



## Supplementary Planning Committee

**Wednesday 12 February 2014 at 7.00 pm**

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

### Membership:

#### Members

Councillors:

Ketan Sheth (Chair)  
John (Vice-Chair)  
Aden  
Adeyeye  
Baker  
Cummins  
Hashmi  
Kabir  
CJ Patel  
Powney  
Singh

#### first alternates

Councillors:

R Moher  
Van Kalwala  
J Moher  
Long  
Kansagra  
Sneddon  
Cheese  
Oladapo  
Kataria  
Gladbaum  
Hossain

#### second alternates

Councillors:

Daly  
Ogunro  
Moloney  
Naheerathan  
HB Patel  
Hopkins  
Beck  
Al-Ebadi  
Brown  
Harrison  
Mashari

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020 8937 1354, [joe.kwateng@brent.gov.uk](mailto: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 6.00pm in Boardrooms 7 and 8**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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Please remember to **SWITCH OFF** your mobile phone 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.

# Agenda Item 10

## Agenda Item 03

### Supplementary Information Planning Committee on 12 February, 2014

Case No. 12/3089

Location SKL House, 18 Beresford Avenue, Wembley, HA0 1YP  
 Description Erection of first floor extension to front of building, alterations to the front forecourt layout, reduction in width to existing vehicle access, retention of existing extraction plant/wood burner installation to the rear and change of use from office (B1a) to a mixed use with B2 (general industrial), B8 (warehouse & distribution) with ancillary office and ancillary showroom (as amended by revised plans).

#### Agenda Page Numbers: 11-28

#### Further representation received from Heather Park Branch Neighbourhood Watch (HPBNW)

The HPBNW group raise further objection to the proposal, a detailed letter dated 6th February 2014 has been received. A number of the points raised within this letter have been raised previously, and are discussed within the main Committee Report so will not be repeated below.

The table below summarises the nature of any new issues/objection raised within the above letter.

HPBNW comment	Response
The HPBNW group are of the view the Council have not acted impartially in producing this report, and that bias has been shown towards the applicant.	<p>The proposal has been reported in detail. In reaching the recommendation to approve consideration has been given to the principle of the use, the transportation impacts, the impacts on the surrounding area, local air quality and residential amenity. Local objections have been reported in detail, given due consideration and the report is presented in an impartial way.</p> <p>The professional expertise of Environmental Health Officer's has been sought, who have advised on the suitability of the site for the proposed use and the operation of the wood burner.</p> <p>Due consideration has been given to whether or not the use will cause harm to neighbouring residents. The recommendation to approve is based on planning grounds.</p>
It is claimed that the Council, through the Committee Report have attempted to slander the HPBNW Group and it's chairman, and furthermore that Data Protection has been breached by naming the chairman.	<p>The views of the HPBNW have been reported in a detailed, fair and accurate way.</p> <p>It is made clear in the report that the named person is acting in their capacity, as Chairman of the HPBNW group.</p> <p>The named person is named on all formal correspondence received from the HPBNW group and this forms part of the public file for this application.</p>
The way in which the objections have been reported gives the view that just one person is objecting to the application. Whereas the Chairman represents a group of approximately 30 local resident's.	See above response.
The HPBNW wish to point out that the two petitions received are different. The first was submitted before the installation of the wood burner, and the second submitted after it had been installed.	It is made clear in the 'consultation' section of this report the petition dated June 2013 was submitted after the wood burner was installed.
The main report states no complaints have been received in relation to the wood burner, since the draft	This reported incident was received and details forwarded to Environmental Health on 19/07/13, who

permit was issued on 28/06/13. The HPBNW group dispute this, and refer to an incident reported by email on 17/07/13.	also confirm receipt of this. However no breach of the draft permit was established.
The HPBNW refer to a further complaint, registered in April 2013. It is stated no reply has been received.	EH Officer's confirm receipt of this on 18/04/13, their records confirm an Officer from the noise team called back the complainant later that day.
The HPBNW group object to the fact the Council did not consult on the draft Environmental Permit.	As previously discussed, there is no statutory requirement to consult on environmental permits.
The HPBNW group refer to Condition 12 of the draft permit which states that <i>'waste arising from treated and melamine faced wood shall not be burned'</i>	EH Officer's advise that condition 12 of the draft permit requires amending in the event that a final permit is issued. This is in acknowledgement of the fact the burner is a government 'approved' appliance that is approved for the burning of wood material containing traces of melamine.
HPBNW group refer to the applicant's website, where it states <i>'wood veneers'</i> and <i>'man made materials'</i> are used - and that the use of such materials are a breach of the Environmental Permit.	EH advise such materials are not a breach as wood veneers are wood and the only 'man made materials' EH Officer's have witnessed on site are MDF and chipboard - both deemed suitable for use in a smoke control area.
The operator is in breach of Condition 3 stating all emissions shall be free from <i>'offensive odour'</i> .	EH confirm they have no record of odour related complaints.
Residents have reported dust soiling of cars locally, which they believe to be wood dust from the burner. A photograph of this has been attached to the most recent letter.	EH Officer's are of the opinion the burner is not the source of this dust. It is 'approved' for use in a smoke control area, and only filtered air is discharged.  EH believe the dust issue is connected to businesses operating nearby, on Wycombe Road.
HPBNW group are of the view the burner is visually harmful.	This is designated Strategic Industrial Land and it is not considered inappropriate for this be sited here. Furthermore it's location to the rear of the building makes it less prominent.
HPBNW group consider the proposed use is not in accordance with the adopted, Alperton Masterplan	The site is situated outside of the designated growth area boundaries, defined in the Alperton Masterplan.  It is within the Northfields Industrial Estate, which at this time remains protected for industrial use by the Mayor's London Plan.
Concerns related to parking, refuse storage and servicing have been re-confirmed by HPBNW group, with photographs submitted to illustrate problems caused by lorries visiting the site.	Your Officer's response to these concerns are covered in detail in the main report (see Transport comments in the 'consultation' section and paragraph's 6 & 7 of the 'remarks' section).  Your Transportation Officer's fully support the use with an 8m deep loading bay, as proposed.
The Council has not addressed the issue of refuse storage and cycle parking.	This has been addressed, and further details will be secured through Condition 10. There is sufficient space in front of the entrance for these to be located without obstructing parking bays.
As the applicant was previously based in Athlon Road can the Council confirm the necessary permit was issued at this time?	EH Officer's confirm a permit was not required as the throughput of the burner was less due to the smaller capacity in the main production area.

### **Petitions received**

For the avoidance of any doubt your Officer's confirm that three petitions objecting to the proposal have been received from the HPBNW Group.

- First petition received is dated 8th Jan 2013, this contains 8 signatories.
- Second petition received is dated 4th Feb 2013, this contains 31 signatories.
- Third petition received is dated 13th June 2013, this contains 23 signatories. This petition was submitted after the wood burner was installed.

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## Agenda Item 05

## Supplementary Information Planning Committee on 12 February, 2014

Case No. 13/2490

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Location	OPEN SPACE AYLESTONE AVENUE, Aylestone Avenue, London
Description	Full planning permission sought for creation of a multi-use games area (MUGA) within south-east corner of Tiverton Green Open Space, consisting of installation of outdoor table tennis tables, a transverse climbing wall, walking/jogging routes, grass mounds and associated landscaping works.

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Members visited the site on 08/02/2014. A couple of queries were raised regarding the proposal and the south-western end of Tiverton Green.

Works were being undertaken to the immediate west of the site. The Council's Parks and Services Team confirm that the western end of the open space is to have outdoor gym equipment (which has already been installed), a cycle trackway, perimeter pathway and landscaping works to match the landscaping submitted within this planning application. These proposals were included within the consultation undertaken with the general public for the entire hardstanding that took place between 2010-2011.

The outdoor gym will remain in its current position permanently once the works are complete. The area immediately surrounding the outdoor gym will be newly surfaced with a pathway. A resident asked on Saturday if a small fence could be erected around the equipment in order to prevent dogs entering the area.

The Parks and Services Team have confirmed that whilst there is no intention to put a fence specifically around the outdoor gym, there will be a 1.2 metre high fence placed along the northern perimeter of this newly landscaped area (which was something that was mentioned on Saturday) and it is expected that this fence will limit opportunities for dogs to enter the outdoor gym area.

### LETTER OF SUPPORT

An additional letter of support has been received from APRATA (Aylestone Park Residents and Tenants Association) repeating their view that this positive proposal has come about through consultation with the wider community including residents, Officers, Councillors and local schools. It is hoped that the facility will help to get children outdoors and exercising. The letter does not raise any additional points that require further comment.

### LETTER OF OBJECTION

Councillor Shaw has forwarded on an email from one of her residents reiterating concerns previously raised in relation to the facility not being locked at night. This particular issue has already been addressed within the main report.

Another concern raised by the resident was that the loss of the open concrete space, which is not designated for any specific sports or games, and its replacement with a facility designed for specific activities including the MUGA, would result in younger children not having a hardsurfaced area to play on in inclement weather conditions. In response to this point, the MUGA would be for multi-purpose use and would not exclude children from playing on the surface, as it essentially would be an open hardsurface as is currently the case, albeit more formalised, carrying markings and fixtures that would allow for football, basketball and multi-sport games to be played upon the surface. Whilst there may be instances of the new arrangements being in high demand from a range of age groups, it is not considered that this fact should be a reason to resist providing these facilities in the first place.

**Recommendation:** Remains approval.

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## Agenda Item 07

## Supplementary Information Planning Committee on 12 February, 2014

Case No. 13/3557

Location Alperton House, Bridgewater Road, Wembley, HA0 1EH  
 Description Renewal of planning permission reference 10/1631, dated 18/01/2011, for change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

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The three objectors to this application referred to in the committee report are all existing business's located within Alperton House. They were objecting to the retention of the nursery element of the proposal due to its proximity to their businesses and the noise and disturbance it caused. Since the original committee report was written the applicants have reached an agreement with the three objectors to move them to a quieter part of the building and all three objectors have now formally withdrawn their objections to this application.

### Recommendation:

Remains Approval.

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## Agenda Item 08

## Supplementary Information Planning Committee on 12 February, 2014

Case No. 13/2961

Location Wembley High Technology College, East Lane, Wembley, HA0 3NT  
 Description Proposed new four form of entry primary school comprising 3 x 2 storey blocks and one single storey block - incorporating class rooms, multi use hall, kitchen, library , staff and administration rooms, ancillary storage and plant rooms, and including new external multi use games area, external playgrounds, new access from East Lane, staff car parking spaces and associated landscaping and lighting.

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#### Further Comments for the Highways Officer

The Council's Highway's Officer has carried out further assessment of the traffic modelling around the school and can confirm the impact on local junction capacity to be acceptable, subject to the conditions set out in the committee report..

#### Additional Comment from Local Residents.

2 further responses have been received from local residents. One on behalf of 93 Byron Road raises concerns about the potential impacts of opening a secondary access into the school from the East Court/Byron Road alley way.

The other on behalf of Sudbury Court Residents Association refers to a High Court Judgement against a Council for failing to have due regard to the EC Habitats Directive.

An Extended Phase 1 Habitat Survey was conducted following the methodology of the Joint Nature Conservation Committee and the Institute of Environmental Assessment. A Phase 1 Habitat Survey is a standard technique for classifying and mapping British habitats. The aim is to provide a record of habitats that are present on site and to note the presence, or potential presence, of protected species. The Survey formed part of the original planning submission and can be viewed on the Council's website. Local and regional development plan policies are referred to in the policy section of the main report - policy 7.19 of the London Plan and CP19 of the Council's Core Strategy. The assessment of the habitat survey was mistakenly left out of the remarks section of the main report. It is therefore set out below:

### Habitats

The desk study identified no nature conservation sites with statutory protection within a 1 km radius of the survey area. Five nature conservation sites with non-statutory protection were identified within a 1 km radius of the site; the nearest being the Northwick Park and Kenton railsides Site of Importance for Nature Conservation (SINC) located 330 m north-east. Due to the large distance and confined nature of the proposed development, no impact upon this site is anticipated. A number of semi-mature and mature scattered trees are located on site. Due to their age, these trees are of value and cannot be readily replaced if removed. Two mature horse chestnut trees are to be removed to facilitate the construction of the new access road. No other habitats of notable consideration were identified on site.

### Protected/Note bale Species

The study provided two records of bats, the nearest located 530 m north-east of the survey area. Although there are no roosting opportunities present on site, the site does provide some foraging habitat for bats. As such, a precautionary recommendation is made in Section 6.3. Four records of hedgehog were identified, the nearest located 560 m north-west of the survey area. There are no records of badgers within a 1 km radius of the survey area. The study provided one record of slow worm located 360 m south-east of the survey area. While the study identified no evidence of badgers or hedgehogs being present within the school grounds, the site does provide suitable foraging habitat for these species. The study provided numerous records of birds within a 1 km radius of the survey area, including protected species and species of conservation concern. The habitats on site have the potential to support a range of common bird species. If the proposed works are undertaken during the bird nesting season, there is potential for impact upon nesting birds.

### Summary

The Phase I habitat survey makes the following recommendations:

- **Trees:** Any trees on or overhanging the site, which are not to be removed as a part of any proposed works, should be protected prior to the commencement of any works on site.
- **Foraging Bats:** Any lighting, either temporary or permanent, should be directed away from boundary features to maintain 'dark' areas/ corridors suitable for use by foraging and commuting bats.
- **Nesting Birds:** Vegetation clearance should be undertaken outside the nesting bird season.
- **Terrestrial Mammals including Badger and Hedgehog:** Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape.
- **Invasive Species:** The green alkanet and potentially invasive acacia species should either be left in situ or removed sensitively to avoid the spread of these species.
- **Habitat Loss & Enhancement:** A biodiversity enhancement plan should be incorporated into the landscaping scheme to maximise the ecological value of the site.

Conditions requiring further details of landscaping measures and for the protection of all retained trees. For clarity it is suggested that the following requirements be added to the landscaping condition to ensure sufficient mitigation/protection :

- Planting of habitats which will be of value to wildlife.
- Provision of nesting/roosting habitat, such as installation of nest boxes for species such as house sparrow, dense scrub or native thicket for species such as song thrush, and bat boxes.
- Implementation of an appropriate planting to compensate for the loss of any early-mature or mature trees. The scheme should include the planting of native and wildlife attracting species which are appropriate for the site and are of adequate maturity.

A lighting condition is also attached and again for clarity it is suggested that the following wording be added: Any lighting should be directed away from boundary features to maintain 'dark' areas/ corridors suitable for use by foraging and commuting bats.

An additional condition is proposed requiring the submission of a scheme to be approved and implemented prior to the commencement of work to ensure any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape.

### Site Visit

Members visited the site on Saturday and were met by a large number of local residents who raised a number of concerns about the proposed development. Most of the issues raised are dealt within in the main committee however the following additional points are made which are set out below:

Why are places for the new school already being advertised?

Can we confirm that the alley way between East Court and Byron Road is a public footpath? *Yes - it is identified as Public Right of Way 48 and is maintained by the Council.*

Why are the Council's mobile parking cameras never set up outside the school? *The Council has 2 mobile camera cars. They will when requested be sited near schools to help enforce school travel plans and parking management. If the school requires assistance in enforcing travel plan targets these cameras may prove a useful tool.*

There are restrictive covenants preventing development within the school grounds. *There are covenants on the school but they are not considered to prevent the proposal from going ahead.*

What is the distance between the new playgrounds and adjoining garden boundaries? *The proposed Senior Playground will be located 5 metres from the boundary with rear gardens in East Court. The proposed juniors playground is located 1.5 metres from the boundary with rear gardens in Byron Road. A condition is attached requiring further details of enhanced landscaping along the sites boundaries. Playground noise was not raised as an issue by the Council's Environmental Health Team.*

It is rumoured that Byron Court primary school is going to be expanding from 3 to 5 forms of entry. *Officers understand that Byron Court School have put themselves forward as a potential site for school expansion however and they are not part of the current expansion programme.*

Problems with foul drainage from the school. *The issue of surface water drainage is dealt with in the main report. Sewage infrastructure is the responsibility of Thames Water, however as the new school will require entirely new services the proposal affords the opportunity for an improvement in the sites sewage infrastructure which is hoped will address any existing problems. Its is recommended that the Council's standard informatives regarding this issue be amended to make reference to possible existing problems with sewage in the area and to explore with Thames Water ways that this may be improved.*

Has a risk assessment been undertaken for the use of the alley way as a secondary entrance? *No. The Entrance is only intended for year 5 & 6 pupils and only those who live in roads on that side of the school in order to discourage parent from using East Court or Byron Road as an alternated drop off to the proposed designated drop off within the Sudbury Court Pavilion car-park on East Lane. An additional condition is recommending that a management plan for the proposed secondary access from the alley be submitted to and approved prior to it being brought into use and that a review mechanism be introduced that in the event of the access proving unmanageable that it be closed.*

### Traffic

Many of the issues raised by residents on the site visit related to concerns regarding the transport impacts of the proposed school. These are dealt with in detail in the main report but in summary a number of measures are proposed, or required by condition to ensure that these impacts can be managed. They are:

- The development shall not come into use until such time as a management plan for the use of the East Lane pavilion car park has been approved by the LPA, such plan to include details of the operation of a 'walking bus' between the car park and the school entrance, provision of covered muster points for children to wait and provision of adequate funding (at a current cost of £6,000 per annum) for a school crossing patrol warden on the East Lane. **Page 6**
- The development shall not commence until such time as a Travel Plan for the School has been



submitted to and approved by the Local Planning Authority, with the Travel Plan then to be fully implemented upon opening of the school.

- The development shall not be occupied until the car-parking, additional cycle spaces have been provided in accordance with the approved details and these shall be retained thereafter for the lifetime of the development.
- No development shall take place, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - (i) the parking of vehicles of site operatives and visitors;
  - (ii) Construction traffic routes to the development site;
  - (iii) loading and unloading of plant and materials;
  - (iv) storage of plant and materials used in constructing the development;
  - (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - (vi) wheel washing facilities and schedule of highway cleaning;
  - (vii) measures to control the emission of dust and dirt during construction;
  - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - (ix) School and nursery access during the construction phase.

#### Corrections

Page 91 of the reports states that there are currently 28 temporary reception places. There are now in fact 2 temporary reception classes currently operating within the existing secondary school.

Page 92 makes reference to Preston Park rather than Wembley High.

Condition 10 on page 105 refers to College Road when it should be East Lane..

#### **Recommendation:**

Remains approval subject to the amendments to the conditions suggested above.

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