

MINUTES



Meeting: Planning Committee
Date: Wednesday 10 July 2019
Time: 6.00 pm
Place: Committee Room 3, City Hall, The Queen's Walk, London, SE1 2AA

Present: William McKee CBE (Chair)
Karen Cooksley
Sandra Fryer
Councillor Stephen Donnelly
Councillor Wesley Harcourt
Councillor Natalia Perez
Councillor Ketan Sheth

In Attendance: Tom Cardis, Interim Director of Planning
Ben Martin, Acting Head of Development Management
Pete Farnham, Interim Head of Planning Policy
Lauren Lavinierie, Senior Planning Officer
Rob Reeds, Senior Planning Officer
Stephen Gardiner, Legal Advisor, TfL
Chloe Newbold, Committee Secretary, GLA

1. Apologies for Absence

- 1.1 Gordon Adams sent his apologies. The Chair had received Gordon's comments on both planning applications (Appendix A) and had circulated these to the Committee.
- 1.2 Apologies had also been received from Councillor Peter Mason, London Borough of Ealing. Councillor Stephen Donnelly (substitute) attended in his place.

2. Declarations of Interest

- 2.1 The Chair asked that his declarations of interests be updated to reflect that he was no longer Director of Newcourt Residential Ltd.

- 2.2 Councillor Harcourt advised that he was Chair of Wormwood Scrubs Charitable Trust and would not take part in the discussion or decision of Item 5.
- 2.3 Councillors Harcourt, Perez and Sheth had all received correspondence from a representative of the applicant for Item 6. Councillors Perez and Sheth had not responded, and Councillor Harcourt had responded only to acknowledge receipt.

3. Minutes of Previous Meeting

- 3.1 The Committee received the draft minutes of the previous meeting held on 24 June 2019.

3.2 RESOLVED:

3.2.1 That the minutes of the Planning Committee meeting held on 24 June 2019 be signed by the Chair as an accurate record.

4. Matters arising

- 4.1 There were no matters arising.

[Councillor Wesley Harcourt left the table]

5. Parade Ground, Wormwood Scrubs Park, Scrubs Lane, London 19-0045-FUMOPDC

- 5.1 The Interim Director of Planning introduced the report. A presentation was also provided by the Senior Planning Officer.
- 5.2 The application related to a vacant site, previously occupied by Kensington Aldridge Academy (KAA) after the Grenfell Fire had impacted its permanent premises. The school had since returned to its permanent site. Since October 2017, the school had benefitted from two consecutive one-year temporary planning consents and the current consent would expire on 31 July 2019. The application was for the retention of the temporary site for a further three years in case future plans for Grenfell Tower impacted its permanent site, forcing the school to relocate. If approved, the temporary school would be retained until July 2022, irrespective of occupational arrangements, and no alterations would need to be made. The applicant considered that three years was a realistic timeframe.
- 5.3 The application was considered significant and potentially contentious because the temporary site was designated Metropolitan Open Land (MOL) and therefore should be determined by the Planning Committee. A public consultation had been undertaken, which included 1,065 letters sent to local residents; a press notice in the Ealing Gazette and six site notices. Three

responses had been received, including one objection. The objection related to the buildings standing vacant and loss of Metropolitan Open Land. Officers advised that KAA's continued need for a temporary site meant that very special circumstances applied, plus the permission would be non-transferrable, and the consent limited to three years.

- 5.4 The impact of relocation to the site on the local area and its residents, and how to mitigate these impacts, had been considered. Mitigation of transport impacts included retention of the School Travel Plan and Management Strategy; promotion of safe walking and cycling routes; one blue-badge parking space and additional bus services. The provision of 50 cycle parking spaces did not accord with the London Plan, however officers considered this met the school's cycling requirements, and it was agreed that if cycling increased, the Travel Plan would be reviewed. The Committee noted that the impacts on local residents and visibility in and around Wormwood Scrubs, were limited.
- 5.5 Concerns for the long-term security and condition of the site were raised. Officers advised that the site's condition was regularly inspected as, if KAA did need to occupy the site, it was likely to be at short notice.
- 5.6 Tom Lamshead of JLL addressed the Committee on behalf of the applicant. He provided a brief background to the school's occupancy of the site from September 2017 – September 2018 and explained that future works to Grenfell Tower could require the school to return. Retention of the site would enable a speedy transfer if the permanent premises were no longer suitable, plus pupils were familiar with the premises, which was in walking distance from the KAA's permanent site. Further, the temporary site benefitted from 24/7 security measures and, if the application was granted, only KAA could occupy the site.
- 5.7 The Committee noted the potential impacts on the local community. James Mangat of MACE addressed the Committee on behalf of the applicant and advised that community engagement was a priority, as had been demonstrated during KAA's previous occupancy, and would be maintained if the application was approved.
- 5.8 Officers agreed to amend the wording of condition 12.3, to ensure that KAA could only use the temporary school for decant purposes, and not for the expansion of the size of its school at the permanent site.
- 5.9 **RESOLVED: (Unanimously)**
- 5.10 **The Planning Committee:**
 - 5.10.1 **RESOLVED TO GRANT conditional planning permission and delegate authority to the Interim Director of Planning to:**

- 1) finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Interim Director of Planning considers reasonably necessary provided that the Interim Director of Planning is satisfied that 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; and
- 2) issue the planning permission.

[Councillor Wesley Harcourt re-joined the table]

6. 628 Western Avenue, Park Royal, W3 0TA – 190006FUMOPDC

- 6.1 The Interim Director of Planning introduced the report. A presentation was also provided by the Acting Head of Development Management.
- 6.2 The application related to a 0.63ha site and the demolition of a temporary warehouse and redevelopment to provide a 10-storey building and two levels of basement to provide flexible industrial uses, offices and a hotel. The application had been referred to the Planning Committee because of its scale and the scheme was of a significant or potentially contentious nature. Officers' recommendation was for refusal. Reasons for the recommendation to refuse included:
 - 6.2.1 the proposal for industrial use mixed with office and hotel uses within a Strategic Industrial Location (SIL) was not compliant with adopted policy;
 - 6.2.2 the height and massing of the scheme and its impact on townscape and heritage, particularly the Grade II listed Park Royal London Underground Station;
- 6.3 A public consultation had been undertaken, which comprised of 577 letters to local residents and businesses; six site notices and an advert in the Ealing Gazette newspaper. One objection was received.
- 6.4 Hannah Willcock of DP9 Ltd addressed the Committee on behalf of the applicant. She stated that the scheme was of high-quality and would provide significant benefits to the area including no net loss of industrial floorspace, creating employment opportunities, both during the construction phase and in the hotel itself; and it would bring the site back into use. Ms Willcock confirmed that a study had been undertaken, which showed a demand for hotels in outer London areas.
- 6.5 The Committee discussed the scheme and the officers' recommendation for refusal. It was noted that the scheme's proximity to nearby heritage assets would cause less than substantial harm. In accordance with planning policy,

the public benefits of the scheme had been assessed and officers had concluded that the harm was not outweighed by the public benefits.

6.6 Officers emphasised that the scheme conflicted with planning policy. The land had been designated as SIL, and a hotel was not an appropriate land use. Further, hotel uses should be located in a designated town centre, where local amenities could serve the hotel. Although the scheme offered employment benefits, industrial uses could also generate employment. Further, the scheme was contrary to OPDC's vision of development in this area. The Committee agreed that an additional ground for refusal should be included, that the scheme was contrary to the OPDC Opportunity Area Planning Framework, which outlined the vision for the area.

6.7 **RESOLVED: (Unanimously)**

6.8 **The Planning Committee:**

6.8.1 REFUSED the application for the reasons set out below:

- 1) The proposed development would result in the inappropriate introduction of substantial town centre uses, namely a hotel (Use Class C1) and offices (Use Class B1a), within a designated Strategic Industrial Location, resulting in detrimental harm to the supply, function and operation of land protected and required for industrial, logistics and related uses that support the functioning of London's economy. Accordingly, the application is contrary to Policy 2.17 of the London Plan (2016); Policy 3.3 of the Ealing Development (Core) Strategy DPD (2012); Policies E4 and E5 of the draft London Plan (2018) and Policies SP5 and E1 of the Second Revised Draft Regulation 19 (2) OPDC Local Plan (2018).**
- 2) The proposed building, by way of its excessive height, scale and massing, would result in less than substantial harm to the setting and significance of designated heritage assets, namely the Grade II Listed Park Royal London Underground Station and the Hanger Hill (Haymills) Estate Conservation Area, without providing sufficient public benefit to outweigh this less than substantial harm, failing to preserve or enhance the special architectural and historic significance of these designated heritage assets contrary to Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended); Section 16 of the National Planning Policy Framework (2019); Policies 7.4, 7.7, and 7.8 of the London Plan (2016); Policies 7C and 7.7 of the Ealing Development Management DPD (2013) and Policies D4 and D8 of the Second Revised Draft Regulation 19 (2) OPDC Local Plan (2018).**

- 3) **The proposed development, by way of the introduction of substantial town centre uses outside Park Royal Centre, would undermine the delivery of the placemaking objectives for the designated neighbourhood centre and in particular the creation of a more vibrant neighbourhood centre providing a diverse range of services and amenities for the wider industrial estate. Equally, the introduction of these uses within SIL would equally undermine the strategic vision for the Park Royal Industrial Estate as a place for industry and which should be protected, strengthened and intensified. Accordingly, the proposal is contrary to Policy 2.13 and Annex A (26) of the Mayor's London Plan 2016, the vision for Park Royal in Chapter 2 (para 2.1.59) of the draft New London Plan (2018), the Vision and Principle L2 of the Old Oak and Park Royal OAPF, the Spatial Vision and Narrative 7, Vision for Place P4 and P6 and Policies SP6 and P6 of the Second Revised Draft Regulation 19 (2) OPDC Local Plan (2018).**

7. Harlesden Neighbourhood Plan Adoption

- 7.1 The Interim Director of Planning introduced the report. A presentation was also provided by the Senior Planning Officer.
- 7.2 OPDC and Brent Council previously approved the progression of the Neighbourhood Plan to a local referendum. A local referendum was held on 30 May 2019 and the majority of votes (89.61%) were in favour of the Plan. In accordance with Planning and Compulsory Purchase Act 2004, and relevant regulations, a local planning authority must 'make' (or adopt) the Plan within eight weeks of the referendum. The adoption would be subject to a six-week legal challenge period.
- 7.3 Officers advised that minor modifications had been made to the Plan, since it was presented to the Committee and these could be found in Appendix A of the agenda.
- 7.4 The Committee noted the outcome of the referendum and asked for details of the potential numbers of votes in comparison to the actual turn out. Officers advised that this information would be confirmed in writing to members.
- 7.5 **RESOLVED:**
- 7.6 **The Planning Committee:**
- 7.6.1 **NOTED** the results of the Draft Harlesden Neighbourhood Plan local referendum; and
- 7.6.2 **RECOMMENDED** that OPDC Board agree to make the draft Harlesden Neighbourhood Plan (Appendix A).

8. Local Planning Authority and Delivery Agent Protocol

- 8.1 The Interim Director of Planning introduced the report. A presentation was also provided.
- 8.2 On 30 May 2019, the OPDC Board agreed the Local Planning Authority and Delivery Agent Protocol for Staff. The protocol provides staff with general guidance on how best to maintain appropriate separation between OPDC's statutory planning and delivery functions. The guidance would help to manage any potential conflicts of interest; avoiding perceptions of bias; and any associated risk of challenge.
- 8.3 The Committee noted that the protocol had been published on the website and briefing sessions with staff are being held.

8.4 RESOLVED:

8.4.1 The Planning Committee NOTED the report and Appendix A.

9. Any Urgent Business

- 9.1 The Committee noted that a photograph had been taken by a member of the public during the meeting and the guidance on photography was noted. The Committee asked that, if members of the public did wish to take photos, the Chair was advised beforehand. A note to this effect would be placed in the public gallery.

10. Date of the Next Meeting

- 10.1 The next meeting was scheduled for Tuesday 10 September 2019 at 6.00 pm in Committee Room 3 at City Hall.

11. Close of meeting

- 11.1 The meeting closed at 7.20 pm.

Chair

Date

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