

Agenda Item 06

Supplementary Information Planning Committee on 18 October, 2023

Case No. 22/3669

Location	Kilburn Square Estate, Kilburn Square, London
Description	Demolition of Former Kilburn Square Clinic, 13-15 Brondesbury Road, substation, footbridge and garages and redevelopment of site to provide extra care flats (Use Class C3b) and general needs flats (Use Class C3)) in 4 buildings alongside access routes, car parking, motorcycle parking, cycle parking, refuse and recycling storage, amenity space, landscaping, playspace, boundary treatments, alterations to the entrance to Varley House, refurbishment of the existing podium parking area and other associated works.

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Additional Objections/Comments Received

Additional representations were received following the publication of the committee report, from the Chair of Kilburn Village Residents' Association, who had previously objected to the proposal. The objection largely raised the following concerns that are addressed below:

Comments were raised that the number of representations referred to in the report didn't reflect the actual number received and that the report referred to representations from individuals when some objections were from the Kilburn Village Residents Association (KVRA), who represent the estate and six surrounding streets. They also note that the KVRA are in turn supported by three neighbouring Residents' Associations and the Kilburn Neighbourhood Forum as the Kilburn Square Stakeholders Group. It is set out in the further objection that the report refers to four petitions but omits two more which were from Barratt House and Kilburn Square tower.

Officer response: The number of representations noted in the report relates to the number of individuals, or individual acting as the representative of a group. There were different people (individuals writing for a group of people) who wrote in more than once, but these are recorded as a single representation. This way of counting the number of objections is consistent with procedure which is usually used.

The report takes into account the comments in petitions from Barrett House and the Kilburn Square Tower, it is noted that the report has an error in not referring to them as petitions.

Overall, the number of objectors is considered to be accurate, and it is acknowledged that some organisations have written in to represent a number of different people.

Comments were raised on the Community Involvement that took place prior to the application being submitted.

Officer response: Pre-engagement engagement with local residents and stakeholders is encouraged but is not a legal requirement and cannot be controlled by the Local Planning Authority. Nevertheless, pre-application engagement was undertaken by the applicant and the amount of engagement and methods used as considered to be thorough. While there is often a difference in opinion on how the pre-application engagement is carried out, a judgement must be made on the application based on its own merits. The commentary within the committee report

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relates to the Community Involvement Statement that was submitted as part of the application and comments received during the course of the application.

A comment was received highlighting an error in the sunlight and daylight assessment, where Block E has been noted to be Block C.

There is a typographical error in Paras 80 to 84, where Block E is referred to as Block C. The comments within this section of the report otherwise still apply and the outcomes do not change. Furthermore, the overall living conditions of the residents Sandwood Court would remain good.

Comment have been made on the level of intensification of the site use and how the proposal relates to the Kilburn Square Site Allocation BSESA20, in the Brent Local Plan. It is contended that the Site Allocation doesn't justify the development of blocks C and E.

Officer response: The consideration of the principle of development and in particular, the indicative capacity identified within the site allocation is set out within paragraphs 1-3 and 5-6 of the main report. This makes it clear that the site allocation includes the location of block A-B and includes a discussion of the indicative capacity given in the site allocation, including information on the number of homes within the scheme that would be within the site allocation area. It does not look to justify the provision of blocks C or E through the site allocation.

The discussion of the principle of development goes on to discuss the high level of accessibility for the site and the policy definition for priority areas for additional housing. Schemes do not need to be within site allocations for housing to be supported, and as discussed in the report, the provision of new housing in this location is considered to be acceptable.

There is a correction to the report, within the officer comments on objections it should not refer to the site being within the South Kilburn Growth Area and should just refer to the site allocation within the Brent Local Plan. It should be noted that it is clarified in the Detailed Considerations part of the report that the site is not within a growth area (paragraph 2).

Fire safety concerns were raised relating to the a fire escape terminating in an undercroft parking area within the site, which the KVRA consider to be a "land use planning" issue that should be considered at planning application stage due to the displacement of parking within the proposal (if the undercroft parking could not be provided) which they contend would result no room to build Blocks C and E.

Officer response: An existing fire escape terminates into an existing parking area (albeit currently not in use) and while some changes are proposed to the layout of this parking area, the use of this area is not proposed to be changed. When considering the development does not change the use of this part of the site, the impact would be neutral. The application was submitted with a fire statement which was supplemented with additional information to cover initial concerns and the application has been assessed by the Health and Safety Executive and London Fire Brigade. Following the receipt of that information, they were content with the proposal. Furthermore, should it be found that alterations are required at delivery stage, improvements could be made to the means of escape through this area that are not likely to be non-material in relation to a planning permission and can be managed through the Building Regulations process.

Therefore, the continued use of this area for the means of escape is not considered to impact on the ability to construct blocks C and E.

Concerns were raised over paragraph 96 of the Report referring to “social rent homes” being part of the Public Interest assessment.

The report refers to the provision of the London Affordable Rent general needs homes, with this information provided in the Proposal in detail section and Housing mix and affordable housing section. However, there is an error within the summary to the daylight and sunlight section (paragraph 96) where it is referred to as Social Rent. For the avoidance of doubt, the general needs homes are proposed to be provided as London Affordable Rent as set out in the remainder of the report and the weighing and balancing of benefit and harm has been carried out on this basis.

Recommendation: Remains approval subject to the conditions set out in the report.

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