



Planning Committee – Supplementary Agenda

Wednesday 7 February 2024 at 6.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Please note this will be held as a physical meeting which all Committee members will be required to attend in person.

The meeting will be open for the press and public to attend or alternatively can be followed via the live webcast. The link to follow proceedings via the live webcast is available [HERE](#)

Membership:

Members

Councillors:

Kelcher (Chair)
S Butt (Vice-Chair)
Akram
Begum
Dixon
Mahmood
Maurice
Rajan-Seelan

Substitute Members

Councillors:

Ahmed, Chappell, Chohan, Collymore, Dar,
Ethapemi and Kabir

Councillors

Kansagra and J.Patel

For further information contact: Hannah O'Brien, Senior Governance Officer
hannah.O'brien@brent.gov.uk; 020 8937 1339

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[Council meetings and decision making | Brent Council](#)

Members' virtual briefing will take place at 12.00 noon.

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 a 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

ITEM	WARD	PAGE
4. Deed of Variation - Fairgate House, 390-400 & 402-408, High Road, Wembley, HA9	Wembley Hill	1 - 2

Date of the next meeting: Wednesday 13 March 2024



- Please remember to ***SWITCH OFF*** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public. Alternatively, it will be possible to follow proceedings via the live webcast [HERE](#)

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Supplementary Information Planning Committee on 7 February 2024

Case No.

N/A

Location Fairgate House, 390-400 & 402-408, High Road, Wembley, HA9
Description Deed of Variation to the Deed of Agreement dated 3rd May 2023 under Section 106 under the Town and Country Planning Act 1990, as amended in relation to planning application reference: 22/2225 for the following development:

Demolition of existing buildings and construction of an up to part 13 and part 17 storeys (including ground level) building comprising purpose built student bed spaces (Use Class Sui Generis) together with ancillary communal facilities, flexible non-residential floor space (Use Class E), cycle parking, mechanical plant, landscaping together with other associated works

The Deed of Variation would secure the following changes:

- The removal of the requirement to provide student bedspaces at affordable rent levels within the development (the extant scheme secured 122 affordable student bed spaces on site)
- To secure the provision of a financial contribution towards affordable housing (a payment in lieu) of £2.224 m to be utilised to fund the provision of additional permanent low-cost rent affordable housing, being affordable housing that is provided that goes beyond the minimum secured through the relevant planning consents for the site(s).
- Changes to the early stage review and the incorporation of a late stage viability review mechanism, in connection with the new off-site affordable housing payment.

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There is no statutory requirement to carry out public consultation on an application under Section 106A to modify or discharge existing planning obligations. However, the original application was referable to the Greater London Authority (GLA) and comments from the GLA have been received on this application. They highlight the reduction in the equivalent level of affordable provision from that secured within the original application which was subject to the fast-track route (as discussed in the main report).

The GLA advise that if the LPA is minded to accept the request, the Viability Review Mechanisms in the Section 106 Agreement will need to be revised as they currently reflect a Fast Track Route compliant scheme to which only an early stage review applies. The GLA advise that they should be revised to be consistent with those agreed on the adjacent site (the scheme considered by the Planning Committee in December as referred to within the main report).

It is confirmed in the main report that early and late stage review mechanism would indeed be captured within this Deed of Variation, with the structure of those review mechanisms amended to reflect the nature of the affordable provision and relevant viability information. It should also be noted that the viability appraisal for this Deed of Variation was tested against the relevant assumptions that had been agreed for the rear site to ensure the consistency in the consideration of the two proposals.

Recommendation: That the Planning Committee resolves to enter into a Deed of Variation as set out in the main report.

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