

Planning and Development Control Committee Minutes

Tuesday 16 April 2024

PRESENT

Committee members: Councillors Omid Miri (Chair), Florian Chevoppe-Verdier (Vice-Chair), Wesley Harcourt, Nikos Sousslous, Patrick Walsh, Alex Karmel and Adrian Pascu-Tulbure

Other Councillors:
Councillor Jacolyn Daly

Officers:
Matt Butler (Assistant Director of Development Management)
Allan Jones (Team Leader Urban Design and Heritage)
Roy Asagba-Power (Team Leader)
Neil Egerton (Deputy Team Leader)
Sian Brown (Principal Planning Officer)
Catherine Paterson (Highways)
Mrinalini Rajaratnam (Chief Solicitor - Property and Planning)
Charles Francis (Clerk)

1. APOLOGIES FOR ABSENCE

Apologies for absence were provided by Cllr Rebecca Harvey.

2. DECLARATION OF INTERESTS

Cllr Wesley Harcourt declared an interest in Item 6 – 93-97A SCRUBS LANE, as he was a member of the ODPC. He recused himself, sat in the public gallery and did not participate or vote on the item.

Cllr Alex Karmel declared a pecuniary interest in Item 6 – 93-97A SCRUBS LANE, as a company he worked for was involved in the public consultation exercise for that application. He left the meeting and did not participate or vote on the item.

3. **MINUTES**

The minutes of the previous meeting held on 5 March 2024 were agreed as an accurate record.

4. **58 BOSCOMBE ROAD, LONDON W12 9HU, CONINGHAM, 2023/02697/FUL**

An addendum was circulated prior to the meeting that modified the report.

Neil Egerton presented the item. The Agent spoke in support of the application.

The Committee voted on the officer recommendations for approval as amended by the Addendum as follows:

Recommendation 1:

FOR	Unanimous
AGAINST:	0
NOT VOTING:	0

Recommendation 2:

FOR:	Unanimous
AGAINST:	0
NOT VOTING:	0

RESOLVED

1. That Director of Planning and Property be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed in the report.
2. That the Director of Planning and Property, after consultation with the Assistant Director of Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

5. **K WEST HOTEL, RICHMOND WAY, LONDON W14 0AX, ADDISON, 2023/02260/FUL**

An addendum was circulated prior to the meeting that modified the report.

Sian Brown presented the item. The Agent and the Applicant spoke in support of the application. Cllr Jacolyn Daly spoke in support as a ward Councillor.

Cllr Alex Karmel proposed a motion to amend Condition 30, with the first paragraph ending, with “ hereby approved” full-stop. And to delete the rest of the paragraph. This was seconded by Cllr Adrian Pascu- Tulbure. The motion was put to the vote and was lost.

The Committee voted on the officer recommendations for approval as amended by the Addendum as follows:

Recommendation 1:

FOR	Unanimous
AGAINST:	0
NOT VOTING:	0

Recommendation 2:

FOR:	Unanimous
AGAINST:	0
NOT VOTING:	0

RESOLVED

1. That the Director of Planning and Property be authorised to grant permission subject to the condition(s) listed in the report and completion of the legal agreement.
2. That the Director of Planning and Property, after consultation with the Assistant Director of Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

6. 93-97A SCRUBS LANE, LONDON NW10 6QU, COLLEGE PARK AND OLD OAK, 2023/03082/OPDOBS

Cllr Wesley Harcourt declared an interest in Item 6 – 93-97A SCRUBS LANE, as he was a member of the ODPC. He recused himself, sat in the public gallery and did not participate or vote on the item.

Cllr Alex Karmel declared a pecuniary interest in Item 6 – 93-97A SCRUBS LANE, as a company he worked for was involved in the public consultation exercise for that application. He left the meeting and did not participate or vote on the item.

An addendum was circulated prior to the meeting that modified the report.

Ieuan Bellis presented the item. There were no registered speakers.

The Committee voted on the officer recommendation as follows:

Recommendation 1:

FOR	5
AGAINST:	0
NOT VOTING:	0

RESOLVED

Recommendation 1 – The Council raises an objection to the OPDC in relation to this application for the following reason(s):

- 1) Affordable Housing: Both affordable housing options are considered to be unacceptable, for the reasons outlined in more detail in the body of this report. We would expect a far higher quantum of affordable housing and our preference is for genuinely affordable homes, such as social rent, above intermediate. It is unclear what controls would be in place to ensure that any intermediate housing that is provided will be demonstrably affordable to range of incomes below the maximum income cap. Any planning permission should be subject to a s106 agreement that secures appropriate affordable housing review mechanisms (in this case this should include early, mid-stage, and late-stage review mechanisms).

Addendum

Meeting started: 7.00 pm
Meeting ended: 8.23 pm

Chair

Contact officer: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
Tel 07776 672945
E-mail: charles.francis@lbhf.gov.uk

PLANNING AND DEVELOPMENT CONTROL COMMITTEE
Addendum 16.04.2024

REG REF.	ADDRESS	WARD	PAGE
2023/02697/FUL	58 Boscombe Road, W12 9HU	Coningham	9
Page 10	Line 13: Delete `Drg Nos: A100 REV P3; A101 REV P3; Flood Risk Assessment and SuDS Report (Ref. 4721/2023 REV D, dated January 2024) prepared by EAS; Internal Daylight Assessment (Ref. 5230, Issue 2, dated December 2023) prepared by T16 Design. ; Replace with "Drg Nos: See Condition 2."		
Page 10	Delete Condition 2, and replace with: 2) The development shall be carried out and completed in accordance with the following approved drawings: A100 REV P3; A101 REV P3; Flood Risk Assessment and SuDS Report (Ref. 4721/2023 REV D, dated January 2024) prepared by EAS; Internal Daylight Assessment (Ref. 5230, Issue 2, dated December 2023) prepared by T16 Design.		
Page 16	Add the following condition after condition 20: 21) Prior to occupation of the development hereby permitted, the installation/commissioning certificates of electric induction cooking appliances in the kitchens in each of the two self-contained residential units (at first-floor and second and third-floor) shall be submitted to, and approved in writing by, the Local Planning Authority. Approved details shall be fully implemented prior to the occupation of the first and second and third-floor self-contained residential units and shall thereafter be permanently retained and maintained. In order to prevent new gas connections and to safeguard local air quality in the council's boroughwide air quality management area, in accordance with the council's Air Quality Action Plan and Policies CC1 and CC10 of the Local Plan (2018).		
2023/02260/FUL	K West Hotel, Richmond Way	Addison	38
Page 45	Condition 20: Replace with: <i>"No outdoor seating associated with the use hereby approved shall be placed on any part of the re-landscaped forecourt area to the Richmond Way frontage of the building. No tables or chairs shall be made available for customers externally in this location, including moveable furniture. No music (either acoustic or amplified) shall be played at any time on any part of the forecourt area. With the exception of the main entrance doors, all other external doors to the western elevation shall not be open other than between the hours of 08:00 to 20:00 Mondays to Sundays. At all other times the doors shall be closed.</i> <i>To ensure that the use does not give rise to conditions which would be detrimental to the amenities of surrounding occupiers by reason of noise and disturbance occasioned by the use of this area, in compliance with Policies CC11 and CC13 of the Local Plan (2018)."</i>		
Page 50	Condition 39, Line 3: between 'for' and 'off-street' replace 'the' with 'all'		
Page 50	Condition 39, Line 3: replace '22kW' with '7.2kW'		

Page 50 Condition 39, Line 4: replace '100kW' with '22kW'

Page 52 Condition 43, Line 17, Criteria f: replace '100kW' with '22kW'

Page 77 Para.5.8.4, Line 13: replace '22kW' with '7.2kW', and replace '100kW' with '22kW'

Page 70 Para.5.4.23, Line 12: replace '186' with '156'

22023/03082/OPDOBS 93-97a Scrubs Lane, NW10 6QU College Park & Old Oak 81

Page 82 Add the following text to in the Officer Recommendation section of the report:

"2) In the event that the OPDC is minded to grant planning permission LBHF would expect that appropriate s106 obligations and/or conditions are secured including, but not limited to, the following:

- S106 - requirement for a nominations agreement to be completed in respect of the affordable housing provision (details to be agreed with LBHF as the Housing Authority).
- S106 - details of the controls that would be in place to ensure that any intermediate affordable housing that is provided will be affordable to a range of incomes below the maximin income cap.
- S106 – requirement for early-stage, mid-stage, and late-stage affordable housing reviews and details of the proposed review mechanisms.
- Further details of the proposed gate/access to St Mary's Cemetery and ideally the delivery of additional hard/soft landscape improvements within the cemetery to provide a meaningful and useable access to this open space.
- S106 – clauses to ensure that the development is car 'permit free' for both residents and businesses on the site.
- S106 - financial contribution agreed with and paid to LBHF as the Highway Authority to meet the cost of reviewing and amending the hours of parking controls in the vicinity of the site.
- S106 - financial contribution agreed with and paid to LBHF as the Highway Authority to meet the cost of converting on-street parking bays to blue badge bays, should demand be generated during the lifetime of the development.
- s106 - financial contribution agreed with and paid to LBHF as the Highway Authority to meet the cost of providing a Car Club parking bay (and associated electric charging facilities) on Scrubs Lane.
- S106 – submission and approval of a Travel Plan, which should include measures such as car club membership to encourage sustainable travel to / from the Development.
- S106 - details, and subsequent delivery of public realm environment beyond the red line of the site, in line with Healthy Streets criteria.

- Further details of cycle parking and associated facilities.
- S106 - Submission of a full construction logistics plan and securing associated monitoring costs.
- S278 improvement works to pedestrian and cycle facilities at the Scrubs Lane / Hythe Road mini roundabout.
- Appropriate land contamination conditions to ensure that any potential contamination is identified and remediated.
- Air quality dust management plan for demolition and construction phases.
- Ventilation strategy; and Ultra-low emissions strategy
- Updated Active Travel Zone (ATZ) assessment is submitted prior to determination, to include an assessment of the quality of pedestrian and cycle routes in the hours of darkness. The updated ATZ should be presented to the relevant Highway Authority (i.e. LBHF) for further discussions regarding off-site mitigation”.

Page 90 Add the following paragraphs after existing paragraph 6.47:

“Air Quality

6.48 The site is in an area of existing poor air quality that is defined in Paragraph 9.14 of the London Plan 2021. The site is on a link road between GLA NO2 Air Quality Focus Area 41 – Acton A40 North Acton rail/Gypsy Corner/Savoy Circus/White City and Air Quality Focus Area 20 – Harlesden and Willsedon Junction. Sensitive residential future on-site receptors for the development site will be impacted by vehicle emission from Scrubs Lane (A219) which has high vehicle traffic flows.

6.49 The demolition and construction activities have the potential to create dust and air quality issues. Construction sites are responsible for 7.5% of nitrogen oxide emissions, 8% of PM10 emissions and 14.5% of PM2.5 of the most dangerous fine particles. The on-road and off-road vehicle emissions from the demolition, and construction phases of the development will have an impact on local air quality. These impacts should be assessed in accordance with the Mayor’s SPG ‘The Control of Dust and Emissions during Construction and Demolition’ July 2014, and appropriate air quality mitigation measures implemented for nearby off-site residential receptors of the development. It is therefore requested that an air quality dust management plan (AQDMP) is secured for the construction and demolition phases of the development, if approved. A full copy of LBHF’s Air Quality officer’s comments have been shared with the OPDC.

Land Contamination

6.55 LBHF’S Land Contamination team have requested that several conditions be attached should permission be granted. Conditions should secure a site investigation to establish if there is any contamination, and if so, appropriate remediation to be undertaken”.