



Planning Committee - Supplementary

Wednesday 6 June 2018 at 6.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Denselow (Chair)

Abdi

Colacicco

Hylton

Johnson

Lo

Maurice

Sangani

Substitute Members

Councillors:

Ahmed, S Butt, Dar, Ethapemi, Gill, Kabir,
W Mitchell Murray and Patterson

Councillors

Colwill and Kansagra

For further information contact: Joe Kwateng, Governance Officer
020 8937 1354; joe.kwateng@brent.gov.uk

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The press and public are welcome to attend this meeting

Members' briefing will take place at 5.00pm in Boardroom 2

Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party or trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

| ITEM | | WARD | PAGE |
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| 3. | Kings Drive Garages, Kings Drive, Wembley (Ref. 17/5416) | Barnhill | 1 - 4 |
| 5. | 253A Ealing Road, Wembley, HA0 1ET (Ref. 17/1104) | Alperton | 5 - 6 |
| 7. | Former Palace of Arts and Industry, Engineers Way, Wembley, HA9 (Ref. 18/0968) | Tokington | 7 - 8 |
| 8. | Land rear of 25 to 30 Stonebridge Park (Ref. 17/4203) | Stonebridge | 9 - 10 |

Date of the next meeting: Wednesday 4 July 2018



Please remember to switch your mobile phone to silent during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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Agenda Item 04

Supplementary Information Planning Committee on 6 June, 2018

Case No. 17/5416

| | |
|-------------|--|
| Location | Kings Drive Garages, Kings Drive, Wembley |
| Description | Demolition of garages and erection of 4 bungalows with associated car parking spaces, cycle storage, refuse storage and amenity space, 25 communal parking spaces and associated landscaping (Amended description 16.12.18). |

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Further information and clarification has been provided following members' site visit on 2 June 2018, in response to a neighbour objection received on 4 June 2018 and additional information submitted by the applicant on 5 June 2018.

Affordable housing

Please see paragraphs 3-5.

The four dwellings would be for Affordable Rent. Affordable Rent is defined in the National Planning Policy Framework 2012 as being housing that is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent. This is distinct from social rented housing, which is based on guideline target rents determined through the national rent regime, and tends to result in higher rent levels. However, social rented housing requires a greater level of public subsidy and, as the public funding available to subsidise affordable housing is limited, providing social housing rather than affordable housing would result in fewer affordable dwellings being provided overall.

Brent Policy DMP15 aims to provide both social and affordable rented homes, as well as intermediate housing, at affordability levels meeting local needs, and is consistent with London Plan Policy 3.11. The policy does not make any distinction between social and affordable rent, but states an overall target of 70% social or affordable rent within affordable housing provision (compared to 30% intermediate housing such as shared ownership).

However, affordable housing provision is not a policy requirement on sites providing less than ten dwellings and the proposal to provide all four dwellings for Affordable Rent is therefore considered to be a benefit of the scheme. Providing all four dwellings for social rent rather than affordable rent would reduce the amount of subsidy available for social housing elsewhere in the Borough and is not necessary to comply with policy.

Impact on trees

Please see paragraphs 30-35.

As set out in the main committee report, the Council's Tree Officer has visited the site and considers that a further tree survey should be carried out following the demolition of the garages, because the presence of the garages makes it impossible to accurately assess the condition of the the adjoining trees or to identify exactly the extent of roots of trees near to or under the garages. The Tree Officer is satisfied with the Arboricultural Impact Assessment (AIA) submitted and does not consider that further information is required at this stage. The AIA includes an initial Tree Protection Plan which specifies measures necessary to protect trees during the demolition of the garages. The Tree Officer has commented further, that : "Due to the change in height I would expect most tree roots to be confined to the rear gardens but as the garages mask the existence and condition of a rear boundary wall, I am reluctant to provide a conclusive opinion."

The Arboricultural Impact Assessment has been updated and resubmitted to clarify that all trees that are proposed to be removed are within the applicant's ownership other than T17, which is located in a neighbouring garden. This tree is in a dangerous condition and is recommended to be removed subject to the agreement of the owner of the tree. This is in response to queries about the ownership of two trees to be removed, T9 and T10, which are shown on the drawing PL-31 Rev G as being outside of the red line site boundary. The revised drawing PL-31 Rev H has been submitted to confirm that these trees, although not

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within the red line, are within the applicant's ownership and can therefore legally be removed by the applicant.

The Tree Officer recommends three conditions in place of the proposed Condition 9, to cover submission of more detailed tree protection measures, an arboricultural method statement and a scheme of site supervision.

Fire safety and potential damage from retained trees

Please see paragraphs 36-38.

A further objections have been received setting out that a fire safety risk assessment has not been carried out as part of the application. Fire safety is not normally considered as a material planning consideration because it is a requirement of the Building Regulations, and the planning system aims not to duplicate other legislative regimes. Nevertheless, this issue has been considered and discussed in the above paragraphs of the committee report. Paragraph 37 notes the objector had specified that if a fire broke out in one of the dwellings, it could spread to the overhanging conifer trees and then to other dwellings. However, this is also the case with the existing garage buildings and indeed with any cars parked in the open air beneath the overhanging trees.

The Council's Tree Officer has commented in detail on the risk of trees catching fire, as follows: "Trees do occasionally catch fire in the U.K although they do not spontaneously combust except where struck by lightning. Fires that do occur are generally man made occurring in the summer months when foliage is dry. This problem does not seem to affect broad leaf deciduous trees such as Oak, Ash, Sycamore etc. which when alive and in leaf are almost impossible to burn. It is more likely to occur on coniferous trees where leaf litter builds up inside the branch structure and around the base. Again, they do not spontaneously combust but would have to be either purposely set fire to or be near an object that was already on fire. The trees overhanging the application site mainly comprise of conifers. The canopies of these trees would be over and above the roofs of the proposed dwellings and could under common law be cut back to the boundary of the tree owner. I cannot comment on the chance of a fire occurring in one of the proposed dwellings setting light to adjacent conifers and spreading to other conifers within the vicinity. From a lay persons point of view I would suggest there was more chance of a fire occurring in the run down garage blocks that currently occupy the area beneath the trees."

The proposal has demonstrated that large vehicles can enter and leave the site, and the four dwellings could therefore be directly accessed by a fire engine if required. Furthermore, the dwellings would be single-storey, separated from one another by areas of garden and with direct access out onto the street. As set out above, fire risk is assessed at building regulation stage and therefore cannot be considered at planning. It should be noted that any overhanging branches could be easily be cut back to the common boundary if necessary to meet the requirements of the fire brigade as a result of the formal building regulations consultation. Consequently a fire safety report is not required for this planning application.

Disabled parking

Please see paragraphs 42-48.

Maximum parking allowances are set out in Policy DMP12 and Appendix 1 of Brent's Development Management Policies 2016. The four dwellings all have one dedicated parking space, which complies with the maximum allowance, and 25 parking spaces to meet the surveyed demand for parking by existing residents of the Kings Drive housing estate.

Appendix 1 states that a minimum of 10% of private residential parking spaces should be dedicated to disabled use. However, this requirement is not generally applied where the number of dwellings is less than ten, and has not been applied in this case in respect of the four dwellings. The additional 25 spaces are a re-provision of the existing parking on-site, to which the policy standards do not apply. However to reflect current best practice in parking provision one of these spaces is designed to cater for disabled use. This supplements an existing on-street disabled parking space on Kings Drive.

Bin stores

Please see paragraph 50.

Bin stores for each dwelling would be located to the side of the dwelling on the frontage of the shared surface driveway, and would be easily accessible from both the front entrances and the garden gates whilst being in a

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convenient place for collection by refuse vehicles on collection days.

Party Wall issues

Party Wall issues are not material planning considerations as they are covered under The Party Wall etc Act 1996 and cannot be controlled through a planning application. The decision notice would include an informative to this effect.

Recommendation:

Remains to Grant Permission subject to conditions as set out in the Committee Report, with revised wording for Condition 9 and additional Conditions 13 and 14 to read as follows:

9. No demolition, site clearance or building operations shall start until tree protection details relating to all stages of development, for the protection of all trees, hedges and shrubs to be retained on site (as per Arboricultural Impact Assessment, 30 May 2018, Ref DFCP 3994, DF Clark Bionomique Ltd) has been submitted to and approved in writing by the local planning authority. These details shall observe the principles embodied within BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations), shall be implemented prior to any works commencing on site, shall be retained during the course of development, and shall not be varied without the written agreement of the Local Planning Authority

Reason: To prevent any damage to retained trees including trees within the conservation area boundary.

13. No development shall start until an arboricultural method statement, appropriate and specific to the approved scheme, to include details of all works within the root protection area of any retained tree (as per Arboricultural Impact Assessment, 30 May 2018, Ref DFCP 3994, DF Clark Bionomique Ltd) has been submitted to and agreed in writing by the local planning authority; details shall include specification, construction methodology and sequencing of works for no-dig surfacing, methodology for demolition and removal of existing buildings, and manual/mechanical excavation within root protection areas including the protection/treatment of any roots encountered. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To prevent any damage to retained trees including trees within the conservation area boundary.

14. Site supervision: No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by Conditions 9 and 13 has been submitted to and approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and will include details of:

- a. Induction and personnel awareness of arboricultural matters
- b. Identification of individual responsibilities and key personnel
- c. Timing and methods of site visiting and record keeping, including updates
- d. Procedures for dealing with variations and incidents.
- e. The scheme of supervision shall be carried out as agreed.
- f. The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority.

Reason: To prevent any damage to retained trees including trees within the conservation area boundary.

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Agenda Item 06

Supplementary Information Planning Committee on 6 June, 2018

Case No. 17/1104

| | |
|-------------|---|
| Location | All Units, 253A Ealing Road, Wembley, HA0 1ET |
| Description | Demolition of the existing buildings on the site and the erection of 20 residential units comprising four 2 storey terraced houses (4 x 2bed houses) and two 4 storey residential blocks providing 16 flats (8 x 2bed and 8 x 3bed units), together with 5 associated car parking spaces, cycle storage, landscaping and access |

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Affordable housing provision

Please see third paragraph on Page 53, which states: "The applicant has agreed to a post-implementation viability review on the basis that, of the four affordable units provided, three units would be for shared ownership and one for social rent." This should read "... one for *affordable* rent.", as the Financial Viability Appraisal is based on affordable rent rather than social rent.

Details of the car scheme (car clubs)

The applicant has confirmed that the first occupant of each residential dwelling will be offered car club membership for up to three years, in order to help to mitigate against any potential parking pressure on the local highway network. This will be secured through the s106 agreement and an amendment to the Heads of Terms is recommended accordingly.

List of conditions

Due to an oversight, Condition 2 lists the approved plans as set out in the Committee Report for the 13 December 2017 committee meeting. Since that meeting, further improvements to the scheme have been agreed (relocation of the main bin store to allow provision to be made for a cycle link to the adjoining site, and relocation of the cycle store to prevent obscuring a window on one of the dwellings, and submission of a Fire Safety Design Strategy) and the list of plans has been updated correspondingly. The correct list of plans is given below.

Recommendation:

Remains to grant permission subject to Section 106 legal agreement and conditions as set out below.

Section 106 Heads of Terms as set out in the Committee Report and in addition:

- Provision of free membership of an existing local car club scheme for the first occupant of each dwelling for a period of not less than three years.

Conditions as set out in the Committee Report with the following amendment:

Condition 2 to read as follows:

The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

6487 D1100 Rev 00
6487 D7100 Rev 10
6487 D7101 Rev 06
6487 D7102 Rev 07
6487 D7103 Rev 06
6487 D7104 Rev 06
6487 D7105 Rev 02
6487 D7201 Rev 07
6487 D7202 Rev 05

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6487 D7203 Rev 05
6487 D7204 Rev 04
6487 D7300 Rev 03
6487 D7301 Rev 02
6487 D7500 Rev 02
6487 D7501 Rev 02
6487 D7600 Rev 00
6487 D7601 Rev 00
6487 D7700 Rev 01
6487 D7701 Rev 01
6487 D7702 Rev 02
Air quality assessment (Mayer Brown, March 2017)
Daylight and sunlight report (eb7, February 2017)
Design and Access Statement (Formation Architects, March 2017)
Energy Strategy (Metropolis Green, 5430, February 2017, as amended by agent email of 06/11/17)
Flood risk assessment and surface water drainage strategy (Odyssey Markides, 16-373-03C, March 2017)
Noise assessment (Mayer Brown, March 2017)
Phase 1 desk study report (GB Card & Partners, GB/378, March 2017)
Planning Statement (Savills, March 2017)
Statement of Community Engagement (Iceni, March 2017)
Sustainability Statement (Metropolis Green, ref 5430, February 2017)
Transport Statement (Odyssey Markides, 16-373, March 2017)
Travel Plan (Odyssey Markides, 16-373, March 2017)
Fire Safety Design Strategy (Planning Stage) for Residential Development at Ealing Road, Alperton (Fire & Risk Solutions Ltd, January 2018)

Reason: For the avoidance of doubt and in the interests of proper planning.

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Agenda Item 08

Supplementary Information Planning Committee on 6 June, 2018

Case No. 18/0968

| | |
|-------------|---|
| Location | Former Palace of Arts and Industry, Engineers Way, Wembley, HA9 |
| Description | Minor Material Amendment to vary Condition 4 (Approved Drawings) of planning permission reference 14/3054 (dated 21 October 2014) for an outline application for the demolition of existing buildings and redevelopment of the site to provide up to 160,000sqm of mixed use floorspace. (See previous application record for full description of development). |

The minor material changes sought are to create a new south facing public square fronting Engineers Way, to increase the height of the previously approved main building from 88.5m to 100m AOD, the reduction of the length of the previously approved block plan, changes to the massing of the previously approved building form, the creation of a colonnaded single storey pavillion building along Olympic Way, increased basement level, and the provision of pedestrian and public realm improvements, and a bridge link to Brent Civic Centre.

Agenda item 7, Page Number 99 - 126:

Following publication of the committee report and agenda, amended plans were submitted which relate to the provision of the colonnade along the southern edge of the NW04A building and additional plans were submitted which clarify the dimensions of the proposed civic square and pocket square. The implications are outlined below:

Colonnade

Parameter plan P4 'Proposed Plot Extent at Lower Levels' has been updated to include the zone within which the colonnade would be provided, indicated as 'Proposed 2.5m (max) lower level setback'. Parameter plan P15 'Proposed Critical Dimensions' has also been updated to show that the distance between Engineers Way and the southern face of the main building would be 31 metres at Upper level. The separation distance at Lower level is not included as this is subject to agreement on the width of the colonnade area.

Public realm dimensions

The committee report provides approximate dimensions and areas for the civic square and the pocket square in the north eastern section of the site. Additional plans have now been submitted which clarify the overall dimensions of these areas. These show that the civic square would be 31m deep from Engineers Way to the southern face of the building and 51m wide between the front of the civic centre and the front of the pavilion building. The distance between the front of the civic centre and the edge of Olympic Way would be 60m.

The pocket square would be around 20m x 20m in area. No proposed distances have changed since the submission of the current application, but these additional submitted plans set out key dimensions across both areas of public realm. Full details of the design and layout for these areas would need to be submitted in conjunction with any reserved matters application submitted for this plot.

Informative 4

Informative 4 sets out the Supporting Documents for this application. Officers consider that 'The Illustrative Revised Scheme in Context – Ground Floor Plan, prepared by Flanagan Lawrence' should be added as a Supporting Document for this application.

Revision to parameter plan 11 (drawing P11 Revision 03) - Proposed Uses at Upper Levels

A revision to parameter plan 11 has been submitted. The amendment removed Student Accommodation from the suite of uses that could be provided within Plot NW04. The remainder of the uses specified for that plot are the same as those within the parameter plan for the extant consent. This does not materially change the proposal and the proposal continues to accord with adopted policies and guidance.

Condition 4 (approved drawings and documents) is therefore recommended to be amended, with drawing P11 Rev 02 replaced with drawing P11 Rev 03.

Recommendation:

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Remains approval subject to the conditions set out in the Committee report, with an amendment to condition 4 (approved drawings and documents) to change drawing P11 from Rev 02 to Rev 03 and the addition of a further Supporting Document within Informative 4, as detailed above.

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Agenda Item 03

Supplementary Information Planning Committee on 6 June, 2018

Case No. 17/4203

| | |
|-------------|--|
| Location | Land rear of 25 to 30, Stonebridge Park, London |
| Description | Development to provide 2 x 2 bedroom houses and 3 x 3 bedroom houses, with car parking, cycle storage, refuse storage, amenity space and landscaping |

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In the Summary of Key Issues section of the report under 'Representations Received' two typographical errors were mistakenly made. The section stated the following:

Representations received: *Four objections have been received from local residents as well as a 29 signature petition. The objections are based on the number of affordable units; parking, impact on greenspace, wildlife and trees; neighbouring amenity; and character and design. The content of the objections has been assessed and it has been found that all of the units would be affordable; mitigation measures and improvements are proposed to the green space; there would be material harm to existing parking conditions, the amenity of neighbouring residents or the character and design of the area.*

However the text should have read:

Representations received: *Seven objections from five properties have been received from local residents as well as a 29 signature petition. The objections are based on the number of affordable units; parking, impact on greenspace, wildlife and trees; neighbouring amenity; and character and design. The content of the objections has been assessed and it has been found that all of the units would be affordable; mitigation measures and improvements are proposed to the green space; there would be no material harm to existing parking conditions, the amenity of neighbouring residents or the character and design of the area.*

The number of objections was correctly reported in the Consultation section of the report and all objections have been taken into account.

Recommendation: Remains approval subject to conditions.

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