



Supplementary Agenda Planning Committee

Wednesday 28 April 2021 at 4.00 pm

This will be held as an online virtual meeting.

The link to attend this meeting will be made available [here](#).

Membership:

Members

Councillors:

Kelcher (Chair)
Johnson (Vice-Chair)
S Butt
Chappell
Dixon
Kennelly
Maurice
J Mitchell Murray

Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Lo, Sangani and
Shahzad

Councillors:

Colwill and Kansagra

For further information contact: Craig Player, Governance Officer
craig.player@brent.gov.uk; 020 8937 2082

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 members' virtual briefing will take place at 12.00 pm.

The press and public are welcome to attend this online virtual meeting. The link to attend this meeting will be made available [here](#).

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 or trade union).
- (b) The interests 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

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Agenda Item 3

Agenda Item 03

Supplementary Information Planning Committee on 28 April, 2021

Case No.

20/3914

Location	330 Ealing Road, Wembley, HA0 4LL
Description	Demolition of the existing buildings and structures, the erection of a building ranging in height up to 28 storeys, incorporating residential units and industrial, community and commercial uses, together with associated landscaping, access arrangements, car and cycle parking, servicing and refuse and recycling (Amended Description 09.03.21)

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Recommendation section

The planning obligation numbered 13c) is proposed to be amended as follows:

To TfL towards feasibility work or the provision of step-free access at Alperton Station for improvements to public transport services (£418,000 583,165) (tbc)

Consultation section

Detailed comments have been received from TfL, in addition to the comments provided as part of the GLA Stage 1 response. These are summarised as follows:

- Relocation of bus depot: Comments are as summarised in the GLA Stage 1 response.
- Active Travel Zone, Healthy Streets and Vision Zero: An Active Travel Zone Assessment was submitted with the application. This identified improvements that could be made to the local street network to encourage greater use of active travel modes, which should be secured by the Council. Public realm improvements along road frontages welcomed and complement Council's recent improvements. Contributions should be sought towards implementing recommendations of accident analysis.
- Access and parking: Access arrangements are acceptable and removing two vehicle crossovers would improve pedestrian environment. Parking provision meets minimum 3% blue badge requirement, but passive provision has not been identified for an additional 7% blue badge spaces to be provided in the future if required. In lieu of additional parking spaces, a contribution to step-free access at Alperton Station is sought. Cycle parking accords with policy, however further details should be secured by condition to demonstrate compliance with London Cycling Design Standards in terms of access and layout, and to include appropriate provision for larger and adapted cycles.
- Trip generation and traffic impacts: TfL is satisfied that the net vehicle movements generated would not have a material impact on the strategic road network. A financial contribution of £583,165 towards feasibility work or delivery of step-free access at Alperton Station is sought. A contribution towards bus service improvements of £418,500 was previously requested. This contribution is no longer sought, in light of the contribution requested towards step-free access and the affordable housing offer in this particular instance.
- Agent of Change: Due to proximity to Alperton Station, residential premises should be protected against noise and vibration.
- Travel Plan: The Travel Plan is generally acceptable, and the final version should be secured through the s106 agreement.
- Construction Logistics Plan and Delivery and Servicing Plan. These should be secured by condition.

Officer response:

Active Travel Zone assessment and accident analysis: this assessment looks at how easily car-free journeys can be made to key destinations in the area, including public transport facilities, the strategic cycle network, parks, town centres, schools/colleges, healthcare facilities and places of worship. Potential improvements identified include seating, additional street trees and landscaped planters, increased frequency of footway maintenance, additional crossings and speed limit reductions on Ealing Road north of the site; altering signal timings at the Glacier Way junction; improving the footway and increasing cleaning at the Bridgehill Close underpass into One Tree Hill; and improvements to the junction of Woodstock Road and Vincent Road such

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as a raised table junction. These improvements are not necessitated by the development but would potentially contribute to an enhanced pedestrian and cycling environment in the area, and could be progressed through ongoing Highway Authority programmes.

Step-free access contribution: This contribution is subject to the applicant's agreement prior to the Stage 2 referral to the Mayor. However, the request for a contribution towards step-free access is considered to accord with emerging Policy BT1.

Noise and vibration: This issue is addressed in paragraphs 131 - 133 of the main report.

Paragraph 120: Street trees

The applicant has confirmed that street trees would be planted as part of the development. This would be secured through the section 106 Agreement, including details of species to be agreed with the Council.

Amendments to conditions

Condition 27 (hard and soft landscaping scheme) is proposed to be altered with the addition of the following requirement, as recommended by Transport for London:

- "measures to maintain vehicle speeds of not more than 20mph within the site"

Recommendation: Remains to grant permission as set out in the Committee Report

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Agenda Item 4

Agenda Item 04

Supplementary Information Planning Committee on 28 April, 2021

Case No.

18/4767

Location	Access Storage, First Way, Wembley, HA9 0JD
Description	Demolition of the existing building and erection of five buildings comprising self-storage space (Use Class B8), office space (Use Class B1) and retail/commercial space (A1/A3), with residential units (Use Class C3) on the upper levels, new landscaping and public realm, ancillary servicing and plant, car and cycle parking, and associated works.

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Further representations

The Greater London Authority have provided further representations having reviewed the Committee report, as follows:

They have highlighted that the profit levels set out in Annex G of the London Plan Viability Study assessed profit levels of 12-13 % for this scale of Build to Rent scheme, rather than 15 % as suggested in paragraph 32 of the report. They have also said that the GLA consider that the use of a blended rate is the most appropriate approach to profit on Build to Rent schemes and have not suggested a different approach for this application. They have advised that the GLA's view is that the profit assumptions should be considered in the round alongside the approach to delivery, which for most schemes coming forward in London is forward funded and which also impacts on finance costs. The overall allowance for profit and finance in both BNPPs and DS2's assessments are excessive and impact on the delivery of affordable housing in this scheme.

With regard to the additional viability review discussed at paragraph 33 of the report, the GLA have advised that *"a forward funded approach reduces finance costs which in this case are in the region of £30m. In this approach, the operator/investor pays the developer for the Build to Rent asset over the construction period rather than the 100% debt funded approach adopted by both DS2 and BNPP where there is no income at all until practical completion. This approach significantly improves viability."*

The GLA have also advised that "The proposed review would not address this point as finance costs would not be reassessed. If the LPA agree that such a review should be included, this should be at substantial implementation, would need to occur regardless of the model adopted and would need to be a whole scheme review. This would include full disclosure by the developer of all the development and financing documentation (including the payment of stamp duty) to ensure the correct costs were reflected in assessing whether the scheme could provide additional affordable housing above that assessed at application stage."

Consideration of the GLA further representations

Blended profit levels would normally reflect the level of risk and associated levels of profit associated with the different tenures of housing within a scheme. While the Council and its advisers, BNPP, do not agree that an appropriate blended profit level for the scheme is 12.5 %, the 12.5 % profit level was used by the Council when appraising the scheme and it was found that the scheme would be in significant deficit (approximately £7.9 million) even when using this profit level. This appraisal also took into account the potential forward funding of the scheme, which improves scheme viability. As such, the GLA's comments are noted, and these levels had been tested and the scheme shown to deliver the maximum reasonable amount of Affordable Housing.

With regard to finance, the officers agree that the costs and timing of finance are critical to scheme viability and that these factors should be considered if the scheme is to be forward funded. While an early stage review will be required should the scheme be "forward funded", the S106 Heads of Terms also refers to both early and late stage reviews within point (e). This is intended to capture early stage reviews as required in line with London Plan Policy H5 and the GLA SPG on Affordable Housing, which requires such a review to be undertaken if progress on implementation is not made within 2 years of the permission being granted.

The Football Association have also made further representations, raised on their behalf by Lichfields. The issues raised re-iterate concerns expressed during the initial consultation exercise, however they are also

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reflected in the suggested amendments to the conditions which are detailed below.

Amendments to main report

Under part 1(c) of the 'recommendations' section on page 2 of the report, reference to Discount Market Rent levels being capped at Local Housing Allowance rates has been omitted to correctly reflect the position as outlined in para. 27 of the report. Part 1(c) is therefore revised to read as follows:

'10% affordable housing by unit (12.4% affordable housing by habitable room) on a nil grant basis broken down as 36 x 3-bedroom units at London Living Rent levels and 24 x 1-bedroom units at Discount Market Rent levels (including service charges where applicable) subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council.'

Amendments to conditions

The Football Association (FA) have raised concerns regarding construction and delivery management during event days, and requested amended conditions which require the applicant to engage with, and agree, appropriate management strategies with the FA and the Stadium.

While the FA's concerns are noted, the Council would not normally require agreement with a third party on such matters. Nevertheless officers are aware of the particular management concerns on event days, and these have been raised on adjoining schemes within the Wembley Park Masterplan area. Therefore in order to mitigate concerns, officers recommend the following amendments to conditions 17 and 26 respectively (additional wording in bold):

*'17. Prior to the commencement of the development, a Construction Logistics Plan shall be submitted and approved by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) outlining measures that will be taken to address issues such as delivery of materials, lorry routeing, staff parking etc., whilst also minimising lorry movements by recycling on site and back loading spoil and aggregates. The plan will need to comply with TfL's guidance on Construction Logistics Plans and in specific relation to this site, will need to carefully consider co-ordination with other development projects in the area **and key stakeholders, including the stadium, and shall ensure that no construction deliveries take place between four hours prior to the start of an event, to four hours after the end of an event.** The approved statement shall be implemented throughout the duration of demolition and construction.*

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Pre-commencement Reason: The condition relates to details of construction, which need to be known before commencement of that construction.'

*'26. Prior to the first occupation of any commercial element of the development hereby approved, a final Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition). The Delivery and Servicing Plan shall include details of how adopted footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement, and confirmation that there would be specific areas for refuse storage on the day of collection identified, which otherwise could have an impact on amenity. The plan shall include a strategy for the management of delivery and servicing on event days at Wembley National Stadium **which shall be worked on up in consultation with the stadium, and shall ensure that no deliveries take place between four hours prior to the start of an event, to four hours after the end of an event.'***

The development shall thereafter operate in accordance with the approved delivery and servicing management plan unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To minimise negative impacts associated with servicing demand of the commercial units.'

Finally, condition 3 has been re-worded to read as follows:

'No development shall take place (excluding enabling works, site clearance and preparation works) until a phasing plan has been submitted to and approved in writing by the Local Planning Authority. The

development shall be implemented in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority.'

Additional condition:

Due to the proximity of the site to the Stadium, the following condition is recommended in order to ensure compliance with London Plan policy GG6:

Prior to the commencement of works (excluding demolition, site clearance, the laying of foundations and below ground works), details shall be submitted to and approved in writing confirming that the developer has consulted the MET Police Counter Terrorism Security Advisors (CTSAs) officers with regard to any measures required to ensure a safe and secure environment that is resilient to the impact of emergencies including terrorism (in accordance with London Plan Policy GG6 paragraph C), including confirmation that any mitigation measures required by the MET Police will be implemented within the development.

Reason: To ensure a satisfactory development that accords with London Plan policy GG6.

Recommendation: Officers continue to recommend that planning permission is granted, subject to the amended and additional conditions and informatives set out above and in the original committee report.

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Agenda Item 5

Agenda Item 05

Supplementary Information Planning Committee on 28 April, 2021

Case No.

19/3396

Location	Land next to 1 Gaytor Terrace, Mulgrave Road, London
Description	Erection of 2x two-storey, semi-detached dwellinghouses (2x 3 bed) with converted loft space, erection of fencing, provision of cycle parking, waste storage and amenity space with associated landscaping and front boundary walls/gates.

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Since publishing the Committee Report a further representation was received from a resident that had previously objected to the development. Many of the concerns raised were previously raised and have been addressed within the Committee Report. Concerns were raised in regard to loss of light, privacy, noise and disruption, as well as concerns relating to Thames Water pipes and ownership (in relation to damage that may be caused, possible burst pipes and flooding caused by damage to the infrastructure). The further comment specified that Thames Water informed the resident they were unaware of the development.

To clarify, as outlined within the report, Thames Water were consulted and raised no objection subject to conditions being attached to any permission relating to the protection or diversion of Thames Water Assets (Condition 13) as well as other conditions relating to the capacity of their network and drainage.

Recommendation: Continue to grant consent, subject to the conditions set out in the committee report.

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