



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 18 October 2017 at 7.00 pm

PRESENT: Councillors Agha (Chair), Moher (Vice-Chair), Ahmed (substitute for Councillor Daly), S Choudhary, Colacicco, Maurice, W Mitchell Murray

ALSO PRESENT: Councillors Chan, Collier, Hector and Kelcher

Apologies for absence were received from Councillors Daly and Hylton.

1. Declarations of interests

None.

Approaches

3. Manor Park Works

All members received emails and briefing notes from the applicant and an objector.

4 Heron House, Wembley Hill Road

All members received briefing notes from the applicant.

8. 97-101 Willesden Lane NW6 7SD

All members received an email from a local resident.

2. Manor Park Works, Manor Park Road, London, NW10 4JJ (Ref. 17/2331)

PROPOSAL: Redevelopment of industrial site to residential to form a total of 45 units comprising: change of use of the existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed maisonettes) and an extension above the existing building with alterations to form 7 storeys; and erection of an 8 storey residential building plus a basement level, accommodating 21 units (3x studios, 14 x 2bed and 1 x 2bed and 3 x 3 bed maisonettes) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building (amended plans, fire safety information and description updated 12/09/2017).

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out in the report.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated in the report.

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 in the report.

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 the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Harlesden Conservation Area(s) as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

That, if by 13/12/2017 the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

Damian Manhertz (Area Planning Manager) introduced the report, outlined the material planning considerations of the proposal and answered members' questions. Members heard that the principle of development being on a site with Site Specific Allocation, the density of the development, its design, appearance, standard of accommodation and impact on living conditions of neighbours were all acceptable. He added that the affordable housing being provided had been tested against viability and assessed by the council's independent consultant with a pre-completion review mechanism detailed in the Section 106 legal agreement. He continued that subject to conditions, the proposal would provide acceptable landscaping. Members were advised that in respect of highways and access, the proposal was acceptable on balance, having regard to the existing access which could be brought back into more intensive use without further planning permission. The Area Planning Manager then referenced the supplementary report which set out additional concerns from residents and Councillors Chan and Kelcher and officers' responses to them.

Ian Britton (Chair, Rucklidge Avenue Residents' Association) in objection, raised the following issues in respect of the proposed development;

- (i) Due to its height, the development would result in overshadowing to neighbouring properties and the playing fields of the local school.
- (ii) Conflict with policies SPD 17, BE2 and BE9
- (iii) Detrimental impact on the amenities of surrounding buildings.
- (iv) The proposed development would be overbearing and out of character.
- (v) The daylight and sunlight reports were flawed

Ann Rabbitt (objector) echoing similar sentiments added that the proposal would result in increased traffic flow and congestion within a strategic bus route where she understood several vehicle accidents had occurred. She continued that the cumulative impact of the above would pose a serious safety problems for pedestrians.

On behalf of the ward members (Councillors Chan and Kelcher), Councillor Hector addressed the Committee. Councillor Hector stated that the proposal for 45 dwelling units would constitute an over-development of the site which the Site Specific Allocation allowed 30 units. She continued that the site, which was near a bus stop and a dangerous junction at Park Parade, had witnessed about 16 vehicular accidents per annum and was a known traffic hotspot. In addition, the narrowness of the access to the site would be a danger to turning vehicles and emergency vehicles. Councillor Hector also added that local infrastructural facilities would not be able to cope a large influx of residents at the new development.

Dave Carroll (applicant's agent) in responding to the issues raised by the objectors stated that the proposed development had been extensively discussed with officers who considered it acceptable in terms of its design and height. He refuted the suggestion of overshadowing adding that the nearby school had not raised any such concerns. He continued that adequate fire safety measures would be put in place, adding that in the last 5 years, only 42 traffic accidents had occurred none of which related to the design of the road layout. He made reference to the amenity space provisions and the affordable housing which the Council had secured under the S106 legal agreement with a pre-completion review mechanism.

In the ensuing discussions, members raised concerns about the application on issues ranging from height, density, amenity, daylight and sunlight, overshadowing, access arrangements and servicing, affordable housing provision to limited number of family units.

Members were informed that no overshadowing to neighbouring properties including the nearby school would result and that the level of daylight/sunlight would comply with BRE standards. Officers added that the Council had no policy on overlooking to its schools. The Area Planning Manager continued that the principle of development had been tested and considered acceptable as were the access arrangements, amenity and garden space provisions.

Members then voted to refuse the application (which was declared lost) contrary to officers' recommendation for the following stated reasons:

DECISION: Refused planning permission for the following stated reasons;

- Excessive height;
 - Excessive density
 - Insufficient family sized accommodation;
 - Overdevelopment;
 - Unacceptable impact on neighbouring amenity and character of the area;
- and

- Access too narrow restricting pedestrian movement and giving rise to safety concerns.

Voting was recorded as follows:

FOR Councillor Moher	(1)
AGAINST: Councillors Maurice and Choudhary	(2)
ABSTENTION: Councillors Agha, Ahmed, Colacicco and W Mitchell Murray	(4)

3. Heron House 109-115 Wembley Hill Road, Wembley, HA9 8DA (Ref. 16/4156)

PROPOSAL: Demolition of the existing office building (Heron House) and the construction of a new four to seven storey mixed use building comprising 829sqm of commercial office space on the ground floor (Use class B1a), 40 self-contained flats (23 x 1bed, 7 x 2bed and 10 x 3bed) on the upper floors, a basement level for car and cycle parking, bin stores and associated landscaping and amenity space. (Amended description 21.09.17)

RECOMMENDATION:

Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement to secure the Section 106 Heads of Terms.

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 in the report.

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 after 3 months starting from the committee date 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.

David Glover (Area Planning Manager) introduced the report and with reference to the supplementary report, drew members' attention to condition 14, relating to the approval and implementation of a parking management and allocation scheme, which was omitted from the draft decision notice. He also recommended an

additional condition requiring the provision of a communal television (TV) aerial and satellite dish system.

DECISION: Granted planning permission as recommended with an additional condition requiring the provision of a communal TV aerial and satellite dish system.

(Voting for approval was unanimous: For 7; Against 0)

4. Roe Green Hall, Princes Avenue, London, NW9 9JL (Ref. 17/1577)

PROPOSAL: Single storey front extension and associated landscaping to provide a community cafe with outdoor seating and play area along with accessible toilet to existing place of worship, and change of use of the meeting rooms and kitchen from residential to form part of the existing place of worship (Use class D1)

RECOMMENDATION: That the Committee resolve to GRANT planning permission and to grant delegated authority the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

That the Head of Planning is delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that 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.

David Glover (Area Planning Manager) introduced the scheme and answered members' questions. He summed up the following key issues for Members' consideration; the principle of development and appropriateness of the café use in this location; the visual appearance of the development and its effect on the nearby conservation area; the amenity impact of the development on the surrounding highway network, in terms of parking capacity and ease of traffic movement and any other environmental health concerns. He advised that Members would need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

Mohanbhai Patel (objector) raised concerns in respect of inadequate parking provision, danger and access problems for emergency vehicles in an area which had 2 schools sited close to the site. He added that the proposal would result in overlooking and loss of privacy which would be caused by people using the seating outside the café. The views expressed were echoed by another local resident.

DECISION: Granted planning permission as recommended.

5. 29 Stadium Business Centre, North End Road, Wembley, HA9 0AT (Ref. 16/5144)

PROPOSAL: Change of use from storage and distribution (Use class B8) to car servicing with MOT testing (Use class Sui Generis)

RECOMMENDATION: That the Committee GRANT planning permission.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

That the Head of Planning is delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that 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.

David Glover (Area Planning Manager) introduced the report and answered members' questions. He advised that the key issues for members to consider were as follows; the principle of use, impacts on public highways and impacts on environmental health.

Vinu Patel and Bharat Dave (objectors) in addressing the Committee highlighted their concerns on traffic congestion, obstruction to access for emergency vehicles due to the tight constraints of the site. In their view, the operation of the site for vehicle MOT would exacerbate the current traffic situation and urged members to either refuse the application or to visit the site to assess the impacts.

David Pearson (supporter) and Jorge Noble (applicant's agent) in addressing Committee stated that although there were occasional problems with parking, they were not significant as to cause congestion to the flow of traffic.

David Glover advised members that the principle of development of the site as an MOT garage was acceptable and that there would be no significant impact on parking and access arrangements.

A member expressed concerns about possible spray painting at the site as part of the MOT garage business and sought advice on a possible imposition of an additional condition to prevent spray painting. The Area Planning Manager advised that spray painting would be a material change of use for which the applicant would be required to submit a fresh planning permission for approval.

Following this, Members requested an informative to be added advising the applicant to avoid spray painting at the site.

DECISION: Granted planning permission as recommended with an additional informative advising the applicant to avoid spray painting at the site.
(Voting for approval was unanimous: For 7; Against 0).

6. Knowles House and Ananci Hostel, 51 & 53 Longstone Avenue, London, NW10 3UN (Ref. 17/2516)

PROPOSAL: Demolition of existing buildings on site and redevelopment of the site to provide a six storey block providing 92 self-contained units (69 x 2bed and 23 x 3bed) providing temporary accommodation (Use class Sui Generis) to include a community use (Use class D1) on the ground floor, and a 4 storey block with basement level to provide 57 units (57 x 1bed) providing new accommodation for independent living (Use class C2) with associated communal facilities and staff accommodation within both the blocks and provision for car, cycle, scooter parking, bin stores, landscaping and amenity space.

RECOMMENDATION: 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 in the report.

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that 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.

Barry Henn (Principal Planning Officer) introduced the report and answered members' questions. He informed members that there was no objection in principle to the demolition of the existing buildings and their replacement with two purpose built buildings for Temporary Accommodation and New Accommodation for Independent Living (NAIL) to meet known local needs and improve facilities for residents. The proposal would be 100% affordable with nomination rights secured by LB Brent with an existing D1 use re-provided as part of the development.

He continued that the character, appearance, standard of accommodation, parking and servicing arrangements were considered acceptable as was the relationship between the proposed development and the surrounding properties. He then referenced the supplementary report and added an additional condition requiring the submission for approval of a Management Plan.

Councillor Collier in addressing the Committee requested that as the temporary accommodation would house vulnerable persons, no sex offenders be housed at the facility.

Barry Henn initially suggested that some control over who occupies the units would remain with the Council through the use of nomination rights. Rachel Murrell (Head of Development Management) advised that they could not impose such a condition because it would not meet the necessary tests for planning conditions.

DECISION: Granted planning permission as recommended with the additional condition for the submission for approval of a Management Plan for the operation of the temporary accommodation as set out in the supplementary report.
(Voting for approval was unanimous: (For 7 ; Against 0)

7. 97-101 Willesden Lane, Kilburn, London, NW6 7SD (Ref. 17/2540)

PROPOSAL: Change of use of the function room within the public house (Use Class A4) to a kitchen and chip shop takeaway (Use Class A5), internal alterations and refurbishment works, new kitchen ventilation/extraction system, alterations to the existing decking area to the front of the building and formation of a new door opening to the rear of the building (description amended 30/06/2017).

RECOMMENDATION: 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 in the report.

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that 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 the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Queen's Park Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Damian Manhertz (Area Planning Manager) introduced the report and set out the key issues of the application; the principle and impact of the change of use and the impact upon the character and appearance and answered members' questions. He informed members that due to underutilisation of the existing function room, the proposed takeaway would regenerate the space. He continued that with conditions imposed limiting the impact of the new plant, as set out in the main report and on opening hours as set out in the supplementary report, the change of use would be considered acceptable.

Members heard that as the proposed changes would not be readily visible and would preserve the character and appearance of the site and surrounding area, there would be no detrimental impact upon the character and appearance. It was added that any significant issues with customers creating noise or anti-social behaviour would be classed as a statutory nuisance and would be addressed through separate legislation.

Stephen Smith objected to the takeaway element of the application adding that it would impact adversely on the living conditions of local residents through increased litter and increased anti-social behaviour and also violate the 4 main licensing objectives (the prevention of crime and disorder, public safety, prevention

of public nuisance, and. the protection of children from harm). He continued that the proposed change of use would give rise to traffic and parking issues in the neighbourhood.

Richard Foster (applicant) clarified that the fish and chips aspect was ancillary to the pub and with regular litter patrol and signage advising clients to use the litter bins provided instead of throwing litter, there would be no adverse impact from the proposed change of use.

The Area Planning Manager advised members that the additional impact would not be significant as to warrant refusal, drawing attention to the imposition of conditions on extractor ventilation and hours of operation of the takeaway from 08.00 hours to 23.00 hours.

DECISION: Granted planning permission as recommended and additional condition on the hours of operation of the takeaway chip shop from 08.00 hours to 23.00 hours.

(Voting on the application was as follows: For 6; Against 1)

8. Garage next to 21 Spezia Road (Ref. 17/3480)

PROPOSAL: Demolition of an existing garage and construction of a two-storey semi-detached dwellinghouse and basement with associated lightwell, 2No.rooflights to the front, waste storage and boundary wall

RECOMMENDATIOIN: That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure matters set out in the report.

That the Head of Planning is delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that 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.

DECISION: Granted planning permission as recommended.

(Voting for approval was unanimous: For 7; Against 0)

9. Any Other Urgent Business

None.

The meeting closed at 9.02 pm

A AGHA

Chair