



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 17 January
2024 at 6.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor S Butt (Vice-Chair) and Councillors Akram, Begum, Dixon, Mahmood, Maurice and Rajan-Seelan.

1. Apologies for Absence and Clarification of Alternate Members

None.

2. Declarations of interests

Councillor Rajan-Seelan declared a declared a personal interest in relation to Agenda Item 5 (23/3021 - 291 Kenton Road, Harrow, HA3 0HQ) as he lived in an adjacent road to the application site address.

3. Minutes of the previous meeting

RESOLVED that the minutes of the previous meeting held on Wednesday 13 December 2023 be approved as a correct record of the meeting.

4. 22/0541 - 24 High Street, London, NW10 4LX

PROPOSAL

Change of use of part of ground floor, 1st, 2nd and 3rd floors from student accommodation, change of use of 1st floor retail storage, erection of extension at 2nd floor level and erection of 2 storey extension to create a co-living scheme (45 units - Use Class Sui Generis) including communal kitchen/lounges on 1st, 2nd and 3rd floor levels, creation of communal courtyard on 1st floor level and common area on ground and 1st floor levels with minor alterations to the ground floor to accommodate cycle parking and refuse facilities and replacement double glazed timber sash windows.

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to:

- (1) The prior completion of a legal agreement to secure the planning obligations detailed in the Committee report.
- (2) The Head of Planning being delegated authority to negotiate the legal agreement detailed in the Committee report.

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- (3) The Head of Planning being delegated authority to issue the planning permission and impose the conditions and informatives as detailed in the report.
- (4) The Head of Planning being 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.

Neil Quinn, Principal Planning Officer, South Team, introduced the report and set out the key issues. In introducing the report, members were advised that the application sought a change of use from the existing student accommodation to provide 45 co-living units, including the creation of communal kitchens and lounges, internal amenity space including a cinema, gym, and workspace at ground floor level. The site did not contain any listed buildings; however, it was located within the Harlesden Conservation Area and the Harlesden Neighbourhood Area.

The Committee's attention was drawn to the supplementary report that detailed some minor amendments to the main report, with members having noted that no further comments or objections had been received.

The Chair thanked Neil Quinn for introducing the report. As there were no Committee questions raised at this point, the Chair invited the first speaker Colin George, Trustee of the Harlesden Neighbourhood Forum, to address the Committee (online) in relation to the application.

The following key points were highlighted:

- The Forum was broadly supportive of the application, however had concerns in relation to the operational impact of the development and the lack of engagement between the developers and the Neighbourhood Forum.
- The Forum was concerned that the size of the development could have an operational impact in terms of waste disposal and fly tipping. The Forum sought assurances that all tenancy agreements would include instructions not to place waste outside on the pavement and to use all communal services provided in order to mitigate the risks of fly tipping.
- There had been limited engagement from the developers with the Harlesden Neighbourhood Forum, it was felt that better engagement may have alleviated the Forum's concerns ahead of the issues being brought to the Planning Committee. The lack of engagement had also led the Forum to question the authenticity of the developer's claims that they were happy to engage with the Forum.
- In closing his comments, Mr George urged the Committee, in their consideration of the application, to be explicit on the measures to be taken to prevent residential fly tipping and to support liaison between the developers and the Forum.

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The Chair thanked Colin George for addressing the Committee and invited the Committee to ask any questions they had in relation to the information heard. In response, the Committee queried if there was anything else in addition to waste management that the Harlesden Neighbourhood Forum would like to see conditioned. As Mr George did not highlight any further issues, the Committee agreed they were happy to take the issue of waste management forward with officers, however, regrettably were unable to condition any expectations on the developer's engagement with the Forum.

The Chair then invited the next speaker, Mark Pender (agent) to address the Committee (online) in relation to the application.

The following key points were highlighted:

- The applicant was experienced in the delivery of other co-living schemes in London.
- In addition to 45 co-living units, the proposal also included a laundry room (5 dryers and 5 washers) and a gym on the ground floor. On the first floor there would be access to a communal courtyard garden (circa 130m²), 2 communal kitchens/lounges (65m² and 35m²), a separate lounge (47m²) & workspace (39m²). The second floor included further access to a communal kitchen/lounge of 53m² and on the third floor a communal kitchen of 55m².
- The student market had been significantly impacted due to covid and had not fully recovered. It had therefore been decided to re-develop the site as a co-living development, as it was felt that co-living opportunities offered more flexibility in terms of who could occupy.
- In addition, co-living offered longer rental terms compared to student accommodation, therefore creating less turnover which meant a more cohesive and integrated community and from the applicant's perspective, more certainty.
- In closing his comments, Mr Pender advised that the developers were happy to respond to the suggestions from the Harlesden Neighbourhood Forum to allay concerns going forward and on the basis of the benefits the scheme would provide, urged the Committee to approve the application.

Following Mr Pender's comments, the Committee raised queries in relation to waste management measures, security of tenure, affordability for tenants, potential other uses of the site and if an updated report was available to demonstrate the demand for co living accommodation in Brent.

The following responses were provided:

- Mr Pender confirmed that the developers were keen to respond to the suggestions from the Harlesden Neighbourhood Forum in relation to waste management. This included taking steps to include details in tenancy agreements as well as using enforcement signs to remind tenants of the waste management procedures and not to dispose of domestic waste on the streets as the timed on street collections were exclusively for business refuse

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collections. All terms could be agreed via a detailed conditioned Waste Management Plan.

- Following a Committee query in relation to the security of the tenure provided by the proposed development, it was confirmed that all tenancies would be Assured Shorthold Tenancies (AST's) enabling tenants to benefit from the regulated security these type of tenancies provided.
- Tenancies would be provided with a minimum 3-month term to allow greater flexibility for tenants.
- In response to a Committee query in relation to the affordability of the units for tenants, Mr Pender advised that although marginally more expensive than an HMO, the benefits of co-living developments included significant add on facilities such as the gym, cinema and laundry facilities, additionally all bills were inclusive of the rent.
- Following a Committee query in relation to whether the applicant had explored other uses for the building as opposed to a co-living scheme, the Committee was advised that the current use as student accommodation was not working well for this particular site, following the long lasting impacts from the Covid pandemic. Therefore, it was felt the best way to utilise the site was to remain as close as possible to the existing setup and provide a community based co - living facility. It would not have been viable to develop the site into self-contained flats, as due to the size and layout of the building it would not have been possible to meet the required space and light standards.
- The Committee queried if the Savills Report from 2021 provided accurate figures of the housing needs in Brent and queried if an up to date version was available to allow the Committee to consider the figures inclusive of any co-living developments that had been developed since the original report. Mr Pender advised that the report had been up to date at the time the application was made but did not reflect more recent developments since the report had been produced. Despite this it was, however, felt that the identified London wide and Brent need for co-living accommodation remained an issue.

The Chair thanked Mr Pender for responding to the Committee's queries and proceeded to offer the Committee the opportunity to ask the officers any remaining questions or points of clarity they had in relation to the application. The Committee had questions in relation to viability, a waste management plan, the demand for co-living accommodation, affordability, quality of accommodation, cycle and blue badge parking and Building Control requirements.

The following responses were provided:

- Following a Committee query in relation to the viability of the scheme that resulted in no Payment in Lieu (PiL) of affordable housing, the Committee was advised that an independent viability assessment had concluded that a PiL could not viably be provided by the applicant, however the application would be subject to a section 106 agreement securing both early and late stage review mechanisms to capture any possible changes in this. The Committee acknowledged the application had been viability tested, however felt that the absence of the schemes affordable housing or a PiL to support offsite

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affordable housing meant that the scheme offered little benefit to Brent residents in need of housing.

- In response to the queries raised in relation to waste collection, officers advised that the communal bin storage was provided in an enclosed area as seen on the site plan in the report. Officers were satisfied that the additional conditions agreed by the applicant to support an effective waste management plan would be sufficient to mitigate any risk of fly tipping.
- Following concerns raised from the Committee that the report did not adequately demonstrate the current need for co-living accommodation in Brent, the Committee was advised that it was unfortunate that there was not a more up to date report to support the position regarding the level of demand for co-living accommodation in the borough, however it was highlighted that the original report had concluded that there was a particular shortage of accommodation within the Harlesden local area (NW10 postcode) catering for younger, single people, and that the more flexible co-living model would represent a better alternative for this part of the population than other forms of shared housing, particularly poor quality HMOs. Officers felt that the report was robust and sufficiently demonstrated the genuine need and demand for this type of shared living accommodation in the area, therefore felt the application was compliant with the criteria set out in Policy BH7.
- The Committee noted that there were two approved co-living schemes in Brent, however they remained in the construction phase.
- Officers highlighted that the scheme also contributed towards meeting overall housing needs targets, the Committee acknowledged this, however felt that the scheme fell short of meeting Brent's specific housing needs.
- The Committee felt that the difference between standard HMO rents in the borough and the rent levels for the proposed scheme were not as closely aligned as the agent had stated and therefore queried why the report had placed a high weight on the scheme being an affordable option. In response officers advised that they acknowledged the scheme was not an affordable housing product and it was not their intention to highlight this as a benefit of the scheme in the Committee report. It was clarified that Brent had no control over the rents set for the scheme, however it was recognised that the scheme would offer an alternative cheaper option than traditional accommodation.
- Concerns were raised in relation to the quality of the accommodation proposed, as there were no dual aspect units, restrained living spaces and shortfall in external amenity space.
- It was clarified that a total of 55 semi-vertical bicycle spaces were proposed in four locations on the ground floor, which accorded with requirements in a secure and sheltered manner, however one space was stated as being for a non-standard bike. As there was a surplus of bike parking, it was therefore suggested that the smallest store for 6 bikes instead provided a reduced number of spaces with 'Sheffield' stands to accommodate any non-standard bikes.
- Given the proposed development's car free status, the Committee queried how disabled residents would access parking if needed. In response officers advised that residents with a Blue Badge would be able to access disabled bay on street parking next to the development.

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- Following Committee concerns as to why only the proposed extended part of the scheme would be subject to Building Regulation requirements, officers advised that it was felt that as the existing building had been recently refurbished, it was not necessary to apply the revised Building Regulation requirements to the existing refurbished areas. It was highlighted that if the Building Inspector deemed that there had been significant changes to the existing building, they could insist that the whole scheme was subject to Building Regulation requirements.
- The Committee felt strongly that due to the proposed level of change to the existing site as well as the proposed extension, that the whole scheme should be subject to Building Regulations, particularly as by the time the scheme was completed, the refurbishments on the existing building would no longer be recent.

As there were no further questions from members and having established that all members had followed the discussions, the Chair asked members to vote on the recommendations.

DECISION

To refuse planning permission on the basis that the Committee felt the application did not meet a Brent housing need, and the proposal resulted in a poor quality of accommodation due to lack of dual aspect units; and the scheme's limited benefits did not adequately outweigh the harm caused by the scheme.

(Voting on the above decision was For 6 and Abstentions 2).

5. **23/3021 - 291 Kenton Road, Harrow, HA3 0HQ**

PROPOSAL

Proposed two storey side extension, first floor rear extension, hip to gable roof extension and rear dormer window with 4x front rooflights, front porch and replacement of rear extension door and window with new door for proposed conversion of dwellinghouse into 4x self-contained flats with associated refuse and cycle storage and subdivision of rear garden.

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to:

- (1) The Head of Planning being delegated authority to issue the planning permission and impose conditions and informatives as detailed in the report.

Jeanne Gleize, Senior Planning Officer, North Area Planning Team, introduced the report and set out the key issues. In introducing the report members were advised that the proposal sought the conversion of a dwellinghouse into 4x self-contained flats with a proposed two storey side extension, first floor rear extension, hip to gable roof extension and rear dormer window with 4x front rooflights, front porch and replacement of rear extension door and window with new door, associated refuse

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and cycle storage and subdivision of rear garden. The site was not located within a conservation area, nor did it contain any listed buildings.

The Committee noted the existing dwellinghouse was currently undergoing building works that included a ground floor rear extension.

The Chair thanked Jeanne Gleize for introducing the report, as there were no speakers registered to address the Committee on the application, the Chair invited the Committee to ask officers any questions or points of clarification they had in relation to the application. The Committee raised queries in relation to car parking, the separation boundary distance and the proposed development's footprint.

The following responses were provided:

- Following a Committee query in relation to the increased demand the development could have on parking spaces, the Committee was assured that the small size of the scheme was unlikely to cause any significant issues, with predicted overspill from the scheme equating to one parking space.
- A further discussion took place, with the suggestion that if a Controlled Parking Zone (CPZ) was introduced in the area in the future, that a condition was added to remove the right for residents of the new development to obtain a parking permit. Having sought members views, on balance the Committee felt that this would not be necessary, given the limited predicated impact from the proposed development.
- It was clarified that the proposed 2-storey side extension would still leave a 1 metre distance to the neighbouring boundary line.
- Following a query in relation to the footprint of the proposed development, officers confirmed that the proposed development would be mainly within the existing footprint, with the additional wraparound extension.

As there were no further questions from members and having established that all members had followed the discussions, the Chair asked members to vote on the recommendations.

DECISION:

Granted planning permission subject to the conditions and informatives as set out in the Committee report.

(Voting on the above decision was unanimous)

6. Any Other Urgent Business

None.

The meeting closed at 7.44 pm
COUNCILLOR KELCHER
Chair