



## Supplementary Planning Committee

**Tuesday 18 February 2020 at 6.00 pm**

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

### Membership:

#### Members

Councillors:

Denselow (Chair)  
Johnson (Vice-Chair)  
S Butt  
Chappell  
Hylton  
Mahmood  
Maurice  
Sangani

#### Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Kennelly, Lo and  
W Mitchell Murray

Councillors

Colwill and Kansagra

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

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

**Members' briefing will take place at 5.00pm in Boardrooms 7 and 8**

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## **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 of 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
3.	18/4919. 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0	Alperton	1 - 2
5.	18/4920. 1-8 INC Neville House & Neville House Garages, Neville Road, 1-64 INC Winterleys and Seahorse Day Nursery, Albert Road, 113-128 Carlton House and Carlton House Hall, Canterbury Terrace London, NW6	Kilburn	3 - 6
6.	19/3056. 13 The Avenue, London, NW6 7NR	Brondesbury Park	7 - 8
7.	18/3591. 5A-G Inc, Exeter Road, London, NW2 4SJ	Mapesbury	9 - 10
8.	19/3409. 1-12E INC and 14A-18B INC The Elms, Nicoll Road, London, NW10 9AA	Harlesden	11 - 12

**Date of the next meeting: Tuesday 17 March 2020**



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- 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 3

## Agenda Item 03

### Supplementary Information Planning Committee on 18 February, 2020

Case No. 18/4919

Location	1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0
Description	Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising 581 residential units, flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)

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Change in recommendation: Application deferral

The recommendation to grant consent was subject to a number of conditions, including condition 3 that would prevent the commencement of development within a specific phase unless the land within that phase is bound by a Section 106 agreement.

It is recommended that the determination of this application is deferred to a later planning committee meeting so that further information can be included within the committee report regarding the basis and justification for the condition, and the structure of the associated legal agreement(s).

Additional response to the application

On February 13th 2020 an additional representation was received from a representative of the adjoining site referred to as 'the triangular site' within the committee report, which also forms part of the site allocation. The representation included the following comments:

Comment	Officer response
<p>Vehicular access to the triangular site is shown in the Development Plan as coming from the adjoining site. However, proposals for the adjoining site do not include an access to this site. Despite formally objecting to this omission, a vehicular access is not included and this point is not addressed in the Committee report. It could render the adjoining site undevelopable unless the Council consider access from Woodside Avenue in a flexible way.</p> <p>The Council's discussion of the impact on adjoining sites does not refer to the point raised in the objection about vehicular access</p>	<p>The committee report, at paragraph 13, confirms that the neighbouring site is not considered to be compromised from a development perspective. In reaching this view, officers were aware of the existing site constraints, including the existing access between Woodside Avenue and the site.</p> <p>The Development Plan did not show an access through the application site to the adjoining Woodside Avenue site. This was shown within the Alperton Masterplan SPD. However, this provides guidance and the layouts shown within this are purely indicative.</p>
<p>The adopted Site Allocations DPD (2011) identifies a major allocation including the adjoining land and the application site. The DPD states that the 'Council will expect a comprehensive development...'. This approach is reiterated in the emerging Local Plan.</p> <p>Sites that come forward on a piecemeal basis must take account of the Masterplan aspirations and should definitely not stymie development on adjoining allocated sites.</p>	<p>The DPD document does specify:                      The Council will expect a comprehensive development following an agreed masterplan that sets out land uses and proposed development in more detail.</p> <p>The majority of the site allocation is proposed to come forward in a comprehensive fashion, with the application site including all of the allocation with the exception of the land situated to the North West of the application site. This is considered sufficient to address the potential "bad neighbour" relationship between the industrial uses whereby the</p>

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industrial uses could affect the amenities of future residents and the presence of residential dwellings could have affected the operation of the industrial uses.

As discussed above, the proposal is not considered to materially affect the deliverability of the adjoining Woodside Avenue site

Amendments/clarifications within the committee report

- It is to be clarified that, at head of term (a) on page 14, the head of term should read "payment of Council's **reasonable** legal and professional costs".
- The monitoring residential table on page 20 of the committee report refers to a slightly incorrect unit mix, for clarity, the correct mix is 254 x 1 bed, 213 x 2 bed, 110 x 3 bed and 4 x houses.
- Condition 31 (page 64) is to be re-worded following advice from Thames Water. Thames Water requires the full site wastewater management plan to be agreed prior to first occupation of the entire site, rather than allowing flexibility for this to be addressed on a phase by phase basis. This is due to the complexities of the site which will require a site wide drainage strategy and because of issues relating to the need to relocate the Thames Water pumping station. The condition would be amended accordingly.

**Recommendation: That the application is deferred to a later Planning Committee meeting for the reasons set out above.**

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# Agenda Item 5

## Agenda Item 05

### Supplementary Information Planning Committee on 18 February, 2020

Case No. 18/4920

Location	1-8 INC Neville House & Neville House Garages, Neville Road, 1-64 INC Winterleys and Seahorse Day Nursery, Albert Road, 113-128 Carlton House and Carlton House Hall, Canterbury Terrace London, NW6
Description	Demolition of all existing buildings and erection of a part six, nine, ten and twelve storey building arranged around a courtyard (Western Building) providing 135 residential units including a concierge and residential communal room at ground floor and a part four, five, eight, nine and ten storey L shaped building (Eastern Building) providing 84 residential units. Construction of a basement under the Western Building with a car lift and access from Albert Road. The provision of a pedestrian and cycle shared surface along Neville Road, with associated cycle provision, bin stores, landscaping and ancillary works (Revised Description).

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Relevant Section /Page or Paragraph	Clarification
<b>Amendments since submission (pg 96)</b>  <b>Paragraph 47</b>	In addition to amendments listed, Block D (corner of Neville Road & Albert Road) has been reduced by two stories.
<b>Summary of Key Issues – Highways (97)</b>	The 22 homes that would be eligible for parking permits are in the Eastern Block.
<b>Paragraph 37</b>	Christian Hold House does not form part of the regeneration programme. It is not within Phase 6.
<b>Paragraphs 63, 67 &amp; 75</b>	See paragraph below this table.
<b>Viability</b>  <b>Page 114, Paragraphs 101-106</b>	<p>To clarify the Local Planning Authority independent review (by BNP Paribas) assumed a Nil Benchmark Land Value for the purpose of the assessment on the basis that the existing use value had not been agreed.</p> <p>The scheme is in deficit even against a nil BLV and demonstrates the lack of viability. BNP Paribas conclude the deficit would take up all of the developer's profit as well - if zero profit and a zero BLV is assumed the scheme is still unviable.</p> <p>The actual benchmark value to be used for the Affordable Housing Review mechanism would need to be agreed prior to the determination of the application and secured within the S106.</p> <p>Nevertheless, officers consider that the maximum reasonable amount of affordable housing will be provided.</p>
<b>Trees, Landscaping &amp; Ecology</b>	A revised Ecological Report was submitted as some elements had not been updated since the previous scheme.

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<p><b>Paragraph 142, 143 &amp; 146</b></p>	<p>Paragraph 142, 143 &amp; 146 stated that 47 new trees would be planted and that this falls short of a 4:1 ratio replacement. However, there would in fact with 49 new trees and as such the 4:1 ratio is achieved.</p>
<p><b>Public Sector Equality Duty</b></p>	<p>The Public Sector Equality Duty paragraph was missed off on the report but applied to the decision making as below:</p> <p>In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics.</p>

**Paragraphs 63, 67 & 75**

The analysis of the impact to daylight and sunlight on surrounding properties that was set out within the supporting reports was carried out correctly. However, a summary table was included within the report which contained some incorrect figures in relation to the number of Major Adversely affected rooms. The corrected summary of Annual Probable Sunlight Hours is as follows (the previous figures are shown as crossed out). Officers continue to consider that the range of loss is not so significant it would outweigh the benefits of the proposals and adjoining residents are considered to retain acceptable living conditions on balance.

Address	Rooms Tested	BRE compliant	Minor Adverse	Moderate Adverse	Major Adverse
Walbrook Court	5	5	-	-	-
Falconbrook Court	-	-	-	-	-
George House	98	68	14	3	<del>(3)</del> 13
Swift House	107	40	16	12	<del>(12)</del> 39
Carlton House (41-64,81-96 and 129-136)	89	65	0	1	<del>(1)</del> 23
Christian Holt House	1	1	-	-	-
Peel Site	22	22	-	-	-
Crone Court	-	-	-	-	-
<b>TOTALS</b>	<b>322</b>	<b>201 (62.4%)</b>	<b>30 (9.3%)</b>	<b>16 (5%)</b>	<del>(16)</del> <b>75 (23.3%)</b>

**Alterations to conditions:**

No. Reason for Amendment	Revised Wording
<p>7. Site Investigation has been completed and accepted by Environmental Health Officer</p>	<p>1. Submission of Remediation Scheme No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p>

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	<p><b>2. Implementation of Approved Remediation Scheme</b> The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.</p> <p><b>3. Reporting of Unexpected Contamination</b> In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.</p> <p>The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with Part 3 of this</p>
<p><b>19.</b></p> <p>Revised as CHP is unlikely to be used but is added just in case there is a delay with the (District Energy Network)</p>	<p>Should Combined Heat and Power (CHP) or any combustion plant including gas boilers be installed, the design team should submit a revised Air Quality Assessment. Prior to the commencement of the use of the CHP unit or other combustion plant, details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met shall be submitted to and approved in writing by the Local Planning Authority. The CHP unit and any combustion plant shall thereafter be maintained in such a way as to ensure that these standards continue to be met.</p> <p>Reason: To protect local air quality.</p>
<p><b>33.</b></p> <p>No domestic boilers proposed.</p>	<p>Condition Removed.</p>

**Recommendation: Continue to grant consent, subject to a stage 2 referral to the GLA and subject to the conditions and s106 heads of terms set out in the committee report and the changes to those obligations as detailed above.**

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# Agenda Item 6

## Agenda Item 06

### Supplementary Information Planning Committee on 18 February, 2020

Case No. 19/3056

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Location	13 The Avenue, London, NW6 7NR
Description	Demolition of existing dwellinghouse and erection of a part-3 and part-4 storey development comprising 9 residential units with roof terraces, enlargement of vehicular access on Brondesbury Park and creation of vehicular access on The Avenue, provision of car and cycle parking, refuse storage, landscaping and subdivision of garden space.

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#### External amenity space

The submitted report identifies that one of the proposed units would not meet the 20sqm external amenity space requirement under DMP 19 and would also fall short of the 6sqm requirement as outlined in the Mayors Design Guide for a unit of this size (2b3p). Members have requested further details of nearby open spaces, that could reasonably be used by the occupants of this property. The closest open space is Tiverton Green which is located some 0.4m from the site (approx 7 minute walk). Other nearby open space includes Queens Park which is located some 0.5m from the site (approx. 9 minute walk). The site is therefore located within a short and convenient walking distance from a number of open spaces.

#### Landscaping condition

Condition 9 within the committee reflects the un-adapted template for the landscaping condition. It should actually read as follows:

*Details of the landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations). Such details shall include:*

- (i) A planting plan for of the front and rear garden areas;*
- (ii) Provision of any walls, fences, gates or other form of boundary treatment to be provided or retained;*
- (iii) Details of surfacing materials for hard landscaped areas within the site;*

*The hard and soft landscape works and boundary treatments shall be carried out in full accordance with the as approved details prior to the first occupation of the development hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales .*

*Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.*

*Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.*

#### Equalities

In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics.

**Recommendation: Remains Approval Subject to conditions, including revisions to condition 9 as**

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**specified above.**

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# Agenda Item 7

## Agenda Item 07

### Supplementary Information Planning Committee on 18 February, 2020

Case No. 18/3591

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Location	5A-G Inc, Exeter Road, London, NW2 4SJ
Description	Demolition of existing rear extension and construction of a single storey ground floor rear extension and excavation to create a basement level to facilitate the conversion of the 3 existing ground floor self-contained flats into 3 x self-contained duplex flats at ground and lower ground floor level; new front boundary wall and new entrance gates; lowering of the ground level to side and rear; rear terraces with metal railings; new side entrance door; new windows to side elevation; new lightwell to front garden; felling of rear garden trees (ash tree T1 and a small group of sycamores G2) and replacement tree planting, subdivision of the rear garden, cycle/waste storage and associated landscaping.

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1. Following the publication of the Report a further two letters of objection have been received, raising some or all of the following points:
  - Current process used by Brent to assess basement applications does not adequately safeguard neighbour interests
  - Other boroughs require the technical and engineering aspects to be considered as part of the application process
  - The proposed use of two 1100 litre wheeled "Eurobins" is also non-compliant for a property of this size (and even then the plans do not conform with the requirements for the use of such).
  - Bin containers will be unsightly and set unwanted precedent and represent a strong statement about how these basement plans would result in an over intensive use of this property contrary to national guidelines and be damaging to the local environment and the amenity of neighbours
  - unclear how a presentable and aesthetically pleasing "front garden" can be achieved
  - existing kerb damage outside of the property from works in 2015. It would be welcome if the owner would repair this damage at their own cost.
2. Council's adopted Basement SPD provides detailed guidance on the planning considerations for basement developments. At section 2.8 (p15) of the SPD it is stated that: "*It is not the purpose of the planning system to assess the structural stability of works, this is assessed through other controls including Building Regulations and the Party Wall Act*". At pp21-22 of the SPD, further information on the other regimes and controls in relation to basement development is also provided.
3. In relation to the refuse requirements and proposed provision, the Council's *Waste and Recycling Storage and Collection Guidance* advises that for the seven households within the building (existing and proposed), a total of 490L of storage capacity would be required for residual waste, 840L for dry recycling and 1x 23l kerbside container each would be required. The applicant is proposing 2x 1100L Eurobins for residual and dry recycling and 6x 23L kerbside containers instead of 2x 240L and 1x 140L bins for residual waste and 3x 240L and 1x 140L bins for dry recycling. Although the proposal may result in an overprovision of capacity, to strictly adhere to the Guidance would result in additional space within the front garden being required for storage purposes (minimum width required is 3.9m as opposed to the proposed 2.6m). The proposal provides a balance between capacity and providing the front garden with sufficient soft landscaping. Moreover, the bins will be within an enclosure and behind the front boundary hedge, a significant improvement on the existing situation and enhances the appearance of the property and the conservation area. However, should Members consider that there is an overprovision in refuse storage capacity, a condition can be imposed requiring revised details.
4. Works of repair to the front kerb as a result of development is undertaken at the cost of the applicant. The front boundary wall is being replaced.
5. Members are asked to note that at paragraph 9 (p170), of the Officer's Report, the final sentence "*the*

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*front lightwell...*” should be deleted. The front lightwell is no longer part of the development because the basement has been reduced in size, hence they are no longer needed.

**Recommendation:**

6. Remains approval, subject to the conditions set out in the Committee report

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# Agenda Item 8

## Agenda Item 08

### Supplementary Information Planning Committee on 18 February, 2020

Case No. 19/3409

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Location	1-12E INC and 14A-18B INC The Elms, Nicoll Road, London, NW10 9AA
Description	Creation of 3 self-contained units involving the construction of a 4th floor level with terraces and balustrades above the residential block of flats known as Nos. 1-18B The Elms, Nicoll Road.

#### Agenda Page Number: 179-202

#### Minor amendments to text within the report

Typographical errors are present in the Existing section and should read as follows:

*The site is situated on a large corner site which fronts Acton Lane to the south and Nicoll Road to the east. The area is predominantly residential in character of 2/3 storey in height. A large Grade II listed church is sited to the east on the opposite side of Nicoll Road and Willesden County Court to the South East.*

*The site is currently occupied by 1930s, 4 storey block of flats. With amenity and parking areas to the rear of the site.*

*The site has a Public Transport Accessibility Level of 5 (PTAL 5).*

*The site is within Air Quality Management Area*

Typographical errors are present in the Proposal in Detail section and should read as follows:

*The proposal is for the creation of recessed fifth storey providing 3 studio flats on top of the existing 3 storey building. The fourth storey of this development has recently been added under planning ref: 17/4382 creating 9 additional flats.*

*The proposals would be accessed utilising existing ground floor entrance and stairwells of the existing building.*

*Each flat would have access to a balcony area. Flats 2 and 3 would be accessed by an open air corridor to the rear. This amendment was encouraged to improve the relationship with neighbouring premises.*

There are typographical errors in paragraph 7 which should read as follows:

*Overall the proposals are considered to represent sympathetic and modest architecture which would integrate with the existing building well. The well recessed form helps reduce any perceived additional mass or height to an acceptable scale consistent with the objectives of the development plan and design guidance. External materials including hand rail will be required to be submitted by condition for approval.*

#### Recommendation: Grant consent

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