



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held as an on-line virtual meeting on Wednesday 14 October 2020 at 6.00 pm

PRESENT: Councillors Kelcher (Chair), Johnson (Vice-Chair), S Butt, Chappell, Dixon, Mahmood, Maurice and J Mitchell Murray.

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

1. Declarations of interests

13 The Avenue.

Councillor Johnson declared that he had worked with the consultant.

Approaches.

All members declared that they received approaches in relation to 96 High Road NW10.

2. Minutes of the previous meeting - 9 September 2020

RESOLVED:-

that the minutes of the previous meeting held on 9th September 2020 be approved as an accurate record of the meeting subject to the following amendments in relation to approaches:

Councillor S Butt declared that he may have known the objector but in fact did not know him.

Councillor Mahmood declared that he was approached by the objector to Teignmouth Road application.

3. 18/4008 Tenterden Pavilion & Sports Ground, 289 Preston Road and Car Park rear of 291-297 Preston Road, Harrow, HA3

PROPOSAL: Demolition of existing pavilion building and reinstatement of green space; construction of a part 2 and part 3 storey sports and recreation centre with ground floor office and reception area; reconfiguration of the existing car park and associated soft landscaping, to provide sporting facilities for local school, community and football club (Forest United).

RECOMMENDATION:

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, 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 this application (subject to any amendments/extensions to the expiry date agreed by both parties) 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 Toby Huntingford (Principal Planning Officer) introduced the report, set out the key issues and answered Members' questions. He referenced the supplementary report and clarified that condition 4 and the re-provision of speed humps would not be secured through a S106 agreement. He added that condition 4 would be secured through a S278 agreement and the re-provision of speed humps was a matter for parking services. Mr Huntingford also clarified half of the trees were proposed to be planted to the north of the car park and proposed pavilion whilst the other half were proposed to be planted in the area where the existing pavilion was currently situated. Mr Huntingford highlighted that the park is locally listed and the existing pavilion building is likely to be original to the park, and as such, Policy DMP7 is relevant. However, the building is dilapidated and no longer fit for purpose, and that he less than substantial harm to the heritage asset was outweighed by the benefits of the proposal.

Mrs Suzanne Murpogo (in remote attendance) spoke in support of the application on behalf of John Billam and Tenterden Parks and Neighbourhood Group and answered Members' questions. She discussed a number of matters and welcomed the application as it would address the current problems in the park including criminal activity and drug dealing which had been a major issue. She however requested the following;

- That the asbestos containing material (Artex) within the building is removed in an appropriate way.
- That Forest United have access to free parking or discounted season tickets.

In the discussion that followed, Members raised issues relating to ecological survey, lighting on the pitches, travel plan, community use, travel plan and improvement to the pitches.

In responding to the above, Mr Huntingford submitted the following;

- The applicant had submitted a satisfactory ecological survey report that concluded that the area was of low ecological significance.
- A condition requiring further details of full lighting details including spillage information had been recommended.
- A contribution of £6,000 had been secured from the applicant for tree replacement.
- Travel plan to promote sustainable transport and the installation of CCTV in the pavilion building were within the conditions recommended.
- The removal of asbestos was a matter for the applicant to liaise with Building Control and not within the remit of this Committee.
- The improvement of the pitches was unrelated to this application, although funding had been secured.
- That community access was proposed and was recommended to be secured through condition.
- That the building had been designed to accommodate Forest United but their tenure within the building could not be controlled through planning

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. Members voted by a majority decision to approve the application subject to the amendment as set out within the supplementary report.

DECISION: Granted planning permission as recommended subject to minor corrections set out within the supplementary report.
(Voting on the decision to approve was unanimous).

4. 20/0685 79-83 ODDS, Kenton Road, Harrow, HA3 0AH

PROPOSAL:

Variation of condition 2 (approved plans) to allow:

1. Narrowing of vehicular access ramp
2. Installation of one-way traffic control system.

of Full Planning Permission reference 17/3717 dated 15 May 2018 (and subsequent minor material amendment ref: 19/4473) for demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping, subject to a Deed of Agreement dated 15 May 2018 under Section 106 of the Town and Country Planning Act 1990, as amended (and subsequent Deed of Variation dated 18th August 2020).

RECOMMENDATION:

GRANT planning permission subject to the prior completion of a satisfactory deed of variation to the existing Section 106 legal agreement to link the new consent (if granted) to the original 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, 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.

At the start, the Chair clarified for the avoidance of doubt that the application was solely for a variation of condition of the extant planning application reference 17/3717 dated 15 May 2018.

Mr Liam McFadden (Planning Officer) introduced the report, reiterating the Chair's clarification, set out the key issues and answered Members' questions.

Mr Ali Khan (in remote attendance) objected to the proposal for several reasons, including the grounds of traffic and congestion. He added that this would be particularly felt in respect of buses, access for emergency vehicles and generally turning circles for motor vehicles within the vicinity.

Ms Liz Alexander (applicant's agent in remote attendance) submitted the following in support and answered Members' questions:

- The one-way red and green traffic control system, operated by sensors, would provide a waiting space within the site which would be sufficient given the low levels of traffic.
- The design was considered as appropriate and acceptable and complied with planning and transport policy using proven technology that complied with British Standards

- The changes to the width of the ramp would not be visible from the streetscene and would have no impact on the design or appearance of the approved development.
- The proposed changes to the width of the vehicle access ramp and the associated traffic control system would have no greater impact on neighbouring amenity than the already approved scheme. The ramp already has planning permission and therefore issues such as the impact of headlights would be no different from the existing consent.
- Although mindful of neighbour concerns, the proposal would not worsen the traffic situation on Rushout Avenue, relative to the consented scheme, as supported by our highways evidence and the approval by the Council's Transport Team.

Members discussed a number of matters, including trip rates, local congestion, the reliability of the surveys, traffic safety and air quality. 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. Members voted by a majority decision to approve the application as recommended subject to a condition which required the traffic light system to default to green for ingress, and to only operate as green for egress when there is a vehicle waiting to leave the car park.

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. Members voted by a majority decision to approve the application as recommended.

DECISION: Granted planning permission as recommended in the main report subject to the condition regarding the operation of the traffic light system (Voting on the decision to approve was as follows For: 6; Against 2)

5. 18/4904 96 High Road, London, NW10 2PP

PROPOSAL:

Part demolition of existing buildings and retention of the original police station building comprising flexible commercial space (Class A1, D1, B1a, B1b, B1c) and redevelopment of the site to provide 28 residential units within a building extending up to 4 storeys together with private and communal space, waste/cycle storage, associated landscaping and public realm (amended scheme).

RECOMMENDATION:

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, 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 agreed determination date for this application (including determination dates set through agreement), the Head of Planning be granted delegated authority to refuse planning permission.

Mr Sean Newton (Principal Planning Officer) introduced the report, set out the key issues including the retention of the police station building and viability issues and answered members' questions. He referenced the supplementary report that set out concerns expressed by a ward member and officers' responses to them.

Mr Martin Redston (in remote attendance) objected to the proposed development on behalf of the residents at 6 Huddlestone Road highlighting a number of concerns including the following:

- Proximity of balconies at the rear and overlooking into their garden together with concern about noise and disruption during the construction process.
- To reduce anti-social behaviour and noise on balconies a condition be imposed for cut off time (11pm).
- The entrance to the Police Station car park that has always acted as a 'buffer strip' should not be built over but be used as an area for a garden and general greening.

Councillor Donnelly-Jackson (in remote attendance) raised several concerns about the proposed development including the following;

- Excessive scale, massing and height that would be out of character with the properties in the area.
- Lack of on-site affordable housing.
- Inappropriate design and scale resulting in loss of light, overshadowing and over-looking.
- Noise and pollution to the detriment of residential amenities.
- Materials would be out of character with the neighbouring properties.
- Lack of disabled access and inadequate access for emergency vehicles.
- Parking and servicing problems notwithstanding being a "car free development".

Councillor Miller (in remote attendance) whilst welcoming certain aspects of the proposal echoed similar concerns about the proposed development adding that the applicant had not offered mitigation measures to alleviate the concerns.

Mr Ben Thomas and Fred Akuffo (applicant's agent and architect respectively in remote attendance) addressed the Committee and answered Members' questions. They drew Members' attention to the following matters:

- The site has a number of planning constraints including its location within a Conservation Area, close proximity to a cluster of listed buildings including St Andrew's Church and the Islamic Centre that had influenced the design of the proposals.
- The architect has designed the proposal to complement and comply with all of those buildings and the Conservation Area and to optimise the development of the site whilst also protecting the amenity of the adjoining properties.
- The former police station building, a non-designated heritage asset on the site, would be restored to preserve and enhance the Conservation Area and a tree located on the high road would be retained.
- The architect had carefully considered the relationship with the properties on Huddlestone Road in terms of impacts, resulting in a reduction of two storeys to replicate the same height as the existing terrace without an adverse impact upon adjoining properties.
- With regard to affordable housing, a viability appraisal was submitted and independently assessed by industry experts appointed by the Council. They considered the scheme was capable of delivering a surplus of £143,453, which would not be enough to deliver affordable housing on site.
- There were additional costs to consider which include the restoration of police station building and a higher build cost given the quality of the building in addition to the provision of over £900,000 towards CIL payments payable to Brent Council.
- A late stage review mechanism to capture any potential uplift in profitability as the development progresses.

In the discussions that followed questioning of officers, members expressed concerns about the application including over-development, loss of privacy, impact on the living conditions of neighbouring occupiers, overshadowing, lack of affordable housing and family sized units and lack of impact on amenity space. Officers then submitted responses to Members concerns.

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. Members voted by a majority decision to refuse the application for reasons as set out below. In refusing the scheme, members considered that the benefits of the proposed development did not outweigh the harm.

DECISION: Refused planning permission for reasons including the following; over-development, impact on character of area, loss of privacy, impact on the living conditions of neighbouring occupiers, inadequate number of family sized units and inadequate provision of external amenity space.

(Voting on the substantive recommendation for approval was as follows):

Against: Councillors Kelcher, Chappell, Johnson, Mahmood,
Maurice and Murray (6)

For: (0)

Abstentions: Councillors S Butt and Dixon (2)

(Voting on the decision to refuse was as follows):

For: Councillors Kelcher, Chappell, Johnson, Mahmood,
Maurice and Murray (6)

Against: (0)

Abstentions: Councillors S Butt and Dixon (2)

6. 20/1464 13 The Avenue, London, NW6 7NR

PROPOSAL:

Variation of condition 2, development built in accordance with approved plans to allow:

(1) Amendments to the front façade to enable its alignment with the consented balconies;

(2) Minor alterations to the internal layout of the building as a result of the proposed façade amendments;

(3) Other minor associated changes;

of Full Planning Permission reference 19/3056 dated 20 March, 2020, for Demolition of existing dwellinghouse and erection of a part-3 and part-4 storey development comprising 9 residential units with roof terraces, enlargement of vehicular access on Brondesbury Park and creation of vehicular access on The Avenue, provision of car and cycle parking, refuse storage, landscaping and subdivision of garden space.

RECOMMENDATION:

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 Area Team Leader) introduced the report, set out the key issues and answered Members' questions.

Ms Laura Jenkinson and Jonathan Cross (in remote attendance) addressed the Committee and clarified that since last approval, the subtle review of the scheme had been carried out to improve the quality of some of the 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. Members voted unanimously to approve the application.

DECISION: Granted planning permission as recommended.
(Voting on the decision to approve was unanimous)

7. Any Other Urgent Business

None.

The meeting closed at 9.55 pm

COUNCILLOR M. KELCHER
Chair

Notes:

The meeting was adjourned at 8.50pm for 5 minutes.

The Committee voted to disapply the guillotine procedure to enable all applications to be considered on the night.