



Supplementary Agenda Planning Committee

Monday 29 March 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

ITEM	WARD	PAGE
3. 20/0700 - Land adjacent to Northwick Park Hospital, Northwick Park Nightingale Avenue, London, HA1		1 - 4
4. 20/2257 - Willesden Green Garage, St Pauls Avenue, Willesden Green London, NW2 5TG		5 - 8

Date of the next meeting: Wednesday 7 April 2021

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Agenda Item 3

Agenda Item 03

Supplementary Information

Planning Committee on 29 March, 2021 Case No.

20/0700

Location	Land adjacent to Northwick Park Hospital, Nightingale Avenue, London, HA1
Description	<p>Outline planning permission (with all matters reserved apart from the means of access) for demolition of existing buildings on site and provision of up to 1,600 homes and up to 51,749 sqm (GIA) of new land use floorspace within a series of buildings, with the maximum quantum as follows:</p> <ul style="list-style-type: none">-(Use Class C3) Residential: up to 1,600 homes;-up to 50,150m² floor space (GIA) of new student facilities including Student Accommodation, Teaching facilities, Sports facilities, and ancillary retail and commercial (Use Class A1, A2, A3)-up to 412sqm floorspace (GIA) of a replacement nursery (Use Class D1)-up to 1187sqm (GIA) of flexible new retail space (Use Class A1, A2, A3) <p>Together with energy centre, hard and soft landscaping, open space and associated highways improvements and infrastructure works</p> <p>This application is subject to an Environmental Statement</p>

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The applicants have drawn attention to the following points:

Recommendations section of report

Planning obligation No 10: "Hospital Energy Centre (LPA ref 20/3152): To be operational prior to commencement of works on Phase 2a" is to be removed from the Heads of Terms. It is not necessary or reasonable to secure this through the consent (if granted) as permission has been granted for the new hospital energy centre and the delivery of this centre is being driven by the NHS. The applicant has also advised that there is a separate lease agreement between the NHS Trust and Network Homes governing this issue. It places requirements on both parties, and obligates the NHS to deliver the new energy centre prior to 2023 with vacant possession of the boiler house facilities in Phase 2a then given to Network Homes.

Further representations received

Representations from Sudbury Court Residents Association were received on 25 March 2021. The following matters were raised:

1. Seeking assurances that developer traffic would not pass through the Sudbury Court Estates.
Officer response: It is not clear whether this refers to construction traffic or vehicle movements by future-occupiers of the development. However, in either case there would be no direct vehicular access into the site from the residential roads to the south of Northwick Park. The only vehicular access into the site would be from Watford Road.
2. Increased traffic and pollution during construction and following completion.
Officer response: The proposal aims to minimise additional traffic from the development by providing low levels of on-site parking. Construction traffic impacts would be managed through the submission and approval of a Construction Logistics Plan. These issues are covered in paragraphs 296 to 303 of the main report.
3. Transport plan is focused on spine road and new north and south access roads, with little mention of impact on Watford Road and surrounding residential areas.
Officer response: Traffic impacts on the wider highway network have been modelled as part of the application and the findings are summarised in paragraphs 297 to 303 of the main report. The proposal includes junction improvements to Watford Road that would improve highway efficiency and reduce traffic flows around Northwick Park roundabout, as noted in paragraphs 258 and 303. The proposal is not expected to impact significantly on neighbouring residential areas that do not provide direct vehicular access into the site.

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4. Ecological impact: loss of 387 trees with no details for replacement tree planting.
Officer response: It is not always possible to avoid the loss of some trees in bringing new developments forward, however Brent's policies allow for these to be compensated for by replacement tree planting of an appropriate scale and nature. The loss of 130 trees on the Hospital ring road has been accepted in the extant consent to construct the new spine road (reference 20/0677) whilst the loss of 44 trees has been accepted in Planning Committee's resolution to grant permission for the detailed application (reference 20/0701), however this is subject to the planting of 208 replacement trees secured by condition, resulting in a net uplift in the number of trees. The remaining 213 trees that would be lost as a result of the later phases of the outline development would also be replaced. Further details of tree planting would be submitted and approved as part of the landscaping scheme required under Condition 33, which requires at least 387 replacement trees to be planted across the outline site. The impact on trees is discussed in paragraphs 184 to 193 of the main report.
5. Ecological impact: removal of trees during bird nesting season and period of bat movement out of hibernation
Officer response: The applicant's Ecology Report recommends a number of precautionary measures to avoid or minimise impacts on protected species and other wildlife in the construction period. These include bat inspections prior to felling of any mature trees, measures to be taken if bats or other protected species are observed, vegetation and building removal to take place outside the bird nesting season or in the presence of an ecologist, and protection of active bird nests. These measures would be secured through a Construction Environmental Management Plan required under Condition 28, and the developer would also be subject to the requirements of protected species legislation. See paragraph 206.
6. Ecological impact: loss of bird and bat populations and other ecological benefits of trees (shelter, food and breeding opportunities for wildlife, clean air) due to loss of trees
Officer response: Although birds were observed on or close to the site, the site overall is very low in suitability for protected and rare bird species or other protected and priority species. No evidence of bat activity or bat roosts was found, and very low numbers of foraging and commuting bats were observed and detected in the area. The tree line along the boundary with Northwick Park would be retained and reinforced by new tree planting, however it is acknowledged that construction work and the removal of some trees near the boundary could result in a temporary loss of and disturbance to habitats, and a financial contribution to ecological enhancements in Northwick Park would be secured as compensation. The proposal would create new habitats of potential ecological value, including rain gardens, and further ecological appraisals would be required post-completion. Ecological impacts are discussed in paragraph 198 to 208 of the main report.
7. Ecological impact: Tree saplings will not compensate for loss of mature tree stock or well established wildlife foraging lines.
Officer response: The proposals for replacement tree planting are expected to include a mixture of semi-mature and younger trees.
8. Further measures requested to reduce increase in pollution and congestion.
Officer response: Traffic generation is covered in paragraphs 296 to 303 and 323 of the main report. Travel Plans would be required, to encourage and reinforce sustainable travel choices by occupiers of the development (see paragraphs 322 and 323). These measures are considered sufficient to minimise additional traffic caused by the development.
9. Details of plans to reduce congestion and pollution in surrounding roads requested, including Watford Road and Sudbury Court Estate.
Officer response: As set out in paragraph 303 of the main report, the proposals are expected to reduce congestion, and consequently pollution, on Watford Road. The proposal is unlikely to directly impact on Sudbury Court Estate, as there is no direct vehicular access. An Active Travel Zone Assessment was carried out by the applicants, identifying barriers to sustainable travel choices in the wider area, and this is summarised in paragraphs 324 to 326 of the main report.
10. Further details requested of how bat survey was carried out in line with current best practice.
Officer response: These details are set out in the Environmental Statement Volume 3: Appendix: Ecology, which is available on the Council's website. A bat assessment was carried out by an experienced and licensed ecologist, following English Nature Bat Mitigation Guidelines (2004) and Bat Conservation Trust Best Practice Guidelines (2016). The document sets out equipment used, inspection methods, and an assessment of the bat roosting potential of all buildings, trees and habitats on site. Some trees were identified as having moderate and above bat roosting potential, and the Social Club building as having low bat potential. Further surveys were carried out, comprising four dusk emergence / activity surveys and two dawn

re-entry / activity surveys in various locations around the site with potential for roosting, foraging or commuting. No evidence of bat activity was observed and no bat roosts were discovered. Ecological impacts are covered in paragraphs 198 to 208 of the main report.

11. Further details of replacement tree planting as soon as available.

Officer response: Further details of replacement tree planting would be secured under Condition 33.

12. Queries regarding use of £200,000 contribution to Controlled Parking Zones

Officer response: This funding is available solely for the implementation of a Controlled Parking Zone in the surrounding streets, including consultation and implementation. It cannot be used to make other improvements to the area. The extent of the CPZ would be subject to consultation undertaken at the time by Highways Service.

Affordable housing and housing mix section of report

Paragraph 76 of the committee report notes that the Council's independent assessor, BNP Paribas, have reached the same overarching conclusion as the applicant's viability consultants DS2, namely that the proposed affordable housing offer is the maximum reasonable amount that can be viably supported. The scheme has also been undergoing review by the GLA Viability Team, and their initial comments arrive at the same conclusion.

However, there are several areas in which agreement on the precise figures, including the Benchmark Land Value (BLV), has not yet been reached between the three parties. Therefore the BLV stated in paragraph 77 of the committee report is indicative at this stage and subject to further discussion between the parties. For example, Network Homes are committed to not charging Ground Rents, whereas BNP Paribas and the GLA Viability Team have assumed income from Ground Rent. This does not affect the conclusion that the scheme is delivering beyond the maximum reasonable amount of Affordable Housing and is policy compliant with respect to this. However, certain parameters, like BLV, are agreed prior to a consent being issued and captured within the legal agreement where these factors or assumptions are not expected to change between the date of consent and the date of delivery. If these rely on underlying assumptions (such as the approach to ground rents), these can also be captured within the legal agreement where necessary to ensure that the further viability reviews accurately reflect development surplus or deficit. Other factors are not normally specified within the legal agreement as they are tested using updated or real values at the time that the review is undertaken, such as build costs or sales values

Recommendation: Remains to Grant planning permission subject to Stage 2 referral to Mayor of London, s106 agreement, conditions and informatives as set out in the report.

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Agenda Item 4

Agenda Item 04

Supplementary Information

Planning Committee on 29 March, 2021 Case No.

20/2257

Location	Willesden Green Garage, St Pauls Avenue, London, NW2 5TG
Description	Variation of condition 2 (approved plans) to allow for

- Internal alterations to facilitate the creation of 6 additional residential units
- External alterations to include additional windows, winter gardens and roof terrace
- Reduction in size of basement and repositioned ramp

and Variation of Condition 17 (Mix) of full planning application 17/5291, allowed on appeal dated 17 December 2019 (amended under non material amendment application 20/1873) for Demolition of MOT garage and erection of a part seven-storey and part four storey building with basement level to provide residential units with ground, third and fourth floor amenity spaces and ground floor play area, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping

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The roof of the consented development was proposed to be a zinc with a zinc canopy with the top floor proposed to be glazed brick. The proposed scheme omits the zinc roof with the top floor proposed to be of brick construction with brick parapet to the roof. However, the applicant has agreed for the top floor to also be glazed brick to be more consistent with the extant permission and to create a distinct top to the building. A framed glazed canopy has been retained around the roof. Whilst the zinc roof has been omitted, as stated in the committee report the development continues to follow the design intention of the extant scheme with the resulting scheme very similar in appearance and continues to utilise high quality materials, which are considered to be acceptable. The brick parapet would also have the benefit of better screening the proposed PV panels.

In order to control the roof materials, the following condition (condition 18) is proposed

18. *Notwithstanding the approved plans, the materials to the seventh floor shall be glazed brick, samples of which are to be submitted under condition 3 of this permission.*

Reason: In the interest of visual amenity.

Amendments to conditions

Amended plans have also been received, showing slight amendments to the plant doors at ground floor. The approved plans condition (condition 2) is therefore amended to update the ground floor plan to 2999-ACA-XX-00-DR-A_8071 Rev 16 L00 Floor Plan

Condition 4 which relates to the basement layout incorrectly refers to 8 disabled parking spaces. As such this condition is amended to refer to the provision of 7 instead of 8 disabled parking spaces.

Furthermore conditions 16 (detailed design and construction) and 17 (piling and excavation) have now been

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discharged under application reference 20/3994 and 20/3996. The following revised wording is proposed

16. Unless carried out with the details already discharged under application ref. 20/3994, prior to the commencement of development further details of a detailed design and construction method (in consultation with London Underground) shall be submitted to and approved in writing by the local planning authority which:

- provides details on the use of tall plant
- accommodate the location of the existing London Underground structures

The approved details shall be implemented in full and maintained as such for the lifetime of the development.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

17. Unless carried out with the details already discharged under application ref. 20/3996, prior to the commencement of development further details of piling and excavation works (in consultation with Network Rail) shall be submitted to and approved in writing by the local planning authority which provide details of:

- Vibro-compaction machinery/piling machinery
- Ground treatment works
- A method statement to include the proposed methods of piling, excavation and construction

All works shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development

Reason: To ensure that there is no impact upon critical railway infrastructure

Further comments received

Since the publication of the agenda 2 additional comments have been received. The issues raised have been addressed in the main committee report, however further comments are provided to clarify aspects.

Transport

Concerns have been raised with regards to the accuracy of the data submitted in the Transport Statement and Framework Travel Plan. This information has been reviewed by Transport Officers who consider the information submitted acceptable. It should be noted that a revised Travel Plan is to be secured via legal agreement.

In the case of the Transport Statement submitted this has updated the trip generation assessment from the extant scheme, based upon surveys undertaken at four similarly sized blocks of private flats in outer London. This updated assessment estimates a total of 9 arrivals/36 departures in the morning peak hour (8-9am) and 30 arrivals/21 departures in the evening peak hour (5-6pm) by all modes of transport. These numbers are actually slightly lower than for the original assessment, despite the increase in the number of flats.

Census 2011 data was again used as the basis for assigning these trips by mode, with 18% of trips assumed to be by car drivers. On this basis, the development is now estimated to generate 2 arrivals/7 departures in the morning peak hour and 6 arrivals/4 departures in the evening peak hour by car. As before, this level of vehicle movement is not considered likely to have any significant impact on the local road network, with the existing car repair garage currently generating greater numbers of vehicle movements.

For other modes, 29 movements in the morning peak hour and 33 movements in the evening peak hour are now estimated to be made by public transport. This again amounts to less than one additional passenger per bus and tube service passing the site, so is not considered significant enough to cause any concern.

Purely pedestrian and cyclist trips also remain low enough not to be of concern.

Servicing trips have also been examined in more detail, with 1-2 HGV deliveries to the site estimated per day. This is again lower than for the existing garage, with service vehicles able to load safely from the double yellow lines on St. Paul's Avenue fronting the site.

Finally, the accident analysis for the area has been updated to cover the extended five-year period from January 2014-February 2019. This identified one further accident in the immediate vicinity of the site over the additional two years of the study, which is not considered to result in the proposed development being a highway safety concern.

External appearance/landscaping

The objection raised concern with regards to the lack of soft landscaping to the St Pauls Avenue, however there would be no loss of soft landscaping to St Pauls Avenue itself. Whilst the loss of the green roof is acknowledged, this particular element of soft landscaping was located on a flat roof and set back from the frontage due to the position of the ramp. Therefore whilst a visible addition from the side facing windows at 75/75A St Pauls Avenue, its amenity benefits from public viewpoints would be more limited.

An objection has also been received on the basis of the boundary treatment to visible street frontages. As with the consented scheme this is brick with railing but now shown to be of a consistent height of 1.8m. Whilst a consistent and greater height is shown on the drawings (whereas previously the height of the boundary treatment was reduced along St Pauls Avenue) full details of boundary treatments are required to be submitted by condition. It should however be noted that any boundary treatment to the front would need to be of a suitable height to balance future residents privacy and ensure an acceptable impact on the street scene.

Whilst the objection also makes reference to the materiality of the development no longer being consistent with the extant scheme, this is not considered to be the case particularly given the agreed change to the top floor. In addition there is often a range of different materials that would all result in an acceptable appearance.

Neighbouring amenity

The objection also raises issue with the side facing doors serving the plant room. Due to the nature of the room they serve, it is unlikely that the doors would frequently be in use or their installation would exacerbate create noise issues. The application has been accompanied by a noise assessment who shows any noise generated would be within reasonable limits and a further conditions are attached to this permission to control noise.

Recommendation: Remains Approval Subject to conditions, including an additional condition and revisions to the conditions as specified above.

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