



## Planning Committee

**Wednesday 17 January 2024 at 6.00 pm**  
**Conference Hall, Brent Civic Centre, Engineers**  
**Way, Wembley, HA9 0FJ**

Please note that this meeting will be held as an in person physical meeting with all members of the Committee 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:** Natalie Connor, Governance Officer  
natalie.connor@brent.gov.uk; 020 8937 1506

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**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

Introductions, if appropriate.

ITEM	WARD	PAGE
1. Apologies for Absence and Clarification of Alternate Members		
2. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.		
3. Minutes of the previous meeting To approve the minutes of the previous meeting held on Wednesday 13 December 2023 as a correct record of the meeting.		1 - 12
<b>APPLICATIONS FOR DECISION</b>		
4. 22/0541 - 24 High Street, London, NW10 4LX	Harlesden Kensal Green	& 17 - 40
5. 23/3021 - 291 Kenton Road, Harrow, HA3 0HQ	Kenton	41 - 62
6. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of the Chief Executive and Member Services or her representative before the meeting in accordance with Standing Order 60.		

**Date of the next meeting:            Wednesday 7 February 2024**



- Please remember to set your mobile phone to silent 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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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 13 December 2023 at 6.00 pm

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

#### 1. **Apologies for absence and clarification of alternative members**

Apologies for absence were received from Councillor Begum and Mahmood, with Councillor Chappell in attendance as an alternate for Councillor Begum.

#### 2. **Declarations of interests**

There were no declarations of interest made by Committee Members.

#### 3. **Minutes of the previous meeting**

**RESOLVED** that the minutes of the previous meetings held on Tuesday 24 October 2023 and Wednesday 15 November 2023 be approved as correct records of the meetings.

#### 4. **23/2805 – Wembley Youth Centre and Land next to Ex Dennis Jackson Centre**

##### PROPOSAL

Demolition of Youth Centre and the construction of a new Special Educational Needs School comprising a three-storey school building, MUGA, soft and hard landscaping, access, parking and drop off and pick up system.

##### 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) 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.

Nicola Blake, Principal Planning Officer, North Area Planning Team, introduced the report and set out the key issues. In introducing the report members were advised

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that the application sought the demolition of the existing community use buildings on site in order to redevelop the site to provide a one to three storey Special Educational Needs and Disability (SEND) school, access, parking and turning area within the frontage and outdoor spaces, including a Multi-Use Games Area (MUGA) which would be situated to the southern end of the site. The site was not within a conservation area and there were no listed buildings within the site's curtilage.

The Committee's attention was drawn to the supplementary report that detailed minor amendments made to the wording of the conditions.

The Chair thanked Nicola Blake for introducing the report. As there were no Committee questions raised at this point, the Chair invited the first speaker Councillor Afzal (Ward Councillor) to address the Committee (online) in relation to the application.

The following key points were highlighted:

- Councillor Afzal acknowledged the need for additional support for SEND pupils in Brent and as such welcomed the application to provide an additional SEND school in Brent to meet the needs of children that required this specialist education environment.
- Queries were raised as to what considerations had been given to the impact of the increased footfall and traffic to the area as a result of the new school.

The Chair thanked Councillor Afzal 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 whether Councillor Afzal felt it would be useful for the Council to engage in further consultation with residents in relation to extending Controlled Parking Zone (CPZ) hours once it had been assessed if there was an impact on local parking from the development, particularly in terms of the extended use hours of the MUGA. In response Councillor Afzal welcomed the opportunity for further discussions to be had as and when appropriate.

The Chair then invited the next speaker, Matthew Blythin (agent) to address the Committee (in person) in relation to the application.

The following key points were highlighted:

- The application sought to meet the significant need for dedicated SEND provision in Brent.
- The site had previously been the subject of a resolution to grant planning permission for high rise residential development of up to seven storeys. In contrast the application presented would meet an acute and specialist educational need in a lower rise three storey buildings that was felt to represent a more sensitive and appropriate use of the site.
- Extensive pre application consultation had taken place with officers, residents Members and other stakeholders. These discussions had directly informed the evolution of the proposed design.
- Following engagement with the Council's Tree Officer in relation to the existing Tree Preservation Order on site it had been confirmed that, whilst regrettable, due to the nature of the development and site that tree loss would be an unavoidable consequence of delivering the school. However this would be

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mitigated by the provision of a comprehensive landscaping scheme to create a high quality, calming and interactive learning environment.

- The design of the building had been closely developed with the Rise Partnership Trust, who would be operating the school to ensure that the design responded to the particular needs of the pupils.
- The scheme utilised solar panels and air source heat pumps as part of a wide ranging suite of sustainable design measures that would deliver a net zero carbon building, designed to BREEAM Outstanding standards.
- The facilities would be available for community use outside of the school day.
- The layout had been designed to accommodate access for additional vehicles providing school drop off and pickups to ensure safe management and avoid issues outside of the site on the highway.
- Staff travel by car would be managed and reduced as far as possible through the adoption of an active Travel Plan and the provision of minimal on site staff car parking.
- On the basis of the application meeting the needs of SEND pupils in Brent and the wider community benefits, the Committee was urged to approve the application.

Following Mr Blythin's comments, the Committee queried the rationale for using SEND schools in Kent as a comparator to support the application's transport statement. Mr Blythin advised that the vast majority of SEND schools regardless of location and geography required enhanced mini bus and taxi services to support pupils access to school, therefore the data examples from Kent had been cross referenced with data from Brent Highways Team and demonstrated close correlation in support of the transport statement.

The Chair thanked Mr Blythin for responding to the Committee's query 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 the potential increase in number of vehicles to the area as a result of journeys to and from school, if considerations had been given to using the site to provide residential homes, revised timings to the CPZ zone, tree loss, the suitability of the premises within its residential location, Electric Vehicle (EV) charging points, affordability of community facilities and permitted hours of construction work.

The following responses were provided:

- Following a query in relation to the impact the development could have on increased traffic to the area, the Committee was advised that the development would generate less traffic than a mainstream school or in fact if the site had been used for a residential development, as the nature of transport to a SEND school included mini buses or taxis bring a number of pupils in one vehicle. It was therefore concluded that there would not be a significant impact on neighbouring roads. In addition to this there would be staggered arrival times and an internal dedicated dropping off area within the site, that would not impact on the main highway.
- Additionally, staff would be encouraged to use public transport as the Transport Statement indicated that there would be 80 members of full-time equivalent staff with a maximum allowance of 16 car parking spaces. The

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parking also incorporated 2 disabled parking spaces and 2 Electric Vehicle Charging (EV) spaces.

- In response to the Committee querying why it was felt the site would be better utilised to provide a SEND school as opposed to residential homes that were equally high in demand in Brent, officers advised that following the previous plans for a residential scheme to occupy the site the DfE had advised that as the site was defined as educational land they were not minded to release it for any other use than the provision of an educational setting; therefore it would not be possible to develop the site for residential purposes. Demand for SEND provision in the borough was high, therefore it was felt the application provided support for much needed SEND places in Brent as well as the provision of community facilities and was consequently felt to be an application of wide reaching public benefit.
- It was confirmed that the current CPZ times in place would provide adequate parking controls. If parking issues presented due to community use outside of school hours, residents could request an extension to the CPZ hours at a later date.
- In response to a Committee query in relation to the proposed developments impact on neighbouring residential amenities, officers advised that the use of the premises as a school was considered to be acceptable within the residential area given that there was very little impact in terms of neighbours exposure to noise, light or overlooking.
- Following a Committee concern in relation to the loss of trees to accommodate the proposed development, officers advised that it was regrettable that trees would be lost as a result of the development. It was, however, noted that officers had given a great deal of consideration as to how tree loss could be limited but due to the nature of the site it had not been possible to avoid the loss of some trees or to re-provide all the trees lost. To partially mitigate the tree loss, staff car parking had been reduced to provide as much landscaping as possible, trees that were able to be retained would be protected via a tree protection plan during construction works and trees that were re-provided would be of increased trunk girth to achieve as much canopy cover as possible. In line with policy BG12, whereby it stated that where retention was not possible, the developers would provide new trees to achieve equivalent canopy cover. Given the significant benefits of the proposal to provide much needed SEND school places within the borough, the benefits associated with the proposal were considered to outweigh the harm as a result of the loss of some trees.
- It was confirmed that two EV charging points would be provided in line with policy, however it was agreed that additional passive provision could be provided via condition.
- Officers advised that the community facilities would be affordable and in line with other boroughs as set out in the accompanying conditions.
- Following a Committee query in relation to any noise nuisance caused by construction work, officers advised that hours of construction operation would be secured via an Environmental Health management plan to limit disruption to neighbours throughout the construction phase.

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.



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### DECISION

Granted planning permission subject to the conditions and informatives as set out in the Committee report and supplementary report and the inclusion of an additional condition in relation to the inclusion of active and passive EV charging points.

(Voting on the above decision was unanimous).

### 5. **23/2811 – Land Rear of 390-408, High Road, Wembley, HA9**

#### PROPOSAL

Erection of 2 purpose-built student accommodation buildings up to 20 and 22 storeys with basement level (Sui Generis) connected at ground floor level by a podium together with ancillary communal facilities, internal and external communal amenity space, cycle parking, mechanical plant, hard and soft landscaping, new public realm, play space and other associated works. This application was accompanied by an Environmental Statement.

#### 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 detailed in the Committee report.
- (2) The Head of Planning being delegated authority to issue the planning permission and impose conditions and informatives as detailed in the report.
- (3) That the Head of Planning is 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.
- (4) 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.
- (5) 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 proposal sought to develop a currently vacant parcel of land situated to the rear of 390-408 High Road to construct two purpose built student accommodation buildings up to 20 and 22 storeys to provide a total of 639 student bedrooms comprising of;

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414 x cluster units, 161 x standard studio units and 64 x wheelchair accessible studio units; provision of 498 cycle parking spaces were proposed along with on-site servicing facilities. The northern portion of the application site formed part of a wider Site of Importance for Nature Conservation (SINC) and wildlife corridor, the site was not in a conservation area and did not contain any listed buildings.

The Committee's attention was drawn to the supplementary report that provided clarification in relation to daylight/sunlight figures.

The Chair thanked Victoria McDonagh for introducing the report, as there were no Committee questions raised at this point, the Chair invited the first speaker Councillor Afzal (Ward Councillor) to address the Committee (online) in relation to the application.

The following key points were highlighted:

- It was questioned how further student accommodation in Brent could be justified in light of the housing crisis and Borough Plan priorities to build new homes.
- Concerns were raised in relation to the scale of the proposed development and the issues this could create in terms of overlooking and impacts on daylight/sunlight.
- It was felt that if the application was approved, any financial contributions made by the developer to support affordable housing and bio diversity should be utilised within the Wembley area.
- Queries were raised in relation to whether the proposed scheme offered any tangible benefit to Brent residents.
- It was questioned whether the units that were empty over the Summer period could be utilised to provide temporary accommodation.

The Chair thanked Councillor Afzal for addressing the Committee, as there were no questions from the Committee at this stage, the Chair went on to invite the next speaker on the item, Mr Steve Harrington (agent) to address the Committee (in person) in relation to the application. Mr Harrington proceeded to address the Committee with the following key points highlighted:

- The proposed scheme had been developed in pre-application meetings with the Council's officers, the Quality Review Panel and the GLA.
- It was felt that the scheme demonstrated high quality design and architecture, bedspaces were well proportioned alongside a range of communal amenity spaces for students to work and socialise.
- The scheme would make a financial contribution (£3.96m) for the borough to invest in social rented homes in the borough, in addition to wider CIL and S106 funding.
- A community hub space was proposed at ground floor, which would be available for local community use.
- New linear park space would be provided through the site to offer an alternative quiet space adjacent to the High Road, with places for seating and a courtyard to provide opportunities for play for children of all ages.
- Developers were committed to working with local stakeholders and to get involved with local projects to support the community.

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- The proposed scheme would support pathways in to work, skills and employment for local people.
- On the basis of the additional student accommodation that was required across London, Mr Harrington urged the Committee to approve the application.

The Chair thanked Mr Harrington for addressing the Committee and offered the Committee the opportunity to ask any questions they had in relation to the application. The Committee raised queries in relation to TV signal interruptions, affordable student accommodation, considerations given to alternative uses of the site, use of the units outside of term time, the benefits of the scheme for Brent residents and E-bike charging.

The following responses were provided:

- In response to concerns raised that the height of the proposed buildings could cause disruption to TV signals, the Committee was advised that a survey of predicted impacts on TV and radio reception to neighbouring properties would be undertaken, with any identified mitigation measures secured through the s106 agreement.
- Following Committee concerns that no affordable student accommodation had been offered as part of the scheme, Mr Harrington advised that the viability of offering affordable student accommodation would have impacted the deliverability of the scheme, therefore it was felt that the financial contribution made to affordable housing in the borough was an appropriate mitigation.
- In response to a Committee query as to whether consideration had been given to utilising the site as residential accommodation rather than student accommodation, the Committee was advised that different viability and design options had been thoroughly considered before the decision was taken to use the site for student accommodation with the decision taken based on it being the viably deliverable option. It was noted that the building had been designed flexibly to offer a potential change of use in the future, if required.
- It was confirmed that the developers were open to the idea of opening up units for use outside of term time, however this would need to be explored once the buildings were in use to fully assess how this could work.
- Following a Committee question as to how the proposed scheme would benefit Brent residents, Mr Harrington advised that the provision of student accommodation in Brent would alleviate the private rented market by releasing existing housing stock. The Committee felt that this would have limited positive impact on Brent residents, querying the genuine demand for students to live specifically in Brent.
- It was confirmed that the developers were open to increasing financial contributions to support local parks, in addition to their contribution to offsite tree planting.
- The Committee was advised that there would be E-bike charging points available in the communal cycle storage areas, so that students did not need to take bikes to their rooms to charge as this could pose a potential fire hazard; it was added that the student buildings were managed, with no students permitted to bring an E-bike to their room.

The Chair thanked Mr Harrington for responding to the Committee's questions, as there were no further questions at this stage, the Chair offered the Committee the opportunity to ask officers any remaining questions or points of clarity they had in

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relation to application. The Committee raised queries in relation to the assessment of student housing needs in Brent, affordable housing contributions, tree loss, refuse collection, bio diversity, carbon offset funding and the scheme's impact on daylight/sunlight.

The following responses were provided:

- Following a Committee query in relation to the assessment of student housing needs in Brent, the Committee was advised that there was high demand for student accommodation across London, London Plan Policy H15 and Brent's Policy BH7 supported the delivery of purpose built student in well-connected locations to meet local and strategic needs. It was felt that the proposed scheme met the policy requirements due to the application site's accessible location, high PTAL and access to local facilities and services.
- The Committee noted that the London Plan identified a strategic need for 3500 purpose built bed spaces across London per annum, a Student Demand Assessment had been undertaken and the GLA was supportive and recognised that the proposed students accommodation would contribute towards meeting the overall London need and London Plan.
- The Committee understood that this type of housing would relieve some of the demand for conventional housing and contribute towards Brent's housing supply (at a ratio of 2.5:1 bedrooms to one conventional housing unit) as well as London Plan housing targets, however felt that Brent was at risk of overconcentration of student accommodation and although the development would contribute at a policy level towards housing targets, it did not meet the needs of Brent residents who were in need of housing.
- Following a Committee query seeking further clarity in relation to why the proposed scheme failed to offer any affordable student accommodation, the Committee was advised that as no affordable units were offered as part of the scheme the applicant had mitigated this by proposing a £3.9m Payment in Lieu (PiL) which would be secured through the s106 agreement and utilised for the delivery of C3 affordable housing in the borough. This was supported by a Financial Viability Assessment that was independently assessed and concluded that on the basis of the deficit of the proposed scheme the proposed PiL of £3.9m was considered the maximum viable amount. The Committee noted that early and late stage review mechanisms were also in place to capture any improvements in viability, in which case the PiL could increase.
- The Committee noted the processes that been undertaken to come to the PiL contribution of £3.9m to support offsite affordable housing, however felt that the contribution was not high enough to offer significant value to meeting the needs of Brent residents in securing affordable housing and did not mitigate the fact that there was not affordable units in the scheme.
- In response to a Committee query in relation to how trees would be impacted by the proposed development, the Committee was advised that no high value (Category A) trees would be removed to accommodate the development, there would be a need to remove 7 Category B trees, .39 Category C trees and 13 Category U trees, none of which were protected by Tree Preservation Orders or Conservation Area designation. The loss of some existing trees would be mitigated by the new tree planting schedule to provide 41 new replacement trees, offering a range of tree types, sizes and canopy structures, with further tree planting proposed at podium level. The proposed tree planting schedule was compliant with London Plan Policy G7 and therefore felt to be acceptable.

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- The applicant had also agreed to make a financial contribution secured through the s106 agreement to enable the planting of street trees in the vicinity of the site to offset the trees lost on site.
- Following a Committee query in relation to the refuse collection arrangements, the Committee was advised that due to limited capacity there would be a shortfall in the number of Eurobins provided, however to mitigate this, increased refuse collections would be in place to suit the needs of the development, this would be secured by s106 agreement and a Waste Management Plan.
- It was confirmed that as a result of the proposed schemes landscaping, the proposal would see a net gain in bio diversity equivalent to a positive change of 61.7%, additionally a s106 contribution of £71k had been agreed to offset habitat loss.
- The Urban Greening Factor of 0.40 was in accordance with policy targets.
- A carbon offset payment would be secured through the s106 agreement and directed towards Brent carbon offset fund.
- The Committee welcome the s106 contributions that would be made if the application was approved, however felt strongly that that given the scale of the development in the Wembley area, that priority should be given to the Wembley area when decisions were made about how to use the contributions received.
- Following Committee concerns in relation to a number of shortfalls identified in the daylight/sunlight assessments the Committee was advised that in the context of student accommodation in a high density urban environment the proposal was felt to provide a good standard of internal daylight and sunlight, although it was acknowledged that levels to bed rooms, particularly at lower levels would be more constrained. Given the context of the site it was deemed appropriate to apply a degree of flexibility within the BRE guidelines and as such it was felt that any minimal shortfalls were acceptable in the context of the proposed development.
- It was noted that overshadowing was unavoidable on the type of constrained site that the proposed scheme would occupy.

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 and supplementary report alongside 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 detailed in the Committee report.

(Voting on the above decision was as follows: For 4 and Against 3)

## 6. **23/2262 – Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ**

### PROPOSAL

Relocation of a hospital ward, incorporating the construction of a rooftop extension to the existing Accident and Emergency Department to create the new ward with

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staircase links and level access covered walkway to the hospital tower building and associated infrastructure (Use Class C2).

### RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to:

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

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 proposed application sought the construction of a rooftop extension to the existing Accident & Emergency Department to create a new 32-bed ward with staircase links and level access covered walkway to level 5 of the hospital tower building. The new ward would replace a 38-bed ward which had been lost in the Lister building (block K) as it had been considered unfit for purpose and removed from the hospital accommodation schedule.

The Chair thanked Victoria McDonagh for introducing the report and clarified that there had been no objections received in relation to the application, however due to the proposed scheme's size, it had met the threshold to be considered at Planning Committee.

As there were no Committee questions 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 prior completion of a legal agreement to secure the planning obligations detailed in the report and the conditions and informatives as set out in the Committee report.

(Voting on the decision was unanimous).

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**7. Any Other Urgent Business**

None.

The meeting closed at 8:34pm

COUNCILLOR KELCHER  
Chair

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## APPLICATIONS FOR DECISION

### Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

### Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations. The development plan policies and material planning considerations that are relevant to the application are discussed within the report for the specific application
5. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
6. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
7. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
8. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
9. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

10. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
  - Works within the highway are controlled by **Highways Legislation**.
  - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
  - Works on or close to the boundary are covered by the **Party Wall Act**.
  - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

### **Provision of infrastructure**

11. The Community Infrastructure Levy (CIL) is a charge levied on floor space arising from development in order to fund infrastructure that is needed to support development in an area. Brent CIL was formally introduced from 1 July 2013.
12. The Council has an ambitious programme of capital expenditure, and CIL will be used to fund, in part or full, some of these items, which are linked to the Infrastructure Delivery Plan (IDP).
13. Currently the types of infrastructure/specific infrastructure projects which CIL funds can be found in the Regulation 123 List.
14. The Regulation 123 list sets out that the London Borough of Brent intends to fund either in whole or in part the provision, improvement, replacement, operation or maintenance of new and existing:
- public realm infrastructure, including town centre improvement projects and street trees;
  - roads and other transport facilities;
  - schools and other educational facilities;
  - parks, open space, and sporting and recreational facilities;
  - community & cultural infrastructure;
  - medical facilities;
  - renewable energy and sustainability infrastructure; and
  - flood defences,
- except unless the need for specific infrastructure contributions is identified in the S106 Planning Obligations Supplementary Planning Document or where section 106 arrangements will continue to apply if the infrastructure is required to make the development acceptable in planning terms.
15. We are also a collecting authority for the Mayor of London's CIL 'Mayoral CIL' which was introduced from 1 April 2012 to help finance Crossrail, the major

new rail link that will connect central London to Reading and Heathrow in the West and Shenfield and Abbey Wood in the East.

16. In February 2019 the Mayor adopted a new charging schedule (MCIL2). MCIL2 came into effect on 1 April 2019 and superseded MCIL1. MCIL2 will be used to fund Crossrail 1 (the Elizabeth Line) and Crossrail 2.
17. For more information:  
Brent CIL: <https://www.brent.gov.uk/services-for-residents/planning-and-building-control/planning-policy/community-infrastructure-levy-cil/>  
Mayoral CIL: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy>
18. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section 106 agreement. Where these are necessary, it will be explained and specified in the agenda reports

#### **Further information**

19. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

#### **Public speaking**

20. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.

#### **Recommendation**

21. The Committee to take any decisions recommended in the attached report(s).

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

17 January, 2024  
04  
22/0541

## SITE INFORMATION

<b>RECEIVED</b>	<b>16 February, 2022</b>
<b>WARD</b>	<b>Harlesden &amp; Kensal Green</b>
<b>PLANNING AREA</b>	<b>Brent Connects Harlesden</b>
<b>LOCATION</b>	<b>24 High Street, London, NW10 4LX</b>
<b>PROPOSAL</b>	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
<b>PLAN NO'S</b>	See condition 2
<b>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</b>	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_158969">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_158969</a></p> <p><b><u>When viewing this as an Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "22/0541" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

That the Committee resolve to **GRANT** planning permission subject to:

- (i) The prior completion of a legal agreement to secure the following planning obligations:
  - a) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
  - b) Notification of material start 28 days prior to commencement
  - c) Housing
    - i. Securing an early stage and post-implementation review mechanism in relation to off-site affordable housing
    - ii. Securing the submission and approval of an Operational Management Plan for the co-living units
  - d) Employment and Skills Training
  - e) Carbon off-set contribution
  - f) Any other planning obligation(s) considered necessary by Committee and the Head of Planning
- (ii) That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- (iii) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### Conditions

1. Time limited permission (3 years)
2. Approved plans
3. Number of co-living units
4. Accessible and adaptable dwellings and wheelchair user dwellings to be implemented
5. Obscure glazing installed
6. Privacy screens installed
7. Water consumption limitation
8. Non-road mobile machinery power restriction
9. Noise insulation measures
10. Energy assessment measures implemented
11. Parking permit restriction
12. Refuse Storage and Cycle parking to be provided
13. Green/sedum roofs details to be submitted
14. Details of external materials to be submitted (including samples)
15. Considerate Constructors Scheme
16. Construction Management Plan

### Informatives

1. CIL liability
2. Party wall information
3. London Living Wage note
4. Fire safety advisory note
5. Any other informative(s) considered necessary by the Head of Planning

That the Head of Planning is 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.

## SITE MAP



**Brent**

## Planning Committee Map

Site address: 24 High Street, London, NW10 4LX

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This map is indicative only.

## PROPOSAL IN DETAIL

The proposals can be summarised as follows:

- Change of use of part of ground floor, 1st, 2nd and 3rd floors from student accommodation, and change of use of 1st floor retail storage to co-living accommodation.
- The erection of rear extensions at ground, first and second floor levels to provide a total of 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 creation of communal courtyard on first floor level and common area with minor alterations to the ground floor to accommodate glazed canopy, cycle parking and refuse facilities, and replacement double glazed timber sash windows.

## EXISTING

The application site concerns a three-storey building that is located on Harlesden High Street. The site is accessed via a doorway adjacent to No. 24 High Street and consists of some of the ground floor of this building and the upper floors of 16-26 High Street. The site also extends to the rear and consists of a two and three storey building. The site does not contain any listed buildings, however it is located within the Harlesden Conservation Area and the Harlesden Neighbourhood Area.

Harlesden LUL station and Willesden Junction overground/ tube station are within walking distance, and the site has a PTAL rating of 6.

## AMENDMENTS SINCE SUBMISSION

Revisions to the scheme were submitted in May 2023, with the amendments summarised as follows:

- The clear provision of four wheelchair accessible units at ground floor level and introduction of a wheelchair lift to ensure accessibility to communal facilities for these occupiers;
- More detailed floor plans showing the provision of key items within communal kitchens, including fridge/freezers, microwave, dishwasher etc, and space for wardrobes, desk and worktop space within each co-living unit.

## SUMMARY OF KEY ISSUES

**The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.**

1. **Objections from interested groups:** Although no letters of objection or comment have been received from surrounding residents, comments have been received from the Harlesden Neighbourhood Forum concerning waste management within the development, and requiring local consultation with them during the development. These items are addressed in more detail below.
2. **Principle of redevelopment of the site for co-living use:** The conversion of the site and the associated extensions for use as co-living accommodation is considered acceptable within the Harlesden Town Centre and in area of excellent public transport accessibility. The proposals would accord with the key criteria set out in policy BH7 of the Local Plan.
3. **Viability and Affordable Housing:** The scheme would not provide any contribution in lieu of affordable housing, which is required by policy H16 of the London Plan. However it has been demonstrated by a financial viability appraisal that this cannot viably be provided, and subject to a section 106 agreement securing both early and late stage review mechanisms, is considered acceptable.
4. **Design and heritage:** The proposed extensions are of a modest scale and bulk, sited to the rear of the building. They would be sympathetic to the host building and would not result in



harm to the Harlesden Conservation Area.

5. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers and compares favourably with similar co-living developments approved in neighbouring London boroughs.
6. **Neighbouring amenity:** The extensions have been designed to ensure there would be no material harm to adjoining occupiers in terms of loss of daylight, sunlight or outlook, nor any increase in sense of enclosure. Subject to conditions around obscure glazing and the use of privacy screens, there would also be no material loss of privacy to adjoining occupiers.
7. **Highways and transportation:** The scheme would be car-free (with the exception of blue badge parking) and given the existing student accommodation use, the proposals are not considered to result in any harm to local parking or highways conditions.
8. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, and subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to future residential occupiers.

## RELEVANT SITE HISTORY

### 20/1359. Full Planning Permission. Refused

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 (56 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.

The application was refused for the following reasons:

1. *The proposal as indicated on the drawings submitted would not constitute adequate, high quality, functional living space within a large-scale purpose-built shared living development by virtue of the 56 units which would be self-contained with insufficient shared communal space which would be of poor design and quality, contrary to Policy H16 of the draft London Plan and Policy DMP20 of Brent's Development Management Policies 2016*
2. *In the absence of a management plan the proposal has not provided detail on any communal facilities for the future occupiers such as a laundry service or room cleaning facilities. It can therefore not be confirmed that the accommodation provided subject of this application would be shared or communal in nature, the proposal appears to provide individual self-contained units contrary to Policy H16 of The draft London Plan and Policy DMP20 of Brent's Development Management Policies 2016.*
3. *The proposal has not been demonstrated to meet an identified need within the borough. Contrary to Policy H16 of the draft London Plan and Policy DMP20 of Brent's Development Management Policies 2016.*
4. *The proposed cycle storage would not meet the draft London Plan requirements for a development of this size and the cycle storage could not be accommodated in a secure location on site, contrary to Policy T5 of the draft London Plan and Policy DMP12 of Brent's Development Management Policies 2016.*

### 17/2433. Full Planning Permission. Granted.

Change of use of 1st floor from apart-hotel storage area (Use Class C1) to student accommodation units (x8) (Use Class Sui Generis), creation of a communal courtyard, erection of extensions at 2nd and 3rd floor levels to create additional student accommodation units (x6) with associated alterations to the ground floor to accommodate provision for cycle parking and refuse facilities

15/5604. Full Planning Permission. Granted. \_

Change of use of the 1st, 2nd and 3rd floors from apart-hotel to 44 student accommodation units (Use class Sui Generis) with minor alterations to the ground floor to accommodate cycle parking and refuse facilities and replacement double glazed timber sash windows.

13/2833. Full Planning Permission. Granted. \_

Change of use to apart-hotel (Use Class C1) from office (Use Class B1)

11/2509. Full Planning Permission. Granted. \_

Change of use and reconfiguration of Units 16-18 (even) to A1 (Retail) Use, demolition of existing two storey element to the rear and its replacement with a two storey rear extension to provide retail and storage space, 4-storey stairwell extension to offices and alterations to shop front and subject to a Deed of Agreement dated 6th March 2012 under Section 106 of the Town and Country Planning Act.

## **CONSULTATIONS**

### **Public Consultation**

A total of 118 addresses within High Street, Nicoll Road and Jubilee Close were consulted on the application. The Harlesden Neighbourhood Forum were also consulted.

A Site Notice was displayed 28/03/2022

A Press Notice was published 03/03/2022.

The Harlesden Neighbourhood Forum have commented on the proposals. Although they welcome the development and would recommend approval, they have also raised the following issues:

<b>Comment</b>	<b>Officer response</b>
Request condition ensuring all tenancy agreements include instructions not to place waste outside on pavement but use all communal services provided and associated requirements.	Sufficient waste storage is shown within the development and it is expected that this would be collected in line with Veolia requirements.
Request planning condition to ensure a commitment to liaise with local groups, in particular the Harlesden NF. Note there have been no attempts to engage with the NF to date.	While there is no policy expectation to liaise with local groups, the applicant has been informed of Harlesden NF's request.

### **Internal consultation**

#### Environmental Health

Environmental health supports the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact, and contaminated land. See detailed considerations section of report for further comments on these issues.

## **POLICY CONSIDERATIONS**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of:

London Plan (2021)

Local Plan (2019 – 2041)

Key policies include:

### **The London Plan (2021)**

GG1	Building Strong and inclusive communities
GG2	Making the best use of land
GG3	Creating a healthy city
GG4	Delivering new homes Londoners need
SD6	Town centres and high streets
SD7	Town centres: development principles and Development Plan Documents
SD8	Town centre network
SD9	Town centres: Local partnerships and implementation
D1	London's form, character and capacity for growth
D2	Infrastructure requirements for sustainable densities
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D8	Public realm
D11	Safety, security and resilience to emergency
D12	Fire safety
D14	Noise
H1	Increasing housing supply
H10	Housing size mix
H16	large-scale purpose-built shared living
S4	Play and informal recreation
HC1	Heritage conservation and growth
G1	Green infrastructure
G5	Urban greening
G6	Biodiversity and access to nature
SI 1	Improving air quality
SI 2	Minimising greenhouse gas emissions
SI 3	Energy infrastructure
SI 4	Managing heat risk
SI 5	Water infrastructure
SI 6	Digital connectivity infrastructure
SI 7	Reducing waste and supporting the circular economy
SI 12	Flood risk management
SI 13	Sustainable drainage
T2	Healthy Streets
T3	Transport capacity, connectivity and safeguarding
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.1	Residential parking
T6.6	Non-residential disabled persons parking
T7	Deliveries, servicing and construction
T9	Funding transport infrastructure through planning
DF1	Delivery of the Plan and Planning Obligations
M1	Monitoring

### **Brent Local Plan (2019-41)**

DMP1	Development management general policy
BD1	Leading the way in good urban design
BH1	Increasing housing supply in Brent
BH5	Affordable housing
BH6	Housing size mix
BH13	Residential amenity space
BE4	Supporting Strong Centres Diversity of Uses
BHC1	Brent's Heritage Assets
BGI1	Green and blue infrastructure in Brent
BGI2	Trees and woodlands
BSUI1	Creating a resilient and efficient Brent
BSUI2	Air quality

- BSUI3 Managing flood risk
- BSUI4 On-site water management and surface water attenuation
- BT1 Sustainable travel choice
- BT2 Parking and car free development
- BT3 Freight and servicing, provision and protection of freight facilities

The following are also relevant material considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- LB Brent S106 Planning Obligations SPD (2022)
- LB Brent Design Guide for New Development (SPD1)
- LB Brent Waste Planning Guide SPG
- LB Brent Air Quality Action Plan 2017-2022
- London Cycling Design Standards

## DETAILED CONSIDERATIONS

### Principle of development

#### Principle of co-living use

#### *Adopted policy context*

1. Policy H16 of the London Plan recognises that large scale shared living developments may provide a housing option for single person households who cannot or choose not to live in self-contained homes or HMOs. This policy ensures that new purpose-built shared living developments are of acceptable quality, well-managed and integrated into their surroundings.
2. Policy H16 applies to large-scale purpose-built shared living developments which in planning terms are sui generis non-self-contained market housing. These are not restricted to particular groups by occupation or specific need such as students, nurses or people requiring temporary or emergency accommodation proposed by speciality providers.
3. Large-scale purpose-built shared living developments are generally of at least 50 units. This type of accommodation is seen as providing an alternative to traditional flat shares and includes additional services and facilities, such as room cleaning, bed linen, on-site gym and concierge service.
4. Policy BH7 of the Local Plan (Accommodation with Shared Facilities or Additional Support) is also of relevance. This states that proposals for non self-contained residential accommodation with shared facilities or on-site support/care to assist residents in their daily lives will be supported where the development meets all the following criteria:
  - a) is located in an area with good access to public transport and other amenities, including shops (normally within 400m);
  - b) is of an acceptable quality meeting appropriate standards for the needs of its occupants, including external amenity space, appropriate communal facilities, levels of support/ care and mobility;
  - c) includes management arrangements agreed with the council suitable to its proposed use and size to not unacceptably impact on neighbour amenity;
  - d) demonstrates that there is a specific Brent need, or in the case of purpose built student need accommodation a London need, for the particular use; and
  - e) will not lead to an over-concentration of the type of accommodation in the area. For Houses in Multiple Occupation an over-concentration is defined as where three or more of the ten nearest properties are Houses in Multiple Occupation.
5. The supporting text for policy BH7 notes that whilst the majority of housing needs will be met through self-contained residential accommodation, some will be met through non self-contained accommodation with shared facilities such as co-living. The policy recognises that changes in demographics, welfare and lifestyle choices mean that there will be increased demand for this type of accommodation. Non self-contained accommodation make a contribution to meeting local needs. They can also assist in developments through increased viability and vitality and more balanced communities.

6. The above policies refer to the need for co-living units to be of sufficient quality. While policies refer to certain factors which influence co-living housing quality, the policies do not set metrics for quality, such as minimum amounts of internal or outdoor space. Instead, this must be considered on a case-by-case basis having regard to the size and quality of both private and communal spaces, with co-living schemes normally including a significantly greater amount and variety of communal indoor space than a typical flatted development. Given the reliance on the communal spaces to achieve a sufficient level of housing quality, access to the communal spaces is normally included within the rental charges for the co-living units rather than being an optional extra facility. The quality of accommodation within the proposed scheme is discussed in more detail later in this report.

*Analysis of co-living use against Mayoral and LB Brent criteria*

7. When assessed against the criteria in Policy H16 of the London Plan, as outlined above, this element of the scheme will:

a) *Be of a good quality and design*

8. Whilst this will primarily be discussed below, the design and layout of the building is acceptable. The extensions to the building are modest but respect the scale of the existing building. The co-living accommodation is designed to make a more efficient use of the site, and provide a range of facilities within the one building.

b) *It will contribute towards mixed and inclusive communities*

9. This type of accommodation is intended for those who cannot or prefer to not live in self-contained homes or HMOs or those households who are above the threshold for traditional social housing but are unable to afford properties on the open market or are attracted by the range and convenience of facilities provided. The facilities provided are also designed to encourage social interaction whilst also providing private space.

c) *Well-connected to services/employment through non-car modes*

10. The site is within the Harlesden Town Centre and all the services and facilities therein. As confirmed above, the site is located within an area with a PTAL score of 6, with two nearby bus stops serving multiple routes, and also within walking distance of Willesden Junction and Harlesden stations. The scheme is car free, although provision for blue-badge spaces will be made when required.

d) *Under single management*

11. The scheme will be under the single management (of the applicant), and this would be secured through a legal agreement.

e) *All units are for rent, with a minimum tenancy period of 3 months*

12. All units will be rented, with a minimum tenancy period of 3 months.

f) *Communal facilities / services provided*

13. Communal facilities and services will be provided in accordance with the criteria. These include:

- a) Communal kitchens will be provided on each floor, with two at first floor, one at second floor and one at third floor. Given the scheme only accommodates 45 units in total, this is considered appropriate, and is supplemented by small kitchenettes within individual rooms.
- b) External communal amenity space will be provided in the form of a communal courtyard at first floor level, which given the limited opportunities for external space is considered acceptable.
- c) Each floor will have internal communal amenity space, a shared workspace is provided on the first floor, and common rooms and a cinema room are provided at ground floor level.
- d) Laundry and drying facilities are located on the ground floor
- e) A concierge will be located on the ground floor, overlooking street level
- f) Bedding and linen changing and/or room cleaning services are provided

g) *Private units provided with adequate functional living space/layout and not self-contained*

14. The individual units are considered to provide adequate functional living space and layouts (see Table 1 below), with the average size of the rooms being greater than comparable schemes recently approved in LB Brent, including at 1 Burnt Oak Broadway (ref. 20/1163) and 249-289 Cricklewood Broadway. In addition, none are self-contained or capable of being used as self-contained accommodation.

h) A management plan is provided.

15. A draft Operational Management Plan has been provided, which sets out how the applicants – Ziser London – will operate the development as a single management company, with the 45 co-living units all privately rented out on independent tenancies. The OMP also states that there would be an on-site concierge desk located at the main entrance to the building, with co-living residents given an electronic key fob to access individual rooms and the communal areas to prevent security issues. CCTV would also be installed throughout the building.

i) It delivers a cash in lieu contribution towards conventional C3 affordable housing.

16. A financial viability assessment was submitted and independently reviewed, and it has been concluded that it is not viable to provide any up-front cash in lieu payment towards conventional C3 affordable housing. However the section 106 agreement secures viability review mechanisms which would secure a payment if the financial position changes (see paras. 29-34 below for further detail).

17. In addition to the above, Policy BH7 requires an assessment of local need for this type of shared living accommodation. A report has been provided entitled 'Assessing the need for co-living accommodation in Harlesden' from Savills (dated 25/10/2021). The report identifies that within the local area (defined as the same postcode as the application site, NW10), there are expected to be circa 4,300 households aged under 40, who are privately renting. There is a slightly higher proportion of people aged under 35 (50.5%) compared with LB Brent (48.4%) average and in particular a higher proportion of those aged 25 to 34 than elsewhere in the Borough. There is also expected to be an increase of approximately 21,800 residents under 35 living within Brent by 2041, which is approximately 13.6% higher than it currently stands. At the same time, the local area is dominated by lower than average income households, with 51.7% of households within 1km of the site earning below £35,000 per annum.

18. The report concludes that there is 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 (which is ever growing) than other forms of shared housing, particularly poor quality HMOs. Officers have reviewed the report and consider the conclusions to be robust and sufficiently demonstrate there is a genuine need and demand for this type of shared living accommodation in the area, therefore complying with the criteria set out in Policy BH7.

19. Overall, the proposed development is considered to a good quality scheme that would offer a flexible and low-cost type of accommodation for future residents, contributing towards a mixed community and appropriately located in close proximity to the town centre and sustainable transport modes. Furthermore, the proposed scheme would provide a satisfactory amount of internal and external amenity space and communal facilities for future occupiers, with minimum tenancy lengths and management plan to be secured via Section 106 agreement. Therefore, officers consider that the proposed co-living accommodation would satisfy the requirements of policy H16 of the London Plan and BH7 of the Local Plan.

*Loss of student accommodation*

20. The supporting text for Policy BH7 of the Local Plan includes the following statement in para. 6.2.59: *'For the purposes of this policy shared housing includes houses in multiple occupation (HMOs), bed-sits, hostels, housing for older people, supported housing for those with special needs, shared-living and specialist student accommodation.'*

21. Clearly, the proposed co-living use would share very similar characteristics to the existing student accommodation, with both defined as shared housing for policy purposes. As outlined above, there is a clearly defined need for this type of living, which would cater largely for younger groups but not just for students as per the existing use. It is not considered that the loss of 45 student units would have a significant impact on demand within this sector, which is well catered for within the Borough, with recently completed schemes in Wembley at Kelaty House (ref. 12/1293) and Parkwood House (ref. 17/2782), as well as a recently approved scheme at Fairgate House (ref. 22/2225), providing approximately 1,330 student rooms by themselves.

22. As such, officers consider that the loss of student accommodation here would accord with Policy BH7 of the Local Plan.

### **Standard of proposed co-living accommodation**

23. With regard to standards of accommodation for co-living schemes such as that proposed, there is limited guidance provided in policy H16 of the London Plan, except that a good layout and design should be provided, with adequate communal facilities including external amenity space. This is reinforced within the supporting text for policy BH7 of Brent's Local Plan. It is considered that some weight can also be given to relevant adopted policies within the London Plan (Policy D6) and Brent's Local Plan (DMP1). These policies require developments to achieve high quality standards of internal amenity and quality of accommodation, regardless of the type of accommodation being provided.

24. As set out in para. 9 above, officers consider that the scheme is of a good overall layout and provides adequate internal and external communal facilities. However in the absence of any precise standards, it is useful to compare the proposed scheme with similar co-living developments which have been approved in neighbouring London boroughs, looking at key factors such as studio floorspace sizes, levels of daylight and outlook, and amounts of amenity space provided for the flats (both internal and external). A summary is provided in the table below:

	<b>Proposed scheme</b>	LB Brent – 1 Burnt Oak Broadway (ref. 20/1336)	LB Brent – 249-289 Cricklewood Broadway and 60-74 Hassop Road (ref. 21/0470)	LB Ealing – Western Avenue, Acton (ref. 19/0312/FUL)
No of rooms	<b>45</b>	125	157	335
Room Sizes (Smallest)	<b>24 sqm</b>	17 sqm	23.9sqm	16sqm
Room Sizes (Largest)	<b>32 sqm</b>	35 sqm	42.1sqm	34.9sqm
Room size average	<b>27.5 sqm</b>	25 sqm	27.3sqm	16sqm
Accessible Units	<b>4 (10%)</b>	13 (10%)	16 (10.2%)	17 (5%)
Dual Aspect	<b>0</b>	0	0	1 Unit (0.3%)
Internal daylight	<b>Not measured: conversion scheme but majority of units receive good levels of internal daylight</b>	93% of studio rooms achieve ADF targets (in most cases 2.7-3% ADF achieved)	98% of studio rooms meet/exceed BRE target	72% achieve ADF targets
Internal Communal facilities	<b>435sqm (average 9.6 sqm per unit)</b>	942 sqm (average 7.5 sqm per unit)	1244sqm (K/L/D) 136sqm (gym) (avg of 7.9sqm per unit)	2557sqm (average 7.6 sqm per unit)
Private Amenity	<b>16 of 45 units (35%) have a balcony of 2.9sqm</b>	96% of units (120 of 125) would have a balcony of 3 or 4 sqm	All units have winter garden of 1.2sqm to 10.8 sqm	0

Shared amenity	<b>175sqm courtyard garden</b>	88 sqm roof terrace	1408sqm	961sqm GF and 1117sqm Roof terraces
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25. The table demonstrates that the proposed scheme generally compares well with other approved developments. The vast majority of the units would have a minimum of 25 sqm, which exceeds the average unit size within all three other developments, and 4 of the 45 rooms (10%) would be wheelchair accessible and made up of larger 29-33 sqm units. These would all be located at ground floor level and accessed via a wheelchair accessible lift, and all communal facilities would be step-free, ensuring that the key parts of the co-living space would be fully accessible.

26. The proposal provides some form of private balcony/ terrace to 35% of the units overall, which officers consider acceptable given the constraints of the site, with concerns regarding overlooking and noise/disturbance issues to surrounding residential properties (particularly on Nicoll Road) limiting the extent to which external amenity can be provided. Officers have ensured that the amount of internal communal amenity has been maximised to offset this, with revised plans securing more internal amenity to the rear at ground floor level. The units with balconies would be limited to approx. 3 sqm, but this still offers a private place for occupiers to stand/ sit out in and offers some additional variety to what is still a relatively constrained living space.

27. Officers acknowledge that in some areas, for example the lack of any dual aspect units and levels of external amenity, the proposed scheme falls short when compared to traditional residential developments. However, given this is a relatively modest shared living scheme (less than 50 units) and largely involves conversion of existing facilities rather than a comprehensive re-development (as with the other co-living schemes identified above), the proposals are considered to provide a good standard of accommodation, and it complies with relevant London and Local Plan policies in this regard.

### **Viability and affordable housing**

28. As set out in paragraph 4 above, London Plan Policy H16 requires such developments to deliver a cash in lieu contribution towards conventional C3 affordable housing off-site. It states that Councils should seek this contribution as either a) an upfront cash in lieu payment to the local authority; or b) in perpetuity annual payment to the local authority.

29. Policy H16 goes on to state that this contribution should:

- be equivalent to 35 per cent of the units (when not on public sector land or industrial land appropriate for residential uses), to be provided at a discount of 50 per cent of market rent.
- All large-scale purpose-built shared living schemes will be subject to the Viability Tested Route set out in Policy H5 'Threshold approach to applications', however, developments which provide a contribution equal to 35 per cent of the units at a discount of 50 per cent of the market rent will not be subject to a Late Stage Viability Review.

30. Essentially, the development is therefore subject to the same viability tests as a conventional Use Class C3 housing scheme in this regard. A Financial Viability Assessment (FVA) was submitted with the application, which initially adopted a viability benchmark of approximately £6.345m. This is based on an assessment against the Existing Use Value (EUV) of the site as student accommodation. The FVA initially concluded that the scheme would break even on the basis of a developer return of 6.3% on GDV (as opposed to a target profit level of 17.5% on GDV) and section 106 obligations of approximately £45,000. Therefore the FVA concluded that the scheme could not viably provide any cash in lieu contribution to affordable housing elsewhere in the borough.

31. The FVA was independently reviewed by BNP Paribas (BNPP) on behalf of the Council. BNPP did not agree with some of the assumptions made within the FVA, including the level of developer's profit and the benchmark land value, and these were subject to detailed discussion between BNPP and the applicant. However, BNPP have ultimately concluded that the scheme would be in a deficit of circa £54,000 below the viability benchmark, and therefore it would not be viable to provide any cash in lieu contribution up front towards affordable housing.

32. There are a number of reasons identified for this deficit. The applicant has stated that both the existing student accommodation use and the proposed co-living use would generate similar rents, yields and



operational costs, particularly given there is no real uplift in the number of units (44 existing student units vs 45 proposed co-living units). Therefore, it has been argued that there are no significant financial advantages to the scheme. BNPP have generally agreed with the assumptions in this regard, and this has been backed up by rental and yield evidence of similar developments in London. At the same time, while this is not a complete re-development of the site, the proposed build costs as a result of internal refurbishment and the building of the rear extensions to provide additional units, still amount to at least £4.5m.

33. However as set out above, Policy H16 of the London Plan requires a late stage viability review to be secured where schemes do not provide a contribution equal to 35% of the units at a discount of 50% of the market rent. In this instance, the applicant has agreed to both early and late stage reviews to be secured under a section 106 agreement. As well as giving the applicant an incentive to commence the development quickly, this also ensures that a cash in lieu contribution to off-site affordable housing could still be secured, should the scheme deliver a surplus profit when it becomes operational. On this basis, officers consider that the proposals would comply with this key criteria of Policy H16 of the London Plan.

### **Design**

34. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. The site is located in a rather congested area of development to the rear of the High Street, the more organic and lack of uniform nature of the development to the rear of the high street however appears to form part of its character.

35. The modern appearance of the proposals would be complimentary to local character and reflects previous consents on the site, approved under planning ref. 17/2433. The introduction of the natural sedum roofing material is a welcome addition and offers some softer character to the congested form of development. The zinc clad rearward element is considered to be acceptable and provides an element of variety contributing towards the design principles set out within SPD1.

36. Officers confirm that samples of all materials to be used in the development will be reviewed and approved by officers prior to any works commencing, and this would be secured by condition.

### **Impact to Heritage Assets**

37. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have "special regard" to the desirability of preserving a listed building or its setting and pay "special attention" to the desirability of preserving or enhancing the character or appearance of a conservation area.

38. This site is to the rear of an attractive Victorian terrace of retail units with accommodation at upper levels. The front of the site is situated within the Harlesden Conservation Area. The conservation area is centred on the high street. The site proposed for development itself is not in the conservation area, but it is in Harlesden Archaeological Priority Area (APA).

39. The Greater London Archaeological Advisory Service (GLAAS) have been formally consulted and have stated that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

40. The proposed works are sited towards a rear enclosed location and will not be obviously visible from the conservation area. They are in keeping with the surrounding modern buildings. They are therefore not considered to be harmful in this rear enclosed location.

41. The works proposed would preserve the character and appearance of the conservation area. The proposals will also meet the NPPFs overarching objectives; particularly that planning should be contributing to protecting the built and historic environment. They comply with Policy BHC1 of the London Plan and Policy HC1 of the Local Plan.

### **Impact on neighbouring residential amenity**

42. Brent's DMP1 policy within the Local Plan and Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring residential properties in terms of losses of privacy and the creation of a sense of enclosure. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1

amenity impact tests and the development's performance against them are explained below.

#### Daylight and sunlight, and sense of enclosure impacts

43. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge of an affected property private amenity space. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height at the nearest rear habitable room windows within neighbouring properties that face towards the proposed buildings.

44. Although a daylight and sunlight assessment has not been submitted with the application, the main potential for impacts associated with the scheme lie with the proximity of rear extensions adjacent to the boundary with rear gardens at 5-9 Jubilee Close. The proposals involve a part single, part-two storey rear extension close to these gardens, however the applicants have submitted sections which clearly demonstrate that the proposed extensions would comply with both 30-degree and 45-degree rules when measured from the centre of the rear facing windows, and rear garden boundaries, of the respective properties to the north-western boundary of the site.

45. Officers are therefore satisfied that the proposals would not have any adverse impact in terms of sense of enclosure or daylight and sunlight losses to these properties on Jubilee Close, despite the lack of any detailed BRE assessment.

#### Overshadowing to outdoor amenity spaces

46. The proposed impact to nearby outdoor amenity spaces have also been considered. The relevant amenity spaces which are closest are the rear gardens of properties on Jubilee Close, and 5J Nicoll Road. Although additional bulk is added to the building at first floor level, there is still a set back of 2m from the rear boundary to properties of Jubilee Close and approximately 6.8m maintained to the east elevation of 5J Nicoll Road. Officers therefore consider that there would be no significant overshadowing resulting from the proposed extensions.

#### Privacy

47. In order to retain acceptable privacy levels to properties, SPD1 states that all primary habitable room windows within a property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites. All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties. These standards are in the interests of protecting the privacy of neighbouring occupiers.

48. The proposals would introduce new windows and balconies within the proposed extensions, with the predominant concern being those new openings to the rear elevation which would offer views towards the rear windows and gardens of properties on Jubilee Close. There is also glazing to the first floor rear extension that has the potential to overlook the rear gardens of Jubilee Close.

49. At first floor level, windows to the communal workspace are installed which would be angled away from the rear gardens of Jubilee Close to ensure there would be no direct views towards these properties. At second floor level, the proposed extension would introduce new openings to the rear elevation, but these would be more than 13m away from the rear garden boundary of No. 11 Jubilee Close and would also be angled away from direct views to this property. Therefore, officers consider the relationship between the site and adjacent properties would be acceptable.

50. Within the development itself, obscure glazing and privacy screens are shown to the rear facing balconies and windows which look onto other units/ accommodation at first, second and third floor levels, which is required to prevent direct overlooking and privacy issues between these flats. A condition is recommended to ensure details of the privacy screens are submitted for approval, and that the screens and obscure glazing are installed before first occupation of the units.

#### Noise and disturbance

51. There would be some additional noise and activity generated by the proposed co-living use, however it is reasonable to expect this not to be materially worse to surrounding properties than existing levels of activity associated with the student accommodation. The proposed balconies maintain a sufficient distance

from the adjoining rear gardens and windows of properties on Jubilee Close and are very modest in size so it is not considered they would result in any material increase in noise and disturbance.

### Summary

52. It is considered that the relationship of this development to its surroundings complies with relevant guidance in SPD1. Although there is additional height and massing introduced by the proposed extensions, reasonable separation distances are maintained between the development and the low-rise suburban dwellings to the immediate west. Officers therefore consider the proposals acceptable in this regard.

### Transport and highways

#### Site context

53. The application site is located within the Harlesden Town Centre and has an excellent PTAL rating of 6. This proposal involves the extension and conversion of the accommodation to provide 45 co-living units. Although communal space (kitchen/dining areas, garden space, common rooms) is shown, each of the units is to be self-contained with its own kitchenette and bathroom, so will be assessed as an individual flat.

#### Car parking

54. Nevertheless, the location of the site and its excellent access to public transport means that the development would be expected to be 'car-free' anyway, as per the existing student accommodation. With no off-street parking proposed within the site, maximum parking standards would not be exceeded. However, to ensure that the development does not lead to a large increase in demand for on-street parking space in the area, it is essential that a 'car-free' agreement is applied to any planning consent to remove the entitlement of future residents to on-street parking permits. This has been acknowledged by the applicant and a suitable condition is recommended to designate the development as 'car-free'.

#### Cycle parking

55. London Plan standards require a secure bicycle parking space for each unit, giving a total requirement for 45 spaces. A total of 55 semi-vertical bicycle spaces are proposed in four locations on the ground floor, which accords with requirements in a secure and sheltered manner. One space is stated as being for a non-standard bike, but the available space would still require vertical storage, which is not appropriate. As there is a now surplus of bike parking, it is suggested that the smallest store for 6 bikes instead provides a reduced number of spaces with 'Sheffield' stands.

#### Refuse and Servicing

56. Access and refuse storage arrangements remain unaltered and are considered acceptable.

### Environmental Health Considerations

#### Air quality

57. Although an air quality assessment (including an air quality neutral assessment) has not been submitted with the application, given the existing use is as a hotel and there would not be any fundamental changes to positions of windows/ receptors to the building, officers consider it acceptable for a condition to be attached requiring the submission of this for approval before first occupation of these new units. The condition would also require any recommended mitigation measures to be implemented before occupation.

#### Construction noise and nuisance

58. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.

59. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and a planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Method Statement to be submitted for approval before works start. Given the relatively modest scale of construction/

demolition proposed, this is acceptable. This would be required to cover highways issues as well and has been attached.

60. A further standard condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan (both adopted and emerging documents).

Co-location/ noise within the development

61. Although no noise impact assessment has been submitted with the application, Brent’s regulatory services team has recommended a condition is attached to ensure a scheme of sound insulation measures is secured to ensure there is no undue noise disturbance between the ground floor commercial use and the co-living accommodation at upper floors. Officers are satisfied that subject to this condition, the scheme would comply with Policy D14 of the London Plan.

**Sustainability and Energy**

62. An energy assessment has been submitted with the application, which sets how the London Plan energy hierarchy has been applied, with carbon emissions savings identified from passive energy saving measures including low fabric U-values, the use of mechanical ventilation with heat recovery (MVHR), as well as the installation of PV panels at roof level.

63. The assessment demonstrates that the new build element of the scheme would deliver a 16% reduction in carbon emissions below the 2013 Building Regulations baseline, which is broken down into the following site-wide elements below:

Energy Hierarchy stage	CO <sub>2</sub> Emissions (T/yr)	CO <sub>2</sub> Savings (T/yr)	% Saving
Notional / existing case	4.47		
Actual building	4.36	0.17	2%

Table 3-5 improvements over existing/notional (Converted Co-living units)

Energy Hierarchy stage	CO <sub>2</sub> Emissions (T/yr)	CO <sub>2</sub> Savings (T/yr)	% Saving
Building Regulations 2013 Baseline	1.32		
Actual building	1.04	0.21	16%

Table 3-5 improvements over Part L (New build Co-living units)

Energy Hierarchy stage	CO <sub>2</sub> Emissions (T/yr)	CO <sub>2</sub> Savings (T/yr)	% Saving
Building Regulations 2013 Baseline	3.41		
Actual building	2.89	0.52	15%

Table 3-5 improvements over Part L (New communal space)

64. It is accepted that the proposal largely involves the conversion of existing student accommodation to co-living units, with the conversion and extension of existing storage units accounting for only 7 of the co-living apartments provided. On this basis the scheme does not have to meet the minimum 35% reduction in carbon emissions specified in the London Plan.

65. However the scheme does need to follow the energy hierarchy (Be Lean, Be Green, Be Clean) The assessment demonstrates that a significant amount of this carbon reduction would be achieved on site through ‘be lean’ measures including low U values within the internal glazing to minimise heat gains, efficient heating systems, inclusion of heat recovery, efficient ventilation systems, energy efficient lighting and energy efficient and saving equipment. The use of renewable technologies would also be incorporated into the scheme, with PV panels at roof level.

66. The applicants have stated that the proposals do not include the extensive refurbishment of the existing building and therefore this strategy only applies to the new elements of the proposal (ie. the rear extensions). The applicants have also demonstrated that there is no district energy heat network which the site can connect to, and that the installation of CHP or other renewable technologies would not be feasible.

67. Officers acknowledge that the majority of the building has been refurbished relatively recently and given it is already used as accommodation, it is already of a satisfactory standard in terms of building efficiency and it would not be reasonable to expect significant refurbishment of these facilities. However

officers consider that within the new build elements of the scheme, energy saving measures have been maximised and would utilise the renewable energy methods installed at roof level. Officers also note that the use of green/ sedum roofs is maximised.

68. The energy assessment also sets out that a feasibility study into the use of CHP and connection to a district heating network has been carried out. No known networks in the area are known, however the assessment points out that for CHP to be viable, it would need to run continuously and requires a permanent heat demand and therefore the development would not fully utilise the energy generated by a CHP engine. Given the development largely relates to the conversion of an existing building which has heritage constraints, officers consider the lack of any future connection point as acceptable.

69. Subject to a condition which requires the measures (including overall carbon savings) set out in the energy assessment to be achieved, officers are satisfied that the proposals would comply with relevant London and Local Plan policies.

### **Flooding and Drainage/ Water consumption**

70. The site is located within Flood Zone 1 and at low risk of flooding. London Plan policies SI 12 and SI 13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policy BSUI3 of the Local Plan confirms the Council's approach.

71. No drainage strategy has been submitted with the application, however given the proposals largely involve the change of use of the existing building and above ground floor extensions, a condition requiring this to be submitted before works commence is considered acceptable.

72. In order to minimise impact on water supply, Policy SI 5 of the London Plan confirms that water consumption should not exceed 105 litres per head per day. A condition is attached to ensure this maximum level of water consumption is met per unit.

### **Trees and Landscaping**

73. There are currently no trees on site or immediately adjacent to the site which would be affected by the proposals. Although there are no trees proposed within the development, the proposed floor plans identify planters to be installed within the first floor communal courtyard, and the provision of green/ sedum roofs to the new areas of extension at second and third floor levels. Given this is a brownfield site and the extent to which new landscaping can be introduced is limited, officers consider this acceptable. A condition is attached to ensure details of the green and sedum roofs are submitted before occupation, along with details of maintenance and longer-term management of these areas.

### **Fire Safety**

74. Fire Safety is formally considered at Building Regulations stage, but Policy D12 of the London Plan requires major development proposals to include a fire statement prepared by an independently qualified assessor and detail the measures put in place to ensure the proposal achieves the highest standards in fire safety.

75. A fire statement has been submitted with the application, which officers confirm has been prepared by an independently qualified assessor. The statement sets out how the proposals (both the existing building and the proposed extensions) complies with the criteria set out in both parts A and B of Policy D12, including the proposed construction materials and building methods, and means of escape and evacuation for building occupiers in the case of emergency. The report demonstrates that the recommendations set out in the Building Regulations - Approved Document B (ADB) have been followed in the design and layout of the building and the key escape and evacuation strategies.

76. The application does not involve a new building of over 18m/ 7 storeys tall and therefore the Health and Safety Executive (HSE) are not required to be consulted. However, officers have reviewed the fire statement and are satisfied that this meets the requirements of London Plan Policy D12.

### **Equalities**

77. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act

2010.

78. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

### **Conclusion**

79. In summary, the principle of the proposed co-living use is considered acceptable, given the site's location within the Harlesden Town Centre and with an excellent PTAL rating. The scheme would provide a good quality level of accommodation, and it has been demonstrated adequately that there would be a local need for this type of shared living in the area. The loss of student accommodation is considered acceptable in this location.

80. The report sets out how the proposal would meet the key criteria set out in policy H16 of the London Plan and BH7 of the Local Plan. Although the proposal would not provide any payment in lieu towards off-site affordable housing for viability reasons, the section 106 agreement includes viability review mechanisms which secure a financial contribution if the scheme becomes viable at a later stage.

81. The proposed extensions would be of a modest scale and bulk and would not be detrimental to the host building or result in any demonstrable harm to the adjacent conservation area. The proposed units would be car-free, and not result in any harm in terms of transport and parking.

82. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal should be approved subject to conditions and appropriate obligations set out in the Section 106 agreement.



**DECISION NOTICE – APPROVAL**

Application No: 22/0541

To: Mr Pender  
PPM Planning Limited  
185 Casewick Road  
West Norwood  
London  
SE27 0TA

I refer to your application dated **04/02/2022** proposing the following:

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

and accompanied by plans or documents listed here:  
See condition 2

at **24 High Street, London, NW10 4LX**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 09/01/2024

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

- 1 The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework (2023)  
The London Plan (2021)  
Brent Local Plan 2019-2041  
SPD1 Brent Design Guide

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

160521/01 Rev A Site Location Plan  
160521/02 Rev A Block Plan

160521/03 Rev B Existing ground floor plan  
160521/04 Rev B Existing first floor plan  
160521/05 Rev B Existing second floor plan  
160521/06 Rev B Existing third floor plan  
160521/06A Rev B Existing roof plan  
160521/07 Rev B Existing front elevation  
160521/08 Existing side elevation  
160521/09 Rev B Existing rear elevation  
160521/10 Existing side elevation  
160521/11 Existing section A  
160521/12 Existing section F  
160521/13 Existing section B  
160521/14 Existing section C  
160521/15 Existing section D

200105/16 Rev Q Proposed ground floor plan  
200105/17 Rev Q Proposed first floor plan  
200105/18 Rev Q Proposed second floor plan  
200105/19 Rev Q Proposed third floor plan  
200105/20 Rev P Proposed roof plan  
200105/21 Rev P Proposed side elevation  
200105/22 Rev P Proposed rear and part front elevation  
200105/23 Rev P Proposed side elevation  
200105/26 Rev P Proposed section A  
200105/27 Rev P Proposed section F  
200105/28 Rev P Proposed section B  
200105/29 Rev P Proposed section C  
200105/30 Rev P Proposed section D  
200105/31 Rev P Proposed section E  
200105/37 Rev P Proposed section G  
200105/38 Rev P Proposed section H  
200105/39 Rev P Proposed section I

'Assessment of Need for co-living in Harlseden' prepared by Savills dated 25.10.21  
Energy Statement from JAW Consulting dated 29.12.21



Financial Viability Assessment from Douglas Birt Consulting dated January 2022  
Heritage Statement from PPM Planning received February 2022  
Operational Management Plan (draft) received February 2022  
Transport Statement from Caneparo Associates dated October 2021

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development shall provide the 45 co-living units (Class sui generis), as shown on the consented plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of proper planning.

- 4 Not less than 4 of the 45 (10%) of the co-living units within the approved development shall be constructed to wheelchair user requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to futureproof homes.

- 5 The windows on the west elevation of the co-living units on first, second and third floor levels shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 6 The privacy screens to the first, second and third floor balconies to the western elevation of the approved development shall contain solid screening and shall not be less than 1.7 metres in height unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure a satisfactory level of outlook for future residents whilst maintaining a satisfactory levels of privacy for adjoining properties.

- 7 Prior to first occupation, confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains internal water consumption does not exceed a target of 105 litres or less per person per day for the co-living units, water meters and leak detection systems, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with policy SI 5 of the London Plan.

- 8 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: To protect local amenity and air quality in accordance with London Plan policy D14.

- 9 A scheme of sound insulation measures shall be submitted to the Local Planning Authority for approval. The insulation of the separating floor between the retail units and the co-living flats shall be designed to meet the standards of Building Regulations Approved Document E 'Resistance to the passage of sound'. The approved measures shall thereafter be implemented in full.

Reason: Reason: to ensure an effective management of noise in the interest of future occupiers.

- 10 The recommendations and mitigation measures set out in the approved Energy Statement (prepared by JAW Consulting dated December 2021) shall be fully implemented, unless otherwise approved in writing by the Local Planning Authority.
- 11 Occupiers of the co-living units, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby of the building, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the co-living units, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 12 Notwithstanding what is shown on the approved drawings, at least three spaces for cargo bikes or other non-standard bikes shall be provided for within the cycle store. Thereafter, the cycle storage facilities and refuse storage shall be installed prior to first occupation of that building hereby approved and thereafter retained and maintained for the lifetime of the development. The cycle storage facilities shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 13 Prior to commencement of above ground works, details of the proposed green and sedum roofs (and a scheme of management and maintenance), shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the co-living units.

Reason: To ensure that the ecological value of the site is enhanced post development and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity and to enhance the character and appearance of the area.

- 14 Prior to commencement of above ground works, further details of all exterior materials including samples to be provided on site for inspection and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (i) building envelope materials e.g. bricks, render, cladding;
- (ii) windows, doors and glazing systems including colour samples;
- (iii) balconies and screens; and
- (iv) solar PV panels.

The works shall be carried out in accordance with the approved details and shall be retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 15 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 16 Prior to the commencement of construction on site, the developer shall join, and for the period of construction, adhere to the requirements of the Considerate Constructors Scheme for the relevant part of the Development.

Reason: To ensure that throughout the construction process, appropriate regard is given to protecting neighbour amenity and the natural environment.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the government website:  
<https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>
- 3 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 4 The Council recommends that the maximum standards for fire safety are achieved within the development.

Any person wishing to inspect the above papers should contact Neil Quinn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5349

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

17 January, 2024  
05  
23/3021

## SITE INFORMATION

<b>RECEIVED</b>	18 September, 2023
<b>WARD</b>	Kenton
<b>PLANNING AREA</b>	Brent Connects Kingsbury & Kenton
<b>LOCATION</b>	291 Kenton Road, Harrow, HA3 0HQ
<b>PROPOSAL</b>	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.
<b>PLAN NO'S</b>	See condition 2
<b>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</b>	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_166296">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_166296</a></p> <p><b><u><a href="#">When viewing this as an Hard Copy</a></u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "23/3021" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

A. That the Committee resolve to GRANT planning permission.

B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and Informative to secure the following matters:


### Conditions:

1. 3 year time period
2. Approved plans / documents
3. Use of outbuilding for incidental purposes relating to Flat 1
4. Restriction of water consumption
5. Implementation of car parking, cycle and refuse storage
6. Implementation of external amenity spaces
7. External Materials
8. No access to roof of extension
9. Submission of soft and hard landscape details, including urban greening factor

### Informative:

Any informative(s) considered necessary by the Head of Planning

## SITE MAP



**Planning Committee Map**

Site address: 291 Kenton Road, Harrow, HA3 0HQ

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This map is indicative only.



## PROPOSAL IN DETAIL

This application seeks the conversion of 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 and cycle storage and subdivision of rear garden.

The following amendments were made to the plans during the application:

- Revision of the proposed front garden layout to increase the amount of soft landscaping and to increase the provision of cycle storage
- Revision of the proposed rear garden layout to provide better private amenity space and clarify the access to the rear garden store

These changes were not material and therefore no further consultation was required.

## EXISTING

The application site is a two-storey semi-detached dwellinghouse, located at the corner of Kenton Road and Sedgcombe Avenue. The site is not located within a conservation area, nor does it contain any listed buildings.

The existing dwellinghouse is currently undergoing building works including a ground floor rear extension.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

**Representations Received:** Representations were received from 18 individuals raising objections in response to the consultation. A number of issues were raised including the impact on the character of the area, impact on parking, impact on neighbouring amenity and surrounding community, concerns on external amenity space, impact on schools and health providers, pressure on water provision and non-compliance with planning policies. These objections have been summarised in more detail in the 'CONSULTATIONS' section (below) and further discussed in this report.

**Principle of Development:** Brent Local Plan (Policy BH4) and London Plan recognise the role of small sites in the delivery of the new homes that are needed in the borough. The site lies within PTAL 4 and is therefore within a priority location for new homes. The proposal would provide a family sized home with direct access to private external amenity space in line with policy BH11. Therefore the principle of residential development is supported in this location, contributing towards the Council's housing targets.

**Design and Appearance:** The proposal is considered to represent a good standard of design within the site, relates well to the existing context and would not result in harmful impact on the character and appearance of the local area.

**Standard of Accommodation:** All of the proposed units are considered to be of good standard and would provide a high quality accommodation for future occupiers.

**Residential Amenity:** The proposal would not result in a harmful impact on the residential amenities of neighbouring occupiers in terms of noise and disturbance, daylight and sunlight or overlooking.

**Highway Impacts:** The application proposes to retain the existing off street parking spaces for use by flats 1 and 2. This would result in an overprovision of parking but no worse than the existing situation. Whilst no parking is proposed for the other two flats, officers in highways have confirmed that the proposal is unlikely to result in overspill parking, based on the likely car ownership levels for the flats. Refuse and cycle storage



would also be provided in line with policy and guidance.

## RELEVANT SITE HISTORY

The relevant planning history is set out below:

<b>App Type</b>	Householder	<b>Ref</b>	23/2552
<b>Decision</b>	Granted	<b>Date</b>	18/09/2023
<b>Description</b>	Proposed two-storey side to rear extension, single-storey front extension, hip to gable-end roof extension, rear dormer with 4x front rooflights to dwellinghouse		

<b>App Type</b>	Prior-Approval for Larger Homes	<b>Ref</b>	23/1961
<b>Decision</b>	Prior Approval Not Required	<b>Date</b>	07/07/2023
<b>Description</b>	Prior approval for a single storey rear extension to dwellinghouse, in metres: Extending beyond the rear wall of the original house - 6m Maximum height - 3.15m Eaves height - 3m		

## CONSULTATIONS

8 nearby properties and the Northwick Park Residents' Association were notified by letter of this proposal on 21/09/2023 for a 21 day period. A total of 18 representations were received, objecting to the proposal.

The reasons for objection are summarised in the table below:

Reasons For Objection	Officers Comments
The proposed conversion to flats would be out of character in a neighbourhood characterised mainly by single family's dwellings and would be a significant overdevelopment.	The application site lies within a priority location for new homes and the principle of the conversion of the property into flats would comply with policy BH11.  The proposal would provide a good standard of accommodation for the occupants of the flats and the extensions are in line with SPD2. Therefore it is not considered to represent an over development of the site.
The proposal would lead to overcrowding and would increase noise levels, antisocial behaviour and disturbance to a quiet community	The size of the proposed flats are considered to be of a suitable size, and would not result in overcrowding. There is no evidence to suggest that the scheme would create problems of this type.
There is no social housing need in this area	No affordable housing is proposed as part of this application. It is not a policy requirement in this instance to provide affordable housing on site or through a payment in lieu as required within policy BH5 as only four homes are

	proposed.
The proposal would increase parking issues, road traffic and cause congestion in the area	The impact of the proposal in relation to parking and highways issues has been considered, and discussed within the <i>Transport</i> section below.
The proposal would increase air pollution	The proposal relates to a minor development which is not considered to result in a substantial impact in terms of air pollution, nor is there a policy requirement to submit an air quality neutral assessment in line with policy BSU12.
The proposed amenity space is inadequate for the number of flats	The level of amenity space complies with the requirements of policy BH13. This is discussed in the <i>Standard of Accommodation</i> section below.
The proposal would put pressure on the local water and sewage services	This is discussed in the <i>Sustainability</i> section below.
The proposal would result in privacy issues and the first floor extension would overlook surrounding properties	The proposal maintains an acceptable relationship with the surrounding properties. These same external works were previously approved under permission reference 23/2552 and were considered acceptable. This is discussed in the <i>Impact on Residential Amenities of Adjoining Occupiers</i> section below.
The proposal would be in conflict with the character, heritage and design principles set in Brent's Local Plan	The proposal is considered to be acceptable in terms of its design impact on the character of the host dwelling and surrounding streetscene. This is discussed in the <i>Design, Character and Impact on the Street Scene</i> section below.
Impact on Kenton Road views	'Views' are not protected under planning legislation and the loss of a view is not sufficient grounds to refuse permission. Notwithstanding this, the outlook from neighbouring properties has been assessed and is considered to be acceptable.
The application raises suspicion as it was originally presented as a 6 metre extension for a family residence.	The previous 6m rear extension submitted under prior-approval application reference 23/1961, was applied for with the property in use as a single family dwellinghouse and prior to the current application for the conversion of the property into flats. The other extension works have been considered in line with SPD2, and follow a recently approved planning application.
The proposed works would increase the pressure on local schools, GP and health provisions.	Infrastructure requirements are identified through the preparation of local plan documents and through consultation with statutory consultees on individual schemes. New development also provides funding towards

	infrastructure improvements through the Community Infrastructure Levy (both Brent and Mayoral CIL) and s106 planning obligations.
Concerns about the proposed project duration and the noise and dust generated during construction.	Noise and dust concerns are addressed through separate legislation to planning. Should permission be granted, standard permitted construction hours would apply in line with the 1974 Pollution Control Act.
The proposed development extends beyond the building line to Sedgcombe Avenue.	The proposed plans show that the proposed works would remain within the boundary of the application site. The side to rear extension complies with SPD2.
The proposal would create a precedent for future conversions from houses to flats in the area.	Each application is assessed on its own merits having regard to the context of the site and its relationship to neighbouring sites, and considered against relevant and up to date planning policies.
Works have already begun on site	Planning permission was previously granted under LPA reference 23/2552 for a number of external works to the existing dwelling. Prior-Approval was deemed not required in relation to a 6m rear extension under application reference 23/1961.

## POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan (2021) and Brent Local Plan (2019-2041).

Key policies include:

### London Plan (2021)

Policy H1 Increasing Housing Supply  
 Policy D6 Housing quality and standards  
 Policy D12a: Fire Safety  
 Policy H1 Increasing housing supply  
 Policy T5 Cycling  
 Policy T6 Car parking  
 Policy T6.1 Residential parking

### Brent Local Plan (2019-2041)

DMP1: Development Management General Policy  
 BD1: Leading the Way in Good Urban Design  
 BH1: Increasing Housing Supply in Brent  
 BH4: Small sites and small housing developments in Brent  
 BH11: Conversion of Family Sized Dwellings  
 BH13: Residential Amenity Space

BGI1: Blue and Green Infrastructure in Brent  
BGI2: Trees and Woodland  
BSUI4: On-site Water Management and Surface Water Attenuation  
BT1: Sustainable Travel Choice  
BT2: Parking & Car Free Development

#### Other material considerations

The following are also relevant material considerations:

- National Planning Policy Framework (2023)
- National Planning Practice Guidance

#### Supplementary Planning Guidance / Documents:

SPD1 –Brent Design Guide (2018)

SPD2 –Residential Extensions Design Guide (2018)

Residential Amenity Space and Place Quality Supplementary Planning Document (2023)

Sustainable Environment and Development Supplementary Planning Document (2023)

Domestic Footway Vehicle Crossover Policy (2018)

## **DETAILED CONSIDERATIONS**

### **Proposal in Detail**

1. The application is seeking planning permission for the conversion of the dwellinghouse into four self-contained flats including a proposed two storey side extension, first floor rear extension, hip to gable roof extension and rear dormer window with four front rooflights, front porch and replacement of rear extension door and window with new door, associated refuse and cycle storage and subdivision of the rear garden.
2. A previous application for similar extension works which included a two-storey side to rear extension, single-storey front extension, hip to gable-end roof extension and a rear dormer was granted planning permission on 18/09/2023 under reference 23/2552. This previous scheme did not include the conversion of the original dwellinghouse to flats.

### **Principle of development**

3. Policy BH11 set out criteria's for the conversion of family sized dwellings. It states that the existing home should be at least 130sqm or could be acceptable extended to that size. The proposed conversion should have at least a 3-bedroom family dwelling with direct access to a garden or amenity space, and should be within an area of PTAL 3 or above.
4. The plot of land which forms the application site is within the curtilage of an existing two storey semi-detached dwellinghouse which has a floorspace of 215sqm. The proposal includes the provision of a 3-bedroom family unit at ground floor level, with direct access to the rear garden. The site is within a residential area and is noted to have a PTAL of 4 (with Kenton Road within an intensification corridor). As such the proposal is considered to be acceptable in principle, subject to other matters being addressed.

### **Standard of Accommodation**

5. Policy DMP1 of the Brent Local Plan requires development to demonstrate it achieves high levels of internal and external amenity.
6. Brent SPD1 also states that new development should provide adequate privacy and amenity to new residents. Development should ensure a good level of daylight, sunlight and outlook.

7. London Plan policy D6 sets standards for total size, bedroom size and built-in storage. It states that a dwelling with two or more bed spaces should have at least one double (or twin) bedroom that is at least 2.75m wide. Every other additional double (or twin) bedroom should be at least 2.55m wide. A two bedspace double (or twin) bedroom should have a floor area of at least 11.5sqm. A one bedspace single bedroom must have a floor area of at least 7.5sqm and be at least 2.15m wide. The minimum floor to ceiling height must be 2.5m for at least 75% of the Gross Internal Area of each dwelling.

#### *Internal Space Requirements*

8. The minimum requirements and the proposed internal floor areas are set out in the table below:

<b>Flat</b>	<b>Unit Type</b>	<b>Total Floor Space Required</b>	<b>Total Floor Space Proposed (GIA)</b>	<b>Compliant</b>
Ground Floor – Flat 1	3 bed for 6 people	95 sqm	183.77 sqm	Yes
First Floor – Flat 2	2 bed for 4 people	70 sqm	69.41 sqm	No
First Floor – Flat 3	1 bed for 2 people	50 sqm	51.14 sqm	Yes
Second Floor – Flat 4	Studio Flat	39 sqm	41.17 sqm	Yes

#### Ground Floor Flat 1

9. The proposed 3-bedroom family flat would have a total floorspace of 183sqm which significantly exceeds the minimum requirement for the size of the unit proposed. It would benefit from dual aspect provision and each habitable room would receive a sufficient level of daylight/outlook/privacy.
10. The largest bedroom would have a width of 3.5m set over 21sqm, whilst the second bedroom would be 18.5sqm with a width of 3.9m. The smallest bedroom would have a 2.3m which is slightly under the required width for a two person bedroom, however it would be reasonably sized at 12.3sqm, which is considered acceptable. A total of 3.12sqm of storage is proposed which exceeds the minimum requirement and is welcomed. The floor to ceiling ratio is proposed to be 2.4m for the entirety of the unit, which falls slightly below the 2.5m requirement set out within policy D6. However, the dwelling would be dual aspect and would have a good level of ventilation and natural light. Furthermore, as the proposal relates to an existing property rather than a new building, this is on balance considered acceptable. It should also exceed 2.3m headroom height set out within the Nationally Described Space Standards.
11. In terms of outlook and light, all of the habitable rooms would have external windows which are considered to provide good levels of light and outlook. It is also noted that additional soft landscaping is proposed to the front of the windows of bedrooms 2 and 3, which is welcomed.
12. It is considered that the proposed internal layouts are well-planned and that the proposed ground floor family unit would provide good standard of accommodation.

#### First Floor Flat 2

13. The proposed 2-bedroom four-person unit would be set on the first floor of the property and have an internal floorspace of 69.4sqm. This is slightly under the relevant London Plan minimum space standard of 70sqm for a dwelling of this standard, however, the shortfall is very minimal and this is not considered to be detrimental to the occupiers.
14. The largest bedroom is proposed with a width of 3.6m over 14sqm which meets the requirements for a double bedroom. The second bedroom would be 12.5sqm with a width of 2.6m, which also complies with the requirements for a double bedroom. The proposed built-in storage falls short of the 2sqm required as it proposed 1.7sqm. However as the proposed bedrooms are largely over the size required, they could accommodate additional storage and on balance the shortfall is considered acceptable. The proposed section plan show that the floor to ceiling height would be achieved at 2.4m similarly to the ground floor units, which falls slightly under the standard of 2.5m. However as noted above, this is common floor to

ceiling height for existing dwellings built in that era, and as the proposed unit would have large windows and good levels of ventilation, this is therefore considered acceptable.

15. In terms of outlook and light, all of the habitable rooms would have external windows which are considered to provide good levels of light and outlook and the dwelling would benefit from dual aspect provision.
16. Overall, the proposed two bedroom flat is considered to provide a good standard of accommodation.

#### First Floor Flat 3

17. The proposed 1-bedroom two-person unit would be located at first floor level and have an internal floorspace of 51.1sqm. This is above the relevant London Plan minimum space standard of 50sqm for a dwelling of this standard.
18. The bedroom is proposed with a width of 4.3m over 18.5sqm which is well above the requirements for a double bedroom. It is noted that there are no built in storage proposed on the plans, however the generous bedroom size could accommodate additional storage. The proposed section plan show that the floor to ceiling height would be achieved at 2.4m, similarly to the other units, and considering the large windows, this is on balance considered acceptable as discussed above.
19. In terms of outlook and light, all of the habitable rooms would have external windows which are considered to provide good levels of light and outlook.
20. The proposed 1-bedroom flat is considered to provide good standard of accommodation for future occupiers and is supported.

#### Loft Studio Flat 4

21. The studio flat would extend over 41.17sqm, which is above the London Plan minimum space standard required of 39sqm.
22. This unit includes a bedroom/living area which would be about 27.3sqm. This main room is considered to have good levels of outlook and light as it would be served by two windows offering viewed of the rear garden as well as two rooflights. In terms of internal storage 2.15sqm is proposed, which is above the required 1sqm. The proposed plans indicate the floor to ceiling ratio to be about 2.6m, which is above the 2.5m floor to ceiling height set out within policy D6 of London Plan.
23. Overall, the proposed studio unit is considered to be well-planned and would provide good standard of accommodation for future occupiers.

#### Private amenity

24. Policy BH13 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 50sqm for family housing (homes with 3 or more bedrooms) located at ground floor level, and 20sqm in all other cases.
25. The BH13 requirement for external private amenity space is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20sqm or 50sqm of private space is not achieved due to site constraints. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy; the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.

26. With regard to quality of the space, the supporting text to policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5m.
27. London Plan Policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth and 1.5m is reconfirmed in the policy. Whilst Brent's local standard is more stringent, as discussed above, there is also an expectation that the core requirements of D6 would be met alongside achievement of Brent's BH13 policy.
28. The ground floor family unit would have direct access to a rear garden that would measure 129.9sqm which is considered acceptable, with direct access from the lounge/kitchen/dining area. This would significantly exceed 50sqm requirement set out within policy BH13.
29. The three other flats would have access to a private communal garden located to the south eastern corner of the plot adjacent to the footways of Sedgcombe Avenue and would be accessed from the forecourt and side of the site. The revised plans submitted indicated that this communal garden would be 102.9 sqm which is policy compliant (Policy BH13 would require 60sqm for the three flats). Whilst this area would be directly adjacent to the pedestrian footway, the site has an existing boundary wall which would provide an appropriate level of screening to ensure the privacy of this space.
30. Both gardens would be separated by a boundary fence however no detail of the boundary treatment between have been provided. Should permission be granted, a condition would be added to require details of the boundary treatment in between both these gardens to ensure the arrangement would allow for a suitable level of privacy within each garden, without detrimentally impacting the level of light received.

### **Design, Character and Impact on the Street Scene**

31. The proposed works include a number of extensions and external alterations which have for the most part been previously approved under previous application 23/2552.

#### *Two storey side extension*

32. SPD2 generally allows two-storey side extensions where these are no wider than two-thirds the width of the original house and the first-floor element is set back from the main front wall by 2.5m or 1.5m, if a distance of 1m to the side boundary is retained. A two-storey side extension may be unacceptable if it would result in the obstruction of an existing side window solely serving a habitable room to a neighbouring residential property. The roof should match the pitch angle and roof form of the main roof and be set down by at least 0.5m from the ridgeline. They can normally be built up to the side boundary, unless the site is a corner property on a junction with an open character or the boundary is angled, when they should be set in from the side boundary.
33. The subject property is on a corner plot at the intersection of Kenton Road and Sedgcombe Avenue. At ground floor level, the proposed side extension would have a maximum depth of 15.8m joining into the rear extension discussed below. The extension would have a width of 3.97m, which is less than half the width of the original dwelling. A distance of 1m is proposed to the boundary with Sedgcombe Avenue. The proposed elevations show that to the front, the extension would have a pitched roof with a maximum height of 3.6m and an eaves height of 2.8m.
34. At first floor level, a set-in of 1.5m is proposed from the front elevation and the extension would be set-in from the site boundary by 1m which complies with SPD2 guidance. The side extension would have a gabled roof matching the design of the main roof and a set-down by 0.5m is also proposed from the ridgeline of the main roof.

35. The two storey side extension is considered of an acceptable design and would remain subservient to the main dwelling. This element of the proposal is policy compliant.

#### *Single storey rear extension*

36. SPD2 generally allows single-storey rear extensions on attached houses of up to 3m in depth from the existing rear building line of neighbouring properties. Up to 6m in depth may be acceptable where the extension is set in from the side by 1m for every 1m of additional depth. Roof heights should not exceed 3m for a flat roof including parapets, an average of 4m for pitched roofs and infill extensions on side boundaries should be no higher than 2m high on the boundary.

37. The host dwelling previously benefited from a 3m deep rear outrigger extension. It is not clear if this outrigger was original to the house. Following from this, a prior-approval for a 6m deep rear extension was deemed not required under LPA reference: 23/1961. The existing plans indicate that this 6m rear extension is under construction. The site visit indicated that the works had just started at the time with the ground floor outrigger being removed. It is noted that no Certificate of Lawfulness was submitted in regard to this prior-approval application.

38. The present application seek to prolong the 6m rear extension to the side adjoining Sedgecombe Avenue, directly behind the side addition discussed above. The present assessment therefore only considers this side to rear addition and not the prior-approval 6m rear extension.

39. The proposed rear extension would have a depth of 6m beyond the original dwelling rear elevation. The proposed ground-floor plan shows this part of the extension would have a width of 3.97m and would be used as a kitchen. The proposed elevations show the extension would have a flat roof with a height of 3m, which complies with guidance. The building features include panel windows.

40. The proposed extension complies with SPD2 and would preserve the character and appearance of the host property and surrounding area and therefore considered acceptable.

#### *First floor rear extension*

41. SPD2 generally allows two-storey rear extensions where they comply with the 1:2 rule, in respect of the nearest first-floor habitable room windows on neighbouring properties, with a maximum depth of 3m. The roof design should match that of the main roof.

42. The proposed first floor rear extension would have a depth of 3m from the dwelling original rear elevation. The proposed plans shows the extension would have a width of 8m and would be used as a lounge/kitchen area and bathroom. The building features include 3x rear windows. The proposed elevations show the extension would have a pitched roof which has been designed to not overlap the proposed rear dormer and would be set-down from the ridge of the main roof by 0.5m. The proposed pitched roof is considered of an acceptable design.

43. The proposed first floor rear extension complies with SPD2 and has been designed to preserve the character and appearance of the host property and surrounding area and is therefore considered acceptable.

#### *Roof extensions*

44. Hip-to-gable roof extensions are generally permitted unless there is an existing two-storey side extension with a hipped roof.

45. SPD2 generally permits rear dormers, which can be the full width of the original roof plane. They should be set down from the ridge by at least 0.3m and set up from the eaves by at least 0.5m. Dormers that project onto or over a rear projection are not normally permitted.



46. The proposal includes gabling the main roof, which would match the roof of the side extension discussed above. There is no objection to this in terms of design.
47. The proposed dormer would have a depth of 3.8m, a total width of 4.9m and have a height of 2.2m. The proposed elevations show a set-down of 0.3m from the ridge of the main dwellinghouse roof. The part of the roof that would accommodate the largest part of the dormer slopes slightly higher than the rest of the roof. The proposed plans show that in order to accommodate this existing slope, the dormer would be slightly stepped. As a result, a maximum set-up of 1.5m from the eaves is proposed on this higher slope. On the lower slope, it is difficult to see exactly the proposed set-down from the plans, but this is estimated to be around 0.4m. Whilst this would appear to be slightly under the SPD2 requirement of 0.5m, the dormer would be partially screened behind the proposed two storey rear extension when viewed from Sedgcombe Avenue. Furthermore, it is noted that the dormer at No. 287 Kenton Road, although less prominent, has a similar stepped design due to a similar roof slope. As such, when factoring the screening by the two storey rear extension and the 1.5m set in proposed, the rear dormer is considered, on balance, to appear sufficiently subservient to the host dwelling not to result in an adverse impact on the surrounding streetscene.
48. The building features include 2x rear windows. The plans state that all proposed materials will match the existing dwellinghouse.
49. A total of 4x rooflights are also proposed on the front slope of the main roof. SPD2 does not prevent these types of works and there are no objections to this in terms of design.
50. Overall, whilst the proposed roof extension does not fully comply with SPD2, it is considered on balance acceptable in terms of its impact on the host dwelling and surrounding streetscene for the reasons stated above.

#### *Front extension*

51. SPD2 generally does not permit front extensions such as porches linked to front bays, garages or front extensions to garages, unless these are the predominant character of the area.
52. The proposed ground floor side addition would extend forward to project in line with the existing front porch. Whilst this front extension would have no set-back from the existing porch, it is noted that there are many similar arrangements in the area such as at No. 293 Kenton Road, or at Nos. 289 and 287. On balance, the proposed front extension is therefore considered of an acceptable design.
53. The proposed works would include minor changes to the fenestration of dwelling front elevation. These are not considered to have a negative impact on the character of the area or street scene.

#### **Impact on Residential Amenities of Adjoining Occupiers**

54. It is always necessary for developments to take into account the residential amenity of neighbours and impact on the environment. Local Plan Policy DMP1 seeks to ensure new development does not unacceptably increase neighbours' exposure to noise, light and general disturbance.

#### *Two storey side extension*

55. The proposed side extension would adjoin Sedgcombe Avenue, and would be located 11m from the dwelling at No. 293 opposite Sedgcombe Avenue, and approximately 9m away from No. 289 Kenton Road. Due to the corner location there would be no obstruction of neighbouring windows and therefore the side extension is acceptable in regard to amenity.

#### *Single storey rear extension*

56. Due to the corner location, the proposed 6m rear extension would not directly adjoin any neighbours and a distance of 11m would remain to No. 289, to the other side of Sedgcombe Avenue. In relation to the

attached neighbour at No. 289 Kenton Road, the extension would be set behind the 6m prior-approval rear extension and as such it is considered that it would not result in a detrimental impact on this neighbour's amenity.

57. The proposed rear extension complies with SPD2 and is not considered to have a detrimental impact on the amenity of neighbouring properties for the reasons stated above.

#### *First floor rear extension*

58. The proposed first floor rear extension would have a depth of 3m from the dwelling original rear elevation. The rear elevation of the neighbour at No. 289 Kenton Road has not been extended and as such, the flank wall of the proposed extension would be located 7.3m away from the middle of the nearest habitable room window at No. 289. This complies with the 1:2 rule and would not result in an unduly detrimental impact on the amenity of this neighbour. To the other side, the extension would directly adjoin Sedgcombe Avenue, and the closest dwelling at No. 293 would be located 11m away.

59. A distance of over 23m would be maintained to the boundary with No. 2 Sedgcombe Road, exceeding 9m requirement to a rear garden set out within SPD1 in terms of privacy.

60. The first floor rear extension complies with SPD1 and SPD2 and is not considered to result in an unduly detrimental impact on the amenity of neighbouring properties.

#### *Roof extensions*

61. The proposed roof extension is considered to be acceptable and would not result in harm to the amenity of adjoining occupiers. The proposed rear dormer would have rear windows facing the rear garden, and whilst it may have limited viewed into the garden of No. 298, this would be to a limited degree and would be considered typical for a rear dormer in a semi-detached setting. The impact would be no greater than from the first floor rear windows.

#### *Front extension*

62. The proposed front extension would adjoin Sedgcombe Avenue and is not considered to have any impact in relation to neighbouring amenity.

63. Overall, the proposed external alterations are not considered to result in an unduly detrimental impact on the amenity of neighbouring occupiers. Furthermore, it is considered that the quality of accommodation provided is of a good standard and would not result in an overcrowding of the site and would not therefore lead to disturbance to the local community.

### **Transport**

64. Appendix 4 of the Local Plan states that maximum car parking allowances are based upon the London Plan standards, which for residential use are taken from Table 10.3 of London Plan Policy 6.1.

#### *Car Parking*

65. The existing house has a maximum car parking allowance of 0.75 space, and the existing double garage and off-street parking currently exceeds these parking standards. The proposed block plan shows that the two existing garages would be retained to provide parking spaces for flats 1 and 2. Each garage is 5.2m long and 2.4m wide, and therefore can each accommodate one car. The forecourt in front of the garages is 6m deep, allowing further spaces to be accommodated on the hardstanding. As the spaces are not independently accessible, Flat 1 and 2 would effectively have 2x parking spaces each, with no off-street parking for the smaller 1-bedroom units, flats 3 and 4.

66. The council Transport team has reviewed the proposal and noted that the overall provision of four spaces

does exceed parking standards (particularly for Flats 1 and 2), however, this is an existing situation for this site.

67. Policy BT2 of the Local Plan also requires the impact of any overspill parking on-street to be considered. In this respect, Kenton Road does not have any available parking along the frontage due to the pedestrian crossing and whilst Sedgecombe Avenue is not a heavily parked street, it is too narrow to safely accommodate parking along both sides.
68. However, Census data for the area suggests that car ownership for flats averages between 0.4 cars/flat and 0.66 cars/flat. On this basis, between 2-3 cars would be expected to be owned by future residents, and therefore overspill parking levels would not be significant.

#### *Cycle Storage*

69. Cycle storage requirements are set out in table 10.2 of the London Plan. The scheme proposes secure cycle parking for all of the units within the front garden. This would include 3x bike store, each accommodating 2x bikes for flats 1, 2 and 3; and a separate bike store allowing 1x space for the studio flat. This complies with cycle parking standards set out in the London Plan.

#### *Bin Storage*

70. Residential households will require 240l of residual waste, 240l of dry recycling and 23l of organic waste bins per household. The proposed site plan shows a bin storage area within the front garden containing 6x bins (2 per property), which would be enclosed. Details of the wheeling bins store have been provided and are satisfactory in design terms.

#### *Soft Landscaping*

71. The Council's adopted BT2 requires a minimum of 50% of forecourts to be covered in soft landscaping to improve natural drainage.
72. To the forecourt of the site, the provision of soft landscaping has been increased to 51.3%, which complies with guidance. This would help natural drainage and retaining an attractive appearance in the streetscene.

#### **Impact on existing landscaping and trees**

73. The potential effect of development on trees, whether statutorily protected (by a tree preservation order or by their inclusion within a conservation area) or not, is a material consideration that is taken into account when dealing with planning applications. Policies DMP1 & BG12 of Brent's Local Plan (2019-2041) and G7 of the London Plan (2021) emphasise the importance of protecting amenity trees from development and replacing lost trees where appropriate.
74. There are a number of trees and shrubs in the forecourt of the site, to the western boundary adjoining 289 Kenton Road. The proposed plans indicate that this soft landscape area would be retained as existing. To the north of the site it is noted that there are some scrubs and trees which would most likely be removed to allow for the provision of the side extension and bike store. Whilst neither of the shrubs or trees present on site are protected, opportunities to provide native planting and wildlife friendly planting could be secured by condition to promote biodiversity enhancements within the site.

#### **Urban Greening Factor**

75. Policy BH4 of the Local Plan require developments to contribute to Urban Greening and a target Urban Greening Factor (UGF) of 0.4 is recommended. The application has not given details of the UGF target. However, the extent of the building work would replicate the footprint as approved as part of the prior approval and householder extensions, whereby there is no policy requirement in relation to the urban

greening factor. As noted above, opportunities to provide native planting and wildlife friendly planting could be secured by condition to promote biodiversity enhancements within the site.

### **Flood Risk and Drainage**

76. Policy BSUI4 sets out that proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems. The proposal would include areas of soft landscaping to the forecourt and rear gardens which would provide natural drainage. No details of soakaways have been provided for the garages driveways, however there would be no material changes to the existing arrangement.

### **Fire Safety**

77. Policy D12A of the London Plan now requires all development proposals to achieve the highest standard of fire safety and requires submissions to demonstrate that they:

- 1) identify suitably positioned unobstructed outside space:
  - a) for fire appliances to be positioned on
  - b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) provide suitable access and equipment for fire-fighting which is appropriate for the size and use of the development.

78. No information has been provided to demonstrate compliance with this policy. Nevertheless, given the scale of the proposal and its location next to the road frontages, it is considered that such matters could reasonably be achieved through building control regulations.

### **Sustainability**

79. Local Plan Policy BSUI4 applies substantial weight for minor developments to seek to reduce potential overheating and reliance on air conditioning system through good design. For residential development, a Water Efficiency Assessment will be required providing evidence the development will meet the target of 105 litres or less per head per day, excluding an allowance of 5 litres or less per head per day for external water use, which is recommended to be conditioned to any forthcoming consent.

### **Equalities**

80. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

### **Conclusion**

81. The proposal is considered to accord with the development plan as a whole, having regard to all material planning considerations. Whilst it is noted that there are some minor shortfalls in the internal space standards for some of the flats in relation to policy D6, in all cases these would fall marginally below policy targets, but the degree of shortfall is such that the quality of accommodation is not compromised.

82. The proposal would deliver the provision of one new family-sized home, and of three additional flats, contributing positively towards the Council's housing targets. The design of the property is appropriate for the location and would be in keeping with the established character of the street. The proposed external alterations to the building are similar to these approved under permission reference 23/2552 and would not harm neighbouring amenity, and relate well to the character of the host property and surrounding area.
83. Whilst the proposal does not clearly set out whether the scheme would achieve an UGF of 0.4 in line with policy BH4 the benefits of the scheme including the delivery of a family sized home are considered to outweigh any limited harm in conflict with this policy.
84. Planning permission is therefore recommended to be granted subject to conditions.



Application No: 23/3021

To: Mr Patel  
73 Old Church Lane  
Stanmore  
HA7 2RG

I refer to your application dated **18/09/2023** proposing the following:

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.

and accompanied by plans or documents listed here:  
See condition 2

at **291 Kenton Road, Harrow, HA3 0HQ**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 09/01/2024

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-  
National Planning Policy Framework (2023)  
The London Plan (2021)  
Brent Local Plan (2019-2041)
  
- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.  
  
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.
  
- 2 The development hereby permitted shall be carried out in material accordance with the following approved drawing(s) and/or document(s):  
  
Location Plan  
PA/291/P.07 Rev B Existing and Proposed Block Plan  
PA/291/E.01 Rev – Existing Floor Plans  
PA/291/P.02 Rev – Existing and Proposed Front and Side Elevations  
PA/291/P.03 Rev – Existing and Proposed Rear and Side Elevations  
PA/291/P.04 Rev – Proposed Ground Floor Plan  
PA/291/P.05 Rev - Proposed First and Second Floor Plans  
PA/291/P.06 Rev – Existing and Proposed Roof Plans  
PA/291/P.08 Rev – Proposed Section  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The existing outbuilding as shown on the approved plans shall not be used other than in relation for incidental use in relation to the occupants of flat 1 only.  
  
Reason: In the interests of the amenities of the locality.
  
- 4 The development hereby approved shall be designed so that mains water consumption for the new dwelling does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations (2010).  
  
Reason: In order to ensure a sustainable development by minimising water consumption.
  
- 5 The development hereby approved shall not be occupied unless the car parking, cycle storage and refuse stores have been completed, in full accordance with the approved drawings and the facilities shall thereafter be made available to residents of the development and shall not be used other than for purposes ancillary to the dwellinghouses hereby approved.  
  
Reason: To ensure a satisfactory standard of accommodation.
  
- 6 The development hereby approved shall not be occupied unless the external amenity spaces have been completed in full accordance with the approved drawings and those spaces shall

thereafter be made available to residents of the development and shall not be used other than for purposes ancillary to the dwellinghouses hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 7 The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing building.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 8 No access shall be provided to the roof of the extension by way of window, door or stairway and the roof of the extension hereby approved shall not be used as a balcony, terrace or sitting out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

- 9 Prior to first occupation of any part of the development hereby approved, a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- I. A scaled plan showing vegetation to be retained and trees and plants to be planted including the use of native and/or wildlife attracting species
- II. Details of all proposed hardstanding
- III. Details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights)
- IV. Details to maximise the urban green factor (UGF) for the site in line with policy BH4 of Brent's Local Plan 2019-2041

The hard and soft landscape works shall be carried out in full accordance with the approved details prior to the use of the dwellings hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales.

Any new trees(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning authority gives its written consent to any variation).

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies DMP1 and BGI2 of Brent's Local Plan (2019-2041).

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the government website:  
<https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out



entirely within the application property.

- 3 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).

Any person wishing to inspect the above papers should contact Jeanne Gleize, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2281