



# **LONDON BOROUGH OF BRENT**

## **MINUTES OF THE PLANNING COMMITTEE**

**Wednesday, 12 January 2011 at 7.00 pm**

PRESENT: Councillors Sheth (Vice in the Chair) and Councillors Cummins, Daly, Hossain (alternate for Adeyeye), Hashmi, Kabir (alternate for RS Patel), Kataria, Long, J Moher (alternate for McLennan) and CJ Patel.

ALSO PRESENT: Councillor Claudia Hector, Councillor James Powney and Councillor Bobby Thomas

Apologies for absence were received from Councillors RS Patel, Adeyeye, Baker and McLennan.

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

7. 32 Creighton Road NW6 6ED

Councillor Cummins declared a personal interest in that he knew the applicant.

11. University of Westminster, Watford Road, Harrow HA1 3TP

Councillor Daly declared a personal interest as a local resident.

### **2. Minutes of the previous meeting - 15 December 2010**

RESOLVED:-

that the minutes of the previous meeting held on 15 December 2010 be approved as an accurate record of the meeting subject to the following inclusion under Declarations of personal and prejudicial interests;

At the meeting on 24 November 2010 Councillor Hashmi sought legal advice about his ability to participate in the discussion for Thames Water Utilities, St Michael's Road NW2 as he had received correspondence and telephone calls from the applicant but had taken care not to express an opinion. The legal representative advised that Councillor Hashmi could participate in the discussion and voting on that application although whether to do so must be for the Councillor to decide.

### **3. 139 Coles Green Road, London NW2 7HH (Ref. 10/2046)**

PROPOSAL: Erection of a single- and two-storey side extension, single-storey rear extension, erection of a rear dormer window and formation of vehicular access to rear garden of dwellinghouse to provide an additional off-street parking space (revised plans received 27/10/2010 & 24/12/2010).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

This application was deferred at the last Planning Committee to enable members to visit the site and to gain a better understanding of the change in ground levels. In responding to issues raised at the site visit, Rachel McConnell the Area Planning Manager confirmed that the rear car parking space would slope down from the level of the road and that the one car parking space could be provided at the front due to the dimensions of the area available. She drew members' attention to condition 4 as amended in the tabled supplementary report which required a more detailed landscape layout to be provided in order to ensure compliance with the objectives of policies BE7 and TRN23. In clarifying the relationship of the single storey rear extension and the property at No. 141 Coles Green Road, Rachel McConnell added that the extension would be set in by 0.5m from the boundary to compensate for the additional height. In conclusion she stated that as the extension would be 2.5m deep which was below the depth normally allowed by SPG5, she was satisfied that the impact of the proposed single storey rear extension would be in accordance with the standards applied borough-wide to such development.

In the discussion that followed, Councillor Cummins expressed a preference for a 1m set in rather than 0.5 metre. He queried if the applicant was to create a new patio whether it would increase the overall height and thereby obstruct the views from the rear gardens of No. 141. Councillor Daly in echoing this view pointed out that such an arrangement was often the cause of loss of amenities for properties with smaller rear gardens.

In responding to the above, Rachel McConnell stated that the height, depth and set in of 0.5m of the proposal were acceptable and confirmed that the patio was not shown as extending beyond the agreed limit. She reiterated the recommendation for approval subject to conditions and an additional condition requiring soft landscaping to the rear garden.

DECISION: Planning permission granted subject to conditions as amended in condition 4 and an additional condition requiring soft landscaping to the rear garden.

#### **4. 15 Basing Hill, Wembley, HA9 9QS (Ref. 10/1275)**

PROPOSAL: Erection of a rear dormer window and raising roof height of existing two-storey side extension to dwellinghouse (revised plans dated 8 July 2010).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

Rachel McConnell the Area Planning Manager informed the Committee about an additional correspondence from Barn Hill Residents' Association regarding reports that the property was being used as a 'foster home'. She clarified that a single household under Use Class C3 could allow for that use. She also informed members that in accordance with the legal advice received it was not valid to require the satellite dishes already existing to be removed by condition. This was to be achieved by an informative and accordingly replaced condition 3 as an informative as set out in the tabled supplementary report.

DECISION: Planning permission granted subject to conditions, replacement of condition 3 with an informative advising the applicant to remove the satellite dishes within 3 months.

**5. 2 Scrubs Lane, London NW10 6RB (Ref. 10/2704)**

PROPOSAL: Continued display of free-standing, internally illuminated sign, incorporating non-illuminated signage for the City Mission Church to the rear, on site of church on south side of Harrow Road, adjacent to existing petrol station

OFFICER RECOMMENDATION: Refuse planning consent.

Mr Martin Stephens the applicant's agent stated the site had been in use for advertising hoarding for over 20 years and that this application merely sought to continue that use. He added that as the advertising hoarding and signage had caused no harm to the residents there had been no complaints or objections raised. Mr Stephens continued that since its re-development the church rather the signage had become the dominant feature in the immediate area and therefore the view that its appearance would be excessive, overbearing and detract significantly from the streetscape and the existing buildings was not valid. He urged members to grant planning consent for the advertising hoarding. In response to members' questions, Mr Stephens clarified that the signage would be non-illuminated to the rear of the church and that he understood that Reverend Hall, the applicant was in discussion with the Council about the reinstatement of the art sculptures.

***In accordance with the provisions of the Planning Code of Practice,*** Councillor Powney, ward member stated that he had been approached by the applicant. Councillor Powney submitted that as the Head of Transportation had not raised objections to the application and that there had been no harm caused or complaints received, there were no valid reasons to recommend refusal on grounds of highway safety and loss of amenities. He added that the scale of the signage would be in keeping with its surrounding following the redevelopment of the church, income for which was dependent on the size of the signage.

***In accordance with the provisions of the Planning Code of Practice,*** Councillor Thomas, ward member stated that he had been approached by the applicant. Councillor Thomas stated that the church had become the focal point for the whole community following its redevelopment and its planned use as "food bank" distributing free meals to those in need. He reiterated that there had been

no concerns raised or complaints received because no harm or loss of amenities had been caused by the signage. He added that the survival of church was dependent on income from the signage and its size and that to refuse the application could have serious financial implications for the church and the community. Councillor Thomas referred to a similar application by a local church in the Borough of Hammersmith & Fulham which granted planning consent to support his view that a relevant precedent had been set which could allow members to grant planning consent for this application.

In the ensuing discussion, Councillor Kataria expressed a view that the size of the advertising hoarding was excessive and its appearance overbearing which would detract significantly from the streetscape and the existing buildings. He added that the financial arrangement between the church and the advertisers was not a planning consideration. Councillor Hashmi echoed similar sentiments adding that the application would contradict planning policies BE2, BE7 and BE21 of the Unitary Development Plan (UDP). Councillor Cummins added that the redevelopment of the church had made it a pleasant building which could be obscured by the advertisement hoarding. He also made reference to the disappearance and the need for the reinstatement of the art sculptures. Councillor Long in expressing a differing view stated that the existing landscape was not attractive, the art sculptures not required due to their poor quality and that the size of the proposed advertisement hoarding would be equal to other hoardings in the area.

In responding to the issues raised, Andy Bates the Area Planning Manager stated that despite the grant of advertisement consent in 2004 for the hoarding, the size and scale of the hoarding was now deemed excessive and particularly obtrusive contrary to policy BE21 of the UDP 2004 and Supplementary Planning Guidance 8 (SPG8). He added that the size, scale and prominent location of the proposed hoarding would significantly detract from the local streetscape, would appear visually obtrusive when viewed from various points along Harrow Road and would add to the existing clutter of this prominent location. Andy Bates continued that the proposed hoarding would not serve to enhance the appearance of the area as it would be completely disproportionate to the size and scale of the existing built environment. In reiterating the recommendation for refusal Andy Bates stated that whilst he appreciated that the continued display of the advertisement hoarding provided added revenue for the church it would be unacceptable by reason of its excessive size and overbearing appearance which would detract significantly from the streetscape and the existing buildings.

DECISION: Advertisement Consent refused.

**6. 34 Mount Pleasant Road, London NW10 3EL (Ref. 10/2753)**

PROPOSAL: Demolition of attached garage and erection of a two storey side extension to dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

In his introduction, Andy Bates addressed an objector's claim that the proposed extension would impact on the established streetscene and on the amenities of No.36 Mount Pleasant Road. He continued that although it was inevitable that the proposed extension would impact on the objector's window, he did not consider it reasonable to refuse planning permission on this basis alone.

Mrs Monica Roberts in objecting to the proposed development stated that it would block sunlight and daylight to her habitable rooms, stairwell and interiors of her property (no.36 Mount Pleasant Road) and thereby reduce outlook. She considered that the additional 24cm set in would have a negligible impact in addressing the loss of light and outlook that would result and would be contrary to the Council's Supplementary Planning Guidance Note 5 (SPG5). Mrs Roberts also circulated a reference from her doctor confirming that she suffered from acute claustrophobia which would be made worse by the proposed development and would thus prevent her from using her side passageway along the flank wall, if the application was granted planning permission.

In response to the issues raised Andy Bates stated that the proposed development was acceptable both in terms of character and impact. Whilst acknowledging the contents of the reference from the objector's doctor members did not consider it so materially significant as to warrant refusal.

DECISION: Planning permission granted subject to conditions.

**7. 32 Creighton Road, London NW6 6ED (Ref. 10/2854)**

PROPOSAL: Excavation to create basement to dwellinghouse with front and rear lightwell.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

With reference to the tabled supplementary report, Andy Bates reported that the applicant's agent had confirmed that a new boiler was proposed which would make it possible for the flue to be located at a higher level. He clarified that the revised plan received which showed the proposed elevations with the omission of shadowing did not change the extent of the development proposal. Andy Bates also referred to additional letters of support including one from the ward member, Councillor Green.

Mr O'Keefe objecting on behalf of the elderly residents at No. 30 Creighton Road stated that the proposal would constitute an over-development of the site and would involve an aggressive form of construction with acute detrimental impact on

the health of the 2 elderly residents of No. 30 Creighton Road. He urged members to refuse the application bearing in mind the ages and health of the residents at No. 30 Creighton Road.

Mr David Hodge objecting on behalf of Queens Park Area Residents' Association stated that the basement development would not enhance the Conservation Area status of Queens Park. In urging members to refuse the application, Mr Hodge added that the development would set an undesirable precedent for future development in the conservation area.

Mr Chris Childs the applicant stated that the application was basically to cater for the needs of his large family including young and growing up children and a disabled daughter. He continued that the proposed development complement with and enhance the character of the conservation area. Mr Childs added that he would be mindful of the impact of the health of the elderly occupants of No. 30 Creighton Road to ensure that this was minimised.

Steve Weeks Head of Area Planning outlined the difficulties in routinely restricting the hours of construction adding that the application complied with policies and standards. In considering the proposed development members were unanimous that the application needed to be decided on planning merits only.

DECISION: Planning permission granted subject to conditions.

***Note: Councillor Cummins having declared a personal interest did not take part in the discussion and voting on this application.***

#### **8. 14D Wrotesley Road, London NW10 5YL (Ref. 10/2641)**

PROPOSAL: Erection of rear dormer window, gable end roof extension and installation of two front rooflights to first floor flat.

OFFICER RECOMMENDATION: Grant planning permission subject to conditions.

In setting the background to the application, Andy Bates informed members that the submission of this application was the result of planning breaches in erecting the rear dormer and the threat of enforcement action. He continued that the final plans on which this determination were based would be in keeping with the existing dwelling and street character, consistent with UDP policies BE7, BE9 and H21 and the guidelines of SPG5. Andy Bates added that in view of the existing breach, there was an urgent need for the works to be completed urgently. He therefore recommended that an informative be attached to this permission requiring demolition of unlawful works and completion of approved plans within 3 months of this permission in order to avoid further enforcement action due to prolonged breach.

DECISION: Planning permission granted subject to conditions.

**9. 27 Aylestone Avenue, London NW6 7AE (Ref. 10/2862)**

PROPOSAL: Extension of time limit for application 08/0376 (Demolition of existing house and erection of 2-storey building comprising 8 self-contained flats, with provision of outbuilding for cycle storage, refuse storage, 8 parking spaces, new vehicular and pedestrian access to side and rear, hard and soft landscaping, and boundary fencing to site and subject to a Deed of Agreement dated 9th April 2008 under Section 106 of the Town and Country Planning Act 1990, as amended).

OFFICER RECOMMENDATION: Grant consent subject to additional condition on refuse and recycling storage and change to the description of the development in order to include the correct S106 date with changes delegated to the Head of Area Planning.

Andy Bates updated members that since the report was published the applicant had submitted a Unilateral Undertaking dealing with the points set down in the Heads of Terms: payment of £3,000 for each net additional bedroom (Total £36,000), the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance. He added that this simpler method of legal agreement was considered to be acceptable and as a result, it would be appropriate to issue the permission if members were minded to grant consent. He however added an additional condition on refuse and recycling storage and change to the description.

DECISION: Planning permission granted consent subject to additional condition on refuse and recycling storage and change to the description of the development in order to include the correct S106 date with changes delegated to the Head of Area Planning.

**10. Unit 4, Second Way, Wembley, HA9 0YJ (Ref. 10/2367)**

PROPOSAL: Change of use from warehouse (Use Class B8) to waste transfer station (Use Class Sui Generis).

OFFICER RECOMMENDATION: Grant planning permission subject to conditions and informatives.

With reference to the tabled supplementary, Steve Weeks informed members that Environmental Health Officers (EHO) had confirmed that the site had sufficient controls to minimise road dust emissions. In respect of flies, rats and mice the EHO reported that although a complaint had been received, they were unable to conclude whether the rats originated from this site or from a neighbouring waste transfer station and added that since the investigations were conducted, both sites had improved their pest control. Members noted that it was also a requirement of the permit issued to the site from the Environment Agency to minimise nuisance

caused by pests. For the above reasons, the use was not considered to raise any significant concerns regarding the environmental impact on the local area.

In respect of the objection on grounds of obstruction to an existing accessway, Steve Weeks corrected the report to confirm that the access in question was not a public right of way but rather a private land which made the issue a civil matter. He added that this application did not require the blocking up of the access and as such, the granting of a further permission would not prejudice neighbouring land uses in any way.

DECISION: Planning permission granted subject to conditions and informatives.

#### **11. University of Westminster, Watford Road, Harrow HA1 3TP (Ref. 10/2862)**

PROPOSAL: Hybrid planning application for the demolition of part of the University of Westminster's Harrow Campus and the erection of new buildings and refurbishment of existing buildings, comprising:

Full planning permission for the demolition of 6,980m<sup>2</sup> of existing floor space and the erection of 3,435m<sup>2</sup> of new educational floor space (Use Class D1) in new buildings ranging in height from one to two storeys, the refurbishment of existing buildings, including new external cladding, new hard and soft landscaping, improvements to the entrance adjacent to Northwick Park Underground Station and construction of a Multi-Use Games Area;

and

Outline planning permission for a further 3,545m<sup>2</sup> of new educational floor space (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 conditions including additional conditions regarding an assessment of existing lighting and further details of the proposed biomass plant, additional clauses to the S106 agreement to achieve the additional sustainability measures and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

Steve Weeks Head of Area Planning advised members that, following the Member's site visit and issues raised, it would be appropriate for members to receive a presentation by the applicants before the application was considered, preferably prior to the date of next meeting. He therefore amended the recommendation to a deferral and Members agreed to the timing of the presentation as the next site visit.

Members were unanimous in agreeing the amended recommendation for deferral.



DECISION: Deferred to enable members to receive a presentation by the applicant before the date of the next meeting.

***Note: Councillor Daly having declared a personal interest did not take part in the discussion on this application.***

## **12. Any Other Urgent Business**

Councillor Kataria requested a report on public houses to a future meeting. Councillor Daly also requested an update on anti-social behaviour and betting offices in the Borough

Steve Weeks undertook to discuss the requests with the Assistant Director of Planning and Development in terms of the timing of future reports to the Planning Committee.

The meeting ended at 8:40pm

K. SHETH  
Vice Chair in the Chair