

MINUTES OF THE PLANNING COMMITTEE
Wednesday, 28th April 2004 at 7.00 pm

PRESENT: Councillor Cribbin (Chair), Councillor Harrod (Vice-Chair) and Councillors Freeson, Kansagra, Lorber (alternate for Chavda), McGovern, H M Patel, Sengupta (alternate for Kabir) and Singh.

Apologies for absence were received from Councillors Chavda and Kabir.

Councillors V Brown, Hughes, Nerva, O'Sullivan and Sayers attended the meeting.

1. Declarations of Personal and Prejudicial Interests

<i>Ref & Site Address</i>	<i>Councillor</i>	<i>Nature of Interest</i>
03/3422 – 68-70 Salusbury Road	Lorber	Personal -Received e-mails
Various applications in the Wembley area	Kansagra	Personal - received e-mails

2. Requests for Site Visit at Start of Meeting

Councillor Kansagra's request for a deferral for site visit for 12A-C Mapesbury Road was voted upon and declared LOST

3. Minutes of the Previous Meetings

(a) ***10th March 2004***

RESOLVED:-

that the amended minutes of the meeting held on 10th March 2004 be agreed as a true and accurate record.

(b) ***31st March 2004***

that the minutes of the meeting held on 31st March 2004 be agreed as a true and accurate record.

4. Planning Applications

RESOLVED:-

that the Committee's decisions/observations on the following applications for planning permission under the Town and Country Planning Act 1990 (as amended), as set out in the decision column below, be adopted. The conditions for approval, the reasons for imposing them and the grounds for refusal are contained in the Report from the Director of Planning and in the supplementary information circulated at the meeting.

ITEM NO	APPLICATION NO (1)	APPLICATION AND PROPOSED DEVELOPMENT (2)	DECISION (3)
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DEFERRED ITEM

0/01	03/2884	Gladstone Park, Parkside, NW2 Erection of a changing-room pavilion in the south-east corner of the park behind the existing Community Centre and adjacent to Midlothian House, off Anson Road	Approval, subject to conditions
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This report was deferred at the last meeting to enable alternative sites to be investigated and to allow Corporate Services and Parks Departments to work out a co-ordinated scheme for the site and for an integrated new community centre and changing room development. In his introduction, the **Director of Planning** referred to the additional representations received from objectors, Cllr Sayers and officers' responses as set out in the supplementary information. He added that following officers' re-assessment of the application, they had concluded that relocating the proposed development would not be feasible given the required timescale. He also added that the Director of Parks had been invited to answer further queries that may be raised at this meeting. He reiterated the recommendation for approval, subject to the conditions as set out in the report.

Mr Eric Pollock reiterated his objection to the proposed development on environmental grounds, loss of amenity and poor siting for parking facilities. He added that there was an adequate parking facility available within the Rick-yard to which the scheme should be relocated.

Mr Peter Curran also raised objection to the application, on the grounds that the impact of the proposed development on residents had not been properly addressed. He asked that the electricity sub-station needed looking into. Mr Curran urged members to refuse the application for the above reasons.

In accordance with the provisions of the Code of Practice, **Cllr Sayers** wished to speak as a Ward Councillor and stated that he had been approached by objectors to the application. In his view, it was appropriate to relocate the proposed development to the Rick-yard. He referred to the poor drainage system to the south of the park and urged members to be minded to refuse the application on grounds of its location.

The **Head of Parks, Shaun Faulkner**, in addressing the Committee stated that it would not be appropriate to relocate the changing room to the Rick-yard. The present site had been identified as it offered stronger links with the community centre and maximised community returns and gains. He added that provision would be made for walkers and users of the park and that there would be a sustainable management scheme for the operation of the park. This would include a warden service on activity days which would also serve to drive out crime and drug abuse in the park as alleged by some objectors.

During members' debate, **Cllr Freeson** expressed the view that he was not satisfied that the Rick-yard could not be reconfigured for the proposed development. He also urged that the appropriate departments should get together for a co-ordinated action on the exterior of the existing Community Centre development. In responding to these and other issues raised by members, the Director of Parks said that funds allocated for the development could not be used for the removal of graffiti on the exterior of the proposed development. The Director reiterated the merits of the best location for the scheme.

In summing up, the **Director of Planning** stated that all other options for the site had been considered but were felt to be inappropriate. In addition, the project was subject to the Heritage Lottery funding which could be lost if there was a delay. In his view, the proposal was consistent with the relevant adopted UDP policies and reiterated that consent be granted subject to the conditions as set out in the report.

Members voted by a majority to approve this application, subject to the conditions as set out in the main report.

In accordance with the provisions of Standing Order No 66(d), voting on this application was recorded as follows:-

FOR:	Cllrs Cribbin, Harrod, Freeson, McGovern, Sengupta & Singh	(6)
AGAINST:	Cllrs Kansagra & H M Patel	(2)
ABSTENTION:	Cllr Lorber	(1)

NORTHERN AREA

1/01	03/3624	16 Sheridan Gardens, Harrow, HA3 0JT	Approval, subject to conditions
		Alterations to existing garage, erection of single storey rear extension behind existing side extension, erection of hipped roof over the flat roof of the existing side extension, and single storey rear extension to dwellinghouse	
1/02	03/3655	57 Kendal Road, NW10 1JG	Approval, subject to conditions as amended in condition 4
		Demolition of existing house and erection of one 4-bedroom and two 3-bedroom houses	

The **Director of Planning** informed members that officers had received further revised drawings improving the main elevations of the proposed development. In view of this, condition 4 had been amended as set out in the supplementary report. He then referred to the concerns expressed at the site visit in respect of loss of privacy, car parking precedent and incidence of flooding. He also referred to additional letters of objection from residents in Kendal Road and Cullingworth Road and added that most of the issues raised had been fully addressed in the report.

On the matters that had not already been covered in the report, he submitted as follows:-

- (a) There would be no loss of privacy to the resident at No 55 Kendal Road which was 20 metres away from the application site.
- (b) There did not appear to be any other comparable sites in the locality to suggest that there would be a precedent.
- (c) The Environmental Agency had confirmed that they were not aware of any general problems in respect of flooding and therefore together with Thames Water raised no objections.
- (d) Any loss of trees would be replaced by suitable planting.

With these in view, he reiterated the recommendation for approval, subject to the conditions as set out in the main report and an amended condition 4.

Ms Lorraine Francis stated that the demolition of the existing property which was in keeping with the character of the area, would contravene the Council's Unitary Development (UDP) policies and strategies that sought to improve existing dwellings. Ms Francis stated that there was no need for the demolition and urged refusal.

Mr Peter Latham, in objecting to the application, referred to a bundle of objections which he had circulated at the meeting. These referred amongst others to excessive density and overlooking. Mr Latham also added that the incidence of flooding had not been properly addressed in the officers' report. He therefore urged members to be minded to defer the application.

Mr Kieran Curtis, the applicant's agent stated that the development, which was of traditional style, sought to protect the amenities of all residents and that the applicant had modified the proposal to take into account the concerns expressed by residents. He added that the proposal met an identified need for affordable housing and that the density level in respect of the layout was acceptable. He submitted that the application complied with the Council's UDP policies and that it would not have any significant loss of amenity to the residents.

Members then discussed this application during which some of them expressed concern over the density of the scheme and urged a deferral to allow the applicant to submit revised plans for sustainable development or for the application to be rejected as it would not be in keeping with the residential area.

The **Director of Planning** in responding to the issues raised stated that the proposed development was considered an acceptable use of the site that would provide reasonable residential accommodation whilst preserving the amenities of neighbouring residents and the character of the area. It was consistent with the relevant adopted UDP Policies and accordingly he reiterated the recommendation for approval, subject to the conditions as set out in the report and as amended in condition 4.

Members voted by a majority to approve the application.

In accordance with the provisions of the Council's Standing Order No 66(d), voting on this application was recorded as follows:-

FOR: Cllrs Cribbin, Harrod, Freeson, McGovern & Singh (5)

AGAINST: Cllrs Kansagra, Lorber & H M Patel (3)

ABSTENTION: Cllr Sengupta (1)

1/03	03/1003	Asda Superstore Forty Lane, Wembley, HA9 9EX	Deferred to the next meeting for further information on residential impact
		Variation of condition 9 (hours of delivery) of planning permission No 98/0413, dated 03/07/98, for the construction of a retail superstore with provision of service yard and customer car parking to read as follows: "The store shall not be serviced on Sundays and Bank Holidays by more than six service vehicles on any one day without the consent in writing of the Local Planning Authority."	

The **Director of Planning** informed members that the proposed variation of conditions was acceptable to the Council's Transportation Unit as it would have an insignificant effect on peak hour traffic in the area. It would also ease traffic flow and prevent queuing on Forty Lane during daytime deliveries. In order to minimise the impact on neighbouring occupiers in particular Bob Thompson Court, he recommended additional conditions to address noise assessment and light spillage. Subject to these, he reiterated the recommendation for approval.

In accordance with the provisions of the Council's Code of Practice on Planning, **Cllr O'Sullivan** wished to speak in his capacity as the Ward Councillor and stated that he had been approached by objectors to the application. He stated that the proposal was not acceptable within such a residential area. He urged that the application be deferred until the new residents were in place in the blocks currently under construction. He also asked the Director of Planning to write to him confirming the position about searches.

Mr John Mathieson, the applicant's agent, said that the application would prevent congestion on Forty Lane without adverse impact on residents. Mr Mathieson urged members to approve the application in accordance with officers' recommendations.

During debate some members expressed concern over the impact that activity may have on flats under construction to the east and suggested that the application be refused as no consultation with further residents were possible. The Director of Planning indicated that it would be unreasonable to refuse the application for that reason although acknowledged that a concern over the impact that the application may have on residential amenity was a valid consideration. He suggested deferral.

Cllr Lorber moved an amendment to defer the application to enable officers to re-negotiate for Section 106 funding for this and the subsequent application. This was put to the vote and declared LOST by a majority. Members were however minded to defer the application and in the absence of a sound planning reason, the **Borough Solicitor** advised that the application be deferred to the next meeting for further information. This was put to the vote and declared CARRIED.

In accordance with the provisions of Standing Order No 66(d), voting on the motion to defer was recorded as follows:-

FOR:	Cllrs Freeson, Kansagra, Lorber, H M Patel & Singh	(5)
AGAINST:	Cllrs Cribbin, Harrod, McGovern & Sengupta	(4)
ABSTENTIONS:	None	(0)

1/04	03/1053	Asda Superstore Forty Lane, Wembley, HA9 9EX	Deferred to the next meeting for further information on residential impact.
		Variation of condition 8 (opening hours) of planning permission reference 98/0413 dated 03/07/98 for construction of a retail superstore with provision of service yard and customer car parking to read as follows: "The premises shall not be open for retail trade except between the hours of 0800 Mondays to 2400 hours Saturdays, and between 1100 to 1700 hours on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority."	

For preamble, see previous item (application reference 03/1003)

1/05	03/2462	Land next to 42 Uphill Drive NW9	Approval, subject to conditions as amended in condition 6
		Erection of a 2-storey detached building containing two flats with parking in the front garden area	

The **Director of Planning** stated that following receipt of revised plans, condition 6 had been revised to require the applicant to submit further details for the front garden layout. This condition was being recommended to ensure a satisfactory appearance and in the interests of local amenity. He then referred to a letter of objection from the objector of No 74 Uphill Drive which he said had been fully addressed in the main body of the report. The additional issue about lack of storage facilities for building materials in connection with the construction was not a material planning consideration. He reiterated the recommendation for approval, subject to the conditions as set out in the main report and as amended in condition 6.

NB: At this point in time the objector had left the meeting and was therefore not present to address the Committee.

Members then voted by a majority with one abstention to approve the application, subject to the conditions as set out in the main report and as amended in condition 6.

1/06	03/3131	1-32 inc Delta Court, Coles Green Road, NW2 External alterations to include remodelling of all elevations, replacement windows, new entrance doors, external render and erection of refuse stores, installation of lift, and erection of additional two floors comprising 2 three-bedroom flats and 1 four-bedroom maisonette	Approval, subject to conditions as amended in condition 11 to include refuse storage for recycling and designed to include permanent ventilation.
1/07	03/3564	Land next to 2 Orchard Close, NW2 Variation of planning permissions (ref Nos 02/0861 and 03/2113) for the erection of 2 two-storey buildings with part basement to relocate the detached garage to front of unit 2)	Approval, subject to conditions

In his introduction, the **Director of Planning** drew members' attention to the contents of the supplementary information, the issues raised at the site visit and officers' responses. He reiterated the recommendation for approval, subject to the conditions as set out in the main report.

Mr Mycal Miller expressed concerns about the trees to the boundary and asked that members be minded to impose additional conditions to ensure that the trees would not be affected by the garages. He also requested that a further condition be placed to ensure that the temporary fence was made permanent for security reasons.

Mr Brotherick, the applicant's agent, stated that the objector's request for the temporary fence to be made permanent would cause problems to the applicant. In respect of the trees, he said that these were covered by a Tree Preservation Order.

The **Director of Planning** added that the laurel hedge was protected by Tree Preservation Order and therefore any alteration would require consent from the Council. This was to ensure the preservation of residential amenity.

Members voted by a unanimous decision to approve the application, subject to the conditions as set out in the main report.

In accordance with the provisions of Standing Order No 66(d), voting on this application was recorded as follows:-

FOR:	Cllrs Cribbin, Freeson, Kansagra, H M Patel Sengupta & Singh	(6)
AGAINST:	None	(0)
ABSTENTION:	Cllrs Harrod & Lorber	(2)

1/08	04/0620	Unit 1, Freetrade House, Lowther Road, Stanmore, HA7 1EP Outline planning application for demolition of single storey annexe to office block and construction of four-storey extension to rear to provide B1 office units, 8 vehicular parking spaces to front of site, cycle parking facilities, refuse collection area and associated landscaping (matters to be determined: siting and means of access)	Approval, subject to conditions and a Section 106 agreement
1/09	03/3810	39 Barn Hill, Wembley, HA9 9LH Erection of new 2- storey detached dwellinghouse on land rear of 39 Barn Hill, Wembley	Approval, subject to conditions as amended in condition 3 and additional condition 12

In his introduction, the **Director of Planning** referred to concerns and issues raised at the site visit and the late representations as set out in the supplementary information which officers had received. These included protection of roots of existing trees during construction, increase in on-street parking, precedents, UDP Policy BE27 and frontage for parking. He added that condition 3 had been amended to cover the issue of tree and root protection during and after construction. To ensure that the proposed garage would be used only for parking, condition 12 had been added. Issues relating to precedents for building new houses in Conservation Areas were fully addressed in the main report.

In officers' view, concerns of breach of Policy 27 in terms of loss of garden were unfounded. He finally stated that the proposal, in providing a house with a garden size commensurate with those in the locality, would not detract from the character of the appearance of the area. Subject to the amendments, additional condition 12 and other conditions as set out in the main report, he reiterated the recommendation for approval.

Mr John Wood, in objecting to the application, stated that the proposal constituted a backland development and as such contravened the Council's UDP policy BE27. He added that his concerns about parking had not been addressed in the report. The proposed development in his view would set an undesirable precedent in the conservation area. In conclusion, Mr Wood stated that apart from materials, inadequate attention had been paid to conservation area issues. In his view, the proposed development would be detrimental to the Barnhill Conservation Area.

Mr Simon Alexander also objected to the application on the grounds that it would lead to an undesirable precedent in this conservation area and also lead to loss of mature and irreplaceable Yew trees.

Mr Alexander further added that a new house within a garden (a backhand development) was not compatible with the character of the conservation area.

Mr Jeremy Peters, the applicant's agent, speaking in support of the application, stated that significant and extensive consultation had been carried out with the residents to ensure that the proposal was compatible within the conservation area. He added that the Council's Highways Unit had not raised concerns about the application. In his view, the application would set a precedent as it was unlikely to be replicated in the area.

The Director of Planning then responded to members' questions about a brownfield site development and added that the proposal would not lead to undesirable precedent within the area. He also added that the existing trees would be retained.

With this in view, members voted by a majority decision to approve the application, subject to the conditions as set out in the main report, additional condition 12 and an amended condition 3 as set out in the supplementary information.

In accordance with the provisions of Standing Order No 66(d), voting on this application was recorded as follows:-

FOR:	Cllrs Cribbin, Freeson, Harrod, Sengupta & Singh	(5)
AGAINST:	Cllrs Kansagra & H M Patel	(2)
ABSTENTION:	Cllr Lorber	(1)

SOUTHERN AREA

2/01	03/3422	68 & 70 Salusbury Road, NW6	Refusal on grounds of undue intrusion on the residential area and environmentally detrimental to the area.
		Conversion of ground floor to retail and upper floors to 6 residential maisonettes: alterations and extensions with 6 car parking spaces to the rear of 74 Salusbury Road	

In introducing this report, the **Southern Area Team Manager** referred to correspondence received both in support and in objection to the application and an amended drawing for the ground floor of the proposal that corrected a drawing error. He then referred to issues raised during members' site visit in respect of servicing, parking attendants and enforcement, the CPZ and the proximity of the street tree to the proposed loading bay. He drew members' attention to the list of officers' clarifications and responses to the above as set out in the supplementary information. He added that in the interests of visual amenity and pedestrian safety within the locality, he recommended an amendment to condition No 11 and an additional condition No 14 as set out in the supplementary information. He also recommended an amendment to the heads of terms in the section 106 agreement for the forecourt area to the south of the site. Subject to the above he reiterated the recommendation.

Mr John Blandy, in objecting to the proposed development stated that he was concerned about heavy lorries regularly using Salusbury Road to the detriment of pedestrian safety and in particular local school pupils. In his view the proposed development contravened the Urban Development Plan policies TR1 and TR2.

Mr Richard Johnson, Chairman of Queens Park Area Residents' Association, also objected to the proposed development on the following grounds:-

- (i) detrimental environmental impact
- (ii) parking
- (iii) noise nuisance and intrusion
- (iv) flawed servicing proposals
- (v) flawed comments by Transportation Unit
- (vi) lack of provision for staff to ensure pedestrian safety during deliveries

In accordance with the provisions of the Code of Practice, **Cllr Nerva** spoke in his capacity as a Ward member and a local resident. He added that he had been approached by the applicant and local residents. He referred to the detrimental impact on residential amenity and danger to children and pedestrian safety. There would be major problems for parking and residential amenity during deliveries as articulated lorries would not safely park within the site. He suggested that Sainsbury should fund the cost of a wider consultation with local residents for an acceptable form of development. He therefore urged members to be minded to defer the application pending the consultation.

Members then had an extensive debate on the application during which they expressed the view to be minded to refuse the application contrary to officers' recommendation. The following points were raised

- (i) Undue intrusion on the residential area.
- (ii) Environmentally detrimental to the area.
- (iii) Inappropriate development for a retail use of the scale proposed.
- (iv) The size of delivery vehicles to the site would be detrimental to the area and would raise safety issues during loading and unloading.
- (v) Inadequate car parking facilities.
- (vi) Unnecessary and undue generation of traffic in the area due to the ATM machine within the site.

The **Director of Transportation** stated that there was 7.5 ton lorry ban in the area and that the applicant was offering to adopt the highway alteration at their own expense. He conceded however that the delivery route was less than ideal. The **Director of Planning** added that the range of vehicles to the site could be limited and drew members' attention to an outstanding appeal to the Office of the Deputy Prime Minister for the development. He added that if members were minded to refuse the application they would have to provide sound planning reasons upon which any future appeals for the proposed development for the site could be fought. The **Borough Solicitor** reiterated the advice that members would need to provide sound planning reasons if they were minded to refuse the application contrary to officers' recommendation.

Members submitted the "**following statement of reasons**" for refusing the application contrary to officers' recommendation:-

- (a) undue intrusion on the residential area
- (b) environmentally detrimental to the area
- (c) inappropriate for retail use on the scale proposed given the impact that deliveries would have on residential amenity.

Members voted unanimously to refuse the application for the above reasons.

In accordance with the provisions of Standing Order No 66(d), voting to refuse the application was recorded as follows:-

FOR: Cllrs Cribbin, Freeson, Harrod, Kansagra, Lorber, McGovern, H M Patel, Sengupta and Singh **(9)**

AGAINST: None **(0)**

ABSTENTIONS: None **(0)**

2/02	04/0373	136 & 136A-C Willesden Lane NW6 Erection of a 3-storey extension to existing building to create 6 x 1-bedroom and 5 x 2-bedroom self-contained flats on ground floor, first floor, second floor and third floor levels, associated private amenity space, cycle parking and refuse storage	Approval, subject to conditions and a Section 106 agreement
2/03	03/3572	School Main Building, Carlton Centre Nursery School, Granville Road, NW6 5RA Extension to provide enlarged reception and café with lift to upper floors to provide disabled access, and re-landscaping of the existing playground	Approval, subject to conditions and to restore frontage to brickwork

Demolition of existing building and erection of 4-storey building comprising 14 x 1-bedroom and 2 x 3-bedroom self-contained flats, associated car parking and bin storage

The **South Area Team Manager** informed the Committee that the applicant's agents' submission that the number of one-bed units had been increased to meet an apparent need was incorrect. He then drew attention to differences between the proposed scheme and the permission granted for the site in January 2000 adding that the proposed scheme before members was for the demolition and replacement with an inappropriate design whereas the approved scheme proposed the retention and refurbishment of the existing building. He reiterated the recommendation for refusal for the reasons set out in the main report.

Mr Matthew Pardoe, the applicant's agent, informed members that there had been a marginal increase of two units. He added that the permission granted in January 2000 would generate problems and therefore this scheme had been submitted which would overcome those problems and would be a considerable improvement. He urged members to be minded to approve the application.

Members noted the representations put before them but decided by a unanimous decision to refuse the application for the reasons set out in the main report. In accordance with the provisions of Standing Order No 66(d), voting on this application was recorded as follows:-

FOR:	Cllrs Cribbin, Freeson, Harrod, Kansagra, H M Patel Sengupta and Singh	(7)
AGAINST:	None	(0)
ABSTENTION:	Cllr Lorber	(0)

WESTERN AREA

3/01	04/0379	Land next to Wembley Stadium Station, South Way, Wembley, HA9	Minded to approve subject to conditions as amended in conditions 1-3 (to allow the bridge and walkway to proceed as agreed details 6,19 (to specify sound attenuation levels 22, 24 and 4 additional conditions, a
		Outline application for the demolition of 326-342 High Road, Nos 1-19 Wembley Hill Road, Network House 10-12 Neeld Parade, AIB Bank 14 Neeld Parade and The Red House 34A Wembley Hill Road, and the erection of a comprehensive mixed use redevelopment to provide: Business and Employment uses up to 21,747m ² (Class B1) Retail and Food and Drink up to 7,475m ² (Class A1, A2 & A3	

<p>Residential apartments up to 43,160m² (Class C3) Community cultural and leisure facilities up to 12,961m² (Class D1 and D2); together with new means of access and circulation, new station facilities at Wembley Stadium Station, new pedestrian crossing at Wembley Hill Road, re-configuration of Wembley Triangle junction, car parking, public square and open space, landscaping and other supporting works facilities and erection of a new bridge and platform access for which all matters are reserved, except for the bridge and the siting and means of access for the public square and approaches to the bridge</p>	<p>further report to Committee on ecological issues, a Section 106 agreement and a referral to the London Mayor</p>
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This report was not available when the agenda was published because officers were gathering relevant information for members' consideration. The reason for urgency is that there is an inquiry into the compulsory purchase order (CPO) scheduled for Monday 11th May 2004 and it was necessary that the London Development Agency obtained members' views and the outcome on the application prior to the inquiry.

In his introduction, the **Director of Planning** outlined the advantages of the proposed development including the provision of a link between the High Road and the area surrounding the Stadium, the regenerative aspects of the application, access to the Stadium and the need for connectivity of the High Road and the Stadium with the three stations within the Borough. In addition to the impending compulsory purchase order inquiry, Wembley Stadium was programmed for completion possibly around late 2005 and for the opening in 2006, and therefore it was imperative that work to this scheme commenced as soon as possible. He then referred to objections raised by members of the Wembley Hill Residents' Association in respect of the density, the unsuitability of the proposed high rise and the proximity to the railway station and possible intrusion on the little green space in the area. These matters had all been dealt with in the report before members. He also drew members attention to representations made by WNSL regarding noise with a suggestion that Condition 19 proposal be amended to stipulate noise levels not be exceeded and stated that Conditions 1-3 would need to be amended to reflect the detailed nature of the proposed bridge and walkway. In respect of the further assessment of environmental impact, he submitted the following:-

- (a) Officers were recommending a further report back to Committee once additional survey information was available to allow the Council to further assess the ecological value of the site.
- (b) In respect of air quality, officers were recommending a green travel plan and a car-free agreement which would provide further mitigation.
- (c) Officers believed that the measures outlined in condition Nos 26 and 10 on construction and noise protection to residential accommodation respectively would provide adequate protection to future occupiers of adjoining development.
- (d) The prospect of a significant archaeological find was somewhat remote and therefore the position was sufficiently protected by the suggested condition as recommended by English Heritage.
- (e) It was officers' opinion that the environmental statement comprehensively dealt with landscape and visual assessment of the application.

The **Director of Planning** also added that the social infrastructure including the provision of community and cultural facilities within the scheme would provide an attractive mix of facilities for residents and other occupiers of the development. The bridge design with CCTV facility would contribute to the creation of a safe environment. In reiterating the recommendation for approval, subject to a section 106 agreement, he recommended amendment to condition No 22 on energy assessment, condition 24 on adverse effect on air quality during construction and condition No 6. He also recommended the deletion of the informative as this was already covered by a condition and the imposition of four additional conditions as set out in the Supplementary Information, including flood risk assessment, minimisation of water use and the requirement for a soil survey.

The report recommended that planning permission be agreed in principle subject to a further report back to the Committee on ecological issues and also subject to a section 106 agreement and conditions as amended and a referral to the London Mayor. The **Borough Solicitor** advised that this recommendation should be amended by the deletion of the words "agree in principle" and the insertion of their place of the words "minded to approve".

Mr Chris Rink, Chairman of Brent Residents and Motorists' Association, objected to the proposed development on the grounds of pedestrian health and safety, lack of greenery, lack of schools and inadequate parking. Mr Rink added that the proposal breached Council's planning policy guidance note 3 on greenery and that the proposal had not designed out crime.

Ms Anne Timmick, in objecting to the application, echoed Mr Rink's view and added that the density of the proposed development was too high, out of keeping with Wembley Hill and an inadequate parking provision. In her view, it would be difficult for the Council to condition and effectively monitor a car-free situation.

Cllr Hughes, spoke in objection to the application on grounds of traffic congestion, pollution and detrimental impact on the residents and the established businesses within the area. He advocated a subway under Wembley Hill Road. He urged members to be minded to refuse the application and asked the developers to come back with a proposal that will be acceptable to all concerned.

The **Director of Planning** responded to the issues raised and added that alternative proposal by residents for a subway would be costly and anti-social. He also indicated that as part of the Wembley Stadium Hub Study – alterations had been considered and rejected. The Director of Highways added that the link would provide continuity and connectivity between the High Road and the Stadium. He highlighted the significant works currently going on to provide a pedestrian route and traffic management plans which were to be put in place on event days to minimize any disruption to residential amenity.

Members then discussed the application during which an amendment in the name of **Cllr Kansagra** for the application to be deferred on the grounds that information provided to members was insufficient to enable them to make a decision on the outline planning application. This was put to the vote and declared LOST by a majority. Members then voted on the substantive application which was declared CARRIED by a majority.

In accordance with the provisions of Standing Order No 66(d), voting on this application was recorded as follows:-

FOR:	Cllrs Cribbin, Harrod, McGovern, Sengupta & Singh	(5)
AGAINST:	Cllrs Kansagra, Lorber & H M Patel	(3)
ABSTENTION:	Cllr Freeson	(1)
3/02 04/0601	Preston Public House, 161 Preston Road, Wembley, HA9 8NG	Approval, subject to conditions
	Refurbishment of existing beer garden to include new paved islands for benches and 2 No fences	
3/03 03/3502	Store rear of 11-12 Elmside Road, 1 Kingswood Road, Wembley, HA9 8JB	Approval, subject to conditions
	Retention and completion of 3 replacement garages	
3/04 04/0261	6 Hill Road, Wembley, HA0 3JN	Approval, subject to conditions
	Erection of part single storey and two storey side and rear extension and first floor rear extension to dwellinghouse (as amended by plans received on 20/02/04)	

3/05	03/3765	Central Square, Wembley, HA9	Approval, subject to conditions and a Section 106 agreement and a referral to the Office of the Mayor of London
		Demolition of 457-491 High Road and units 1-11 and 20-41 Central Square and redevelopment to form a mixed-use development comprising 3209m ² existing and 7440m ² new retail, food and drink (A1/A3 Use class), 2172m ² leisure (D2 Use Class), refurbishment, alterations including new floor and change of use of Ramsey House to form housing and hotel (C1 Use Class), provision of 223 residential units, with a 5- and 11-storey block fronting the High Road and part 4- and 8-storey block fronting Station Grove, including associated provision for access, servicing and parking	

The **Director of Planning** corrected the housing paragraph within the report to read that there will be 73 affordable units of which 35 will be for rent, 38 for shared ownership including 23 key worker units. He outlined the key elements of the development including the remodelling of the key frontage block to provide larger retail space. The rear block will be left intact. He then highlighted the key issues of the development that included a new lease of life for Central Square, attraction of new retailers to add to the vitality of Wembley Square and a safer and improved access to the station to cope with event day traffic. He then referred to the objections raised by Betterspecs (a local firm within the complex) and the possibility of its relocation, adding that this was a purely commercial consideration and not a planning issue. The Director reiterated the recommendation for approval, subject to a section 106 agreement and a referral to the London Mayor.

Mr Amart Sahota of Betterspecs stated that his objections were not founded on business issues only but also personal as he was responsible for 45,000 patients on his register. He reiterated his request for a sufficient transitional arrangement during construction and the relocation of his firm within the development on completion.

Mr Armit Barud of the Somali community also expressed concerns about the development and asked for a relocation of the Somali shops in the area. He also sought assurances that the Somali community would be allowed to return to the premises following the completion of the development.

Mr Ibrahim, speaking in similar vein, from the Somali community stated that they had not been given sufficient information about the application. Although he agreed with the principle of the development, he emphasized the need for an arrangement that would guarantee the relocation and return of the Somalis into the complex.

In accordance with the provisions of the Code of Practice, **Cllr Valerie Brown**, the Ward member, stated that she had been approached by objectors to the application. Although she endorsed the principle of the development, she urged that the front block be set back to allow potential widening of the High Road in future. She urged members to take proactive steps on relocating existing businesses in the Central Square and the choice of coming back following the completion of the development. She however requested a site visit in order for members to meet with the Somali community and discuss their plight.

In responding to the issues raised, the **Director of Planning** stated that the Council was aware of the plight of the Somali businesses within Central Square and that the Town Centre Manager was looking into the relocation. He added that although some businesses would be allowed back into the development, detailed commercial discussions were not planning issues. He also added that time was of the essence in view of the Stadium development due for completion in year 2006.

Members then discussed this application during which they questioned whether the affordable housing element should be increased from 33% to 50%. It was also stated that issues about Wembley High Road, traffic flow and additional car parking spaces had not been properly and comprehensively addressed in the report.

In response to this, the **Director of Planning** stated that given the substantial benefits of the development including the station improvements, a 33% affordable housing element was considered reasonable in view of the viability of the scheme. He felt that it would be unreasonable to impose additional planning obligation on the development.

The **Director of Transportation Unit** added that there was little prospect of the High Road being widened and that the proposed development would be set further back than the current building, thus facilitating pedestrian access. He added that the current car parking facilities were not being adequately used due to security problems. As this application would seek to improve and upgrade security by way of CCTV cameras and improved layout, it was hoped that the car parking facilities would be better used. He also added that the request for an improved bus service could not be achieved via public subsidy.

Members then voted on the application which was declared CARRIED by a majority.

In accordance with the provisions of Standing Order No 66(d), voting on this application was recorded as follows:-

FOR:	Cllrs Cribbin, Freeson, Harrod, Kansagra, McGovern, H M Patel, Sengupta & Singh	(8)
AGAINST:	Cllr Lorber	(1)
ABSTENTIONS:	None	(0)

8. **Planning Appeals**

Members were requested to note the information reports in the information bulletin circulated at the meeting.

RESOLVED:-

that the following be noted:-

- (i) Planning appeals received – 1st – 31st March 2004
- (ii) Enforcement appeals received – 1st – 31st March 2004
- (iii) Planning appeal decisions – 1st – 31st March 2004
- (iv) Enforcement appeal decisions – 1st – 31st March 2004
- (v) Planning selected appeal decisions – 1st – 31st March 2004

9. **Any Other Urgent Business**

None raised at this meeting

10. **Date of Next Meeting**

The next meeting of the Committee is scheduled to take place on Wednesday, 2nd June 2004 at 7.00 pm. The site visit for the meeting will take place on Saturday, 29th May 2004 at 9.30 am when the coach leaves from Brent House.

The meeting ended at 1. 25 am.

M CRIBBIN
Chair

NB: At 10.30 pm the Committee voted unanimously to apply the guillotine procedure in order to consider all applications on the night.