



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Wednesday, 24 February 2010 at 7.00 pm

PRESENT: Councillors Powney (Vice-Chair), Anwar, Baker, Cummins, Hashmi, Jackson, Long, R Moher, CJ Patel and Steel

ALSO PRESENT: Councillor Mary Arnold, Councillor Muhammed Butt, Councillor George Crane, Councillor John Detre, Councillor Anthony Dunn, Councillor Mary Farrell and Councillor James Moher

Apologies for absence were received from Councillors Kansagra, Hirani, HM Patel and Thomas

1. Declarations of personal and prejudicial interests

3. 7-8 Elmwood Crescent Kingsbury NW9.
Councillor R Moher declared a prejudicial interest, addressed the Committee and left the meeting without taking part in the discussion or voting.
- 13 South Kilburn Regeneration roundabout site
All members declared that they had been approached by Westminster City Councillors in connection with the application for South Kilburn.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 3 February 2010 be approved as an accurate record of the meeting subject to the following amendments to the declarations made;

Councillor R Moher declared a prejudicial interest in the application for 7-8 Elmwood Crescent NW9
Delete "19 Crawford Avenue" from the declarations made by Councillor Jackson.

3. 7-8 Elmwood Crescent, London NW9 ONL (Ref. 09/1851)

Erection of a single storey rear and side extension, first floor front extension, raised terrace with ramped access to rear and front, new canopy to front entrance door, 2 front and 1 rear rooflight and associated landscaping, and change of use of premises from single family dwelling (Use Class C3) to supported accommodation for people with mental health problems, incorporating 11 self-contained units (Use Class C2).

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Interim Borough Solicitor. This is to secure the submission of and adherence to a Management Plan to ensure that preference be given to placing Brent residents in any vacant spaces available in the facility, and to ensure that the cost of such places is comparable and competitive in the market, for the lifetime of the development. Details of the proposed heads of terms are given under Section 106 notes.

This application was deferred from the last meeting of the Committee for a site visit to assess the impact of the proposed development and the change of use. With reference to the supplementary information tabled at the meeting the Head of Area Planning Steve Weeks responded to the issues raised at the site visit.

The Head of Area Planning stated that the height of the proposed side extension complied with SPG5 guidance and although the height of the proposed rear extension was 0.4m higher than the existing conservatory, due to the distance of the extension from the site boundary, the proposal would not have a significant additional impact on the amenities of the neighbouring residents. He did not consider that the proposal would add significantly to existing problems which arose from the local special school. He outlined the differences between this and the previous application and similar facilities in Fairfields Crescent. In respect of the comments about the suitability of the ground floor front-facing bedrooms the Head of Area Planning submitted that the rooms would provide an acceptable level of accommodation similar to many other residential properties with similar bedroom orientations. He then referred to a petition from residents adding that it did not raise new issues. In reiterating the recommendation for approval he drew members' attention to an amendment to condition 9 as set out in the tabled supplementary report.

Ms Bashir in expressing her objection stated that the location of the proposal was inappropriate within a residential area as it would grossly impact on the neighbourhood in terms of loss of privacy, sunlight and noise pollution. She added that the scale of the development within a small cul-de-sac would exacerbate the problems with parking and traffic flow in addition to the detrimental impact on local infrastructure.

Mr A Letvin also objected on grounds of loss of privacy, over-intensity of use due to its bulk which would be out of character within the residential area and the impact on the neighbourhood.

In accordance with the provisions of the Planning Code of Practice, Councillor R Moher, ward member, re-stated her prejudicial interest that she had been involved in previous applications for the site. In echoing the sentiments expressed by the previous speaker, Councillor R Moher pointed out that by using a disproportionate amount of the rear garden in excess of guidance, the proposal would be out of character within the area. She added that the proposal would be inappropriate in Elmwood Crescent on grounds of traffic, a situation which would be made worse by an unknown number of inhabitants.

In accordance with the provisions of the Planning Code of Practice, Councillor Crane, ward member, stated that he had been approached by the residents. Councillor Crane raised objections to the proposal on grounds of over-development of the site, problems with access and over-concentration of similar homes within the vicinity.

In accordance with the provisions of the Planning Code of Practice, Councillor J Moher, ward member, stated that he had been approached by the residents. Councillor J Moher objected to the proposed development on the grounds that it would constitute a material change of use to the detriment of the character and residential amenities of the area. He continued that its impact in terms of overbearing, overlooking and loss of privacy could not be adequately controlled by conditions. In endorsing the comments by the previous speakers, Councillor J Moher added that the proposal would be inappropriate within Elmwood Crescent, a small cul-de-sac.

Mr M Ahmed, the applicant clarified that the proposal would enable 11 single occupants with mental health problems to simulate normal residential living with support from 2 to 3 staff. In endorsing the officer's reasons for recommending approval, Mr Ahmed added that the proposed development would not be out of character with the area. In response to members' questions, he stated that although the occupants would have the ability to use ordinary services including an excellent local public transport service, the management plan proposed would ensure that there would be no excessive number of visitors and therefore excessive traffic would not be generated in the area. The applicant added that the expected average stay per person would be 24 months and that all occupants would be supervised by a total of 6 staff using only 2 vehicles, to comply with standards.

Members discussed the application during which they expressed concerns about the intensity of use of the property and its impact in terms of access to and egress from the site which they felt would be out of character with the area. They also pointed out that there was an over-concentration of similar facilities within the area.

The Head of Area Planning in response stated that the side extensions adjoining No 9 Elmwood Crescent were not significantly higher and that the number of residents at the property was not dissimilar to a large property occupied by 2 families. He added that in his view, the proposal was less likely to generate excessive traffic.

Members however voted to refuse the application on grounds of over-intensive use of the property, cumulative impact including access problems for emergency vehicles.

In accordance with the Planning Code of Practice, voting on the recommendation for approval subject to a Section 106 or other legal agreement was recorded as follows:

FOR : Councillor Long (1)

AGAINST : Councillors Anwar, Baker, Cummins, Jackson and Steel (5)

ABSTENTION: Councillors Powney, Hashmi, Mistry and CJ Patel (4)

DECISION: Planning permission refused on grounds of over-intensive use of the site, cumulative impact on the neighbourhood and access problems for emergency vehicles.

4. Jubilee Heights, Shoot up Hill & Cedar Lodge, Exeter Road, London NW2 3UL (Ref. 09/2229)

Erection of 1 x 10-storey north flank extension and 1 x 7-storey south flank extension to existing building & 1 x 4-storey building over existing car park and vehicular accesses all totalling 21 x 2-bedroom self-contained flats, provision of 10 cycle spaces, raised garden deck and associated works to existing car parking and landscaped amenity spaces as accompanied by Design & Access Statement, Daylight & Sunlight report, SAP Calculations & Compliance with Code for Sustainable Homes Level 3 report, Background Noise Survey.

OFFICER RECOMMENDATION: Refuse planning permission.

The Head of Area Planning Steve Weeks updated members that since the report was published the applicant had withdrawn the application. He however asked members whether on the basis of the information available they would have been minded to refuse the application.

DECISION: Planning permission would have been refused had the application not been withdrawn.

5. 11 Mentmore Close, Harrow Middlesex HA3 0EA (Ref. 09/2562)

Erection of a single- and two-storey rear extension and a first-floor side extension to dwellinghouse (as per revised plans received on 10/02/2010).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Head of Area Planning Steve Weeks referred to residents' requests for the application to be deferred as they had not seen the revised plans and stated it was not considered necessary to re-consult as the revisions had reduced the depth, width and any impact on neighbouring properties. He added that as the covered area behind the garage was not included on the elevations, he recommended an additional condition 9 and an amended condition 6 on the advice of the Interim Borough Solicitor as set out in the tabled supplementary report. The Head of Area Planning drew members' attention to comments by Councillors Colwill and Steel on the character and the roof lines of the house and the officers' responses to them.

Ms A Green an objector welcomed the revisions but requested that additional conditions be imposed requiring the applicant to ensure that delivery of materials and construction of the extension were carried out during normal hours and to replace any broken pavements and an informative advising the applicant to ensure that the property remained as single family dwelling.

In granting planning permission subject to conditions with additional conditions and informatives, members requested the Head of Area Planning to alert the Council's Streetcare Unit about the pavement.

DECISION: Planning permission granted subject to conditions as amended in condition 6, an additional condition 9 and to join the Considerate Construction Schemand informatives on single family dwelling house.

6. 4 Aston Avenue, Harrow Middlesex HA3 0DB (Ref. 09/2640)

Single- and 2-storey side and rear extensions, single-storey side extension, rear dormer window and 1 front and 3 side rooflights to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Head of Area Planning drew members' attention to an amended description of the proposal as set out in the tabled supplementary report and added that one further objection from a neighbour on grounds of loss of light, being out of keeping with the area and possible use for commercial purposes had been covered in the main report.

Mr Gudka an objector reiterated his objections on grounds of loss of light, loss of privacy, being out of keeping with the character of the area and possible use of the enlarged property for commercial purposes. He added that he would not object to a single storey extension.

Councillor Steel in contribution requested the imposition of additional conditions on use as single family dwelling and the contractor to sign up to the Considerate Construction Scheme.

DECISION: Planning permission granted subject to conditions with an amended description and informatives to ensure it remained as a single family dwelling house and to join the Considerate Construction Scheme.

7. Woodfield School, Wood Lane, London NW9 7LY (Ref. 09/2499)

Erection of a new single storey extension comprising changing rooms and toilet to school.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Committee decided to allow the objector to make together her representations on this application and the other applications for Woodfield School (items 8 and 9).

In accordance with the provisions of the Planning Code of Practice, Councillor Farrell, ward member stated that she had been approached by the local residents. Councillor Farrell whilst welcoming the recommendations emphasised concerns that the extensions and particularly outside lighting would facilitate more intensive out of hours' use of the school which would lead to increased noise and disturbance and an unacceptable impact on the Welsh Harp Site of Special Scientific Interest. She requested that any outside lighting should be subject to conditions and breaches swiftly enforced.

In reiterating the recommendations, the Head of Area Planning drew members' attention to the conditions and informatives which sought to address the issues raised by Councillor Farrell adding that any impact on neighbouring residents from the use of sport facilities was likely to be minor.

DECISION: Planning permission granted subject to conditions and informatives.

8. Woodfield School, Wood Lane, London NW9 7LY (Ref. 09/2652)

Retention of and alterations to the external lighting of the school, including wall and soffit-mounted lights to main buildings, and column-mounted lights in car park adjacent to rear gardens of properties on Glenwood Avenue.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

See item 7 above for discussion at the meeting.

DECISION: Planning permission granted subject to conditions and informatives.

9. Woodfield School, Wood Lane, London NW9 7LY (Ref. 09/2699)

Details pursuant to condition 9 (relating to proposed out of hours use of premises by external organisations) of full planning permission reference 06/0143 granted on 02/03/2006 for erection of 2-storey extension to school with associated car parking and landscaping.

OFFICER RECOMMENDATION: Refuse permission for the use of facilities approved under planning reference 06/0143, including 6th form extension and associated car parking, by external organisations not part of the school.

See item 7 above for discussion at the meeting.

DECISION: Refused planning permission for the use of facilities approved under planning reference 06/0143, including 6th form extension and associated car parking, by external organisations not part of the school.

10. 165-167 High Road, Willesden, London NW10 2SG (Ref. 09/3194)

Variation of conditions 5b (requiring windows of the ground floor D1 use only to be closed at all times) and 6 (to allow operating hours 10am to 10pm Monday-Saturday & 10am-8pm Sunday) for community use (class D1) of planning permission 08/2472 granted 22/10/2009 for conversion of first and second floor from offices (Use Class B1) to D1 community use with ancillary office space to ground and first floor and 3 (2x2, 1x1 bedroom) self-contained flats to second floor, replacement of external staircase from ground to first floor and repositioning of ground floor entrance doors (CAR FREE SCHEME) and subject to a Deed of Agreement dated 15th October 2009 under Section 106 of the Town and Country Planning Act 1990, as amended.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

With reference to the tabled supplementary information the Area Planning Manager, Andy Bates, clarified the uses proposed in the ground floor of the building and confirmed that the D1 use would not be for a place of worship. In terms of potential noise from the development, the Area Planning Manager submitted that conditions 4 and 5 would ensure that there were no adverse noise implications from the use. He also drew members' attention to an advice from the Borough Solicitor that full conditions for the parent application 08/2472 be attached to the grant of planning permission.

DECISION: Planning permission granted subject to conditions including full conditions for the parent application (08/2472) and informatives.

11. 10 Alverstone Road, London NW2 5JT (Ref. 09/1204)

The demolition of conservatory at rear patio level, the increase height of patio (Increase of 0.07m), retention of single storey rear extension with a reduced height, boundary treatment between no.10 and no.12 Alverstone Road, and introduction of boundary fence

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

In reference to the tabled supplementary report the Area Planning Manager, Andy Bates, clarified the issues raised by members at the site visit. He suggested that in view of the concerns relating to slow implementation of the enforcement action on the porch, an additional informative be added advising the applicant that the existing porch must be removed within one month from date of issue of this

decision notice and that failure to do so would result in direct action by the Local Authority.

DECISION: Planning permission granted subject to conditions and informatives.

12. Tennis Courts, Chelmsford Square, London NW10 (Ref. 09/2605)

Tarmac resurfacing of tennis courts, removal of existing fencing and erection of 3m high, replacement perimeter fence and gates.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

With reference to the supplementary report tabled at the meeting, the Area Planning Manager, Andy Bates clarified issues about the state of the tennis court and the fence and added that there was no planning basis for asking for signage to be erected.

DECISION: Grant planning permission subject to conditions.

13. South Kilburn regeneration roundabout site, Carlton Vale, London NW6 (Ref. 09/2500)

Demolition of garages adjacent to Bronte House and erection of two single to seven-storey blocks to provide 133 dwellings (comprising flats & maisonettes, including 75 affordable units) with associated landscaping and amenity space on roundabout adjoining Kilburn Park Road and Carlton Vale, NW6, including removal of pedestrian footbridge and stopping-up of western side of existing roundabout.

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Interim Borough Solicitor.

In reference to the tabled supplementary report, the Area Planning Manager Andy Bates submitted the following responses to issues raised at the site visit. He reported that the Traffic Assessment inspected by the Council's Transportation Unit and Transport for London (TfL) had concluded that the predicted impact on traffic flows would be acceptable. In addition the applicant had submitted an air quality assessment which suggested that the predicted traffic flows would not cause significant harm to the air quality in the surrounding area. He continued that the Council's Transportation Unit had stated that it would not be advisable to propose a one-way operation on Cambridge Road at this time, but instead to review the operation of the scheme once it has been operational for a period of time. He added that the information submitted by an objector did not conclusively suggest that signalled junction would give rise to a significant increase in accidents within the vicinity of the junction. On the comments about trees Andy Bates confirmed that all tree planting associated with the proposed development would

be carried out prior to occupation. He considered that the development would provide adequate amenity space for use as balconies and storage and that right to light issues were unlikely to arise. He added that the Environment Agency (EA) had withdrawn their initial objection subject to a further condition on flood risk assessment (FRA) as set out in the tabled supplementary report

Ms Kim Zeineddine objected to the proposed development on grounds of noise and vibration from four bus routes, air pollution, loss of daylight and loss of trees. She added that the development which he felt was poorly planned would cause health risks through nitrogen dioxide with detrimental impact on the quality of life of the residents.

Mr Terry Street in objecting stated that the signalled junction would not be able to cope with the expected traffic problems leading to congestion particularly during peak hours. He added that the true costs of demolition of the existing buildings including asbestos had not been taken into account.

Councillor Alistair Moss, ward member for Carlton Vale (an adjoining ward) in the City of Westminster stated that he had been approached by the local residents. In objecting to the development Councillor Moss stated that due to the poor quality of its design and inappropriate scale, the development would give rise to on-street parking and traffic problems. He added whilst he would welcome the re-development of South Kilburn as a whole, he considered that due to lack of open space and amenity space, the proposal would adversely affect the quality of life of the residents.

In accordance with the Planning Code of Practice, Councillor Detre, Lead Member for Regeneration and Economic Development stated that he had been approached by local residents and some Brent Councillors. Councillor Detre speaking in support of the proposed development stated that the development which would replace the current bison blocks would not generate significant additional traffic. He added that four trees would be re-planted in place of any lost tree. Councillor Detre urged members to endorse the officer's recommendation for approval so as to progress the South Kilburn Masterplan.

In accordance with the Planning Code of Practice, Councillor Arnold, ward member stated that she had been approached by local residents and the applicant. Councillor Arnold welcomed the principle of the development she however raised concerns on loss of open space in such a high density area, lack of amenity and possible worsening of traffic in Cambridge Road and made a request for further details on Environmental Impact Assessment (EIA). She also asked about the mix of tenure, management of the block and the anticipated date for demolition.

In accordance with the Planning Code of Practice, Councillor Dunn, ward member and South Kilburn Partnership Board member stated that he had been approached by the applicant and residents. Councillor Dunn stated that the development which would replace the current unpleasant and noisy buildings was needed to facilitate the decanting of existing tenants and to progress the achievement of the South Kilburn Masterplan.

Mr Sherlock speaking on behalf of the applicant stated that the proposed development which accorded with the Supplementary Planning Guidance (SPG) in terms of layout, density and massing would have no material impact on daylighting and being accessible to excellent public transport links would have no significant impact on parking and traffic in the area. He added that in addition to enhanced amenity and open space, in excess of 100 trees would be planted to ensure a satisfactory landscaping of the site.

The Head of Area Planning Steve Weeks, highlighted the areas of support for the proposals within the Officer's report from Westminster and referred to additional information and the technical advice received which supported the proposals in areas such as traffic and daylighting.

DECISION: Planning permission granted subject to conditions including an additional condition on flood risk assessment, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Interim Borough Solicitor.

14. 136 Thirlmere Gardens, Wembley, Middlesex HA9 8RF (Ref. 09/2505)

Erection of a single and two storey side and rear extension to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

15. 32-34 Brook Avenue, Wembley, Middlesex HA9 8PH (Ref. 09/2571)

Demolition of 3 two-storey properties and erection of a part 5- and part 10-storey block to provide a total of 44 flats as affordable housing, comprising 2 x one-bedroom, 29 x two-bedroom and 13 x three-bedroom flats, with formation of new vehicular access, associated amenity space and landscaping, provision of 17 underground car-parking spaces and cycle and refuse stores

OFFICER RECOMMENDATION: Grant planning permission subject to conditions, including additional condition 18, amendments to conditions 8, 9, 11, and 16, informatives, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor.

With reference to the tabled supplementary report the Area Planning Manager Neil McClellan clarified issues raised on flooding, landscaping and the requirement to comply with lifetime home standards. He drew members' attention an additional condition 18 in respect of lifetime home standards and amendments to conditions 8, 9, 11 and 16 as set out in the tabled supplementary report.

DECISION: Planning permission granted subject to conditions, including additional condition 18, amendments to conditions 8, 9, 11, and 16, informatives, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Interim Borough Solicitor.

16. Land next to Central Middlesex Hospital, Acton Lane, London NW10 (Ref. 09/2415)

Approval of reserved matters relating to appearance, landscaping, scale and access of outline planning permission reference 08/1043.

Application 08/1043, dated 13/11/09 for erection of three linked buildings for mixed-use development on land next to Central Middlesex Hospital to provide up to 650m² of creche/primary health-care facility (Use Class D1), up to 2,160m² of retail (Use Class A1), up to 467m² of cafe/restaurant (Use Class A3) floorspace, up to 13,480m² of care and treatment facilities (Use Class C2/C2A) and up to 5,370m² of Use Class B1(b)/additional care and treatment (Use Class C2/C2A), formation of refuse storage, loading bay, cycle storage and 32 car-parking spaces, to include 2 disabled parking spaces on ground floor and associated landscaping.

OFFICER RECOMMENDATION: Grant planning approval to the reserved matters relating to outline planning consent reference 08/1043.

The Area Planning Manager, Neil McClellan, in reference to the tabled supplementary report confirmed that the applicant had submitted revised drawings to reflect the amendments to the design of the building to the south-western corner of the Plot 1 building. He added that the primary nature of the use was considered to be that of care and treatment.

DECISION: Reserved Matters application relating to outline planning consent reference 08/1043 as amended in condition 1.

17. Dexion House, Empire Way, Wembley HA9 0EF (Ref. 09/2291)

Demolition of existing building and erection of a building ranging in height from 7 - 15 storeys, consisting of 2,509m² basement parking and plant, a parking permit-free proposal for 129 residential flats (37 one-bedroom, 73 two-bedroom, 19 three-bedroom), a 5,837m² 125-bedroom hotel (Use Class C1), 1,983m² of community swimming-pool and fitness facilities (Use Class D2), and associated landscaping, as amended.

OFFICER RECOMMENDATION:

- (a) Grant Planning Permission, subject to conditions as amended in conditions 2, 10, 13, 13, 15, 16, 17, 18, 19, 21, 24 and 25, an additional condition 26, informatives and a referral of the application to the Mayor of London in accordance with part 5 of the Town and Country Planning (Mayor of London) Order 2008, and subject to the completion of a satisfactory Section 106 or

- other legal agreement and the submission of a satisfactory sustainability strategy, and to delegate authority to the Director of Planning to agree the exact terms thereof on advice from the Borough Solicitor; but
- (b) if the legal agreement has not been entered into, or the Mayor of London remains unsatisfied with the application by the agreed Planning Performance Agreement expiry date, which at the time of writing this report is 19 March 2010, or the sustainability strategy remains unsatisfactory, to delegate authority to the Director of Environment and Culture, or other duly authorised person, to refuse planning permission; and
 - (c) if the application is refused for the reason in (b) above to delegate authority to the Director of Environment and Culture, or other duly authorised person to grant permission in respect of a further application which is either identical to the current one, or in his opinion is not materially different, provided that (b) has been satisfied.

The Area Planning Manager Neil McClellan drew members' attention to the model of the proposed development from the applicant. He suggested an informative to address the initial concerns by the Council's Highways Engineers about the proposed layout for servicing in the event of a fire emergency. He added following the GLA's expression of satisfaction with the revised Energy Statement, the wording of clause (e) in the agreed Heads of Terms of the S106 legal agreement had been revised accordingly. The Planning Manager also drew members' attention to the list of amendments to conditions and an additional condition requiring the applicant to comply with lifetime homes standards as set out in the tabled supplementary report.

In accordance with the Planning Code of Practice, Councillor Butt, ward member stated that he had been approached by the applicant. In welcoming the application, Councillor Butt expressed his endorsement of the recommendation for approval.

In response to an enquiry by Councillor Mistry, the applicant's agent confirmed that the swimming pool facility would be fully accessible to all residents and that the pricing would be similar to that charged by similar facilities.

DECISION:

- (a) Planning Permission granted subject to conditions as amended in conditions 2, 10, 13, 15, 16, 17, 18, 19, 21, 22, 24 and 25, an additional condition 26, informatives and a referral of the application to the Mayor of London in accordance with part 5 of the Town and Country Planning (Mayor of London) Order 2008, and subject to the completion of a satisfactory Section 106 or other legal agreement, and to delegate authority to the Director of Planning to agree the exact terms thereof on advice from the Interim Borough Solicitor; but
- (b) if the legal agreement has not been entered into, or the Mayor of London remains unsatisfied with the application by the agreed Planning Performance Agreement expiry date, which at the time of writing this report is 19 March 2010, to delegate authority to the Director of Environment and Culture, or other duly authorised person, to refuse planning permission; and
- (c) if the application is refused for the reason in (b) above to delegate authority to the Director of Environment and Culture, or other duly authorised person

to grant permission in respect of a further application which is either identical to the current one, or in his opinion is not materially different, provided that a Section 106 or other legal agreement has been completed and the Mayor of London remains satisfied with the application.

18. Land next to Central Middlesex Hospital, Acton Lane, London NW10 (Ref. 10/0140)

Variation of condition 10 (scale of the development) of outline planning permission reference 08/1043 granted on 16/11/2009.

Planning consent reference 08/1043 for the erection of three linked buildings for mixed-use development on land next to Central Middlesex Hospital.

Condition 10, as varied is proposed to read:

The scale of the development hereby approved, namely the height, width and length of each of the linked buildings, shall not exceed that detailed within the following drawings:

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| 050_003_revB | 050_004_revB |
| 050_005_revB | 050_006_revA |
| 050_007_revA | 050_008_revA |
| 050_009_revA | 050_010_revA |
| 050_011_revA | 050_020_revA |
| 050_021_revA | 050_030_revA |
| 050_031_revA | |

OFFICER RECOMMENDATION: That this application is approved and Condition 10 is varied to read as follows:

The scale of the development hereby approved, namely the height, width and length of each of the linked buildings, shall not exceed that detailed within the following drawings.

DECISION: Permission granted for the variation of outline planning permission reference 08/1043 by the substitution of a new condition 10 with the other conditions subject to which application reference 08/1043 was granted.

19. Planning Appeals 1-31 January 2010

RESOLVED:

That the planning and enforcement appeals for 1 to 31 January 2010 be noted.

20. Any Other Urgent Business

None raised at this meeting.

The meeting ended at 10:50pm

J POWNEY
VICE CHAIR IN THE CHAIR