



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday, 28 September 2011 at 7.00 pm

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

1. Declarations of personal and prejudicial interests

None declared.

2. Minutes of the previous meeting held on 6 September 2011

RESOLVED:-

that the minutes of the previous meeting held on 6 September 2011 be approved as an accurate record of the meeting.

3. The Crest Boy's Academy & The Crest Girl's Academy, Crest Road, London, NW2 7SN (Ref: 11/1698)

PROPOSAL:

Phased development comprising enabling works including demolition of existing temporary structures, formation of new access road from Dollis Hill Lane and car park (44 spaces), erection of temporary school accommodation (2.5 year permission); Phase 1: erection of new school buildings comprising four no. four-to six-storey blocks with four-storey linking structures, associated hard and soft landscaping works and car park providing 61 spaces (6 accessible spaces), 238 no. cycle spaces, internal service road from Crest Road, grading, cutting and filling of ground, provision of building mounted mobile telephone antennae; and Phase 2: demolition of permanent school buildings, associated hard and soft landscaping works including one no. Multi Use Games Areas (MUGA) and one no. all-weather pitch with floodlighting (as amended by plans received 31/08/11)

RECOMMENDATION: To delegate authority to the Head of Area Planning to approve the application subject to consideration of any new substantive comments received and any associated conditions from the Greater London Authority and Transport for London.

Rachel McConnell, Area Planning Manager referred to the following queries raised by residents at the site visit: new access road; footpath from Dollis Hill Lane, service road from Crest Road; and visual impact of the new blocks on their amenities. She submitted the following responses:

- (i) The road had been narrowed and the path moved during negotiations, to enable more existing trees to be retained and more new trees to be planted. Officers did not consider the limited impact on local amenity of this path would merit further alteration to this part of the proposal. She added that the Borough Highway and Transportation officer assessed the gradient of the access road and considered it acceptable.
- (ii) The service road would be 4m at its closest points, from the garden edge of the properties at Vincent Gardens.
- (iii) She was satisfied that the development would be in keeping with the character of the area and would not cause unacceptable harm to local amenity including visual impact.

Rachel McConnell informed members that new lighting plans received had been assessed by the Borough Environmental Health officer who confirmed the floodlights would not have an unacceptable impact on neighbouring residential amenity. The Area Planning Manager then referred to consultation responses from the Greater London Authority (GLA) and Transport for London (TfL) and in addressing the comments by the GLA, recommended additional conditions and amendments to conditions 2, 10, 20, 26 and 28 as set out in the tabled supplementary report. In respect of the negotiations with TfL she recommended that authority be delegated to the Head of Area Planning to approve the application subject to consideration of new substantive comments received and any associated conditions from the GLA and TfL.

Mrs R Garland, an objector, started by saying that she was not consulted on the revised plans for the academy. She continued that the traffic impact assessment for the application was flawed as it failed to recognise the impact of traffic from Staples Corner, Brent Cross and Wembley. She also considered the noise study as irrelevant and called for an independent research into the noise study and traffic impact. Mrs Garland urged members to reject the application until the above issues had been addressed.

Mr Tim Keogh in objecting stated that the six storey block would be excessive in height and out of character with the area. This would lead to loss of privacy to the rear gardens particularly for the residents of Vincent Gardens whose boundaries adjoined with the site for the Academy. Mr Keogh considered that residents would suffer from noise pollution during late hours. In urging the Committee to refuse the application, Mr Keogh stated that a precedent for refusal had been set when the Committee refused an application for 73-83 Draycott Avenue which was rejected for reasons of significant loss of residential amenity and loss of privacy.

Mr Allan Gunne-Jones the applicant's agent submitted that the applicant had been responsive to concerns and comments made by residents and TfL and amended the scheme within the financial, educational and physical constraints of the proposed development. He clarified that issues about traffic, noise, access road

and floodlighting had been addressed by submitting amendments to the scheme which had been considered acceptable as the scheme complied with the Council's Supplementary Planning Guidance 17 (SPG 17). He added that issues raised by residents about drainage, construction hours, traffic movements and bin stores and comments made by Sport England had been addressed. Mr Gunne-Jones concluded that the applicant had responded satisfactorily to all critical issues and urged members to endorse the recommendation for approval.

In response to members' questions, Mr Gunne-Jones stated that adequate measures including the provision of a screened receptacle would be put in place to address issues on waste and refuse collection. He added that issues about loss of privacy had been fully addressed and that the scheme complied with SPG17.

Rachel McConnell in response to Members' questions clarified that the additional consultation was primarily in respect of the multi-use games area (MUGA) which did not involve substantial revisions to other elements of the scheme. She also clarified that the scheme at Draycott Avenue to which the objector referred was a backland residential development which raised issues that were substantially different from those raised by the current application, adding that each application was decided on its own merits. She continued that careful consideration had been given to issues about privacy and residential amenity and on balance the scheme was acceptable. The Director of Planning added that the scheme as revised and as amplified in the report had addressed all key issues.

In bringing the discussion to a close, the Chair suggested that an informative be added on construction hours of work as a further measure to minimise impact during construction.

DECISION: Delegated authority to the Head of Area Planning to approve the application subject to additional conditions on green roof, internal alterations and blue badge spaces, revised conditions 2, 10, 20, 26 and 28, informatives on hours of construction and subject to consideration of any new substantive comments received and any associated conditions from the Greater London Authority and Transport for London.

4. Tiverton Youth and Community Centre, Wrentham Avenue, London, NW10 3HN (Ref: 10/3199)

PROPOSAL:

Erection of single storey glazed extension to the Wrentham Avenue frontage, external seating area, inclusion of a swimming pool (use class D2) within the building (in place of the originally approved hall area) and other alterations, including tree planting, erection of boundary wall and provision of a green wall at ground floor level fronting Wrentham Avenue.

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted subject to conditions and informatives.

5. Zomba Records, Maybury Gardens, London, NW10 2NB (Ref: 11/1813)

PROPOSAL:

Demolition of the existing recording studio and erection of a single-storey-to-4-storey and excavation of basement, mixed-use development, comprising office and commercial use and storage on the basement level, commercial use on the ground floor and part of the first floor, with 6 flats (1 studio, 3 one-bedroom and 2 two-bedroom) on the upper floors ("car-free" scheme).

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, in reference to the tabled supplementary report informed members about a comment received from Councillor Janice Long regarding damage to the pavement on Maybury Gardens caused by trees within the site adjacent to the application site and queried whether a condition could be put on the application to require the pavement to be re-laid following the building work. In response, Andy Bates stated that the request was beyond the scope of this application, however, he had passed the information to the Council's Highway and Transport Delivery Section to be considered by a traffic engineer. He referred members to an amended condition 4 on the advice of the Director of Legal and Procurement and as set out in the tabled supplementary report.

In response to members' queries, Andy Bates clarified that there would be no resulting loss of employment and although an extant permission for the development was in place, a further condition had been added to remedy any contamination issues that may arise. He also clarified the location of the lightwell which he added would receive sufficient light, drawing attention to a condition recommended to enhance the appearance of the building.

DECISION: Planning permission granted subject to conditions as amended in condition 4 and 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.

6. Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA (Ref: 11/2158)

PROPOSAL:

Variation of Condition 13 (details of external lighting) of planning permission 10/3203 to allow restricted light spillage to neighbouring gardens in accordance with the submitted lighting plans and specifications (maximum 8.1m high columns to multi use games area (MUGA), 4m high columns to school/carpark areas and 1m high light bollards elsewhere) and installation of all external lighting within 18 months of commencement of development.

RECOMMENDATION: Grant variation of condition 13 and planning permission, subject to the original s106 legal agreement associated with 10/3203.

With reference to the tabled supplementary report, Neil McClellan, the Area Planning Manager, responded to additional letters of objection which raised issues about restrictive covenant, loss of wildlife and loss of property values. He clarified that the restrictive covenant did not prohibit the erection of buildings within the school grounds and in addition the proposed external were not covered by buildings the covenant was not applicable. He continued that the new primary school incorporated an extensive landscaping scheme including at least 53 new trees and a nature conservation area which would encourage wildlife. He advised the Committee that potential loss of property values was not a material planning consideration. He informed the Committee that the applicant had submitted details of the non-MUGA external lighting times, and consequently recommended an amendment to condition 7 as set out in the tabled supplementary report.

DECISION: Variation of condition 13 and planning permission granted subject to the original s106 legal agreement associated with planning reference 10/3203 as amended in condition 7 on lighting times.

7. Unit 7, Forum House, Empire Way, Wembley, HA9 0AB (Ref: 11/0239)

PROPOSAL:

Change of use of part of ground-floor unit 7, a live-work unit (Use Class Sui Generis) from office (Use class B1a) to flexible financial and professional services/Office (Use Class A2/B1a).

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted subject to conditions and informatives.

8. Unit 8, Forum House, Empire Way, Wembley, HA9 0AB (Ref: 11/0238)

PROPOSAL:

Change of use of part of ground-floor unit 8, a live-work unit (Sui Generis), from office (Use class B1a) to flexible financial and professional services/Office (Use Class A2/B1a)

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

DECISION: Planning permission granted subject to conditions and informatives.

9. Planning and enforcement appeals August 2011

Noted.

10. Date of next meeting

The next meeting will take place on Tuesday 25 October 2011.

11. Any Other Urgent Business

None.

The meeting closed at 8.08 pm

K SHETH
Chair