



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 10 May 2023
at 6.00 pm

PRESENT: Councillor S Butt (Vice Chair in the Chair) and Councillors Ahmed, Akram, Collymore, Dixon, Rajan Seelan, Mahmood and Maurice.

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

Apologies for absence were received from Councillor Begum, with Councillor Collymore present as an alternate. Apologies were also received from Councillor Kelcher, with Councillor Ahmed present as an alternate.

2. **Declarations of interests**

All members had received an approach from the agent of Item 4, application 21/2130 – Olympic House, 3 and Novotel, 5 Olympic Way, Wembley, HA9

3. **Minutes of the previous meeting**

RESOLVED that the minutes of the previous meeting held on Wednesday 19 April 2023 be approved as an accurate record of the meeting.

4. **21/2130- Olympic House, 3 and Novotel, 5 Olympic Way, Wembley, HA9**

PROPOSAL

Demolition of existing building at 3 Olympic Way and erection of 3 buildings of basement, ground and 9, 22 and 25 storeys (excluding rooftop plant) to provide 172 residential units (Use Class C3), new hotel accommodation comprising 260 rooms (Use Class C1) and retail food stores (Use Class E). 6-storey extension to existing hotel at 5 Olympic Way to provide 95 additional hotel rooms (Use Class C1) and amenities, extension of ground floor to create new colonnade and public realm improvements to Olympic Way. Other works associated with development include new access from North End Road, disabled car parking, cycle parking, private and communal amenity spaces, public realm works and other associated works.

RECOMMENDATION~:

That the Committee resolve to GRANT planning permission subject to:

- (1) The application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations as laid out in the report.
- (2) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as detailed in the report.

PLANNING COMMITTEE

10 May 2023

- (3) That the Head of Planning is delegated to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.
- (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.

Gary Murphy, Planning Officer, North Area Planning Team introduced the report and set out the key issues. In introducing the application, the Committee were advised that in relation to 5 Olympic Way, the existing 10 storey section of Novotel Hotel, which was directly adjacent to no.3, to the extent of the existing 'balcony' section at the front, would have an upward extension added of 6 floors, to make this section 16 floors high. The current inset 'balcony' section which was centrally located at the front would be infilled by having two floors added, to make its roofline equal to the current roofline on the section to be extended upwards. The upwards extension and infill section would add 95 new hotel rooms, 9 of which would be accessible rooms. In relation to 3 Olympic Way, a new hotel (use class C1) building would be constructed, joined to 5 Olympic Way, at a height of 23 storeys to provide 260 hotel rooms. The development would include a swimming pool, gym, and accessible parking at the basement level. A 3-bedroom, self-contained residential unit would be provided at the top floor of the new hotel building. The final part of the application proposed the construction of two new residential buildings, Central Residence, a 26-storey block to the rear of 3 Olympic Way would provide 141 residential apartments and the North End Road Residence, proposed to the east would comprise of a ten-storey block containing 30 residential apartments.

It was confirmed that the proposed development site was situated within the Wembley Growth Area and Wembley Opportunity Areas as designated in the 2021 London Plan, neither building was listed in or near to a conservation area or other form of designated heritage asset.

The Committee's attention was drawn to the supplementary report that provided information regarding an amendment to Condition 12 following the applicant's submission of an Obscured Glazing Strategy that confirmed which secondary windows on each floor within the Central Residence and the North End Road Residence would be treated with obscure glazing. Members were also asked to note in the supplementary report that it was proposed to add a condition on the advice of Environmental Health officers, the condition

PLANNING COMMITTEE

10 May 2023

requires the submission of a verification report to demonstrate that any necessary remediation has been carried out in accordance with the approved remediation scheme.

As no Committee questions were raised at this point, the Chair invited the first speaker, Miss Jayne Aherne (objector) to address the Committee (online) in relation to the application. Miss Aherne introduced herself as a local resident who lived in Shams Court, a neighbouring property to the proposed development. Miss Aherne proceeded to highlight the following key points:

- Concerns were raised that the balconies of the residential blocks of the proposed scheme would create significant overlooking on to the rooftop terrace of Shams Court. It was felt that this would remain an issue despite the revised condition to provide obscure glass. Additionally, it was felt that this would go against Brent's SPD1 policy in relation to the loss of privacy within an outdoor space.
- It was felt that if the proposed development was approved it would cause Shams Court (at 4 storeys in height) to be engulfed by tall buildings in the perimeter around it.
- Miss Aherne highlighted that the proposed development would be only 3.6 metres away from Shams Court and queried why this was considered to be acceptable when it would result in reduced natural daylight to habitable rooms in 6 properties.
- Concern was shared in relation to the loss of a parking space referred to in the Committee report as S3. Miss Aherne explained that S3 was her allocated parking space and contrary to the Committee report she had not been contacted as the affected leaseholder in relation to this.
- Miss Aherne summarised her concerns before urging the Committee to refuse planning permission on the basis of the information shared.

The Chair thanked Miss Aherne for sharing her concerns with the Committee before asking the Committee if they had any questions or points of clarity to raise with Miss Aherne in relation to the information heard. The Committee sought one point of clarification in relation to how Miss Aherne's property would be affected by the altered levels of natural daylight/sunlight as a result of the proposed development. In response, Miss Aherne advised that there would be a significant impact to her living environment as her kitchen window would be affected, the light received through this window provided light to the kitchen and living room, therefore there would be a noticeable difference to the levels of light received throughout the property.

As no further questions were raised by the Committee, the Chair proceeded to invite the next speaker Mr Alun Evans (agent) to address the Committee (in person) in relation to the application. The following key points were highlighted:

- The proposed development would support an increase in Brent's cultural economy as the proposed development would provide a total of 355 additional hotel rooms to meet the need for additional visitor accommodation in Wembley, along with additional high quality retail space.
- 172 new homes would be built, this included 30 affordable homes (19.4% by habitable room) to support Brent in meeting local housing needs. The

PLANNING COMMITTEE

10 May 2023

proposed housing mix included 8.7% family sized dwellings overall, with 27% of the affordable units as family sized dwellings.

- The proposed development was felt to comprise of exceptional design quality in keeping with the existing Novotel building and the character of Olympic Way.
- The proposed development would sit within the established heights within the tall building cluster in Wembley.
- The proposal included obscure glazing to habitable rooms on the side elevations of the buildings to mitigate any potential overlooking impacts, including to the rooftop amenity of the existing building at Shams Court.
- A comprehensive daylight/sunlight assessment had concluded that the development would have an acceptable impact overall, given the high density urban context of the Wembley Town Centre. Additionally, the “No Sky Line” test demonstrated a high level of compliance with BRE guidelines to all neighbouring properties.
- The proposal included the provision of a second stairwell within all blocks of the development, this ensured full compliance with adopted and draft fire safety standards.
- Separate consent had been granted for the replacement of all existing combustible cladding from existing buildings.
- The car free development was in accordance with policy, with the exception of 11 disabled car parking spaces, this exceeded the minimum policy requirement.
- One existing car parking space (S3) would need to be re-located due to the construction of the development, the applicant had engaged with the leaseholder in relation to this.
- In closing his comments, Mr Evans summarised the public benefits of the scheme that included contributions of £500k towards the provision of affordable workspace in the borough, a Carbon offset payment, highway improvement works and further financial contributions towards Healthy Streets, local bus services, off site play facilities at Chalkhill open space and a Training and Employment Plan to provide employment and skills for local residents.

The Chair thanked Mr Evans for addressing the Committee and asked the Committee if they had any questions or points of clarification following the information heard. In response the Committee raised questions regarding the number of affordable units of accommodation, public consultation, a construction management plan, loss of light and overlooking to existing residents and amenity space. The following responses were provided:

- In response to a Committee query in relation to what the Committee felt was a low number of affordable housing units, Mr Evans confirmed that the viability reports had been scrutinised by the GLA officers, Brent Officers and independently. All parties agreed that 30 homes at affordable rent was the maximum viable amount that could be offered at the current stage in the application. The Committee noted that Section 106 of the legal agreement included a two stage review to ensure that the maximum affordable housing provision could be reviewed at two further opportunities.
- Mr Evans clarified that the consultation process had been duly followed, however due to the Covid restrictions in place during this time there were

PLANNING COMMITTEE

10 May 2023

less opportunities to provide physical engagement consultation events, however there was website based consultation.

- In response to Committee concerns in relation to how the residents in existing properties would be affected by the engulfment of the proposed development, the Committee were advised that although the development would create some changes in the physical environment, there had been multiple assessments undertaken to test the impact of the daylight/sunlight to existing residents, these assessments concluded that there would be no significant harm and any changes were considered acceptable.
- Following a Committee query in relation to the shortfall of amenity space, the Committee were advised that given the limited dimensions of the site it was not possible to provide policy compliant level of amenity space, however given that there was excellent local amenity space it was not felt to be a cause for concern.
- It was clarified that the units that had partially obscured glazing would still have access to windows that were not obscured.
- Mr Evans confirmed that if planning permission was granted, a Construction Management Plan would be developed to support minimum disruption to local residents.
- Following concerns raised by Miss Aherne (objector) earlier in the meeting in relation to parking space S3, the Committee requested assurance from the agent that notice had been correctly served. Mr Evans advised the Committee that it was the duty of the applicant to serve notice on those with a leasehold interest, in this case this was applicable to Network Homes. The Committee were advised that notice had been served to Network Homes at the beginning of the application process, not specifically to Miss Aherne as a resident. Officers confirmed that they had received a written declaration from the applicant confirming that notice was served and as such officers were satisfied that the notice had been served correctly.

As members had no further questions at this point, the Chair thanked Mr Evans for his contribution to the meeting and proceeded to invite the Committee to ask officers any questions or points of clarification they had in relation to the application. The Committee raised questions in relation to parking permits, daylight/sunlight assessment, Urban Greening Factor, carbon emissions, affordable housing and amenity space. Responses were provided as follows:

- In response to a Committee query regarding parking rights of new residents, officers confirmed that as a “car free” development, residents would be unable to obtain on street parking permits.
- The Committee queried why the breaches in daylight/sunlight noted in the Committee report were considered acceptable by officers. In response officers informed the Committee that the National Planning Policy Framework advised that daylight/sunlight assessments were to be applied flexibly in more dense locations, such as the proposed development site. Officers acknowledged that there were some shortfalls in daylight/sunlight measurements to nearby residential units and units across the development however given the density of the site and the need to effectively maximise the use of the site, it was considered that the wider benefits of the scheme outweighed the harm identified.

PLANNING COMMITTEE

10 May 2023

- Officers confirmed that the high density of the site also contributed to the limited Urban Greening Factor (UGF) of 0.26 against the target of 0.4, however the Committee noted that despite the limited UGF there would be a significant net gain of 429% in biodiversity value.
- Following a Committee query in relation to the proposed development's carbon emissions target, officers confirmed that at the time of the energy assessment being undertaken the results were assessed under the 2013 Building Regulations, as the most up to date legislation at the time. The assessment demonstrated a 65% overall reduction in carbon emissions, this significantly exceeded the overall energy performance targets in policy SI2.
- The Committee noted that the limited size of the proposed site had resulted in further shortfalls in amenity and workspace and recognised that officers had worked with the applicant to mitigate the impact of the shortfalls where possible. This included a financial contribution from the applicant secured via the s106 agreement for the applicant to make a contribution towards an offsite play facility at Chalk Hill open space and to address the requirements of BE3, to protect the loss of employment generating floorspace, a further financial contribution would be made to provide affordable workspace off site.
- Officers clarified that following the Wind Microclimate Assessment in accordance with London Plan Policies D3, D8 and D9, the assessment concluded that the seven highest floor balconies did not meet the required comfort and safety levels for regular use, therefore appropriate side screening and barriers would be installed and such details to be secured via condition.
- Following Committee concerns that the affordable housing offer from the applicant was too low at 17.4%, officers confirmed that following viability testing it was concluded that the offer of 30 affordable dwellings was more than the maximum reasonable amount of affordable housing that the development could provide at this point. It was highlighted to the Committee that as the affordable housing offer fell short of the 35% target of both the London Plan and Brent Policy there would be two further opportunities to capture any uplift in affordable housing via the Early and Late Stage review mechanism to be secured via the s106 agreement. The Committee requested a further amendment to conditions that social rented housing was prioritised at the Early Stage review.

As there were no further issues raised and having established that all members had followed the discussions the Chair asked members to vote on the recommendations.

DECISION: Granted planning permission subject to the conditions and informatives as set out in the Committee report and subject to the applications referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations as per the Committee report, including a further amendment as requested by the Committee that social rented housing is prioritised at the Early Stage review.

(Voting on the recommendation was as follows: For 4, Against 1, Abstentions 3)

5. 22/4249 – 32 District Road, Wembley, HA0 2LG

PLANNING COMMITTEE

10 May 2023

PROPOSAL

Demolition of existing building and construction of a two-storey block of flats to provide 4 residential units (Use Class C3), with associated landscaping and boundary treatments, refuse and cycle storage.

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 laid out in the Committee report.
- (2) That the Head of Planning is 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, Planning Officer, North Area Planning Team, introduced the report and set out the key issues. In introducing the report members were advised that the application proposed the demolition of the existing 3-bedroom detached dwellinghouse, with attached garage on its western side and proposes the erection of a two-storey block of flats to provide 4 residential units, with associated landscaping and boundary treatments, refuse and cycle storage. The existing house was located on the south side of District Road in Sudbury Town in a predominantly residential area, the building was not listed and was not within a Conservation Area. The site fell in the Sudbury Town Neighbourhood Forum boundaries and the railway line to the south of the site was a designated wildlife corridor.

The Committee's attention was drawn to the supplementary agenda that provided information regarding the applicant's submission of their calculated Urban Greening Factor (UGF) that set out that the proposed scheme achieved a factor 0.4199 and as such exceeded the 0.4 requirement set out within Policy BH4 of Brent's Local Plan, however as there had been no UGF Masterplan submitted to show the location of the various landscape aspects, it was recommended that

PLANNING COMMITTEE

10 May 2023

further details of the UGF were secured by condition (*as set out within condition 13) to maximise the UGF for the site in line with policy BH4 of Brent's Local Plan 2019-2041.

As no Committee questions were raised at this point, the Chair invited Mr Lakhan Patel (objector) to address the Committee (online) in relation to the application drawing the Committee's attention to the following key points:

- Mr Patel advised that he was aware that many local residents were unhappy with the proposed development and had registered their objections with Brent Council.
- Concerns were shared that the property had historically been used as an HMO.
- It was felt that allowing the demolition of a family sized property would be unfair to larger families looking for a family sized home,
- Given that the property had been vacant for a lengthy period of time, Mr Patel queried whether the Council had encouraged the landlord to reinstate the vacant property over recent years, in line with the in the London Plan 2021 that stated properties should not be left vacant and unused.
- It was felt that if planning permission was granted it would set an unwelcome precedent of flats and tall building in the areas, which it was felt was uncharacteristic in the existing environment,
- In summarising his points, Mr Patel urged the Committee to consider the impact of the loss of a family sized property and to reject planning permission.

In response to hearing the concerns raised by Mr Patel, the Committee required clarity in relation to the nature of the main objections that Mr Patel stated other residents had shared. In response Mr Patel advised that the objections had been shared with officers and included the angle of the front elevation, the development being "car free" with no Controlled Parking Zone (CPZ) zone in the area, which was felt would exacerbate existing car parking issues and the precedent set in the area becoming over developed.

As the Committee raised no further questions, the Chair thanked Mr Patel for his representation and proceeded to invite Councillor Lorber (Ward Councillor) to address the Committee (online) in relation to the application. Councillor Lorber advised that he was speaking on behalf of local residents who shared their concerns with him in relation to the proposed development, the following key points were highlighted:

- Local residents were concerned at what they felt was a high number of approved planning applications within the Sudbury area.
- Given the shortages in large family sized properties, it was felt to be illogical to support the demolition of a family sized property, to then reconstruct it with smaller residential units.
- Concerns were raised in relation to the layout and stacking of the units as the plans appeared to show upper floor units living space stacked over bedrooms in the unit below.
- It was felt that the proposed development would add to existing parking issues, particularly in the absence of a CPZ.

PLANNING COMMITTEE

10 May 2023

- In summarising the concerns of local residents Councillor Lorber urged the Committee to consider the issues raised by residents and to defer the application until plans were in place to introduce a CPZ to ensure that the proposed development did not exacerbate parking issues for existing local residents.

In response to the points raised regarding a CPZ and the loss of a family sized dwelling, the Chair advised the Committee that a CPZ consultation had been carried out in 2021 and rejected by residents at the time, however residents were able to register their interest in introducing a CPZ via the Brent Council website at any time if parking issues were a concern. The Committee went on to note that although the proposed development would see the loss of a large family sized dwelling, one of the units of the proposed development would re-provide a 3 bedroom dwelling in addition to the 2 bed room and 1 bedroom units. As the Committee had no further questions for Councillor Lorber, the Chair thanked Councillor Lorber for his contribution to the meeting and invited the final speaker on the item Mr Hector Melendez (agent) to address the Committee (online) in relation to the application. The following key points were shared:

- The Committee were advised that two previous planning applications had been refused on the basis of design, materiality, legibility and visual appearance that was felt to be detrimental to the immediate vicinity and neighbouring properties, with this in mind the applicant had worked with planning officers to ensure that previous issues were remedied and the proposal that was before the Committee today was an improved application that would successfully optimise the brownfield site as it stood.
- Key changes made as result of feedback received from prior applications included a reduction in residential units and a reduction in bulk, scale and massing of the building to provide an enhanced appearance in keeping with the character of the area.
- The proposed development was policy compliant and exceeded the Urban Greening Factor London Plan requirements.
- The proposed development would not generate any harmful impact on neighbouring residents in respect of daylight/sunlight levels or overlooking.
- On the basis of the benefits of the proposed development, Mr Melendez urged the Committee to approve planning permission.

The Chair thanked Mr Melendez for making his representation to the Committee and offered members the opportunity to ask any questions or points of clarification in relation to the information heard. The Committee raised queries in relation to the impact of the size of the proposed development and the owner of the site. Mr Melendez provided the following responses:

- In response to a Committee query in relation to the impact of the size of the proposed development, Mr Melendez advised that although the construction would be slightly larger than the existing building, all 4 units would remain within the existing building footprint. It was clarified that there would be no detrimental impact on the outdoor amenity space, which as part of the development would be divided into separate outdoor amenity space for residents.
- It was confirmed that the owner of the site was detailed on the application as declared by the applicant.

PLANNING COMMITTEE

10 May 2023

As the Committee had no further questions for the agent, the Chair invited Members to ask officers any remaining questions they had in relation to the application. Members raised queries in relation to the number of bedrooms in the existing property, the stacking of the units, car parking and permitted development rights. The following responses were provided:

- Officers confirmed that the existing property was shown to have 3 bedrooms, but that there were a number of rooms on the ground floor so in theory, it could be used as a 4- or 5-bedroom property. In line with local plan policy BH10 there would be no net loss of homes on site, in addition to this the scheme was compliant with policy BH6 to provide 1 in 4 family sized homes.
- Officers advised that due to the site's positive PTAL 4 rating it was considered to be within a priority area for additional housing in line with policy BH4 of Brent's Local Plan that recognised the use of small sites in supporting the delivery of a net addition of self-contained dwellings through the efficient use of appropriate sites.
- In response to concerns raised in relation to the stacking of units whereby units on the upper floor flats had living areas above the lower floor flat bedroom space, the Committee were advised that where this was the case Building Regulations would ensure that appropriate mitigations were in place to minimise noise nuisance for the residents.
- Details were confirmed that a CPZ consultation had taken place from October-November 2021 with 289 local residents businesses and Ward Councillors. Of the 109 responses received 32% were in favour of a CPZ with 68% against a CPZ. There was no further action taken as the consultation did not reach the 50% threshold of consultees in support of a CPZ to enable any plans to be taken forward, however this could be revisited in the future.
- Confirmation was provided that in any future CPZ consultation, responses from residents of the proposed development would not be taken in to account as the development was "car free". Responses were only taken into account from affected residents.
- It was clarified that although the site was in the Wembley Event Day zone, residents of the proposed development would not be eligible for parking permits on Wembley Event days due to the developments "car free" status, with the exception of blue badge holders.
- Following a Committee query regarding the potential for the loft space of the property to be converted in to additional dwellings in the future, officers advised that this would require planning permission. It was also clarified that there is a borough wide Article 4 direction in place that removed permitted development rights for changes of use to a House in Multiple Occupation, therefore any changes to the use would require a separate application for planning permission.

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.

PLANNING COMMITTEE

10 May 2023

DECISION: Granted planning permission subject to the prior completion of a legal agreement to secure the planning obligations as laid out in the Committee report and the conditions and informatives as laid out in the Committee report.

(Voting on the recommendation was as follows: For 7 & Against 1)

7. **22/3634 – Fairfield Court, Longstone Avenue, London, NW10 3TS**

PROPOSAL

Proposed two second floor extensions and third floor extension to create six new self-contained dwellings including 4 rear dormer windows and new solar panel. Construction of two rear access staircases. Associated enlargement of refuse storage, provision of additional car and cycle parking spaces to front and improvements to soft landscaping to communal garden.

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 laid out in the Committee report.
- (2) That the Head of Planning is 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.

Curtis Thompson, Planning Officer, North Area Planning Team, introduced the report and set out the key issues. In introducing the report members were advised that the proposed development would provide 4x3-bedroom flats and 2x2 bedroom flats, 7 additional car parking spaces and 14 new cycle parking spaces to be contained within 2 secure cycle storage spaces on site, as well as an enlargement to the existing bin store. The area for redevelopment at Fairfield Court was located 0.5 miles to the north east of Harlesden High Street and consisted of a mix of residential homes. The site fell within the Harlesden Neighbourhood Plan Area.

The Committee were advised that 27 objections had been received, including an objection from Councillor Chan as the Ward Councillor and a petition containing 105 signatures objecting to the development.

As no questions were raised by the Committee, the Chair invited Ms Rebecca Elliott (objector) to address the Committee (in person) in relation to the application. Ms Elliott provided some printed images to the Committee to illustrate some of the

PLANNING COMMITTEE

10 May 2023

concerns she would be addressing, the following key points were then shared as follows:

- Ms Elliott introduced herself as a local resident who lived directly behind Fairfield Court.
- It was felt that the proposed development would not be in keeping with the local character and would have a detrimental affect on local surroundings.
- There was strong opposition from local residents as demonstrated by the 105 signatures on the petition provided.
- Concern was raised that the development would cause significant overshadowing to the buildings to the rear of Fairfield Court which would affect the amount of daylight/sunlight received. The Committee's attention was drawn to an excerpt from the report that stated that further testing should potentially have been undertaken in relation to the windows affected. However, it was felt it was not clear in the report that further testing had been undertaken Consequently Ms Elliott felt that the report was inaccurate.
- Ms Elliott felt that the report provided misleading information regarding trees and visibility, as the report had advised that the large trees on site would obstruct views from existing nearby buildings to the new proposed development, however in drawing Member's attention to one of the images provided, Ms Elliott advised that in the Winter there were no leaves at all and the extension to the building would be clearly visible from Ms Elliott's building.
- Ms Elliott summarised the concerns raised and urged the Committee to refuse the application on the basis of the information heard, alternatively it was felt that the application was not refused, it should be deferred until updated accurate reports were provided in relation to the points raised.

The Chair thanked Ms Elliott for sharing her objections to the application with the Committee and invited the next speaker, Mr Ian Britton (objector speaking on behalf of Ms Faduma Hassan) to address the Committee (in person) in relation to the application. Mr Britton shared some further printed images with the Committee to illustrate the points of concern he would be sharing with the Committee on Ms Hassan's behalf. The following key points were shared as follows:

- Ms Hassan bought her home in Fairfield Court because of the good levels of sunlight/daylight that the property received, as well as the character of the build and the local community. Ms Hassan was concerned that the proposed development would significantly affect the positive things she and other residents enjoyed about living at Fairfield Court and as such would impact everyday life.
- Concerns were shared in relation to privacy, as the stairwell to the proposed extension of the property would be built within touching distance of Ms Hassan's living room. It was felt this could also conflict with policy SPD1.
- It was felt that the proposed development would significantly affect the sunlight received into existing flats at Fairfield Court, as per the report stating the proposal could see a 20% reduction in visible sky and sunlight to some flats.
- It was felt that the additions of the extension and associated stairwells would detrimentally altar the character of Fairfield Court.

PLANNING COMMITTEE

10 May 2023

- In summarising the points raised, the Committee were advised that Ms Hassan was not opposed to new flats in principle, however it was felt that the design had not been well considered in terms of the negative and permanent impacts on existing residents in relation to the loss of privacy, daylight/sunlight and the overall character of Fairfield Court. Based on the information shared Ms Hassan felt that the Committee should refuse the planning application.

As there were no Committee questions on the information heard, the Chair thanked Mr Britton for addressing the Committee to share Ms Hassan's concerns and proceeded to invite the final speaker on the application Mr Martin Saluzzo (architect, acting as the agent to the application) to address the Committee (in person) in relation to the application. The following key points were shared:

- The proposal presented followed a positive pre application consultation with Brent Council Planning Department that incorporated all the comments received from officers and was in full compliance with Brent Council policies and the London Plan.
- The proposed scheme would contribute to Brent's housing stock by providing six new residential dual aspect units.
- The benefits of the scheme for existing residents included the refurbishment of communal areas, improved soft landscaping, cycle parking, a larger bin storage area and additional parking spaces with the inclusion of Electric Vehicle Charging points.
- Existing trees would not be affected by the development and the existing communal garden would be maintained and improved as a result of the development, providing amenity space above the current minimum standards in Brent Policy BH13.
- The sustainable design included PV panels to the rear west facing roofs.
- The design was not felt to be overbearing and was within the statutory standards set for daylight and sunlight under BRE guidelines.
- Mr Saluzzo urged the Committee to consider the benefits of the scheme and approve the planning application.

The Chair thanked Mr Saluzzo for making his representation to the Committee and offered Committee members the opportunity to ask any clarifying questions they had. Members queried the number of storeys the proposed development would add to the existing building and car parking spaces. The following responses were provided:

- It was confirmed that the proposal would include two additional floors as a result of the loft space being used for accommodation, however in planning terms only one additional storey in terms of overall height would be added to the existing building.
- Following a Committee query regarding the number car parking spaces, the Committee were advised that there were 8 existing car parking spaces, however the proposed development sought to formalise parking arrangements at the front of Fairfield Court to provide 7 additional spaces bringing the total number of parking spaces to 15.

As there were no further questions for Mr Saluzzo, the Chair invited Members to ask the officers any remaining clarifying questions they had in relation to the

PLANNING COMMITTEE

10 May 2023

application. The Committee queried the number of EVC points, accessibility, the reduction in daylight/sunlight, the access staircases and the applicant's contribution towards affordable housing in Brent

- Officers confirmed that there was a total of 3 EVC points in compliance with Local Plan Policy, along with a condition to ensure that they were implemented.
- In response to a Committee query in relation to accessibility to the new flats, officers confirmed that the proposal did not include step free access in the form of a lift to the extended part of the building, however in terms of policy compliance the Committee were advised that under policy D7 of the London Plan there were exceptions that could be applied to specific small scale infill developments (Policy H2).
- The Committee queried if alternative options to the location of the staircase had been explored as part of the application process so that there was less impact on existing residents. Officers recognised that there would be some visibility of the additional feature to existing residents, however advised that officers had not felt it was necessary to make amendments to the location and staircase design as despite its visibility it was not considered to create a significantly harmful impact to existing residents.
- Officers confirmed that the application would include a financial contribution of £300,000 towards affordable housing in Brent, this would be secured via the legal agreement.
- In response to Committee concerns regarding the reduction of daylight/sunlight for some existing residents of Fairfield Court, officers advised that the issues of daylight/sunlight had been considered in detail throughout the assessment and acknowledged although there would be some impact, the assessments demonstrated that measures were within the BRE guidelines. Officers felt that on balance the benefits of the scheme outweighed the minimal harm.
- In relation to the properties in Springwell Avenue, to the rear of Fairfield Court, it was confirmed that the 25 degree line was assessed, and that the development wouldn't clip this line from the first floor windows.
- In response to concerns raised regarding the accuracy of the daylight/sunlight reports, it was highlighted that the BRE guidance provided a framework for the consideration of daylight and sunlight impacts, and while some windows should have been subject to further testing, officers considered that the information included within the reports had provided them with enough evidence to be satisfied that the impacts had been thoroughly assessed and were acceptable with no significant harm as set out in the committee report.
- Following a further Committee query in relation to whether the presence or absence of the trees to the rear of Fairfield Court would make a difference to the assessments carried out into the impacts on daylight/sunlight, officers confirmed that there would be no significant harm in addition to the existing situation if the trees were not there.
- Officers summarised the benefits of the scheme as a sustainable scheme that included an uplift in Brent housing and a financial contribution towards affordable housing provision in the borough.

PLANNING COMMITTEE

10 May 2023

The Chair thanked officers for responding to the Committee's questions, as there were no further questions 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 and conditions and informatives as laid out in the Committee report.

(Voting on the recommendation was as follows, For 7 & 1 Against).

(7) Any Other Business

None.

The meeting closed at 20.49.

COUNCILLOR S BUTT
Vice Chair in the Chair