



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 13 January 2016 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Agha (Vice-Chair), S Choudhary, Colacicco, Ezeajughi, Mahmood, Maurice and M Patel

ALSO PRESENT: Councillors Jones Kelcher, McLennan, Pavey, Perrin and Shaw

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

Lycee International de Londres, 54 Forty Lane, Wembley HA9 9LY (Ref. 15/4140 and 15/4141)

Councillor Choudhary declared that he had had general discussions with his constituents but confirmed that he would consider the application with an open mind.

Roundwood Park, Harlesden Road NW10 (Ref.15/3572)

All members received correspondence dated 04/01/2016 from Martin Webb, an objector.

Former Manor School, 3-7 The Avenue, London NW6 7YG (Ref. 15/3616)

Councillor Colacicco declared that as her friend worked with Hopkins (applicant's architects) she would withdraw from the meeting room and not take part in the discussion or voting.

All members received email and hard copies of a briefing document from the applicants.

2. **Minutes of the previous meeting held on 16 December 2015**

RESOLVED:-

that the minutes of the previous meeting held on 16 December 2015 be approved as an accurate record of the meeting.

3. **Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY (Ref. 15/4140)**

PROPOSAL:

Erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice with an additional condition requiring the facility to be ancillary to the school (with the exception of community access), Or, if the

Planning Committee is still minded to refuse, to consider the two possible reasons set out on page 12 of the agenda report.

David Glover (Area Planning Manager) introduced the report. He drew members' attention to the two main reasons for refusal of the application (as set out in the Committee report) and added that since the last meeting Transport for London (TfL) had provided additional information which addressed one of the reasons for refusing the application. With reference to the supplementary report he clarified that as the swimming pool was considered to be ancillary to the school use and would fall within use class D1, it would incur a zero charge for Brent Community Infrastructure Levy (CIL) and exemption from Mayoral CIL. The Area Planning Manager added that the swimming pool would be available for use by the community as part of the community access arrangements for the school and be chargeable to the community at rates comparable to similar local authority facilities.

Robert Dunwell speaking on behalf of Queensbury Area Residents' Association (QARA Group of Associations in support of the application stated that the proposed swimming pool would not adversely impact on the visibility of the listed building.

Andrew Murdoch and Neil Goldsmith (applicants' agents) addressed the Committee and answered members queries. Members heard that additional information received from TfL confirmed that the bus shelter may not be required to be moved and that if the bus cage was moved by up to 4m, there would be adequate space for six cars to be able to stand in front of the bus cage when waiting at the traffic lights. They added that as the site sloped, the obstruction to the views of the listed building would be limited except when immediately in front of the proposed building. The Council's Transportation Unit reconfirmed their advice that the proposal would be acceptable in principal and the Supplementary indicated that the proposed relocation or removal of the public telephone (BT) kiosk would not raise any significant planning or listed building issues.

In the ensuing discussions, members expressed a view that their concerns about the siting of the re-located bus stop and bus cage and the potential impact on pedestrian and highway safety had been addressed by the additional information provided by TfL. However, as their concerns regarding design, size, siting and impact on the Listed Building had not been addressed, members were still minded to refuse the application although they were supportive of the proposal for a swimming pool that could be used by the public. The applicants were encouraged to work with Planning Services to address the concerns raised.

Voting on the recommendation for refusal was recorded as follows:

FOR:	Councillors Marquis, Colacicco, Choudhary and Maurice	(4)
AGAINST:	Councillors Agha, Ezeajughi and Mahmood	(3)
ABSTENSION:	Councillor Mili Patel	(1)

DECISION: Refused planning permission for the first reason relating to the design, size, siting and location of the building and associated impact on the setting and views to the Listed Building.

4. Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY (Ref. 15/4141)

PROPOSAL:

Listed building consent for the erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building.

RECOMMENDATION: Grant listed building consent subject to conditions as set out in the Draft Decision Notice, Or, if the Planning Committee is still minded to refuse, to consider the two possible reasons set out on page 12 of the agenda report.

See minute 3 above.

DECISION: Refused listed building consent for the first reason relating to the design, size, siting and location of the building and associated impact on the setting and views to the Listed Building.

5. Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley (Ref.15/3599)

PROPOSAL:

A hybrid planning application for the redevelopment of the site including;-

a) Full planning permission for the demolition of existing building and erection of a 13-storey building comprising a 312-bed hotel (Use Class C1) with ancillary and/or ground uses including a restaurant, bar, offices and gym (Use Classes A1-A4/B1 and/or D2) (referred to as Plot W11), on-site cycle parking and

b) Outline planning permission for the demolition of existing building (The Red House, South Way) and erection of a 4-storey building comprising 1610sqm of and/or A1-A4/B1/D1 and D2 uses, with all matters reserved (referred to as Plot W12) and new pedestrian boulevard (outline) with associated service yard, landscaping and infrastructure works.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice or, as set out in the Supplementary, if the Planning Committee is still minded to refuse, to defer the application to a subsequent meeting to allow the applicants to review the supporting information and proposal in the relation to the issues raised previously by the Committee.

David Glover (Area Planning Manager) informed members that following consideration of the application at the last meeting, there had been further discussion between the Event Safety Team and the Safety Advisory Group (SAG)

for Wembley National Stadium relating to the proposal to reduce the width of the existing boulevard for a temporary period to allow for construction to take place. He continued that the applicant had requested a deferral to enable the SAG to re-assess the proposal and to allow the applicant to address the issues raised by the Committee.

Anne Clements (applicant) highlighted the significance of the application to the area and how it would bring economic benefit to the borough and important CIUL contributions and how the proposal would relate to and improve some views of existing buildings. She continued that working in partnership with officers and the GLA, Quintain had achieved a design that appropriately fitted into the Wembley Master Plan and the Area Action Plan.

Councillor McLennan (Lead Member for Housing and Development) addressed the Committee. She informed the Committee that at a recent meeting she attended with Officers of the Council, Quintain gave a detailed presentation of the Master Plan including how the boulevard would appropriately fit into the site. Councillor McLennan also drew members' attention to other benefits of the proposal including employment and income generation. The Head of Planning confirmed that he and other senior officers had attended the presentation meeting.

Members heard that the Master Plan application was due to go out for public consultation however, they felt that they wished to see the document and the model before making a decision on the application. They were minded to defer the application as requested by the applicant so as to enable the applicant to review and reconsider the proposal and the Chair stressed that the applicant should consider all the reasons for which the Committee was minded to refuse and not just focus on the width of the boulevard as raised at the previous meeting and agreed in the minutes for the meeting.

DECISION: Deferred to a subsequent meeting as set out in the Supplementary and at the applicants' request to enable the issues raised by the Planning Committee and set out in the agreed minutes of the previous meeting to be reviewed and reconsidered.

6. ROUNDWOOD PARK, Harlesden Road, London NW10 (Ref. 15/3572)

PROPOSAL: Proposed concrete skatepark within the grounds of Roundwood Park (to the north of Roundwood Youth Centre) with associated seating areas and soft landscaping.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice and as amended in condition 1 as set out in the supplementary report.

Liz Sullivan (Principal Planner) outlined the scheme and with reference to the supplementary report responded to queries raised at the site visit. She informed members that according to consultant's advice, the proposal would not result in a significant impact on nearby dwellings and that potential noise concerns should be mitigated both by the separation distance and as no additional lighting was

proposed which could encourage people to gather later in the evenings. She advised that additional tree planting or landscaping to screen the area would impact on passive surveillance which was considered a positive part of the proposal and that noise attenuation value of trees was limited. In order to minimise visual impact, particularly at a distance, grass bunds were proposed around the edges, drawing members' attention to amended condition 1 as set out in the supplementary report. Liz Sullivan informed members that maintenance and management of the skatepark would be carried out by Brent's Parks warden service operated by Veolia and on a shift basis as they covered all open spaces. She continued that a sign was proposed at the front of the skatepark which would include contact details for users to report maintenance issues.

Anita Murray (objector) stated that the skatepark was likely to lead to increased noise and anti social behaviour to the detriment of the residents of nearby properties and other users of the park including local school children. She also raised concerns about open access to the park and issues relating to floodlighting. In response to a member's question, the objector stated that without warden patrol the location of the skatepark would facilitate and increase anti social behaviour in that part of the park.

In accordance with the provisions of the Planning Code of Practice, Councillor Kelcher (member for the adjoining ward), stated that he had had discussions with residents about the proposal. Although he did not oppose to the new amenity for a skatepark, Councillor Kelcher highlighted that residents in houses in Longstone Avenue and Harlesden Road would experience noise nuisance and general disturbance including anti social behaviour particularly as warden patrol scarcely took place. He continued that the loss of that part of the park would impact on several groups including children from local schools who used the park for various activities, joggers and those who used the park for Eid celebrations. Councillor Kelcher requested the Committee to defer a decision for officers to consider alternative sites, further away from residential properties

Rob Anderton (Head of Public Realm) and Rez Cameron (Leisure Client and Projects Manager) attended the meeting to answer members' questions about the application. Rob Anderton stated that alternative sites were considered but not found to be appropriate. He added that as lighting would encourage anti social behaviour, he advised that it would be safer to have the skatepark unlit so as to discourage night time usage. He undertook to look into the suggestion for a mobile CCTV and signage reminding users that they were being filmed for safer security purposes and to have the situation reviewed collectively by ward members and residents after 6 months. Members heard that the parks warden service was operating on diminishing resources, albeit sufficient to ensure that all parks were maintained to an acceptable standard. In order to ensure the site was maintained to a litter free standard, Rob Anderson undertook to have litter bins installed if the need for them arose. He accepted the need to submit a Construction Management Plan as suggested by the Chair.

In bringing the discussion to an end, the Chair noted that consultation on the proposal was conducted long ago and felt that the planning application consultation should have included the adjoining houses. The Chair stressed that

these consultation problems should be avoided in the future by the department. Members were in agreement with her suggestion for additional conditions for the provision and review of CCTV operation, signage to advise its use, provision of litter bins and the submission of a Construction Management Plan

DECISION: Granted planning permission as recommended with additional conditions requiring the initial provision and subsequent review of CCTV operation in addition to signage to advise it is in use; provision of litter bins; and the submission of a Construction Management Plan.

7. 124A - 124E INC Purves Road, London, NW10 5TB (Ref. 15/4571)

PROPOSAL:

Variation of planning permission reference 90/0669 dated 14/06/1990 for erection of a block of five flats and formation of vehicular access and parking to secure the development as parking permit-free

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice.

Stephen Weeks (Head of Planning) with reference to the supplementary report for a house at the rear of the existing building clarified the issues raised at the site meeting. Members heard that the application was previously withdrawn as it was unlikely to be supported by officers but that the current application had to be considered on its merits. Any proposal to develop the space to the rear of the existing block of flats would require separate planning permission and be subject to local consultation. He continued that although some waste was evident on site, it appeared not to be of a scale to merit planning enforcement. He however recommended condition 1 be amended to require that the space be used for a laid out amenity space for residents if it was not used for resident's parking.

Caroline Charlton in objecting to the proposal stated that key considerations of clarity or certainty of the use of the space, waste and the impact of off-street parking on residents' safety had not been addressed.

Peter North (applicant's agent) in setting the background context, stated that there had been on-going issues about the site in regards to waste, fly tipping, cleaning and associated costs to the owner of the site. He clarified that the application sought to improve the amenity of the residents due to the site's current under-use brought about by good PTAL and controlled parking (CPZ) for the area. The agent continued that the proposal would also result in an improved boundary fencing and access controls with a lockable gate. In response to questioning he confirmed, after consulting his client, that he was happy for the condition to be changed to require a layout for resident's amenity use including refuse facilities as this reflected the intended use of the land.

In endorsing the recommendation for approval, members agreed an amended condition 1 to require that if the land was not used solely as ancillary resident's parking then it should only be used for ancillary amenity space in accordance with

the submission of a detailed layout plan including appropriate surface treatment, boundary fencing/ access controls, and waste/recycling facilities

DECISION: Granted planning permission as recommended subject to amending Condition 1 to require that if the land is not used solely as ancillary resident's parking then it should only be used for ancillary amenity space in accordance with a detailed layout plan including appropriate surface treatment, boundary fencing/ access controls, and waste/recycling facilities.

8. Former Manor School, 3-7 The Avenue, London, NW6 7YG (Ref. 15/3616)

PROPOSAL:

Hybrid planning application for full permission for demolition of all buildings and the development of 74 residential units (Use Class C3) comprising of 33 x 1 beds, 23 x 2 beds and 18 x 3 beds in a part three / part four / part five storey building fronting The Avenue with related basement car park comprising 57 parking spaces; and a 3 storey plus basement building fronting Christchurch Avenue, new vehicular access; footways; landscaping and associated works ("Phase 1"); and Outline permission for a school (Use Class D1), with new vehicular and pedestrian access from Brondesbury Park, with details of "appearance", "scale", "layout" and "landscaping" being reserved ("Phase 2").

RECOMMENDATION:

Grant planning permission subject to the conditions set out in the draft decision notice attached to this report and completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Head of Legal Services.

Stephen Weeks (Head of Planning) with reference to the supplementary report responded to the issues raised by members and a local resident during the site visit. Members were advised that the replacement of the trees due to be removed as a consequent of the development would be addressed in the proposed condition requiring the further details of hard and soft landscaping to be submitted, approved and implemented. He added that it was not possible to incorporate works relating to the proposed cycle ways into site's highway works as details of this had not been agreed but, the highway works requirement under the Section 106 legal agreement could ensure that future cycle route works were not compromised. The Head of Planning informed members that issues around loss of educational site and affordable housing, which was now supported with an acceptable review mechanism, had been resolved. In reiterating the recommendation for approval, the Head of Planning drew members' attention to amendments to conditions 1 and 7.

Robert Sanger (Chair of Tarranbrae Residents' Association) objected to the proposed development on grounds of inadequate parking facilities and construction access issues.

In accordance with the provisions of the Planning Code of Practice, Councillor Shaw stated that she had spoken with the applicant and the residents about the application. Councillor Shaw welcomed the scheme in particular as the land had been vacant for over two years but expressed a preference for the scheme to incorporate a community facility. She noted that funding had been secured from the Education Funding Agency (EFA) for a special educational needs (SEN) school on the site. She however requested that additional conditions be added to require the applicant to repair the footway in Christchurch Avenue, control of vehicle lift noise and the retention of existing walls.

Jim Paul (applicant's agent) confirmed that funding had been secured for an SEN school on site in addition to affordable housing backed by a review mechanism for the scheme. He continued that as a car free development, car parking and vehicular movements would be minimised. The agent added that hours of construction and potential noise generation would be controlled via a Construction Management Plan and that the applicant would accept an amendment to the Section 106 legal agreement requiring the repair of the footway and highway around the site. Jim Paul then responded to members' questions about the party wall, restoration of the footway around the site, parking and congestion.

In response to a suggestion for the applicant to capture by video recording or photographing the footway prior to the start of construction, Stephen Weeks advised that the Council's public realm officers would normally undertake a record particularly for larger development schemes. With that in mind he recommended amendments to conditions 1 (for a revised building layout adjoining Willow Court) and 7 (to delete the requirement for a complete resubmission on any amendment).

Members endorsed the suggested amendments and added additional conditions to cover the control of noise and future maintenance of the vehicle lift and the retention where possible of existing boundary walls. They also added an informative relating to the Party Wall Act.

DECISION: Granted planning permission as recommended with changes to the S106 in relation to highway works as set out in the Supplementary report in addition to further amendments to require the developer to undertake to resurface the footpath and the highway adjoining the development or affected by damage due to the development and, to record the condition and the highway prior to commencing construction work and to amendments to conditions 1 (to require a revised building layout adjoining Willow Court) and 7 (to delete the requirement for a complete resubmission on any amendment) and additional conditions to cover the control of noise and future maintenance of the vehicle lift and the retention where possible of existing boundary walls and to the addition of an informative relating to the Party Wall Act.

9. Any Other Urgent Business

None.

The meeting ended at 10:05pm

COUNCILLOR MARQUIS
CHAIR

Note: At 10.00pm, the Committee voted to disapply the guillotine procedure to enable all applications to be considered on the night.