



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Tuesday, 6 September 2011 at 7.00 pm

PRESENT: Councillors Sheth (Chair), Daly (Vice-Chair), Cummins, Kabir, McLennan, Mitchell Murray, CJ Patel, RS Patel and Singh

Apologies for absence were received from Councillors Baker and Hashmi

1. Declarations of personal and prejudicial interests

None declared.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 2 August 2011 be approved as an accurate record of the meeting.

3. 8 St Pauls Avenue, London, NW2 5SX (Ref. 10/3157)

PROPOSAL:

Erection of part single, part two storey rear extension of existing property, installation of 1 front and 2 rear rooflights and conversion into 4 (one 3, one 1 bed and 2 studio) self contained flats. ("car free" development).

RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Andy Bates (Area Planning Manager) stated that in order to preserve the amenity and privacy of neighbouring residential occupiers, an additional condition, on access to the roof as set out in the tabled supplementary report, had been added.

DECISION: Planning permission granted subject to conditions, an additional condition as set out in the supplementary report, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

4. 1-3, The Mall, Harrow, HA3 (Ref 11/1649)

PROPOSAL:

Variation of condition 2 (development to be carried out in accordance with plans) of full planning permission 09/2650, dated 18/03/2010 and as amended by planning permission reference 10/2365 dated 30/10/2010 to allow minor material amendments to:

- (i) the window style on the courtyard elevation;
- (ii) alteration to the position of the second floor balcony on the end elevation (north-west);
- (iii) omit one ground floor window to flat;
- (iv) five additional windows to the end elevation (east);
- (v) inclusion of lift over-runs and smoke stacks; and
- (vi) adjustments to window and parapet heights to take account of engineering requirements

as amended by plans received 25/08/11.

RECOMMENDATION: Grant variation of condition 2 as proposed and issue a new permission.

DECISION: Granted variation of condition 2 as proposed and a new permission issued.

5. Flats G06 & G07, Jubilee Heights, Shoot Up Hill, London, NW2 3BD (Ref. 11/1672)

PROPOSAL:

Conversion of 2 x one-bedroom flats on ground floor of Jubilee Heights (Flat Nos. GF6 and GF7) to 1 x three-bedroom self contained flat.

RECOMMENDATION:

- (a) Grant planning permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of the Committee report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

DECISION:

- (a) Granted planning permission, subject to an appropriate form of agreement in order to secure the measures set out in the Section 106 details section of the Committee report, or
- (b) To delegate authority to the Head of Area Planning to refuse planning permission if within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document.

6. 86 Wrentham Avenue, London, NW10 3HG Ref. 11/1528)

PROPOSAL:

Extension of the roof to the rear and side including a rear dormer window, installation of 1 rooflight across the proposed flat roof and side roofplane and 1 front rooflight.

RECOMMENDATION: Refuse planning permission.

Andy Bates, Area Planning Manager, referred to a submission by the applicant's agent that sought to refute the contents of the committee report and which concluded that the proposal would comply with the adopted planning policy of the Council. In his view the agent's statement did not raise any new issues, but indicated that the 3D comparison between existing and proposed situations showed that the changes proposed were significant.

Ms Mary Power, the applicant's agent in clarifying her reasons for refuting the reasons for refusal submitted the following;

- (i) The property was not locally listed or located within a Conservation Area and as such the building and its location would have no statutory protection to preserve or enhance its special architectural or historic interest.
- (ii) The Council's designation of Areas of Distinctive Residential Character was for the purpose of recognising the contribution of streets and buildings including the quality of buildings, materials and trees that were assessed within the public realm and public spaces. The application and its impact should be judged from the streets along Wrentham Avenue. As the proposed roof extension would not be seen from the pavements of Wrentham Avenue, the proposal would have no impact on the Area of Distinctive Residential Character.
- (iii) The scheme had been revised following comments by officers and neighbours by removing a roof level balcony and terrace, reducing the bulk of the roof extension and retaining many of the buildings key features of interest.

She continued that the extension was proposed in order to accommodate existing residents growing family needs and their desire to stay within the Borough and sustainably extend the home with no arising impacts. Ms Power added that the alterations would not materially impact on sunlight/daylight to the adjoining neighbour at 88 Wrentham Avenue and complied with SPG5 in allowing for changes and comprehensive change to roof spaces subject to high quality design.

In the discussion that followed, Councillor Cummins stated that as the parapet wall would not be visible from the street he did not support the reasons for recommending refusal. In response Steve Weeks, Head of Area Planning, stated that in connection specifically with the parapet wall proposed on the roof it would be over 7 metres in length and would be approximately 1.1 metres higher than the roof on the adjoining attached property. Whilst not visible from the street, the parapet wall would be visible from a good distance away and given the long rear gardens of adjoining properties and the changes proposed, would not respect the character of the building in this Area of Distinctive Residential Character (ADRC)

DECISION: Planning permission refused.

7. Land next to 35, Chamberlayne Road, London, NW10 (Ref.11/1287)

PROPOSAL:

Erection of an 8-storey and 5-storey building, comprising 50 residential units (consisting of 17 x one-bedroom flats, 28 x two-bedroom flats and 5 x three-bedroom flats) and 604 sqm of retail floorspace at ground-floor level, with provision of 25 car-parking spaces (including 2 disabled bays) and 56 bike-parking spaces at basement level, refuse store and electrical substation ('parking permit-free' development)

RECOMMENDATION:

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Andy Bates, Area Planning Manager, clarified the differences between this application and the scheme under planning reference 06/2993 as follows:

an increase in the number of flats from 44 units to 50 units and change of unit mix from 11 x one-bedroom flats, 21 x two-bedroom flats, 5 x three-bedroom flats and 7 x four-bedroom flats. He continued that further detail which would have been required by conditions had been provided on the following issues:

- a) Electric car charging points
- b) Materials
- c) Landscaping
- d) Noise insulation
- e) Refuse and recycling storage and collection

In view of the above, Andy Bates stated that conditions 2 and 5 had been amended and conditions 8 and 9 deleted as amplified in the tabled supplementary report.

DECISION: Planning permission granted subject to conditions as amended in conditions 2, 5 and 6, the deletion of conditions 8 and 9 as set out in the supplementary report, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

8. Maple Walk School, Crownhill Road, London, NW10 4EB (Ref. 11/1488)

PROPOSAL:

Erection of single-storey extension to main school building to provide 1 additional classroom, and erection of detached single storey building containing 2 classrooms

RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

9. Cedars Nursing Home, 24-26 Craven Park & 1 Craven Road, London, NW10 8RR (Ref 11/1691)

PROPOSAL:

Extension to time limit of full planning permission 07/1518 dated 30/03/2010 for the demolition of 24-26 Craven Park Road and single-storey extension to existing nursing home, erection of a part three-storey and four-storey building for use as a nursing home providing 53 bedrooms, a part single-storey and three-storey link extension to the existing three-storey (28-bedroom) nursing home, formation of new pedestrian access, provision of refuse and recycling store, 7 car-parking spaces, including 1 disabled bay and 2 cycle bays, and landscaping to site, subject to a Deed of Agreement dated 02/10/2008 under Section 106 of the Town and Country Planning Act 1990 (as amended)

RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Neil McClellan in updating members on the details of the Section 106 agreement stated that the proposal would result in a net increase of 25 bedrooms. As the standard approach to both care home and hotel development was to seek Section 106 contribution of £1500 per new bedroom the proposal would result in the requirement for a contribution of £37,500. He added that the applicant's agent had confirmed agreement in principle to this contribution.

DECISION: Planning permission granted subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

10. Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA (Ref.11/1822)

PROPOSAL:

Installation of a new synthetic turf hockey pitch, the erection of six 14.5m high floodlights and 3m high fencing around the pitch, to be located on the existing playing fields adjacent to Preston Manor High School

RECOMMENDATION:

- (a) Grant planning permission, subject to a Section 106 legal agreement, or
- (b) If within a reasonable period the applicant fails to demonstrate the ability to provide for the Section 106 terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

Neil McClellan, Area Planning Manager, informed the Committee that subject to increasing cycle parking provision and an update to the School Travel Plan no objections were raised by the Transportation section. He added that these matters had been fully addressed in the original committee report. He continued that whilst there would be a marginal change in re-levelling the pitch, it was not considered to impact on the amenities of adjoining occupiers.

Neil McClellan also informed members that the applicant had provided a summary that explained the differences between the light spill and glare levels and the different light settings required for hockey compared to other sports. He added that the floodlights would remain switched off when the pitches were not in use. The Area Planning Manager drew members' attention to revisions to conditions 4 and 10 as set out in the tabled supplementary report and to revisions to conditions 3 and 8 as suggested by the Council's legal officer.

Mr Chris Musto in objecting to the scheme expressed concerns that the floodlighting would adversely impact on the quality of life of adjoining occupiers, adding that the area was not large enough to absorb the impact particularly on an overcast day. He stated that he lived at 25 Holycroft Avenue which abuts the school's playing fields. In addition to its adverse impact on outlook and noise nuisance that would result from the use of the pitches, Mr Musto stated that due to its close proximity to adjoining properties, the proposal would result in visual intrusion. He submitted that the floodlighting was unnecessary and urged members to refuse the application. He compared the proposal to the Vale Farm sports complex where he felt the floodlighting was a nuisance to local residents.

Mr Ben Lesley, the applicant's agent gave detailed technical information on the specifications of the floodlights adding that its horizontal fitting would reduce glare intensity to acceptable environmental limits. He continued that the design of its vertical illumination would ensure minimal impact. In conclusion, Mr Lesley assured the Committee that a survey would be conducted following the installation of the floodlights to ensure that they are operating within agreed limitations.

The Area Planning Manager stated that whilst the floodlights would be visible from the rear gardens of neighbouring properties there would be very little direct light pollution. The occupants of the neighbouring properties would see some reflected and diffused light, but that with the measures and restrictions agreed with the applicants this would be within acceptable limits.

Members took note of the measures taken to ensure minimal impact on adjoining occupiers and the contractor's undertaking to conduct surveys to ensure that the specifications were rigorously adhered to in order to preserve residential amenities.

DECISION:

- a) Granted planning permission, subject to a Section 106 legal agreement as amended in conditions 4 and 10 as set out in the supplementary report and conditions 3 and 8 as suggested by the Council's legal officer, or
- (b) To delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission if within a reasonable period the applicant fails to demonstrate the ability to provide for the Section 106 terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

- 11. All units, The Junction & Pacific Plaza, land between 12 & 14 The Junction & 1-11 Odds, Rutherford Way, Wembley Retail Park, Engineers Way, Wembley, HA9 (Ref.11/1572)**

PROPOSAL:

Internal and external changes to retail park, including extension to and part demolition of units, involving:

- Installation of mezzanine floor within unit “A” of Western Terrace (formerly occupied by MFI)
- Extension and alterations to Eastern Terrace, including part demolition of unit “M” (Comet), subdivision of floorspace to allow creation of servicing bays and associated access, erection of extension to terrace to create new unit, construction of mezzanine floors, alteration to front, side and rear facades of terrace, installation of extract ducts within roof;
- Creation of servicing yard and associated access within Eastern Terrace and changes to surface levels in service yard;
- Creation of new access to highway within Fulton Road frontage and alterations to existing access and associated works;
- Alterations to car parking layout;
- Landscape works to North and South of Eastern Terrace;

Creation of new service yard to serve proposed new unit and unit “N” (Dreams).

RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Neil McClellan, Area Planning Manager, drew members’ attention to the tabled supplementary report that set out minor amendments to conditions 6 and 9 and the deletion of 2.

DECISION: Planning permission granted subject to conditions as amended in conditions 6 and 9 as set out in the supplementary report, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

12. 1-11 odd Rutherford Way & 1-17 inc The Junction Wembley Retail Park, Engineers Way, Wembley, HA9 (Ref. 11/1566)

PROPOSAL:

Variation of condition 3 (restriction of retail floorspace to bulky goods) of planning consent reference 04/2158 to remove the bulky goods restriction in relation to units A and B within the Western retail terrace and unit F within the Northern retail terrace

RECOMMENDATION: Grant planning permission for variation of condition 3.

DECISION: Planning permission granted for the variation of condition 3 of consent reference 04/2158.

13. Land site of Shubette House, 5 Olympic Way, Wembley (Ref. 11/1145)

PROPOSAL:

Proposed variation of condition 2 (approved drawings and documents) of planning permission reference 08/3009, dated 14 February 2011 to allow the following minor material amendments to the approved scheme:

- Relocation of west wall of basement;
- Alteration to basement parking layout;
- Reduction in the level of basement car parking from 129 to 127 spaces;
- Extension at north-western corner of courtyard;
- Rearrangement of 6 residential units in tower/block D to Fulton Road and associated replacement of 6 3-bedroom units with 6 2-bedroom units;
- Relocation of wheelchair accessible units on upper levels of tower block D so that they are adjacent to the wheelchair accessible units on the lower levels of tower block D;
- Central unit in North East Block E enlarged to include the previously recessed balcony space with balcony space now cantilevered over courtyard;
- Elements of balconies over Fulton Road footway replaced with "winter gardens";
- Floor levels increased at ground and mezzanine levels and a corresponding reduction in floor-to-floor heights for upper levels, revised and reduced parapet detail for the tower and revised roof detail for Hotel Block B;
- Areas of void at 10th floor level replaced with areas of flat roof in "dormer" type of arrangement;
- Stack of Oriel features at south west corner of Block B omitted, with extra windows in angled wall at upper levels;
- Screened external plant compound introduced at roof level of lower Hotel North Block A;
- Vertical feature cladding introduced adjacent to main Hotel Block B;
- Omission of aluminium channel break-up of render finish to Hotel courtyard elevation.

RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

DECISION: Planning permission granted subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

14. Planning Appeals June - July 2011

RESOLVED:-

That the appeals for June – July 2011 be noted.

15. Any Other Urgent Business

None.

The meeting ended at 8:10pm

K SHETH
Chair