



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 16 November 2022 at 6.00 pm

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

1. Apologies for Absence and Clarification of Alternate Members

Apologies for absence were received from Councillor Mahmood.

An apology for lateness was received from Councillor Rajan-Seelan. As he was not present for the entire consideration of the first application (22/2225 – Fairgate House, 390 – 400 and 402 – 408 (Even), High Road, Wembley, HA9) Councillor Rajan-Seelan did not participate in the consideration of that item.

2. Declarations of interests

All Committee members received approaches from local residents objecting to Item 6 Application – 22/1282 7 & 7A Sidmouth Road, NW2 5HH

3. Minutes of the previous meeting

RESOLVED that the minutes of the previous meeting held on Tuesday 13 September 2022 be approved as an accurate record of the meeting.

4. 22/2225 - Fairgate House, 390-400 and 402-408 (Even), High Road Wembley, HA9

PROPOSAL

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.

RECOMMENDATION~:

That the Committee resolve to GRANT planning permission subject to:

- (1) The application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations as detailed in the report.

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- (2) That the Head of Planning is delegated authority to negotiate the legal agreement as detailed in the report.
- (3) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as detailed in the report.
- (4) That the Head of Planning is delegated 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.
- (5) 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 is delegated authority to refuse planning permission.
- (6) 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.

Victoria McDonagh, Team Leader, North Area Planning Team, introduced the report and set out the key issues. In introducing the report members were advised that the application site consisted of Fairgate House, a vacant seven-storey office building at 390-400 High Road, and Pitsman House, a vacant three-storey office building at 402-406 High Road. The site adjoined an area of hardstanding and mixed scrub to the north, and further to the north there was railway embankment land and the Chiltern Line railway tracks. The site was not in a conservation area and did not contain any listed buildings.

There had been a number of amended plans received during the course of the application as detailed in the report to secure minor changes to the ground floor landscaping proposals and first floor cycle storage. None of the amended plans received materially affected the nature of the scheme, therefore did not require a further period of consultation.

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The proposed application sought to redevelop the site as a single building, partly 13-storey, 16 storey and 17-storey, to provide purpose built student accommodation with commercial floorspace (Use Class E) comprising three commercial units totalling 232sqm at ground level. A total of 349 student bedrooms were proposed with a range of internal and external communal space.

The Committee's attention was drawn to the supplementary agenda that set out points of clarification regarding the distribution of the affordable student bedrooms following feedback from the GLA, the mixture of accommodation and some minor updates to planning conditions.

As no Committee questions were raised at this point, the Chair invited Steve Harrington, Regal London supported by Nigel Bidwell, JTP Architects to address the Committee (in person) in relation to the application, who drew the Committee's attention to the following key points:

- The proposed application had been designed to respond to the outward curve of the High Road, with its stepped profile taking its cue from the newly consented developments to the east and stepping up to the taller Wembley Link buildings to the west.
- The building would be aesthetically pleasing, using two blended tones of brickwork comprised of quality and durable materials.
- Considerations had been given to the needs of the post Covid student population, online surveys and sessions with Wembley students had informed some of the developments specific design features that included a roof garden, an extensive collection of amenity spaces including gyms, lounges and study spaces and a unique series of first floor terraces on the High Road.
- The development comprised of a mixture of bed types and rental levels, including 35% of the bed spaces available at affordable rent levels. The majority of the beds in the development were subject of a future Nominations Agreement that linked the development to a single or possibly multiple Higher Education Institutions.
- The development would also benefit from high quality retail space that would further enhance the vibrancy and vitality of the Wembley High Road in addition to boosting local business.
- The development would be highly sustainable, generating a 62.3% reduction in carbon emissions and a Biodiversity Net Gain of 251%. The proposed

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development also included enhanced tree planting on both the High Road and the rear of the building.

- The Committee were advised that Regal London were also the developers of Fulton & Fifth (formerly known as Euro House) located on Fulton Road, Wembley. Fulton & Fifth would house the Regal London Real Estate Academy due to launch in January 2023. This Academy would provide construction training on site for military veterans and local people from under represented groups. The aim would be to work closely with the local authority and Brent Works to support local people in to training.
- Further benefit for the local community included further local job and apprenticeship opportunities to be secured through Brent Works and the associated s106 agreement, with an estimated 203 on site jobs available.
- Mr Harrington thanked the Committee for listening to his representation before inviting Committee questions.

The Chair thanked Mr Harrington for his representation before inviting any questions from the Committee. Members raised queries regarding tenure mix, specific student accommodation arrangements and the development's car free status. Mr Harrington and Mr Bidwell clarified the following points in response to the queries raised:

- Mr Harrington explained that due to the capacity of the site and the need to include an adequate number of units that would be appealing to institutions coupled with providing additional amenity and study space, it had not been feasible to include units for residential lettings.
- The Committee were advised that discussion had taken place with a number of Higher Education institutions regarding proposed use of the development as a link accommodation provider for students. These discussions were ongoing pending the outcome of the planning application. There was, however, no concern that there would be a lack of institution support by the time construction was underway, if planning permission were granted.
- It was anticipated that during the summer holidays units would be available for short term lets.
- Mr Bidwell confirmed that although the proposed development was car free, as part of the student management plan there would be ground floor storage and provision for additional staff in the building so that on "moving in" days students could unload at ground floor level and they would be supported in moving their belongings to their rooms. This would shorten the time that cars

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would need to be parked in the loading bays. A booking system would be in place to manage congestion on the “moving in” days.

As members had no further questions the Chair invited members to ask officers any questions or points of clarification they may have in relation to the application. The Committee raised queries in relation to tenure mix including provision for disabled students, transport assessment and traffic management, daylight/sunlight assessments and greenery and landscaping. In addressing the issues raised the following responses were provided:

- In response to a Committee query regarding the consideration given to the proposed development offering a mixed tenure rather than only student provision, officers advised the Committee that the application had been assessed by officers as being in line with London Plan Policy H15 and Brent Policy BH7. These supported the delivery of purpose built student accommodation (PBSA) in well connected locations to meet local and strategic needs subject to specific criteria being met, with officers having assessed that the application met the criteria for approval in line with the associated policies.
- The Committee heard that the London Plan identified a strategic need of 3,500 bed spaces across London and whilst the site allocation did not refer specifically to student accommodation, this type of housing would still contribute to Brent’s housing supply.
- Confirmation was provided that 34 units would be accessible bedrooms, however due to the nature of the development there was no requirement to provide disabled parking bays.
- 35% of the student bedrooms would be provided as affordable student housing with an overall 51% to be provided through a nominations agreement with one or more Higher Education providers, these conditions would be secured by a Section 106 (s106) agreement.
- Additionally, the development would be served by a single core entrance, therefore not suitable for mixed tenure.
- In response to a query regarding the local transport assessment, the Committee were advised that the site had been assessed as providing excellent access to public transport with a PTAL rating of 6a. The development would also be car free with adequate provision of cycle storage. Sustainable transport would be further encouraged through the submission and monitoring of a Travel Plan, secured by s106 agreement. A financial

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contribution from the applicant of £39k to TfL for bus service improvements would also be secured via the s106 agreement.

- In noting the height of the building members queried how this would impact the daylight/sunlight for neighbouring properties, drawing reference to report, which highlighted a number of shortfalls in Vertical Sky Component (VSC). Officers advised that the proposed development fell within a designated Tall Building Zone and in this respect was in keeping with the local emerging context.
- Officers shared a visual presentation to provide further context on the scale of the proposed development. In doing so the Committee were advised that the side of the building adjacent to the service road would have minimal impact on neighbouring properties VSC, additionally the affected windows were not the only windows to serve the rooms, further NSI skyline assessments were also completed, this evidenced that as a whole the rooms would remain lit within BRE guidance.
- Assessments had been carried out under two scenarios: Scenario 1 - the development's existing situation and Scenario 2 which included the cumulative impact of the development and the development if the consented schemes that were not yet built. Members noted the outcome of the assessments which had identified that there would be some impacts in terms of daylight to neighbouring properties, primarily affecting the hotel rooms and recently consented but unoccupied developments, although neither would have the same expectations of daylight as established residential properties. As such, it was accepted that the wider planning benefits associated with the redevelopment and regeneration of the Wembley High Road were considered to be sufficient to outweigh concerns regarding the levels of daylight.
- In response to a question regarding how the greenery and biodiversity of the site could be maximised, the Committee were advised that ten new trees were proposed under the landscaping scheme to replace the none low quality trees that would need to be removed to facilitate the development. The applicant would also be making a financial contribution towards street tree planting in the vicinity of the site to increase the biodiversity. The Urban Greening Factor of 0.36 was marginally below the policy target, however given the low ecological potential of the existing site and the gain in biodiversity on site it was felt that the proposal had optimised the scope for greening within the site.
- It was confirmed that construction traffic would be limited to the High Road and would not impact neighbouring streets. A final constructions logistics

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plan with more detailed arrangements for the routing and parking of construction vehicles would be secured by condition.

As there were no further issues raised 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 referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations, and conditions and informatives as detailed in the Committee report and supplementary report.

(Voting on the recommendation was as follows: For 5 & Against 1)

5. 22/1386 - Minterne Road Garages, Minterne Road, Harrow**PROPOSAL**

Demolition of existing garages and development of the land for 1x four bed house with one parking space, cycle and waste stores and associated landscaping.

RECOMMENDATION~:

That the Committee resolve to GRANT planning permission subject to:

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

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Mahya Fatemi, Planning Officer, North Area, Development Planning Team introduced the report and set out the key issues. In introducing the report members were advised that the site was currently occupied by four garages on the north side of Minterne Road. The site was adjacent to the front garden of No. 1 Minterne Road located to the east and two storey flats of 3 and 5 Minterne Road located to the west. The site did not contain a listed building and was not located within a conservation area. The application was seeking to develop the site to construct 1x four bed house with one parking space, cycle and waste stores and associated landscaping.

The Committee's attention was drawn to the supplementary agenda that provided additional information regarding an objection received with regards to the privacy impact on neighbours. Officers felt these issues had been addressed in the report and therefore advised that the recommendation remained to grant planning permission.

As no Committee questions were raised at this point, the Chair invited the first speaker, Dilip Kakar (objector) to address the Committee (in person) in relation to the application. Mr Kakar drew the Committee's attention to the following key points:

- Mr Kakar introduced himself to the Committee as a neighbour who would be directly affected if the proposal was approved.
- In objecting to the application, Mr Kakar raised concerns that the character of the proposed development was not in keeping with other local properties and would look out of place.
- It was also felt that privacy issues with regard to overlooking from the proposed development were unacceptable. In addition to overlooking, concern was raised regarding the additional loss of light due to the height and scale of the new property.
- The Committee were also advised that the road suffered from traffic congestion due to its close proximity to a local school and high street, which it was felt would be adversely impacted upon by the proposed development, particularly while building works were being completed.
- In summarising his concerns Mr Kakar requested that officers should do a further site visit to look at his property to fully comprehend the impact the proposed development would have upon neighbouring properties, with particular reference to looking at the rear of the property as it was felt the plans in the Committee pack did not provide a 360 degree view that would

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have illustrated the extent of the impact of the proposed development on his property.

In response to the concerns raised by Mr Kakar, Committee members had one question regarding what type of development Mr Kakar felt would be acceptable on the proposed site. Mr Kakar advised that given his concerns regarding overlooking and loss of light a smaller single storey property would be a more suitable development.

As the Committee had no further questions for Mr Kakar, the Chair invited the next speaker on the application, Mr Sameh Mahran (objector) to address the Committee (online) in relation to the application. Mr Mahran proceeded to share his concerns as follows:

- Mr Mahran felt there would be significant overlooking and privacy issues to neighbouring properties due to the height of the proposed development.
- It was felt the high level of overlooking would leave neighbours feeling over exposed and their feelings of security compromised.
- Mr Mahran felt that no additional mitigations had been considered to minimise the impact of overlooking.
- Concerns were shared that the proposed development could potentially affect house prices in the immediate area due to the issues raised.
- It was also felt that the proposed development was not in keeping with the local character and would look out of place.
- Mr Mahran closed his comments by acknowledging the need for additional housing in Brent whilst balancing this with the consideration of residents affected by new developments and urged the Committee to re-consider the design of the application, noting that a single storey development would be more acceptable.

In response to the representations made by Mr Mahran, the Committee sought further detail on the concerns raised in relation to the development being out of character with the surrounding area, given that there were other properties locally that had dormers and loft conversions. Mr Mahran replied that most local properties were initially built as 2 storey properties, it was felt that the current design of the development would therefore ruin the look of the street and its local character.

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As there were no further queries raised the Chair thanked Mr Mahran for his contribution and moved on to invite Paris Farren (agent, Maddox Associates) to address the Committee (online) supported by Sam Rafferty (architect, FBM Architects) (online) in relation to the application. In addressing the Committee Paris Farren drew attention to the following key points in support of the application:

- The current site comprised of brownfield land containing four underutilised garages as illustrated on the submitted drawings in the Committee's agenda pack.
- The site location was adjacent to the 1 Minterne Road forecourt to the east and two storey flats of 3 and 5 Minterne Road to the west. The surrounding area was residential in character and comprised a mix of two to three storey houses and flats.
- The proposed development sought to complement the character of the area through providing a new high-quality, 4 bedroom, affordable family home whilst significantly enhancing the existing outlook of the site.
- The site was situated within a priority area for housing and within close proximity to Kingsbury Town Centre further supporting the principle of redevelopment in line with Brent's Local Plan, London Plan, and the NPPF.
- In terms of design, the Applicant had engaged in extensive discussions with officers in evolving the proposals – with the house designed to meet and exceed key housing design standards, being dual-aspect whilst meeting M4(2) compliance to ensure inclusivity for all.
- The house also included high-quality, private amenity space for the enjoyment of future occupiers.
- The scheme had been carefully considered to be respectful of the existing context, using the Brent Design Guide SPD1 as its founding principles. The facades would provide an animation to the street, whilst the profile and window placement design had been informed by and comply with, principles 5.1 + 5.2 of the SPD, in regard to overlooking and privacy.
- In line with officer comments, the screening to the terraces at first floor level had been increased to 1.7m to avoid any potential for overlooking on the neighbouring properties. The scale and massing of the dwelling had also been stepped down towards the northern and western boundaries, respecting the neighbouring properties and ensuring there were no overbearing impacts.
- The applicant had submitted a Daylight and Sunlight assessment in support of the application which confirmed that the proposals were fully compliant with the BRE guidelines in terms of impacts on the daylight and sunlight

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levels received by the surrounding properties. Importantly, the assessment also showed that there would be no undue overshadowing impacts into the neighbouring private amenity areas.

- In terms of highways, the site benefitted from a PTAL rating of 3. The proposal would provide one off-street car parking space, in line with local planning policy requirements. Brent highways officer had confirmed that the proposals would not result in an overspill of parking onto Minterne Road.
- In closing remarks, it was felt that the proposal was considered to align with the Development Plan as a whole, particularly in terms of achieving the overarching objective of delivering new, affordable, family homes at sustainable locations in the borough.

The Chair thanked Mr Farren for his representation and invited Committee members to raise any queries or clarifying points they may have. Queries were raised with regard to the height of the proposed property and if consideration had been given to the impact felt by neighbours including the concerns raised in relation to the impact to the rear of the property. Responses were provided as follows:

- The height of the building and overlooking had been carefully considered by the applicant throughout the development of the application and changes had been made following liaison with planning officers.
- There were a number of 3 storey properties in the surrounding area, therefore it was not felt that the character of the area would be unduly affected.
- The applicant confirmed that separation distances and elevations boundaries were compliant with policies in the Brent Local Plan and this had been considered fully from both the front, rear and sides of the proposed property.

As no further questions were raised, Councillor Kansagra in his capacity as local ward councillor, was then invited to address the Committee (online) in relation to the application. In addressing the Committee Councillor Kansagra highlighted the following key points for consideration:

- The location of the proposed development was known locally to have heavy traffic and parking issues around the local school, a further property and additional construction traffic would exacerbate the existing problems.

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- It was suggested the underused garages on the current site could be used to support the parking needs of the local residents, benefitting the whole community.
- It was felt that the height of the proposed property was unacceptable and not in keeping with other properties on the street.
- Councillor Kansagra acknowledged the need to increase housing options in Brent, however stressed that it must be the appropriate site location and consideration should be given to the neighbours affected by any new development. Councillor Kansagra requested that the Committee defer the application pending a site visit so that they could consider a more appropriate plan to utilise the site.

As members had no further questions for Councillor Kansagra, the Chair invited members to ask officers any questions or points of clarification they may have in relation to the application. The Committee raised queries in relation to the benefits and harm of the scheme, overlooking, trees and biodiversity, parking and the drainage strategy. In addressing the issues raised by the Committee the following responses were provided:

- The key benefit to the proposed development had been assessed in line with Brent's Local Plan Policy BH1 relating to an increase in housing supply. Subject to the application being approved Brent would benefit from an additional and much needed affordable family sized home.
- In response to concerns raised regarding potential overlooking, officers confirmed that resident concerns had been considered and various mitigations had been put in place to minimise possible overlooking. Measures included all the windows towards the rear and side of the site on upper floors being obscured glazed and non opening up to 1.7 metres high from internal floor level or behind the terrace screenings and the roof terraces would be less than 9m from the boundaries with properties to the side and rear.
- Additionally, the terrace adjacent to No. 3-5 Minterne Road would be surrounded by a 1.95m wall to the side and a 1.7m solid panel, with an additional high wall to the rear. As a result, officers felt that overlooking and privacy concerns had been considered and mitigated, as far as possible, and there would be no unduly detrimental impact on the amenities of adjoining neighbours.
- The Committee were advised that a low quality Category C tree would be removed to facilitate the development, however the proposal included

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additional planting to the rear and front of the property to mitigate the removed trees.

- In response to a query regarding why the property would only have one parking space, noting that many family households had more than one car with the potential to therefore create additional parking pressure impacting on current residents, the Committee were advised that this was the parking level permitted for the scale of development in compliance with London Parking Plan standards. Officers explained that overnight parking surveys had confirmed that Minterne Road was not heavily parked, therefore there was unlikely to be an adversely negative impact on the current situation as a result of the proposed development. It was also noted by the Committee that social housing usually generated lower parking demand.
- Following a Committee query regarding the drainage strategy, officers confirmed that the site did not lie within a flood risk area, in addition to this the proposal demonstrated an improvement of the current site with the introduction of permeable hard landscaping, small raingardens and bio retention areas to be incorporated into the landscaping in order to provide additional biodiversity benefits as well as the use of rain water butts for irrigation to support water run off
- The measures listed as part of the SuDS plan would see a 50% reduction from the current surface water discharge.

As there were no further issues raised 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 set out in the Committee report and supplementary report.

(Voting on the recommendation was as follows: For 6 & Against 1

6. **22/1282- 7 &7A Sidmouth Road, London, NW2 5HH**

PROPOSAL

Proposed erection new two-storey dwellinghouse with basement level, works including associated off road cycle and car parking, private amenity, waste storage, landscaping and boundary treatment.

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RECOMMENDATION~:

That the Committee resolve to GRANT planning permission subject to:

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

Damian Manhertz, Team Leader, South Area, Development Planning Team introduced the report and set out the key issues. In introducing the report members were advised that the current site comprised the rear garden of 7 Sidmouth Road, adjoining 60 Milverton Road on the side and 9 Sidmouth Road at the rear. The site location did not fall within a Conservation area as designated in Brent's Local Plan. The application proposed the erection of a new two-storey dwellinghouse with basement level, works including associated off road cycle and car parking, private amenity, waste storage, landscaping and boundary treatment.

The Committee's attention was drawn to the supplementary agenda that provided additional information regarding the addition of a condition to ensure that the development was carried out in accordance with the recommendations of the ecology survey.

Before moving the meeting on to hear from registered speakers on the application, the Chair sought clarification from officers as to what was different about the application before the Committee on this occasion, given that there had been various proposals on the same site that had been refused historically.

Officers confirmed that the primary reason for refusal of prior applications had related to the proposed design being in conflict with the character and appearance of the local area. Officers advised that the scheme brought to the Committee on

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this occasion was therefore significantly different from previously dismissed schemes.

As no further Committee questions were raised at this point, the Chair invited the first speaker, Suzanne Scott (objector) to address the Committee (in person) in relation to the application, who drew the Committee's attention to the following key points:

- Ms Scott introduced herself as a planning consultant who was present to represent the objectors of the application, notably close neighbours who would be directly affected if planning permission was granted by the Committee.
- The site had been the subject of five planning applications and two planning appeals over the last two years, with the proposals for the site having been a long term source of stress for neighbours. This had recently been exacerbated by the revised application that included a number of last minute changes to the design and layout that were submitted on 4th November 2022.
- It was felt that the description of development had therefore changed and the plans had changed, with concern raised about the lack of public or statutory re-consultation.
- The proposals would cause an unacceptable degree of harm to the character and appearance of the area. Objectors felt this was due to the site, with its narrow depth and the constraints of the Milverton Road building line not being able to adequately accommodate a dwelling that was equitable in size, scale, height and mass to the existing grand interwar homes of the area. It was felt that the proposal was diminutive in comparison with its neighbours, therefore it was felt that the proposed dwelling would look odd and out of place when viewed from the public realm.
- In closing her comments Ms Scott urged the Committee to listen to the points that Councillor Hack would go on to raise and to be mindful of the potential for a legal challenge to any grant of planning permission, given the lack of any re-consultation on the amendments submitted.

The Chair thanked Ms Scott for making her representation and invited Committee members to raise any queries or clarify points they may have. asked. In response details were sought on what type of development objectors would deem as acceptable. In response Ms Scott replied that this had been discussed amongst the objectors and they agreed that a single storey property potentially with a basement would be more in keeping with the local character and not as discernible from the public realm.

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As no further Committee questions were raised at this point, the Chair invited Councillor Hack in his capacity as local ward councillor, to address the Committee (in person) in relation to the application. In addressing the Committee Councillor Hack highlighted the following key points for consideration:

- The need for additional housing in Brent was acknowledged, however Councillor Hack highlighted the need to be mindful of the long term impact on current residents of any new proposed developments.
- It was felt that the proposed dwelling would be too tall at 2 storeys above ground level, plus the basement, this design was not considered to be in keeping with the local street scene.
- Councillor Hack queried how much consideration had been given to the mental impact felt by residents who would feel closed in by what neighbours felt would be an overbearing development due to its height.
- Concern was shared that the proposed property did not respect the existing building lines due to its step forward.
- Additionally, concerns were raised regarding the loss of trees to accommodate the construction of the proposed dwelling, and the harm to the biodiversity of the site. It was felt the applicant had not gone far enough in their efforts to mitigate the loss of biodiversity.
- It was queried whether the removal of trees could create subsidence issues for neighbours.
- It was felt that the plot was being overdeveloped contrary to planning policies as the site was not in an identified growth area. On the basis of the concerns shared Councillor Hack urged the Committee to consider refusing the application.

As the Committee had no questions for Councillor Hack, the Chair invited the final speaker, Max Kyte (agent) to address the Committee (in person) in relation to the application, supported by Dimitros Dakos (in person) and architects from Gpad available online. Mr Kyte drew the Committee's attention to the following key points in support of the application:

- Mr Kyte explained that the application made was a joint venture from Kyte Property and their partner Coeus Design Studio, with GPAD as their architects. Collectively they had delivered a number of successful developments in the Brent. It was highlighted that their positive working relationship with Brent supported working together to ensure the right type of

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developments were achieved that would support the area and its residents. It was felt this was evidenced by the number of adaptations made to plans since the original submission of plans on the Sidmouth Road site.

- The application shared with the Committee on this occasion was felt to provide a well designed and generously proportioned home with ample, well landscaped amenity space that had considered all neighbouring houses in its design approach.
- Obscure glazing had been included to prevent overlooking of neighbours and the siting and mass of the house had been designed to accord with Brent's policies that prevented over development.
- The high quality materials would weather well and last to ensure a long lasting carbon spend.
- The existing large frontage wall had been significantly reduced to create a welcoming, more active frontage.
- Mr Kyte advised the Committee that the application before the Committee, had addressed all guidance within the London Plan, NPPF and Brent's Local Plan and Design Guide and was therefore a policy compliant proposal.

The Chair thanked Mr Kyte for making his representation and invited Committee members to raise any queries or clarify points they may have. In response members sought clarity on privacy issues with regard to the windows on the side of the property and if consideration had been given to reducing the size of the building to allow side access, the basement and tree planting. The following responses were provided:

- It was confirmed that the windows serving the side of the building would be obscured. A CGI was then shown to provide context to the side of the building that demonstrated that there was a side access gate and path alongside the building, this also added to the boundary between neighbouring properties.
- The Committee were reassured that a basement impact assessment had been submitted as the construction would include building on the boundary of a party wall, the assessment also served to explore any other potential issues that could arise with the developers liable to rectify any issues, should they be identified.
- Mr Kyte confirmed that although trees would need to be removed to allow for the construction of the dwelling, replacement shrubs, plant and three replacement trees would be provided to mitigate the loss of biodiversity onsite and meet the required urban greening factor.

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Ahead of moving the meeting on to allow Committee members to ask any questions or points of clarification, the Chair sought clarity from Saira Tamboo, Senior Planning Lawyer in respect of the duty to undertake a further period of consultation due to changes made to the plans. It was confirmed that as the changes on the plan had been assessed as minor, it had not been necessary to undertake a re-consultation process.

The Chair then moved the meeting on and invited members to ask officers any questions or points of clarification they may have in relation to the application. The Committee raised queries in relation to drainage, biodiversity, transport considerations and the character of the proposed property, with the following responses provided:

- In response to concerns raised with regard to how flooding and drainage issues would be managed as a result of the removal of trees and soft landscaping on site, the Committee were advised that the site was in a low flood risk area and due to the clay under the site there were limited options in using a range of sustainable drainage measures. It was acknowledged that there may be an increase in water run off however due to the scale of the development it was not considered to be a significant risk.
- Mitigations that would be introduced to support the drainage strategy were the addition of an attenuation tank on the grounds to slow down water run off and the use of green roofing.
- The Biodiversity Net Gain Assessment indicated a net loss of habitat units and acknowledged there was no biodiversity net gain, however it was also highlighted that given the nature of the site and the proposed development it would be extremely difficult to add to the biodiversity of the site. On balance it was felt that the benefit of an additional family sized home outweighed the lack of compliance with Brent Local Plan Policy BG1. It was also noted that replacement trees and shrubbery would be replanted to partly mitigate the loss of biodiversity in line with the revised ecological conditions.
- The site achieved an urban greening factor score of 0.415, in compliance with Brent Local Plan Policy BH4.
- In response to a query regarding the impact of the development on local transport and parking, officers confirmed that the surrounding roads were not heavily parked therefore the development was unlikely to have a negative impact in this respect.

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- Public transport access to the site was rated as good, with a PTAL rating of 3/4. The London Plan Car Parking Standards set out that 3 bed dwellings in a PTAL rating area of 4 were permitted up to 0.5-0.75 spaces per dwelling, whereas three bed dwelling in a PTAL rating area of 3 were permitted up to one space per dwelling. Given that the property was on the cusp, the provision of one off street parking space was not considered to exceed the maximum allowance.
- Officers confirmed that as the proposal was for one dwelling there was no requirement for an electric vehicle charging point to be installed.
- In response to Committee concerns regarding the proposed development harming the character and appearance of the local area, officers advised that the applicant had worked with architects to overcome this as a concern raised, evidenced in the revised contemporary design.
- It was felt that the proposal was compliant with Local Plan Policy BD1 that sought the highest quality of architectural and urban design, including innovative contemporary design that respected and complemented historic character.
- The proposed developments slight stepped forward front building line was felt to be minimal and sufficiently respected the predominant building lines.
- Officers felt that the impact on character of the area, as a result of the proposed development would therefore be limited and would be offset by the creation of a family sized dwelling that would appear contemporary, creating a transitional contrasting element between the two neighbouring properties.

As there were no further issues raised 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 set out in the Committee report and supplementary report. and an additional condition to ensure that the development is carried out in accordance with the recommendations of the ecology survey.

(Voting on the recommendation was as follows: For 5 & Against 2)

7. Any Other Urgent Business

None.

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The meeting closed at 8.30 pm
COUNCILLOR KELCHER
Chair