



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Tuesday 17 April 2012 at 7.00 pm

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

ALSO PRESENT: Councillor Alison Hopkins

Apologies for absence were received from Baker, Kabir and Singh.

1. Declarations of personal and prejudicial interests

4. Garages rear of 27-34 Oxgate Court, Coles Green Road, London NW2

Councillor Cummins declared that he had been involved with the applicant, Genesis Housing Group. He therefore indicated that he would withdraw from the meeting room during consideration of the application.

10 Storage land next to 75, St Pauls avenue, London NW2

Councillor Cummins declared that he had been involved with the applicant, Genesis Housing Group. He therefore indicated that he would withdraw from the meeting room during consideration of the application.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 14 March 2012 be approved as an accurate record of the meeting.

3. Hay Lane Special School & Grove Park School, Grove Park, London, NW9 (Ref. 12/0654)

PROPOSAL: Variation of condition 2 (development to be carried out in accordance with all plans and supporting documents) of full planning permission 10/2996 for part demolition of the existing special educational needs schools and erection of a replacement special educational needs school, comprising a two-storey main building (Use Class D1) and ancillary two-storey short-break centre (Use Class C2), including a sports hall, swimming pool, multi-use games area, external play space and associated landscaping as amended by plans received 20/01/10 to allow minor material amendments consisting of: (1) relocation of the sub-station compound to north-west corner of the site, on corner of Stag Lane and Grove Park.

RECOMMENDATION: Delegate authority to the Head of Area Planning to approve the application subject to consideration of any new substantive objections received.

DECISION: Granted delegated authority to the Head of Area Planning to approve the application subject to consideration of any new substantive objections received.

4. Garages rear of 27-34, Oxgate Court, Coles Green Road, London, NW2 (Ref. 12/0275)

PROPOSAL: Demolition of 14 no. existing garages and erection of a residential development of 14 units comprising six no. three-bed dwellinghouses and eight no. two-bed flats and associated means of enclosure and hard and soft landscape to provide 14 car parking spaces, secure cycle storage for 20 bicycles and refuse storage.

RECOMMENDATION:

- (a) Grant planning permission, subject to conditions, informatives and an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) 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.

With reference to the tabled supplementary report, Rachel McConnell, Area Planning Manager responded to a number of issues raised by local residents and Councillor Hopkins, ward member. In respect of concerns about highway safety and visibility of access, she informed the Committee that since a turning head would be provided within the site and all vehicles would be able to exit the site in forward gear, officers were satisfied that the development would not result a material change to highway and pedestrian safety. She continued that the provision of one parking space for each house and two visitors' spaces would be sufficient to meet the expected demand for parking generated by the development.

Rachel McConnell advised members that whilst there was a problem with anti-social behaviour, it was not related to the site and that there was no evidence that the residential development would lead to an increase in such behaviour. She continued that following consultations with the Metropolitan Police Crime Prevention Design Adviser, the applicants had made minor amendments to the scheme including revised bin store position for which condition 2 had been amended and boundaries with Crest Road for which a further condition was proposed to secure the provision of further details. She updated members that the applicant had confirmed that the rear and side wall would be retained and that

further details on low level lighting would be secured by condition. Members heard that the revised Sustainability Checklist score of 48% was marginally below the usual 50% sought for schemes of this nature, however, officers were satisfied that it represented an improvement sought by policy 5.2 of the London Plan 2011.

Mr Neil Walsh, an objector, expressed concerns about pedestrian safety, access to and from the estate and traffic congestion. He added that the situation would be exacerbated with two bus stops closely nearby to the estate, a situation which led to a fatality some three years ago.

In accordance with the Planning Code of Practice, Councillor Hopkins, ward member stated that she had been approached by objectors and residents. Councillor Hopkins stated that although she supported the principle of the development for affordable housing on the site, she expressed concerns about the density of the development which she considered to be excessive due to lack of a play area and smaller private gardens. She continued that access into and out of the estate would cause problems due to impaired visibility for motorists and with two bus stops closely nearby, the likelihood of serious accidents would be greater as motorists drove past parked buses. Councillor Hopkins requested that the arrangement for the road layout be revisited and that building work during construction should be properly controlled. With that in mind, Councillor Hopkins requested members to require the applicant to submit further details prior to commencement of construction.

Mr Stephen Davy, the applicant's architect stated that the density of the proposed development was within the London Plan with each dwelling unit having its own private garden in addition to the communal space. He added that traffic calming measures would be introduced to make the development safe for both residents and visitors. Mr Davy continued that as a registered social landlord, his client would carry out the development to specifications and conditions, adding that the client would also welcome additional conditions if they were felt necessary for the development.

In response to the Chair's enquiry about privacy and outlook, Mr Davy stated that privacy would be maintained throughout the development and as an added measure the high brick wall of the garages would be retained. He continued that by increasing the boundaries with properties in Crest Road to 2.4metres, the development would not result in overlooking, loss of outlook and loss of privacy. He advised members that access would not be a problem and that the Council's Transportation unit were satisfied with the access arrangements.

During question time, Councillor Mitchell-Murray enquired as to whether officers had consulted with Transport for London (TfL) about relocating the bus stops nearby. The Chair also invited officers to comment on measures to control construction work. Rachel McConnell stated that as no alterations were proposed to the bus stops and Coles Green Road not classified as a distributor road, there was no statutory requirement to consult with TfL. She advised members that condition 12 had been recommended to address concerns about construction work. Steve Weeks, Head of Area Planning, suggested that condition 15 could be

amended to require further consideration to the design and surface treatment of the access, with advice from the Head of Transportation. He acknowledged concerns regarding the safety of Coles Green Road and as a separate matter would request that Brent's Transportation liaise with TfL regarding safety concerns and mitigation.

DECISION:

- (a) Granted planning permission, subject to conditions, amendment to Condition 15 to require further consideration to the design and surface treatment of the access, informatives and an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) 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. 227 All Souls Avenue, London, NW10 3AE (Ref. 11/2719)

PROPOSAL: Change of use of the premises to hot food takeaway (Use Class A5)

RECOMMENDATION: Defer for site visit.

Steve Weeks, Head of Area Planning informed members that subsequent to the request by the three ward members for a site visit, the applicant had withdrawn the application.

DECISION: Application withdrawn by the applicant.

6. Green Man, High Street, London, NW10 4TS (Ref. 11/0876)

PROPOSAL: Erection of glazed extension to the rear to replace existing unauthorised rear extension; creation of 5 flats at upper floors to replace existing unauthorised 10 bedsits; external stair replacement at the rear and refuse storage, reinstatement of the front and rear windows at 1st and 2nd floor level and replacement of side entrance doors on both side elevations and new gate to the front elevation, external lighting at residential entrance on Rucklidge Passage and provision of new CCTV camera at the junction of Rucklidge Passage and Rucklidge Avenue ("car-free" scheme).

RECOMMENDATION: Defer for a site visit.

Steve Weeks, Head of Area Planning informed members that the three ward members had formally requested a site visit. He therefore amended the recommendation adding that all interested parties would be notified in due course

about the arrangement for the site visit which would take place on Saturday 19 May 2012.

DECISION: Deferred for a site visit.

7. Green Man, High Street, London, NW10 4TS (Ref. 11/0877)

PROPOSAL: Listed building consent for removal of unauthorised works to the ground and first/second floors, erection of glazed extension to the rear to replace existing unauthorised rear extension; creation of 5 flats at upper floors to replace existing unauthorised 10 bedsits; external stair replacement at the rear and refuse storage, reinstatement of the front and rear windows at 1st and 2nd floor level and replacement of side entrance doors on both side elevations and new gate to the front elevation, external lighting at residential entrance on Rucklidge Passage and provision of new CCTV camera at the junction of Rucklidge Passage and Rucklidge Avenue.

RECOMMENDATION: Defer for a site visit.

Steve Weeks, Head of Area Planning informed members that the three ward members had formally requested a site visit. He therefore amended the recommendation adding that all interested parties would be notified in due course about the arrangement for the site visit which would take place on Saturday 19 May 2012.

DECISION: Deferred for a site visit.

8. Argo Business Centre, Kilburn Park Road, London, NW6 5LF (Ref. 11/2403)

PROPOSAL: Demolition and redevelopment of the site to provide a part 5-, 4-, (at southern end only) and 3- storey mixed use development comprising 93 residential flats; new replacement B1 office space (1,406sq.m) including one commercial unit for flexible B1/A1 business use; 51 car parking spaces; cycle spaces, hard and soft landscaping and revised access.

RECOMMENDATION: Grant planning permission subject to conditions as amended in conditions 3 and 5, informatives and the completion of a satisfactory Section 106 or other legal agreement as amended in the Heads of Terms 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 referred to an e-mail received from Councillor Arnold, a ward member in which she expressed her support for the development but added that the S106 financial contribution should be carefully targeted to address the additional school places that would be generated by the development. In addition, a letter of support had also been received after the supplementary report had been prepared from a South Kilburn resident. With reference to the

supplementary report, Andy Bates informed the Committee that whilst there would be loss of employment floor space, the proposal would result in a more efficient use of floor space with an amendment made in the Heads of Terms to ensure that existing tenants were included in any future plans. He added that the Heads of Terms would also be revised to reflect the discussions on affordable housing and highways works.

The Chair invited the officer to comment on impact on Stuart Road residents and comments made by Westminster Council on the application. Andy Bates stated that the scheme was amended following comments by Westminster Council and that any impact on Stuart Road residents would be within acceptable limits. In reiterating the recommendation for approval he drew members' attention to revisions to conditions 3 and 6 as set out in the tabled supplementary report, on the advice of the Director of Legal and Procurement.

DECISION: Planning permission granted subject to conditions as amended in conditions 3 and 6, informatives and the completion of a satisfactory Section 106 or other legal agreement as amended in the Heads of Terms and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

9. Thames Water Depot , 225 Harlesden Road, London, NW10 3SD (Ref. 12/0144)

PROPOSAL: Residential development of 41 dwellings, consisting of a row of 2-storey terrace houses, a 2 to 3-storey block and a 4 to 5-storey block, with associated parking, infrastructure and landscaping.

RECOMMENDATION: Refuse planning permission with amendments to reasons 2 and 4.

Andy Bates, Area Planning Manager advised the Committee that the density of the proposed development exceeded recommended limits. He drew members' attention to amendments to reasons 2 and 4 as set out in the tabled supplementary report.

Mr Roger Arkell the applicant stated that the designs of the proposed development had been extensively consulted on and revised accordingly to comply with the council's objectives including affordable housing and shared ownership. He continued that the proposal would provide four disabled parking spaces and to maintain privacy, there would be no communal roof terrace. Mr Arkell noted that the Council's Highways officers had not expressed concerns about the scheme and added that he would be prepared to enter into a Section 106 legal agreement.

During members' question time, Councillor RS Patel asked the applicant to comment on the officer's view that the scheme would constitute an over-development of the site. The Chair also asked the applicant to comment on outlook and privacy for the development. Mr Arkell stated that by complying with

amenity space requirements, the scheme would not constitute an over-development and that no harm would result from the development. He continued that by reducing the height from 3 to 2 storey and with a set back and orientation towards the reservoir, the development would not give rise to issues of privacy and outlook.

DECISION: Planning permission refused with amended reasons 2 and 4.

10. Storage Land next to 75, St Pauls Avenue, London, NW2 5TG (Ref. 12/0247)

PROPOSAL: Variation of condition number 2 (plan numbers) to allow the following minor material amendment:

The inclusion of 8 parking spaces (for the use of the garage business or in association with the servicing and management of the proposed residential building only) within the proposed landscaped area at the southwest corner of the development site to the scheme granted by full planning permission 11/0051 dated 11/04/01.

RECOMMENDATION: Grant planning permission subject to conditions as amended in conditions 5, 6 and 13, an additional condition, informatives and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning and Development to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

Andy Bates, Area Planning Manager clarified that all references to the “southeast corner” should read “southwest corner”. He drew members’ attention to the revised and additional conditions as set out in the tabled supplementary report and clarified that the application only related to the introduction of parking spaces into the south west corner of the site, and all other aspects were as for the approval from last April.

Ms Ann Marie-Glynn in objecting to the proposal stated that any congestion in the garage forecourt would impact on to Park Avenue North, causing traffic to block the entire Park Avenue North entrance, with a greater risk of accident. She added that as the application failed to show the other seven parking spaces granted by the Court Order, it conflicted with the Court Order. In her view the layout was unsatisfactory and would infringe on her rights and requested that the forecourt should be used in the way they had been for the past 20 years

Mr Ben Thomas the applicant’s agent stated that his client had worked closely with the Council to arrive at a scheme that would generate affordable housing with added benefits to the area and in particular, its street scene. He informed the Committee that all residents consulted about the application responded except the objector whose objections raised civil issues rather than relevant planning issues. In respect of the layout, he stated that it was not uncommon to incorporate parking spaces in such applications.

Andy Bates advised the Committee that the proposal had been revised and carefully considered and, with associated conditions as amended and the additional financial contribution to off-site landscaping, would result in a different but nevertheless, on balance, an acceptable arrangement.

DECISION: Planning permission granted subject to conditions as amended in conditions 5, 6 and 13, an additional condition, informatives and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning and Development to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

11. Land surrounding Wembley Stadium, Royal Route, Wembley, HA9 (Ref. 12/0138)

PROPOSAL: Erection of an 8-storey car park for 734 cars with parking on roof and associated hard and soft landscaping and access and egress both from Royal Route and South Way.

RECOMMENDATION: Grant planning consent for the reserved matters relating to part of Plot W10 subject to conditions and informatives.

DECISION: Planning consent granted for the reserved matters relating to part of Plot W10 subject to conditions and informatives.

12. Planning Appeals - 1 February to 31 March 2012

RESOLVED:

that the planning and enforcement appeals for the period 1 February to 31 March 2012 be noted.

13. Date of next meeting

The date of the next meeting will be announced after the Annual meeting of the Council on 16 May 2012.

14. Any Other Urgent Business

None raised at the meeting.

The meeting ended at 8:10pm

COUNCILLOR KETAN SHETH
Chair