



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Wednesday 6 May 2020 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Chappell, Hylton, Maurice and Sangani.

ALSO PRESENT: Councillor Daly, Councillor Georgiou and Councillor Stephens.

Apologies for absence were received from Councillor Mahmood.

### 1. **Declarations of interests**

None.

#### ***Approaches.***

All members received email correspondence from STRA in respect of the application for Sudbury Station Car Park.

### 2. **Minutes of the previous meeting - 17 March 2020**

RESOLVED:-

that the minutes of the previous meeting held on 17<sup>th</sup> March 2020 be approved as an accurate record of the meeting.

### 3. **18/4919 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0**

PROPOSAL: Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising residential units (use class C3), flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)

RECOMMENDATION: To grant planning permission subject to the referral of the application to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any 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.

That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

The Committee deferred this application at the last meeting on 17<sup>th</sup> March 2020 when Members were minded to refuse the application owing to concerns that related to the following aspects of the proposal: Affordable Housing provision, Loss of employment and Sunlight and daylight impact. Ms Victoria McDonagh (Development Management Team Leader) informed the Committee that further to the deferral, officers had provided additional information and clarification including changes in respect of housing mix, the loss of employment and the sunlight and daylight impacts. With those in view, officers considered the application policy compliant and reiterated the recommendation for planning permission to be granted as set out within the Committee reports.

Councillor Anton Georgiou (ward member) objected to the application on several grounds including the following; inadequate infrastructure to address the level and intensity of the development, excessive height, over-development of the site which would alter the character of the area to the detriment of residential amenity, major traffic concerns, lack of green and open space and concerns about affordability.

Members then sought further clarification on affordable housing provision, viability assessment for the scheme, infrastructure and loss of employment. Ms McDonagh drew Members' attention to the revised affordable housing offer as set out within the report highlighting that there would be a reduction of 27 Shared Ownership units with 22 Shared Ownership units remaining, a reduction of 3 Affordable Rented units with the remaining 53 units switching to London Affordable Rent. She considered that both affordable housing offers set out within the report were acceptable and policy compliant, representing more than the maximum reasonable provision of affordable housing in both cases.

Mr Alastair Westlake (Development Officer) gave a detailed breakdown and the methodologies of the financial viability assessment. He informed the Committee that the affordable housing offer was justified through the submission of a financial viability assessment which robustly set out why the projected costs and revenues (based on present day values) of the development would have resulted in a

scheme that would be unviable, even where no affordable housing had been provided. He continued that the scheme would still be compliant with both adopted and emerging policy with regard to the amount of Affordable Housing. Mr Westlake added that the applicants had agreed to an early, middle and late stage viability review that would enable opportunities for additional affordable housing to be provided on the development subject to the conclusions of the reviews.

On the loss of employment, Ms McDonagh clarified that the proposed development would see the reinstatement of 1,200sqm of commercial floor space, 575sqm of which would constitute light industrial space within the B1(c) use class as managed affordable workspace. She continued that Site Allocation BSWSA5 of the emerging local plan promoted the residential led redevelopment of the site, with an indicative capacity of 590 new homes. In addition, there would be some re-provision of employment floor space along the ground floors of the new buildings as well as other potential uses such as small scale retail, commercial leisure or community uses. Members heard that all of the light industrial floor space (545sqm) had been proposed as managed affordable workspace, at 50 % of market rent. In addition, the applicants have confirmed that they have been working with the existing tenants of the site where existing tenants have requested assistance to identify alternative opportunities for them wherever possible, although this is not a planning requirement.

Ms McDonagh explained that although there was no specific need to provide social infrastructure within the site, the scheme would provide a public canal pathway allowing for east/west connection in the future and that there would be a number of pocket parks, public open spaces and flexible uses including D1 uses. She added that the development would provide £8million in CIL contributions. She clarified that there was sufficient primary school capacity in the area and that the neighbouring Northfields development secured planning permission for a a medical facility.

Prior to voting Ms Saira Tamboo (Senior Planning Lawyer) advised the Committee to vote on the new scheme without regard to the scheme presented to Members at the meeting in March.

Prior to voting, all Members confirmed that they had followed all the proceedings and arguments throughout consideration of the application. Members then voted by a majority to refuse the application on grounds of level of affordable housing, social housing mix and lack of infrastructure to support the scheme.

Voting on the substantive recommendation for approval was recorded as follows;

For	Councillors Denselow and Johnson	(2)
Against:	Councillors S Butt, Chappell, Maurice and Sangani	(4)
Abstention:	Councillor Hylton	(1)

DECISION: Refused on grounds of level of affordable housing, social housing mix and lack of infrastructure to support the scheme and subject to stage 2 referral to the Mayor of London.

(Voting on the above decision was as follows: For 4, Against 2, Abstention 1)

**4. 19/1241 Car park next to Sudbury Town Station, Station Approach, Wembley, HA0 2LA**

PROPOSAL: Re-development of existing car park for the erection of two blocks of residential dwellings, with associated residential amenity space, refuse storage, cycle parking, landscaping and other ancillary works, together with re-provision of disabled car parking bays nearest to Station Approach to serve Sudbury Town Underground Station (DEPARTURE FROM POLICY CP21 OF BRENT'S LOCAL PLAN).

RECOMMENDATION: To grant planning permission subject to:

A. Any direction by the Secretary of State pursuant to the Consultation Direction

B. The prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any 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.

That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

Mr Neil Quinn (Principal Planning Officer) introduced the report and answered Members' questions. In reference to the supplementary report, Mr Quinn drew the Committee's attention to the additional letters of objection to the scheme and officers' responses to them. He informed members that the number of dual aspect units within the scheme should read as 20 units, rather than 36 units referred to in paragraph 73 of the main report. For the avoidance of doubt, the correct full text was set out within the supplementary report.

Mrs Carol O'Connell (objector) addressed the Committee and answered members' questions. Mrs O'Connell raised several issues including the following; over-development of the site, overlooking and loss of privacy, narrow access to the site and thus obstruction to large and emergency vehicles, excessive height and parking problems.

Councillor Daly (ward member) addressed the Committee and answered Members' questions. Councillor Daly objected to the application on several grounds including amenity deficit, inadequate access arrangements for emergency and waste collection vehicles, inadequate facilities for servicing and delivery, loss of parking at the station which could give rise to parking displacement and additional on-street parking.

Mr Paul Lorber an objector addressed the Committee and answered members' questions. He raised several issues including the following; over-development of the site for 52 flats; inadequate visitor and delivery facilities, inadequate provision for wheel chair users, detrimental impact on the amenity and sustainability of the local area. Mr Lorber urged the Committee to defer the application for a site visit to enable Members to assess the full impact of the development.

Councillor Stephens (ward member) addressed the Committee and answered Members' questions. Councillor Stephens' objections included the following; the affordability and housing mix were in contravention to Brent's policies and Local Plan policies, lack of family housing units, inadequate amenity space provisions, inadequate parking provisions including for disabled drivers and loss of parking which would give rise to parking displacement to the detriment of on-street parking.

Mr Alex Shillito (applicant) addressed the Committee and answered members' questions. Members heard that the scheme would provide affordable housing units for key workers with a further discount of 20% for local residents. In addition to being a sustainable development with landscaping, financial contributions would be made to Brent Council (£30,000) and Ealing Council (£20,000) for consultations and implementation of CPZ. Mr Shillito continued the scheme would complement the Grade II listed Sudbury Town Station, reflecting some of the key architectural features. He continued that the three existing disabled parking bays for station users would be re-provided with five of the homes made available for wheelchair users.

Mr Simon Topliss (architect) stated that he had given notice to speak only to clarify issues about design which had been covered in detail in his presentation.

In the ensuing question time, Members raised issues about affordable housing and tenure, amenity provisions, parking and departure from policies.

Mr Neil Quinn advised that the scheme would provide 100% affordable 1-bed units at an intermediate rate (sold at 80 % of market value). Although this did not accord with Brent and London Plan policy targets, sufficient justification and other benefits have been secured following robust financial viability assessment tests that officers consider outweighed this policy conflict. He added that the S106 legal agreement had secured £200,000 affordable housing grant for family affordable housing elsewhere within the borough. Members heard that the amenity space provisions were acceptable for the constrained site that lent itself to 1-bed flats whilst providing vehicular access that met minimum standards. He added that the scheme would provide an appropriate turning space within the courtyard and satisfactory delivery and servicing plans.

Mr John Fletcher (Highways Development) in responding to highways and access issues drew Members' attention to condition 23 which sought to address initial concerns raised by highway officers regarding the narrow width of the access road. However, he considered that the proposed development, including the loss of the station car park (except for the disabled parking), would accord with adopted policy and would not have a significantly detrimental impact on local parking or highways conditions. He referenced the financial contributions of £30,000 to Brent Council under the S106 legal agreement towards a review of local CPZ operating hours and boundaries and towards improved bicycle parking facilities at Sudbury Town station. The legal agreement also provided for £20,000 for LB Ealing to review of its Controlled Parking Zone and to seek to implement any changes that they deemed necessary.

Prior to voting, all Members confirmed that they had followed all the proceedings and arguments throughout consideration of the application. Majority of the Members were minded to refuse the application for the following reasons; lack of family housing, loss of parking amenity and departure from policies, namely affordable housing tenure split. The Committee therefore deferred the application to a future meeting for a report assessing the reasons for refusal.

DECISION: Deferred to a future meeting, contrary to officers recommendation, for the following reasons to be tested, assessed and reported to Committee; failure to provide a policy compliant tenure split of affordable housing, lack of on-site family sized units, loss of parking amenities for particularly users of the station, lack of on-site disabled parking spaces.

(Voting on the above decision was as follows: For 4, Against 3, Abstention 0)

**5. 19/3092 Ujima House, 388 High Road, Wembley, HA9 6AR**

PROPOSAL: Demolition of the existing building and erection of a new building up to a maximum height of 39.6m comprising up to 5,000sqm residential floorspace (Use Class C3), up to 600sqm of flexible workspace (Use Class B1A, B and C), with ancillary cafe (Use Class A3) up to 600sqm ancillary floorspace, associated hard and soft landscaping, wheelchair car and cycle parking.

RECOMMENDATION: To defer the application to a subsequent Planning Committee meeting.

The Head of Planning informed the Committee about a letter received on behalf of the owners of the adjoining building (Lanmor House, 370 High Road) objecting to the proposal. As a result, officers had amended the recommendation from the grant of planning permission deferral to allow the consideration of the matters raised within their letter.

DECISION: Deferred to a subsequent Planning Committee meeting.

**6. 19/3259 1-7 and 15-33 Peel Precinct and garages, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road, London, NW6**

PROPOSAL: Full planning application for a phased development for the demolition of 2 Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of seven buildings (A to G) ranging between 5 and 16 storeys, plus part basement, comprising private sale residential units (Use Class C3), shared ownership residential units (Use Class C3), social rented residential units (Use Class C3); new health centre (Use Class D1), new gym (Use Class D2), flexible use class within retail and commercial units (Use Class A1/A3/B1) at ground floor, associated landscaping, highways and public realm improvements (including new public space and market square), private open space, associated car parking, cycle parking and servicing provision.

RECOMMENDATION: Subject to any Stage 2 Direction by the Mayor of London pursuant to the Mayor of London Order, grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement as set out within the Committee reports and delegate authority to the Head of Development Management or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions to secure the matters set out within the Committee reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee not that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning be granted delegated authority to refuse planning permission.

Mr Sean Newton (Principal Planning Officer) introduced the report and answered Members' questions. Members heard that the revised scheme, a revision to the extant scheme would deliver significant elements of infrastructure and significant benefits, including the new health centre for South Kilburn and the provision of 127 (41%) affordable homes (56% by habitable room) and affordable workspace. Additionally, it would not give rise to harm to the identified heritage assets of South Kilburn Conservation Area

Mr Laurence Brooker (agent) in addressing the Committee stated the scheme was widely considered to be an exemplary case of estate regeneration, and one that gained significant support from stakeholders including local residents and the GLA. In design terms, the proposal was compliant with policies and would also

provide significantly more public realm comprising a destination market square, activated by additional commercial uses around its edges. He then summarised the key benefits of the scheme. In conclusion, Mr Brooker stated that the proposal would be of the highest quality sustainable design and architecture, with future connection to district heating networks and significant CIL payments generated for further infrastructure investment. Additionally, it would cement and enhance Peel's role as the civic heart of South Kilburn.

Prior to voting, all Members confirmed that they had followed all the proceedings and arguments throughout consideration of the application. Members then voted unanimously to grant planning permission as recommended

DECISION: Granted planning permission as recommended.  
(Voting on the above decision was as follows: For 7, Against 0, Abstention 0)

## **7. Any Other Urgent Business**

The meeting closed at 9.45 pm

COUNCILLOR J. DENSELOW  
Chair