



Supplementary 2 Planning Committee

Wednesday 12 March 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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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.30pm in Boardrooms 7 and 8

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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Supplementary Information

Planning Committee on 12 March, 2014 Case No.

13/3503

Location	110 Walm Lane, London, NW2 4RS
Description	Demolition of existing Public House and Conservative Club and erection of 2 to 10 storey building containing A4/D1 use unit on ground floor and 53 residential units on the ground and upper floors (13 x one bed, 30 x two bed and 10 x three bed). Formation of revised vehicular access from Walm Lane to basement car park comprising 23 parking spaces and associated amenity space, landscaping works and pedestrian access from Walm Lane, subject to Deed of Agreement dated under Section 106 of the Town and Country Planning Act 1990, as amended (revised description).

Agenda Page Number: 21-54

Members Site Visit

Members visited the site on Saturday 8th March 2014. A number of matters were raised including the following:

1. Density too high
2. No other 10 storey building - no precedent
3. Overshadowing of gardens
4. Loss of pub & community facility
5. No other similar pub in the area
6. Traffic congestion
7. Bin collection
8. Housing not affordable
9. No computer generated imagery (CGI) from Mapesbury CA
10. Changes in materials since consultation

Points 1 to 8 above have already been covered in the main Planning Committee report. Your officers can advise that in response to point 9 images of viewpoints from within the Conservation Area are included within Appendix 5 of the Heritage Statement and Townscape and Visual Impact Assessment prepared by Montague Evans (November 2013) and in response to point 10 that the materials for the building have not changed since the submission of the current application.

Other matters

Comments from Save The Queensbury

Save The Queensbury have advised that they maintain their objection to the application to demolish The Queensbury public house. However, in the event that Members were minded to support the application, they have sought reassurance that the wording of condition 4 as drafted within the main committee report will remove all permitted development rights including the change of use to B1 (office use) as well as other A Class Uses. Your officers can confirm that the wording of the condition as drafted covers the removal of all permitted developments so any use other than A4 Use Class will be subject to planning permission.

Amendments to wording of condition 9 - Tree Protection

In response to comments raised by the Council's Tree Officer it is recommended that the wording of condition 9 is amended to include details of Arboricultural Method Statement and Tree Protection Plan to be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site in relation to "T1 - London Plan" the located to the front of the site on Walm Lane.

Additional consultation responses

A further 4 objections have been received from members of the public. A summary of the objections are set out below:

1. Loss of community facility (The Queensbury Pub and Busy Rascals);
2. Replacement facility is not an adequate replacement for either the pub or the parent & baby groups offered

by Busy Rascals'

3. Demolition of building in conservation area not appropriate;
4. Replacement building is out of keeping with character of conservation area and will detract from the setting of the conservation area and wider locality including Willesden Green Tube Station;
5. Replacement building too tall and too wide;
6. Development too dense;
7. Council is much stricter on applying conservation area rules and requirements to individual householders for minor repair works to their properties.

Points 1 to 6 above have previously been raised and discussed within the main committee report. In response to point 7, each application is assessed on its individual merits having regard to the relevant planning policies and guidance.

Letter of objection from Councillor Pavey (Lead Member for Children & Families)

Councillor Pavey has raised objections to the loss of provision for Busy Rascals and that no arrangement has been made for the re homing of the Busy Rascals toddler group who currently use The Queensbury. No agreement has been signed which will enable them to use the new space planned on the ground floor of the development, nor has any satisfactory arrangement been made for an interim space for them to use during the period of construction.

In response to these concerns officers can advise that the Section 106 Agreement requires the new ground floor space to provide 18 hours of community access a week which will be made available for Busy Rascals and that there is a requirement for them to be relocated as an interim arrangement during the construction period.

Letter of Support

One letter of support has been received from Judy Langley former Organising Secretary and founder member of the Mapesbury Conservation Sub Committee) making the following comments as an independent person and not as a member of MapRA:

- will encourage and 'kick-start' vibrant atmosphere around Willesden Green;
- high quality and losing any storey would result in the building losing its elegance;
- resident Mapesbury architect, Chris Themis, gave professional advice and has no problem with the design and height;
- most people in MapRA not concerned about the height and appearance;
- new planned Queensbury will be an important asset;
- landscaping will soften the streetscene to reflect Mapesbury's gardens;
- great achievement that negotiations have meant protesters have what they wanted.

Accommodation Schedule

The main Committee Report reference the accommodation schedule to tabled in Appendix 1. This was not attached to the main report and has been provided below:

Appendix 1 – Schedule of Accommodation

Core 1 – Private Residential Units

Floor Level	Unit No	Unit Type	Internal GIA (sqm)	Living/ dining/ kitchen	Bedroom 1	Bedroom 2	Bedroom 3	External Amenity Space (sqm)
Ground	1	2 bed 3 person (WC)	75.2	28.5	16.2	8.8		9.8
	2	2 bed 4 person (WC)	83.8	27.3	13.5	12.9		9.9
	3	1 bed 2 person (WC)	53.2	24.7	15.7			11.4
First	4	2 bed 4 person	72	27	16.1	12		16.5
	5	2 bed 4 person	80.8	27	18.1	14.1		11
	6	3 bed 5 person	99.8	32.2	17.9	13.6	8.4	10.3

	7	2 bed 4 person	77.4	28.7	14.4	12.4		7
	8	1 bed 2 person (WC)	56.2	24.1	15.5			3.5
	9	1 bed 2 person	55.3	26	14.9			5.5
	10	1 bed 2 person	50.9	24.8	14.9			7.2
	11	2 bed 4 person	72.6	27	13	12		7.2
Second	12	2 bed 4 person	72	27	16.1	12		16.5
	13	2 bed 4 person	80.8	27	18.1	14.1		7
	14	3 bed 5 person	99.8	32.2	17.9	13.6	8.4	10.3
	15	2 bed 4 person	77.4	28.7	14.4	12.4		7
	16	1 bed 2 person (WC)	56.2	24.1	15.5			3.5
	17	1 bed 2 person	55.3	26	14.9			5.5
	18	1 bed 2 person	50.9	24.8	14.9			7.2
	19	2 bed 4 person	72.6	27	13	12		7.2
Third	20	2 bed 4 person	72	27	16.1	12		16.5
	21	2 bed 4 person	80.8	27	18.1	14.1		7
	22	3 bed 5 person	99.8	32.3	17.9	13.6	8.4	10.3
	23	2 bed 4 person	77.4	28.7	14.4	12.4		7
	24	1 bed 2 person	56.2	26.5	16.4			3.5
	25	1 bed 2 person	55.3	26	14.9			5.5
	26	1 bed 2 person	50.9	24.8	14.9			7.2
	27	2 bed 4 person	72.6	27	13	12		7.2
Fourth	28	2 bed 4 person	72	27	16.1	12		16.5
	29	2 bed 4 person	80.8	27	18.1	14.1		7
	30	3 bed 5 person	99.8	32.2	17.9	13.6	8.1	10.3/7
	31	2 bed 4 person	77.4	28.7	14.4	12.4		7
	32	2 bed 4 person	75.3	27	15.6	12		3.5
	33	3 bed 5 person	96	32.2	15.3	12.2	10.9	8.8
	34	2 bed 4 person	72.6	27	13	12		7.2
Fifth	35	2 bed 4 person	72	27	16.1	12		16.5
	36	2 bed 4 person	77.4	30	13.8	12.2		8.6
	37	2 bed 4 person	78.6	28.3	14.1	12.1		8.7
	38	2 bed 4 person	74.5	27	17.8	12.4		7
	39	2 bed 3 person	65.6	25.6	12.3	10.4		13
	40	2 bed 4 person	73.5	28.1	13.3	12.5		10.8
Sixth	41	2 bed 4 person	75.4	27	16.1	12.6		16.5
Seventh	42	2 bed 4 person	75.4	27	16.1	12.6		16.5
Eighth and Ninth	43	3 bed 6 person	141	57.7	18.2	14.1	12.4	16.5

Core 2 – Affordable Residential Units

Floor Level	Unit No	Unit Type	Internal GIA (sqm)	Living/dining/kitchen (sqm)	Bedroom 1 (sqm)	Bedroom 2 (sqm)	Bedroom 3 (sqm)	External amenity space (sqm)
Ground	44	3 bed 4 person	74	27	12	8	8	7.5
	45	2 bed 3 person	61.8	25	12.3	9.8		6.3
First	46	3 bed 4 person	74	27	12	8	8	7.5

	47	1 bed 2 person	50	25.5	12.7			6.6
	48	2 bed 3 person	61.8	25	12.3	9.8		6.3
Second	49	3 bed 4 person	74	27	12	8	8	7.5
	50	1 bed 2 person	50	25.5	12.7			6.6
	51	1 bed 2 person	50	23	15			5.7
Third	52	3 bed 4 person	74	27	12	8	8	7.5
	53	2 bed 3 person	62	25.5	12.3	8		6.6

Recommendation: Remains approval subject to the completion of a satisfactory Section 106 Agreement.

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Agenda Item 04

Supplementary Information

Planning Committee on 12 March, 2014 Case No.

13/3702

Location Ex Willesden New Social Club, Rucklidge Avenue, London, NW10
 Description Erection of a part three, four and five storey building, with a set back fifth storey, accommodating 21 flats (100% affordable rent) and ground floor A1 retail use, together with associated cycle storage, landscaping and amenity space

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Members visited the site on Saturday 8th March 2014. Members were presented a scheme with a minor revisions consisting of a chamfered edge on all upper floors on the corner of Park Parade and Rucklidge Avenue, which was done to ensure the building does not overhang the public highway. Along the park Parade elevation the massing was reduced by 1.6m and along the Rucklidge Avenue elevation the massing was reduced by 1.5m.

FURTHER REPRESENTATIONS

At the site visit a detailed summary of objections was handed to the Officers. These were subsequently distributed to all Members. In addition, signed petition containing 133 signatures objecting to the development was also handed in. A single further objector has reiterated their objection since the site visit.

The following points were raised at the site visit:

- Design out of character.
- Repeating mistakes of the past with tower blocks.
- No consultation.
- Overbearing and over dominant.
- Poor internal/external amenity
- Not economical to have a shop at ground floor given current economic situation. It'll just be vacant.
- Sight lines on corner too tight.
- Established Building lines ignored.
- What is the pavement width going to be?
- How much is the corner going to be cut away?
- Do we really need 100% affordable housing here? Why not get some shared ownership? That's what the area needs
- Loss of privacy to adjoining properties

Cllr Hector has lodged an objection, the mains points raised as follows;

- The design is overbearing
- This conflicts with Brent's LDF (policy H13 and others)
- Loss of privacy

- Corridors, bathrooms and some kitchens have no windows or natural light or ventilation.
- Low level of outside amenity space

The majority of concerns expressed are dealt with in the main body of the report. The following takes other points raised into consideration;

This building represents a relatively minor change to the building already approved on the site. As set out in the report below, the massing is largely the same with some significant reductions on the ground floor and third floor on Rucklidge Avenue, as identified by the red line showing the envelope of the approved building. The number of storeys remains the same and the increase in height is relatively marginal and the result of internal head height requirements for the affordable housing.

In terms of the building line, the development in terms of form and siting has been considered and approved at the previous Planning Committee. The ground floor is set back from the back of pavement and cantilevered element is comparable to the approved massing with only a marginal increase on the Park Parade elevation.

In terms of the pavement width, it will be 4m on the corner of Rucklidge Avenue and Park Parade which is an increase from the present situation with the site boundary currently marked out by the site hoarding's.

The Council has undertaken consultation and also sent out additional letters informing neighbours of revisions to plans in accordance with established practice. As explained elsewhere this is not the first application on the site.

With regard to concerns regarding the 100% affordable rent tenure, it is a relatively modestly sized scheme with a single core, therefore 100% affordable rented housing not considered inappropriate and the Council will have nominations rights to the units and use to meet local housing needs.

Transportation Officers have confirmed that any disabled resident could apply for an on-street parking bay to be provided in the future. As highlighted above, the corner of the building has been reduced to a chamfered edge to ensure the over sail does not prejudice the ability to erect signage and carry out road improvements in the future.

Due to the submission of revised plans, Condition 2 of the decision notice is altered to reflect the revised drawing numbers as follows;

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

WY/OP5/01 Rev B
 WY/OP5/02 Rev D
 WY/OP5/03 Rev C
 WY/OP5/04 Rev D
 WY/OP5/05 Rev D
 WY/OP5/06 Rev E
 WY/OP5/07 Rev D
 WY/OP5/08 Rev D

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

Recommendation: Remains approval subject to a legal agreement

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Agenda Item 05

Supplementary Information

Planning Committee on 12 March, 2014 Case No. 13/1938

Location	Flats 1 & 2, Pember House, Pember Road, London, NW10 5LP & 35B Kilburn Lane, North Kensington, London, W10 4AE
Description	Demolition of existing building and external staircase, retention of the facade and construction of 5 bed dwelling with basement and commercial office space on the ground floor

Agenda Page Number: 73-84

The site was visited on Saturday 8th March 2014.

For the information of Members it seems that the building was noted on the Ordnance Survey Map dated 1894.

A resident has requested the application be deferred so to allow them to undertake their own examination of the submitted daylight study. The study concludes that the proposed development complies with BRE standards and therefore reinforces Officers view that the proposal is, on balance, acceptable. Technical reports of this nature are not normally consulted upon, given their detailed nature and in this case Officers do not believe that there are any grounds for deferral. For the sake of clarity the approach of comparing the existing situation (with the building in place) with the proposal is considered to be the correct one.

Additional information, covering issues such as a flood risk, drainage and sewers supporting the construction methodology of the development have been submitted to the Local Authority. These details are to be conditioned, as follows:

Prior to the commencement of works, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority detailing measures that will be taken to control dust, noise and other environmental impacts of the development and the routing and timing of construction vehicles and the approved details shall thereafter be implemented.

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

CONSULTATION

An objection from No 7 Pember Road has been withdrawn. The objections in brief were:

- The development would create additional parking and traffic pressures
- The property will be used as a commercial property
- The architectural merit of the existing building will be lost

That said, other objectors have raised the same issues and these are considered in the report.

A letter of support has been received. The principle of the support is outlined as:

- The scheme has addressed all objections raised by neighbouring residents
- The existing building, which is of some architectural merit will benefit from the proposal and full support is therefore raised to the development.

Recommendation: Remains approval, with additional condition.

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Agenda Item 06**Supplementary Information**

Planning Committee on 12 March, 2014 Case No.

12/2511

Location	STORAGE LAND OPPOSITE LINDEN AVENUE, Station Terrace, London
Description	Erection of 9 residential units with 5 (A1) retail units and 1 (B1) office.

Agenda Page Number: 85-95

As Members are aware from the site visit it has transpired that there is a lack of clarity over the ownership of land that is required for the development to take place. Although the applicant has stated that they own all the land Network Rail dispute this and have provided information to support their point of view.

The issue of ownership is key here for a number of reasons. Firstly, the ability of the development to be capable of implementation on a smaller site, secondly the fact that the required servicing bay shown on the submitted drawings would then be land outside of the control of the applicant and finally that the asset protection measures

required by Network Rail would impact on the form that the building would have to take.

The lack of clarity also raises procedural issues which Members will have seen on a small number of other sites, namely whether the correct ownership certificate has not accompanied the application. The Borough Solicitor has advised if relevant ownership notices were not served on Network Rail (which would be the case here, if Network Rail owns the disputed land) then the Council would need to invalidate the application, given its obligations under the General Development Procedure Order.

In these circumstances Officers recommend that the application be deferred so to have the matter resolved.

Members also queried the depth of the site. Notwithstanding the recommendation to have the application deferred these are noted to be:

Maximum Depth - 9.8m

Minimum Depth - 7.5m

Recommendation: Defer Application

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Agenda Item 07

Supplementary Information

Planning Committee on 12 March, 2014 Case No.

13/2832

Location	30 Second Way, Wembley
Description	Erection of a warehouse club (Sui Generis), including a tyre installation centre, sales and associated facilities including parking, landscaping, servicing arrangements and access to the highway.

Agenda Page Number: 95

Query from Committee Site Visit

Members queried the traffic movements associated with the tyre facilities. The applicant has specified that the best performing tyre fitting facilities at their existing facilities generate an average of 4-5 car trips per hour and as such, generate very little traffic. The submitted Transport Assessment includes a full assessment of the traffic generated by the development, including the tyre fitting service.

Discussion of comments from Wembley National Stadium Limited within Committee Report

The paragraph and condition numbers were omitted from the comments section of the committee report.

- The traffic management control measures are discussed in paragraph 13 and 14.
- The event day management strategy is secured through condition 20

Further comments from Wembley National Stadium Limited (WNSL)

WNSL have requested that the detailed car park management plan, which is required through condition, is considered "in consultation with Wembley National Stadium Limited". Your officers consider this to be appropriate and recommend that the associated condition (20) is amended.

With regard to the Framework Car Park Management Plan, they request that the applicant consults with both the Stadium and the Council (rather than "and/or") with regard to operation on Event days. They also consider that the plan should acknowledge the need to work within the stadium event day traffic measures. It is appropriate to deal with both of these matters through the approval of the detailed Car Park Management Plan.

Further information received

Further information has been received regarding emergency egress for disabled visitors and staff including with hearing and sight impairments. This additional information is considered to be acceptable.

A revised plan has been received showing additional disabled parking spaces and the location of electric vehicle charging points (drawing (SK)501 Rev C). It now includes the requested number of disabled parking spaces and electric vehicle charging points but does not result in any significant changes to the parking layout, with only very minor changes proposed to the internal vehicular circulation, parking and landscaping. This plan is still being considered by Highways and it is recommended that authority is delegated to officers to approve this plan if

Highways consider it to be acceptable.

Mechanisms for securing the land required for future highway widening

The small elements of land within the Second Way and South Way frontages are to be secured through the Section 106 agreement. The applicant proposes that the Council is able to call for the adoption of the land at any time within an agreed period from the date of planning consent (with the precise period of time still being discussed with the applicant and Highways) providing the highways works are due to be implemented. It is proposed that the Council will pay the land owner the value of the land that is to become public highway, with the amount set within the Section 106 agreement rather than negotiated at the time.

Calculation of Community Infrastructure Levy (CIL) payment

The Gross Internal Area of the development and the associated CIL contributions that were specified in the committee report were based on the area of both the fully enclosed spaces (e.g. the first floor warehouse club, the tyre bay and the undercroft parking areas beneath the building and servicing yard). However, the applicant believes that the calculation should not include the undercroft parking areas. Your officers have been discussing this with the applicant and have been seeking advice regarding this matter.

The level of CIL contribution is a straight calculation based on floorspace which is not negotiated for individual schemes in the same way that Section 106 contributions are. The calculation is based on the RICS code for measuring practice (with the GLA CIL guidance also referring to the Valuation Office Agency Guidance relating to Gross Internal Area). As such, this figure simply needs to be established prior to the CIL Liability notice being issued. However, for the avoidance of doubt, floorspace figures have been checked and agreed for the various elements of the scheme so that the only remaining matter to be determined is whether the undercroft spaces are considered to have a "gross internal area" floorspace.

The floorspace figures are as follows:

Ground floor fully enclosed	495 sqm
Undercroft area under main warehouse	12,263 sqm
Undercroft area under entrance	636 sqm
Undercroft area under service yard	2,177 sqm
First floor fully enclosed	12,530 sqm
Total (fully enclosed)	13,025 sqm
Total (including undercroft areas)	28,101 sqm

Minor changes to conditions

The wording of conditions has been reviewed discussed with the applicant and minor changes have been proposed to conditions 5, 8, 10, 11, 12, 14 and 19. These improve the clarity of conditions but do not materially change them.

Recommendation: Remains approval subject to a S106 legal agreement and referral to the Mayor of London, minor (non material) amendments to conditions 5, 8, 10, 11, 12, 14 and 19, amendment to condition 20 (car park management plan) and that authority is delegated to officers to agree the revisions to the plans relating to the parking and access arrangements and the timescales and precise cost for the adoption of land as highway.

Additional approved documents: E-mail from CgMs dated 3 March 2014, "If you discover a fire or the fire alarm sounds", "Evacuation Procedures"

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