

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 reconsultation 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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