



# **LONDON BOROUGH OF BRENT**

## **MINUTES OF THE PLANNING COMMITTEE Wednesday 15 February 2012 at 7.00 pm**

PRESENT: Councillors Daly (Vice-Chair), Cummins, Hashmi, Kabir, McLennan, Mitchell Murray, RS Patel, Singh and Thomas (In place of Ketan Sheth)

ALSO PRESENT: Councillor Shafique Choudhary

Apologies for absence were received from Ketan Sheth

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

123 – 125 Preston Hill, Harrow HA3 9SN

Councillor Hashmi declared that he had dealt with the applicant in the distant past and had received a telephone call from him which he had referred to Planning Services. The representative of the Director of Legal and Procurement advised Councillor Hashmi to withdraw from the meeting room and take no part in the discussion or voting during consideration of the application in the interest of probity.

105 – 109 Salusbury Road NW6 (Ref. 11/3039)

Councillor Cummins declared a prejudicial interest that he had a relationship with the firm of architects acting for the applicant. He therefore indicated to withdraw from the meeting and take no part in the discussion or voting during consideration of the application.

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

RESOLVED:-

that the minutes of the previous meeting held on 18 January 2012 be approved as an accurate record of the meeting.

### **3. 123 & 125 Preston Hill, Harrow, HA3 9SN (Ref. 11/2959)**

PROPOSAL: Demolition of existing two bungalows and erection of six x four-bedroom two-storey detached dwellinghouses with accommodation in the roof and associated changes to existing two vehicular crossovers, new access road, eleven off-street parking spaces and hard and soft landscaping accompanied by Design & Access Statement and completed Brent Sustainable Development Checklist.

RECOMMENDATION: Refuse planning permission.

With reference to the tabled supplementary report, Rachel McConnell, Area Planning Manager, corrected the number of parking spaces from 11 to 12. She added that a further letter had been received raising issues on access, highway safety, loss of trees and density which had mostly been addressed in the main report. In respect of highway safety the Area Planning Manager stated that the Borough's Head of Transportation had agreed with her conclusion that the internal layout would not raise significant vehicular and/or pedestrian safety concerns.

Mrs Sheila Menku raised the following objections to the application;

- Massive over-development of the site.
- Inadequate parking facilities.
- Traffic congestion which could result in increased accidents.
- Obstruction to waste and refuse collection trucks.
- Undue pressure on utilities.
- Lack of privacy.
- Loss of trees.

Mr Robert Dunwell speaking on behalf of Queensbury Area Residents Group of Associations (QARA) stated that without a proper footpath, the shared access would be inadequate to serve the development. He also raised concerns about loss of trees and highway access safety.

Mr Hamid Mirza the applicant stated that the proposal which would incorporate new frontage and new highways layout would not constitute a back-land development or an over-development of the site. He added that as the area was characterised by a mix of dwellings without a unique character, the proposed development would not affect the overall character of the area. In his view the development, with its improved outlook and low density, would enhance the appearance of the area without raising traffic congestion and highways issues. Mr Mirza cited as a precedent, a development at 1A Rochester Way which was granted planning permission, albeit on a site about a third of his application site.

In reiterating the recommendation for refusal, the Area Planning Manager drew members' attention to the reasons set out in the main report.

DECISION: Planning permission refused.

#### **4. 27 The Drive, Wembley, HA9 9EF (Ref.11/3313)**

PROPOSAL: Demolition of existing bungalow and erection of a two storey block of flats comprising six flats (one x three-bed, one x two-bed, four x one-bed flats), with formation of new vehicular access, five parking spaces, refuse store, cycle store and associated hard and soft landscaping (accompanied by Design & Access and Lifetime Homes Statement, Arboricultural Report, Tree Survey Schedule, Outline Sustainability Statement).

RECOMMENDATION: Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or

If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

DECISION: Planning Permission granted subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or

If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

**5. 49 Lavender Avenue, London, NW9 8HG (Ref. 11/3171)**

PROPOSAL: Full planning permission sought for erection of part single, part two-storey side and rear extension to dwellinghouse and the division of the property to two self-contained dwelling houses, comprising one three-bed and one one-bed, with associated landscaping.

RECOMMENDATION: Refuse planning.

Mr Michael Denning, an objector, in endorsing the officer's recommendation for refusal added that the proposed development would have an adverse visual impact on the streetscene resulting in irretrievable loss of character.

Mr Martin Williams speaking in a similar vein stated that the proposal would lead to parking and highway safety problems and due to lack of turning circle, visibility would be sacrificed.

DECISION: Planning permission refused.

**6. Open Answers, Masons House, 1-3 Valley Drive, London, NW9 9NG (Ref. 11/3102)**

PROPOSAL: Change of use of ground, first and second floors from educational institution (Use Class D1) to health and fitness centre only (Use Class D2)

RECOMMENDATION: Grant planning permission subject to conditions, as amended in condition 9 and an additional condition requiring a car park management plan as set out in the supplementary report.

With reference to the tabled supplementary report, Rachel McConnell, Area Planning Manager informed members that access to the basement car park was controlled by key operated security shutters. As the applicant had not submitted details on how access would be provided for persons using the health and fitness centre, she recommended a further condition requiring a car park management plan as set out in the supplementary report. She also suggested an amendment to condition 9, for clarity and to protect the amenity of neighbours from potential noise nuisance.

Mr Lawrence Segal an objector noted that the two parking bays earmarked for disabled persons would result in loss of parking for delivery vehicles to the site. He also raised concerns that the opening and closing times of the premises would lead to an unacceptable level of noise nuisance to local residents. Mr Segal also enquired as to whether the applicant would carry out cleaning during the hours of operation.

In response to an enquiry by Councillor Mitchell-Murray, the Area Planning Manager stated that as there was no provision in the basement area for disabled parking as there was no lift access to this floor and hence parking bays were proposed. Steve Weeks, Head of Area Planning added that the acoustic measures proposed should mitigate against the noise that was likely to be generated. He however suggested that authority be delegated to him to vary the wording for the condition on hours of use in terms of the period to allow cleaning.

DECISION: Planning permission granted subject to conditions as recommended, an additional condition requiring a car park management plan as set out in the supplementary report and subject to further amendment to condition 9 relating to a review of measures to limit noise from stairwells and delegated authority to the Head of Area Planning to vary the wording for the condition on hours of use in terms of the period to allow cleaning.

**7. 16-18 & 24 High Street, London, NW10 4LX (Ref. 11/2509)**

PROPOSAL: Change of use and reconfiguration of Units 16-18 (even) to A1 (Retail) Use, demolition of existing two storey element to the rear and its replacement with a two storey rear extension to provide retail and storage space, 4-storey stairwell extension to offices and alterations to shop front.

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, subject to amended drawings and additional conditions relating to any archaeological remains and delegated authority to the Head of Area Planning to vary the wording of the sustainability requirement as set out in the supplementary report.

With reference to the tabled supplementary report, Steve Weeks, Head of Area Planning informed the Committee that the upper floors of the buildings were in use as hostel accommodation. He advised that the scale of the extension may impact on the possibility of an application for the continuation of the hostel use. He

considered the servicing arrangements, on balance, acceptable, subject to adherence to a Delivery & Servicing Plan to be secured through a Section 106 agreement and the condition that deliveries shall take place between 0600hrs and 0800hrs. He sought delegated authority to vary the terms of the Section 106 legal agreement on sustainability.

The Head of Area Planning recommended an additional condition on archaeological remains during excavation as set out in the supplementary report, although he had noted that the site had a very low chance of archaeological survival. He also drew members' attention to an additional condition recommended by Environmental Health Officers to control the impact of demolition and construction. In response to a member's enquiry, he stated that there would be no direct impact from the electricity sub-station.

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 and subject to amended drawings and additional conditions relating to any archaeological remains and delegated authority to the Head of Area Planning to vary the wording of the sustainability requirement as set out in the supplementary report.

**8. 16-18 & 24 High Street, London, NW10 4LX (Ref. 11/3167)**

PROPOSAL: Conservation Area Consent for demolition of existing two storey element to the rear.

RECOMMENDATION: Grant planning permission subject to conditions with amended drawing numbers as set out in the supplementary report.

Officer introduction  
Objectors, ward councillors & applicants/agent.

DECISION: Planning permission granted subject to conditions with amended drawing numbers as set out in the supplementary report.

**9. 105-109, Salusbury Road, London, NW6 (Ref. 11/3039)**

PROPOSAL: Extension to time limit of planning permission 07/0863 dated 23/07/2007 for Outline planning permission for erection of an additional fourth-storey and part fifth-storey extension to the existing 3-storey building to form an additional 14 self-contained flats (3 no. 3-bedroom, 9 no. 2-bedroom and 2 no. 1-bedroom), comprising 10 flats at third-floor level and 4 flats at fourth-floor level, with internal alterations, including installation of an internal lift (matters to be determined: means of access, siting and design) and subject to a Deed of Agreement dated 23/07/2007 under Section 106 of the Town and Country Planning Act 1990 (as amended).

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.

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.

***Note: Councillor Cummins declared a prejudicial interest, left the meeting room and took no part in the discussion or voting on this application.***

**10. 665 Harrow Road, London, NW10 5NU (Ref. 11/2038)**

PROPOSAL: Retrospective application for a decked area in the existing beer garden; the erection of a timber-framed bin enclosure and the relocation of a timber fence to side/rear of the premises.

RECOMMENDATION: Grant planning permission subject to conditions and informatives and amendments to condition 3 as set out in the supplementary report.

Rachel McConnell, Area Planning Manager in reference to the tabled supplementary report and in response to the issues raised in the petition signed by twenty nine (29) residents against the beer extension and to allow public access to the historic horse trough submitted the following:

- The beer garden was incidental to the pub and did not require express planning permission.
- No part of this application would affect the setting of the horse trough.

On advice from the Director of Legal and Procurement, she recommended an amendment to condition 3 on details of treatment (including colour) of the wooden bin enclosure and associated fence.

DECISION: Planning permission granted subject to conditions and informatives and amendments to condition 3 as set out in the supplementary report.

**11. Former Guinness Brewery Site, Rainsford Road, Park Royal, NW10 (Ref. 10/3310)**

PROPOSAL: Extension to time limit of full planning permission 07/1293 dated 24/01/08 for the erection of 8 buildings providing 49,797m<sup>2</sup> of B1(c), B2 and B8 floor space and including a cafe, gatehouse, creation of new vehicular and pedestrian access points, 332 car-parking spaces, servicing, landscaping, the creation of a pocket park, installation of CCTV security cameras and provision of external lighting and subject to a Deed of Agreement dated 10<sup>th</sup> January 2008 under Section 106 of the Town and Country Planning Act 1990, as amended.

RECOMMENDATION: Grant planning 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.

In endorsing the recommendations, members delegated authority to the Head of Area Planning to agree an appropriate phasing of the Section 106 contribution and amend condition 2 to ensure appropriate phasing to required flood alleviation measures.

DECISION: Planning consent granted subject to the completion of a satisfactory Section 106 or other legal agreement and delegated authority to the Head of Area Planning to agree an appropriate phasing of the Section 106 contribution and amend condition 2 to ensure appropriate phasing to required flood alleviation measures.

**12. 159 Harrow Road, Wembley, HA9 6DN (Ref. 11/2416)**

PROPOSAL: Development comprising a new building ranging in height from 1 to 7 storeys comprising 18 residential units and including basement car parking, cycle parking, refuse and recycling storage and external amenity space.

RECOMMENDATION: Grant planning consent subject to conditions, informatives, 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 and subject to amended drawings as set out in the supplementary.

Neil McClellan, Area Planning Manager, corrected the number of units to 17 from 18 (stated in error in the report). He informed members that the applicant had submitted revised drawings which complied with the minimum internal floor standards of the London Plan. He confirmed the final agreed mix and added that the scheme would be a 100% affordable scheme with a housing association, ASRA, as the agreed provider.

DECISION: Planning consent granted subject to conditions, informatives, 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 and with amended drawings as set out in the supplementary.

**13. Any Other Urgent Business**

None raised at this meeting.

The meeting ended at 8:00pm

M DALY  
Vice Chair (in the Chair)

