

LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 9 August
2023 at 6.00 pm

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

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

Apologies for absence were received from Councillor Begum, with Councillor Kabir present as an alternate and Councillor Mahmood, with Councillor Ahmed present as an alternate.

2. **Declarations of interests**

Committee members advised that they had received approaches from local residents and applicants in relation to all items to be considered on the agenda. Members confirmed that they had not engaged in discussion on any of the respective applications.

3. **Minutes of the previous meeting**

RESOLVED that the minutes of the previous meeting held on Wednesday 12 July 2023 be approved as an accurate record of the meeting.

4. **22/3260 – 231 Watford Road, Harrow, HA1 3TU**

PROPOSAL

Demolition of the existing building and the erection of building of up to five storeys to provide residential dwellings (Use Class C3); car and cycle parking; landscaping, amenity space and play area; and refuse storage and other associated works.

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to:

- (1) The completion of a legal agreement to secure the planning obligations as detailed within the Committee report and the Head of Planning is delegated authority to negotiate the legal agreement.
- (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

PLANNING COMMITTEE

9 August 2023

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.

James Mascall, Senior 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 sought the development of a 3 to 5 storey building to provide a total of 42 new homes with the following mix; 15 x 1 bedrooms, 16 x 2 bedrooms and 11 x 3 bedrooms, 5 homes would also be wheelchair accessible. The proposal included 24 car parking spaces with vehicular access into the site to remain from the service road alongside Sudbury Court Drive and Watford Road. A communal amenity area to include a children’s play area would be situated towards the south western part of the site.

The Committee’s attention was drawn to the supplementary agenda that provided information in relation to three additional representations received since the Committee report had been published. The representations raised concerns in relation to the loss of the existing building, impact on neighbouring properties due to the development being overbearing and disturbance during construction works, impact on the nearby Sudbury Court Conservation Area, flooding, lack of on-site parking and impact on street trees, all of which it was reported had been addressed within the committee report. The Committee was advised that none of these were representations were from a new objector or a new address and as such the number of objections remained the same.

The Chair thanked James Mascall for introducing the report, as there were no Committee questions raised at this point, the Chair invited the first speaker Wilhelmina Mitchell Murray (objector) to address the Committee (in person) in relation to the application. The following key points were highlighted:

- Concerns were raised in relation to the absence of affordable housing.
- It was felt that Brent residents would not benefit from the scheme.
- The scheme had been highly contested by local residents.
- The height and massing were felt to be out of character in relation to the local area.
- Queries were raised in relation to the accuracy of the parking survey undertaken as it was felt the results were not reflective of the true demand for parking in the area.
- It was felt that if planning permission was approved, parking should be limited, with restrictions on future residents of the scheme being able to apply for permits in the event that a CPZ was required.
- Clarity was sought in relation to the section of the report that stated the scheme was complaint with affordability despite not providing any affordable housing.
- In summarising the points raised, Ms Mitchell – Murray urged the Committee to reject the application.

PLANNING COMMITTEE

9 August 2023

The Chair thanked Ms Mitchell-Murray for addressing the Committee and clarified that the point raised in relation to the scheme's lack of affordable housing would be discussed in detail with officers later in the meeting. As the next public representative registered to speak had not been able to join the meeting at this stage in proceedings the Chair advised he would vary the order of speakers to consider the representations from local ward councillors and other councillors who had requested to speak at this stage in the meeting.

The Chair then invited the next speaker, Councillor Bajwa (local ward councillor) to address the Committee with his objections (in person) supported by Councillor Collymore (as fellow local ward councillor). The following key points were highlighted:

- Although the need for new homes was acknowledged, it was felt that the development was not in an appropriate location, this had been echoed by the 500 objections made by residents.
- It was felt that the proposed development was too tall and out of character due to the use of different materials.
- The scheme was felt not to be policy compliant with the London Plan which required 35% affordable units on new schemes, the scheme provided no affordable units.
- It was felt that if planning permission was approved, the applicant should offer a financial contribution to support investments in local parks to support the provision of amenity space for existing local residents and future residents of the development.
- Concerns were raised in relation to the additional traffic the development would create and wider implications as the primary road outside the development was the main route to Northwick Park Hospital. Additionally, it was felt that the increased number of vehicles to the area would exacerbate existing parking issues.
- As Councillor Bajwa closed his comments he highlighted that the current use on the site was a valued public asset which would be a huge loss for the local community, on the basis of the collective concerns shared Councillor Bajwa urged the Committee to refuse the application.

The Chair thanked Councillor Bajwa for his representation and asked the Committee if they had any questions or points of clarification on the information heard. The Committee required clarity on Councillor Bajwa's comments in relation to the proposed development's impact on existing local amenity spaces. In response Councillor Bajwa supported by Councillor Collymore (who also highlighted her strong opposition to the basis of the application) advised that the amenity space included as part of the development was very small and not adequate for the number of residents, particularly children that would require amenity space. The Committee heard that the closest parks had no children's play equipment or benches, therefore Councillor Bajwa felt strongly that a contribution should be made by the applicant to support improvements in local amenity space.

As there were no further Committee questions at this point the Chair then invited Councillor Kennelly (as a local councillor) speaking in objection to address the Committee (in person) in relation to the application. The following key points were shared:

PLANNING COMMITTEE

9 August 2023

- Concerns were raised that approval of the application would set a precedent in the closure of hospitality businesses.
- It was felt that the absence of affordable housing was unacceptable, and that the applicant was exploiting the current market conditions to avoid the inclusion of affordable units within the scheme.
- The Community Infrastructure Levy contributions were negligible and had little benefit in the current market.
- It was felt that the applicant had shown no intention in following the guidance outlined in Brent's Local Plan and the Mayor's London Plan in terms of meeting a reasonable proportion of the affordable housing need.
- The hospitality venue was a valued community asset and a part of Brent's local heritage. It was felt that traditional settings should be protected by local authorities from development.
- In summarising, Councillor Kennelly urged the Committee to reject the application on the basis that the development offered no affordable housing and resulted in the loss of a community asset.

The Chair thanked Councillor Kennelly for sharing his concerns with the Committee and advised that in relation to the concerns raised regarding the viability of scheme in providing a contribution to affordable housing, there was a need to recognise the inclusion of a late-stage review mechanism in terms of any final assessment on the provision of affordable housing units. Councillor Kennelly accepted the potential benefit of the late-stage review mechanism, however highlighted that there was no guarantee that his would provide a betterment to the current situation, therefore felt that it was appropriate to insist upon affordable housing at this point in the planning stages so that if the scheme was approved, it offered a genuine benefit to Brent residents.

As there were no further questions, the Chair invited Councillor Lorber (local councillor) speaking in objection to address the Committee (in person) in relation to the application. The following key points were highlighted:

- It was queried why a site visit inclusive of local residents had not been undertaken by the Committee to gain a greater understanding of the concerns and objections raised and to highlight the impact of the proposed 5 storey building on the surrounding conservation area.
- Concerns were raised in relation to the pre application process that the applicant undertook, ahead of the application being considered at the Planning Committee.
- Queries were raised in relation to the area of the report that indicated that the site would have had specific planning protections if it was a still a public house. It was noted that in 2018 the use of the premises was changed to restaurant use, it was questioned whether the classification in change of use was a precursor to strengthen the application for redevelopment of the site in the future.
- The report stated that the premises were not a community facility. It was felt that this statement was incorrect as the premises had originally been a Public House, since then it had been used as a pub/restaurant and had separate rooms available for functions, that were regularly used by local community groups.
- The proposed development did not offer any affordable housing to assist with housing pressures facing Brent.

PLANNING COMMITTEE

9 August 2023

- It was felt there would be harm as a result of the development, given its prominent location in the middle of a residential area of predominantly 2 storey housing dating from the 1930s and nearby designated Conservation area.
- The proposed development was extremely unpopular with local residents, many of whom had objected to the application on the basis of the harm it would cause.
- Based on the information shared Councillor Lorber urged the Committee to defer the application and arrange a further site visit so that the Committee could hear the concerns of residents to support them in making a fully informed decision.

The Chair thanked Councillor Lorber for making his representation and in response to the concerns highlighted regarding the pre application process, confirmed that it was recommended good practice that was widely used across other Councils. In response to the point raised regarding residents being able to express their concerns in objection to the application, it was clarified that throughout the consultation process residents were able to contribute their views and had done so via the 500 objections received, additionally residents were also able to register to speak and attend the Committee meeting.

The Chair advised the Committee that the final member of the public registered to speak in objection to the application, Mr Haydar, had not been able to join the meeting as an online participant and the statement in had submitted in advance of the meeting was therefore read out for the Committee, with the following points shared:

- Mr Haydar felt that the proposed development would have a severe impact on the area, particularly in terms of exacerbating the existing traffic issues in the area.
- Questions were raised in relation to the wider impact traffic congestions would have on Watford Road serving as the main access road to Northwick Park Hospital where emergency vehicles frequently needed to travel.
- Concerns were raised in relation the impact on local service and utilities being able to accommodate the development and its future residents.
- It was felt that there had been a high number of residential developments that had recently been constructed in Wembley, therefore it was questioned why it was felt appropriate to construct another multi storey residential development in an already congested area.

The Chair then moved on to invite the final speaker on the item Davey Pareth (site owner) to address the Committee (in person) supported by Kieran Rushe (agent) and Sydne Langbridge (architect). The following key points were highlighted:

- The current venue was a family owned business that had operated locally for approximately 15 years.
- The family had come to the decision to use the site as a development opportunity due to personal circumstances.
- As the family lived locally and enjoyed living in Brent, they felt a sense of pride in being able to provide a sustainable development for residents and their families to enjoy in the future.

PLANNING COMMITTEE

9 August 2023

The Committee had a number of questions for Mr Pareth in relation to car parking, the current status of the business at the venue, amenity space, the financial contribution to support local amenity space and the wider benefits for existing local residents. The following responses were provided:

- Following a Committee query in relation to whether consideration had been given to the development being car free, the Committee was advised that due to the low PTAL 2 rating of the site, the development could not be considered to be a car free development.
- The Committee was advised that the current user of the venue was no longer viable as a business due to a combination of factors including post covid recovery, the current economic climate and personal family circumstances.
- Following a Committee query in relation to the shortage of private amenity space, the Committee required clarity as to whether the applicant would be willing to mitigate this by making a financial contribution to local parks to support the benefits to Brent as part of the application. The agent advised that the applicant would be making a CIL payment as required, it was the decision of the Council how the payment would be used, however no additional financial contribution had been identified specifically for the improvement of local amenity space.

The Chair thanked Mr Pareth and his team for answering the Committee's questions and invited the Committee to ask officers any questions or points of clarity they had in relation to the application. The Committee raised questions in relation to affordable housing and the potential impact of the scheme on flooding and drainage, car parking, road safety and the volume of traffic.

- Following the concerns raised by objectors and the Committee in relation to the proposed development's absence of affordable housing, the Committee were advised that officers recognised that the scheme fell short of the London Plan threshold approach which required a Financial Viability Appraisal to be submitted if the proposal doesn't provide at least 35% of affordable housing. As such the application had been subject to viability testing that required detailed supporting evidence to be submitted as part of the application. The Financial Viability Appraisal (FVA) submitted by the applicant concluded that a wholly private scheme would deliver a deficit, therefore it would not be viable to provide any affordable units. The FVA was also reviewed by the Council's consultants who concluded that there would be a reduced deficit against the applicants' calculations on delivering a wholly private scheme, however as there was still found to be a deficit officers concluded that the scheme could not reasonably deliver any affordable housing. In line with policy, however, a late stage review mechanism would be secured within the Section 106 agreement to capture any off-site contributions towards affordable housing in the event that viability improved. The proposal was therefore considered to be policy compliant.
- The Committee queried if it was possible to support the inclusion of affordable housing by amending the design of the development to provide a higher building with additional units to improve the viability of the scheme. Officers advised that it was felt the site had been optimised to provide a new home development as well as fitting in with the local character, therefore it was not felt to be appropriate to build higher than the proposed design. Additionally, the Committee was advised that it may not enhance viability options as

PLANNING COMMITTEE

9 August 2023

construction and other associated costs could increase if the building was taller.

- In response to a Committee query in relation to the impact the development could have on flooding and drainage in the local area, officers advised that in line with policy BSUI3 a Flood Risk Assessment (FRA) had been submitted with the application. The FRA confirmed the site was categorised within Flood Zone 1, meaning that there was a low risk of flooding from fluvial, tidal, sewer, infrastructure (reservoir) and ground water sources. The assessment noted there was some risk from surface water flooding, however this would be mitigated by improving the run off rate from the site using a range of sustainable drainage measures including a green roof, rain garden, permeable paving and the installation of an attenuation tank. The planned mitigations would see a 90% betterment in surface water run off rates.
- The Committee questioned if consideration had been given to making the development car free, given the potential impact that overspill parking could have on existing local residents. Officers advised that the site was not well served by public transport as identified by its low PTAL rating therefore a car free development would not be possible. A parking survey was undertaken over two nights to assess the capacity to accommodate any surplus parking demand, results demonstrated that there was sufficient capacity on the service road to accommodate any overspill parking demand. Overall, it was felt that the 24 on site spaces provided and the service roads capacity to absorb any overspill would ensure that the proposed development would not unacceptably impact upon existing local residents or highway safety, particularly as there was a trend for decreasing car ownership across the borough. If residents felt that there were issues with overspill parking in the future, they could make a request to the Council for the introduction of a Controlled Parking Zone.
- The Committee queried the accuracy of the data used to inform the Travel Plan, specifically in relation to the PTAL rating being categorised differently by TfL to the Travel Plan and why census data from 2011 was used in relation to parking need instead of the most recent 2021 census data. This led the Committee to query the basis on which the Travel Plan had been developed. Officers advised that the report details had been provided in line with relevant policies and were felt to be an accurate representation of the situation. It was also noted that the minor discrepancy between the Travel Plan PTAL stating the site had a PTAL of 2 against TfL 's rating of 1b was negligible in terms of how the site would be served by public transport. PTAL 3 was noted as the threshold that would warrant significantly less parking need.
- The Committee noted that the Travel Plan included targets to reduce car travel, this could include residents' free membership for a period of time to a local Car Club.
- Following a Committee question in relation to the impact of the development on road safety and increased traffic, officers advised that data received from TfL suggested that the John Lyon Roundabout was not a concerning area of risk with 9 collisions over the last 3 years, with 8 of these resulting in minor injuries. It was not felt that the development would significantly increase trip generation, analysis from the TRICS survey provided indicated that the development would generate an extra 5 arrivals and 19 departures during the AM peak hours 8-9am compared with existing use, and an additional 3 vehicle movements in the evening peaks hour 5-6pm. To support further safety enhancements for pedestrians, plans were in place to convert the existing informal pedestrian crossing across Watford Road, directly outside the site, into a Zebra Crossing and the inclusion of a speed table on the adopted service

PLANNING COMMITTEE

9 August 2023

road to support walking and safety, secured through a financial contribution via a Section 106 agreement.

As there were no further questions from members and having established that all members had followed the discussions, the Chair asked members how they were minded to vote on the recommendations. The majority of Members on the Committee had indicated they were minded to refuse the application. However, officers considered that some of the cited reasons did not reflect departures from policy, whilst other reasons were unclearly set out. Members then voted to **DEFER** the consideration of the application to a future Committee meeting in order to enable a further report to be provided addressing the indicative reasons outlined as the basis for refusal, relating to affordable housing and viability, the height and design of the scheme in relation to the surrounding area and whether the development of the site had been optimised as well as clarity on the balance of the schemes harm against its benefits.

5. **232/3965 – 1,2,3, & 9 Watkin Road, Wembley, HA9 0NL**

PROPOSAL

Demolition of existing buildings and construction of two new buildings to provide commercial floorspace (Use Class: E) and student accommodation bedspaces (Use Class: Sui Generis), associated access and highways works, amenity space, cycle parking spaces, disabled car parking spaces and refuse/recycling stores.

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to:

- (1) The referral of the application to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations as detailed in the Committee report and that the Head of Planning is delegated authority to negotiate the legal agreement.
- (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.

PLANNING COMMITTEE

9 August 2023

- (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

Nicola Blake, Principal Planning Officer, North Area Planning Team, introduced the report and set out the key issues. In introducing the report members were advised that the application sought to construct two new blocks of purpose-built student accommodation. The Southern site would contain a building with a maximum of 27 storeys in heights, dropping to 18 and 6 storeys in parts and a basement to deliver 419 students accommodation units. The northern site would contain a building that extended to 21 storeys in height, providing 200 student accommodation units. The site was located within the Wembley Growth Area within Brent's Local Plan.

The Committee's attention was drawn to the supplementary agenda that provided information in relation to the applicant's submission of a revised drawing pack detailing amendments to the cycle parking, additional objections received, minor alterations to the Committee report and the correction of an error made in relation to the financial contribution to Transport for London (TfL).

The Chair thanked Nicola Blake for introducing the report, as there were no Committee questions raised at this point, the Chair invited the first speaker Alvaro Santos Alonso (objector) to address the Committee (online) in relation to the application. Mr Santos introduced himself to the Committee as a local resident who would be living in the neighbouring block of accommodation to the proposed development before raising the following key points:

- Local residents in purchasing their homes in the neighbouring block were advised at the time that there was an already consented scheme but for a smaller development containing residential units of accommodation. The current application for a larger development of student accommodation was therefore of concern.
- Existing concerns remained in relation to anti-social behaviour in the area emanating from the current blocks of student accommodation. It was felt the addition of a further scheme exclusively for students would exacerbate the existing issues.
- Concerns were raised in relation to the close distance between the proposed scheme and existing residential buildings. At only 10 metres between the buildings, the Committee heard there was no such precedent for this in Wembley Park.
- The previous consented scheme heights were felt to have offered a healthier interaction between buildings. However, the new building heights were considered too overbearing by residents.
- Mr Santos queried the level of engagement that had taken place during the consultation period, as many residents felt this had been inadequate.
- In summarising his concerns on behalf of himself and residents, Mr Santos urged the Committee to reject the application for the reasons given and the precedent this would set.

The Chair thanked Mr Santos for making his representation and requested clarity as to why it was felt that students would exacerbate existing concerns regarding anti-social behaviour. Mr Santos advised that this had been based on current experience of anti-social behaviour witnessed by many local residents linked to the existing student population in the area.

PLANNING COMMITTEE

9 August 2023

The Chair went on to invite the next speaker on the item, Nick Lawrence, Tribe (applicant) to address the Committee (in person) supported by his online team of Paul Joslin and Robert Joyce (architects – Stantec), Duncan Palmer (Director of Student Accommodation – Tribe) and Alun Evans (Planning Consultant, ROK Planning). Mr Lawrence highlighted the following key points:

- The proposed development would see the construction of two slender buildings, a 21 storey building on the northern side of Watkin Rd and a part 27, stepping down to a part 6, and then up to a part 18 storey building on the southern side that officers agreed provided a sensible transition.
- The development would add to the mix of land uses in the area to deliver 619 student rooms with 35% of the rooms being offered as affordable student rooms at rents set by the Mayor of London. The lower levels of the building would be used to create 1,490sqm of light industrial floorspace, which exceeded the existing provision on site and also the 65% plot ratio in the London Plan that would create an uplift of a minimum of 32 full-time jobs.
- The scheme would see significant public realm improvements around the site including improvements to both Watkin Road and Fulton Road with the creation of 16 new trees.
- As a car-free development, the scheme would ease pressure on the surrounding roads.
- The student housing will be governed by a student management plan to ensure that existing residents would not be disturbed by student housing.
- The scheme would release 247 dwellings currently occupied by students back into the private rented sector as well as contributing the equivalent of 247 homes towards Brent Council's housing targets as well as creating employment opportunities both during construction and across the longer-term operational life of the building.
- Further benefits of the scheme included a net gain in biodiversity in a net Zero carbon development, an uplift in jobs in the industrial space on the lower levels; a contribution of £200,500 towards off-site affordable workspace and a comprehensive transport solution that included the provision of 516 total cycle parking spaces.
- In summarising his comments Mr Lawrence urged the Committee to consider the wide ranging benefits of the scheme and on this basis approve the application.

The Chair thanked Mr Lawrence for making his representation to the Committee and invited Committee Members to ask any further questions or points of clarity they had in relation to the information heard. The Committee queried the demand for student accommodation, the use of commercial space, concerns in relation to anti-social behaviour (ASB), the close proximity of the proposed development to the existing accommodation and how this would impact upon overlooking and the quality of accommodation. The following responses were provided:

- The Committee was advised that Wembley's prime location was desirable for student accommodation. With a recognised shortfall of student accommodation across London many universities were in need of additional allocated units and as such the applicant was confident that the development would be fully utilised.

PLANNING COMMITTEE

9 August 2023

- Following a Committee query in relation to how the commercial space in the proposed scheme would be utilised, the Committee was informed that the commercial space provided was an additional benefit to the scheme as there was no policy that specifically required this. Mr Lawrence advised that care would be taken in the commercial floor space as it would be let and managed by Tribe as the applicants. Although there were no confirmed plans as yet for the anticipated use of the commercial space, other units managed by Tribe had included fashion hubs, workshop studios and photography studios.
- In response to concerns raised regarding increased ASB behaviour from an increased student population, Mr Lawrence assured the Committee that there was a 24-hour concierge and management team in place, along with a carefully considered student management plan to manage any ASB and also support the wellbeing of students with a view to integrating them into the community.
- Following concerns in relation to possible overlooking from the proposed scheme, Mr Lawrence advised that the scheme had a 14m separation distance from the neighbouring properties minimising any concerns regarding overlooking and the majority of the windows were north and south facing, any windows on the west elevation would be obscured glazed.
- In response to a Committee query in relation to the quality of the accommodation, specifically in relation to whether any risk of rooms overheating could be mitigated by using a different quality of material, the Committee was advised that the rooms required passive ventilation which could be achieved by opening a window, there was no mechanical cooling required. The design of the building also prevented overheating, therefore this issue was not considered to be a concern.

As there were no further questions for Mr Lawrence and his team, the Chair thanked them for answering the Committee's questions and offered Committee Members the opportunity to ask officers any remaining questions they had in relation to the application. The Committee had queries in relation to the need for student accommodation against the recognised urgent need for residential homes in Brent, the daylight/sunlight assessments and overshadowing, student affordable units, the design of the building to maximise student safety and the proximity of the development to the existing residential blocks. The following responses were provided:

- Following a Committee request for clarification in relation to the policy basis for student accommodation, particularly when weighed against the need for residential homes in Brent, the Committee was advised that the London Plan identified the need for 3500 bed spaces for students across London annually. Policy H15 promoted the use of purpose-built student accommodation in well-connected areas for mixed use development regeneration schemes. As the site also fell within the Wembley Growth Area, it was felt the relocation was appropriate and in line with policy to meet the needs of an increasing student population across London.
- Student accommodation also contributed towards overall housing targets, with student accommodation counting towards 2.5 equivalent of a conventional house, therefore the scheme's provision of 619 student units equated to 247.6 new homes.
- The accommodation would be secured by condition for occupation by full time students for 39 weeks a year (term time) outside of term time the units would

PLANNING COMMITTEE

9 August 2023

be available for short term lets, for example to assist with tourism in the Summer, supporting the wider culture and economy in Brent.

- The Committee queried the impact the proposed development would have on the daylight/sunlight and overlooking of neighbouring residential buildings. Officers acknowledged that there were some minor shortfalls to some neighbouring buildings, however given the high density urban context, it was felt the limited harm was outweighed by the schemes wider benefits. It was also noted that the overall effect to daylight and sunlight was considered to be consistent with the previously consented scheme.
- Officers clarified that the scheme was tenure blind, therefore students letting an affordable student unit would enjoy the same high quality accommodation as other students.
- Following a Committee query in relation to the consideration given to the design of the building to ensure access for students was safe during the day and night, officers confirmed that a student management plan would be conditioned to look at how communal spaces would be managed and monitored to ensure safety.
- The Committee queried how close the proposed scheme was to the existing neighbouring building, particularly as objectors raised concerns that they felt the proposed scheme would be too close. Officers advised that the building measured a distance of 14m from window to window. Although SPD1 guidance recommended 18 metres between direct facing habitable room windows, it was felt that given the context of the high density urban nature of the development and the use of obscured windows where necessary the distance was acceptable and would not cause harm.

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

DECISION: Granted planning permission subject to the referral of the application to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations as detailed in the Committee report; and the conditions and informatives as set out in the Committee report and supplementary report.

(Voting on the item was unanimous)

6. 22/1145 – Prospect House, North Circular Road, Stonebridge, London, NW10 7GH

PROPOSAL

Demolition of existing building and erection of a 23 storey building to provide 139 units (Use Class C3) and 801sqm of creative light industrial floor space (Use Class E(g)(iii)) together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas, public realm improvements and associated works (Departure from Policy E4 of the London Plan and BE2 of Brent's Local Plan).

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to:

PLANNING COMMITTEE

9 August 2023

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

Sean Newton, Principal 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 sought the demolition of the existing building to construct a 23 storey building to provide 139 self-contained residential units and 801 square metres of creative light industrial floorspace, together with wheelchairs accessible parking, cycle parking landscaping, play areas and public realm improvements. The development would be car free with the exception of the blue badge /wheelchair accessible parking. The site fell within the Alperton growth Area and the Alperton Tall Building Zone. The site was not located within a Conservation Area.

The Committee's attention was drawn to the supplementary agenda that provided some minor alterations to the Committee report in relation to the age group the onsite play space catered for and the floor to ceiling height of the commercial units.

It was also clarified that there had been an error made in the Committee report in relation the applicant's financial contribution to a CPZ, the Committee was advised that the correct figure was £35k.

The Chair thanked Sean Newton for introducing the report, as there were no Committee questions raised at this point, the Chair invited the first speaker, Councillor Georgiou (as local ward councillor) to address the Committee (in person) in objection to the application. The following key points were highlighted:

- Residents were concerned with what they felt was overdevelopment of the Alperton area.
- Residents had reported that they had seen limited public benefits from the new schemes and had been negatively impacted by the increasing number of high density developments which they felt caused issues with increased traffic congestion, pressures parking and underfunded support for local infrastructure improvements.
- Councillor Georgiou acknowledged the need for local housing, however felt that it had to be the right housing to benefit existing and future residents.
- It was felt that the scheme failed to provide genuinely affordable housing, although there was an element of shared ownership units, it had previously been recognised that the shared ownership model was not genuinely affordable.

PLANNING COMMITTEE

9 August 2023

- The site location was felt to be inappropriate due to its close proximity to the highly polluted North Circular Road and its distance from local amenities, including open green space. The lack of amenities would particularly be an issue for any residents with additional mobility requirements.
- The site's close proximity to both the River Brent and the Grand Union Canal as well as sitting within a Flood Zone was a cause for concern.
- In summarising the concerns Councillor Georgiou urged the Committee to listen to residents and reject the application on the basis of the objections raised.

The Chair thanked Councillor Georgiou for making his representation on behalf of Alperton residents and proceeded to invite Jaghan Vihra (applicant) and Mia Scaggiante (planning consultant) both in person to address the Committee in relation to the application. Mr Vihra and Ms Scaggiante had agreed to share their allocated time to speak and were also joined by their architect, Mr Nick Francis (online). Mr Vihra shared the following key points:

- It was his vision to improve the use of site to support regeneration in Brent to deliver benefits to the local community.
- The re-development of Prospect House would complement the forthcoming Northfield Masterplan to provide more than 3000 new homes.
- Despite the sites close proximity to the North Circular Road, Mr Vihra felt there were many positive local attributes to the site that included the Grand Union Canal, the nature reserve and the River Brent.
- Extensive work had been undertaken to revise the original plans to ensure the development would be the best fit for the local area.

Ms Scaggiante then addressed the Committee to share the following points:

- The applicants planning team had worked closely with officers to develop the proposals to create a mutually agreeable policy compliant application.
- The design team had positively responded to the impacts of the North Circular to mitigate any negative impacts by orientating all windows, living spaces and external amenity spaces away from the road and towards the canal or to long-distance views.
- The high quality landscaped buffer between the building and the road, together with other greening and biodiversity throughout the site resulted in an Urban Greening Factor of 0.73, beyond the 0.4 requirement and a Biodiversity Net Gain of 100%.
- The scheme would provide sheltered amenity and play areas at the rear, facing the River Brent and high performance glazing and building fabric to mitigate noise.
- Further benefits of the scheme included 139 new homes, with 35% of these recognised as affordable and 72% at London Affordable Rent, including 15 family sized homes.
- Affordable creative workspace would be included with an estimated 10 new jobs, further jobs would be created through the construction phase.
- A permissive route (open to the public) would be created through the site, enabling future connections to the canal and Northfields.
- The energy efficient building would complement the Northfields Masterplan and improve flood capacity and river enhancements.

PLANNING COMMITTEE

9 August 2023

- In closing her comments Ms Scaggiante encouraged the Committee to consider how the scheme aimed to optimise the site area by transforming the site to a vibrant and active place to live and work and on this basis felt the application should be approved.

The Chair thanked Mr Vihra and Ms Scaggiante for addressing the Committee and offered members the opportunity to ask any clarifying questions they had. The Committee raised questions in relation to the Police response to the application and flooding. The following responses were provided:

- Mr Vihra and Ms Scaggiante confirmed that the Police recommendation that the development should be secured by designed was accepted as an additional condition that would be enacted.
- In response to the Committee request for clarification on the impact of the proposed development on flood risk, the Committee was advised that as the site fell with Flood Zone 3a, the applicant had followed due process and submitted a Flood Risk Assessment (FRA). The Environment Agency supported the application subject to various conditions and mitigations being put in place that included the design of the building, residential units starting from the 3rd floor upwards, and the building being set back from the River Brent.

As there were no further questions, the Chair proceeded to invite the Committee to ask officers any remaining questions or points of clarity they had. Members had further queries in relation to air quality, the noise impact assessment, amenity space, and flood risk. The following responses were provided:

- The Committee was advised that the site was located within an Air Quality Management Area and given the sites close proximity to the North Circular Road, air quality had been addressed as a key issue. The Committee noted that the concentration of emissions would be at its highest at the ground floor level, therefore, to mitigate this residential units would be built from the 3rd floor up and balconies and designated communal play space areas would not face the North Circular. The design measures in place were felt to adequately mitigate the risks of unduly exposing residents to pollutants. The scheme was considered to be air quality neutral and therefore acceptable.
- Following a Committee query in relation to the impact of noise on residents, officers recognised that the most likely source of noise nuisance would be from vehicular traffic from the North Circular, however various mitigations would be in place to limit excessive noise including the stepped footprint of the building, double glazing and mechanical ventilation. It was also recognised that noise would reduce as you moved through the levels of the building. It was considered acceptable that through the mitigation measures proposed the development would not result in unacceptable noise levels to future occupiers.
- In response to the Committee's comments in relation to amenity space, specifically for older children for whom designated play space had not been included within the proposed development, the Committee was advised that the forthcoming redevelopment of the neighbouring Northfield Site would provide additional amenity space, the applicant would be making a financial contribution to support the construction of a permissive path that would provide a safe access route between the Prospect House site and the Northfields Site. Additionally, in line with policy BH13 the scheme provided amenity space through private balconies and communal areas.

PLANNING COMMITTEE

9 August 2023

- The Committee required clarity in relation to the site's flood risk, in response officers advised that given the sites close proximity to the River Brent and the Grand Union Canal, protection of and access to the River Brent as well as flood mitigations were key considerations of the proposed development. Mitigations included reducing the footprint of the building, raising floor levels, locating the residential elements of the building to the 3rd floor and above and the creation of a Flood Warning & Evacuation Plan.
- To further support flood mitigation and in line with London Plan policy S113 and Local Plan Policy BSUI4 that required developments to utilise Sustainable Urban Drainage Systems (SUDS), the proposed scheme included a SUDS strategy to retain and re-use as much rainfall prior to discharge in to the public sewer, as well as the addition of blue and green roofing to slow discharge rates. The planned mitigations would provide a betterment to the current situation by reducing impermeable surfacing by 26%.

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

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

(Voting on the recommendation was unanimous)

7. Any Other Business

None.

The meeting closed at 9:37pm

COUNCILLOR KELCHER
Chair