

LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Tuesday 12 March 2019 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Colacicco, Hylton, Ahmed and Dar

Apologies for absence were received from Councillors Chappell, Maurice and Sangani. Councillor Ahmed substituted for Councillor Chappell and Councillor Dar substituted for Councillor Sangani.

1. Declarations of interests

None.

2. Minutes of the previous meeting - 13 February 2019

RESOLVED:-

that the minutes of the previous meeting held on 13 February 2019 be approved as an accurate record of the meeting.

3. 18/3111 Land, garages, alleyway rear of 416-444, High Road, Wembley, HA9

PROPOSAL: Erection of 2 residential blocks (17 and 19 storeys) connected at ground floor level comprising 256 self-contained apartments, lower ground floor, 166sqm of flexible workspace (Use Class B1) on upper ground floor and roof top amenity, provision for car and cycle parking, refuse and associated communal spaces and hard and soft landscaping. This application is accompanied by an Environmental Statement.

RECOMMENDATION: That the Committee resolve to GRANT planning permission subject to:

A. Referral to the Mayor of London (stage 2 referral)

B. The prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

That the Head of Planning is granted delegated authority to negotiate the legal agreement indicated above and to issue the planning permission and impose conditions and informatives to secure the matters set out within the reports.

That the Head of Planning is granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could

reasonably have led to a different decision having been reached by the Committee.

That, if by the "expiry date" of the planning application the legal agreement has not been completed, the Head of Planning is granted delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Ms Victoria McDonagh (Area Team Manager) introduced the report and answered Members' questions. She stated that the proposed mixed development for 2 blocks of 256 homes and about 50 affordable units, situated within the Wembley Growth Area, would support the vitality of Wembley Town Centre. Of the affordable units, 34 would be capped at London Living Rent (LLR) and 16 at discount (80%) market rent. In addition to the associated amenity spaces, there would be 12 disabled persons parking spaces. She continued that financial contributions had been secured in the Heads of Terms for off-site play space in accordance with the Mayor of London's SPG and adopted policy.

With reference to the supplementary report, Ms McDonagh clarified that although there was no policy basis for requiring 100% nomination rights at either Brent or London levels, there was a need for a Lettings and Marketing Plan to allow the Council to approve the eligibility criteria for the affordable homes within the Heads of Terms. She added that negotiations with TfL regarding the level of financial contribution towards bus services were ongoing. She then drew Members' attention to minor corrections as set out in the supplementary and the amendments received following the initial submission which did not materially change the scheme. In reiterating the recommendation for approval, Ms McDonagh amended the following conditions: Condition 2 (Energy Assessment) and Condition 14(ii) to reflect details of air quality mitigation measures.

Mr Steve Sanham (applicant) stated that following the pre-application process, there had been an extensive consultation involving around 12,000 people with comments taken on board and the scheme revised accordingly to achieve a high quality mixed development which would meet the needs of the local area including key workers. In response to a member's question, Mr Salman clarified the tenure split adding that 34 units would be available to various occupiers and would target those in need.

During question time, members raised issues ranging from tenure split, height, daylight and sunlight, CHP energy, contribution towards King Edward Park to transport. Ms McDonagh stated that to move to more London Living Rent (LLR) units than currently secured would not have been viable. She added that 34 units would be LLR and with additional family sized units and Marketing and Lettings Plan, the development would meet the needs of the Borough. In respect of height, Ms McDonagh explained that the proposal which had been considered at a Design Review would be subservient to the proposal for Chesterfield House in terms of scale and design.

Ms McDonagh clarified that daylight and sunlight would not be an issue as the scheme would be mainly maisonettes with dual aspect element and improved public realm. She continued that there were on-going discussions on CHP Energy which would be concluded at Stage 2. In terms of amenity, Ms McDonagh informed members that there would be 2 roof top gardens and in addition, the applicant had agreed under the Section 106 Heads of Terms, to contribute £120,000 towards improvements to King Edward Park with additional contributions also expected from the Chesterfield House development.

Members heard that the 12 car parking spaces for this 'permit free' development would be for disabled persons only and that sufficient cycle spaces would also be made available. It was noted that the site, within a PTAL rate of 6, would be highly accessible. The accessibility would be enhanced with a Travel Plan and Car Clubs in the area. Ms McDonagh clarified that with 500 residents, improved public realm and increased footfall, there would be no issue with crime as suggested by the Police. She continued that there was no incidence of flooding as the site was not within the flood zone adding that appropriate measures for water discharging and storage tanks coupled with soft landscaping would be in place.

DECISION: Granted planning permission as recommended with amendments as set out within the supplementary report.

(Voting on the recommendation was: For 7, Against 0)

4. 19/0002 709 Harrow Road, Wembley, HA0 2LL

PROPOSAL: Demolition of existing rear extension and erection of a replacement single storey rear extension for the commercial premises (as amended by revised plans).

RECOMMENDATION: To grant planning permission subject to conditions.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

Ms Victoria McDonagh (Area Planning Manager) introduced the report and answered members' questions. With reference to the supplementary report, she drew attention to an additional objection received from No. 16 District Road (the organiser of the petition) on the need for re-consultation and reference to

permitted development rights. She advised on the extent of consultation and clarified that there was no statutory requirement for the LPA to re-consult on the revised plans which were not material. She continued that the application was a full planning application and that no reference had been made within the committee report to permitted development.

Mrs Kamil Kaul (objector) informed the Committee that officers had not consulted some residents of Central and Road District Road nor assessed the impact of the development on residents of Station Approach, District Road and Central Road. She added that due to ambiguity about the address of the property (according to Land Registry records), Members may be giving planning permission to a different property address. In response to members' queries, Mrs Kaul stated that despite the potential problem of some properties to be overlooked, those residents had not been consulted and with that in view, asked that the consultation should be re-opened.

In accordance with the Planning Code of Practice, Councillor Daly (ward member) stated that she had been approached by the local residents. Councillor Daly went on to say that she was pleased with the changes made to the proposed development, however, she was concerned there was no wider consultation to include occupiers who would be impacted upon by the development.

In accordance with the Planning Code of Practice, Councillor Stephens (ward member) stated that she had been approached by the local residents. Councillor Stephens echoed the sentiments expressed by Councillor Daly including the scope of consultation, a request for re-consultation. He also expressed concerns about traffic in terms of access for emergency vehicles, servicing facilities for loading and unloading.

In response to the consultation issues raised, Councillor Denselow (Committee Chair) asked that in view of the petition received and the consultation carried out, whether the Councillors thought that there were people in the area who were directly affected who weren't aware of the proposal, and would it be likely that more consultation would raise issues not currently being considered. The Councillors agreed probably not.

Ms McDonagh then responded to issues raised by Members. She clarified that Members were being asked to decide on this application on current policy as although, previously granted planning permission in 2013, the policy context had changed. She continued that as a commercial unit the property does not have significant permitted development rights. Having explained the consultation, Ms McDonagh added that the level of consultation exceeded the statutory requirement. She clarified that the Council's property database listed the site as 709 Harrow Road HA0 2LL.

Ms McDonagh informed the Committee that a condition had been imposed to ensure that the use of the extension remained ancillary to the main building with no sub-division envisaged. She continued that officers in Transportation had advised that the proposal would not give rise to highways issues of concern and added that servicing would be mainly by 'transit vans' and the extension would not change emergency vehicle access. In conclusion, Ms McDonagh reiterated that

the scheme was for a single storey extension with no direct overlooking to a habitable room due to excessive distances and the use of roller shutters.

DECISION: Granted planning permission as recommended.
(Voting on the recommendation was: For 7, Against 0)

5. 18/4903 51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU

PROPOSAL: Demolition of existing pitched roofs, removal of existing chimneys, demolition of existing pitched gable end to outrigger and erection of replacement dutch gable; construction of a third floor level to provide 6 self-contained flats (6 x 1-bed) with private external terraces, installation of replacement windows to all flats facing High Road, installation of communal satellite dishes and terrestrial aerials to each property, reduction of side brick work panel to No. 63 High Road and removal of brick pilaster to side elevation of No. 63 High Road and associated secure cycle storage.

RECOMMENDATION: To defer to the next meeting.

Members were informed that due to an administrative error, letters to the residents had an incorrect date for the meeting. As this would have caused confusion to the residents who would have wanted to attend the meeting, it was decided to defer consideration of the application to the next meeting in April.

DECISION: Deferred to the next meeting.

6. Any Other Urgent Business

None.

The meeting closed at 7.15 pm

COUNCILLOR J. DENSELOW
Chair