



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 18 January 2012 at 7.00 pm

PRESENT: Councillors Ketan Sheth (Chair), Daly (Vice-Chair), Baker, Cummins, Hashmi, Kabir, McLennan, Mitchell Murray, CJ Patel, RS Patel and Singh

ALSO PRESENT: Councillor Ruth Moher and Councillor Carol Shaw

1. Declarations of personal and prejudicial interests

None declared.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 14 December 2011 be approved as an accurate record of the meeting.

3. 113 Bryan Avenue, London, NW10 2AS (Ref. 11/2665)

PROPOSAL:

Demolition of existing warehouse building and erection of four 5 bedroomed terraced dwellinghouses.

RECOMMENDATION: Grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Andy Bates, Area Planning Manager addressed the issues raised by residents in respect of car parking, over-development, architectural quality and character. In respect of car parking, he stated that although the parking requirements for the proposed houses would increase, there was sufficient capacity to accommodate the increase in on-street parking. This conclusion was based on existing parking conditions in the vicinity, the restoration of the existing crossover to increase on-street provision and the removal of any demand for servicing vehicles to the site.

In terms of the design and appearance of the development, Officers considered that whilst the development would be different to neighbouring houses, that in itself did not make the scheme unacceptable. He continued that the proposal which was a contemporary interpretation of a terrace would replace the existing unattractive warehouse building as well as enhance the character of the area. He added that

although the proposal did not seek to copy the existing semi-detached buildings found in Bryan Avenue, officers considered that it would not be out of character with the houses in Dobree Estate. The Area Planning Manager also informed the Committee that an 87 signature petition objecting to the proposal and calling on Councillors to refuse the planning application had been received but it did not raise additional issues.

Mr Paolo Di Gennaro objected to the proposed development on the following grounds:

- (i) The height which would be 1m higher than existing houses would be excessive and lead to overshadowing and loss of residential amenity.
- (ii) Significant loss of light resulting in infringement of right to light.
- (iii) It would be contrary to the Council's Supplementary Planning Guidance 17 (SPG17).

Dr Robert Davis, an objector stated that although he did not want the warehouse building to be retained, the proposed development raised car parking issues. He clarified that with inadequate parking spaces and likely excessive demand for parking in the front garden, the proposal would ruin the character of Bryan Avenue.

In accordance with the Planning Code of Practice, Councillor Shaw, ward member stated that she had been approached by residents who objected to the proposal. Councillor Shaw objected to the proposed development on the grounds that it would result in a significant demand for parking particularly in relation to houses with multiple occupation. She continued that the height and ridge of the roof together with the layout of the road would be uncharacteristic and would destroy the leafy atmosphere of an Area of Distinctive Residential Character (ADRC). Councillor Shaw expressed a view that the £60,000 contribution under the Section 106 legal agreement was inadequate in view of its adverse impact on the entire Dobree Estate. In response to question by the Chair on the number of bedrooms, Councillor Shaw stated that a moderate development of 2-3 bedrooms for each house would be in keeping with the character of the houses in the area. She urged members to consider the depth of objections expressed in the 87 signature petition against the grant of planning permission for the development.

Mr Geoff Broklehurst, the applicant's agent stated that the proposed residential development was considered appropriate for what was currently a brownfield site. He continued that the additional on-street parking available would limit demand for parking in the Bryan Avenue area. He added that the size of the residential accommodation exceeded the guidelines set out in the London Design Guide. In response to a question, Mr Broklehurst stated that a right to light specialist had suggested that the criteria against which the right to light was assessed was considered acceptable.

In the discussion that followed, Councillor Daly asked the Area Planning Manager to comment on the issue of loss of light. Councillor Sheth also asked him to comment on the breach of the building line and the condition on permitted

development rights. Councillor Cummins commented that the height of the fourth house was excessive and could be removed in order to preserve residential amenity. Councillor Cummins also expressed concerns about inadequate parking facilities and over-intensive use of the site

The Area Planning Manager advised that an independent consultant had confirmed that the re-siting of the new building and the reduction in the overall length of the building would not result in a loss of light to existing side facing windows to a degree that would warrant refusal. He added that the breach of the building line was in itself not a significant problem and what was important was how the development related to its setting. Although the new building would be approximately 1m further forward than the existing building, it was acceptable in design terms and would be a significant improvement upon the vacant warehouse building currently on site. The Area Planning Manager clarified that condition 3 would require the owners not to extend the properties without prior planning permission.

In noting the responses submitted by the Area Planning Manager, Councillor Sheth moved an amendment for use class E (outbuilding development) to be added to the list of use classes for which prior permission would be required, thus amending condition 3. This was put to the vote and declared carried by a majority. Members then voted on the substantive recommendation as amended in condition 3 which was declared carried by a majority decision.

DECISION: Planning permission granted, subject to conditions as amended in condition 3 to include a restriction on Class E and informative to relevant British Standard, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

4. 165 Edgware Road, Kingsbury, London, NW9 6LL (Ref. 11/2795)

PROPOSAL:

Change of use from Off Licence shop (Use Class A1) to Slot Machine Arcade (Sui Generis)

RECOMMENDATION: Grant planning permission subject to conditions.

With reference to the tabled supplementary report, Steve Weeks, Head of Area Planning informed the Committee about correspondence received from the Fryent Ward Councillors raising concern that the application may further contribute to anti-social behaviour and environmental issues in the area. He responded that there was no evidence to indicate that users of an amusement centre would be a threat to safety and security or cause anti-social behaviour and unless there was demonstrable harm, refusal on these grounds could not be sustained.

Mr Keith Martin, Secretary of Springfield Estate Residents Association in objection to the proposed change of use stated that due to inadequate consultation and information, residents were not aware of the activities that would take place at the

premises. He added that being in close proximity to residential properties and local schools, the use of the premises for a slot machine arcade would be inappropriate. Mr Martin provided examples of anti-social behaviour in the Colindale area which he added would be exacerbated by the proposed change of use would weaken the efforts being made by the local Safer Neighbourhood Team (SNT) to address the situation.

In accordance with the Planning Code of Practice, Councillor Ruth Moher, ward member, stated that she had been approached by local residents. Councillor Ruth Moher added that the change of use would be inappropriate in a largely residential area, resulting in significant adverse impact. She added that complaints had been made by the local traders about youngsters congregating in the area which had resulted in two dispersal orders being issued. Councillor Ruth Moher also complained about inadequate consultation. In response to members' questions, she stated that the area was considered a high car crime area and that the dispersal orders were issued in 2011.

During members' discussion, Councillor Cummins moved an amendment for the application to be deferred pending a report from the Safer Neighbourhood Team and greater consultation with residents. This was put to the vote and declared carried.

DECISION: Deferred pending a report in liaison with the local Safer Neighbourhood Team on anti-social behaviour in the area.

5. Barham Park Estate, Wembley, HA0 2NE (Ref. 11/2857)

PROPOSAL:

Variation of condition 3 (development to be carried out in accordance with approved plans and documents) to allow minor-material amendments comprising:

- amendments to the entrance of the ground floor retail unit (Phase 1B)
- amendments to the shopfront openings/windows (Phase 1B)
- amendments to the internal layout (Phase 1B)

of planning permission 09/2350 dated 17/03/10 for Hybrid planning application for the demolition and redevelopment of the entire Barham Park Estate.

RECOMMENDATION: Grant variation of condition 3 of planning permission 09/2350 as proposed and a new permission issued.

DECISION: Variation of condition 3 of planning permission 09/2350 as proposed granted and a new permission issued.

6. Central Square, Wembley, Middlesex HA9 (Ref. 11/2635)

PROPOSAL:

Erection of a new 5 storey block incorporating a retained station ticket hall and new platform access corridor 2729 sqm of new retail floor space, an 86 bedroom hotel including a bar and restaurant and 38 new residential flats. This is a replacement scheme for 'Building 2' of the original planning permission for the redevelopment of Central Square granted on the 13/10/2005 (reference 03/3765).

RECOMMENDATION: Grant consent subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

With reference to the tabled supplementary report, Neil McClellan, Area Planning Manager submitted the following responses to issues raised by members at the site visit:

- i) Any meaningful improvement to the exteriors of Manor and Lodge Court would probably require external cladding which would be too great an expense. While Section 106 money could contribute to their refurbishment it would be at the expense of other spending commitments.
- ii) Building 2 is five storeys high, a storey lower than the rear portion of Building 1 which is six storeys.
- iii) Any significant increase in the height of Building 2 would have an overbearing impact on the public spaces around it and there may also be a practical limit on the amount of development that could be built over the station deck.

In response to members' enquiry about the reduction of the Section 106 contribution by 30%, the Area Planning Manager stated that it resulted from issues with viability of the project. He added that the reduction would not set a precedent for future financial contributions for Section 106 legal agreement.

DECISION: Planning permission granted subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

7. Re-development, Stonebridge Estate, Stonebridge Estate, London NW10 (Ref. 11/3054)

PROPOSAL:

Extension to time limit of outline planning permission 07/3309 dated 02/12/08 for outline application for the demolition of Gardiner Court, Brett Crescent, NW10, and the erection of 3 buildings comprising 122 self-contained flats, comprising 3 x studio units, 63 x 1-bedroom units, 45 x 2-bedroom units and 11 x 3-bedroom units, formation of new vehicular access, pedestrian access and associated landscaping (matters to be determined: layout, scale & access).

RECOMMENDATION: Grant consent subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Neil McClellan, Area Planning Manager drew members attention to the tabled supplementary report which set out in some detail, the revised Energy Statement including baseline CO2 demand for the site and reductions associated with the Mayor's target to achieve a 20 % reduction in CO2 through "on-site renewables". He referred to comments by Legal Services confirming that there was no need for a new full Section 106 agreement and suggested amendments to conditions 6 and 7 as set out in the supplementary report.

DECISION: Planning consent granted subject to conditions as amended in conditions 6 and 7, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

8. Appeals November 2011

RESOLVED:

that the appeals for 1 – 30 November 2011 be noted.

9. Any Other Urgent Business

None raised at this meeting.

The meeting ended at 8:10pm

KETAN SHETH
Chair