, Part of Former Westend Saab and Boyriven Textile, Bridgewater Road, Wembley, HA0 1AJ**

PROPOSAL: Demolition of the existing buildings and structures, the erection of a 'co-location' scheme ranging in height from 4 to 19 storeys, incorporating industrial floorspace with residential units, together with associated landscaping, vehicular access arrangements, car and cycle parking, servicing and refuse and recycling facilities.

RECOMMENDATION: To GRANT planning permission subject to the application's 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 report.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above and 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 is 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 June Taylor (Principal Planning Officer) introduced the report highlighting the key aspects of the application as set out within the main report and answered Members' questions. She referenced the supplementary report and informed the Committee that officers had provided Transport for London with further details on the proposed cycle parking provision, and confirmed they had no objection to this aspect of the scheme. She added that the applicants had agreed in principle, to a financial contribution towards public transport and bus service improvements that would be secured through the s106 legal agreement.

Mr Jeffrey Ruffles (applicant) in remote attendance addressed the Committee and submitted the following;

- The proposed residential units would all be for affordable housing, including 50% of units at a policy-compliant split (70% at London Affordable Rent and 30% shared ownership) and the remaining 50% for shared ownership. The proposal complied with Brent Policy DMP15.
- The design was considered to be of high quality, and the overall height and massing were considered appropriate in terms of the emerging street scene with acceptable set back.
- The proposal would provide a high standard of residential buildings with the all accommodation meeting or exceeding minimum space standards.
- The level of parking proposed was considered appropriate given the level of public transport accessibility (PTAL 4), subject to a financial contribution of £60,000 towards implementation of a Controlled Parking Zone, car club

membership and operation of a travel plan, all of which would be secured through a S106 legal agreement.

- A comprehensive landscaping scheme was also proposed.

Councillor Anton Georgiou (ward member) in remote attendance raised several objections to the scheme including the following:

- The proposal would be an over-development of the site not in keeping with the area and would thus change the character of the area.
- Inadequate parking spaces which would result in congestion in the area.
- Lack of infrastructure to support the development.
- Inadequate residential amenity which would have implications for future occupiers within the current Covid-19 pandemic.
- The CIL contribution would not necessarily be spent on improvements to the area.

Members discussed the application during which they questioned officers on several issues including the following; height of the building, transport assessment including servicing arrangements, infrastructure and affordable workspaces. Officers' responses as follows were noted:

- The height of the proposed development was considered acceptable.
- Transport assessment of the scheme concluded that the number of public transport trips associated with the scheme did not warrant the applicant to fund improvements to Alperton Underground Station.
- That infrastructure had been thoroughly evaluated across the borough taking into account projected growth, and that infrastructural requirements were set out in the Infrastructure Delivery Plan and emerging Local Plan. Significant elements of infrastructure had already been secured, including a new nursery a primary health facility at the Northfields development, public open spaces and multi- use community centres. A significant amount of funding has also been secured through the Community Infrastructure Levy.
- The scheme had been designed out of crime to provide natural surveillance and address incidence of anti-social behaviour and that the canals would be maintained.
- Affordable workspaces would be available by commercial arrangements.

With no further issues raised and having established that all members had followed the discussions, the Chair asked members to vote on the recommendation. Members voted by a majority decision to approve the application subject to the amendments set out within the supplementary report.

DECISION: Granted planning permission as recommended.

(Voting on the recommendation was as follows: For 6, Against 1, Abstention 1).

#### **4. 19/2408 111-115 Salusbury Road, London, NW6 6RG**

PROPOSAL: Erection of a fourth and fifth storey over existing three-storey office building to create 8 self-contained flats (comprising 6 No. 2-bedroom and 2 No. 3-bedroom flats) with associated new street level entrance to the front and

secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear.

**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 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, 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 summarising the key aspects of the application as set out within the main report and answered Members' questions.

Ms Tania Spooner (in remote attendance) objected to the application, raising several issues including the following:

- The proposal will have an unacceptable impact on residential amenity in terms of loss of privacy, outlook and light, contrary to the Council's Policy DPM1.
- The development will have a noticeable impact on two flats within 105-109 Salusbury Road in terms of loss of daylight and sunlight, essentially rendering them dark and dismal.
- The development does not meet the Council's supplementary planning guidance which requires a minimum separation distance of 18m between habitable rooms and 9m for outdoor space and inappropriate development.
- The Council's decision to grant planning permission for this proposal in 2016 was clearly entirely irrational for the above reasons and should not be repeated simply for the sake of consistency.

Mr Will Kumar (agent, in remote attendance) informed the Committee that the application was for a renewal of planning permission granted in 2016 and addressed the concerns that objectors had raised. Officers considered acceptable the daylight and sunlight report as it would have a minimal impact on neighbouring properties.

In discussing the application, Members clustered the issues raised including the following; changes to policies since the expiry of the extant consent; consultation; daylight and sunlight; impact on residential amenities and the nearby cemetery. Members noted the following responses that the Team Manager submitted:

- The design guidance had been updated but would not affect the recommendation for approval.
- The consultation carried out complied with statutory requirement.

- That while there would be a significant loss of day light to some adjoining flats, much of the impacts is associated with the over-hanging elements of the adjoining building and the impacts would be considerably lower when these elements were excluded from the analysis in line with BRE guidance.

With no further issues raised and having established that all members had followed the discussions, the Chair asked members to vote on the recommendation. Members voted by majority decision to approve the application as recommended.

DECISION: Granted planning permission as recommended.  
(Voting was recorded as follows: For 5; Against 1; Abstention 2).

## **5. 19/4351 62 Dunster Drive, London, NW9 8EL**

PROPOSAL: Retrospective planning application for a two storey building and proposed conversion into a residential development comprising 2 self-contained flats, including the creation of a side entrance, rear amenity space, cycle storage, 2 car parking spaces and associated soft landscaping; removal of boundary fence.

RECOMMENDATION: To GRANT planning permission.

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.

Ms Victoria McDonagh (Development Management Team Leader) introduced the report summarising the key aspects of the application as set out within the main report and answered Members' questions. Members heard that without planning permission, the applicant carried out alterations and partial demolition of a dwellinghouse and its conversion to 3 flats, resulting in an enforcement notice being served. The Planning Inspector dismissed the applicant's appeal and the enforcement notice was upheld with variation to the steps to comply with the enforcement notice. Ms McDonagh highlighted that during the course of the enforcement appeal, the applicant had carried out amendments to the design and

appearance of the property which was considered to be acceptable by the Inspector, with no resulting undue impact on the amenity of neighbouring occupiers.

Mr Ali Khalifa (applicant, in remote attendance) referenced the background to the enforcement notice and added that he had since taken specific measures to address the issues raised including height and internal layout to comply with relevant policies. He continued that he would use the house for his family occupation rather than a house in multiple occupation (HMO) and that the immediate neighbours had not raised objections to the application.

Mr Gerry Ansell (Head of Planning) informed Members that officers had brought the application before the Committee because of its history rather than objections to it. The Team Leader added that the scheme now accorded with guidance and policies.

With no further issues raised and having established that all members had followed the discussions, the Chair asked members to vote on the recommendation. Members voted unanimously to approve the application subject to the amendments set out within the supplementary report.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was unanimous; For 8; Against 0)

## **6. Any Other Urgent Business**

None.

The meeting closed at 9.40 pm

COUNCILLOR J. DENSELOW  
Chair