



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Wednesday, 15 September 2010 at 7.00 pm

PRESENT: Councillors RS Patel (Chair), Sheth (Vice-Chair), Adeyeye, Baker, Cummins, Daly, Kataria, Long, Moloney and CJ Patel

ALSO PRESENT: Councillor Jack Beck, Councillor Kana Naheerathan and Councillor Carol Shaw

Apologies for absence were received from Hashmi and McLennan

### 1. **Declarations of personal and prejudicial interests**

None.

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

RESOLVED:-

that the minutes of the previous meeting held on 18 August 2010 be approved as an accurate record subject to the correct spelling of Councillor "Sheth" (recorded votes, item 3: 22 Wembley Park Drive).

### 3. **Churchill House, 15 Dollis Hill Estate, Brook Road, London, NW2 7BZ (Ref. 10/1712)**

Refurbishment of existing building and change of use from employment uses (B class) to educational use (Use Class D1) and external alterations including: erection of two staircases to first-floor rear, formation of green roof terrace, creation of multi-use games areas, provision of 16 car parking spaces (including 2 disabled bays) and 40 cycle store, bin storage and associated landscaping (as amended by letter, reports and plans received 1 September 2010)

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture, or other duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor.

With reference to the tabled supplementary report the Area Planning Manager Rachael McConnell reported that the applicant had submitted revised drawings to correct the position of the western boundary of the site and the proposed landscaping. She added that the Council's Legal Adviser considered that the

applicant had not submitted sufficient information to support his claim that the proposal did not constitute a change of use. She continued that the applicant had requested that a number of amendments be made to proposed conditions 2, 5, 14 and 16 and with that in view she requested that authority be delegated to officers to amend those conditions. She also drew members' attention to an amendment to the Section 106 contribution to £10,000 in addition to the payment of the Council's legal and professional costs in preparing and completing the legal agreement and monitoring and enforcing its performance.

The Area Planning Manager then referred to additional objections received which she added did not raise new issues except community access to the site and the height of the building. She clarified that community access to the use of the multi use games area (MUGA) for up to 20 hours would be secured and that whilst access to other facilities may not be feasible, it would be explored through the Community Access and Management Plan to be submitted as part of the Section 106 legal agreement. She added that as the development related to the refurbishment of the building it would not alter the height other than the roof terrace.

Mr Stephen Hill a local resident objected to the proposed development on grounds of traffic congestion, parking, noise nuisance and detriment to residential amenities. Mr Hill considered that the plans submitted had not adequately addressed the issues he had raised.

Mr Patrick Grincell the applicant's agent stated that the proposal which had been designed in accordance with standards set by the Department of Education would provide quality school accommodation to meet modern day standards for 195 students and 40 full time staff. He drew members' attention to the beneficial impact of the proposal including community access to the MUGA use and the Section 106 financial contribution. Mr Grincell added that conditions imposed and those to be amended by the officers would address the issues raised by the objectors to the proposal. In response to members' questions, Mr Grincell stated that measures including the proposed travel plan (car sharing, large coaches for student movement) and management of the 1.8m boundary fence would be put in place to preserve residential amenities.

The Head of Area Planning Steve Weeks in outlining the relationship of the site with adjoining properties stated that there already existed a separation. He however recommended that a further condition be imposed which would require the applicant to submit further details on bin enclosures.

**DECISION:** Planning permission granted subject to conditions with conditions 2, 5, 14 and 16 to be amended by officers under delegated authority, an additional condition requiring details of bin enclosure to be submitted for approval, the completion of a satisfactory Section 106 or other legal agreement as amended and delegate authority to the Director of Environment and Culture, or other duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor.

**4. 137A Tanfield Avenue, London, NW2 7SR (Ref. 10/1762)**

Retrospective application for an air conditioner unit and proposed repositioning to the side elevation of first floor flat

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

Mrs Aristeia Diamond in objecting to the application stated that the proposed new position of the air conditioning unit would project about 40cm over her garden and would also block natural light. She continued that noise disturbance from the air conditioning unit would result in a detrimental impact to her amenities. Mrs Diamond added that the proposal would add to an already existing pressure on the drainage system.

Mrs Cathy Nicholoso speaking in a similar vein added that in addition to its unsightly appearance, bulk and projection, the air conditioning unit would create noise nuisance to the previous objector's property. She added that for the above reasons Mrs Diamond's property would be devalued.

The Head of Area Planning Steve Weeks clarified that concerns about devaluation of property were not within the remit of the Committee. He added that the position of the air condition unit had been moved at Officer's request and its impact was now not considered to warrant refusal.

DECISION: Planning permission granted subject to conditions and informatives

**5. 14 Heber Road, London, NW2 6AA (Ref. 09/1616)**

Erection of single-storey detached outbuilding in garden ground-floor flat (14b Heber Road) as amended by plans received 16/11/2009 and 20/08/2010

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

Members decided to defer this application for a site visit in order to assess the full impact of the proposal including the significance of the use of the side extension.

DECISION: Deferred for a site visit in order to assess the impact of the proposed development.

**6. Dollis Hill Estate (excluding Further Education College and Gatehouses), Brook Road, London, NW2 7BZ (Ref. 10/1388)**

Demolition of existing buildings and erection of 160 residential dwellings comprising: 1 part two-, part three-, part five-storey block with a communal roof-terrace area to the three-storey part, comprising 21 x 1-bedroom and 26 x 2-bedroom private flats; 1 five-storey block comprising 17 x 1-bedroom and 26 x 2-bedroom shared-ownership flats; 1 five-storey block comprising 7 x 1-bedroom, 30 x 2-bedroom, 12 x 3-bedroom and 3 x 4-bedroom social-rented flats; with 146 car-parking spaces at basement level, associated hard and soft landscaping, emergency-access road to Brook Road, refuse stores and 137 secure cycle-storage spaces; erection of 18 three-storey, terraced dwellinghouses comprising 10 x 3-bedroom, 6 x 4-bedroom and 2 x 5-bedroom, all for social rent, with off-street parking and private amenity space (as amended by revised plans and documents received 03/08/2010)

OFFICER RECOMMENDATION: Grant planning permission subject to referral to the Mayor of London and subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture, or other duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor.

The Area Planning Manager Rachel McConnell started by responding to the concerns expressed by residents at the site visit. In respect of its height and prominence she stated that the five-storey element would remain below the parapet of Chartwell Court, allowing that building to maintain its prominence in the landscape. She added that an assessment of the relationship with Hillcrest Gardens was considered acceptable. In addition, the applicant submitted revised plans that resulted in amendments set out in the tabled supplementary report which not only protect residential amenities but would also comply with the guidance set out in SPG17. She did not consider that measures were required to control the use given the modest size of the proposed roof terrace and the distance from neighbouring occupants. The Area Planning Manager further informed members that the distance of the closest part of the development to Chartwell Court and Flowers Close (30m) the 5-storey element (35m) was in excess of the SPG limit of 20m and would therefore prevent an unacceptable loss of outlook. In her view the development would affect the adjoining school site unacceptably and that issues raised in the Fire Officer's report would be covered by Building Regulations.

Mr Jochem van Ast objected on the grounds that the proposed development which would be out of keeping within the area would overlook his property, resulting in a loss of privacy. He continued that the development, with excessive density, would be unsympathetic within the area and that the amendments submitted by the applicant would not adequately address the concerns expressed by the residents. In order to overcome their concerns, he requested that the applicant be asked to re-submit the proposal for a 4-storey building.

Mr Mark Connell the applicant's agent stated that his client had undertaken full consultations with the local residents which had resulted in a number of changes being made to the original scheme including its design. He added that adequate car parking provision had been made for every home and that the development would be about 60 metres away from the nearest home in Hillcrest Gardens.

In respect of the claim for overdevelopment, Mr Connell informed members that Stadium Housing, the applicants had submitted this proposal for 160 homes, as against 170 which was considered suitable for the site by the Planning Inspector on appeal. He continued that the proposed development would address chronic housing shortage especially for larger affordable homes within Brent, adding that funding for the development was dependent on planning permission being obtained.

**In accordance with the provisions of the Planning Code of Practice, Councillor Jack Beck** a ward member stated that he had been approached by objectors to the development. Councillor Beck stated that the development had not been designed to complement the area in view of the detrimental impact that would result in terms of overlooking, loss of privacy and loss of outlook. He continued that as a result the development would be out of keeping with the current landscape of the local area. He questioned whether all relevant residents had been consulted about the application and with that in view he requested a deferral.

During members' discussion Councillor Cummins expressed a view that the proposed development would be an overdevelopment of the site insensitive to the area and would therefore constitute an unacceptable proposal. He suggested that the applicant be asked to submit proposals for a lower building, from a 5-storey to a 4-storey building. Councillor Daly also enquired about the possibility of lowering the building to 4-storeys. Councillor Long in expressing a different viewpoint stated that adequate distances had been maintained and that the development would not result in a detrimental impact to the residents.

In response to the issues raised, the Head of Area Planning Steve Weeks submitted that any harm that could result from the proposal development would not be adequate enough to justify refusal. He added that the proposal would introduce adequate gaps between the larger blocks and the relationship to the surrounding boundaries should balance privacy and residential amenity.

**DECISION:** Planning permission granted subject to conditions with condition 2 to be amended, referral to the Mayor of London and subject to the completion of a satisfactory Section 106 or other legal agreement to be amended with Travel Plan details and delegate authority to the Director of Environment and Culture, or other duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor.

**7. 20 Rowdon Avenue, London, NW10 2AL (Ref 10/1591)**

Erection of a two-storey side extension and insertion of 1 rear and 1 side rooflight to the dwellinghouse (amended plans received 31 August 2010)

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

**8. Sports Ground, Roundwood Club & Roundwood Club Annexe, Longstone Avenue, London, NW10 (Ref. 10/1525)**

Demolition of the existing youth centre and erection of a new part 2-, part 3-storey youth centre with a multi-use games area, 16 off-street parking spaces and associated landscaping to the site.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Area Planning Manager Andy Bates reported that an email had been received from Councillor Powney in support of the application on the basis that the Youth Club would address a major need in the area for youth provision.

DECISION: Planning permission granted subject to conditions.

**9. Former Manor School, 5-7 The Avenue & Former Simon Wells Unit Special School, Christchurch Avenue, London, NW6 (Ref. 10/1691)**

Erection of 2 two-storey buildings, erection of rear extension to existing single-storey building, a fenced multi-use games area (MUGA), provision of 8 off-street parking spaces, cycle-storage area and associated landscaping to site, to provide accommodation for the relocated Swiss Cottage Specialist SEN School (SCSSS) for a temporary period of 30 months

OFFICER RECOMMENDATION: Grant temporary planning permission for 30 months subject to conditions.

With reference to the tabled supplementary report the Area Planning Manager Andy Bates reported that correspondence had been received from Camden's Director of Children Schools and Families and Councillor Mary Arnold, Lead Member for Children and Families in support of this application emphasising how critical it was to ensure continuity in the delivery of specialist teaching currently provided at Swiss Cottage. He added that the applicant had confirmed the coloured panels on the temporary buildings to a more neutral Goosewing Grey rather than blue as agreed at a recent meeting between the applicant, local residents and Councillor Shaw, through amended drawings. In respect of the changes, the Area Planning Manager drew members' attention to amended conditions 2 and 5 as set out in the tabled supplementary. He continued that the applicant had indicated to plant two further trees on the site taking the overall number of trees to be planted to 15, resulting in the net gain of two trees on the site.

Mr John Wozencroff in objecting to the application stated that the existing traffic calming measures were inadequate to cope with resulting additional traffic. He added that parking provision was inadequate to accommodate the proposed use of a 32-seater coach to transport the children to and from the proposed school site. Mr Wozencroff expressed a view that the need for educational provision for the residents in Brent was more pressing than that of the Borough of Camden.

Mr Robin Mills a local resident objected to the proposed development on the grounds of transportation and loss of trees adding that the proposed replanting of trees was likely to take several years to come to fruition.

**In accordance with the Planning Code of Practice, Councillor Shaw** stated that she had been approached by some of the objectors to the application. Councillor Shaw objected to the proposal on the following grounds:

- (i) The need for additional school places in the local area within Brent such as Malorees Primary which was heavily oversubscribed should be a priority.
- (ii) Loss of trees.
- (iii) Noise nuisance to the detriment of residential amenities.
- (iv) Increase in traffic which could result in a danger to both pedestrians and motorists.
- (v) Increase in parking problems for the local residents.

Councillor Shaw alleged that the consultation period was too short to allow residents an adequate opportunity to respond and in this respect she requested members to defer the application for further review.

Kay Bedford the head teacher of the Swiss Cottage SEN School stated that the school had received an outstanding Ofsted report with the exception of the buildings. She added that it would take longer for the contractors to complete the new buildings on the school's site in Camden if SEN children who were vulnerable with mental health needs were kept on site whilst building work took place. Ms Bedford reiterated that the permission was for only 30 months enabling the school to return to its new buildings in the autumn term, 2012).

In responding to some of the issues raised, the Area Planning Manager stated that the proposed site was already a school site and that the proposed school Travel Plan using large buses would result in a significant reduction in vehicular movements. He added that issues about transportation and trees had been fully addressed in the reports and that as a temporary application he did not envisage any permanent harm. The Head of Area Planning added that the amount of on-site construction would be limited as it was proposed to use prefabricated structures which would then be delivered to the site.

DECISION: Temporary planning permission for 30 months granted subject to conditions as amended in condition 5

**10. Land north side of Lovett Way, Lovett Way, London, NW10 0UJ (Ref. 10/1764)**

Erection of 12 no. two-storey, three-bedroom, single-family dwellinghouses on land to the north side of Lovett Way

OFFICER RECOMMENDATION: Grant delegated authority to the Director of Environment and Culture to determine this application on the basis that planning permission will be granted subject to conditions providing no further comments are received prior to the end of the extended statutory consultation period that raise objection to matters that have not been discussed within this report or the supplementary report for this application.

With reference to the tabled supplementary report, the Area Planning Manager Neil McClellan informed members that the proposed houses had been designed to address the noise from the Strategic Industrial Land to the rear, having regard for both current and potential future uses. He then referred to the internal and external mitigation measures include as set out in the tabled supplementary adding that the new buildings would reduce noise levels for those dwellings. The Planning Manager clarified that as the houses were to provide decant housing for the North Circular Road project, it was considered appropriate to require the re-provision of the open space prior to occupation, under condition 11. The condition required the submission and approval of the details and therefore would maintain an adequate level of control over the details.

Mr John Wood objected to the proposal on the following grounds:

- (i) Overlooking impact and loss of privacy.
- (ii) Untenable pressure on parking and congestion.
- (iii) An over-development of the site resulting in cramped conditions.

In responding to the issues raised the Area Planning Manager submitted that the proposed development complied with Supplementary Planning Guidance 17 (SPG17). He added that the parking provision would be greater than the minimum standards required and that the Council's Transportation Unit did not consider that any harm would result from the proposal.

DECISION: Delegated authority granted to the Director of Environment and Culture to determine this application on the basis that planning permission will be granted subject to conditions providing no further comments are received prior to the end of the extended statutory consultation period that raise objection to matters that have not been discussed within this report or the supplementary report for this application.

Note: Councillor Baker was not present throughout the discussion on this application and therefore could not take part in the voting.

#### **11. 50 Ambleside Gardens, Wembley, HA9 8TL (Ref. 10/1782)**

Erection of a single storey detached outbuilding including proposed alterations to reduce the width in rear garden of dwellinghouse (part retrospective application)



OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted subject to conditions and informatives.

**12. Multi Storey Car Park, Royal Route, Wembley (Ref. 10/1417)**

Approval of reserved matters for provision of interim car park with access from South Way, new pedestrian link and service access road between South Way and Royal Route, pursuant to condition 2(i), (ii), (iii), (iv) and (v) of **Outline planning application 03/3200**, relating to plot W10.

Together with associated open space, public market area (Class A1), hard and soft landscaping, highway and engineering works, electricity substation, other utility requirements, other parking and servicing, and improvements to Olympic Way; and

Reserved matters relating to siting, design, external appearance and means of access for the 3-storey structure to provide car and coach parking

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegated authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor.

The Area Planning Manager, Neil McClellan updated members that a revised drawing had been received which detailed the revised junction layout, with speed table.

DECISION: Planning permission granted subject to the completion of a satisfactory Section 106 or other legal agreement and delegated authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor.

**13. 197 Preston Road, Wembley, HA9 8NF (Ref. 10/1630)**

Change of use from retail (Use Class A1) to solicitors office (Use Class A2)

OFFICER RECOMMENDATION: Defer from tonight's meeting to allow officers to grant planning permission subject to conditions under Officer's delegated powers as the policy basis for the original recommendation for refusal had changed.

DECISION: Deferred from tonight's meeting to allow officers to grant planning permission subject to conditions under Officer's delegated powers as the policy basis for the original recommendation for refusal had changed.

**14. Land next to 25, Craigmuir Park, Wembley, HA0 1NY (Ref. 10/1698)**

Erection of a two storey dwellinghouse with provision of an off street car parking space to the rear garden, refuse storage area to the front garden facing Craigmuir Park and associated landscaping

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegated authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor.

The Area Planning Manager Neil McClellan informed members about an amendment to condition 4, as set out in the supplementary report which was to ensure a satisfactory development that did not prejudice the amenity of the locality.

DECISION: Planning permission granted subject to conditions as amended in condition 4, the completion of a satisfactory Section 106 or other legal agreement and delegated authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor.

**15. 57 The Fairway, Wembley, HA0 3TN (Ref. 10/1558)**

Erection of a single- and two-storey rear extension and a single- and two-storey side extension to the dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted subject to conditions and informatives.

**16. Any Other Urgent Business**

None

The meeting ended at 9.05pm

RS PATEL

Chair