



## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE PLANNING COMMITTEE**

**Tuesday 16 July 2019 at 6.00 pm**

**PRESENT:** Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Chappell, Hylton, Mahmood, Maurice and Sangani

**ALSO PRESENT:** Councillors Ahmed), Dixon, Donnelly-Jackson and Kennelly.

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

None.

#### **Approaches**

The following approaches were declared:

Councillor Chappell                      Queens Parade and Willesden Baptist Church

Councillor Mahmood                      Queens Parade and Preston Way

Councillor Sangani                      Queens Parade

All members received communication from the agent for Queens Parade

#### **2. Minutes of the previous meeting held on 19 June 2019**

**RESOLVED:**

that the minutes of the previous meeting held on 19 June 2019 be approved as an accurate record of the meeting.

#### **3. 2A, Preston Waye and 283, 285 & 287 Preston Road, Harrow, HA3 (Ref.18/4902)**

**PROPOSAL:** Demolition of buildings and erection of a 2 to 4 storey residential building comprising 35 self-contained flats (6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed) with basement level, provision for car and cycle parking and associated landscaping.

**RECOMMENDATION:** That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

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 Committee reports.

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 the "expiry date" of the planning application the legal agreement has not been completed, 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.

Ms Victoria McDonagh (Development Management Team Leader, North) introduced the report and answered Members' questions. The application had been deferred from the last meeting when Members were minded to refuse for the reasons stated within the report. She explained that the applicant had reviewed their affordable housing proposals and now proposed 2 affordable rented units (comprising a three bedroom and a two- bedroom home) and 1 shared ownership unit (studio). In respect of design, massing and scale, she drew Members' attention to the materiality of the extant consented planning permission which the applicant could implement for a 25-unit scheme. With that in view, it was considered that the current proposal would not result in undue harmful impact on the character of the locality.

Ms McDonagh informed the Committee that following surveys, officers in Transportation had advised that there was spare parking capacity available in the area hence the development would not have adverse impact on the junction operation. As such, parking demand can be safely accommodated within the site, but that if car ownership exceeded the average for the area, there would be spare on-street parking capacity available to accommodate the potential excess. The redundant crossover in Preston Road would also assist with the parking facilities. She continued that the arrangement for refuse collection was deemed to be safe as officers in Highways had confirmed that the route is straight and wide with few (if any) pedestrians along it.

Messrs Ben Thomas and Fred Akuffo (Agents) addressed the Committee and answered Members' questions. Mr Thomas drew Members' attention to the provision of affordable housing units as clarified by the officer and the viability assessment review to capture any uplift in values. He continued that the applicant had offered affordable housing with this application rather than implement the extant consent without affordable housing. He added that the height, massing and scale were not different from the consented permission. In response to questions about transport and parking, Mr Thomas drew attention to the submissions by the Council's Highways officers which confirmed acceptance.

Members then raised questions relating to transport generation and the methodology of the surveys conducted. Mr John Fletcher (Highways Officer) responded that the surveys which involved overnight and morning monitoring as well as site visits concluded that vehicle generation could be accommodated. He added that any potential overspill could be addressed via the pay and display parking system available in the area.

Members expressed a view for the parking situation to be addressed properly and with that in mind, added a further condition that future occupiers will not be entitled to event day parking permits and also not be entitled to future CPZ permits.

DECISION: Granted planning permission as recommended with an additional condition that the residents will not be entitled to event day parking and future CPZ permits.

(Voting on the recommendation was: For 7, Against 1, Abstention 0).

*Note: Councillor Maurice asked to be excused from the meeting after the consideration of this application.*

**4. Olympic Way and land between Fulton Road and South Way including Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opposite Stadium Retail Park, land opposite Wembley Hilton, land opposite London Design (Ref.19/1387)**

PROPOSAL: Details pursuant to conditions 19a (materials), 20e (hard landscape works) and 20i (maintenance of landscape works) in relation to Olympic Way, Zone B (ii) relating to Hybrid planning application reference 15/5550 dated 23/12/2016 (as amended by 17/0328 dated 26/05/2017), accompanied by an Environmental Impact Assessment, for the redevelopment of the site

RECOMMENDATION: That the Committee resolve to approve the details submitted pursuant to conditions 19a, 20e and 20i of planning consent reference 15/5550 as varied by consent reference 17/0328 in relation to Olympic Way Zone B (ii).

That the Head of Planning be granted delegated authority to issue the decision.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to add informatives 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.

The Committee agreed to receive representations for this and application reference 19/1474 simultaneously but to decide on them separately. Ms Hilary Seaton (Principal Planning Officer) introduced the applications and answered Members' questions. She clarified that as planning consent had already been

granted, this application related solely to the approval of details pursuant to conditions attached to the consent, namely the materials, hard landscaping works and landscape maintenance. She continued that the installation of the light boxes on the walls of the underpass and the installation of advertising panels on the northern and southern parapets of Bobby Moore Bridge have also been previously consented. The principle of installing the light boxes and parapet advertising panels in their current proposed positions have therefore already been established and approved.

Ms Seaton also clarified that the current application provided further details of the materials to be used and the construction methods to be employed in installing them. She noted that objectors had expressed concerns that the installation of the light boxes could damage the tile murals underneath however, officers were satisfied that adequate measures would be put in place to ensure that the tiles were protected. The details of the materials and the maintenance regime were also considered to be acceptable and suitable to ensure that the appearance and maintenance of the approved development will be of a high standard. Ms Seaton then referenced the supplementary report which also set out officers' responses to the following additional issues raised; the murals as a heritage asset and public art, the effect of the proposals on the heritage asset, amenity and protected views of the stadium from Bobby Moore Bridge.

Mr Phillip Grant of Wembley History Society (objector) addressed the Committee and answered Members' questions. Mr Grant stated that both applications related to heritage assets and as irreplaceable resource, they should be conserved in a manner appropriate to their significance. He continued that the reports were flawed in that they failed to identify and assess the impact of the proposals on the significance of the heritage assets and added that if the application was approved, the murals could be lost forever.

Ms Jaine Lunn (objector) speaking in a similar vein added that the applications constituted a breach of policies as set out in the Wembley Area Action Plan (WAAP) which recognised the importance of public art. She added that there was every need to protect the public view of the murals which were not only attractive but also an integral part of the visitor experience of Wembley Stadium.

Messrs Brett Harbutt and Julian Tollast (agents) addressed the Committee and answered Members' questions. Mr Harbutt explained the methodology of the proposed works and added that maintenance would be undertaken by specialist lighting contractors on behalf of Wembley Estates, so would not become a burden to Brent Council. He added that the physical works for this and the related application for advertisement (ref no 19/1474) had been carefully designed and would be closely monitored to ensure that physical damage to the tiles would not occur. He continued that the applicant would repair any damage caused during the installation of the light boxes, should this occur.

In response to Members' questions, the agents stated that the applications would not harm the protected views or cause any detriment to highway safety. He continued that the Chair of the Wembley History Society had written to the Council

specifying the Society's overwhelming support to and its agreement to the proposals.

Mr Mark Price (Heritage Officer) advised that as the murals were less than 30 years old, they were not of heritage status and whilst they can be locally listed, that in itself would not afford any degree of protection.

In the ensuing discussion, some members expressed concerns over signage and potential damage to the tile murals which were within the ownership of the Council. It was expressed that condition be imposed to require the applicant to replace any damaged tile for like tile. Ms Seaton responded that a statement of significance had been received from the applicant together with details and drawings, Construction Method Statement and a commitment to repair any damaged tile. In response to a Member's enquiry about the legal aspects of the applications, Ms Marsha Henry (Senior Legal Adviser) advised that the reports were thorough and from a legal standpoint, she felt comfortable with them.

DECISION: Approved the details pursuant to the conditions as recommended and additional conditions on signage plans and restoration of any damaged mural tiles to the original condition (like for like).

(Voting on the recommendation was: For 5, Against 2, Abstention 0).

#### **5. Bobby Moore Bridge and Underpass, Olympic Way, Wembley (Ref.19/1474)**

PROPOSAL: Installation of 2 internally illuminated LED advertisement displays attached to the northern and southern parapets of Bobby Moore Bridge. Use of the light boxes to east and west wall beneath Bobby Moore Bridge approved under planning consent 17/3840 for advertising purposes.

RECOMMENDATION: That the Committee resolve to GRANT advertisement consent subject to conditions and informatives.

That the Head of Planning be granted delegated authority to grant advertisement consent subject to conditions and informatives to secure the matters set out within the Committee reports.

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 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.

Please see previous application reference 19/1387 for the preamble.

DECISION: Granted advertisement consent subject to conditions and informatives as recommended.

(Voting on the recommendation was: For 5, Against 2, Abstention 0).

**6. 1-12 INC, Queens Parade, Willesden Lane, Willesden, London, NW2 5HT (Ref.17/0322)**

PROPOSAL: Demolition of existing retail units and erection of part-five, part-seven, part-eight storey building, comprising 106 student residential accommodation units (Use class Sui Generis) on the upper floors, ground floor retail floorspace of providing 5 commercial units (Use class A1) and entrance lobby for the student accommodation; At basement level ancillary student accommodation along with cycle parking, bin stores, laundry and plant room ancillary to the student accommodation, with associated enhancements to the public realm at street level.(amended plans)

RECOMMENDATION: That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

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

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.

Mr Damian Manhertz (Development Management Team Leader, South) introduced the application which was deferred from the meeting in April due to Members' concerns. Since then, amended plans had been received which sought to address those concerns. He detailed the amendments which included a reduction in the number of student units to 106 (from 120); an increase in the student ancillary areas to 297 sq.m (from 65 sq.m); relocation of the entrance to a more central location towards Walm Lane away from Willesden Lane; reduced massing of rear block (facing onto Walm Lane) with the loss of 14 units; removal of 1 storey from the frontage of Walm Lane and 2 storeys to rear facing Electric House to the south. He outlined measures to mitigate against overlooking and to improve the residential amenity areas of occupants of Electric House. Mr Manhertz continued that the basement accommodation would be predominantly

utilised as amenity space with a seating area proposed to the front of the entrance area.

Rachel Leharne (objector) raised concerns about the amended scheme on the following grounds; the scheme constituted an over-development of the site; amenity, daylight and sunlight to Electric House would be sacrificed; BRE levels would be reduced; impact on outlook had not been properly considered and delivery/servicing assessment and its impact had not been carried out properly. She therefore requested the Committee to require a robust review of the revised proposed development.

Mr James Ward, objected to the scheme on the grounds that the proposed student units conflicted with the Core Strategy and the London Plan by its failure to provide affordable housing. He added that the volume of students together with the proposed unloading time would result in an unacceptable level of noise to the detriment of local amenity and also cause disruption to vital road access. Mr Ward continued that the excessive height of the proposed development would be out of character with the properties within the Conservation Area, which could set a precedent for similar undesirable developments in the area.

Councillor Fleur Donnelly-Jackson stated that she had been approached by the local residents. Councillor Donnelly-Jackson echoed the residents' objections, adding that the height would not be in keeping with the character of the Conservation Area. She added that the site, being at a busy corner of Willesden Lane and Walm Lane, would be inappropriate for the proposal. She expressed that the delivery assessment was flawed. Members heard that the level of noise that would be generated could result in anti-social behaviour and loss of residential amenity. Councillor Donnelly-Jackson concluded that the development would cause overshadowing, detrimental impact on privacy and amenity of the occupiers of Electric House and the nearby residential home.

Mr Simon Owen (agent) informed the Committee that the scheme was amended as a result of the feedback from the consultations and exhibition following the last deferral. He then outlined the amendments and added that student accommodation was proposed due to the constraints of the site. In response to a Member's enquiry, Mr Owen stated that retail units would be provided to the ground floor and that the proposal would address the significant under-supply of student accommodation in the area.

In the ensuing discussion, Members raised issues relating to affordable housing, separation distance, daylight and sunlight, parking and consultation. Members heard from Mr Manhertz that as the scheme was for a student accommodation there was no requirement for family housing and that adequate separation distance would be maintained thus preventing potential harm to the living conditions of the occupiers of the adjoining Electric House. The issues about daylight and sunlight would impact only a small corner without causing any material harm. Officers also clarified the parking/servicing and drop off arrangements designed to reduce any parking stress and added that the consultation undertaken and the amendments submitted were acceptable.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was: For 3, Against 1, Abstention 3).

**7. Willesden Green Baptist Church, High Road, London, NW10 2PR  
(Ref.18/4746)**

PROPOSAL: Demolition of existing single storey adjoining structure to rear of church and erection of a part two and part three storey rear extension, internal alterations to create new mezzanine and upper floors to facilitate the creation of 9 x self-contained flats (3 x 1 bed, 5 x 2 bed and 1 x 3 bed) including 7 x side and rear dormer windows; new front entrance and residents lobby area, retention of the Huddelstone Street facade; alterations to front boundary wall, new access gates to allow vehicle and pedestrian access from Huddelstone Road; with associated residential cycle storage and refuse facilities to serve both the residential and church buildings.

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 Committee reports.

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 (Development Management Team Leader, South) introduced the report and answered Members' questions. Members heard that the proposal would provide 525sqm of floor space, including two large halls and a number of smaller ancillary rooms and sufficient space for the church to continue and support its ongoing community work. He added that the relationship between the proposed development and all surrounding properties was considered to be acceptable in terms of loss of light, overlooking and disturbance. The use of a 'permit free' agreement by condition for the proposed residential units would mitigate against on street parking concerns in the area. He added that the presence of a CPZ and good transport links would mitigate against any potential increase in the volume of traffic to the Church.

Councillor Fleur Donnelly-Jackson stated that she had been approached by the local residents. Councillor Donnelly-Jackson requested that adequate measures, including installation of a level gate, be put in place to address potential anti-social behaviour in the Huddelstone Road access to the Church.



Reverend Minister Akinola (applicant) informed the Committee that the current application for 9 units and the removal of the basement was based on viability assessments. He then outlined aspects of the application adding that the Church would still be of an appropriate size and maintain sufficient facilities to continue its charity and community work.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was: For 7, Against 0, Abstention 0).

**8. All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, London (Ref.18/4777)**

PROPOSAL: Demolition of the existing mixed used building and garages and construction of a part three to six storey building providing 225 sqm of flexible retail floorspace for shops/financial professional services (Use Class A1/A2) and hot food takeaway (Use class A5) and 155 sqm for public house (Use Class A4) at ground floor level, and 54 residential units (Use Class C3) comprising 19 x 1 bed, 21 x 2 bed and 14 x 3 bed units with associated car and cycle parking spaces, bin stores and landscaping.

RECOMMENDATION: That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above.

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 Committee reports.

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, informative, 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 Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That if by the 16th October 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.

Mr Damian Manhertz (Development Management Team Leader, South) introduced the report and answered Members' questions. Members heard that the scheme complied with planning policy objectives and was in general conformity

with local, regional and national policy. The efficient use of the land would result in a substantial number of new homes, helping to meet housing targets, and secure the maximum viable proportion of affordable housing. It was considered that the form of development would have an acceptable impact on and relationship with the existing surrounding development without undue harm to the surrounding amenity. Mr Manhertz explained that a well-considered landscape strategy was proposed which, combined with the proposed standard of design and layout of buildings, would ensure a high standard of development and a good quality residential environment for future occupiers. He then referenced the supplementary report which set out additional representations and officers' responses to them.

In accordance with the Planning Code of Practice, Councillor Dixon stated that she had been approached by the local residents. Councillor Dixon objected to the application on the following grounds;

Overdevelopment of the site with single aspect sub-standard accommodation.

Excessive height

Loss of privacy to the detriment of residential amenity.

Excessive density levels above the national average.

Poor air quality and pollution levels.

Strain on local roads and infrastructure.

In concluding her address, Councillor Dixon requested the Committee to require the applicant, by way of condition, to plant trees and install mechanical ventilation to mitigate poor air quality and pollution levels in the area.

Ms Gill Close (Chair of Dollis Hill, Residents' Association) echoed similar sentiments, highlighting excessive density, inadequate amenity spaces, the need for the single aspect units to be reduced and tree planting to minimise dangerous pollution levels along that stretch of Edgware Road.

Messrs Ben Kelway and Sonny Gowans (agents addressed the Committee. Members heard that the current application had been revised to optimise land use in terms of scale, sustainability and energy efficiency. The scheme would offer a good standard of accommodation including the provision of 6 affordable housing, 14 family homes and an improved residential amenity including daylight, privacy and outlook. Mr Kelway added that air quality assessment had been submitted with the application. In response to questions, Mr Kelway stated that the right of way would be maintained and that the applicant would agree to an additional condition for the installation of a mechanical ventilation.

During question time, Members focussed on measures to mitigate pollution levels and improve air quality, consultation and parking issues. Mr Manhertz responded that the air quality assessment submitted with the application complied with the Air Quality Action Plan. He added that landscaping had been conditioned but not tree planting. He clarified that consultation with residents which included site and press notices, was beyond the statutory requirement. Mr John Fletcher (Highways) added that as parking controls (CPZ) were not in operation in the area, parking

permit restriction would be put in place to reduce potential parking problems that could arise from the development.

In approving the application, Members added a further condition requiring the applicant to install a mechanical ventilation to mitigate poor air quality and pollution levels to the occupiers of the proposed development.

DECISION: Granted planning permission as recommended with an additional condition for mechanical ventilation to mitigate poor air quality and pollution levels. (Voting on the amended recommendation was: For 4, Against 1, Abstention 2).

## **9. Any Other Urgent Business**

None.

The meeting closed at 9.55 pm

COUNCILLOR J. DENSELOW  
Chair