



## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE PLANNING COMMITTEE Wednesday 15 August 2018 at 6.00 pm**

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), Colacicco, Chappell, Lo and Maurice.

Apologies for absence were received from Councillors Hylton and Sangani.

#### **1. Declarations of interests**

None.

Approaches.

All Units at Afrex House, Beresford Avenue, Wembley, HA0 1NX (Ref.18/0752)  
All members received a briefing paper from the applicant's agent.

#### **2. Minutes of the previous meeting - 18 July 2018**

RESOLVED:-

that the minutes of the previous meeting held on 18 July 2018 be approved as an accurate record of the meeting.

#### **3. Transputec House, 19 Heather Park Drive, Wembley, HA0 1SS (Ref. 18/0284)**

PROPOSAL: Demolition of office building and erection of 2 five storey residential blocks comprising 36 self-contained flats with provision for cycle and refuse storage (14 x 1 bed, 14 x 2 bed and 8 x 3 bed), lower ground floor car parking, associated amenity space, landscaping and installation of new vehicular access

RECOMMENDATION: Grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement (Heads of Terms as set out within the report), any other planning obligations considered necessary by the Head of Planning and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal and Human Resources.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above and delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

That the Head of Planning is delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions,

informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning be granted delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Victoria McDonagh (Area Team Leader) introduced the report and answered members' questions. With reference to the supplementary report, she responded to members' queries about the operation of the car stacker system. Officers were satisfied with the headroom of 2.4m and the use of an automated rising gate system, although further details of this would be required as part of the condition requiring details of the stacker system. Members were advised that adequate car parking would be provided even if the car stacker system was replaced with standard parking spaces in the location shown, and the proposal would not be likely to have an adverse impact on the highway network and as Heather Park Drive was not a heavily parked street, any marginal parking overspill can be accommodated

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was as follows: For 6; Against 0; Abstention 0).

**4. All Units at Afrex House, Beresford Avenue, Wembley, HA0 1NX  
(Ref.18/0752)**

PROPOSAL: Demolition of existing buildings at Afrex House, and redevelopment to provide a residential development of 3-5 storeys for 31 residential units (9 x 1bed, 18 x 2 bed, 4 x 3 bed), creation of public realm and alterations, landscaped amenity space, car and cycle parking and all associated works.

RECOMMENDATION: Grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement (Heads of Terms as set out within the report), any other planning obligations considered necessary by the Head of Planning and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal and Human Resources.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above and delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Victoria McDonagh (Area Team Leader) introduced the report and answered members' questions. With reference to the supplementary report, she drew members' attention to minor amendments to submitted elevations and the updated Design and Access Statement to reflect the changes within the floor plans. These were not considered material as to warrant public re-consultation. Ms McDonagh recommended amendment to condition 2 to reflect the changes.

Mrs Shah (objector) speaking on behalf of the owner of Kuntals (adjoining business premises) raised concerns including; the extension of the application site boundary beyond the right of way area; the impact of the development on their party wall rights with structural implications and encroachment due to its height. Mrs Shah continued that with increased vehicular movements, the use of the shared space as a car park would affect their deliveries of 40 foot containers.

Mr Ben Johnson (applicant's agent) stated that the scheme which would deliver high quality design homes (16% affordable housing) in compliance with the policies and regeneration aspirations of the Borough. In addition, the applicant proposed significant public realm improvements. He clarified that the applicant would not build on the area subject to a right of way. He specified that he was not privy to discussions with the objector on party wall issues, but confirmed that the all relevant legislation would be complied with.

In responding to issues raised, Ms McDonagh explained that Highways and Transportation concluded that with 1% overall increase in vehicular movements, 14 car parking spaces and a contribution towards CPZ via Section 106 legal agreement, the proposal would not give rise to highways issues. She clarified that as industrial units, there was no requirement for daylight and sunlight assessment to be carried out for the proposal and in terms of townscape, a 5 storey building was considered acceptable. Members were advised that the financial viability assessment concluded that 5 affordable homes at affordable rent, enhanced with £40,000 contribution towards affordable workspace, was reasonable

DECISION: Granted planning permission as recommended with minor changes to condition 2 as set out in the supplementary report, and completion of satisfactory Section 106 Agreement.

(Voting on the recommendation was as follows: For 6; Against 0; Abstention 0).

**5. 1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA (Ref. 18/1592)**

PROPOSAL: Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities

RECOMMENDATION: Grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement (Heads of Terms as set out within the report), any other planning obligations considered necessary by the Head of Planning and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal and Human Resources.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above and delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

Ms. Victoria McDonagh (Area Team Leader) introduced the report and answered members' questions. Members noted that the key difference between the current proposal and that which was previously granted consent was an increase of 98 rooms from 128 to 226, much of which had been achieved through a loss of the ancillary parts of the hotel. She continued that the restaurant, gym and leisure centre was no longer proposed within the revised development and that the resulting double height had been subdivided to create two normal height basement levels of the aparthotel accommodation. As such condition 4 was no longer required. She referenced the supplementary report and drew Members' attention to; letters of support received since the publication of the committee report, mainly

from local businesses and the review of external lighting strategy and landscaping plans. In light of the reviews, she recommended amendments to conditions 19 and 20 respectively.

Messrs Richard Quelch and Herbert Lui (applicant's agent and architect, respectively) addressed the Committee. Members heard that the proposal would provide an opportunity to increase the number of hotel rooms within the envelope of the scheme and enhance tourism in the Borough.

During the ensuing discussion, members invited the officer to clarify issues relating to natural lighting below ground level, consultation with and responses from Thames Water Authority and Highways. Ms McDonagh stated that as well as lightwells from the frontage, the provision of central courtyard to the basement would allow natural lighting to the basement. She however added that condition 20 would be strengthened although as a non-residential building, there was no requirement for outlook to be provided. Thames Water Authority had no comment other than piling which has been conditioned. She clarified that although coach parking was not a material planning consideration as the application was for an apart hotel, coach management plan in place would ensure there would be enough room to accommodate a coach if necessary.

DECISION: Granted planning permission as recommended subject to the removal of recommended condition 4 and revisions to conditions 19 and 20 as set out in the supplementary report.

(Voting on the recommendation was as follows: For 6; Against 0; Abstention 0).

**6. Olympic Way and land between Fulton Road and South Way incl. Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opp. Stadium Retail Park, land opp. Wembley Hilton, land opp. London Design Outlet (Ref. 18/2214)**

PROPOSAL: Minor Material Amendment to vary parameter plans 04-12 and the listing of these replacement plans under revised conditions 4, 5, 15, 16 and 25 of hybrid planning permission reference 17/0328 (dated 26 May 2017) which granted minor material amendments to hybrid planning permission reference 15/5550 which comprises the demolition of existing buildings and redevelopment of the site to provide up to 420,000 sqm (gross external area) of mixed use floorspace. (See previous application record for full description of development).

The minor material changes sought comprise an increase in the width of the previously approved north-south route between NW09 and NW10/NW11 and its relocation 30 metres further to the east in between NW09/NW10 and NW11, alterations to the block forms of NW09/NW10 and NW11 with an increase in height of elements of blocks NW09/10 and NW11 as a result of the updated layout, changes to car parking arrangements, introduction of bridge link connecting the landscaped gardens of NW09/10 and NW11 and other associated alterations.

RECOMMENDATION: Grant permission for the proposed minor material amendments through a variation of conditions 4, 5, 15, 16 and 25 of Hybrid

Planning Consent reference 17/0328 pursuant to Section 73 of the Town and Country Planning Act 1990, as amended.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report and which were associated with the previous consent.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

That this permission, if granted, would also be bound by the Section 106 legal agreement associated with the Hybrid Consent

Ms Victoria McDonagh (Area Team Manager) introduced the report and answered members' questions. She drew Members' attention to the proposed changes to the consented development as set out in the report and explained that whilst they were material, they did not amount to a fundamental alteration to that granted outline planning permission.

Mr Brett Harbutt (applicant's agent) stated that the consent was previously approved as part of the Wembley Masterplan. He reiterated the changes and added that the primary aim was to realign the two halves of the plot and improve the quality of the central space within Plot NW09-11 so as to reinforce important elements of local townscape.

Mr David Glover (Development Management Manager) outlined the benefits associated with the proposed realignment adding that the scheme, including its height, would blend in with the character of the area. He continued that although the scheme would marginally obscure Wembley Stadium Arch, it was considered acceptable. Mr Oliver Block (legal adviser to the Committee) clarified that as a Section 73 application, the current application would not technically amend the original consent but rather resulted in the issue of a new consent for the varied development. There then ensued a discussion which revolved around the cycle lane and views, in particular the view to Wembley Stadium Arch.

Officers clarified that the cycle lane would run along Olympic Way through the Boulevard to the White Horse Bridge. It was added that the level of impact on the Wembley Stadium Arch would not be significantly greater.

DECISION: Grant planning permission as recommended.  
(Voting on the recommendation was as follows: For 4; Against 1, Abstention 1).

**7. 1A Dyne Road, London, NW6 7XG (Ref. 17/2068)**

PROPOSAL: Conversion of the existing music school to 21 self-contained flats (5 x 3 bed, 11 x 2 bed and 5 x 1 bed) (Use class C3); including additional floor at roof level; four storey side extension; associated external alterations, plant room and provision for cycle parking and bin stores

RECOMMENDATION: Grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement (Heads of Terms as set out within the report), any other planning obligations considered necessary by the Head of Planning and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal and Human Resources.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated and to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning be granted delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Damian Manhertz (Area Planning Manager) introduced the report and in reference to the supplementary report, drew Members' attention to some points of clarification and corrections. Members noted that the development would not offer affordable housing, due to the financial viability of the scheme. However, to ensure that the development would deliver the maximum amount of affordable housing if the viability situation changed, the applicant had agreed to enter into a post completion review of scheme viability, secured through the s106 legal agreement.

Mr Ron Athwal (on behalf of the applicant's agent) informed the Committee that the application had been redesigned to ensure compliance with guidance and policies. He added that the envelope of the building did not warrant its demolition.

DECISION: Granted planning permission as recommended  
(Voting on the recommendation was as follows: For 5; Against 1; Abstention 0)

**8. Thanet Lodge, Mapesbury Road, London, NW2 4JA (Ref. 18/0236)**

PROPOSAL: Erection of a 3 storey 6-bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road.

RECOMMENDATION: To GRANT planning permission and delegated authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

Damian Manhertz (Area Team Leader) introduced the report and answered members' questions. It was noted from the supplementary report that an additional drawing had been received (to amend condition 2) which showed the full front elevation although no changes were proposed to the development. He continued that the scheme sought to preserve and enhance Mapesbury Conservation Area.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was as follows: For 5; Against 0; Abstention 1)

**9. 74 Park Parade, London, NW10 4JB (Ref.18/1636)**

PROPOSAL: Conversion of a vacant commercial unit into 2 No. residential flats (2 x 2 bed) with associated internal alterations; new front flat doors, external fence and winter garden,

RECOMMENDATION: To grant planning permission and delegated authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out within the report

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could



reasonably have led to a different decision having been reached by the Committee.

Mr Damian Manhertz (Area Team Leader) introduced the report, set out the key planning issues and answered members' questions. He added that the quality of accommodation of the proposed units with multi aspect was considered acceptable.

Ms Jannie Kalb (objector) raised concerns on grounds of lack of privacy, obstruction to light due to the site's proximity to the Electricity Sub Station, visual impact on the streetscene and inadequate residential amenity. She continued that air quality assessment had not been carried out for the proposed development situated in an area with high levels of pollution and concluded that the proposed use of the site for residential purposes would be inappropriate.

In addressing the concerns raised by the objector, Mr Manhertz explained that the site was surrounded by residential properties including many ground floor residential units adjacent to the street. He considered that the loss of a vacant retail unit, which was outside of the designated Harlesden District Centre boundary, would not result in adverse impact on the vitality and viability of the Harlesden District Centre. He clarified that there was no requirement for air quality assessment to be carried out for the proposed development.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was as follows: For 6; Against 0; Abstention 0).

#### **10. Any Other Urgent Business**

None.

The meeting closed at 7.40 pm

COUNCILLOR J. DENSELOW  
Chair