



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Wednesday 12 September 2018 at 6.00 pm

PRESENT: Councillor Johnson (Vice-Chair, in the Chair), S Butt, Colacicco, Chappell, Hylton, Lo, Maurice and Sangani.

ALSO PRESENT: Councillor Mary Daly, Councillor Tom Miller and Councillor Fleur Donnelly-Jackson.

Apologies for absence were received from Councillor Denselow.

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

None.

#### Approaches

The following approaches were reported by Councillors.

67 Medway Gardens Wembley HA0 2RJ (Ref.18/1597)

Councillor S Butt was approached by Sudbury residents by email sent to all Sudbury ward members.

Willesden Green Garage, St Pauls Avenue NW2 5TG (Ref.17/5291)

Councillor Chappell approached by residents in connection with the application.

57 Cricklewood Broadway, London NW2 (Ref.17/5292)

Councillor Colacicco was approached by residents in connection with the application.

### 2. **Minutes of the previous meeting - 15 August 2018**

RESOLVED:-

that the minutes of the previous meeting held on 15 August 2018 be approved as an accurate record of the meeting.

### 3. **Zone C, Olympic Way & Perimeter Way, Wembley, HA9**

PROPOSAL: Full planning permission for the demolition of the existing 'Pedway' ramp structure to the front of Wembley Stadium and the construction of a set of steps (with associated lighting) to connect ground level to Wembley Stadium Landing Level (concourse); and use of the void created beneath the proposed steps as secure storage for estate maintenance equipment; the reconfiguration of an existing unadopted estate road (Perimeter Way) to create two new roads either side of the steps connecting to Engineers Way; the use of land beneath the steps

bridge as temporary event space; a revised vehicular access to Plot W03 immediately west of the application site and public realm works comprising the installation of hard landscaping, street trees, lighting columns that can incorporate advertising banners, street furniture, underground water attenuation measures, services, tree pits and other associated works.

RECOMMENDATION: To grant planning permission and 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 in the main report.

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.

Ms Hilary Seaton (Planning Officer) introduced the report including details of the proposals and answered members' questions. She explained that the scheme which would consist of 16 channel steps each with 48 steps separated into 4 flights would be of concrete structure and incorporate comprehensive lighting strategy. The proposal would improve legibility, deliver improved public realm and pedestrian flow as well as link in well with development for plot W03 and W04 in the area.

In reference to the supplementary report she informed the Committee about the formal response from Wembley National Stadium Limited (WNSL) since the publication of the agenda. The response set out WNSL's support for the proposals, conditional upon a number of matters being addressed by planning conditions within any planning permission granted. She continued that the majority of the matters raised by WNSL were captured within the proposed conditions. To ensure that outstanding matters raised by WNSL were addressed, the Planning Officer recommended an amendment to condition 15 as set out in the supplementary report.

The Planning Officer then referenced a letter from Hilton Hotel requesting signage for local hotel facilities and LDO and consultation on the Site Environmental Plan. In addressing those requests, she advised Members that a condition was proposed requiring the submission and approval of a Wayfinding Strategy and a further condition that the development would be carried out in accordance with the submitted Site Management Plan. This plan sought to deal with potential environmental impacts of the proposed works and set out mitigation measures

which would minimise the impact of the proposed works on all neighbouring residents and occupiers, including the Hilton Hotel.

Ms Hilary emphasised to the committee that full consideration had been given to the safety aspects of the proposal and the Council, along with other expert bodies, were satisfied that the proposed steps met safety standards.

Mr Kenneth Koranteng (objector) raised concerns about the application on grounds of public safety, mass evacuation and lack of consultation with users of the ramp Pedway structure and the emergency service providers. He explained that since its construction, there had been no structural failure of the Pedway, a testament of its durability and reliability, which was now proposed to be replaced with a set of steps which could have serious implications for crowd and mass evacuation from the Stadium. Mr Koranteng noted that the deliberations of the Public Safety Officer and unequivocal assurances from the Metropolitan Police were absent in the report. He continued that that the data for crowd control technical study was not representative as it was based on only 2 events captured to support the proposal. For the above reasons, he felt that no cast iron case had been made for the removal of the Pedway ramp and urged members for deferral until the concerns expressed had been addressed.

Messrs Brett Harbutt and Julian Tollast (applicant) addressed the Committee and answered members' questions. Mr Harbutt stated that the application would enhance the setting of the Wembley National Stadium, improve public realm and deliver a public square for other events and uses. He added that the proposed set of steps which complied with guidelines for access and egress had been reviewed and accepted by the Public Safety Officer and complied with DDA accessibility requirements. Members heard that the steps were intended to be in place for 2020 when Brent would become the Borough of Culture and Wembley National Stadium would host European Nations League finals.

In response to Members' enquiries, Mr Tollast confirmed that extensive consultations were carried out with representative groups, The Metropolitan Police, Fire Service and other civic authorities and their comments were taken on board in the final submission. He added that it was impractical to consult with visitors to the Stadium. Mr Tollast clarified various aspects of the proposed development, including that being out in the open meant that escalators were not a viable option due to propensity for frequent breakdowns, which would create difficulties for visitors. He continued that the proposals had been robustly tested against findings from other stadia.

In considering the proposals, Members highlighted the paramount consideration of public safety in terms of egress and noted that the benefits of the proposed steps, including their role in wider public realm improvements, outweighed the retention of the current Pedway ramp structure.

**DECISION:** Granted planning permission as recommended subject to amended condition 15 as set out in the supplementary report.

(Voting was unanimous and as follows: For 8, Against 0, Abstention 0)

#### **4. 67 Medway Gardens HA0 2RJ (Ref. 18/1597)**

PROPOSAL: Erection of a first floor side extension and part two storey rear extension, loft conversion with hip to gable conversion, rear dormer, subdivision of the rear garden, 1No. front rooflight and new window to front elevation to facilitate the conversion of a single family dwelling into two self-contained flats (1 x 2 bed and 1x 3 bed) (Amended description 30.07.18)

RECOMMENDATION: To grant planning permission subject to the conditions set out in the report.

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 in 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 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.

Ms June Taylor (Principal Planning Officer) introduced the report and answered Members' questions. She referenced the supplementary report which set out neighbours' objections and added that the issues raised had already been included in the summary of objections and taken into account in the preparation of the committee report.

Ms Imelda Smith (objector) objected to the proposed development on grounds of increased pressure on on-street parking in an area with low PTAL rating of 2 and inadequate consultation process. She added that due to its bulk, the proposal failed to comply with Council policy. In response to members' questions, Ms Smith explained that as Medway Gardens was not within the CPZ, it was always difficult for residents to find parking places for their vehicles.

Councillor Daly (ward member) addressed the committee to speak against the proposal. In accordance with the provisions of the Planning Code of Practice, Councillor Daly stated that she had been approached by residents in connection with the application. Councillor Daly raised concerns about the consultation process and parking pressure on Medway Gardens. She added that as the proposal which was for a 6metre deep extension, it breached Council policy and urged members to consider granting permission for a 3metre extension instead.

Mr Oliver Block (Senior Planning Lawyer) advised that Members could only consider the application before them without revision to it.

Ms Liz Alexander (applicant's agent) stated that the principle of development was accepted by Council policy as the proposal would re-provide family housing unit with direct access to the rear garden of the property. She continued that the design would comply with National Space Standards as well as complement the character of the streetscene without detrimental impact on residential amenities. Members heard that as the proposal would not give rise to parking issues, the Council's Highways officers did not raise any pertinent objections.

Mr John Fletcher (Team Manager, Development Control Transportation) clarified that the provision of 2 car parking spaces was sufficient and complied with parking standards. In response to issues raised about consultation process, the Principal Planning Officer clarified that 22 neighbours were consulted. She continued that officers considered that further minor revisions to the scheme made by the applicant on 20 August 2018 were not material as to warrant a re-consultation.

The application was welcomed by majority of members. Members who dissented cited the following reasons; parking issues and overdevelopment of the property with consequent adverse impact on visual amenity from neighbouring rear gardens.

DECISION: Granted planning permission as recommended.  
(Voting was recorded as follows: For 5, Against 2, Abstention 1)

#### **5. Willesden Green Garage, St Pauls Avenue, NW2 5TG (Ref. 17/5291)**

PROPOSAL: Demolition of MOT garage and erection of a part seven-storey and part four storey building with basement level to provide 70 self-contained flats (35 x 1 bed, 22 x 2 bed and 13 x 3 bed) with ground, third and fourth floor amenity spaces and ground floor play area, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping.

RECOMMENDATION: To grant planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out within the report.

That the Head of Planning be granted delegated authority to negotiate the legal agreement 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 by 12 December 2018 the legal agreement has not been completed, 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 Team Leader) introduced the report and answered members' questions and in reference to the supplementary report, reiterated the condition about mitigation measures to reduce overheating to some of the units. Members were advised that the proposal would deliver 18% affordable units and 16 basement car parking spaces.

Mr Peter Hale (objector) raised concerns about the application on the following grounds;

Loss of light to neighbouring flats at No 75, in excess of BREEAM recommendation.

Excessive number of 1 bedroom units rather than family size units

Excessive density.

Unsatisfactory waste management arrangements to the detriment of residential amenities.

Mr Jorge Barbeito (objector) stated that the proposed development failed to enhance the heritage status of the area and adjoining listed building by its excessive height, overlooking to neighbouring property, unsympathetic scale and design, culminating in a development which would be out of character with the area.

In accordance with the Planning Code of Practice, Councillor Miller (ward member) expressed concerns about the application's detrimental impact on light, the excessive density and lack of assessment of flooding impact.

Mr Mark Westcott (applicant's agent) stated that significant amount of consultation had been carried out which had resulted in a revised proposed building from 8 to 7 storey and that the design was inspired by local buildings including Kingsley Court. He added that the proposed development would provide acceptable level of daylight to 75 and 75A St Pauls Avenue as well as deliver a much needed affordable housing to the area.

Members then questioned the applicant's agent on the level of affordable housing, compliance with BREEAM guidance and highway issues including relationship to the pavement. In response, Mr Westcott stated that although the level of affordable housing was below the Authority's 50% policy, it was the maximum that could reasonably be provided based on viability, and including 3x 3bedroom family units. He explained that the transport impact of the development had been

assessed by independent consultants to ensure minimum obstruction to the highway and fewer van delivery to the site.

Mr John Fletcher (Team Manager, Development Control Transportation) stated that he was satisfied that there was not a highways safety issue, and that adequate spaces were available for smaller vans to park without obstructing visibility to Park Avenue. He pointed out that as a 'permit –free' scheme, occupiers would not be entitled to a parking permit and therefore the development would not lead to additional on street parking pressure.

In the discussion that followed, Members acknowledged that the site was challenging, but expressed serious concerns about the application and were minded to refuse it for the following reasons; impact of the development on neighbouring properties including loss of light; inadequate affordable and family housing units; servicing arrangements and general impact which would be out of context with the area.

Prior to voting, Mr Manhertz reiterated the summary of key issues as set out in the report and added that the proposed development would represent a vast improvement on the existing site appearance of the area. Whilst there would be an impact on 75 and 75A St Pauls Avenue, this was not considered significant as to warrant a refusal.

Members however were minded to refuse the application contrary to the recommendation for approval, notwithstanding the advice. A motion to defer the application was proposed by Councillor Colacicco and seconded by Councillor Maurice. This was put to the vote and declared carried. The application was therefore deferred to another meeting for the reasons to be assessed by officers in a follow-up report.

DECISION: Deferred to another meeting for the reasons for refusal to be assessed by officers in a follow-up report

Voting on the decision was unanimous and recorded as follows:

For:	Councillors Johnson, S Butt, Chappell, Colacicco, Hylton, Lo, Maurice and Sangani	(8)
Against:	None	(0)

**6. 57 Cricklewood Broadway, London NW2 (Ref. 17/5292)**

PROPOSAL: Change of use from hotel (Class C1) to 9 x self-contained flats (1 x 3 bed, 4 x 2 bed and 4 x 1 bed) (Class C3) with retention of public house (Class A4); three storey rear extension.

RECOMMENDATION: To grant planning permission subject to conditions.

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.

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.

Mr Damian Manhertz (Area Planning Team Leader) introduced the report and answered members' questions. In referencing the supplementary report, he informed members that the issues raised in the additional objection received had been fully discussed and addressed in the Committee report. He reiterated that the internal space for the pub would be retained within the site and that a change of use was not proposed for the public house.

Ms Joanne Scott (objector) expressed concerns about the loss of the public house (pub) use in a mixed development and requested its protection by the imposition of appropriate conditions which would prevent future change of use. She also requested the retention of the frontage of the building so as to preserve its heritage merit and to ensure that the views from the Mapesbury Conservation Area were not harmed.

Mrs Carolyn Apcar Smith (applicant's agent) stated the proposed development would deliver a much needed housing including family size units without detriment or harm to Mapesbury Conservation Area. She continued that majority of the objections received related to the suspected loss of the pub use and re-affirmed that the pub use would be retained. Members were informed that there was no policy to resist the loss of the beer garden. Mrs Smith clarified the waste collection, delivery and servicing arrangements.

Although Members welcomed the report, it was noted that the scheme did not include a kitchen and that servicing and delivery times were not explicit in the conditions. For these reasons, they amended condition 6 by the deletion of "hot" and condition 9 for clarity of the servicing and delivery times.

DECISION: Granted planning permission as recommended.  
Voting was recorded as follows: For 7, Against 0, Abstention 1)

## **7. Any Other Urgent Business**



None.

The meeting closed at 8.55 pm

COUNCILLOR R. JOHNSON  
Vice Chair in the Chair

Note: The meeting was adjourned for 5 minutes at 7.25pm and 8.25pm.