



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 7 August
2024 at 6.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor S Butt (Vice-Chair) and Councillors Akram, Begum, Chappell, Johnson, Mahmood and J. Patel

Also present: Councillors Georgiou (Agenda Item 5)

1. Apologies for Absence and Clarification of Alternate Members

Apologies for absence were received from Councillor Dixon with Councillor Mahmood attending as a substitute member.

2. Declarations of interests

Councillor Johnson declared a personal interest in respect of Application 21/2587 – Hereford House & Garages, Carlton Vale and Exeter Court, Cambridge Road and Open Space and Play Area, Granville Road, London, NW6 (Agenda Item 4) as a previous Director and member of the South Kilburn Trust.

No other declarations of interest were made during the meeting.

3. Minutes of the previous meeting

RESOLVED that the minutes of the previous meeting held on Tuesday 11 June 2024 be approved as a correct record of the meeting.

4. 21 / 2587 - Hereford House and Garages, Carlyon Vale & Exeter Court, Cambridge Road and Open Space and Play Area, Granville Road, London, NW6

PROPOSAL

Full planning application for the demolition of the existing Hereford House and Exeter Court buildings and the construction of four new residential buildings ranging from 3-13 storeys, the provision of flexible non-residential floorspace at ground floor of Block C1, a new public urban park and new access road along the western side of the site, cycle and blue badge car parking and associated infrastructure.

RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- (1) referral of the application to the Mayor of London (Stage 2 referral); and
- (2) the conditions and informatives as set out in the Committee and Supplementary report.

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Lena Summers (Planning Officer) introduced the report, detailing the proposal for the building of four new residential blocks varying in height and mass set within a significant amount of new public realm comprising hard and soft landscaping and additional parking and new cycling routes. The proposed site was arranged around a communal courtyard of consisting of blocks A, B and C with a new urban park and access road along the western side of the site. Following the submission of a supplementary report, the conditions had been reordered to reflect compliance, pre-commencement, post commencement and pre occupation with an update provided in relation to the revised bus contribution being sought by TfL as a result of the latest Transport Assessment, with the recommendation remaining to grant consent.

The Chair thanked Lena Summers for introducing the report and as there were no registered speakers for the application the Chair moved straight on to invite the Committee to raise any questions they had in relation to the information presented, with the following being noted:

- As the level of social housing properties on the site had reduced, further details were sought on whether the standard of homes had risen in balance and what benefit would be delivered as a result. The Committee were advised that although there would be 41 less social housing properties, there would be a net gain in the socially rented floor space amounting to 957sqm. There would also be a significant increase in family sized dwellings with 53 dwellings consisting of either three, four or five bedrooms and net uplift in level of affordable housing.
- In response to a query on the quality of open space within the proposed development, the Committee was reminded that this would comprise of an urban park site allocation. The open space had been relocated to the East side due to overlooking and new trees would also be planted for additional privacy.
- With regard to the proposals for community entrances, the Committee were informed that the Urban Design Officer had identified the proposals to be of a high standard given the design.
- Further details were sought on the decanting of existing tenants from the site, which the Committee was informed had been completed with tenants having been relocated within the wider South Kilburn area and nomination rights to the new development site being subject to established arrangements.
- Further details were sought regarding the surplus provision and whether the net loss was due to viability of the scheme. The Committee was informed that initially properties were part of a Shared Ownership Scheme but this had now been converted to social renting homes and the scheme had been redesigned to meet current building regulations. A viability assessment showed that this was the maximum provision that could be provided.
- Reading the query of whether Thames Water had been consulted on the risk of flooding and how the scheme would fit into Thames Water's future plans, the Committee was informed that Thames Water had been consulted and a Flooding Risk Assessment and Drainage Strategy completed with no specific concerns or objections being raised. Flood risk had been assessed, and the

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site represented a betterment reducing surface water run off to greenfield rates. Sustainable Drainage Systems (SuDS) measures had also been proposed to address surface water management, with further details of the drainage strategy to be secured by condition(s).

- In regards to the loss of light to neighbouring properties, whilst it had been recognised that the development would have some impact on neighbouring properties, largely in terms of loss of daylight and there would be some shortfalls against BRE guidelines, in particular to the properties to the north on Granville Road it was felt that the applicant has demonstrated in their submission that existing building arrangement and features of these affected homes had restricted access to light, including projecting balconies and the properties being low lying which also distorted the reported values. The level of impact was not therefore considered to be unduly detrimental given the general high level of compliance and urban nature of the scheme with the overall impact of the development considered acceptable, particularly in view of the wider benefits of the scheme in terms of the Council's strategic objectives.
- Further details were sought regarding the ecological impact of the proposed development with it noted there were currently 39 trees on site and the development resulting in a net increase of over 100 trees, with 45 of these planted within the Granville Urban Park and new street trees on Carlton Vale and Granville Road. The site was not within any designated ecological assets and achieved an urban greening factor of 0.33 which, whilst falling short of target, would be maximised through the application site with final landscaping details secured via condition. The Committee were informed that the tallest buildings were in Block C and there would be trees lining this block but none of the trees were mature.
- Regarding issues of flooding in the site in the past, the Committee were informed that flood risk had been assessed, and the site represented a betterment reducing surface water run off to greenfield rates with Sustainable Drainage Systems (SuDS) measures proposed to address surface water management and further details of the drainage strategy to be secured by condition(s).
- Further details were sought about the shortfall in amenity space. The Committee were informed that there was a policy target of 50sqm of amenity space for ground floor dwellings and 20sqm for the other floors, as well as communal gardens. Amenity space was provided as balconies and terraces and a communal courtyard for Blocks A, B and C. Dwellings in Block D were terraced houses and had both front and rear gardens. Whilst the amount of external private/communal space met London Plan requirements it had not fully met Brent's numerical requirements set out within policy BH13, however, the development had been designed to provide good quality amenity space and a new Urban Park adjacent to the new homes and as such this was considered of sufficient quality and to provide a variety of external communal spaces and on-site play for future occupiers.
- Details were sought on any plans to re-design Carlton Vale linked to the development. Committee members noted that whilst the scheme would

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involve some adjustment to the adjacent parking and loading bays there would be no change in the design of the existing highway along Carlton Vale.

- Regarding the impact on neighbouring properties and data on the shortfall, the Committee noted that the report showed shortfalls in BSE and BRE guidelines due to overhanging balconies, but this was balanced with the provision of outdoor space with the properties most impacted being 21-53 Granville Road. It was, however, noted that thirty three out of sixty three windows that were tested had met the relevant criteria.
- In seeking confirmation on the extent of public consultation undertaken the Committee were advised this had included letters being sent to 675 neighbouring properties, the display of site notices and notice within the press with follow up following scheme alterations and submission of revised plans. A Statement of Community Involvement had also been submitted outlining the level of consultation and engagement undertaken prior to the pre application stage.
- Clarification was sought around the change in wording on the Conditions (38/36) relating to wind microclimate mitigation measures with confirmation provided that the change would not impact on the delivery of necessary mitigation measures and had been designed to allow maximum flexibility in relation to the impact on amenity and around any further minor amendments to the scheme. The Committee was informed implementation of the relevant conditions would need to be completed prior to occupation of the blocks by residents.
- Clarification was also sought in relation to the level of off-site contribution in terms of amenity space and whether this was felt to be sufficient with members advised that the new urban park had been secured to provide modern play facilities aimed at a range of ages and would be an improvement in quality in terms of its design and usability from the existing space. The South Kilburn SPD envisaged open space to the west of site BSESA8 to connect to South Kilburn Open space and whilst the space being provided was to the east, it was considered the space would connect well into the surrounding route network and would increase usage. In terms of any associated financial contribution to reflect the shortfall in amenity space it was noted this had been based around the scale of additional play facilities to be provided with confirmation this would be secured for use locally within the South Kilburn Open Space.
- In seeking clarification in relation to the air quality assessment the Committee was advised that whilst an air quality positive statement had not been submitted, the range of evidence provided by the applicant demonstrated that holistically the scheme has been designed to address Air Quality Positive and would be air quality neutral.
- Further details were sought around the district heating system. Committee members noted that this was being secured by condition, which was now supplementary condition 29.

As no further comments were raised the Chair thanked officers for responding to the Committee's queries and then moved on to the vote.

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DECISION

RESOLVED to grant planning permission subject to referral of the application to the Mayor of London (Stage 2 referral) and the conditions and informatives as set out in the Committee and Supplementary report.

(Voting on the above decision was as follows: Unanimous in favour)

5. **22 / 2477 - 245-249 and 253 Ealing Road, Wembley, HA0 1EX**

PROPOSAL

Redevelopment of site to provide two buildings accommodating residential units, the use of ground floor as a Community Use (Use Class: F2) with additional affordable workspace (Use Class: E) at ground floor level, associated vehicular crossover, car and cycle parking spaces, refuse storage, amenity spaces, landscaping and associated works.

RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- (1) referral of the application to the Mayor of London (Stage 2 referral); and
- (2) the conditions and informatives as set out in the Committee report.

Nicola Blake (Principal Planning Officer) introduced the report, stating that the application was seeking approval to demolish the existing buildings on site and erect two buildings of up to 10 storeys in height in their place. The ground floor of the northernmost building would include a community facility measuring 140sqm with the ground floor of the southernmost building including a 251sqm affordable workspace area and a car park. The development includes 31 residential units within the northernmost building (block A) and 57 residential units within the southernmost building (block B) resulting in 88 residential units. The top storey of Block A would have a 234.4sqm communal terrace with attention also drawn to the updates within the Supplementary report and members advised that the recommendation remained to grant planning permission subject to the applications referral to the Mayor of London (Stage 2 referral) and conditions (as amended) and prior completion of a legal agreement.

The Chair thanked Nicola Blake for introducing the report and sought further details on the element of development being described as a creative enterprise. The Committee noted that these included amenities for artists, such as studio and retail space. The site looked to create broader job opportunities and was not limited to a particular industry.

The Chair then welcomed the first speaker Mike Poshteh (who had registered to speak in objection to the application) with the following noted:

- There had been approximately 86 objections from residents who felt that two 20 storey high buildings would impact the existing properties surrounding the

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development in terms of overshadowing, loss of light & privacy and insufficient space between neighbouring developments.

- It was felt that the area had materially changed since the original application in 2016 given the extent of other developments either built or approved including Alpertons Yard, Alpertons Waterside and Grand Union St George which had significantly added to liveable units in the area. Whilst residents understood the need for housing within Brent and London, it was not felt this development was the solution.
- The wider impact on amenity including additional strain on public transport, traffic and congestion, local school and health provision, which were already at capacity.
- Concerns were also highlighted in relation to the overbearing nature of the development and overlooking.

The Chair thanked Mike Poshteh for addressing the Committee and then invited members to ask any questions they had in relation to the information presented, with the following being noted:

- Further details were sought on the adjustments requested on the site. The Committee noted that residents would prefer the development to be reduced in scale and mass but recognised that there would be a cost element to this.
- Clarification was sought regarding the proximity of Mr Poshteh's home to the new development given the location of the site in a Tall Building and Growth Zone, which it was confirmed was located immediately adjacent to the development.
- Details were sought on what would be considered a more appropriate development. Mr Poshteh said that a smaller development would be ideal. He understood the need for housing but something similar to the Peartree Drive development would be preferable at 3-4 stories.

The Chair then welcomed Dr Matthew Grech Sollars (who had also registered to speak in objection to the application) and invited him to address the Committee with the following key points highlighted:

- Dr Sollars home was located directly opposite the proposed development and he urged the Committee to reject the application and to request that any application subsequently submitted was designed to comply with the necessary BRE guidelines.
- It was felt that the proposed building would reduce the lighting levels in adjacent blocks and break BRE guidelines as per the daylight impact assessment. Dr Sollars worked from home on some days and the new development would limit the light going into his property and lack of light was known to result in sleep issues, mood disturbances and associated health risks with concerns also expressed in relation to privacy and overlooking.

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- Concerns was also expressed in relation to the impact on the surrounding area and local amenity given the level of development across Alperton.
- As a result, Dr Sollars urged the Committee to take account of the wellbeing of those living adjacent to the proposed development and across Alperton and for the proposal to be rejected until an improved, more sustainable proposal was put in place that considered the true impact on the community.

As there were no questions from members the Chair then moved on to invite Councillor Georgiou to address the Committee as a local ward councillor with the following comments noted:

- Speaking on behalf of the residents of Alperton Ward, Councillor Georgiou highlighted the intense nature of development across the ward including the impact of large scale construction works which were negatively impacting local residents.
- It was felt that the bulk of these new developments in the area had not addressed the growing level of housing need but had compounded existing issues, such as lack of associated infrastructure and build quality.
- Referring to a letter from a local resident Councillor Georgiou highlighted concerns relating to the current application in relation to loss of light, privacy and overlooking.
- Concerns were also highlighted in relation to the nature of affordable housing provision proposed which had included an element of shared ownership that Councillor Georgiou felt did not represent a genuine affordable housing tenure. In acknowledging the scheme offered 35% affordable housing provision it was felt a higher level needed to be sought with the inclusion of 56 private units at market rent also challenged.
- In terms of build quality within existing developments the opportunity was also taken to highlight existing issues being faced by residents including broken lifts, antisocial behaviour in communal areas, lack of access to communal areas due to safety concerns and significant construction issues, which it was felt needed to be considered and addressed by the Committee in approving further developments and seeking to ensure the necessary commitments and build quality design from developers.
- Whilst welcoming financial contributions being offered as part of the application, clarification was also sought on the Controlled Parking Zone provision and how that would be utilised, the maintenance of street tree planting and improvements to open spaces which it was felt should be focussed on local provision. Whilst the contribution towards step free access at Alperton tube station was also supported it was highlighted these measures were required now rather than at some stage in the future.
- As a final point, concern was also expressed at the loss of the previous public house on the application site as a local amenity and its redevelopment

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with what was felt to represent unaffordable housing provision and further overdevelopment in the area without the necessary supporting infrastructure.

As there were no questions from members the Chair then moved on to invite Jay Patel on behalf of the applicant to address the Committee with the following comments noted:

- In highlighting that the current application followed a consent (lapsed) for a similar development he advised that following extensive discussions with officers the scheme was now felt to have addressed all relevant planning considerations and was therefore commended to the Committee for approval.
- In terms of the previous application submitted, the revised scheme included an increased level of affordable housing with a better tenure mix that was in accordance with the requirements within the London and Brent Local Plan and had been designed to meet the latest guidelines in relation to fire safety
- The conditions proposed were felt to be reasonable and would ensure the development was built as approved with minimal impact on neighbours. Comments from neighbours were fully understood and had been considered by officers, who confirmed in their report that, on balance, the proposal would not adversely impact on the amenities of neighbours.
- The proposal provided much needed housing in an area already designated for housing. Any shortfall was mitigated by contributions as detailed in the report.

The Chair thanked Jay Patel for addressing the Committee and then invited members to ask any questions they had in relation to the information presented, with the following being noted:

- In terms of use of the play area to be included in the communal rooftop terrace confirmation was provided this would include separate areas for younger and older children with the area retaining a flexible use.
- Details were sought on why blocks A and B had been separated and whether this related to potential future ownership of part of the site with the Committee advised that any potential discussions with interested Register Providers would be subject to future consideration and had not impacted on current design of the scheme.
- Regarding how long the development had been vacant, the Committee noted that this had been since 2015 with the public house building unlettable in its current condition.
- As the site was in a tall buildings zone, further details were sought on the design consultation and whether there was an opportunity to increase the height of the scheme to maximise the level of affordable housing provision. In response the Committee were advised that the applicant had felt the existing scale of the development provided the most appropriate fit for the current site. In terms of the adjacent site to the rear of the proposed development confirmation was provided this was not owned by the applicant

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but discussions had taken place with the owner to ensure any future development plans would not adversely impact on either site.

The Chair thanked Jay Patel for answering the member's questions and, with no further speakers, he then invited members questions to officers in relation to the information presented, with the following noted:

- Details were sought on levels of light and obscured windows. The Committee were informed that a daylight assessment had been carried out to assess the impact on neighbouring properties. The buildings surrounding the new development were fairly new and around 9 storeys high. A lot of them had long recess balconies with dual aspect apartments and light was restricted. The levels of daylight and sunlight received by the new homes and amenity spaces within the development were considered to be appropriate for a scheme of this density, with the provision of private external amenity space (in the form of balconies) outweighing the associated reduction in daylight received by rooms. It was also noted that residents would be able to access a variety of amenity spaces throughout the site, with the majority of these meeting BRE guidance levels for sunlight. The proposal was therefore considered to be acceptable in relation to the levels of internal daylight and sunlight.
- In terms of the design standards applied members were advised it was considered that the proposed buildings had successfully addressed the criterion set out within London Plan Policy D9, owing to the buildings limited impact, given their height when considered in the context of them being located within a Tall Building Zone, while remaining functional for all future users, with key accessibility points addressed, allowing the navigation through the site, between the two buildings. It was noted that an access condition would be added to ensure the level changes between the sites were addressed and would not impact the building's functionality. Overall, the building's design and appearance was considered to be acceptable. Whilst resulting in a substantial pair of buildings the focus of the development on the main road junction, and the light materials were considered to mitigate the height. The overall design and materiality of the proposed development was also considered to respond to and compliment the wider streetscene and local area, with a contemporary design language that would be broadly in keeping with other recent developments of a similar scale.
- Regarding the obscured windows, the Committee was informed that the south facing windows would be obscured and this was considered as an acceptable level and secured via Condition 7.
- Further clarification was sought on the affordable housing provision within the scheme with it note that the scheme would deliver 33 affordable units (10 Shared Ownership and 22 London Affordable Rents) at 35.5% by habitable room. As the scheme was delivering more than 35% affordable housing, confirmation was provided it had qualified for the Fast Track route, as set out within both the London Plan and Brent's Local Plan, subject to both an early and late stage review mechanism. The scheme would achieve a policy compliant level of family sized homes (24 homes in total) in line with policy BH6.

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- In terms of the quality of residential accommodation clarification was provided that of the 88 units proposed, 66 units would feature a dual aspect outlook which had been welcomed. The units which included single aspect outlook had been suitably located facing south-west and north-east, reducing any reliance on solely north or south facing units which was also welcomed. Those homes would have outlook to the west over Ealing Road, and to the north and east over Hatton Road. Windows would be obscure glazed to some windows facing towards the south, given the proximity of both the southern building and Grand Union House development. While there were very few instances of single aspect windows, given that the site was within the Alperton Growth Area it was considered that the shortfall of dual aspect units could therefore on balance be considered acceptable, resulting in an efficient use of the land in an urban context. In terms of the impact on neighbouring properties whilst there were some windows which did not achieve the BRE, the scheme did provide an overall high level of compliance with BRE guidance, which was considered to be acceptable given the urban context of the site and its location within a Tall Building Zone. The properties that were mainly affected currently afforded an outlook over the low scale existing buildings on site resulting in higher levels of daylight than could be expected in a typical urban context, in addition to being affected by their own developments and balcony placement. On this basis the overall benefits of the development including the delivery of new commercial floorspace and residential homes (including a policy compliant level of family sized homes) was felt to outweigh the limited harm identified with the design of the building and quality of residential accommodation considered to be acceptable and the height and massing in keeping with the local context.
- Details were sought on whether this development was in line with the Alperton Masterplan given the concerns and objections highlighted in relation to overdevelopment and the lack of associated infrastructure and need identified for potential review of the Plan as a result. In noting that the previously consented application had been included within the Masterplan the Committee were informed that the Local Plan was subject to regular review with the development site located with the Alperton Growth Area and a Tall building Zone as identified within the current version of the Local Plan.
- Further details were sought on the levels of consultation that had taken place on this application. The Committee noted that the consultation was carried out in line with statutory guidelines, which consisted of letters to individual households, site notices and the application being advertised in the press.
- Further clarification was sought on the potential to be able to extend the height of the development given its location within a Tall Building and Growth Zone as a means in seeking to maximise the potential of the site. In recognising the need to assess the application as presented, members were also reminded of the balance needing to be achieved in relation to site density and the relationship with neighbouring properties and wider urban context of the surrounding area with the current proposals in terms of the impact on height and density of the site considered to be acceptable and suitable in their current form. In terms of adaptability for future use the development included two clearly defined separate entrances to the blocks which provided the potential for separate ownership or management, subject to the necessary agreements being reached.

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- Further details were sought on initial proposals to include a drinking establishment within the new development, which the Committee were advised was no longer proposed with an alternative use to be provided in the form of a community centre as well as a workspace.
- In terms of financial contributions to be secured towards improvements in open spaces, details were sought whether this could be conditioned for allocation and use in the local area rather than across the borough as a whole which officers advised it would be possible to secure.
- In response to further details being sought in relation to the financial contribution supporting step free access at Alperton tube station members noted this had followed discussion with TfL with the proposals now at design stage and a further contribution also secured towards bus service enhancements to reflect the cumulative impact on services. Members were advised the step-free access project was interlinked with the Piccadilly Line upgrade project.
- In regards to transport and parking provision the proposed alterations to the public highway were considered to be acceptable, considering the needs of pedestrians, cyclists and motorists with 3 disabled parking spaces which was in accordance with standards and met the London Plan minimum allocation of an allocated disabled space for 3% of the units to be provided, with the remainder of the development expected to operate free of cars.
- As a final query details were sought on the adequacy of the servicing and refuse arrangements for the site which it was confirmed had met the required standards.

The Chair thanked the officers and as there were no further questions from members the Chair then moved on to the vote.

DECISION

RESOLVED to grant planning permission subject to:

- (1) referral of the application to the Mayor of London (Stage 2 referral) and prior completion of a legal agreement to secure the planning obligations set out in the Committee report;
- (2) the conditions and informatives as set out in the Committee and Supplementary report including an amendment to the Section 106 agreement Heads of Terms to ensure that use of the £10,000 contribution secured towards the enhancement and improvement to public open spaces in the borough was focussed within the vicinity of the development.

(Voting on the above decision was as follows: 6 For; 1 Against & 1 Abstention)

6. **22 / 4179 - 6 Deerhurst Road, London, NW2 4DE**

PROPOSAL

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The proposal involves the conversion of the existing dwellinghouse into five self-contained flats. The development would involve external alterations which include the erection of a rear dormer window and 1.no side rooflight, replacement front windows, and the relocation of the front entrance door along the principal elevation of the building. The rear garden area would also be subdivided, and the proposal will include the provision of off-road parking, cycle and waste storage and associated hard and soft landscaping.

RECOMMENDATION

- (1) That the Committee resolve to GRANT planning permission subject to:
 - (a) The completion of a legal agreement to secure the planning obligations detailed within the report.
 - (b) the conditions and informatives as set out in the Committee report and supplementary report.
- (2) 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.
- (3) That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Curtis Thompson (Planning Officer) introduced the report which the Committee was advised involved the conversion of the existing dwellinghouse into 5 x self-contained flats. The development would involve external alterations which included the erection of a rear dormer window and 1 side rooflight, replacement front windows, and the relocation of the front entrance door along the principal elevation of the building. The rear garden area would also be subdivided, and the proposal will include the provision of off-road parking, cycle and waste storage and associated hard and soft landscaping. Members attention was also drawn to the supplementary report which included reference to an updated plan and a resulting amendment to Condition 2 with the recommendation remaining to grant consent subject to the completion of the necessary s106 agreement and conditions.

The Chair thanked Curtis Thompson for introducing the report, and then invited Lalji Vekaria, speaking in support of the application as the architect, to address the Committee. The following key points were highlighted:

- The Committee were advised that the application had been submitted by a long standing charity operating in Brent the Shri Swaminarayan Temple based in Neasden who, whilst recognising the s106 planning contribution as as policy requirement, also felt that discretion should be available as to how this requirement was applied in relation to charitable organisations.

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- This was a revised application following the refusal of a previous application and dismissed appeal. The current proposal addressed the issue of the ceiling height in one of the proposed flats which had now reverted to a one person unit and also included a dormer window to provide better outlook. All the other flats exceeded the minimum requirements and were sufficiently large in floor area to include required storage space.
- Officers were commended for their hard work and engagement in bringing the application forward which it was pointed out now met in principle all national framework policies as well as complying with the application of local framework and policies and the Committee urged to support the application with or without a s106 contribution.

The Chair thanked Lalji Vekaria, for addressing the Committee and then invited questions and comments from members in relation to the information heard. The following key points were highlighted:

- Further details were sought on whether this application took into account all relevant standards in relation to the design and quality of the accommodation with it confirmed that all of the proposed units meet the relevant standards for internal and external space and quality. While the proposed units would meet or exceed the minimum GIA standards, it is noted that only unit 5 would meet the minimum requirements for built-in storage. However, in these instances, officers consider that as the shortfall of built-in storage space was compensated by the overall GIA floorspace provided, the shortfall of built-in storage space could reasonably be addressed within each unit. Given the surplus in overall floorspace and general good quality of accommodation, the shortfall was considered to be acceptable. The proposed design standards would also Policy D6 within the London Plan.
- Details were sought on the ability to waive Section 106 for charitable organisations. The Committee noted that whilst the requirement for these contributions would need to be applied to all qualifying developments it was possible to apply for certain exemptions including those related to charitable purposes in relation to Community Infrastructure Levy. In terms of the level of contribution required Policy BH5 of the Local Plan set out the need for developments of between 5-9 units to make a financial contribution for the provision of affordable housing off-site. The financial contribution was £100,000 per dwelling as set out within Brent's S106 Planning Obligation SPD. with any reduction in the financial contribution needed to be justified by a Financial Viability Assessment (FVA) that demonstrated that the scheme was securing the maximum reasonable payment in lieu of on-site delivery. Having been subject to the necessary assessment it was considered that that the scheme would be required to deliver a contribution of £83,000 as the maximum viable amount of contribution for off-site affordable housing provision.
- Regarding transport considerations, clarification was sought on the layout of the car park spaces and whether any alternatives had been considered due to the two spaces in tandem on the driveway. Whilst recognised as an unusual layout the provision would continue to comply with relevant standards.

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- Regarding the borough losing a family home and gaining 3 flats instead, the Committee noted that Policy BH11 was applied here to ensure the properties designed had at least 3 bedrooms in them.
- Whilst recognising that the application would result in the conversion of the existing 3 bedroom dwellinghouse into 5 new self-contained flats the proposals was policy compliant with the proposal comprising a mix of dwelling types including a family unit (3-bedroom) at ground-floor with private amenity access. All proposed units meet the relevant standards for internal and external space and quality and would contribute to Brents housing delivery targets, as well as other modest external alterations. The site was also located within a priority area for housing and thus residential intensification in this location was considered acceptable in principle.
- Whilst noting the proposal did not clearly set out whether the scheme would achieve an Urban Greening Factor (UGF) in line with policy BH4 the benefits of the scheme including an improvement the UGF and the delivery of a family sized home were considered to outweigh any limited harm in conflict with this policy.
- Clarification was sought on whether the Council had nominations rights to the properties. The Committee noted that the Council would not, as these would be considered private properties.

As there were no further questions from members the Chair then moved on to the vote.

DECISION

RESOLVED to grant planning permission subject to the conditions as set out in the Committee and Supplementary report and prior completion of a legal agreement to secure the planning obligations set out in the Committee report.

(Voting on the above decision was as follows: Unanimous in favour)

7. **24 / 02962 - Thanet Lodge Garages, Mapesbury Road, London, NW2 4JA**

PROPOSAL

Proposed part demolition of garage block and erection of a single storey dwellinghouse with associated amenity space, alterations to boundary treatment and provision for new pedestrian access, cycle and refuse storage.

RECOMMENDATION

- (1) That the Committee resolve to GRANT planning permission subject to the conditions and informatives as set out in the Committee report.
- (2) 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)

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prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

- (3) That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Curtis Thompson (Planning Officer) introduced the report which the Committee was advised related to a single storey garage plot on the eastern side of Thanet Lodge. Thanet Lodge contained forty-three residential units and had a large amenity space to the rear. The site was located within the Brondesbury Conservation Area but did not contain any listed buildings. This site formed the garages to Thanet Lodge which was constructed in c1938. The garages were contemporary in construction, single storey and of no special interest with the applications requiring consideration by the Committee due to the number of objections received. Members attention was drawn to the supplementary report with included details on additional representations submitted with the recommendation remaining to grant consent subject to the conditions listed.

The Chair thanked Curtis Thompson for introducing the report and then invited Dorian Chiarpain (who had registered to speak in objection to the application), to address the Committee. The following key points were highlighted:

- The proposed scheme for Thanet Lodge Garages ref. 24/0296 followed on from a previous proposal ref. 20/0600 with the exception of the enlarged external amenity areas and reversal of bedroom and living room position in the new layout.
- The previous proposal had been rejected on appeal with the main reasons being the effect of the proposed development on the living standards of future occupiers, proximity to Thanet Lodge, bin store and vehicular access to its car park, which both caused unacceptable harm to the external amenity proposed.
- The current proposal was felt to include the same shortfalls in that the large bin store was adjacent to front garden creating substandard level of amenity, the driveway to car park was adjacent to the front door creating unsafe access to the dwelling; the proposed driveway width reduction from 3.5 to 3m to create a 0.5m wide footpath would produce vehicular circulation below recommend width and a narrow and unsafe pedestrian zone; the Thanet Lodge car parking spaces retained in the hardstand area at the back would have insufficient space for access and egress due to the proposed dwelling and rear garden and internally bedroom 2 being narrower than the minimum allowed in the London Plan.
- On this basis it was felt unclear how the proposal could have been recommended for approval, given that the appeal decision grounds were all still applicable to this current scheme and the Committee were urged not to grant consent.

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The Chair thanked Dorian Chiarpain, for addressing and with no questions raised by the Committee in terms of the representations made then invited Emma McBurney, speaking in support of the application as the applicant's representative to speak. The following points were noted:

- By way of background, the application followed a previous 2021 appeal decision for a similar proposal in which the Inspector had narrowed the planning issues by agreeing:
 - The size of the internal accommodation was acceptable for future occupants.
 - Future occupants would have adequate levels of sunlight and daylight.
 - The existing garages did not make a positive contribution and the proposal preserved the character and appearance of the conservation area.
 - Parking provision was acceptable.
 - There would be no harm to the existing residents in Thanet Lodge.
 - How Thanet Lodge was managed and future development proposals were not relevant considerations.
- The appeal was dismissed for 2 reasons - sense of enclosure due to the size and depth of amenity spaces and noise from the car park and bin store. The first of these had been addressed by extending the depth of the rear garden from 4m to 7.6m, reversing the position of the living and sleeping accommodation so that the living area was at the back of the dwelling, and providing sound insulation separation between the bin store and the smaller front garden. The 2-bed proposal provided a 54sqm private rear garden accessible from the kitchen/diner and a 20sqm private front garden (including cycle storage) accessible from bedroom 1. The proposal provided more than three times the Council's amenity space standard with particularly good outlook from the large window in the living area. The second issue had been addressed by the deeper rear garden, which meant there were no longer parking spaces to the immediate rear. It was probable that bins or the six remaining parking spaces would only be used occasionally between 23:00 and 07:00, which was not unusual for a London property.
- Moving the bedrooms to the front of the proposal had taken them away from the six space parking area and there would be an insulated cavity wall and a high level double glazed window between bedroom 2 and the road and bedroom 1 would also be isolated from it. The occupants of the bedrooms (and the living area) were therefore expected to be unaffected by road or parking noise.
- Modern plastic wheely bin lids were designed to create a cushion of air that would prevent them from being slammed loudly. The bin store would be separated from the front garden by a 2m brick wall, which would attenuate noise with the double glazing to building regulations standards.
- The proposal complied with the London Plan and Brent Local Plan by providing a new home in a PTAL 4 location within a priority area for housing and was consistent with the Local Plan and the presumption in favour of sustainable development was therefore felt to fully apply.

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- As such the proposal was felt to now have satisfied the appeal inspector's concerns with the officers report having covered the relevant planning issues and the Committee therefore urged to accept the recommended grant of consent.

The Chair thanked Emma McBurney for addressing the Committee and with no questions raised then invited members to questions officers in relation to the information presented, with the following points noted:

- Further clarification was sought in relation to the way in which the application was felt to have addressed the objections raised by Mr Chiarparin at the meeting. In response, the Committee were provided with a comparison site plan with the main change being the removal of car parking spaces to the rear of the site and increase in external amenity space, which made best use of the space comprising noise reduction. As previously mentioned, the bedrooms had been moved to the front of the dwelling to further reduce noise. The Committee also noted that the new plan had better quality outdoor space with the proposal therefore felt not to result in a significant impact on the residential amenities of neighbouring occupiers in terms of noise and disturbance, daylight and sunlight or overlooking having regard to the provisions in SPD1.

As there were no further questions from members the Chair then moved on to the vote.

DECISION

RESOLVED to grant planning permission subject to the conditions and informatives as set out in the Committee and supplementary report

(Voting on the above decision was as follows: Unanimous in favour)

8. Any Other Urgent Business

None.

The meeting closed at 8.15 pm
COUNCILLOR KELCHER
Chair