



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday, 3 February 2010 at 7.00 pm

PRESENT: Councillors Kansagra (Chair), Powney (Vice-Chair), Anwar, Baker, Cummins, Hashmi, Jackson, R Moher, Steel and Thomas.

ALSO PRESENT: Councillor Robert Wharton.

Apologies for absence were received from Councillors Hirani and HM Patel.

1. **Declarations of personal and prejudicial interests**

Councillor Anwar declared that he was a resident of Crawford Avenue and owned a property in Llanover Road. He therefore did not participate in the voting or discussion on the following applications;

15. 19 Crawford Avenue Wembley (ref. 09/2468)
16. 3 Crawford Avenue/St John's Hall, High Road Wembley (ref. 09/3104)
17. 75 Llanover Road Wembley (ref. 09/2340)

Councillor Jackson declared that he was a resident of Crawford Avenue and therefore did not participate in the voting or discussion on the following applications;

15. 19 Crawford Avenue Wembley (ref. 09/2468)
16. 3 Crawford Avenue/St John's Hall, High Road Wembley (ref. 09/3104)

Councillor R Moher declared a personal interest in the application for 7-8 Elmwood Crescent Kingsbury (ref. 09/1851).

2. **Minutes of the previous meeting held on 13 January 2010**

RESOLVED:-

that the minutes of the previous meeting held on 13 January 2010 be approved as an accurate record subject to the following amendments;

Item 11, paragraph 3 add the following after third sentence: "Councillor R Moher also questioned the efficacy of the Conservation Area Guidelines."

Show Councillor Powney as having voted for the recommendation for refusal and amend figures accordingly.

3. **8A & 8B Keyes Road, London NW2 3XA (Ref. 09/3308)**

Installation of replacement white timber windows and doors to ground and first floor flat.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

The Head of Area Planning Steve Weeks submitted the following in response to members' request for additional information in relation to the detailing of the windows and the original upper obscured glazing panels on the main front windows. He stated that whilst it may not be possible to replicate the exact appearance of this obscured glass, the applicant's suggested film treatment was not considered appropriate. The key issue was whether another pattern may be acceptable and whether resisting this may be supported on appeal. He submitted that on balance, it was considered that a currently available obscured glass could adequately reflect the contribution that this part of the glazing would add to the houses and the streetscene. He added that the front doors would remain as existing and that the only doors that were proposed to be replaced were those on the rear of the dwellings.

Mrs Sheelagh Putnam an objector stated that whilst she was pleased that the front door was being retained, she questioned the need for the windows to be replaced. Notwithstanding this view, she confirmed that a condition controlling the materials would be acceptable.

In endorsing the recommendation for approval subject to conditions, members delegated to the Head of Area Planning the responsibility to ensure that the replacement glazing detail was as close to the existing windows as reasonably possible but that a currently available glass should be acceptable.

DECISION: Planning permission granted subject to conditions.

4. 15A & 15B Keyes Road, London NW2 (Ref. 09/3306)

Installation of replacement timber casement windows and doors to both self contained flats (as revised by plans received 17/12/2009).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions. See item 3 above for discussion at the meeting.

DECISION: Planning permission granted subject to conditions.

5. 44A-44C Keyes Road, London NW2 (Ref. 09/3367)

Installation of replacement white timber-framed windows and doors to ground-floor, first-floor and second-floor flats (as amended by plans received 17/12/2009).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions. See item 3 above for discussion at the meeting.

DECISION: Planning permission granted subject to conditions.

6. 32A-32C Keyes Road, London NW2 (Ref. 09/3374)

Installation and replacement of white timber double glazed windows to 3 flats (as amended by plans received 17/12/2009).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions. See item 3 above for discussion at the meeting.

DECISION: Planning permission granted subject to conditions.

7. Dollis Hill House, Gladstone Park, Dollis Hill Lane NW2 6HT (Ref. 09/1470)

Listed Building Consent for demolition of Dollis Hill House (as accompanied by Design and Access Statement prepared by DPP Heritage, and Biodiversity Survey Report prepared by Aspect Ecology).

OFFICER RECOMMENDATION: Defer the grant of Listed Building Consent.

The Head of Area Planning recommended a deferral of this application to allow for further consideration of the Chinese Welfare Trust's interest in the building to be considered.

DECISION: Deferred to allow for further consideration of matters raised by the Chinese Welfare Trust.

8. 7-8 Elmwood Crescent London NW9 0NL (Ref. 09/1851)

Erection of a single storey rear and side extension, first floor front extension, raised terrace with ramped access to rear and front, new canopy to front entrance door, 2 front and 1 rear rooflight and associated landscaping, and change of use of premises from single family dwelling (Use Class C3) to supported accommodation for people with mental health problems, incorporating 11 self-contained units (Use Class C2).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Members agreed an amendment proposed by Councillor Powney for a deferral of this application for a site visit to assess the impact of the proposed development. This was put to the vote and declared carried.

DECISION: Deferred for a site visit in order to assess the impact of the proposed development.

Note: Councillor R Moher having declared a personal interest in the application did not take part in the voting and discussion.

9. 6 Barn Way, Wembley, HA9 9LE (Ref. 09/3265)

Retention of UPVC windows to front elevation of dwellinghouse.

OFFICER RECOMMENDATION: Refuse planning permission.

This application was reported to Committee under the provisions of Clause 24 of the Planning Code of Practice following the previous meeting of the Planning Committee on 13th January 2010 at which members were 'minded to grant' consent for the retention of UPVC windows to the front elevation of the dwellinghouse, contrary to the recommendation to refuse consent. The Head of Area Planning reiterated the recommendation for refusal on the grounds that the replacement UPVC windows would significantly detract from the appearance and character of the original dwellinghouse and the visual amenity of the locality, and as such, would fail to preserve or enhance the character and appearance of the Barn Hill Conservation Area. In his view the replacement windows would not reasonably reflect the original design and detailing in all practical respects and would have implications for the future of the Conservation Area including setting undesirable precedents. The Head of Area Planning expressed concerns that to grant consent for the retention of the replacement windows which were of such a poor quality in their design when compared to adopted policy would inevitably set a precedent for future applications in all similar conservation areas. This in turn would significantly impact upon the character and appearance of these conservation areas, and would undermine the purpose of the Article 4 Directions. He then drew members' attention to examples at Nos. 3 and 5 Barn Way and in the Mount Stewart Conservation Area which were considered satisfactory.

Mrs Tugby the applicant referred to discussions she had had with officers about the replacement windows and confirmed her acceptance of the conditions set out in the main report for the grant of planning permission.

During discussion of the application Councillor Baker stated that he observed very little difference between the replacement windows and the previous windows and for that reason he indicated his support for the application. Councillor Powney reiterated the need for consistency in applying the guidelines for Conservation Areas around the Borough. The Chair added that the guidelines required developments to enhance the conservation area status and in his view the replacement windows observed at the site visit were an improvement on the previous windows. Being in keeping with the area, the replacement windows enhanced the Conservation Area status without any likelihood of setting a precedent for future developments in the area. The Committee voted to approve the application for the reasons stated above.

In accordance with the provisions of the Planning Code of Practice, voting on the recommendation for refusal was recorded as follows;

FOR	Councillors Powney, R Moher and Thomas	(3)
AGAINST	Councillors Kansagra, Anwar, Baker, Hashmi Jackson and Steel	(7)

ABSTENTION

Councillor Cummins

(1)

DECISION: Planning permission granted subject to conditions.

10. 37 Geary Road London NW10 1HJ (Ref. 09/1962)

Erection of a two-storey side extension to the dwellinghouse (as amended by plans received 02/10/2009).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

This application was deferred at a previous meeting to allow for further investigation of the issues raised at the site visit in relation to the current status of the property and whether it was being used as a single family dwelling, the combined impact of all the proposed extensions and the status of the front gates and boundary treatment.

The Head of Area Planning reported that officers had received verbal confirmation that the property would be for personal use and although there would be more than 6 people resident at the property the relationship between the residents was such that they could be considered to form one household (single family dwelling unit). He continued that the proposed development would result in an increase of 1 bedroom and whilst it would result in a larger building it was not considered to be an overdevelopment of the site. He went on to clarify that by proposing to reduce the height of existing gates and railings from 2.3m to 1.2m with soft landscaping planted behind, the submitted revised application for boundary treatment would result in a significant improvement in the appearance of the property within the streetscene.

DECISION: Planning permission granted subject to conditions.

11. Workshop 1 rear of 92 Villiers Road NW2 5PJ (Ref. 09/2452)

Erection of first-floor extension, installation of external staircase to western elevation and replacement of existing windows with opaque glass blocks to northern elevation of building.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

12. Beulah Apostolic Church, 130 Church Road NW10 9NH (Ref. 09/2588)

Proposed demolition of existing church building and erection of part single-, part two-storey replacement church building (as accompanied by Travel Plan, dated November 2009).

OFFICER RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor.

Members noted that the applicant had submitted amended plans which revised the layout of the proposed church to orientate the main entrance towards Church Road and confirmed that the access towards Conley Road would be for emergency escape only. In view of that the planning Manager recommended an amendment to condition 2. He added that following discussion with Officers, the applicant had agreed in principle to plant a new tree, of a suitable species, towards the corner of the site adjacent to the junction between Conley Road and Church Road. This was generally welcomed as it would act as an additional buffer between the church forecourt and the surrounding area, and would enhance the setting of the church within the streetscene. In order to secure the tree planting he recommended an amendment to condition 4 as set out in the tabled supplementary report. He also drew members' attention to an amendment by the Borough Solicitor to condition 7 for acoustic insulation prior to occupation.

DECISION: Planning permission granted subject to conditions as amended in conditions 2, 4 and 7, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environment and Culture to agree the exact terms thereof on advice from the Borough Solicitor.

13. 8 Brondesbury Park Mansions, 132 Salusbury Road, NW6 6PD (Ref. 09/3377)

Installation of 1 replacement UPVC-framed bathroom window to side elevation of building.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

14. 243 Ealing Road, Wembley HA0 4LF (Ref. 09/2116)

Demolition of existing building, erection of 7 blocks (1 x 14 storeys, 3 x 11 storeys, 1 x 10 storeys & 2 x 6 storeys) comprising 440 flats and commercial and community space at ground-floor level, the erection of a three-storey detached dwellinghouse, the provision of 237 parking spaces including 30 disabled parking spaces at basement and ground-floor level, associated landscaping and provision of private and public amenity space (as amended by revised plans received on 30 November 2009 and January 2010).

OFFICER RECOMMENDATION: Agree in principle, but delegate the application to the Chief Planner/Head of Area Planning for his determination (taking into account any further representations received) and subject to the completion of a satisfactory Section 106, or other legal agreement, having referred the application to the London Mayor under Article 5 of the Town & Country Planning (Mayor of London) Order 2008 in order for him to confirm that the application is in compliance with the London Plan.

In response to members' request the Planning Manager Neil McClellan reported that the Environment Agency had confirmed that the revised Flood Risk Assessment (FRA), Revision B, submitted by the developers was acceptable subject to conditions requiring the mitigation measures set out in the revised FRA being fully implemented and a scheme for dealing with surface water drainage based on sustainable drainage principles being submitted and approved prior to the commencement of the development. He added that these points were covered by Conditions 20 and 21. He continued that a screening opinion of the Environmental Impact Assessment (EIA) had concluded that having regard to the characteristics of the development, its location and potential impact, the proposed development would not have significant environmental effects and therefore an EIA was not required. He reiterated the recommendation for approval subject to conditions as amended in conditions 5, 6, 9, 10, 11, 15, 16, 17, 18, 20, 26, 27 and 28, the deletion of condition 25a or 25b, condition 30, as set out in the tabled supplementary report, the completion of a satisfactory Section 106 or other legal agreement and referral to the London Mayor.

Councillor Steel sought clarification on the number of affordable units and was told that there would be 111 out of 440 units. The Planning Manager explained that the development was not grant funded but a private let development.

DECISION: Agreed to grant planning permission in principle, but delegate the application to the Chief Planner/Head of Area Planning for his determination (taking into account any further representations received) and subject to the completion of a satisfactory Section 106, or other legal agreement, having referred the application to the London Mayor under Article 5 of the Town & Country Planning (Mayor of London) Order 2008 in order for him to confirm that the application is in compliance with the London Plan.

15. 19 Crawford Avenue, Wembley HA0 2HX (Ref. 09/2468)

Erection of two-storey side and rear extension and new front porch to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Mr M Sweeney an objector stated that the full impact of the proposed development had not been assessed. He added the proposal would result in overlooking, loss of light to the garden of No. 19 Crawford Avenue and loss of privacy. He continued that the extension would exacerbate the existing parking problems and result in a detrimental impact on the character of the area. Mr Sweeney urged members to give consideration to a site visit to assess the impact of the proposed development.

The Planning Manager Neil McClellan stated that amendments were sought in order to ensure that the proposal complied with the guidelines set out within Supplementary Planning Guidance Note 5 (SPG5). He added that the revised application had resulted in a reduction in the width of the two storey side extension to 3.5m, an increase in the size of the rear bathroom window to match the remaining fenestration within the rear elevation and the submission of an annotated site plan showing landscaping and off-street parking on the site frontage. He added that the.

During discussions, Councillor Jackson moved an amendment for a site visit which was supported by Councillor Thomas. Prior to voting, the Chair reminded the Committee to note the officer's conclusion that the application complied with the Council's SPG5. Members voted on the amendment which was declared lost.

DECISION: Planning permission granted subject to conditions.

Note: Councillors Anwar and Jackson having declared interests in the above application did not participate in the voting or discussion on the application.

16. 3 Crawford Avenue & St John's Hall, High Road, Wembley HA0 2AF (Ref. 09/3104)

Demolition of existing church hall and vicarage and erection of a new two storey vicarage, a two storey building comprising church hall and 4 self contained flats, a three storey building comprising 8 self contained flats, 8 two storey terrace dwellinghouses, provision of 21 parking spaces and associated landscaping to site.

OFFICER RECOMMENDATION: Grant planning permission subject to referral under the Mayor of London Order 2000 and to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Planning.

Members noted the officer's responses as set out in the tabled supplementary report which clarified the proposed boundary treatment, the public access through the church grounds and confirmed that the scheme would not involve any disruption to the burial grounds. The Planning Manager drew members' attention to the revised heads of terms of the Section 106 total contribution payable on material start from £136,800 to £132,000 and amendments to the following conditions; 4, 5, 12 and 22 and the deletion of condition 23.

DECISION: Planning permission granted subject to conditions as amended in conditions 4, 5, 12 and 22 and the deletion of condition 23 and to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Planning to agree the exact terms thereof on advice from the Borough Solicitor.

Note: Councillors Anwar and Jackson having declared interests in the above application did not participate in the voting or discussion on the application.

17. 75 Llanover Road, Wembley HA9 7LW (Ref. 09/2340)

Demolition of existing rear extension and erection of a reduced single-storey rear extension to dwellinghouse.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

Note: Councillors Anwar having declared an interest in the above application did not participate in the voting or discussion on the application.

18. Barham Park Estate, Wembley HA0 2NE (Ref. 09/2350)

Hybrid planning application for the demolition and redevelopment of the entire Barham Park Estate, comprising: Full planning permission for the erection of 1 part four-/part five-storey block and 2 part six-/part eight-storey blocks, comprising in total 119 residential units, 422m² of (Use Class A1/A2) floorspace and a 121m² community facility (Use D1), with associated parking, landscaping, amenity space and including the diversion of the public footpath connecting Central Road and railway footbridge; and Outline planning permission for the erection of a further 216 residential units (matters to be approved: land use, quantum of development and means of access, with layout, scale, appearance and landscaping reserved).

OFFICER RECOMMENDATION: Grant planning permission subject to completion of satisfactory Section 106 or other legal agreement, and referral to the Mayor for his Stage 2 response.

In response to members' enquiry as to whether there was any scope for improving the estates junction of the estate road with Harrow Road, and whether or not full vehicular access could be provided onto Central Road, the Planning Manager Neil McClellan referred to the full Transport Assessment submitted as part of the application. The assessment tested the junction capacity at Saunderton Road/Harrow Road and found that the junction would continue to operate well within capacity even when accounting for increased flows that might be expected from the development. In view of that, there was no requirement to upgrade the junction in order for the redevelopment of the estate to be acceptable on transport grounds. He continued that the close proximity of the junction to the roundabout and pelican crossing to the south of the site would make a right-turn movement out of the estate unacceptable on road safety grounds, whilst the amount of traffic entering and leaving the estate was not sufficient to justify the provision of an alternative junction design. The only alternative would be to provide a vehicular exit from the site onto Central Road which according to the Transport Assessment was not necessary and that a single point of access onto Harrow Road was considered satisfactory.

Mrs Angela Tanner, Chair of Barham Park Residents' Focus Group, stated that although the group welcomed the proposed development, she wished to highlight a few of their concerns.

- (i) The height, density and appearance of the proposed development in the Sudbury Town area characterised by low rise low density buildings would be out of character.
- (ii) The plans show that the scheme had not designed out crime particularly the car park in the south west corner of the estate which could attract crime and anti-social behaviour.
- (iii) The development should have mixed tenure within each block instead of a segregation of socially rented and private homes which would create a ghetto atmosphere.
- (iv) As there was a single access/egress point to the estate, this could give rise to health and safety issues for residents and emergency vehicles.

Ms Diana Brown, Secretary of the Tenants and Residents' Association, welcomed the proposed redevelopment as it would improve the living standards of the residents. She however requested the Committee to take the following matters into account;

- (i) The proposed car park in the south west corner which was not a secure car park would encourage anti social behaviour.
- (ii) There were concerns about the allocation of car parking spaces and the management of the underground car park.
- (iii) Residents would not welcome the use of cobblestones for traffic calming as they would make it difficult for the less able to walk on.
- (iv) Residents would request that traffic lights and yellow box junction be provided to facilitate residents' access and that the bus lane restriction be relocated to start from after the main entrance to the estate.
- (v) Improved residential amenity by ensuring that kitchens and bathrooms be provided with windows for sustainability.

Ms Rosemary Houseman, the applicant's agent, in her introduction stated that she would continue to work with the residents on the details of the redevelopment. She continued that the report and the transport assessment did not raise significant issues and that the car parking management plan would be secured via the Section 106 legal agreement. Ms Houseman added that the height of the building the external appearance of which had been revised following comments made by the GLA, would not result in overshadowing. She pointed out that the redevelopment which had been planned to meet demand for family housing units would respond to the acute need for housing and regeneration in the area.

In response to member's queries about tenure and internal layout, Ms Houseman stated that the 3 phases of the development would each have a mixed tenure and that the first phase had been designed in accordance with the wishes of the residents not to live on the Harrow Road frontage. She added that plans for the

development had been revised to provide some of the flats with separate windows for their bathrooms and that cobblestones would not be used in the traffic calming or landscaping scheme for the development.

In accordance with the provisions of the Planning Code of Practice, Councillor Wharton, a ward member, stated that he had had discussions on the development with the applicants and the residents. Whilst welcoming the proposed redevelopment, Councillor Wharton requested that further consideration ought to be given to the road junction with Harrow Road, the bus lane in front of the development and the possible removal of the pay and display bays at Saunderton Road. He however noted that there were no significant objections to the officers' assessment of the traffic implications.

In the discussions that followed, Councillor Moher commented on the congestion at the junction and at the roundabout and questioned the basis of the PTAL rating of 4. Councillor Hashmi suggested the relocation of the terminus for bus route 18 from Sudbury to Northwick Park Hospital grounds. Councillor Anwar suggested the removal of the bus lane restrictions from the entrance to the estate and the provision of a medical centre and a community hall for the residents. Councillor Thomas sought clarifications on the access from and egress into the estate. Councillor Powney enquired as to whether the police had been appraised on the underground car park. In expressing his concerns about possible congestion to the entrance to the estate, the Chair remarked that Transport for London should be asked to review the bus lane restrictions at the entrance to the estate and the Council's Highways and Transportation unit should consider having a "yellow box" junction to assist with the movement of vehicles.

In responding to the issues raised, the Planning Manager Neil McClellan stated that the Council would lobby TfL about the terminus for bus 18 and that there was scope to review the bus lane restrictions at the entrance to the estate. He added that the emergency access available via central Road was considered acceptable. Although the car park in the south west corner of the estate was slightly remote it met with the criteria for natural surveillance. He continued that due to site constraints, it was not possible to accommodate a medical centre and a community hall adding that some of the contributions under the Section 106 legal agreement could be used to improve similar local facilities including the facilities at Vale Farm sports grounds.

The Head of Area Planning added that the later phases of the detailed scheme could offer scope to reflect some of the preferences expressed by the residents. He added that although the local car sales site would be removed and in its place a Tesco Express built, there would be no servicing designed for Harrow Road and traffic congestion would be reduced to a minimum. He continued that unauthorised parking within the non adopted roads within the estate would have to be enforced by the Housing Association.

In summing up the debate, the Chair pointed out that the mixed tenure scheme would assist with the housing stock of the Borough. He noted the concerns expressed on access into and egress from the estate, parking and congestion but

added that these were not within the remit of the Committee at this stage as further details of the redevelopment would be considered at a later date.

DECISION: Planning permission granted subject to the completion of satisfactory Section 106 or other legal agreement, and referral to the Mayor of London for his Stage 2 response.

19. Planning and Enforcement Appeals Oct to Dec 2009

The Head of Area Planning drew members' attention to a selection of appeal decisions and explained the reasons why some Inspectors upheld those appeals. Members noted that costs were awarded against the Council in respect of the appeal for 1 The Leadings. He urged members not to change their approach to applications involving lightwells despite the appeal for 29 Hopefield Avenue being upheld.

The Chair requested officers to encourage members to attend planning inquiries in order to put forward the Council's case from a members' perspective.

RESOLVED:

That the planning and enforcement appeals for the period October to December 2009 be noted.

20. Any Other Urgent Business

None at this meeting.

The meeting ended at 8.50pm

S KANSAGRA
CHAIR