



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Thursday 21 February 2013 at 7.00 pm

PRESENT: Councillor Ketan Sheth (Chair), Councillor Daly (Vice-Chair) and Councillors Baker, Cummins, Hashmi, Lorber (In place of CJ Patel), J Moher (In place of Aden), Ogunro (In place of John), RS Patel, Krupa Sheth and Singh.

Also present: Councillor Ann Hunter, Councillor Lesley Jones and Councillor Carol Shaw.

Apologies for absence were received from Councillors Aden, John and CJ Patel.

1. **Declarations of personal and prejudicial interests**

Councillor Hashmi declared that he was a member of Mapesbury Residents Association, had conducted surgeries at the library of which he was a user. He added that he had passed on to officers, correspondence he had received from residents on the application.

Councillor Lorber declared that he was a Director and a Trustee of Barham Park Library.

2. **Willesden Green Library Centre (Ref. 12/2924)**

PROPOSAL:

Demolition of the existing Willesden Green library building, retention of the former library building on the High Road frontage, and the erection of a new Cultural Centre, including café and retail space, along with 95 residential flats (46 one and 49 two bed units) to the rear of the site, with associated car parking.

RECOMMENDATION:

Grant planning permission in principle subject to:

- (a) Any direction by the Mayor of London to refuse the application. In accordance with Article 5 of the Town & Country Planning (Mayor of London) Order 2008 following the Council's determination of this application, the Mayor is allowed 14 days to decide whether to allow the draft decision to proceed unchanged or direct the Council under Article 6 to refuse the application.
- (b) Satisfactory prior completion of a Section 106(s) under the Town & Country Planning Act 1990 and/or other form(s) of agreement/undertaking in order to secure the S106 matters as detailed in this report.
- (c) Referral of the conservation area consent application to the Secretary of State for a decision.

Prior to the introduction and discussion of this item the Chair explained that, as both applications on the agenda were linked, the discussion would cover both items and speakers would be permitted twice the normal amount of time given that two applications were being discussed.

With reference to the supplementary report tabled at the meeting, Andy Bates, Area Planning Manager informed the Committee about additional representations received from both supporters and objectors. He continued that the letter of support from a local resident outlined the limitations of the existing building and the need to change and re-develop the library service. He then drew members' attention to an objection from the "Keep Willesden Green" group in which they highlighted what they regarded as a poor relationship to 15 Grange Road and a reduction in the size and quality of the space available for the library. The group also raised concerns about loss of the existing playspace and the quality of the replacement, the value of the existing local space, the relationship of the development with 148 Brondesbury Park and a constrained area around the vehicle entrance to the housing part of the development. He submitted that the above issues raised by the objectors had been fully addressed in the main report.

The Area Planning Manager also referred to a further letter of objection from a resident which suggested that the proposal did not comply with policies TRN22 (residential parking) PS12 (a minimum of one space for educational and community facilities) and TRN35 and PS15 (disabled parking provision). In responding to these, the Area Planning Manager stated that Transportation officers had confirmed that the principal assessment of the parking requirement was based on the use as a library and that a space each for educational and community facilities was not an appropriate requirement. He continued that there was no policy requirement for general visitor parking and that the Servicing Management Plan within the Section 106 requirement would cover some of the specific needs for functions and visitors. In terms of disabled parking, Transportation officers considered that the indicated 4 spaces on Grange Road would replace the existing servicing bay and confirmed that there was scope within the carriageway to meet the standard layout in terms of size (through the Traffic Regulation Order process).

In reiterating the recommendation, the Area Planning Manager drew members' attention to an amendment in the proposed Heads of Terms as set out in the tabled supplementary report and as follows; "up to £40,000 towards improvement of local bus stops and/or amendments to Controlled Parking Zones following Travel Plan monitoring".

Mr Martin Redston, Chair of Brent Arts Council and Keep Willesden Green group raised objections to the scheme on the following grounds:

- a) Loss of public open space and a public square to the front of the building. He also referred to the Core Strategy and the deficiency of public open space along Willesden High Road.
- b) Loss of outlook resulting from the high walls of the proposed flats.
- c) Loss of car parking spaces.
- d) Access problems.

In response to a question from Councillor Daly, Mr Redston stated that a scheme for half of the proposed development could generate adequate income with which to upgrade the existing building and retain significant community architecture. He referred to the upgraded library at Ilford by way of example. In response to further members' questions he considered that the removal of a car park at Ilford had had a detrimental impact on the use of the library.

Mr Phil Grant, a user of Brent Archives and Museums in his address noted that officers had recommended that the conservation area consent would be referred to the Secretary of State for decision. He pointed out that in accordance with Brent's Planning Code of Practice, officers' register of interests should have been made available for inspection at the meeting and went on to enquire as to whether any officer involved in the report had declared prejudicial interests in respect of both applications. In reference to the supplementary report, Mr Grant added that the four disabled persons parking spaces recommended would be inadequate and in reply to the Chair's question he expressed a preference for between 7 to 8 spaces together with adequate access for minibus users to the site. He added in response to other members' questions that there was no plan showing the location for the setting down of library visitors and that provision needed to be made for those who could not use public transport.

Mr Jason Stewart, a local resident in objection, stated that the proposal would constitute a backland development which would breach policy H18 of the Council's Unitary Development Plan in terms of density and height. He added that the 5-storey block would raise issues of overlooking and loss of outlook without compensatory or adequate screening. Mr Stewart referred to the location of the electricity sub-station which he considered inaccessible and which he added could add to the likelihood of fire. He added that the whole proposal was insensitive to the character of the area.

Mr Dilwyn Chambers, member of Wembley History Society in objection, stated that he had raised concerns and made freedom of information (FOI) requests about heritage aspects of the development but had not received any response. He added that the report made no reference to statutory consultees, in particular, London Fire Brigade. He commented that there was a lack of concern about heritage issues, no involvement by the public in the museum and no intention of improving it.

Mr Simon Watkins, a local resident, objected to the scheme on the grounds that the development would be cramped into a smaller space (over-development) thus offering a significantly smaller library area than the existing building. The new library would be at least 395 sq. m. smaller in terms of user area. In response to a question from Councillor Daly, Mr Watkins commented that improved plans would clarify the position. He continued that a lot of circulation space was included in the new library building and additionally, the proposal would have a detrimental effect on Brondesbury Park due to its size.

Mr Stephen Eyton, representing the local J Sainsbury's store expressed a general view that officers had not fully assessed the impact of the redevelopment on the demands on local car parking. He clarified that as the redevelopment did not incorporate adequate car parking facilities, users of the library were likely to use the J Sainsbury's car park to the detriment of the store's customers. In order to address this, he suggested that the existing Section 106 legal agreement relating to the J Sainsbury's store and allowing public parking, be amended to enable the store to introduce a scheme for pay and display charges, in line with on-street parking, for the use of their car park.

He responded to members' questions that he wished to have the legal agreement amended in order to discourage use of the car park (currently operating close to capacity) by those who were not shopping at the store. He added that J Sainsbury's was prepared to discuss with the Council the use of any monies received as a result of imposing charges.

Mrs Elizabeth Mioduchowski, a local resident objected to the proposed redevelopment on aesthetic grounds and on grounds that it would result in a loss of car parking facilities for users of the library especially the disabled, loss of public open space to the front of the existing building and loss of the independent bookshop. In her view, the project was ill-conceived and would not fit in with the character of the street.

In accordance with the provisions of the Planning Code of Practice, Councillor Ann Hunter, ward member declared that she had been approached by residents in connection with the application. Speaking in support of the application, Councillor Hunter felt that the developers, having listened to the concerns of the residents, had submitted a revised application with better facilities including a larger library space which incorporated a functional design with appropriately blended materials which was more light and airy. This contrasted with the existing building which had lower 'BREEAM rating' and consequently higher maintenance costs. Councillor Hunter considered that the car free aspect of the development was realistic in view of the area's good public transport network. In response to a question from Councillor Hashmi she said that although no affordable housing was being provided, the developer was funding the new cultural centre.

In accordance with the provisions of the Planning Code of Practice, Councillor Lesley Jones, ward member declared that she had been approached by residents in connection with the application. Speaking in support of the scheme, Councillor Jones stated that it would offer better facilities than the current building which had not only become expensive to maintain but also which entrance was exposed to constant noise and pollution. She also welcomed the inclusion of 95 residential dwellings within the development adding that it would assist in reducing the Borough's housing shortage.

In response to members' questions, Councillor Jones stated that the scheme demonstrated a sensible approach to redevelopment which would have a positive impact on residents. She drew members' attention to the Section 106 legal agreement which would offer, amongst other benefits, funds for the promotion of

car clubs and Section 278 Highway Works to enhance the streetscape of Brondesbury Walk, High Road and Grange Road. She added that if felt necessary, changes to the controlled parking zone (CPZ) in the area could be made.

In accordance with the provisions of the Planning Code of Practice, Councillor Carol Shaw, ward member declared that she had been approached by residents in connection with the application. Councillor Shaw expressed a view that the proposed development would not sustain the projected growth in the local community. She then requested the Committee to consider the following points by way additional conditions:

- i) Careful consideration should be given to the application to prevent overshadowing of the property at No. 148 Brondesbury Park before granting approval.
- ii) If the scheme was to be granted planning approval, members should add a condition that no further increase in height or number of residential units would be added to any of the buildings.
- iii) The provision for private car parking for the residential part of the scheme was excessive and should be reduced and re-allocated for public use, disabled access and “parents with children parking”.
- iv) As a 50 sq. m safe, fenced playground was being lost consideration should be given to the provision of children’s play area to address the deficiency.
- v) Adequate screening should be provided to give the necessary privacy to the residents of 138-148 Brondesbury Road.
- vi) The hire fees for use of the function room should be waived for educational uses.
- vii) A request for a subsidised specialist shop of community and education benefit to replace the bookshop
- viii) Assurances be given to residents that the development would not result in loss of on-street parking bays in the area.
- ix) Concerns still existed about the reduction in the width of the pavement on Brondesbury Park.

In addition to the above Councillor Shaw suggested that Galliford Try, the developers be requested to build a local primary school to minimise the detrimental impact on the community. Members did not agree to add additional conditions as requested.

Mr Tony Blackburn, the applicant, stated that Galliford Try had the right expertise with which to deliver the scheme including new homes for the Borough at nil cost to the Council. He added that the scheme which accorded with Brent’s requirement for sustainable building had been revised taking into account the concerns expressed by residents to ensure that the scheme respected the character of the surrounding area. Mr Blackburn continued that the library development would be a larger facility than the current building based on robust calculation using Royal Institute of Chartered Surveyors (RICS) measurement criteria.

In response to members' queries, Mr Blackburn's architect submitted that parking provisions within the scheme were based on usage of the existing library and complied with the Council's transport strategy. Mr Blackburn added that the mix of residential dwellings was based on the current economic climate and viability appraisal and that whilst there would be loss of open space, the scheme incorporated high quality landscape designs.

Andy Bates, Area Planning Manager, clarified that a condition had been recommended requiring the applicant to submit details of the boundary wall which complied with the Party Wall Act. This would also ensure that part of the wall which was known to be vulnerable would be safeguarded. He added that there was no requirement to consult with London Fire Brigade but they would be consulted under Building Regulations.

Chris Walker, Assistant Director of Planning and Development in responding to the issues raised by Mr Grant on officer interests emphasised that Planning Services maintained a scrupulous approach to project management and that officers involved in the planning application assessment had no involvement in the project group overseeing the development on behalf of the Council. He continued that the recommendations were made based solely on their professional judgement. In respect of the request on behalf of J Sainsbury's store, the Assistant Director of Planning and Development submitted that the store's car park was not a key component to the acceptability of the application, adding that any changes to their Section 106 legal agreement would be a subject of further dialogue.

The Assistant Director of Planning and Development then responded to questions posed by various members about the scheme. He stated that the scheme incorporated adequate disabled parking and servicing arrangements, taking into account the very good public transport network in the area. Members heard that there were provisions within the Heads of Terms of the Section 106 legal agreement for a review of the on-street parking provisions, if that was felt necessary.

He drew members' attention to the part of the main report that set out the comparison of floor space areas in the existing library and proposed building and added that the existing library was an inefficient building in comparison with the proposed building. The Assistant Director of Planning and Development added that the key issue was whether the new library accommodated the requirements of the Library Service rather than how large it was in comparison with the existing. He continued that whilst no part of the existing library was a public open space, the proposed scheme incorporated attractive alternative open amenity areas, including the proposed Brondesbury Walk. He added that there was an existing play area in Brondesbury Park, approximately 300 metres from the site entrance. The Assistant Director of Planning and Development advised members that the scheme complied with Supplementary Planning Guidance 17 (SPG 17) in terms of its density, scale and size. He explained that information relating to the costs and viability of the scheme had demonstrated that affordable housing could not be provided and in respect of the mix of the proposed flats, he stated that there remained a need in London for one and two bedroom dwellings, whilst

acknowledging that in Brent there was also a need for affordable larger family units.

During members' contributions, Councillor Lorber expressed concerns about accessibility adding that the proposed scheme should be made accessible to residents from all parts of the Borough including Sudbury. Councillor Cummins, in emphasising the need to encourage the regeneration of the High Road stated that a major contributory factor would be the availability of a public car park within the proposed scheme. Councillor Daly expressed her support for the scheme. This was echoed by Councillor J Moher who felt that the revised report had addressed residents' concerns, adding that the request on behalf of J Sainsbury's for pay and display facility for use of their car park was a matter for Highways Committee.

In his concluding remarks the Assistant Director of Planning and Development advised that policies had been applied appropriately to a wide range of issues and officers had been careful in their report to reach a balanced judgement. The recommendation to support the application was a clear one as no significant features of the scheme would go against policy or related guidance. He also considered the proposal would deliver significant local regeneration benefits, a view that Andy Bates, Area Team Manager, pointed out had been shared by the Mayor of London as set out in the report.

DECISION: Agreed as recommended.

3. Willesden Green Library Centre (Ref. 12/2925)

PROPOSAL:

Conservation Area consent for partial demolition works to the rear of the old library building to facilitate its link to the proposed Willesden Green Cultural Centre

RECOMMENDATION: Having agreed in principle to grant the linked planning application, to refer the conservation area consent application to the Secretary of State for a decision.

Andy Bates, Area Planning Manager stated that the report clearly explained the reason for and the background to the need for the Conservation Area Consent to be referred to the Secretary of State for his decision. He however drew members' attention to the amended recommendation as set out in the tabled supplementary report.

DECISION: Agreed as recommended.

The meeting ended at 9:50pm

COUNCILLOR KETAN SHETH
Chair