

Supplementary Information Planning Committee on 16 September, 2009

Item No. 3
Case No. 09/1556

Location	24 Valley Drive, London, NW9 9NP
Description	Retention of single-storey rear extension, two-storey side to rear extension to dwellinghouse and conversion of garage into a habitable room (variation of scheme approved on 04/07/2006 - Ref: 06/1275)

Agenda Page Number: 17

Members' Site Visit

No. 26 Valley Drive has queried why he was not allowed to have a further extension now proposed by the applicant. Officers advised that there was a different relationship between the application site and No. 26 Valley Drive. Essentially, the reason why officers are supporting the additional rear extension at the application site is because it is flush with the extension at No. 22 Valley Drive, and is not considered to adversely impact upon the amenities of neighbouring occupiers. In the case of No. 26 Valley Drive, its neighbouring property, No. 28 Valley Drive, does not have a similar extension along the boundary, and thus officers are unable to support a rear extension which is more than 3.0m in depth.

Recommendation: Remains Approval.

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Supplementary Information Planning Committee on 16 September, 2009

Item No. 5
Case No. 09/1888

Location	61 Beverley Gardens, Wembley, HA9 9RB
Description	Erection of two-storey, end-of-terrace dwellinghouse with roof extension and 1 rear rooflight, installation of vehicle crossover, provision of car-parking, refuse storage to front and landscaping to site subject to a Deed of Agreement dated xxx under Section 106 of the Town and Country Planning Act 1990, as amended

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Additional letters of objection

Additional letters of objection have been received. Similar objections have been raised previously and have been addressed within the main committee report.

A letter of objection has been received from the Barn Hill Residents' Association. It confirms that it endorses the concerns expressed by residents, particularly with regards to the works not being implemented in accordance with the approved plans and the house being converted into flats. These issues have been addressed within the main committee report.

Description of development

The description of the proposal as set out in the committee report refers to a roof extension and rear roof light to the new dwellinghouse. Officers can confirm that this is an error and that no roof extension or roof light is proposed to the new dwellinghouse. It has been designed with a hipped end pitched roof. A single storey rear extension and front porch is however proposed, the details of which have been referred to in the main committee report. The correct description of the development should be "erection of two-storey, end-of-terrace dwellinghouse with single storey rear extension and front porch, installation of vehicle access, provision of car-parking, refuse storage to front and landscaping to site

Recommendation: Remains approval subject to the signing of a Section 106 Agreement.

**Supplementary Information
Planning Committee on 16 September,
2009**

Item No.	6
Case No.	09/1750

Location	15 Grenfell Gardens, Harrow, HA3 0QZ
Description	Demolition of existing detached garage and erection of two-storey side extension and part single-storey, part two-storey rear extension to dwellinghouse

Agenda Page Number: 43**Further representations**

A representation has been received from the neighbouring property requesting the existing hedge (if applicable) to be replaced by a structure of approx equal height to preserve privacy and security.

In response to this request officers can confirm that the existing hedge will be retained as part of the proposal. There is an existing timber fence at approx. 1.8m high up to the garage along the boundary with No. 17 Grenfell Gardens. It is envisaged that this fence will continue up to the hedge once the garage has been removed. Officers recommend that a condition is attached to secure details of the boundary treatment alongside No. 17 Grenfell Gardens. The suggested wording of the condition is set out below:

Further details of existing and proposed boundary treatment (indicating materials and height) along the boundary with No. 17 Grenfell Gardens shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site and fully implemented in accordance with such approved details.

Reason: To minimise interference with the privacy of the adjoining occupiers.

Level differences in the rear garden

The main garden area is at a lower level to the house and slopes up to the patio area. The agent has confirmed that no raised decking will be provided to the rear or side, and that the existing patio will be extended out and the garden sloped up to the extended patio in the same way as currently seen. To clearly understand the depth of the patio and level differences officers recommend that a condition is secured for these details. The suggested wording of the condition is set out below:

Notwithstanding the submitted plans further details of the patio area and access arrangements to the rear garden (including a cross section of the level changes) shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site and implemented in accordance with such approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the Mount Stewart Conservation Area.

Recommendation: Remains approval.

**Supplementary Information
Planning Committee on 16 September,
2009**

Item No.	7
Case No.	09/2097

Location	Tenterden Sports Ground, Preston Road, Harrow
Description	Details pursuant to conditions 2 (colours and finishes), 3 (positioning of MUGA), 4 (landscaping), 5 (cycle stands) and 7 (drainage) of Deemed (Reg3 Council's own Development) planning consent reference no. 08/2537, dated 15 January 2009, for proposed

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Members' Site Visit and further representations

Objectors raised concerns over poorly visibility, bike/pedestrian conflicts, 'bottleneck' with allotments, impact on training for 4- to 7-year-olds and anti-social behaviour. The fear of anti-social behaviour, parking and obstructing emergency vehicles was also raised on behalf of Silverholme Close residents. In correspondence received subsequently, a local resident and former Crime Prevention Adviser emphasised the importance of location, lines of sight and good natural surveillance. A letter giving further details of Forest United's concerns has also been received. These objections are addressed below:

Anti social behaviour

Regarding the above, these are issues your officers had considered and the advice of the Police's Borough Crime Prevention Design Advisor has been sought. The Design Advisor raises no objection to the proposal, its siting and location but has suggested the lighting along the west-east footpath be baffled to avoid light spillage into the MUGA. This is added as an informative.

Additional Informative

The lighting along the west-east footpath shall be baffled to avoid light spillage into the MUGA before it is brought into use.

Your officers have also spoken to PC Mark Kirby from the Safer Neighbourhoods Team concerning existing anti-social behaviour in the area. PC Kirby has advised that they have no issues with the Tenterden Car Park and playing fields. They have received complaints about drug-dealing and other anti-social behaviour in the area but when they have gone out to investigate they could find no evidence to support these concerns. With regards to Silverholme Close, PC Kirby has advised that he has received complaints from a third party about intimidation of the elderly. When his team have visited the residents of Silverholme Close, none of the residents have raised concerns with youths and intimidation. The only concern that they have raised is with Sunday league footballers parking in Silverholme Close and making it difficult to manoeuvre their cars.

With regards to anti-social behaviour associated with MUGAs, the purpose of these facilities is for them to be available for use by local youth at any time, to enable them to participate in sporting activity and to offer a distraction from being a nuisance to local residents. Experience has shown this with existing MUGAs in the Borough. This view has been supported by the Fryent Safer Neighbourhoods Team in relation to the MUGA with Roe Green. The MUGAs provide an opportunity for the Council, local residents and the police to easily monitor groups of young people and their activities in a defined space and to that end this facility allows the Council to improve site management whilst offering sporting activity and allowing other users of the open space the opportunity to enjoy the open space in and around the area.

Your officers have discussed the issues with the Assistant Director (Environment & Culture), especially on the possibility of locking the MUGA after hours. The purpose of a MUGA is to encourage informal activity and consequently they are not normally locked. In addition, locking MUGAs has a resource implication for the Parks Service. If Members are minded to approve subject to locked gates, such a condition would be along the lines of : "The MUGA to be locked at dusk for a period of four weeks at a time if so advised by the police that this may help reduce any local crime issues".

Location of MUGA - poorly overlooked

The location of the MUGA was considered by your officers in Parks and Sports Services. Its location has been chosen to allow natural surveillance from both the streetscene, nearby residents and by GAAL. Sport England have confirmed that MUGAs need surveillance to be effective and protect community amenity.

"Bottleneck" with allotments

The position of the MUGA reducing the width of grassed land between it and the allotment site to approx. 15 metres overall. The Crime Prevention Design Advisor does not consider this inappropriate. but this is not seen as a problem.

Impact on training for 4- to 7-year-olds

The site of the MUGA is currently being used as a "football clinic" by Forest United FC. Since preparing the main Committee report, officers have spoken to Sport England about the exact location of the MUGA. Sport England have advised that they do not object to the MUGA at this site. They have, however, indicated that the exact positioning (being 15m off each boundary) is not ideal if it limits use of the wider open space. Sport England advised that if there was a question of re-orientation and re-positioning to address they feel it can be resolved. In conclusion, Sport England reconfirmed that there was and is no problem with a MUGA on the site but for the playing field to be maximised whilst providing a range of facilities to suit all parties using the site.

In addition, your officers have received confirmation from Forest United FC about the operation of the football clinic. They have advised that the size of the largest area that they operate as a football clinic is an area of approx. 40 yards (36m) x 20 yards (18m) to allow for the children to play "small-sided" games.

In response to the above comments your officers have relocated the siting of the MUGA so that it is 10m away from the north/south footpath and east/west footpath at its closest point. This will allow space for the continued use of the area to the west by Forest United FC for their "football clinic" and will also allow space to the north of the MUGA for a seven-a-side pitch. A revised site plan has been prepared, "L 01 1A", which supersedes "L 01 1".

Representations received by Middlesex County Football Association

A letter has been sent to Sport England from Middlesex County Football Association. It expresses its support for Forest United Football Club's wish to see their use of the Brent NALGO ground at Preston Road to remain unaffected by proposals for the introduction of MUGAs. They also object to the proposed siting of the MUGA and the impact upon the available area for the "football clinic".

In response to the first point, the MUGA will not affect the pitch used by Brent's NALGO. This pitch is located on the opposite site of the north/south footpath. Furthermore, this pitch is not hired out to Forest United FC. Parks Services have confirmed that there is only one mini-pitch marked out on the flat area at Tenterden which is used by Forest United (to the north of the MUGA). Forest United also use other pitches at John Billam.

The relocation of the MUGA to be sited 10m away from the footpath (discussed above) will allow sufficient space for Forest United FC to run their "football clinics".

Recommendation: Remains Approval.

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Supplementary Information	Item No.	8
Planning Committee on 16 September, 2009	Case No.	09/1708

Location	169 Melrose Avenue, London, NW2 4NA
Description	Erection of a single storey side extension, timber fence and gates and formation of new vehicular access to rear garden of dwellinghouse (as accompanied by 3 pages of site photographs)

Agenda Page Number: 59

Removal of Vehicle Access:

Subsequent to the writing of the report, the applicant amended the application to remove the proposed vehicle gates onto Gay Close and instead only provide a pedestrian access onto this highway.

Committee site visit:

Members were advised by the Applicant and Council Officers that the vehicle access onto Gay Close had been removed from the scheme at the applicants request at the weekend site visit.

During the meeting, objectors stated their concern that there would be a loss or change of character and community by the opening up of rear gardens. Objectors also reiterated concerns over increasing parking demand, of vehicle movements and child safety and issues of security. The remaining sections of chain link fence which they stated originally bounded all rear gardens fronting Gay Close were also highlighted.

Discussion:

The removal of the proposed vehicle access has been raised with Council Transportation Engineers. These Officers have confirmed that they have no objection to the amendments to the scheme.

The issue of vehicle crossings are discussed within the Officers report and the conclusions reached, with regard to future vehicle accesses from Gay Close, remain unchanged.

The Officer would recommend the imposition of an amended condition requiring Council approval for any amendment to the boundary fence (adjoining Gay Close). This will allow Council to consider and control any future proposals.

As a result of the above, the following amendments are proposed to the report:

Page 59 - Amend the description in the "Proposal" section to read as follows:

"Erection of a single storey side extension, timber fence and formation of pedestrian access to rear garden of dwelling house (as accompanied by 3 pages of site photographs and as amended by applicants email of 10/09/09 and amended drawings dated 09/09/09)."

Page 59 - Amend the "Plan No's." section to replace "Unnumbered Rear Garden Access Plan" with "Unnumbered Rear Garden Plan (dated September 9 2009)".

Page 63 - Delete condition "(2)" which required hardstanding and landscaping details within the rear garden area.

Page 64 - Delete condition "(4)" which limited vehicle parking to one vehicle within the rear garden area.

Page 65 - Amend proposed condition "(5)" which currently reads as follows:

"Notwithstanding details contained within submitted drawings, the proposed boundary fence and gate adjoining Gay Close shall match ... the fencing used on the neighbouring properties fronting Gay Close."

The last part of this condition should be amended to delete the words "fronting Gay Close." and replace with the following:

"on Melrose Avenue whose rear boundaries adjoin Gay Close. This fence shall not be removed or otherwise altered (ie. for the purposes of the creation of a vehicle access) without the prior written permission of the local planning authority."

Recommendation: Remains Approval.

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Supplementary Information	Item No.	9
Planning Committee on 16 September, 2009	Case No.	09/0868

Location	School Main Building, St Robert Southwell RC School, Slough Lane, London, NW9 8YD
Description	Demolition of detached garage, manager's house and mobile classroom accommodation and erection of single-storey extension to main entrance to create lobby, office, kitchen and disabled toilet, single-storey infill extension to rear courtyard to provide 2 classrooms and expansion of existing hall, two-storey side extension to provide a disabled lift, additional classrooms and library

Agenda Page Number: 67

On page 70 of the Agenda, under 'Outdoor amenity space and landscape', the issue of potential impact of the proposal on existing trees outside the application site is explained. Officers (including the Council's Tree Protection Officer) have visited the site to investigate this matter further. It was found that most of the trees along the outside of the boundary were of a relatively low value. Many of the trees are Elm trees which are affected by Dutch Elm Disease, and will naturally regenerate. It is not expected that any of these trees will be adversely affected by the proposed extensions. The only existing tree of note is a category B Oak, which is adjacent to the existing porta-cabin. The trunk of this tree is 2.7m outside of the application site, and 3.5m from the nearest point of the proposed extension. The diameter of the trunk is approximately 0.2m, which dictates a root protection area of 2.4m radius. This root protection area falls entirely outside of the application site, therefore the tree is unlikely to be affected by the location of the proposed extension. It is possible, however, that scaffolding may need to be erected outside the application site during construction. A Tree Protection Method Statement giving details of appropriate measures to prevent damage to this and any other trees is therefore required by proposed condition 3. Notwithstanding the above, there is always concern when new

buildings are erected so close to the boundary and close to existing trees. Condition 3 needs to be amended to incorporate a full construction methodology.

Transportation Officers have requested that a condition be added, requiring a Travel Plan be provided to support this application. As such, the following condition is proposed:

"A School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development. The approved details shall be fully implemented.

Reason: In the interest of promoting sustainable travel."

In order to provide the applicant with supporting information relating to this condition, the following informative is proposed:

"The applicant is advised to contact the Councils Senior Travel Plan Officer on 0208 903 8537 for further guidance relating to the proposed School Travel Plan required by condition above."

Furthermore, the following changes are recommended to conditions already proposed:

Page 72 - Condition 3 - add at the end of the first paragraph "and any protection measures which are required under (iii) below shall be implemented during construction of the development."

Page 73 - Condition 6 - Amend the start of this so as to say "Notwithstanding the submitted TP6 Sustainability Checklist, the development shall not be commenced unless prior there to (i) further details have been provided.....". Then also delete the wording "Approved details shall be fully implemented." and substitute instead "And (ii) the Council have approved the submitted details. The details as approved by the Council shall be fully implemented".

Page 73 - Condition 7 - Substitute "management plan" for "details" on line 4.

Recommendation: Remains approval.

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**Supplementary Information
Planning Committee on 16 September,
2009**

Item No. 10
Case No. 09/1770

Location	32 Windermere Avenue, London, NW6 6LN
Description	Erection of single-storey side infill extension and rear dormer window, installation of 1 rear and 1 front rooflights, creation of basement cellar and replacement of windows to front of dwellinghouse

Agenda Page Number: 77

Following the applicant's decision to amend the submitted proposals, including the removal of the proposed rear extension, the objector has formally withdrawn, in writing, their objection to the application. As a result, Ward Councillors Emily Tancred and Will Motley have also withdrawn their "call-in" requests.

Recommendation: Remains Approval.

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**Supplementary Information
Planning Committee on 16 September,
2009**

Item No. 11
Case No. 09/1508

Location	Gaumont State Cinema, 197-199 Kilburn High Road, London, NW6 7HY
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Description	Proposed change of use from theatre club (Use Class Sui Generis) to place of worship (Use Class D1); demolition and replacement of single-storey WC block to side of auditorium, demolition and replacement of single-storey and mezzanine meeting-rooms to front of site; 7 new rooflights to mezzanine, erection of new side entrance and WC extension, installation of metal "stage access" door and new metal mesh screen at rear of site; new vehicular access from The Terrace, new refuse store and metal gates from Willesden Lane; re-landscaping of site, including 50 bicycle stores, 50 car-parking spaces and 3 disabled car-parking spaces, and restoration of front elevations facing Kilburn High Road and Willesden Lane
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Agenda Page Number: 83

Members visited the site on Saturday 12th September 2009 and took the opportunity to see the relationship between the proposal and Brondesbury Mews, which is locally listed. Officers consider that the relationship is acceptable in every respect, for the reasons set out in the report, but for the avoidance of doubt the applicants have confirmed that they do not have any objections for an additional condition for the two proposed windows in the lift tower and the seven rooflights in the Willesden Lane extension roof to be obscured in order to protect privacy.

ADDITIONAL CONDITION

The two windows proposed for the lift tower and the seven rooflights in the Willesden Lane extension roof, hereby approved, shall be glazed in obscure glass, permanently maintained as such and shall not be altered without the prior approval of the Local Planning Authority.

Reason: In order to protect privacy.

For clarity, the proposed lift tower in the niche between the existing stair tower and the Willesden Lane block will be 2.05 metres deep in plan. Officers consider that this element of the proposal is acceptable.

A further letter of objection has been received from a resident of Streatley Road. They state that the proposal would:-

- result in traffic problems.
- lead to residents having more trouble finding car parking spaces.
- be very similar to an existing Christian centre nearby on the High Road.

The resident states that the Council should look at extending the hours of the existing CPZ.

The point about the existence of other churches in the vicinity is not considered to be material to the determination of this application and the other issues raised have been dealt with in the main body of the report.

The Borough Solicitor has commented on the proposed S106 and suggested conditions. He states that in his view the Council would want any heating and cooling systems incorporated into the building to be specifically approved by the Council. Accordingly he suggests amending the 3rd sentence in (b) under S106 details so as to say "any new heating and cooling systems incorporated into the building to be approved by the Council, in particular consideration to be given to low carbon technologies and insulation....."

As far as Heads of Terms (d) is concerned he suggests inserting after "Management Plan" the words "(to include rates of hire)".

In terms of Condition 4 add after the 2nd sentence the words "the maintenance details approved under (f) below shall be fully implemented" then delete the paragraph starting "Any trees and shrubs planted....." as this is already covered by point (f).

As far as Condition 7 is concerned the Borough Solicitor suggests adding at the end of the 1st sentence "(save as otherwise approved by the Local Planning Authority)". This would give the Council control in the event that the car park was proposed to be used for other purposes (eg: car park for shoppers).

As this is a "Major Case" still within the 13 week statutory period wording permitting the Planning Authority to refuse permission if the Agreement is not concluded within the time-period should be agreed (see page 84 of report).

"And if the agreement has not been entered into by 29 September 2009 to refuse permission, but delegate authority to the Head of Area Planning to grant permission in respect of a further application which is either identical to the current one or, in his opinion, not materially different, provided that a Section 106 agreement containing the above terms has been entered into".

The applicants have confirmed that a metal palisade fence which has been erected around the car-park, and which is not considered by Officers to relate well to the setting of the listed building, will be removed within a month.

Recommendation: Remains approval subject to a legal agreement, variation to Heads of Terms and conditions 4 and 7, as well as an additional condition 9.

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Supplementary Information	Item No.	15
Planning Committee on 16 September, 2009	Case No.	09/1723

Location	66D Salusbury Road, London, NW6 6NR
Description	Proposed erection of single-storey rear conservatory to ground-floor flat

Agenda Page Number:117

The plans show of a possible subdivision of the rear garden area. Officers required clarity on the matter and stated that a division of the garden would not be viewed favourably. On the 9th of September 2009, the Council received an amended plan indicating no sub-division of the garden

Recommendation: Remains approval subject to revised plan number 2225/02 Rev A replacing plan number 2225/02

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Supplementary Information	Item No.	16
Planning Committee on 16 September, 2009	Case No.	09/1294

Location	Rathbone House Garages, Brondesbury Road, London, NW6
Description	Change of use of 12 garages accessed off Algernon Road to general storage of hand carts to support the Veolia street-cleansing contract, along with formation of office, restroom & toilet facilities

Agenda Page Number: 123

Following the Members' Site Visit on Saturday 12 September 2009, a meeting has taken place with the applicants, Council Officers and Ward Councillors Mary Arnold and Anthony Dunn. After this, representatives of Veolia have formally requested, in writing, that consideration of the current application be deferred in order to allow for more time to consider the feasibility of alternative sites and options.

Recommendation: Amend recommendation to Deferral.

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Supplementary Information	Item No.	17
Planning Committee on 16 September, 2009	Case No.	09/1312

Location	GEKO HOUSE, Kimberley Road, London, NW6 7SG
Description	Creation of second floor to existing building to provide 5 self-contained flats with terraces to rear and side, 3 new ground-floor windows and refuse store doors to rear of existing

warehouse and new shared entrance at rear, blocking-up of door and window at ground-floor and window at first-floor side, provision of 5 car-parking spaces and refuse & bicycle storage to rear of site

Agenda Page Number: 131

During the recent site visit, Members sought clarification on the actual increase in height of the existing building as a result of the proposed development. Officers can confirm that, in general, the main roof of the additional storey would be set at a level 3.6m above that of the existing roof. The roof of the proposed additional storey also incorporates a number of lowered sections and these sections would be set at a level of 3m above the existing roof. In general, the proposed height of Geko House would be approximately 3.3m lower than Kimberley Court and approximately 1m lower than the main roof of the top flats of Hoopers Yard.

The existing building has a rear projection with a flat roof set 1m below the level of the main roof. Although the footprint of the proposed additional storey will not be located above this projection, the overall height of the projection will be increased by 1m to match the eaves level of the existing roof.

A further letter in support of the application has been received from the applicants' agent. The letter refers to the history of Geko House, congestion on Kimberley Road which he says will improve, the future occupation of Geko House which could be more intensive in the event that this development does not go ahead and the impact of the proposed development on privacy which he considers is acceptable.

Recommendation: Remains Approval subject to s106.

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Supplementary Information

Item No.

18

Planning Committee on 16 September, 2009

Case No.

09/1677

Location	84 Paxford Road, Wembley, HA0 3RH
Description	Demolition of existing detached garage, erection of single-storey and two-storey side and rear extension, installation of rear dormer window and rear rooflight to dwellinghouse

Agenda Page Number: 141-146

Additional revised plans have been submitted detailing the design of the parapet to be located the front of the ground floor side extension part of the proposal. The revised detail is considered acceptable and consequently the wording of condition 4 has been amended to remove the requirement for further details of the parapet to be submitted.

Additional plan numbers: Paxford-84/9 & 10

Recommendation: Approve subject to conditions.

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