



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Wednesday 11 August 2021 at 6.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor Johnson (Vice-Chair) and Councillors S Butt, Chappell, Dixon, Kennelly and Donnelly-Jackson

Apologies for absence were received from Councillor Maurice

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

None.

### 2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 21 July 2021 be approved as an accurate record of the meeting.

### 3. **21/1064 - 1 Draycott Avenue, Harrow, HA3 0BW**

PROPOSAL:

Demolition of existing detached dwellinghouse and erection of a part four storey, part three storey part 2-storey apartment block providing 9 x self contained flats with associated car parking and cycle storage, refuse storage, amenity space and landscaping.

RECOMMENDATION:

Resolve to grant planning permission subject to the conditions and informatives as set out in the report.

That the Head of Planning and Development, or other duly authorised person, 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 they are 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.

**PLANNING COMMITTEE**

11 August 2021

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.

Liam McFadden, Planning Officer, introduced the report, set out the key issues and answered members' questions. The Planning Officer advised that the proposal as submitted was identical to a scheme approved in 2019 with the exception of the parking arrangements and other minor aspects which itself was a minor amendment to a scheme approved in 2016. As this scheme had not been implemented within the three-year period, the consent had now expired. Nevertheless, it did form part of the material considerations of the current application.

Anant Bakshi, objector, then raised several concerns including:

- The roof terrace, balconies and windows in the proposed development would affect the privacy of neighbouring properties. It was also feared that tenants would be able to easily access adjacent properties.
- The proposed four storey development was much taller than any of the existing properties in the locality when the roof terrace was accounted for.
- The design of the proposed development was out of character with existing dwellings in the local area. The development was overbearing and reduced the outlook of all properties on the road.
- The application stated that most of the trees currently in place were to be removed, with only some to be replaced. This would have a detrimental impact on the conservation area.
- The proposed development would reduce neighbouring daylight and sunlight. It would also cause an increase in noise and disturbance as a result of the balconies and cycle storage.
- It was feared that the cladding to be used on the development would present a fire hazard.

Mukesh Dattani, objector, then raised several concerns including:

- There would be an increased impact on traffic and risk to pedestrians, including increased use of the service road along Drayton Way. Drayton Way was used regularly by both children and the elderly, making it particularly unsafe.

**PLANNING COMMITTEE**

11 August 2021

In response to questions from members, Mukesh Dattani made the following points:

- Local residents would be in favour of a Controlled Parking Zone because there was heavy traffic in the local area and the walking environment was not safe for pedestrians.

Vas Manga, the agent, then addressed the Committee on several matters including:

- The proposed balconies and roof terraces would be at the front of the property, away from the amenity spaces of neighbouring residents. The balconies would be screened to ensure there was no overlooking.
- The windows on the side elevation were for bathrooms only. These would be obscured glazed and opening at a high level only to prevent overlooking.
- The maximum height of the main building would be slightly higher than the height of properties on Kenton Road and slightly below the height of 3 Draycott Avenue.
- A total of 15 trees would be planted throughout the site. This was predominantly to provide a screen to neighbouring amenity space.
- The proposal complied with both the 30 degree line and 45 degree line and whilst there were windows in the flank wall of 3 Draycott Avenue, these were non-habitable rooms.
- The proposed parking spaces would not result in additional congestion within the local area to the detriment of highway or pedestrian safety.

In response to questions from members, Vas Manga made the following points:

- The loss of 22 trees would be replaced with 15 trees of a minimum 12-14cm girth size. The number of trees could be increased if felt appropriate.
- The proposal would provide only one family sized home. It was not considered viable to include another due to the lack of space on the ground floor. Officers had considered this acceptable.
- The provision of balconies was typical for residential development and the impact on noise would be similar to that of a rear garden. The balconies would be located at the front of the property, away from the amenity spaces of neighbouring properties.
- Overall, the scale, height and massing of the proposal was considered to sit well within the surrounding context.

## PLANNING COMMITTEE

11 August 2021

In the ensuing discussion, members raised several issues including trees and landscaping, residential amenity, design and appearance, highways impact and affordable/family unit mix. Officers then clarified a number of key points including:

- The scheme proposed to remove 22 trees in total. Officers had no objection to the loss of trees in principle, subject to suitable replacements being secured within the landscape of the provision.
- Objections had been received regarding loss of privacy as a result of the proposed side windows. Officers had proposed that the side windows be conditioned to be obscure glazed and non-opening.
- It was acknowledged that the floor-to-ceiling height would fall short of the 2.5m required by the London Plan. However, the shortfall would only be minor and the layout of the flats was considered to be good. On balance, the shortfall was not considered to be sufficient grounds for refusal.
- Three of the units would not be considered dual aspect. However, they would not be north or south facing and would have obscure glazed windows to provide further cross ventilation. They would also be provided with private balconies and were generally of good internal layout.
- Only two accidents had been recorded in the area in the previous five years and this was not considered high. Officers had raised no objections to the scheme subject to conditions and for highways works to be completed prior to occupation.
- The proposed nine self-contained flats would have a total maximum parking allowance of 7.2 spaces. As the site had good access to public transport, it was unlikely that additional cars would be parked in the local area.
- The provision of one family sized unit would fall short of the requirements of the draft Local Plan, which would require two family sized homes within the development. However, on balance, the benefits of the scheme to deliver an overall net gain in homes within the site were considered to outweigh the harm identified with falling short of the number of family sized homes.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation.

**DECISION:** Granted planning permission subject to the conditions and informatives as set out in the report and subject to an amendment to condition 12 to increase the total number of trees required to be provided to 22.

**PLANNING COMMITTEE**

11 August 2021

(Voting on the recommendation was as follows: For 6, Against 1)

**4. 19/3571 - Street Record, Malvern Mews, London****PROPOSAL:**

Proposed installation of metal vehicular/pedestrian gate at entrance to private mews.

**RECOMMENDATION:**

Resolve to grant planning permission subject to the conditions and informatives as set out in the report.

That the Head of Planning and Development, or other duly authorised person, 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 they are 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, Planning Team Leader South, introduced the report, set out the key issues and answered members' questions.

In reference to the supplementary report, the Planning Team Leader South drew members' attention to the following points:

- One additional objection had been received since the report was published which related to access to the rear of properties along Malvern Road. The proposal was not intended to alter the existing parking situation.

Simon Wookey, supporter, then addressed the Committee on several matters including:

- The north mews was an unadopted and unregistered road under the control of the Malvern Mews Tenants' Association. The Tenants' Association was responsible for controlling access, use and maintenance of the north mews.

## PLANNING COMMITTEE

11 August 2021

- Malvern Mews had been subject to a range of issues including fly-tipping, antisocial behaviour and criminal activity. Residents were concerned for both their safety and privacy.
- The Tenants' Association had experience of managing long-term projects, such as the bin-store for all residents of the mews which was implemented with the cooperation of the Council as the land owner.
- The application was in keeping with the design principles of the South Kilburn Regeneration Masterplan by recognising the high incidences of crime in South Kilburn, ensuring communities were safe from crime or the fear of crime and ensuring clearly defined ownership boundaries.

In response to questions from members, Simon Wookey made the following points:

- The gates would be funded and managed by the Tenants' Association which would enter into a maintenance contract with the supplier to ensure that the gates were regularly maintained.
- Waste collection providers would have access to the gates through fob and key code technology.
- The Tenants' Association was in the process of an adverse possession claim over the north mews in order to regularise matters. The Tenants' Association had been liaising with the Council's Legal Team on this matter.
- The proposal had been in process for two years. All local residents had been consulted there was unanimous support across the Tenants' Association.

In the ensuing discussion, members raised several issues including impact on neighbour amenity, character and appearance and highways impact. Officers then clarified a number of key points including:

- Officers and the police were in agreement that measures such as vehicular and pedestrian gates can reduce incidences of crime where there is insufficient natural surveillance. It would also bring a sense of security to residents.
- The erection of the gate would not result in a lack of social cohesion given that there would only provide access to a close-ended mews development, primarily used by the residents of the mews.
- The north mews was an unadopted and unregistered road. The Tenants' Association have advised that they were currently responsible for

**PLANNING COMMITTEE**

11 August 2021

controlling access, use and maintenance of the north mews. The land on which the gate would be erected was Council owned, however the gates would be funded and managed by the Tenants' Association.

- Access for emergency services, maintenance services and tradesmen, deliveries and visitors would be provided through a number of access means. This included an intercom system with keypad linked to each of the residents within the mews. A Fireman's key switch would allow access for emergency vehicles. A key protected manual release would be incorporated in the case of a power cut.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation.

DECISION: Granted planning permission subject to the conditions and informatives as set out in the report.

(Voting on the recommendation was as follows: For 7)

**5. Any Other Urgent Business**

None.

The meeting closed at 7.05 pm

COUNCILLOR KELCHER  
Chair