



Supplementary Planning Committee

Tuesday 12 March 2019 at 6.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Denselow (Chair)
Johnson (Vice-Chair)
S Butt
Chappell
Colacicco
Hylton
Maurice
Sangani

Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Kennelly, Lo,
W Mitchell Murray and Patterson

Councillors

Colwill and Kansagra

For further information contact: Joe Kwateng, Governance Officer
joe.kwateng@brent.gov.uk; 020 8937 1354

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.00pm in Boardrooms 7 and 8

Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM		WARD	PAGE
3.	18/3111 Land, garages, alleyway rear of 416-444, High Road, Wembley, HA9	Wembley Central	1 - 4
4.	19/0002 709 Harrow Road, Wembley, HA0 2LL	Sudbury	5 - 6

Date of the next meeting: Wednesday 10 April 2019



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- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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Agenda Item 03

Supplementary Information

Planning Committee on 12 March, 2019 Case No.

18/3111

Location	Land, garages, alleyway rear of 416-444, High Road, Wembley, HA9
Description	Erection of 2 residential blocks (17 and 19 storeys) connected at ground floor level comprising 256 self-contained apartments, lower ground floor, 166sqm of flexible workspace (Use Class B1) on upper ground floor and roof top amenity, provision for car and cycle parking, refuse and associated communal spaces and hard and soft landscaping. This application is accompanied by an Environmental Statement.

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The following points have been raised by the applicant:

Recommendation 1 (B.3)

The applicant considers that it is not necessary or reasonable to cap the Affordable Housing units at Local Housing Allowance rates as the proposed rent level caps (London Living Rent and 80 % market rent) are sufficient to ensure that rent levels accord with policy and guidance. Officer agree with this and the Affordable Housing provision materially accords with the Mayor's SPG and adopted policy.

The applicant has also queried the necessity of the Council having 100% nomination rights for the affordable units. Although this is normally secured for affordable housing provision, other eligibility criteria have been agreed on Private Rented Sector schemes in Wembley and these also ensure that affordable housing units are occupied by those most in need. There is no policy basis for requiring 100% nomination rights at either Brent or London levels, and it is therefore not considered reasonable to insist on this when other forms of nomination agreement would be equally effective. Nevertheless, the need still exists for a Lettings and Marketing Plan to allow the Council to approve the eligibility criteria for the affordable homes and this is to remain within the heads of terms.

This recommendation is proposed to be altered as follows:

"20% affordable housing by unit (22% affordable housing by habitable room) on a nil grant basis broken down as 34 units at London Living Rent levels and 16 units at 80% Discount Market Rent levels (including service charges where applicable and capped at Local Housing Allowance rates), subject to an appropriate Lettings and Marketing Plan setting out eligibility criteria to be agreed Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council."

Recommendation 1 (B.10)

Negotiations with TfL are ongoing regarding the level of financial contribution towards bus services, however it is expected that agreement will be reached prior to or shortly after the Committee meeting.

Recommendation 1 (B.11)

The applicant has requested some flexibility to allow for further discussion on how this financial contribution is spent. Officers consider that, whilst the Council has a costed programme of works to King Edward VII Park and a contribution from this development towards these works can be justified in policy terms, other projects to improve public amenity space in the area may come forward and contributing towards these could meet the policy objective in the same way.

Add recommendation 1 (B.13)

The following was omitted from the recommendations in error (but is included in the Heads of Terms listed under s106 Details in the report:

"Maintenance of pedestrian link through site as a permissive public right of way"

Proposal in detail

Paragraph 1 has a typographical error which is corrected below:

"The proposal is to redevelop the site to provide 256 homes, comprising 206 private homes (Private Rented Sector and for-sale homes) and 50 Affordable homes (comprising 34 at London Living Rent levels and 16% at 80% of Market Rent), together with associated external amenity space and a residents' lounge, 166sqm of flexible B1 workspace, 12 parking spaces, 448 cycle storage spaces (plus 4 external spaces) and refuse storage, arranged across two buildings of 17 and 19 stories, which would be linked at ground floor level by an external courtyard."

Amendments since submission

Amendments were received following the initial submission which did not materially change the scheme. These were not listed in the report. However, the title still appeared within the text. These all represent very minor design changes that have no material impact on the scheme overall and consequently reconconsultation was not considered to be necessary.

Residential living standards

Paragraph 49 needs amending as follows to reflect the final wording of Condition 5:

"The space would also provide for a management suite and associated storage, and a condition is recommended to ensure ~~75% of the space is retained for residents' use and for the space to remain~~ ancillary to the residential dwellings."

Paragraph 54 needs amending to reflect the amended recommendation B.11 above, as follows:

"This is a similar amount to that secured for the Chesterfield House scheme, and will be allocated towards a costed programme of improvement works which is being taken forward by the Council's parks team following local consultation on how the park could be improved, including planting, water butts, litter bins, improved signage, CCTV, benches, children's playground improvements and upgraded sports provision, or as otherwise agreed with the applicant."

Environmental health considerations

Paragraph 84 needs amending as MVHR is not proposed in this scheme:

"Environmental health were consulted and have requested the submission and implementation of an air quality mitigation scheme to protect occupants from poor air quality, ~~which could include installation of a mechanical ventilation heat recovery (MVHR) system to provide an effective clean air source in all apartments, together with details of the maintenance and servicing arrangements for any associated plant the MVHR and NOx filters.~~"

Sustainability and Energy

Paragraph 93 refers to a 30% reduction in on-site carbon emissions and a financial contribution derived from this. These figures are based on Issue 2 of the submitted Energy Assessment. A revised Energy Assessment (Issue 3) was issued subsequently, proposing to achieve a 35% reduction by installing photovoltaic panels on one of the rooftops. However officers consider this solution to be unacceptable, as discussed in paragraph 94, and Issue 2 remains the relevant document in this case and no changes are required to the committee report.

Transportation and highways considerations

In paragraph 116, transport officers have identified the cycle stores as accommodating 448 cycles. The applicant has confirmed that the cycle storage meets the policy requirement of 397 spaces. As transport officers have accepted the level of provision proposed, it is not considered necessary to amend this paragraph.

CIL Details

The CIL-liable floorspace has been calculated by officers to include all balconies as these are all enclosed by

the floor of the balcony above. However the applicant has queried this on the basis that corner balconies are not liable as they are only enclosed by two walls rather than three, and has submitted alternative figures resulting in an overall liability of £6,984,423. These figures will be checked by CIL officers before the CIL Liability Notice is issued, to ensure the liability charged is correct.

Conditions

Condition 2 needs amending for the Energy Assessment to be consistent with Paragraphs 93 and 94:

"Energy assessment (Max Fordham LLP, Issue 2, 25 July 3, 5 October 2018)"

Condition 14(ii) needs amending to reflect paragraph 84:

"(ii) details of air quality mitigation measures, ~~including mechanical ventilation heat recovery (MVHR) system,~~ to provide an effective clean air source to be installed in all apartments;

Recommendation: Remains to grant permission subject to s106 agreement and conditions as amended above.

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Agenda Item 04

Supplementary Information Planning Committee on 12 March, 2019 Case No.

19/0002

Location	709 Harrow Road, Wembley, HA0 2LL
Description	Demolition of existing rear extension and erection of a replacement single storey rear extension for the commercial premises (as amended by revised plans).

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Additional objection

An additional objection has been received from No. 16 District Road (the organiser of the petition discussed within the main committee report). They have re-stated that they are of the view that the Local Planning Authority should have consulted on the revised plans and that we have a statutory requirement to do so. Reference is also made to permitted development rights.

The objector has also stated that adjoining neighbours did not receive the original consultation letter dated 8 January 2019. They have included signed letters from four properties including 1A, 4 and 4A Central Road (the other letter does not include an address) stating that they did not receive the original consultation letter.

As discussed within the main committee report there is no statutory requirement for the LPA to re-consult on the revised plans. The application is a full planning application and has been considered on this basis. No consideration or reference has been made within the committee report to permitted development.

The Council's records indicate that consultation letters were sent out on 8 January 2019 to adjoining occupiers, including Nos. 1 and 1A Central Road. As nos. 4 and 4A Central Road do not adjoin the application site, there is no requirement to consult them. The impact upon neighbouring occupiers in terms of overlooking has been discussed within the main committee report.

Recommendation: Remains approval subject to conditions as set out within the main committee report.

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