

LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 18 September 2013 at 7.00 pm

PRESENT: Councillors Ketan Sheth (Chair), John (Vice-Chair), Aden, Brown, Cummins, Hashmi, Kabir, Kataria, Powney and Singh

ALSO PRESENT: Councillor Barry Cheese, Councillor Claudia Hector, Councillor Roxanne Mashari and Councillor Carol Shaw

Apologies for absence were received from Baker and CJ Patel

1. Declarations of personal and prejudicial interests

None declared at this meeting.

2. Minutes of the previous meeting held on 21 August 2013

RESOLVED:-

that the minutes of the previous meeting held on 21 August 2013 be approved as an accurate record of the meeting.

3. Brent Town Hall, 54 Forty Lane, Wembley, HA9 9HU (Ref. 13/1996)

PROPOSAL:

Listed building consent for the change of use and refurbishment of the existing Town Hall (Sui Generis) into a new primary and secondary French International School (Use class D1) involving the demolition of a number of ancillary buildings (single storey pre-fabricated building and freestanding garages to the rear, and the existing print room attached to the main Town Hall building) and the erection of a part 2/part 3 storey extension along with associated works.

RECOMMENDATION: Resolve to grant listed building consent subject to an additional condition relating to the safeguarding of various features and agreement to delegate the content of a further condition/s covering the time frames for the submission of pre-commencement to the Head of Area Planning as set out in the supplementary report and referral to Secretary of State.

With reference to the supplementary report, Andy Bates, Area Planning Manager referred to members' queries about the future of fixtures, fittings and artefacts within the Town Hall building and the site. He continued that a review carried out at the time of the decision to sell the building identified which fixtures, fittings and artefacts would remain within the site and which ones would be relocated elsewhere including relocation to Brent Museum and the Civic Centre, as amplified in the supplementary report. Andy Bates added that following the recommendation to include in the conditions full details including method of removal, the applicant had expressed concerns with the time triggers for discharging the pre-

commencement condition which they felt would cause significant delays to the construction programme. As a result of that Andy Bates requested that delegated powers be granted to the Head of Area Planning to agree on the exact time frames for the submission of pre-commencement conditions.

During members' discussion, it was suggested that the flagpoles be retained to safeguard features of the Town Hall.

DECISION: Resolved to grant listed building consent as recommended with the addition of the retention of the flagpoles in the proposed condition to safeguard features.

4. Brent Town Hall, 54 Forty Lane, Wembley, HA9 9HU (Ref. 13/1995)

PROPOSAL:

Change of use and refurbishment of the existing Town Hall (Sui Generis) into a new primary and secondary French International School (Use class D1) involving the demolition of a number of ancillary buildings (single storey pre-fabricated building and freestanding garages to the rear, and the existing print room attached to the main Town Hall building) and the erection of a part 2/part 3 storey extension along with associated works.

RECOMMENDATION:

- a) Resolve to grant planning permission, subject to conditions and an amended condition 11, delegated authority to the Head of Area Planning on the timeframes, an appropriate form of Agreement as amended in Heads of Terms in order to secure the measures set out in the Section 106 Details section of this report and referral to the Secretary of State, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission, as set out in the supplementary report.

With reference to the tabled supplementary report, Andy Bates, Area Planning Manager responded to queries raised by members during the site visit. Members also heard that removal of trees along the frontage, which were later additions and did not contribute towards the significance of the listed building, would be acceptable to facilitate a running track for the school.

In response to a member's suggestion for public access to facilities and events within the Paul Daisley Hall, Council Chamber, the running track and language teaching, Andy Bates recommended that delegated authority be granted to the Head of Area Planning to secure details on its scope.

DECISION: Resolved to grant planning permission granted as recommended and delegate authority to secure details on the scope for public access to facilities and events within the Paul Daisley Hall, Council Chamber, the running track and language teaching to the S106 Heads of Terms.

5. 227B, 229B, 231B and 233B, All Souls Avenue, London, NW10 3AE (Ref.13/1640)

PROPOSAL:

Erection of mansard roof extension to accommodate 2 x two-bedroom flats with associated landscaping and car parking.

RECOMMENDATION: Application was withdrawn by the applicant as set out in the supplementary report.

Andy Bates, Area Planning Manager informed the Committee that the applicant had withdrawn the application because an incorrect ownership certificate was submitted with the original planning application.

DECISION: Application withdrawn by the applicant as set out in the supplementary report.

6. Former Kensal Rise Branch Library Building, Bathurst Gardens, London, NW10 5JA (Ref. 13/2058)

PROPOSAL:

Conversion of the existing vacant building to provide 7 residential units (3 x one-bed flats, 3 x two-bed flat & one x two-bed house) on the ground and upper floors and 175m² multi-functional community space (Use Class D1) on ground floor and basement. Alteration to roof pitch over and increase in height of rear wall of central section of main building, proposed new roof with flank wall windows to existing west wing. Provision of new entrance doors on College Road and replacement rear and flank wall windows with associated waste storage, cycle parking and solar panels.

RECOMMENDATION: Refuse planning permission with amended reason 2 as set out in the supplementary report.

With reference to the tabled supplementary report, Andy Bates, Area Planning Manager responded to the following issues that were raised at the site visit:

(i) Parking problems

As the area was within a controlled parking zone (CPZ) with good public transport accessibility of the site (PTAL4), a permit-free agreement, where future residents would not be entitled to residents parking permits, would be a potential means of suitably addressing this issue. This would have been secured through a s106 agreement but given that the application was being recommended for refusal no such agreement had been made.

(ii) Refuse/Recycling storage

The applicant has indicated proposals for the storage of refuse/recycling that would appear to be insufficient to meet the guidance and as such officers had recommended an informative drawing the applicant's attention to this issue. A larger bin store could, of course, have an increased and unacceptable visual impact.

(iii) Ownership and management of forecourt

He confirmed that as the forecourt was a private land and formed part of the development site, its management would be a matter for the developer and any other subsequent landowner, if the development was to be permitted.

(iv) Heritage and alterations

As the building was not listed, protected nor within conservation area, the changes proposed would have been considered acceptable. However, the concerns about the bulk of the proposed roof extensions did form the basis of one of the reasons for refusal.

(v) Cycle parking

No designated cycle parking facilities appeared to be indicated for the community hub. Standards for libraries were set out at 1 space per 10 staff and 1 space per 10 visitors and, if the application were to be approved, it would be reasonable to require a similar provision, secured through a planning condition.

(vi) New entrance to community hub

Proposals for the formation of a new entrance onto College Road had been considered by the Council's Urban Design Officers and were generally considered acceptable, subject to sufficient design detailing to comply with the required standard.

(vii) Consultation update

He referred to allegations that some of the comments submitted in response to the public consultation appeared to have been fabricated and officers' attempts to identify and deal with fraudulent responses as set out in the tabled supplementary report.

(viii) Daylight and sunlight report

The applicant submitted a revised report on day lighting and sunlight. Members heard that despite the revised view on the issue of daylight, officers were of the opinion that the living room would provide an unsatisfactory form of outlook for potential occupiers. On that basis he recommended that the reference to daylight be removed from the second reason for refusal as set out in the tabled supplementary report.

Andy Bates then referred to further correspondence from the applicant sent to a number of Councillors relating to a number of issues about the report and drew members' attention to officers' responses to them as set out in the main and tabled supplementary reports.

Mr David Butcher, speaking on behalf of Friends of Kensal Rise Library (FKRL) endorsed officer's recommendation for refusal adding that the design and space provisions were inadequate as a library. Mr Butcher continued that FKRL would like to see a genuine partnership between the Council and the community with a view to restoring the building to meet a suitable local need.

Mr Peter Grigg speaking on behalf of FKRL referred to results of a survey he had conducted to support his views that the proposal lacked adequate community space particularly for those with children and mobility issues. He added that there was no appetite within the community for the proposed change of use.

Ms Jay Venn speaking on behalf of Kensal Triangle Residents' Association (KTRA) also concurred with the officers' reasons for refusal, adding that the community use space provided was inaccessible and inadequate.

In accordance with the provisions of the Planning Code of Practice, Councillor Cheese stated that he had been approached by members of FKRL. Councillor Cheese objected to the proposal on grounds of inadequate and inaccessible community space which failed to meet community aspirations. He added that the proposed dwelling units constituted an unaffordable cramped form of accommodation. Councillor Cheese also referred to issues with the consultation.

In accordance with the provisions of the Planning Code of Practice, Councillor Shaw stated that she had been approached by members of FKRL. Councillor Shaw stated that the Council's designation of the building as a community asset and a listed building was a material consideration which should not be overlooked. She continued that as the proposed development would result in additional parking problems for the residents and loss of the only library facility in the area, the entire community were united in opposition to the application.

In accordance with the provisions of the Planning Code of Practice, Councillor Hector stated that she had been approached by local residents. Councillor Hector noted that issues on recycling and refuse had been addressed in the supplementary report however, pertinent issues relating to inaccessible provision to significant parts of the building and inadequate amenity space remained unresolved. Councillor Hector also endorsed officers' reasons for refusal as set out in the main and supplementary reports.

Mr Nicholas Taylor the applicant's agent stated that the reasons for the applicant's inability to provide community access were genuine and that there was no intention to remove significant features of the building as the windows and internal features would be retained. He added that facilities on the ground and lower ground floors for community uses would be made available to the local residents free of charge. Mr Taylor continued that the closure of the library was made by the Council following its library transformation project which sought to re-allocate resources into improved library services in other parts of the Borough. He also added that demolition of the entire building may be required if the applicant was to comply with all standards.

In response to members' questions, Mr Taylor submitted the following;

- i) Amenity space was lacking but could be addressed by requiring the applicant to make compensatory contributions to the area.
- ii) Any attempt to provide amenity space in the back garden would result in over-looking to the nearby cottage.

- iii) In his view, it was impossible to meet community space requirements without demolition of the entire building.
- iv) The application did not constitute an over-development of the site as it complied with internal space requirements and that the applicant would consider a reduced number of dwelling units provided it was to be compensated with bigger dwelling units.
- vi) Parking problems would be resolved as the proposal was for a “car free development”.
- vii) The applicant was proposing a community space and a number of changes to the scheme that would address the matters referred to by one of the objectors in his survey results.
- viii) The seven flats proposed were adequately sized except for a couple of windows which did not have an excellent outlook.

DECISION: Refused planning permission with amended reason 2 as recommended.

7. 1A-C, 3 & 5A-D INC, Deerhurst Road & Shree Swaminarayan Temple, 220-222 Willesden Lane, London, NW2 (Ref.13/0891)

PROPOSAL:

The erection of a rear extension to the temple, the demolition of 1, 3, 5 Deerhurst Road and the erection of

- Block A - 13 bedrooms care units, 2 staff units and 1 visitor unit
- Block B - Lounge and 3 x One Bed
- Block C - 12 flats
- Two storey basement parking area with associated landscaping to the site

RECOMMENDATION: Application was withdrawn by the applicant as set out in the supplementary report.

Andy Bates, Area Planning Manager informed the Committee that the applicants' representative had withdrawn the application as of 16/09/2013.

DECISION: Application withdrawn as set out in the supplementary report.

8. Olympic Office Centre, Fulton Road, Wembley, HA9 (Ref.13/1512)

PROPOSAL:

Erection of 2-storey retail units (flexible Use Class A1 / A2 / A3 / A4 / A5 use) and 3-storey car park to accommodate 170 car parking spaces to serve the adjoining building on the site in association with cycle parking, landscaping and other works incidental to the development.

RECOMMENDATION: Grant planning permission subject to conditions and informatives and an additional condition to include a requirement for a revised Travel Plan, “parking permit restriction”, re-instatement of redundant crossovers at the developer's expense as set out in the supplementary report.

With reference to the tabled supplementary report members were informed that the Council's Highways officers had no objections to the proposal subject to the following matters being included as an additional condition; revised Travel Plan, "parking permit restriction" for the offices and retail unit and the re-instatement of redundant crossovers at the developer's expense.

DECISION: Planning permission granted as recommended.

9. Scout Hut next to 60, Berkhamsted Avenue, Wembley, HA9 6DT (Ref.13/1526)

PROPOSAL:

Variation of Condition 2 of planning permission reference 09/0064 (granted 09/07/2009) for the demolition and replacement of front of existing scout hut with two-storey extension and provision of new pedestrian and vehicular access and off-street car-parking spaces to the front and rear of the site. The proposed variation is to allow a material amendment to the design of the approved roof to allow for the height of the eaves of the elevation facing Elsley Primary School to be raised.

RECOMMENDATION: Grant planning permission.

Stephen Weeks, Head of Area Planning clarified the description of the proposal and added that officers could not recommend its refusal as the alterations involved were not significant.

Ms Alicia Burrell, Parent Governor of Elsley Primary School in objection stated that due to the proximity of the site to the school boundary, the proposed development would affect the back entrance to the school. She added that the school had no idea as to the proposed usage of the building however if there was a material change of use to residential dwelling, it would result in overlooking to the classrooms, raising child protection issues.

Mr Qureshie, the applicant informed members that the structure of the building meant that conventional roofing was difficult to construct, hence the application for a minor alteration involving the design of the approved roof to allow for the height of the eaves of the elevation facing Elsley Primary School to be raised. In response to members' questions, Mr Qureshie confirmed that the alteration would not result in overlooking to the school and that the use of the building as a scout hut would remain.

In response to a member's suggestion for a wall to provide protection and thus overlooking to the school, Stephen Weeks Head of Area Planning drew attention to condition 5 which addressed those issues and sought to preserve the privacy and amenity of occupants of the site and neighbouring properties.

DECISION: Planning permission granted as recommended.

10. CROWN HOUSE, Wembley Hill Road, Wembley, HA9 8AU (Ref.13/1218)

PROPOSAL:

Change of use of the existing office space within the building to a hotel and the erection of two additional storeys on top of existing building and the re-cladding of the whole existing building to create a 47 bed hotel. (Including revised daylight/sunlight report)

RECOMMENDATION: Grant planning permission subject to conditions and subject to amended condition 6 and the removal of condition 11 as set out in the supplementary report.

The Head of Area Planning drew members' attention to minor amendments to condition 6 and the removal of condition 11 as set out in the tabled supplementary report. Officers were asked to clarify the exact figure for London Mayor's contribution, for Community Infrastructure Levy (CIL) in the decision notice.

DECISION: Resolved to grant planning permission and delegate to the Head of Area Planning subject to consideration of any issues arising from the confirmation to local residents of the inclusion of a restaurant in the proposal.

11. Olympic Office Centre, Fulton Road, Wembley, HA9 (Ref.13/1522)

PROPOSAL:

Outline planning permission for the mixed use redevelopment of the car park element of the site including the construction of new buildings and structures to provide a total of 40,000 sq m to provide a range of uses comprising: residential dwellings (Use Class C3), offices (Use Class B1), student accommodation (sui generis), hotel (Use Class C1), retail (Use Class A1/A2/A3/A4/A5) and/or leisure (Use Class D2) and associated car parking, public realm works and associated works.

RECOMMENDATION:

Resolve to grant outline planning permission subject to Stage 2 referral to the Mayor of London, 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 Director of Legal and Procurement and to additional conditions regarding compliance with the London Housing Design Guide, the minimum proportion of 3-bedroom units and a condition specifying the maximum floor space for each use, a clause covering a review mechanism for the level of affordable housing and an additional informative regarding the level of activity within the Rutherford Way frontage as set out in the supplementary report.

Andy Bates, Area Planning Manager in reference to the supplementary report, drew members' attention to issues raised and added that those issues could be addressed in part through a change to the maximum level of Use Class A1 floor space whilst the remainder of the issues can be addressed within the application for reserved matters.

DECISION: Resolved to grant outline planning permission subject to referral to the Mayor of London as recommended.

12. SKL House, 18 Beresford Avenue, Wembley, HA0 1YP (Ref.12/3089)

PROPOSAL:

Erection of first floor extension to front of building, alterations to the front forecourt layout, reduction in width to existing vehicle access, retention of extraction plant and wood burner installation to the rear and change of use from office (B1a) to a mixed use with B2 (general industrial), B8 (warehouse and distribution) with ancillary office and kitchen showroom (as amended by revised plans dated 22/01/13 and 16/04/2013).

RECOMMENDATION: Defer application to allow all interested parties to be notified in advance of the next Committee meeting which would consider the application as set out in the supplementary report.

Andy Bates, Area Planning Manager informed the Committee that due to a system error not all interested parties were notified of the Committee arrangements. He therefore recommended that the application be deferred to allow the Committee notification issue to be rectified and all interested parties notified before the application was considered by Members.

DECISION: Application deferred to allow all interested parties to be consulted as recommended.

13. Basement Development in Brent - Response to Consultation on Draft Guidance

Members received a report that provided information on consultation responses to the draft guidance on basement development in Brent. In response to concerns that had been raised regarding basement development in Brent, a new approach was proposed and recently consulted on. The consultation process invited resident associations and industry representatives to respond to a short survey regarding basement development in Brent, as well as to review the draft guidance on the proposed changes. Members noted the consultation responses and officers' conclusion that the guidance which would be incorporated into the Local List of Validation Requirements at its next formal review would provide clearer guidance on what would be sought for basement applications, thus providing more clarity and certainty for both residents and developers.

RESOLVED:

that the draft guidance be endorsed as part of the local validation requirements to be incorporated into the Local List of Validation Requirements at its next formal review.

14. Planning Appeals July - August 2013

RESOLVED:

That the schedule of appeals for the period July to August 2013 be noted.

15. Date of next meeting

It was noted that the next meeting would take place on 16 October 2013.

16. Any Other Urgent Business

None.

The meeting closed at 8.50 pm

K SHETH
Chair