



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE

Thursday, 12 May 2011 at 7.00 pm

PRESENT: Councillors Sheth (Chair), Daly (Vice-Chair), Baker, Cummins, Hashmi, Kabir, McLennan, Mitchell Murray, CJ Patel and RS Patel

ALSO PRESENT: Councillor Joyce Bacchus and Councillor Kana Naheerathan

Apologies for absence were received from Councillor Singh.

### 1. Minutes of the previous meeting held on 6 April 2011

RESOLVED:-

that the minutes of the previous meeting held on 6 April 2011 be approved as an accurate record of the meeting.

### 2. Declarations of personal and prejudicial interests

*Kingsbury High School Annexe, Bacon Lane, London NW9 9AT*

Councillor Kabir declared a personal interest as a Governor of Village School. She therefore withdrew from the meeting room and did not take part in the discussion or voting during consideration of both applications for Kingsbury High School Annexe.

*856-858 Harrow Road, Wembley, Middlesex HA0 2PX*

Councillor Daly declared a personal interest that she had been closely involved with the community on the application. She therefore withdrew from the meeting room did not take part in the discussion or voting during consideration of this application.

### 3. Alpine House, Honeypot Lane, London, NW9 9RU (Ref. 11/0156)

PROPOSAL: Extension to time limit of planning permission 08/1427 dated 13/08/2008 for demolition of existing commercial units and erection of 3 x four-storey blocks and 1 x five-storey block, comprising 120 self-contained flats, 1,823m<sup>2</sup> of commercial floorspace (Use Class B1) and 5 live/work units, with 86 car-parking spaces, bicycle and bin storage and associated landscaping (accompanied by Design and Access Statement, Energy Assessment, Noise Assessment, Flood Risk Assessment, Arboricultural Report, Transportation Assessment and Planning Statement)

RECOMMENDATION: Grant planning permission subject to the completion of a deed of variation to the 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.

DECISION: Planning permission granted subject to conditions and the completion of a deed of variation to the 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.

**4. Westly Court 1-17 & 112 Walm Lane, London, NW2 4RS (Ref. 11/0444)**

PROPOSAL: Extension to time limit of planning application 07/3806 dated 08/05/2011, for demolition of 2-storey building at 112 Walm Lane and erection of a 5-storey building, comprising 12 self-contained residential units creating 6 two-bedroom flats, 1 two-bedroom maisonette and 5 one-bedroom flats, removal of boundary fence between 112 Walm Lane and adjacent Westly Court to create a shared rear amenity space, reinstatement of existing parking to Westly Court and ancillary works and subject to a Deed of Agreement dated 8th May 2008 under Section 106 of the Town and Country Planning Act 1990, as amended.

RECOMMENDATION:

- (a) Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

Councillor Hashmi requested confirmation that consideration had been given to issues raised by his constituent. Rachel McConnell, Area Planning Manager, confirmed that as a renewal application, consideration should be given to development plan policies and other material planning considerations that may have changed since the original grant of planning permission. She advised that as there had been no significant changes and because the development had previously been judged acceptable by Members, the recommendation was to grant planning permission. She advised that details of the objection were set out in the report.

DECISION:

- (a) Planning permission granted, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

**5. First Floor Function Room, Finbars - The Zone, 332-336 Dudden Hill, Neasden Lane, London, NW10 0AD (Ref. 11/0425)**

PROPOSAL: Conversion of first floor function room into two no. 1-bedroom flats and one studio flat with external alterations including new windows on rear and flank elevations and external lighting to building and refuse facilities and cycle parking in the rear service yard (as per revised plans on 4th April 2011).

RECOMMENDATION: (a) Grant planning permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or

(b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission

Councillor Cummins noted that the report made no mention of permit free parking for a proposal that would result in 3 new flats within an area with parking problems and emphasised the need for such controls. Councillor Daley raised concerns regarding the loss of communal space in respect of the function room. In response, Rachel McConnell stated that the existing flats in the block were able to apply for parking permits and advised that there are genuine practical problems when issuing permits where it is proposed that only some units within a block will be permit free. Stephen Weeks, Head of Area Planning, added that the demand for additional parking that would result from the proposal would not be significant as to warrant imposing such a condition particularly taking into account its authorised use as a function room.

DECISION:

(a) Planning permission granted subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or

(b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

**6. Kingsland Hotel, Kingsbury Circle, London, NW9 9RR (Ref. 10/3262)**

PROPOSAL: Demolition of the existing 28 bedroom hotel and external store and erection of a new 3, 4, 5 and 6 storey, 92 bedroom hotel with associated alterations to car park layout and vehicular access off The Mall and landscaping along the frontage.

RECOMMENDATION:

- (a) Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

Rachel McConnell, Area Planning Manager, confirmed that the external area at 6th floor of the proposed building would not be used as amenity space but rather for maintenance and emergency access only. She therefore recommended imposition of a further condition as set out in the tabled supplementary report to restrict the use of that external area. Members noted that there was no standard contribution for hotel bedspace to mitigate the impacts of the development. Rachel McConnell stated that the section 106 financial contributions had been amended to provide training and employment for local residents and still ensure funding was available towards improvements in the local area including funding for highway improvements.

She then referred to the consultation and the responses received including those from QARA Group of Associations and added that the objections raised had been addressed within the remarks section of the committee report. She advised that although Policy CP17 was not directly referred to in the report, full consideration was given to character of the surrounding area. Rachel McConnell also confirmed that the recent developments within the vicinity of the site were taken into consideration when assessing the impact of overspill parking on the adjoining highway.

Rachel McConnell confirmed that consultation letters were not sent to the properties in the adjoining borough of Harrow as detailed in the supplementary report and she advised that letters were to be sent with the revised consultation period expiring on 3 June 2011. It was requested that authority be delegated to the Head of Area Planning to consider any significant substantive issues raised in objection to the scheme following this additional consultation. In addition, Members were advised that a letter of objection had been received from the London Borough of Harrow stating that the building would detract from the character of the area.

Mr Robert Dunwell Chairman of QARA Group of Associations raised objections to the proposed development on the following grounds;

- a) Lack of on-site car parking spaces which would exacerbate traffic congestion and parking problems to the detriment of current and future residents in the nearby streets, the development under construction at 1-3 The Mall and the local Jewish Free School (JFS).
- b) No traffic and transport assessment had been conducted or provided to give an overall assessment of the parking and traffic flow from JFS, the new 143 block of flats at 1-3 The Mall and around the vicinity of the Kingsbury roundabout.

- c) The scale massing and density of the proposed development would be contrary to UDP policy CP17 which sought to protect and enhance the suburban character of Brent.

Mr Andrew Long the applicant's architect stated that the scale and massing of the proposed development respected and acknowledged the surrounding buildings. He added that the development would assist in the regeneration of the area would be similar in height to Azure Court. Mr Long continued that the scheme had been designed to discourage car usage due to the proximity of the site to good and accessible public transport network in the area and there is provision for an on-site coach parking space. He added that the provision of 7 car parking spaces on-site would be adequate to cope with parking demands without giving rise to traffic problems in the area.

Steve Weeks, Head of Area Planning, in responding to a query by Councillor RS Patel clarified that the use of section 106 financial contribution would not be restricted to a particular ward. He added that the scale, massing, height and materials were considered acceptable.

**DECISION:**

- (a) Planning permission granted subject to a section 106 agreement as recommended with delegated authority to Head of Area Planning to consider any new substantive objections received during the extending consultation period,
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

**7. 3 Burnt Oak Broadway, Edgware, HA8 5LD (Ref. 11/0403)**

**PROPOSAL:** Demolition of existing building and erection of a seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units), 925m<sup>2</sup> of commercial floorspace (Use Class A1 and A2), with 75 parking spaces, first floor rear communal roof terrace and associated landscaping (as amended by plans received (19 April 2011)

**RECOMMENDATION:**

- (a) Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

Rachel McConnell advised that consultation letters were not sent to the properties in the adjoining borough of Barnet as detailed in the supplementary report and that consultation letters had been sent with the revised consultation period expiring on 1 June 2011. It was requested that authority be delegated to the Head of Area Planning to consider any significant substantive issues raised in objection to the scheme following this additional consultation.

**DECISION:**

- (a) Planning permission granted subject to a section 106 agreement as recommended with delegated authority to Head of Area Planning to consider any new substantive objections received during the extending consultation period, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

**8. 171-173, 171A, 173A, 175 & 175A Church Lane, London, Welsh Harp, NW9 8JS (Ref. 11/0266)**

**PROPOSAL:** Erection of a first-floor and second-floor extension above existing shops on Church Lane to create 2 x 2-bedroom flats and erection of a part ground-, first- and second-floor extension to create a three-storey building fronting Merley Court to provide 6 x 2-bedroom self-contained flats, provision of 8 car parking space and cycle parking (revised description).

**RECOMMENDATION:**

- (a) Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

In response to Councillors' Daly and Kabir's' queries, Rachel McConnell, Area Planning Manager stated that the storage space available was considered sufficient to accommodate the bin store requirements as set out in Waste and Recycling Storage and Collection Guide for Residential Properties. A condition was proposed to request further details to confirm this. Councillor Daly requested clarification as to whether a noise assessment should be carried out during the night as well as the day. Rachel McConnell advised that a noise assessment should include the night time and that condition 11 would be updated to reflect this.

DECISION:

- (a) Planning permission granted subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

**9. 2 Donnington Road, Harrow, HA3 0NA (Ref. 11/0230)**

PROPOSAL: Erection of a single storey side and rear extension incorporating roof extensions to bungalow to facilitate loft conversion and associated alterations (amended plans received 5 April 2011).

RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

**10. Kingsbury High School Annexe, Bacon Lane, London, NW9 9AT (Ref. 11/0992)**

PROPOSAL: Discharge of condition 13 (MUGA Management and Maintenance Plan) and condition 24 (Surface Water Drainage Strategy) of full planning permission 10/2994 dated 04/02/11 for permission for phased development comprising Phase 1: erection of two-storey temporary school building with associated internal access road, car park, hardstanding play area, landscaping and new means of vehicular egress onto Bacon Lane (south) (3-year permission); and Phase 2: erection of single-storey permanent school building with associated hardstanding for sport and recreation, associated ancillary development and retention of means of vehicular egress onto Bacon Lane (south).

RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted as recommended with delegated authority to Head of Area Planning to consider any new substantive objections received.

***Note: Councillor Kabir declared a personal interest as a Governor of Village School. She therefore withdrew from the meeting room and did not take part in the discussion or voting during consideration of this application.***

**11. Kingsbury High School Annexe, Bacon Lane, London, NW9 9AT (Ref.11/0961)**

PROPOSAL: Details pursuant to condition 14 (Access) and 15 (construction Method Statement), of full application reference 10/2994 dated 4 February 2011 for: Permission for phased development comprising Phase 1: erection of two-storey temporary school building with associated internal access road, car park, hardstanding play area, landscaping and new means of vehicular egress onto Bacon Lane (south) (3-year permission); and Phase 2: erection of single-storey permanent school building with associated hardstanding for sport and recreation, associated ancillary development and retention of means of vehicular egress onto Bacon Lane (south).

RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted as recommended with delegated authority to Head of Area Planning to consider any new substantive objections received.

***Note: Councillor Kabir declared a personal interest as a Governor of Village School. She therefore withdrew from the meeting room and did not take part in the discussion or voting during consideration of this application.***

**12. 139 Kilburn High Road, London, NW6 7HR (Ref. 11/0346)**

PROPOSAL: Installation of replacement shopfront and roller shutter.

RECOMMENDATION: Grant planning subject to conditions.

Mr Chris Grix in objecting to the proposal stated that there was an over-concentration of A2 uses on the retail function of Kilburn High Road and that the use of the premises for pawnbroking business was not an A1 use class. He added that the occupation of the unit by H&T pawnbrokers was encouraging criminal and/or anti-social behaviour in the area. Mr Grix continued that the proposed use would set an undesirable precedent to the detriment of the area. He circulated information which supported his view that the use was not A1.

Steve Weeks, Area Planning Manager stated that, on the information received with the application, Officers had formed the view that the use was within Use Class A1 although the applications themselves referred to a shopfront and signage rather than a change of use. He noted some of the information referred to by Mr Grix that may support this view. However, he recommended that authority be delegated to him to grant approval subject to a review and advice by Legal Services.

DECISION: Delegated authority be given to the Head of Area Planning to grant planning permission subject to conditions and advice from the Director of Legal and Procurement.



**13. 139 Kilburn High Road, London, NW6 7HR (Ref. 11/0347)**

PROPOSAL: Advertisement Consent for the display of three internally illuminated fascia signs, one internally illuminated projecting box sign and one ornate projecting sign.

RECOMMENDATION: Grant advertisement consent subject to conditions.

See item 12 for the preamble.

DECISION: Delegated authority be given to the Head of Area Planning to grant advertisement consent subject to conditions and a review by Legal Services.

**14. 271-273 Kilburn High Road, London, NW6 7JR (Ref. 11/0349)**

PROPOSAL: Change of use from shop (Use Class A1) to restaurant (Use Class A3), with erection of extract duct to rear and new shopfront with additional door.

RECOMMENDATION: Grant planning permission subject to conditions and informatives.

Andy Bates Area Planning Manager in reference to the tabled supplementary report stated that one further objection had been received which raised concerns on environmental and parking grounds as well as the relationship between the applicant and the neighbours. He added that the issues raised were similar to those that had been addressed in the main report and that conditions recommended to control the use of the A3 use were acceptable. He drew members' attention to a submitted revised plan showing the proposed duct on the rear elevation with the omission of the cowl as required by Environmental Health Officers. Andy Bates continued that the condition imposed for waste disposal was similar to other uses in the area and that if it was felt to be inadequate for this particular use, Environmental Health Officers would be requested to review the situation. He added that an informative would be added on the use of the pavement area which was a matter for the Council's Highways and Transportation Department as highway authority.

DECISION: Planning permission granted subject to conditions and informatives.

**15. 1-10 inc. Wood House, Albert Road, 1-16 inc. Bond House, Rupert Road, 1-8 inc. Hicks Bolton House, Denmark Road & 1-2 Denmark Road NW6**

PROPOSAL: Demolition of Bond House, Hicks Bolton House, 1-2 Denmark Road and Wood House and redevelopment to provide 64 affordable residential units (13x one-bedroom, 26x two bedroom, 17x three-bedroom and 8x. four-bedroom) and one retail unit (Use Class A1) within 3, 4, 5 and 6 storey buildings with private and communal amenity space, play space, on street parking, landscaping, a public open space and temporary open space. The development will involve the stopping up and realignment of Rupert Road and Denmark Road and the phased connection of Rupert Road to Carlton Vale.

RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement.

DECISION: Planning permission granted subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement

**16. 12 Dudley Road, London, NW6 6JX (Ref. 11/0535)**

PROPOSAL: The erection of a rear dormer window with 1 rear and 1 front rooflight to the dwellinghouse.

RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

**17. 856-858 Harrow Road, Wembley, HA0 2PX (Ref. 11/0568)**

PROPOSAL: Retrospective change of use of 2 dwellinghouses (Use Class C3) to place of worship/ community centre (Use Class D1) and ancillary residential use, with the erection of single-storey rear extensions, and erection of outbuilding in rear garden with alterations to the site to regularise the development by:

- removing the rear "store" adjoining the eastern boundary
- removing the parapet walls on top of the rear extensions
- reducing the height of the single storey rear extension to a flat roof with a maximum height of 3m
- removing the middle section of the pitched roof on the detached library building, so that it appears as two buildings
- introducing planting to both sides, front and rear of the outbuilding
- introducing enhanced soft landscaping to the front garden
- introducing secure cycle parking on site
- installation of 6 brick piers within front garden along highway edge

RECOMMENDATION: Grant planning permission subject to conditions.

Neil McClellan the Area Planning Manager informed members about the following undertakings made by the applicant;

- (i) To submit an I-Trace survey which would monitor movements to and from the site to ensure that the agreed travel plan was complied with.
- (ii) The front forecourt would be used for drop-off only and would not be used for permanent parking, apart from one dedicated space for disabled parking.
- (iii) The approved Noise Mitigation Strategy measures would be undertaken on an ongoing basis.

- (iv) The services within the centre were usually on Thursday evenings between 7.30pm and 10.00pm and Fridays between 12 noon and 2.00pm with additional meetings for festivals.

The Area Planning Manager recommended a further condition requiring the survey information to be submitted prior to August, thus allowing 3 months for the submission of data. As this was a requirement of the previous planning permission but was not complied with, failure to comply again could lead to enforcement action and ultimately prosecution. He continued that in order to prevent the outbuilding from being used as living accommodation a new condition 14 had been recommended.

DECISION: Planning permission granted subject to conditions.

***Note: Councillor Daly declared a personal interest that she had been closely involved with the community on the application. She therefore withdrew from the meeting room did not take part in the discussion or voting during consideration of this application.***

**18. Unit 10, 253A Ealing Road, Wembley, HA0 1ET (Ref. 10/3161)**

PROPOSAL: Change of use from vehicle-repair garage (Use Class B2) to vehicle-repair garage and MOT-testing centre (Use Class Sui Generis).

RECOMMENDATION: Grant planning permission subject to conditions.

DECISION: Planning permission granted subject to conditions.

**19. Former Palace of Arts & Palace of Industry Site, Engineers Way, Wembley, HA9 (Ref. 10/3032)**

PROPOSAL: Outline application, accompanied by an Environmental Impact Assessment, for the demolition of existing buildings and the mixed-use redevelopment of the site to provide up to 160,000m<sup>2</sup> of floorspace (GEA, excluding infrastructure) comprising:

- Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m<sup>2</sup> to 30,000m<sup>2</sup>
- Business (Use Class B1): up to 25,000m<sup>2</sup>;
- Hotel (Use Class C1): 5,000m<sup>2</sup> to 20,000m<sup>2</sup>;
- Residential dwellings (Use Class C3): 65,000m<sup>2</sup> to 100,000m<sup>2</sup> (815 to 1,300 units);
- Community (Use Class D1): 1,500m<sup>2</sup> to 3,000m<sup>2</sup>;
- Leisure and Entertainment (Use Class D2): up to 5,000m<sup>2</sup>;
- Student accommodation/serviced apartments/apart-hotels (Sui Generis): 7,500m<sup>2</sup> to 25,000m<sup>2</sup>;

and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way.

RECOMMENDATION: Grant planning permission subject to the referral to the Mayor of London under article 5 of the Town and Country Planning (Mayor of London) Order 2008 and any amendments, revisions, Heads of Terms and/or conditions that the Mayor may choose to amend, add or remove, and subject to the completion of a satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Area Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Director of Legal and Procurement.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the Section 106 Heads of Terms set out within this report and to meet the policies of the Unitary Development Plan, Local Development Framework Core Strategy and Section 106 Planning Obligation

In reference to the tabled supplementary report, Neil McClellan Area Planning Manager informed members that the assessment of the Affordable Housing Cascade multipliers submitted for this application had not yet been received from the Valuation Office Agency (VOA). He requested therefore that authority be delegated to the Head of Area Planning to agree any changes to the multipliers and commuted sum that were considered necessary following receipt of the report from the VOA. He continued that in addition to the parking provided for wheelchair accessible affordable units, parking would be provided to RSLs at a discounted rate for use by residents of affordable housing units and with that in view he requested delegated authority to agree the proportion of spaces. The Area Planning Manager also recommended an amendment to the Heads of Terms of the section 106 agreement to enable the Council to call for the adoption of the remainder of Wealdstone Road (i.e. carriageway and footways) if the operation of Wealdstone Road impacted negatively on the adopted highway.

He then drew members' attention to a number of issues raised by Transport for London (TfL) together with amendments to conditions as set out in the tabled supplementary report. With reference to comments by Thames Water Authority, he requested that delegate authority be given to the Head of Area Planning, or other duly authorised person, to agree the precise wording of that condition. He added that the comments made by the Metropolitan Police (Met) set out in the supplementary report highlighted the need to engage with the Met Police and other key stakeholders during the detailed design process and when assessing the Event Day Strategy.

Mr Nigel Hawkey speaking on behalf of the applicant stated that the application responded to the objectives set out in the Wembley Master Plan with particular emphasis on family size accommodation and amongst others, would successfully assist in the regeneration of Wembley. He added that Olympic Way would be transformed into a tree lined area with 150 new trees. He continued that the scheme would restore Wembley as a major retail centre incorporating major retailers of national repute. Nigel Hawkey informed members that the section 106 financial contribution would be used partly for transport improvements and towards the provision of education.

Members then questioned Nigel Hawkey on his presentation. Councillor Daly asked about negotiations that had taken place between the applicant and NHS

Brent on the provision of health facilities. Councillor Kabir sought clarifications on the size and the end user of the community hall. Councillor Hashmi expressed concerns about the level of contribution towards education and the level of affordable housing.

In responding to the above, Nigel Hawkey stated that previous attempts by the applicant to offer plot WO4 for local health facilities had not materialised. He added that the applicant was willing to engage with the Primary Care Trust (PCT) to deliver a new health facility utilising part of Stage 1 of the development. He continued that the size of the hall was likely to be about 300sq m, subject to detail specification and that the end user of the hall was likely to be a Registered Social Landlord (RSL). In respect of the contribution towards education Nigel Hawkey stated that an agreed yield had been established and a formula based on quantified impact accepted, although there was an option for the Council to adopt the site for educational use. He added that the level of affordable housing had been determined by an independent assessor appointed by the Council and that the agreed level was currently 10% with a possibility of independent review in future.

DECISION: Planning permission granted subject to the referral to the Mayor of London under article 5 of the Town and Country Planning (Mayor of London) Order 2008 and any amendments, revisions, Heads of Terms and/or conditions that the Mayor may choose to amend, add or remove, and subject to the completion of a satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Area Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Director of Legal and Procurement.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the Section 106 Heads of Terms set out within this report and to meet the policies of the Unitary Development Plan, Local Development Framework Core Strategy and Section 106 Planning Obligation.

## **20. Any Other Urgent Business**

None raised at this meeting.

The meeting ended at 8:55pm

K SHETH  
CHAIR

Note: At 8:20pm the meeting was adjourned for 5 minutes.