



## Supplementary 2 Planning Committee

**Tuesday 17 April 2012 at 7.00 pm**

Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

### Membership:

#### Members

Councillors:

Ketan Sheth (Chair)  
Daly (Vice-Chair)  
Baker  
Cummins  
Hashmi  
Kabir  
McLennan  
Mitchell Murray  
CJ Patel  
RS Patel  
Singh

#### first alternates

Councillors:

Thomas Long  
Kansagra  
Cheese  
Beck  
Oladapo  
J Moher  
Van Kalwala  
Lorber  
Gladbaum  
Hossain

#### second alternates

Councillors:

R Moher  
Naheerathan  
HB Patel  
Allie  
  
Powney  
Moloney  
Butt  
  
Harrison  
Mashari

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**The press and public are welcome to attend this meeting**

**Members' briefing will take place at 6.15pm in Committee Room 4**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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**Supplementary Information**

**Planning Committee on 17 April, 2012**

**Case No. 12/0275**

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

Description 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.

**Agenda Page Number: 31**

Members visited the site on Saturday 14 April.

A number of issues were raised by local residents and Ward Councillor Hopkins, which are summarised thus:

1. Highway safety: Residents and Cllr Hopkins raised concerns about the safety and visibility of the access, in light of the bus stop(s), the brow of the hill and the proximity of the junction. As discussed in the Committee Report, the access and surrounding highway conditions mean the requirements for visibility splays for this scale of development on this type of road are met and, since a turning head is provided within the site, all vehicles will be able to exit the site in forward gear. Your officers are satisfied that this development would not result a material change to highway and pedestrian safety.

2. Parking: Residents were concerned about the number of parking spaces provided and resulting overspill parking. Your officers are satisfied that the provision of one parking space for each house and two visitors spaces is sufficient to meet the expected demand for parking generated by this development; the UDP states that affordable housing units are assumed generate parking at about 50% of the maximum standard.

3. Crime and anti-social behaviour: The Met Police Crime Prevention Design Adviser has been consulted and the applicants have met with the police to discuss minor amendments to the scheme, including the revised bin store position and the suggestion that the boundaries with Crest Road properties be increased to 2.4m; conditions are proposed which would secure the provision of further details of the bin store and the boundaries. Officers understand that there is an existing problem with anti-social behaviour but this is not related to this site and there is no evidence that residential development would lead to an increase in such behaviour.

4. Boundaries: Some residents remain concerned about the loss of the existing walls of the garages, which at present forms the boundary for 13 Crest Road and the Waterloo Road properties. The applicant has confirmed that the rear and side wall will be retained.

5. Lighting: The plans show indicative low-level lighting to the site; further details of this will be secured by condition in consultation with Environmental Health and Transportation officers to the impact of lighting on site in terms of residential amenity

### ***Sustainability***

A revised Sustainability Checklist has been provided which shows the scheme scores 48%; whilst this is marginally below the usual 50% sought for schemes of this nature, your officers are satisfied that 48% is an acceptable score in light of the proposed 33% improvement over the 2010 Building Regulations Target Emissions Rate, which exceeds the 25% improvement sought by policy 5.2 of the London Plan 2011. Your officers will secure these elements within a s.106 legal agreement.

### ***Revised plans***

Condition 2 will be revised to reflect revised plans received during the application. The main change is to the Site Layout and Access (drawing 1114(PL) 110 Rev C) which shows a revised bin store arrangement following discussions with the Metropolitan Police and a revised shared access layout. The two conditions relating to these matters will be retained, however, to allow for consultation with relevant consultees. The other revised plans should have been included on the original list.

120202\_1114 (PL)110 Rev C Site Layout & Access  
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120202\_1114 (PL)200 Rev A Ground Floor Plan  
120202\_1114 (PL)204 Rev A Contextual Elevations 01  
120202\_1114 (PL)310 Rev A Sketch Birdseye

**Recommendation: Remains grant consent subject to a s.106 agreement**

## **Agenda Item 05**

### **Supplementary Information Planning Committee on 17 April, 2012**

**Case No. 11/2719**

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Location 227 All Souls Avenue, London, NW10 3AE  
Description Change of use of the premises to hot food takeaway (Use Class A5)

### **Agenda Page Number: 59**

Three Councillors have formally requested that this application be subject to a site visit by the Members of the Planning Committee and so the proposal will not now be considered at this Committee. The next available Planning Committee is on Tuesday 22nd May 2012, with the site visit taking place on the morning of Saturday 19th May 2012. All interested parties will receive a formal notification of the arrangements once they have been agreed nearer the time. For the information of Councillors, all those who commented on the original proposal, as well as the Members who called the application in, have been informed of this decision.

**Recommendation: Deferred for a Members Site visit.**

## **Agenda Item 06**

### **Supplementary Information Planning Committee on 17 April, 2012**

**Case No. 11/0876**

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Location Green Man, High Street, London, NW10 4TS

Description 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 1<sup>st</sup> 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).

#### **Agenda Page Number: 67**

Three Councillors have formally requested that this application (and listed building application 11/0876) be subject to a site visit by the Members of the Planning Committee and so the proposal will not now be considered at this Committee. The next available Planning Committee is on Tuesday 22nd May 2012, with the site visit taking place on the morning of Saturday 19th May 2012. All interested parties will receive a formal notification of the arrangements once they have been agreed nearer the time. For the information of Councillors, all those who commented on the original proposal, as well as the Members who called the application in, have been informed of this decision.

**Recommendation: Deferred for a Members site visit.**

## **Agenda Item 07**

### **Supplementary Information Planning Committee on 17 April, 2012**

**Case No. 11/0877**

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Location: Green Man, High Street, London, NW10 4TS

Description: 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 1<sup>st</sup> 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.

#### **Agenda Page Number: 78**

Three Councillors have formally requested that this application (and planning application 11/0877) be subject to a site visit by the Members of the Planning Committee and so the proposal will not now be considered at this Committee.

The next available Planning Committee is on Tuesday 22nd May 2012, with the site visit taking place on the morning of Saturday 19th May 2012. All interested parties will receive a formal notification of the arrangements once they have been agreed nearer the time. For the information of Councillors, all those who commented on the original proposal, as well as the Members who called the application in, have been informed of this decision.

**Recommendation: Deferred for Members site visit.**

## **Agenda Item 08**

### **Supplementary Information**

#### **Planning Committee on 17 April, 2012 Case No. 11/2403**

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Location: Argo Business Centre, Kilburn Park Road, London, NW6 5LF

Description: 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 Class B1 office space (1406sq.m) including one commercial unit for flexible B1/A1 business use; 51 car parking spaces; cycle spaces, hard and soft landscaping and revised access

#### **Agenda Page Number: 87 (and separate report)**

Members visited the application site on 14th April 2012. Issues of outlook/daylight/sunlight were raised and clarification was also sought on the loss of employment floor space and the offer made by the applicants.

#### **EMPLOYMENT**

The existing building provides 1669sqm of useable employment space, though 210sqm of this is currently vacant, meaning there is currently 1459sqm of employment space in use. The proposed building provides 963sqm of employment space which is a reduction from the floor space currently in use of 496sqm.

The main report explains that the proposal does represent a loss of employment floor space, but explains why officers consider this acceptable, including a more efficient use of floor space.

Regarding the scope for re-provision for current tenants, as explained in the report, the applicant would ensure that existing tenants are included in future plans. The point in the Heads of Terms at the start of the report referring to "Brent in2 work" will be expanded in the agreement to include the developers obligation to contact current tenants as described in the main report.

#### **AFFORDABLE HOUSING**

Under the s106 Heads of Terms it is stated that 5 units will be sold on a fixed equity basis to existing Leaseholders in South Kilburn of no more than 60% of the value and with no rent payable on the remainder. Discussions have revised this to between 50% and 65% of the open market value. Officers have confirmed that in this case the units are targeted at existing leaseholders in South Kilburn affected by redevelopment and this arrangement is an

affordable opportunity for such people to buy into a new development. The Heads of Terms will be revised accordingly.

#### UNIT MIX

The following is the correct unit mix proposed, officers referred to a superseded schedule in the report. The proportions are generally similar to those previously stated and the mix remains acceptable.

Unit size (no.beds) Private Affordable Total

1 19 (29%) 16 (57%) 35 (38%)

2 36 (55%) 12 (43%) 48 (51%)

3 10 (16%) - 10 (11%)

#### COMMUNAL AMENITY SPACE

The agents have provided further information about access to the shared terrace areas. All residents in each private block would have access to at least one shared terrace situated directly off each block at third floor, a key fob will not allow access to any other block from the shared terrace.

#### DAYLIGHT & SUNLIGHT

At the site visit attention was drawn to the change in outlook/sunlight/daylight that would be experienced by neighbouring occupiers facing the application site. Officers have described in the main report the relationship between the proposed building and existing residential buildings on Kilburn Park Road and Stuart Road. This is defined by the width of the roads and while the proposed building would significantly change the view from residential windows, given the width of the roads involved, it would not, on balance, unacceptably limit outlook. GIA, independent consultants, have reviewed the daylight/sunlight report. The report considers the impact on sunlight and daylight to neighbouring properties and goes into the extra detail of considering the impact where there are self-contained lower ground floor units on Kilburn Park Road.

It is reconfirmed from a technical point of view that while there would be noticeable reductions in the Vertical Sky Component of more than 20%, the No Sky Line analysis shows that there would be little impact on the daylight distribution within the rooms and the Average Daylight Factor analysis shows that the rooms would retain an acceptable ADF. There will be some noticeable change to the daylight potential given the VSC results, but the retained level of daylight and the daylight distribution within these rooms would be adequate or good. The Stuart Road properties face due east and GIA state that it is debatable whether a BRE assessment of sunlight is therefore required. There are instances, most notably at the ground floors, where the reduction in winter sunlight would exceed the BRE threshold, however, these instances occur most obviously where the winter sunlight levels are already low making the decrease seem proportionately more significant. An on balance assessment of the impact of the building on people living nearby is set out in the main body of the report.

#### HIGHWAYS REVISED HEADS OF TERMS

Highways officers have requested that the Heads of Terms be expanded to clarify their meaning and requirements. Heads of Terms are to read:

"Enter into a S278 Agreement to secure highways works to provide the proposed pavement build out (to include either removal of pedestrian refuge from the bell mouth of Cambridge Road or provision of a speed table in the bell mouth), the removal of redundant crossovers, provision of new vehicular crossovers together with alterations to marked on-street parking bays.

#### REVISED CONDITIONS IN RESPONSE TO LEGAL COMMENTS

Condition 3 will be revised to read:

*'Woodcrete' bat boxes shall be provided on the proposed building and shall be permanently retained unless otherwise agreed by the Council in writing.*

*Reason: To enhance the habitat and include bat roosting opportunities as recommended in the Habitat Survey.*

Condition 6 will be revised to read:

*All residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice' to attain the following internal noise levels:*

*Criterion Typical situations Design range LAeg , T*

*Reasonable resting conditions Living rooms 40 dB (day: T=16 hours 07:00-23:00)*

*Reasonable sleeping conditions Bedrooms 35 dB (night: T=8 Hours 23:00-07:00)*

*LAmx 45 dB (night 23:00-07:00)*

*Prior to occupation of the dwellings the applicant shall be required to submit in writing to the LPA the results of the post-completion testing undertaken in the noise affected dwellings to verify that all units would comply with BS8233:1999 'Sound insulation and noise production for buildings – code of practice'. If requirements are not achieved remediation measures shall also be submitted to and approved in writing by the LPA and implemented and re-tested accordingly.*

*Reason: To verify that the internal noise levels specified can be met and safeguard the amenity of future occupants of the development.*

**Recommendation:** Remains approval, subject to revised conditions and amended Heads of Terms.

#### **Agenda Item 09**

#### **Supplementary Information Planning Committee on 17 April, 2012**

**Case No. 12/0144**

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Location Thames Water Depot & Training Sh, 225 Harlesden Road, London, NW10 3SD

Description: 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.

**Agenda Page Number: 105**



Members visited the site on Saturday 14th April 2012. In terms of the overall density of the development, there are 172 habitable rooms proposed (based on Brent's UDP 2004 Glossary definition of a habitable room) within the site area of 0.52 hectares. The density of the proposed development is, therefore, 331 habitable rooms per hectare. SPG17 advises that in areas of low transport accessibility (this site is PTAL 2), away from Local Centres and with predominantly lower-density development, densities between 150 - 240 hrh could be appropriate. The density matrix in the London plan reaffirms this guidance. The proposed development exceeds the recommended densities which reinforces, in particular, reason for refusal 2.

#### REASONS FOR REFUSAL

Reason 2 will be amended to read:

*The proposal, by reason of the scale, bulk and dominance of buildings across the site and density of the development in general and the massing, height and scale of the apartment block in particular, is disproportionate to and detrimental to the backland site and context of 2-storey houses. The proposal therefore represents an overdevelopment within this constrained plot which would be detrimental to character and appearance of the locality and would have an overbearing impact on neighbouring amenity. The proposal is contrary to policies BE2, BE9, H12, H13 and H15 of Brent's UDP 2004 as well as SPG17: Design Guide for New Development.*

As explained in the report, the affordable housing offer is not yet confirmed and, as a result, Reason 4 also needs to be amended to acknowledge this: *In the absence of a legal agreement to control the matter, the development would fail to provide an acceptable mix and quantity of affordable housing, it would result in additional pressure on transport infrastructure, without a contribution to sustainable transport improvements in the area, an increased pressure for the use of existing open space in an area of open space deficiency, without contributions to enhance open space, an increased pressure for public sports facilities, without any contribution to the provision of sports facilities, and an increased pressure on education infrastructure, without any contribution to education improvements. As a result, the proposal is contrary to policies STR19, TRN4, TRN23 and OS7 of the adopted London Borough of Brent Unitary Development Plan 2004 and Supplementary Planning Document;- s106 Planning Obligations.*

**Recommendation: Remains refusal, with amendments to reasons 2 and 4.**

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Location: Storage Land next to 75, St Pauls Avenue, London, NW2 5TG

Description: 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 for the redevelopment of the site to provide a part 3, part 4, storey building, comprising 10 affordable units and associated access, landscaping, a disabled parking space and cycle parking provision, and subject to a Deed of Agreement dated 11 April 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

**Agenda Page Number: 117**

Members visited the application site on 14th April 2012.

**PARKING BAY HARDSTANDING**

The suitability of grasscrete as the material for the 8 car parking bays in the southwest corner of the site was queried. In very well used spaces grasscrete may not be successful, as such it is recommended that grasscrete be used for the inner row of 4 parking bays only while a good quality hardstanding material be used for the 4 spaces closest to the garage. A condition is recommended below to agree further detail of this.

**CLARIFICATION**

In the body of the report, mention is made to the 'southeast' corner of the site. To clarify, in all instances, this should be the southwest corner, as described correctly in the description of the application.

**CONDITIONS**

The following condition shall be added:

*Notwithstanding indicative materials on plans details of materials the 8 parking bays in the southwest corner of the site, including grasscrete for the 4 inner bays and hardstanding for the remaining bays, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works above ground level.*

*The work shall be carried out in accordance with the approved details.*

*Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.*

Condition 5 shall be revised to read:

*The hereby approved 8 parking spaces shall be used by the garage business and in association with the servicing and management of the proposed building only and not by residential occupants or visitors at any time.*

*Reason: To prevent a conflict between the different users of the site and to maintain a car-free residential development.*

Condition 6 shall be revised to read:

*Prior to the commencement of work details shall be submitted to and approved in writing by the LPA to demonstrate:*

- proper provision for drainage of surface water to ground or a suitable sewer.*
- attenuation of storm flow or regulation into the receiving public network through on or off site storage.*

*The development shall be carried out in accordance with the approved details. N.b. Where the developer proposes to discharge to a public sewer prior approval from Thames Water is required.*

*Reason: To ensure that surface run off within the curtilage of the site can be contained.*

Condition 13 shall be revised to read:

Prior to the commencement of the development above ground level a Construction Method Statement shall be submitted to and agreed in writing by the LPA outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The approved statement shall be fully implemented.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

**Recommendation: Remains approval subject to s106 agreement and conditions, including revisions to conditions 5, 6 & 13 and additional condition.**

## **Agenda Item 11**

### **Supplementary Information Planning Committee on 17 April, 2012**

**Case No. 12/0138**

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Location LAND SURROUNDING WEMBLEY STADIUM, Royal Route, Wembley, HA9

Description 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.

This application is submitted as the Reserved Matters pursuant to Condition 2 (i), (ii), (iii), (iv) and (v), Condition 6 (Infrastructure), Condition 60 (Access Arrangements) and Condition 64 (Boundary layer wind tunnel testing) of Outline planning application 03/3200, relating to plot W10, and subject to a

Deed of Agreement dated 31st March 2011 under Section 106 of the Town and Country Planning Act 1990, as amended Planning application reference 03/3200, granted on 29/09/2004, for: Works for the re-orientation of Wembley Arena

Class A1 (retail) comprising up to 14,200m<sup>2</sup> designer retail outlet, 11,800m<sup>2</sup> sports retailing

Class A1/A2 shops/financial and professional services up to 8,000m<sup>2</sup> (including up to 2,000m<sup>2</sup> supermarket)

Class A1 (retail) comprising up to 400m<sup>2</sup> of hotel boutique retail

Class A3 (food and drink), up to 12,700m<sup>2</sup>

Class B1 (a) (b) and (c) Business, up to 63,000m<sup>2</sup>

Class C1 (hotel), up to 25,400m<sup>2</sup>

Class C1/Sui Generis (hotel apartments), up to 26,700m<sup>2</sup>

Class C2 (residential institutions) up to 5,000m<sup>2</sup>

Class C3 (dwellings) up to 277,000m<sup>2</sup>, (up to 3,727 dwellings)

Student accommodation (Sui Generis), up to 16,600m<sup>2</sup>

Class D1 (non-residential institutions), up to 8,200m<sup>2</sup>

Class D2 (assembly and leisure), up to 28,500m<sup>2</sup> (including the existing Arena of 13,700m<sup>2</sup>)

together with associated open space, public market area (Class A1), hard and soft landscaping, highway and engineering works, electricity substation, other utility requirements, other parking and servicing, and improvements to Olympic Way;

AND;

Reserved matters relating to siting, design, external appearance and means of access for the 3-storey structure to provide car and coach parking

**Agenda Page Number: 133**

Signage Strategy - clarification of process

The last paragraph of the Transport section of the Committee report (second paragraph within page 143) refers to the submission of a revision to the site wide Signage Strategy. This should refer to the details being approved through the submission of a separate signage strategy pursuant to condition 2 that has been recommended in relation to this Reserved Matters application.

**Recommendation: Remains approval. No changes to the wording of conditions are proposed.**