



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Wednesday 10 October 2018 at 6.00 pm

PRESENT: Councillor Johnson (Vice-Chair, in the Chair) and Councillors Ahmed (substitute for Councillor Lo), S Butt (substitute for Councillor Denselow), Colacicco, Chappell, Hylton and Sangani.

Apologies for absence were received from Councillors Denselow, Lo and Maurice

### 1. **Declarations of interests**

None.

Approaches.

The following approach was reported:

18/2335 Byron Court Primary School, Spencer Road, Wembley, HA0 3SF.

Councillor Johnson was approached by residents in connection with the application.

### 2. **Minutes of the previous meeting - 12 September 2018**

RESOLVED:-

that the minutes of the previous meeting held on 12 September 2018 be approved as an accurate record of the meeting.

### 3. **18/2335 Byron Court Primary School, Spencer Road, Wembley, HA0 3SF**

PROPOSAL: Installation of 3G sports pitch on the south side in place of the grassed sports field of Byron Court Primary School

RECOMMENDATION: To grant planning permission subject to the conditions set out within the report and that the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committees 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 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 the Committee resolve to GRANT planning permission subject to any direction by the Secretary of State pursuant to the Consultation Direction.

Ms Victoria McDonagh (Team Leader, North) introduced the report and answered members' questions. In reference to the supplementary report, she informed members that most of the additional concerns raised since the report was published had been addressed within the main report. In response to new concerns about ecology, she advised that the ecology report was produced by suitably qualified persons and carried out in line with an appropriate and recognised methodology. Having considered the information provided within the report, it was considered that the loss of ecological value (identified as being negligible) on site would not outweigh the benefit of the 3G pitch in terms of enabling play and providing additional community facilities. Ms McDonagh added that the proposed wildlife area within the school and the substantial hedgerows along the edges of the school site were to be retained as higher value areas for local significant wildlife species.

Mr Andrew Lloyd (applicant's agent) highlighted the merits of the provision of sports facilities for the benefit of on-site school children and members of the wider community without material detriment to surrounding residential amenities in respect of appearance, visual impact and local highway. He continued that the ecology report considered that the site was of negligible ecological significance, if any.

In response to members' enquiries, Ms McDonagh provided the following; the 3G pitch had been designed with comprehensive drainage infrastructure to prevent any increase in the severity or contributing to local flood events. She added that the current playing field had been shown to be of negligible ecological value given its frequent use and short grass length. In terms of highways, she advised that the proposal would not materially affect local highways and parking capacities, given that the community uses would take place during off-peak periods and with staggered arrival times associated with booked time slots. Additionally, a travel plan was in place to work towards the reduction in car use for attending the school which already had a community access arrangement approved (relating to internal sports facilities and an outdoor multi use games area).

In welcoming the report, Members asked that the travel plan be added as a further condition.

DECISION: Granted planning permission as recommended with an additional condition for a travel plan.

(Voting on the recommendation was unanimous: For 7, Against 0)

**4. 17/0637 Flats 1-17 INC and 18 Prospect House, North Circular Road, Stonebridge, London, NW10 7GH**

PROPOSAL: Erection of four additional floors over existing mixed used building comprising 28 self-contained flats (8 x 1bed, 16 x 2bed and 4 x 3bed) to include internal children's play area at ground floor level, cycle parking, roof terrace with associated screening, timber ramp access, landscaping and alterations to the external facade of the building.

RECOMMENDATION: To grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated within 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 within 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 the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning be granted delegated authority to refuse planning permission.

Ms Victoria McDonagh (Team Leader, North) introduced the report and answered members' questions. She explained that the scheme which was subject to a S106 legal agreement would deliver 7 units of affordable rented accommodation. The height of the scheme was in keeping with the general character of the area. In response to a member's enquiry, Ms McDonagh advised that flood risk assessment reviewed by the Environment Agency confirmed that there was adequate flood emergency plan in place. She also advised that the proposed development, due to its design, size, scale and siting, would not unduly detract from the character and appearance of the street scene or the surrounding area.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was unanimous: For 7, Against 0)

**5. 18/2183 Car Park North East of Morrisons, Honeypt Lane, NW9 & Vacant Land at the junction of Westmoreland Road, NW9 and Cumberland Road, Stanmore, HA7**

PROPOSAL: Erection of three buildings at 4, 5, and 7 storeys providing 194 residential units (76 x 1 bed, 75 x 2 bed and 43 x 3 bed), 60 car parking spaces (including disabled parking spaces), private and communal landscaped amenity areas, landscaped podium deck, secure cycle parking, recycling and refuse stores, access improvement and other associated developments.

RECOMMENDATION: To GRANT planning permission subject to:

- A. Referral to the Mayor of London (stage 2 referral)
- B. The prior completion of a legal agreement to secure the planning obligations set out within the report.
- C. The conditions and informatives recommended in the Committee report and supplementary

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the 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 by 3 months of 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.

Ms Victoria McDonagh (Team Leader, North) introduced the report and answered members' questions. She clarified that the proposal would deliver 194 dwelling units, 35.1% of which would be affordable housing by habitable room. With reference to the supplementary report, she explained the discrepancies on car parking facilities, the proposed habitable room numbers and the applicant's redesign of the habitable room windows to protect outlook to Morrisons site . In view of the latter, Ms McDonagh recommended an amendment to condition 3 to enable both the obscure glazing of secondary windows and the submission and approval of revised details showing suitable projecting (oriel) window arrangements of the primary habitable room windows along the façade.

Mr Robert Dunwell spoke in objection on behalf of Queensbury Area Residents' Association (QARA) on the following grounds;

- a. Excessive housing density

- b. Overlooking to properties in Winchester Avenue.
- c. Gross reduction in the number of car parking spaces
- d. Lack of report from the Metropolitan Police on potential crime increase.
- e. No quantification of the impact of the proposed CPZ.
- f. Lack of local amenity access report
- g. Lack of assessment against the Public Sector Equality Duty and consequent threat of a judicial review.

Mr Mark Jackson (applicant) stated that the proposed development would deliver 194 new dwelling units and affordable housing and about 10% designed in accordance with the London Plan accessibility standards for people with disabilities. He added that the development which would be permit free, would maintain clear distance to Winchester Avenue and deliver highways improvements to the area. He referenced the positive feedback from the exhibitions held prior to submission. In response to a Member's enquiry on travel plan, Mr Jackson stated that Fairview Homes would promote travel by public transport and cycling and in addition, there would be a 3 year free membership for Car Club.

In responding to issues raised by the objector, Ms McDonagh advised that the density of the scheme had been reviewed by GLA officers and considered to offer high quality homes with good space standards, close to public transport on a brownfield site. She added that the distance to Winchester Avenue of 78metres would be in excess of SPG standards and prevent any severe overlooking. Members were advised that the residential units would afford natural surveillance onto Westmoreland Road and enhance the residential feel of the area, hence there was no requirement for Metropolitan Police assessment report. She reiterated the highways impact which had been robustly assessed by Highways officers in respect of improvements, encouragement for modal change to public transport use, permit free scheme and a Car Club. Ms McDonagh advised that the scheme complied with the Equality Act as it would not adversely impact on or prejudice any particular group.

DECISION: Granted planning permission, subject to planning obligations set out in the committee report and the additional condition and alteration to the heads of terms specified within the supplementary report.

(Voting on the recommendation was unanimous: For 7, Against 0)

## **6. 15/5564 Trinity House, Heather Park Drive, Wembley, HA0 1SU**

PROPOSAL: Demolition of existing building known as Trinity House and erection of a 4 storey building comprising 47 self-contained flats plus basement level comprising 708sqm of office space, car and cycle parking spaces, bin stores, amenity space and landscaping.

RECOMMENDATION: To grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

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 to secure the matters set out within 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 the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

Ms Victoria McDonagh (Team Leader, North) introduced the report and answered Members' questions. Members heard that the development for 47 new homes would not deliver any affordable housing as the financial viability appraisal had confirmed that this would not be viable. She advised that this position should be reviewed, post construction, in order for the Local Planning Authority (LPA) to capture any uplift in values to go towards offsite affordable housing provision. Ms McDonagh continued that the lack of affordable housing should also be balanced against the 30% provision of family size accommodation which was in excess of the policy target of 25%. She added that the residential redevelopment to contribute towards the Borough's housing targets would be appropriate to the character of the area and on balance, officers supported the loss of employment floorspace and residential redevelopment of this site.

In the discussion that ensued, Members expressed concerns about the lack of affordable housing and to overcome that, suggested that additional housing units could be provided in place of the office space and 37 car parking spaces proposed in the basement area. Concern was also expressed about refuse waste arrangement and potential obstruction.

Ms McDonagh responded that additional dwelling units would result in poor relationship, drawing Members' attention to the merit of the scheme to provide 14 family size units. She reiterated that the viability assessment would be reviewed post construction in order for the LPA to capture any uplift in values to go towards offsite affordable housing provision. She continued that Highways officers had reviewed the scheme and considered that it complied with parking standards without over-provision of parking spaces.

Members however were minded to refuse the application contrary to the recommendation for approval on grounds of lack of affordable housing,

notwithstanding the advice. A motion to defer the application was proposed by Councillor Butt and seconded by Councillor Colacicco. This was put to the vote and declared carried. The application was therefore deferred to another meeting for the reasons to be assessed by officers in a follow-up report.

DECISION: Deferred to another meeting for the reasons for refusal to be assessed by officers in a follow-up report.

Voting on the decision was unanimous and recorded as follows:

For:	Councillors Johnson, Ahmed, S Butt, Chappell, Colacicco, Hylton, and Sangani	(7)
Against:	None	(0)

## **7. Any Other Urgent Business**

None.

The meeting closed at 7.10 pm

COUNCILLOR R. JOHNSON  
Vice Chair (in the Chair)