



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Tuesday 18 February 2020 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Chappell, Hylton, Mahmood, Maurice and Sangani.

ALSO PRESENT: Councillor Kieron Gill.

1. **Declarations of interests**

None.

Approaches.

19/2163 44 Queens Walk NW9 8ER

Councillor Mahmood declared that he received an email about the application.

19/3056 13 The Avenue, London NW6 7NR

All Members declared that they received an email communication about the application.

2. **Announcements**

Prior to the start of the meeting, the Chair provided clarification in relation to certain allegations made in the local press about the publication of the reports. In responding to allegations made in the local press about non-publication of the reports, it was confirmed that the main reports were published within 5 clear days of the meeting as required. He continued that the supplementary report, published the day before the meeting, was not required to be published under the same regime. Ms Saira Tamboo (Senior Planning Lawyer) endorsed that advice.

3. **Minutes of the previous meeting - 22 January 2020**

RESOLVED:-

that the minutes of the previous meeting held on 22 January 2020 be approved as an accurate record of the meeting.

4. **18/4919. 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0**

PROPOSAL: Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising 581 residential units, flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)

RECOMMENDATION: To defer to a future meeting.

Mr David Glover (Development Management Manager) in reference to the supplementary report amended the original recommendation to grant consent to deferral to a future meeting so that further information can be included within the committee report regarding the basis and justification for the condition relating to the land, and the structure of the associated legal agreement(s).

DECISION: Deferred to a future meeting as explained within the supplementary report.

5. 19/2163. 44 Queens Walk, London, NW9 8ER

PROPOSAL: Demolition of existing building and erection of a 2 and 3 storey building accommodating 7 dwellings with installation of new vehicular access (to Queens Walk) and associated landscaping.

RECOMMENDATION: To grant planning permission subject to the conditions and informatives as set out within the Committee reports.

That the Head of Planning is granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters as set out within the Committee 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 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 (North Team Development Management Team Leader) introduced the report and answered members questions.

Mrs Sona Uppal objected to the application and answered Members' questions. Her objections were based on a number of grounds including the following; inadequate consultation, over-development of the site, detrimental to residential amenity, proximity to a local school and traffic (including pedestrian) safety issues, appearance of the proposal not in keeping and out of character with the area and loss of mature oak trees.

Mrs Susan Knowler also objected to the application and answered Members' questions. She also raised a number of issues including; over-development, lack of family size units, unacceptable frontage contrary to the Design Guide for the area, detrimental impact on neighbours and residential amenity. Mrs Knowler added that the proposal could set a precedent for similar undesirable development.

Mr Mark Pender (agent) addressed the Committee and answered members' questions. He referenced the application refused on appeal to the Planning Inspectorate and added that the current application had overcome the concerns expressed by the Inspector including its design, appearance and the overall impact of the development on the surrounding properties. Members heard that the application had addressed issues about outlook and that officers had recommended a planning condition to address the matter relating to obscure glazing. The Council's Tree Officer supported the scheme.

In the ensuing debate, members sought clarifications on a number of issues including; highways, consultation, trees and design. Mr John Fletcher (Highways Officer) explained that with seven parking spaces and eleven cycle spaces, the scheme would achieve the maximum parking standards, adding that a condition would require that details to be submitted setting out an acceptable arrangement that meets LCDS standards for cycle storage. In terms of design, officers added that the current scheme had overcome the concerns that the Inspector expressed on scale, design and the roof all of which complemented the design guide for the area. Members also noted the tree officer's support as amplified in the main report. Officers responded to issues about consultation, adding that consultation requirements had been exceeded.

Members were minded to approve the application as recommended except for Councillor Maurice who voted against it on grounds of excessive bulk and the design, out of character.

DECISION: Granted planning permission as recommended.
(Voting was recorded as follows: For 7, Against 1, Abstentions 0)

6. 18/4920. 1-8 INC Neville House & Neville House Garages, Neville Road, 1-64 INC Winterleys and Seahorse Day Nursery, Albert Road, 113-128 Carlton House and Carlton House Hall, Canterbury Terrace London, NW6

PROPOSAL: Demolition of all existing buildings and erection of a part six, nine, ten and twelve storey building arranged around a courtyard (Western Building) providing 135 residential units including a concierge and residential communal room at ground floor and a part four, five, eight, nine and ten storey L shaped building (Eastern Building) providing 84 residential units. Construction of a basement under the Western Building with a car lift and access from Albert Road. The provision of a pedestrian and cycle shared surface along Neville Road, with associated cycle provision, bin stores, landscaping and ancillary works (Revised Description).

RECOMMENDATION: Grant planning permission subject to subject to any Stage 2 Direction by the Mayor of London pursuant to the Mayor of London Order, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Development Management or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement

That the Head of Planning is granted delegated authority to issue the planning permission and impose conditions to secure the matters set out within the Committee 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 not that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is granted delegated authority to refuse planning permission.

Ms Sarah Dilley (Principal Planning Officer) introduced the report and answered Members' questions. In reference to the supplementary report, she clarified matters including some changes to the planning obligations, analysis of the impact of daylight and sunlight on surrounding properties.

Mr Pete Firmin raised objections to the application including inadequate affordable housing units, unaffordable parking, homes that would not meet Brent needs and issues with the reporting of daylight and sunlight.

Mr Peter Van der Zwan (agent) addressed the Committee and answered Members' questions. He highlighted that the community engagement for the application was well attended and that the submitted scheme incorporated residents' aspirations and preferences. He added that the scheme that would also deliver 219 affordable homes was a continuation of the on-going regeneration of the South Kilburn Estate. He clarified that the affordable housing was the maximum possible, based on robust financial viability assessment with early and late stage reviews. He responded to other matters including parking, layout and entrances.

Officers responded to questions about a number of matters including: housing mix and tenure, parking, design, scale and massing, revisions that have been made to the scheme and daylight / sunlight. Officers clarified the car parking allocation and added that as Neville Road would be adopted, the Council would ensure that it complied with standards including the provision of street lighting.

DECISION: Granted planning permission as recommended and changes to the planning obligations as detailed within the supplementary report.
(Voting was unanimous as follows: For 8, Against 0, Abstentions 0)

7. 19/3056. 13 The Avenue, London, NW6 7NR

PROPOSAL: Demolition of existing dwellinghouse and erection of a part-3 and part-4 storey development comprising 9 residential units with roof terraces, enlargement of vehicular access on Brondesbury Park and creation of vehicular access on The Avenue, provision of car and cycle parking, refuse storage, landscaping and subdivision of garden space.

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 Sarah Dilley (Principal Planning Officer) introduced the report and answered Members' questions. In reference to the supplementary report, she responded to issues raised by members about nearby open spaces and drew Members' attention to the updated condition 9 as set out within the supplementary report.

Ms Sheery Atkins objector raised a number of concerns including loss of amenity and privacy for surrounding residents, that the design was out of character, too dense, overbearing and that there would be transport impacts, taking into consideration the cumulative impact of developments coming forward in the area including the SEN school in The Avenue.

Ms Claire Lyons, raised a number of objections, including design, scale and character, adding that the proposal would constitute an over-development of the site with unsympathetic design and bulk and out of character within the area.

Councillor Gill ward member addressed the Committee. Councillor Gill raised objections to the proposed development for a number of reasons including; over-development, out of character with the streetscene, additional pollution within an Air Quality Management Area and danger to pedestrian and vehicular safety at a busy junction without adequate risk assessment.

Ms Laura Jenkinson and Jonathan Cross (agent) addressed the Committee and answered Members' questions. Ms Jenkinson informed Members that the application had been revised following comments from residents' engagement. She added that the application that incorporated private amenity space, would exceed space standards, provide dedicated parking and significant landscaping complied with policies. Mr Cross highlighted the architectural merits of the scheme.

In the ensuing discussion, members sought clarification on a number of issues including; design, massing, transportation, air quality management and privacy. Members heard that the application complied with policy CP17 in terms of scale, acceptable materials, height and garden space. Furthermore, as the application was relatively a small scale development, there was no requirement for transport assessment to be submitted. The proposal was considered unlikely to give rise to transportation issues of concern and the access was considered to be safe as it was sited about 45 metres from the nearest junction. Furthermore, only major applications required air quality management assessment and that the Council's Environmental Health raised no objections to the application. Officers advised that the application largely complied with SPD1, but did not comply with SPD1 in relation to the 45 degree guidance taken from an adjoining garden.

All Members were minded to grant planning permission except Councillor Maurice who was minded to vote against the recommendation on grounds of bulk and out of character.

DECISION: Granted planning permission as recommended and revisions to condition 9 as set out within the supplementary report.
(Voting was recorded as follows: For 7, Against 1, Abstention 0).

8. 18/3591. 5A-G Inc, Exeter Road, London, NW2 4SJ

PROPOSAL: Demolition of existing rear extension and construction of a single storey ground floor rear extension and excavation to create a basement level to facilitate the conversion of the 3 existing ground floor self-contained flats into 3 x self-contained duplex flats at ground and lower ground floor level; new front boundary wall and new entrance gates; lowering of the ground level to side and rear; rear terraces with metal railings; new side entrance door; new windows to side elevation; new lightwell to front garden; felling of rear garden trees (ash tree T1 and a small group of sycamores G2) and replacement tree planting, subdivision of the rear garden, cycle/waste storage and associated landscaping.

RECOMMENDATION: To grant planning permission subject to the conditions set out within the Committee reports.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions 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 not that such change(s) could reasonably have led to a different decision having been reached by the Committee.

Mr Sean Newton (Principal Planning Officer) introduced the report and answered members' questions. In reference to the supplementary report, he drew Members' attention to the additional objections received and officers' responses to them, minor typographical error as set out within the supplementary report and reiterated the recommendation for approval.

Ms Donna Giles objected to the application for several reasons including the following; potential flooding, damage to the foundations of her property difficulties selling her flat in the future, impacts of her health and impact on the character of the Conservation area, which could set a precedent for similar developments in the area.

Mr Paul Handley also objected for a number of reasons including the following; lack of preparatory site specific hydrological investigations, the need for a detailed construction management plan and structural statement which would respect the high risk shallow foundations of local properties and thus seek to prevent structural damage to nearby local properties, that the Council should require party wall agreements to be entered into and substantial security deposits. Mr Handley referenced the basement policies of Camden Council, Royal Borough of Kensington and Chelsea and Westminster City Council as best practices and requested the Committee to consider adopting the basement policies of those boroughs.

Mr Michael Doyle (agent) addressed the Committee and answered Members' questions. He submitted that the proposal, which complied with London Standards and the National Policy Framework on Basements, would improve the appearance of the current derelict building. He drew Members' attention to the recommended condition for Construction Management Plan to ensure the minimum construction impact. He assured Members that the applicant would continue to engage with neighbours and the Council's building regulation on the scheme.

In response to members' questions, Mr Newton submitted that Officers had tested Brent's basement policy against National Framework at a public inquiry and found to be sound. He added that the site was not within a flood risk area and that the structural integrity of adjoining properties were outside of the planning regime.

Members were minded to grant planning permission as recommended with the exception of Councillors S Butt and Maurice who dissented due to potential impact on nearby properties.

DECISION: Granted planning permission as recommended.
(Voting was recorded as follows: For 6, Against 2, Abstention 0).

9. 19/3409. 1-12E INC and 14A-18B INC The Elms, Nicoll Road, London, NW10 9AA

PROPOSAL: Creation of 3 self-contained units involving the construction of a 4th floor level with terraces and balustrades above the residential block of flats known as Nos. 1-18B The Elms, Nicoll Road

RECOMMENDATION: To grant planning permission subject to conditions as set out within the Committee reports.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters as 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.

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.

Mr Patrick Doyle (Principal Planning Officer) introduced the report and answered members' questions. He referenced the supplementary report that corrected typographical errors in the main report and reiterated the recommendation for approval.

Mr Peter Graham objected to the application for a number of reasons including; excessive bulk, poor design, loss of daylight and sunlight, overlooking and loss of privacy, increased demand for parking, increased congestion and provision of inadequate drainage and refuse facilities. Mr Graham added that as the previously built 4th floor was not of brick construction, the existing building would not be able to sustain the proposal.

Mr Daniel James (agent) informed the Committee that the proposal would be set back 3.5metres to allow the floor to sit back and hence minimise impact. In responding to the objector's claims, Mr James added that the building had significant capacity to take another storey and that the external materials for the previous extensions had been approved by the Council.

In response to members' questions, Mr Doyle clarified that officers had recommended a wide scope of conditions within the main report that sought to address the concerns raised by the objectors to the application.

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

(Voting was unanimous as follows: For 8, Against 0, Abstentions 0)

10. Any Other Urgent Business

None.

The meeting closed at 9.30 pm

COUNCILLOR J. DENSELOW
Chair