

# Public Document Pack



## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE Wednesday 11 December 2024 at 6.00 pm

PRESENT: Councillor S. Butt (Vice-Chair in the Chair) and Councillors Agha, Akram, Begum, Chappell, Dixon, Johnson, and J Patel.

Also Present: Duncan Moors (External Planning Lawyer, Ashfords LLP)

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

Apologies for absence were received from Councillor Kelcher, with Councillor Saqib Butt (as Vice-Chair) chairing the meeting and Councillor Agha attending as a substitute.

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

There were no declarations of interest made during the meeting.

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

RESOLVED:-

That the minutes of the previous meeting held on Wednesday 16 October 2024 be approved as a correct record of the meeting.

#### 4. **24/1804 College North West London, Dudden Hill Lane, London, NW10 2XD**

##### PROPOSAL

Hybrid planning application comprising: Full planning permission for the demolition of existing buildings and structures within 'Phase 1' and all site preparation works, and redevelopment with mixed-use buildings providing residential homes (Use Class C3), flexible commercial, retail and leisure space (Class E), workspace (Use Class E(g)), associated cycle and vehicle parking, new and altered vehicular accesses and other associated highways works, hard and soft landscaping including creation of new and upgrades to existing public open space, and all associated ancillary and engineering works; and

Outline planning permission for the demolition of all existing buildings and structures within the rest of the Site, and redevelopment with a series of new mixed-use buildings accommodating residential homes (Use Class C3), flexible commercial, retail, workspace and leisure space (Class E), community space (Use Class F), and flexible nursery/community/medical

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floorspace (Use Classes F/E(e)/E(f)), associated cycle and vehicle parking, new and altered vehicular accesses and other associated highways works, hard and soft landscaping including creation of new and upgrades to existing public open space, and all associated ancillary and engineering works, with all matters reserved except for means of access.

### RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- (1) The conditions and informatives as set out in the main Committee report; and
- (2) Stage 2 referral to the Mayor of London along with the prior completion of a satisfactory s106 legal agreement to secure the planning obligations as detailed within the report.

Neil Quinn (Principal Planning Officer) introduced the planning application committee report, detailing the hybrid planning application comprising:

- Full planning permission for the demolition of existing buildings and structures within 'Phase 1' and all site preparation works, and redevelopment with mixed-use buildings providing residential homes (Use Class C3), flexible commercial, retail and leisure space (Class E), workspace (Use Class E(g)), associated cycle and vehicle parking, new and altered vehicular accesses and other associated highways works, hard and soft landscaping including creation of new and upgrades to existing public open space, and all associated ancillary and engineering works; and
- Outline planning permission for the demolition of all existing buildings and structures within the rest of the Site, and redevelopment with a series of new mixed-use buildings accommodating residential homes (Use Class C3), flexible commercial, retail, workspace and leisure space (Class E), community space (Use Class F), and flexible nursery/community/medical floorspace (Use Classes F/E(e)/E(f)), associated cycle and vehicle parking, new and altered vehicular accesses and other associated

The proposed development was formed of two phases: Phase 1 was applied for in detail and included the construction of 11 new blocks (Blocks C-H, J, K, V, W and Y) to provide 1,076 residential dwellings (Use Class

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C3), comprising heights of between 4, 5, 10, 11, 15, 17, 22, 24 and 28 storeys (up to 98.5 AODm). The development also proposed 3,354 sqm of flexible retail, commercial and leisure floorspace (Use Class E) (which includes 1,173 sqm of gym floorspace) at lower levels of these blocks.

Phase 2 was applied for in outline, and included the provision of up to 3,500 sqm (GIA) of new land use floorspace within 11 new blocks (Blocks A, B, L-N, and P-U) comprising heights of between 4, 5, 6, 11, 14, 16 and 17 storeys (up to 100.2 AODm), with the maximum quantum as follows:

- flexible retail, commercial and leisure floorspace (Use Class E): up to a maximum of 1,500sqm;
- community floorspace (Use Class F): up to a maximum of 1,000sqm;
- nursery or local community/ medical floorspace (Use Class F/E(e)/E(f): up to a maximum of 1,000sqm;
- C3 Residential: up to 57,500 sqm (approximately 551 homes).

Attention was drawn to the supplementary report, detailing two further representations received after the publication of the committee report, amendments to the main report, additional conditions, amended conditions, and additional Heads of Terms to the published report. The recommendation remained to grant consent subject to the additional and amended conditions and Heads of Terms, and in the main committee report.

The Chair thanked Neil Quinn for introducing the report. As there were no Committee questions raised at this point, the Chair then invited Terry Gamble (who had registered to speak as the applicant's representative) to address the Committee in relation to the application, who highlighted the following points:

- In representing the applicant (The Hill Group), Mr Gamble began by highlighting they were the second largest privately owned house builder in the UK and had maintained a 5-star Home Builder Federation rating for the past seven years, reflecting the quality of their homes.
- Contracts had been exchanged with United Colleges Group in August 2022 to advance proposals for two key Site Allocations in the Brent Local Plan: the College North West London site and Crescent House in Wembley. The acquisition facilitated the delivery of the College's new

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campus on Olympic Way, ensuring the College's permanent presence in the Borough with state-of-the-art facilities, providing specialist training and apprenticeship opportunities for young people.

- The commitment to delivering meaningful social value, already collaborating across 14 London boroughs with community partners and anchor organisations to understand local needs and develop bespoke social value delivery plans. This approach intended to continue in partnership with Brent and United Colleges Group on the development.
- That the development would generate significant Community Infrastructure Levy (CIL) contributions to Brent, estimated at approximately £46 million. It was noted that the scheme's design complied with the Neasden Station Growth Area masterplan, aiming to connect with the local community and provide a range of local facilities, including a nursery, gym, workspaces, local shops, and a purpose-built community centre.
- The development included the creation of a grand public green space, resulting in one of the greenest schemes in Brent with nearly 1.5 hectares of enhanced green space, over 370 new trees, and an Urban Green Factor of 0.57. Enhancements to Dudden Hill Park and Selbie Avenue pocket park were also noted, with these spaces remaining under Brent's ownership but maintained by Hill Group.
- The proposed application would deliver over 1,600 high-quality new homes, equating to approximately 68% of Brent's annual housing requirement, at a time when many housebuilders were pausing new developments. Despite being a unique 'enabling development' funding £105 million towards a new College facility, Terry Gamble expressed that the Hill Group had sought to maximise the level of affordable homes when compared to the viability assessment undertaken.
- Described as an established developer and contractor with an unparalleled track record in delivery, The Hill Group had built out every site where planning permission was secured. If granted approval, construction was intended to commence in Summer 2025 and was felt by the applicant representative to represent substantial investment in the Borough, delivering significant economic, social, and environmental benefits.

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- In concluding his representations, Terry Gamble advised that the applicant looked forward to growing their relationship with Brent and urged the Committee to approve the scheme in accordance with the officer's recommendation.

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

- As an initial query, members inquired about the management of the social rented homes, specifically questioning whether a housing partner had been secured to manage the scheme. In response, Terry Gamble reported that discussions had been conducted with several Registered Providers, including Brent, regarding the management of the homes. It was noted that whilst no final agreement had been reached, significant dialogue was ongoing. This raised related questions on the management approach that would be taken, should no Registered Housing Partners be secured to which Terry Gamble assured that there were currently interested parties and offers under consideration.
- Members addressed the provision for an indoor gym and queried whether the developers would consider contributing to an outdoor gym, noting that outdoor gyms were extensively utilised by residents in Brent to mitigate health inequalities. Members also discussed the provision for community use within the development, highlighting the significance of youth hubs and diversionary activities for young people, and inquired whether these considerations would be incorporated in the development plans. In response to the former question, Terry Gamble responded affirmatively, indicating a willingness to consider the provision of an outdoor gym. The supporting consultant (Don Messenger) added that, as the planning consent was an outline consent, the details could be addressed at the reserved matters stage. In response to the initial question and while elaborating on the plans and vision for the community centre, including potential users and discounts, Don Messenger advised that the community centre was designed to be highly flexible for various uses. Consultations had already taken place with local groups and residents, who had expressed a desire for leisure-related activities, such as table tennis. The supporting consultant noted that, as the community centre was part of the outline element of the hybrid consent, there was additional time to refine the

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plans. The importance of ongoing community engagement to ensure the best fit for the community centre, aiming to attract the wider community to the scheme and utilise the green space was also emphasised. The supporting consultant welcomed continued discussions on the community space as the project progressed, should planning permission be granted.

- Members raised concerns regarding the provision of social and affordable housing. Disappointment was expressed at the low contribution of 18% towards affordable homes, noting that the target was 50%, with members querying the discrepancy between the developers' calculations, which indicated a deficit of approximately £147 million, and the independent assessment by external consultants, BNPP, instructed directly by the Council, which identified a less substantial deficit. Clarification was sought on the reasons for the discrepancy and whether it implied the possibility of increasing the offer for affordable housing, which was a significant need for Brent residents. In response, the supporting consultant explained that the developers' viability assessment encompassed numerous inputs and outputs, and that the developers had also engaged closely with the independent adviser. Despite iterative discussions, both parties had concurred that the enabling development was in deficit, and the maximum reasonable amount was being provided. It was further mentioned that an agreed review mechanism would be taking place later in the construction process, which would ensure complete transparency. Should a surplus be identified at a later date, there would be an opportunity to either increase affordable housing or alter the tenure, subject to discussions with the planning officers.
- Following on from the previous question, members reiterated the concern regarding the significant discrepancy between the financial viability assessments of the developers and the independent consultants, with further reasoning being sought for the substantial difference. Jack Taylor, an additional consultant, provided further clarification, noting that the appraisal involved numerous inputs, and the large scale of the scheme compounded the issue. Several areas of challenge were cited, including residential values, which, although not significantly different, resulted in larger discrepancies when applied to a large scheme. Further issues included rental levels for two blocks envisaged as built-to-rent, and the yield used to capitalise rental income for those buildings. Minor challenges also existed in areas, such as build costs, agents' fees, and finance rates. It was

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emphasised that where these small changes were applied collectively, they resulted in a substantial change in the deficit figure.

- Members sought further clarification, including how the proposed development would contribute towards the preservation of the environment or the enhancement of green areas. Members additionally questioned whether there was a possibility for local residents to receive concessions or incentives to join the gyms, rather than being subjected to commercial rates. Questions were also raised around whether a percentage of housing could be allocated to provide priority for key workers in Brent and to purchase houses or accommodation in the area. In response, Don Messenger responded to the initial inquiry regarding the environmental landscape, emphasising that the preservation and enhancement of green areas were of paramount importance from the outset. Reference was made to Neasden SPG, which outlined a vision closely adhered to in the development plans. The primary change was the retention of Dudden Hill as part of the open space within the scheme, whereas the original proposal in the SPG had suggested constructing buildings in that area. It was also noted that the development included 11,500 square metres of open green space and two football pitches, exceeding the SPD's minimum target by 24%. The urban greening factor, as per the London Plan, had a policy target of 0.4, whereas the development achieved a factor of 0.57, nearly 50% above the policy requirement, which highlighted the commitment to creating meaningful green spaces accessible to all. Don Messenger reiterated the intention to ensure the green spaces and routes were open and inviting to the wider community, not only the residents of the development. Terry Gamble addressed the question regarding concessions for gym memberships, stating that the developers were in dialogue with several operators and would consider this suggestion. Regarding housing for key workers, it was noted that the rented homes in Phase 1 were all designated as social rent. The final arrangements, whether with Brent or an individual registered provider, would need to be reviewed to determine potential inclusion within the Section 106 agreement.
- Members raised queries regarding the proportion of affordable housing within the proposed development, noting that typically there was a 70/30 split between affordable and intermediate housing whereas within the proposed scheme the split appeared to be reversed, with approximately 64% intermediate housing and 36% affordable housing. Members sought to understand the rationale behind this distribution and whether there was

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potential to increase the proportion of social rent housing. Don Messenger responded by explaining that the tenure split aimed to achieve a balance. The importance of delivering the project, which included enabling the college to have a permanent home in the borough, was emphasised. The first phase of the development focused on social rent housing, with an emphasis on front-loading social rent units. These units were situated in the lower blocks, which were more suited to family homes and had direct access to green spaces. It was noted that 62% of the social rent units were family homes, ensuring this met community needs. It was further mentioned that viability reviews would be conducted at later stages, and if a surplus was identified, there could be an opportunity to adjust the tenure mix in the future.

- Following up, members inquired about the potential of incorporating intermediate housing products within the scope of the development to address housing concerns and assist individuals in temporary accommodation through registered providers, as an alternative to shared ownership. In response, Don Messenger responded by noting that London living rent was typically associated with build-to-rent schemes. The Hill Group predominantly focused on for-sale housing, although there were some build-to-rent units within the scheme. It was indicated that the second phase of the development included build-to-rent units, and the developers were open to considering different types of intermediate housing products.

The Chair thanked the applicants representatives for responding to the Committee's queries and then moved on to offer the Committee the opportunity to ask the officers any remaining questions or points of clarity in relation to the application, with the following being noted:

- Further details were sought regarding the tenure split for the affordable housing element of the proposed development. Members sought to understand the rationale behind why the development had not achieved the standard 70/30 tenure split, noting that the current proposal included approximately 64% intermediate housing and 36% affordable housing, and questioned whether there was potential to increase the proportion of social rent housing. In response, Victoria McDonagh (Development Management Service Manager) offered comprehensive general information on affordable housing and the conclusions related to tenure split and explained the strategic targets of the London Plan and Brent's Local Plan, aiming for 50% affordable housing in new developments. Members heard that the fast-track



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approach enabled certain schemes to bypass viability assessments provided they met specific affordable housing thresholds. The current planning application proposed 19.4% affordable housing, requiring viability testing. Phase 1 included 9.3% affordable housing (69 social rent homes), and Phase 2 included 36.9% (15 social rent units and 160 shared ownership homes). The scheme was tested using the Existing Use Value (EUV) plus approach, with BNPP concluding a potential surplus. It was additionally noted that redevelopment of two College of North West London sites - Dudden Hill Lane and Crescent Housing, Wembley - was contingent on a new college facility at Fulton Road. The redevelopment aimed to support growth, provide new homes, and enhance infrastructure. The Committee also heard that an agreement on a benchmark land value and capital contribution had been reached, but a funding shortfall remained. The proposed scheme's benefits were also highlighted, including the provision of 1,900 new homes towards the Council's annual target of 2,350 homes, open spaces, social infrastructure, and job opportunities.

- Clarification was sought regarding the potential outcomes of a late stage review. In response, Victoria McDonagh (Development Management Service Manager) explained that the College Green scheme, being a large development with over 1900 homes, would undergo early, mid, and late-stage reviews. The early and mid-stage reviews would aim to capture additional affordable housing on-site if there was a surplus. It was further elaborated that the tenure split would also be considered. The exact mechanisms would be discussed with the applicant and the Greater London Authority (GLA). It was also highlighted that there were opportunities for adjustments at the early, mid, and late stages of the development.
- Members sought further details around the type and nature of the convenience store proposed for the scheme. In response, Neil Quinn (Principal Planning Officer) noted that the proposed convenience store would be a retail convenience store located on the Dudden Hill site, with a floor area of less than 500m<sup>2</sup>. The impact of the store, referenced within the committee report which included the sequential test and the impacts on neighbouring town centres, was also cited. Neil Quinn (Principal Planning Officer) further noted the flexibility in the variety of uses within the development, highlighting that there was approximately 4000m<sup>2</sup> of Class E workspace, which included retail and leisure uses. It was emphasised that while the store was primarily envisaged as a convenience store, the Council lacked the authority to dictate the end operator, leaving the decision to

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market forces to determine the occupant of the unit. As a subsequent question, members inquired about the provision of medical centres in the vicinity, given the expected increase in the local population. In response, Neil Quinn (Principal Planning Officer) addressed this concern by indicating that consultations had been conducted with the NHS and the Clinical Commissioning Group (CCG) during the planning application process. It was conveyed that, based on these consultations, it has been assessed that there were sufficient facilities or other sites being developed to meet the healthcare needs of the incoming residents. Members were assured that the NHS and CCG had confirmed the adequacy of existing capacity to accommodate the anticipated demand.

- Members sought clarification on whether a conclusion had been reached around the arrangements for water drainage in relation to Thames Water, and questioned if conditions had been set on the property. In response, Victoria McDonagh (Development Management Service Manager) responded affirmatively, stating that a number of conditions had been recommended concerning surface water capacity, as advised by Thames Water, along with a pilot method statement. It was further explained that these conditions would necessitate consulting Thames Water upon submission of the details, allowing them to provide comments and confirm that the capacity requirements had been met.
- In response to further questioning around the funding for the new campus on Fulton Road, members were informed that the new college facility at Fulton Road had secured funding from the Greater London Authority (GLA) and the Department for Education. However, there remained a significant shortfall of approximately £107 million. It was elaborated that, following the viability assessment, this shortfall would be addressed by the applicant through the purchase of both Crescent House and College Green sites, which would finance the construction of the college. It was clarified that the breakdown for the viability assessment included £50 million as the benchmark land value for the two sites, and an additional amount termed as the capital contribution. This combined figure effectively covered the shortfall in the delivery of the college.
- Members sought reassurance regarding the efforts made to secure affordable housing funding and whether collaboration with the Mayor's office had been pursued to access affordable funding and if all possible avenues, such as grants, had been explored. In response, David Glover

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(Head of Planning and Development Services) affirmed that extensive efforts had been undertaken, stating that planning teams as well as housing teams had been actively working with the Hill Group and the Greater London Authority (GLA) to examine grant levels and to ascertain whether the GLA could increase these levels. It was noted that there had been some progress in this regard. It was also explained that the Council had been engaging with various stakeholders, including registered providers, to maximise affordable housing within the scheme. It was emphasised that where the financial viability of the two schemes was not achieved, the schemes would not be delivered. However, the Council remained committed to securing as much affordable housing, particularly low-cost rented housing, as possible. It was further mentioned that Phase 2 would not commence immediately, and other funding sources or financial changes might improve the prospects for Phase 2. In concluding the response, it was reiterated that significant efforts were being made across the board to optimise the outcomes.

- Highlighting concerns relating to the family housing targets further questions were raised around whether the targets had been met and if the maximum possible effort had been made to achieve the family housing targets. In addressing the concern, Victoria McDonagh (Development Management Service Manager) explained that the viability of the scheme was influenced by the cost per square metre for family units, which was lower than that for one- and two-bedroom units. This had an impact on the overall viability. However, it was noted that Phase 1 encompassed a high number of family-sized units, particularly in the social rent category, which were prioritised based on the highest need.
- As a further issue highlighted, members sought details about the feasibility of the scheme in the absence of grant funding. Additionally, members raised concerns regarding the impact of overshadowing, particularly in relation to daylight and sunlight factors, noting that many of the taller blocks were situated towards the railway line and requested information on the impact on properties located on the opposite side of the railway. In response, Neil Quinn (Principal Planning Officer) conveyed that properties on the opposite side of the railway had been assessed and indicated that these properties were situated at a sufficient distance, approximately 25 to 30 metres away, to ensure that the impacts would not be significant. While it was acknowledged that there would be impacts on Selby Avenue and Denzil Road, in particular, it was explained that the approach to building

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heights and massing adhered to the guidelines set out in the Supplementary Planning Document (SPD). Efforts had been made to minimise these impacts as far as possible. It was further noted that while there would be significant changes in height and massing, the lower-rise blocks of 5 to 6 storeys were strategically located to mitigate the impacts on daylight and sunlight.

- Members further inquired about potential disturbances to wildlife in relation to archaeological considerations. In addressing the concern, Victoria McDonagh (Development Management Service Manager) stated that the scheme would be subject to a Construction Environmental Management Plan, which had undergone an ecology assessment. It was further mentioned that the scheme also considered biodiversity net gain, which involved on-site enhancements. To achieve the full 10% biodiversity net gain, some offsite credits would be required, however, there would be enhancements within the site itself, including new open spaces.
- Member raised queries regarding the shortfall in biodiversity net gain (BNG) as cited in the committee report, noting that there was no Section 106 contribution for this particular development to offset the BNG shortfall. It was questioned whether a Section 106 contribution could be considered to address the compliance with BNG. Victoria McDonagh (Development Management Service Manager) responded by explaining that in previous schemes, Section 106 contributions were secured under the Brent Local Plan for general biodiversity net gain, though not specifically 10%. It was noted that under the current mandatory legislation, which came into effect in February 2024, where there was an offsite shortfall, contributions would be made through credits. It was further mentioned that the Council would work with ecologists to determine suitable sites for these contributions, although there were no specific Brent habitat sites identified at present. Contributions could also be directed to a national bank. David Glover (Head of Planning and Development Services) added that the legislation established a hierarchy for BNG under the Environment Act. It was explained that if the on-site provision was below 10%, it could be supplemented by offsite provisions at registered locations or through the purchase of credits administered nationally. It was highlighted that the Council did not have registered onsite habitats for BNG due to legal requirements for maintenance and monitoring. David Glover assured members that the Council was exploring opportunities for offsite provision within the Borough,

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particularly in parks, although these had not yet been established. It was clarified that any shortfall below the 10% requirement would be mitigated.

- Members then sought further clarification about the internal daylight and sunlight analysis, specifically the Greater London Authority's (GLA) concerns regarding the high proportion of single-aspect north-facing units. Further details on the implications of this concern was sought. In response, Neil Quinn (Principal Planning Officer) highlighted that efforts were made to encourage as many dual-aspect units as possible. It was acknowledged that schemes of this scale would inevitably include some single-aspect units. It was clarified that there were no single-aspect north-facing units, which was the primary concern of the GLA. Neil Quinn assured the Committee that in Phase 2, efforts would be made to improve the number of dual-aspect units. It was additionally noted that the design of the buildings would include significant systems for heating and cooling to ensure comfort for residents in single-aspect units.
- Members also sought additional detail about the viability of the scheme, noting that there was a surplus until the £107 million shortfall for delivery of the new college site was considered. Clarification was sought on the composition of the £107 million shortfall in funding. In response, David Glover (Head of Planning and Development Services) clarified that the shortfall was comprised of various elements, including strategic CIL payments from the Council, funding from the GLA, and funding from the DfE. It was explained that the majority of the funding was generated by releasing the two sites for development. Whilst the shortfall was acknowledged, it was emphasised that the release of the existing sites for alternative development was a key mechanism identified by the college to afford the delivery of the scheme. Neil Quinn (Principal Planning Officer) added that that the mechanisms and legal agreements surrounding the funding were still evolving. It was highlighted that the development could not proceed until the college was delivered. It was stressed that the proposals collectively aimed to unlock the delivery of a new college for Brent's young people, which was a prerequisite for the developments. David Glover further noted that the viability consultants had evaluated the college cost figures to determine the reasonableness of the contribution towards the college funding. The consultants found only a minimal difference between their cost estimates and those provided by the college which it was confirmed was a higher education institution offering specialised vocational

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courses, apprenticeships, and training. The engagement work undertaken by Brent Works with the college was also highlighted.

- Following up, members further queried whether the late-stage review mechanism would apply solely to the proposed site or if it would also capture any potential cost efficiencies that might reduce the £107 million figure. David Glover (Head of Planning and Development Services) responded that the review mechanism would only apply to the proposed site. It was explained that the amount the college received would remain the same, even where the college's costs were lower. However, it was noted that it was unlikely the college costs would decrease, as costs typically increased over time. The review mechanism would focus solely on the College Green and Crescent House schemes, without re-evaluating the college costs. Members also heard that College Green would undergo early, mid, and late-stage reviews, while Crescent House, being a smaller scheme, would have only early and late-stage reviews. It was explained that the profit levels and benchmark land values were fixed and would be considered during the viability reviews. Colin Leadbeater (Development Management Area Manager) further added that the college had contractual arrangements for selling their land. Once the transaction was completed, the college would have the funds to proceed with their delivery phase, allowing the applicants and their agents to move forward with their sites.
- In response to further clarification being sought about the Dudden Hill Lane zebra crossing, details were provided on the access and highway works at Dudden Lane, particularly in relation to the connection between the site and Dollis Hill tube station. John Fletcher (Team Leader - Development Control) conveyed that the developer had agreed to provide a zebra crossing at a specific point to facilitate access from the development to Cooper Road, which lead to Dollis Hill station. It was noted that there was an existing crossing further south, but observations indicated that only a third of people crossing at the end of Denzil Road were using it. Consequently, concerns were raised regarding the effectiveness of the existing crossing. It was further stated that contributions had been requested to fund a transport study, which would involve conducting detailed surveys, drawing up a detailed design, and analysing the data. Based on the findings, a decision would be made on whether to relocate the crossing. An overview of the wider highway works was also provided.

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- Further information regarding the measures in place to ensure that local residents benefited from job opportunities arising from the proposed scheme were sought by members. In response, Victoria McDonagh (Development Management Service Manager) advised the committee that an Employment and Training Plan had been secured, which required the developers to engage with the employment and training team to identify opportunities for construction jobs, apprenticeship positions, and end-use employment. It was highlighted that the Plan also included a social value component, where active efforts would be made to implement these methods. It was confirmed that these provisions would be secured in the heads of terms. Furthermore, it was estimated that the scheme would generate approximately 176 construction jobs and around 300 end-use jobs for the local community.
- Members raised concerns regarding traffic and transport assessment issues, noting that the development would introduce nearly 3000 additional people to the area. Assurances were sought around the mitigations planned to accommodate the increased population in terms of parking and transport. In response, John Fletcher (Team Leader - Development Control) confirmed that the development would include 50 parking spaces designated for disabled individuals, meeting the minimum requirements. It was highlighted that this represented a significant reduction from the approximately 300 parking spaces currently available on the site. It was anticipated that this reduction would result in a net decrease in traffic in the area, which would be beneficial for the operation of the highway. It was further mentioned that improvements were planned for pedestrian and cyclist facilities, as well as contributions to public transport.
- The Chair addressed earlier committee queries and the subsequent agreement by the applicant representatives to consider the inclusion of an outdoor gym as part of the SPD, as well as the possibility of securing concessions within the gym for the 69 dwellings designated for social rent within the development, with officers requested to respond on these elements further. Regarding the provisions for the outdoor gym, David Glover (Head of Planning and Development Services) suggested that the consideration of gym facilities would be included as one of the conditions. It was confirmed that the community use plan would be secured through the conditions, ensuring all related provisions were addressed. The possibility of opening intermediate homes to other tenures, in accordance with policies, and the inclusion of flexibility within the Section 106 agreement to

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accommodate this, was also conveyed. Regarding concessions within the gym, David Glover stated that it would not be possible to secure this within the planning agreement. While he acknowledged the willingness of the Hill Group to work with future operators to secure such concessions, it was noted that it could not be legally included as a requirement to mitigate the development's impact. However, he affirmed that other provisions could be secured.

- The Chair also sought details as to whether discounts on the community use element for social rent applicants could be arranged to which Victoria McDonagh (Development Management Service Manager) responded that hours for community access would be considered, which would include discounted rates for the local community.

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

**DECISION**

The Committee **RESOLVED** 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 detailed in the main and updated within the supplementary committee reports, together with:
  - Provision to include the requirement for an outdoor gym facility to be added within condition in the Community Use Agreement to be secured as part of the legal agreement.
  - Definition of intermediate housing within the legal agreement to capture a range of intermediate products;
  - The review mechanisms to be secured as part of the legal agreement to include the requirement to change intermediate housing to social housing where viability allows.
- (2) The conditions and informatives, as detailed in the main and amended within the supplementary committee reports.



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(Voting on the above decision was unanimous in favour).

- (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 detailed in the main and updated within the supplementary committee reports, together with:
  - Provision to include the requirement for an outdoor gym facility to be added within condition in the Community Use Agreement to be secured as part of the legal agreement;
  - Definition of intermediate housing within the legal agreement to capture a range of intermediate products;
  - The review mechanisms to be secured as part of the legal agreement to include the requirement to change intermediate housing to social housing where viability allows.
- (2) The conditions and informatives, as detailed in the main and amended within the supplementary committee reports.

### 5. **24/1841 Crescent House, 130-140 Wembley Park Drive, Wembley, HA9 8HP**

#### PROPOSAL

Demolition of the existing building and redevelopment of the site with a residential-led (Use Class C3) building with flexible commercial/community floorspace (Use Class E/F) at ground level; new basement excavation; cycle stores and blue badge parking; refuse stores and plant rooms/equipment; hard and soft landscaping including part-naturalisation of the Wealdstone Brook; new play space; and all associated engineering and ancillary works.

#### RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- (1) Stage 2 referral to the Mayor of London along with the prior completion of a satisfactory s106 legal agreement to secure the planning obligations as detailed within the report; and

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(2) The conditions and informatives as set out in the main Committee report.

Sean Newton (Development Management Planning Manager) introduced the planning application committee report, detailing the proposal to demolish the existing College of North West London building and the erection of two mixed-use linked blocks, A and B, which would be respectively 31 and 18 stories (including mezzanine level). The eastern part of the site which fronts Olympic Way would contain the tallest block, Block A. The development would provide 307 residential units (Use Class C3) along with flexible commercial/community use at ground level (Use Class E/F2), basement excavation, shared external amenity space, blue badge parking, cycle parking, refuse stores, plant rooms/equipment, and hard and soft landscaping including the part naturalisation of Wealdstone Brook, a Grade II SINC.

Attention was drawn to the supplementary report, detailing amendments to the main report, additions, corrections and clarifications to the heads of terms. The recommendation remained to grant consent subject to the additional and amended heads of terms, and stage 2 referral to GLA as contained in the main committee report.

The Chair thanked Sean Newton for introducing the report. As there were no Committee questions raised at this point, the Chair then invited Terry Gamble (who had registered to speak as the applicant's representative) to address the Committee in relation to the application, who highlighted the following points:

- The high-quality design was believed to complement the Wembley area and respond to the height and style of the surrounding buildings.
- Despite the constraints of the site, it was noted that Hill Group had managed to retain and improve the existing open space, providing a new residential garden for all residents and achieving an Urban Greening Factor of 0.45.
- The scheme included new public realm developments, designed in collaboration with Secured by Design, The Football Association (FA), and the Metropolitan Police. These measures aimed to ensure safety and protection during stadium events, preventing a through route from Wembley Park Drive to Olympic Way, while maintaining resident access.

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- The development would utilise high-performance building fabrics and air source heat pumps for heating, cooling, and hot water. Additionally, over 90% of the apartments would be dual aspect.
- The importance of delivering meaningful social value through the enabling development approach. The combined social value across both application sites included:
  - Over 110 apprenticeships
  - Over 155 local job starts
  - 20% local labour
  - Over 260 work placements
  - Over 4600 volunteering hours to support community projects within the Borough
  - Over 44 new job starts for NEETs, ex-offenders, and mothers returning to work
  - Encouragement of local spending within Brent through the supply chain
- That, subject to approval, work on the scheme was intended to commence in Summer 2025.

In concluding this representation, Terry Gamble expressed the hope that the benefits the schemes would bring to the Borough, as well as their contribution to Brent's housing needs, would lead to the approval of the scheme in accordance with the officer's recommendation.

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

- As a question of clarification, members sought details about the part naturalisation of the Willesden Brook, seeking elaboration on what this process would involve. A supporting consultant responded that extensive discussions had been held with the Environmental Agency throughout the planning application process on various matters. The consultant explained that there was a balance to be maintained between not interfering excessively with the brook and identifying areas for improvement. The landscape plan included reed beds, which were expected to enhance water quality. This improvement had been secured as one of the planning conditions.

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- Additional questions were raised around whether any housing providers had been consulted for the proposed site, to which Terry Gamble responded affirmatively, indicating that a combined approach had been adopted for the Registered Provider (RP). Members further queried whether there was consideration for having one housing provider manage one site and a different provider manage the other, or if the intention was to have a single provider manage both sites. In response, Terry Gamble explained that current discussions were based on having a single provider manage both sites.

The Chair thanked the applicants representatives for responding to the Committee's queries and then moved on to offer the Committee the opportunity to ask the officers any remaining questions or points of clarity in relation to the application, with the following being noted:

- As an initial query, members noted that Quintain had expressed operational security concerns regarding the potential link to the south-west of the site with the full-time quarters and sought clarification on whether these concerns had been resolved. In response, Sean Newton (Development Management Planning Manager) highlighted that that ongoing discussions were taking place and explained that the Wembley Master Plan included an ambition to provide a linkage between the two sites. The necessity of controlling crowds along the main routes towards the stadium on Wembley Event Days was also acknowledged.
- Regarding financial contributions, specifically in relation to the £76,000 allocated for the pedestrian crossing, members sought clarification on the figures for the implementation of the Controlled Parking Zone (CPZ), bus service enhancement, Wembley Park station improvement, and Healthy Streets improvements in the vicinity of the site. In response, Victoria McDonagh (Development Management Service Manager) clarified that there had been no contribution towards Wembley Park station, as it was not requested by Transport for London (TfL), which was confirmed in the supplementary report. It was stated that there was an indicative contribution of £149,500 towards bus service enhancement, as requested by TfL. However, discussions with the applicant were ongoing and would continue through to stage two referrals and the Greater London Authority (GLA). It was further explained that the financial contribution of £76,750, as advised by John Fletcher, was intended to be flexible for allocation towards a

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pedestrian crossing, improvements in Wembley Park Drive, Healthy Streets improvements, or the implementation of a CPZ.

- Members raised queries regarding the provision of family-sized homes within the scheme, noting that the current provision was 15%, whereas policy BH6 required 25%. Clarification was sought on the reasons why the current provision was deemed acceptable. In response, Sean Newton (Development Management Planning Manager) explained that while the policy aimed to maximise the provision of family dwellings, viability considerations impacted the housing mix. It was stated that 15% was the maximum achievable on the site at present. Sean Newton provided a breakdown of the housing blocks, noting that Block A, the smaller affordable housing block, contained 85 dwellings, with 16 (19%) being family housing. Block B included 30 family-sized units, approximately 13.5%. Combined, this resulted in 15%, with a higher weighting in the affordable block. Colin Leadbeatter (Development Management Area Manager) added that the delivery of family-sized accommodation was prioritised in affordable products due to the significant number of families on the waiting list for affordable housing. This balancing exercise was considered holistically when assessing viability.
- Members posed questions regarding the shortfall in amenity space and the financial contribution cited within paragraph 81 of the committee report. In response, Sean Newton explained that dense high-rise developments often struggled to provide the full quantum of amenity space required by policy. The constrained site made it difficult to provide sufficient communal space. Consequently, a financial contribution of approximately £100,000 was sought for improvements to nearby open spaces, play facilities, and/or improvements to the routes leading to these spaces. In continuing the response, Colin Leadbeatter (Development Management Area Manager) added that, given the town centre location and site constraints, the development had delivered as much amenity space as felt possible to secure and the overall assessment had been the proposed provision was felt to provide enough access to amenity space of a sufficient size and type to meet residents' needs.
- In addressing further questions regarding the allocation and impact of the £100,000 financial contribution towards improvements, Colin Leadbeatter (Development Management Area Manager) explained that the contribution would be considered within the context of collecting funds for the

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enhancement of existing open spaces across multiple applications. It was noted that the Council's Park Service would have the discretion to allocate and combine these funds to undertake larger improvement projects within public open spaces in the vicinity of the application site as well as contributing to broader improvement initiatives that the Council intended to implement on its estates.

- Further questions were raised regarding the possibility of involving local and small businesses to ensure they benefited from the construction activities. In response, the Committee were advised that Council teams actively linked opportunities with local businesses. However, it was clarified that such provisions were not secured within the Employment and Training Plan.
- In response to further questioning regarding the delivery and servicing plan for the site, Sean Newton (Development Management Planning Manager) explained that a delivery and servicing plan was being secured to ensure that all deliveries to the site would be timed. Additionally, there would be a central collection point for deliveries, such as those from Amazon, where residents could collect their packages. In continuing the response, Colin Leadbeatter (Development Management Area Manager) further added that the new building differed significantly from the one it replaced in terms of usage intensity. Previously, when the building was fully occupied by the college, there was a significant number of students coming and going at certain times of the day. The new building would have a different relationship in terms of the number of occupants and its intensity of use. The delivery and servicing plan aimed to ensure that arrangements worked effectively, including partnerships for waste collection.
- Concerns relating to flood risks were highlighted, with members noting the proposed site's proximity to the Welsh Harp. In response, Colin Leadbeatter (Development Management Area Manager) conveyed that the new building had a similar footprint to the existing one, but the residential accommodation was significantly above ground floor level. In the event of a major flooding event, the residential uses would be separated from the floodwaters. Sean Newton (Development Management Planning Manager) further elaborated that the Welsh Harp was located approximately 1.5 km away, with an estimated reservoir volume of 1.6 cubic metres. In the event of reservoir failure, a significant amount of water would head towards the site. To address this, the applicant was required to prepare an evacuation plan, ensuring residents knew what actions to take. The plan also included

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provisions for dry areas above floodwater levels. It was also stressed that there was no imminent flood risk from Welsh Harp. Victoria McDonagh (Development Management Service Manager) further mentioned that sustainable drainage measures would reduce the rate of surface water flooding by 77%, representing a significant improvement. In concluding the response, Colin Leadbeater (Development Management Area Manager) explained that in the event of surface water flooding, attenuation measures would release water into the drainage network at a slower rate, preventing system overload.

- In response to further questioning around Section 278 agreements, details were provided that a Section 278 agreement pertained to works executed by the developer, with the Council providing supervisory oversight. In this case, a Section 106 contribution would be received, with the Council determining the most appropriate use of the funds.
- Members then inquired about the provisions for electric scooters and electric cycles, specifically questioning the inclusion of charging points. In response, Victoria McDonagh (Development Management Service Manager) confirmed that provisions for electric vehicle charging, including for bicycles, had been included as a planning condition. It was explained that mechanisms had been put in place within the conditions to assess the feasibility of delivering electric vehicle charging as part of the cycle parking facilities.
- The Chair observed that there was only one blue badge parking space on site and inquired about the distance to the nearest additional parking space, should there be more than one blue badge occupant within the proposed buildings. In responding to the inquiry, John Fletcher (Team Leader - Development Control) stated that the nearest additional blue badge parking spaces would be located on the opposite side of Wembley Park Drive, in front of the shop parade, or on Brook Avenue.
- As a final query, members sought details about the potential impact of the proposed tall building within the tall building zone on the views of the Wembley Arch, specifically from Barn Hill. It was confirmed that the proposed development would not compromise the views of the Wembley Arch. It was explained that while the development would come near to the bottom of the arch, the arch would still be visible from Barn Hill, which was

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a locally protected view. Therefore, from the designated locally protected view, the arch would remain uncompromised.

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

**DECISION**

The Committee **RESOLVED** 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 detailed in the main and updated within the supplementary committee reports.
- (2) The conditions and informatives, as detailed in the main and amended within the supplementary committee reports.

(Voting on the above decision was unanimous in support).

**6. 20/4143 403-405 Edgware Road, Cricklewood, London, NW2 6LN****PROPOSAL**

Demolition of existing building and basements and replacement with mixed-use development (26,677 sq. m GIA) incorporating 22 storey building and 3 basements, comprising: flexible light industrial (Class E)/B8 employment space (in accordance with Part 3 of Schedule 2 (Class V) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)); Class C1 Hotel (including ancillary gym, spa and swimming pool); Class F.1 Conference Centre; Class F.2 community hall; basement car parking accessed from Oxgate Lane; cycle parking; internal service yard; coach drop-off lay-by; management and back of house areas; plant; roof garden and outdoor terraces; public realm improvements and associated works.

**RECOMMENDATION**

That the Committee resolve to GRANT planning permission subject to:



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- (1) Stage 2 referral to the Mayor of London along with the prior completion of a satisfactory s106 legal agreement to secure the planning obligations as detailed within the report; and
- (2) The conditions and informatives as set out in the main Committee report.

Damian Manhertz (Development Management Area Manager) introduced the planning application committee report, detailing the proposal for the demolition of the existing building and its replacement with a maximum 22-storey building, with an employment focused mixed-use development amounting to 26,677 sq. m GIA.

Attention was then drawn to the supplementary report, detailing a number of amendments to the main committee report following initial publication. The recommendation remained to grant consent subject to the conditions and heads of terms, as contained in the main committee report.

The Chair thanked Damian Manhertz for introducing the report. As there were no Committee questions raised at this point, the Chair then invited Justin Mills (who had registered to speak as the applicant's representative) to address the Committee in relation to the application, who highlighted the following points:

- A commitment to establishing a policy-compliant mixed-use development at the heart of the new Staples Corner community was highlighted by the applicant's representative. As one of the initial development proposals within the new Growth Area, it was noted that the scheme was intended to act as a catalyst for future development, setting a high-quality benchmark for subsequent projects.
- The proposal aimed to replace an unused and dilapidated building with a high-quality landmark development, capable of making a positive contribution to the character of the area, thereby creating a new gateway to Brent. Close collaboration with the Council's officers ensured that the proposed mix of uses, as well as the scale, massing, and design of the development, were appropriate and aligned with the vision for the area as outlined in the Local Plan and the more recent Masterplan.
- The development was expected to contribute to the local economy through the provision of modern, flexible employment space, capable of accommodating approximately 300 new jobs. This space was designed to

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meet the needs of smaller businesses and was anticipated to operate as managed workspace, attractive to a range of enterprises.

- At the core of the development was a large community space designed to accommodate a variety of events and activities. It was anticipated that this space would be used for community meetings, youth and social clubs, as well as learning and creative activities. This flexible space would be able to host large single events or be subdivided into smaller spaces.
- The proposed 210-bed hotel and conference centre aimed to serve local businesses and meet a broader need for hotel accommodation. Additionally, hotel facilities such as the gym, spa, café, and restaurants were expected to contribute to the social infrastructure necessary to support the new Staples Corner community.
- The £1.3 million of Section 106 benefits were intended to deliver new infrastructure in the area. This included significant contributions to transport improvements, notably £0.25 million towards a new pedestrian connection across Edgware Road. This connection was deemed essential to ensure that Brent residents and businesses could easily access the new Brent Cross West station and the adjoining town centre.
- The proposals had undergone significant engagement with the Dollis Hill community and local businesses, revealing overwhelming support for the development, as evidenced by the 40 positive comments received compared to only 4 negative comments.
- The applicant's representative conveyed that thorough testing of the proposal indicated that it would not cause harm to neighbouring properties nor detrimentally affect the wider area, which enabled the proposed building to operate alongside existing businesses and be future-proofed to integrate with new developments and public realm improvements anticipated in the future.

In concluding his representations, Justin Mills requested that planning permission be granted in accordance with the officer's recommendation.

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

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- As an initial query, details were sought regarding the community use provision that would enable the local community to utilise the community facility. In response, Justin Mills indicated that discussions were currently underway with a number of local community organisations to identify suitable managers for the space. The facility would be designed as a large open event space, with the capability to be divided into smaller sections. Concessions would be offered to local charities and organisations for the use of the space. A booking system and a manager would also be established to organise the usage, ensuring the space was accessible to the entire community.
- As an additional issue, members questioned whether there would be subsidised space available, particularly for local residents. In response, Justin Mills confirmed that this was indeed the expectation and noted that it would also extend to certain commercial elements, such as the gym.
- Members requested clarification on the availability of a public café and community centre for local residents, and whether there would be a restaurant accessible to Brent residents or if it would be exclusive to the hotel. In response, Justin Mills affirmed that there would be a number of restaurants. The ground floor café would be classified as Class E use, meaning it would be publicly accessible with both internal and external entrances. Additionally, within the hotel, there would be another café and potentially one or two other restaurants, all of which would be open to the public.
- Members inquired whether the gym, spa, and swimming pool would be accessible to the public or exclusively to hotel guests. In response, it was confirmed that the facilities would be accessible to everyone. This raised related questions as to whether there would be concessions for local residents using the gym to which Justin Mills affirmed that this was the expectation, though the details regarding implementation had not yet been finalised.

The Chair thanked Justin Mills for responding to the Committee's queries and then moved on to offer the Committee the opportunity to ask the officers any remaining questions or points of clarity in relation to the application, with the following being noted:

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- Members inquired whether there would be a zebra crossing near Gerard Way, noting that local residents had desired such a crossing for a considerable period. In response, John Fletcher (Team Leader - Development Control) advised that the Staples Corner master plan had identified a crossing at this location to the new station, recognising it as a critical piece of infrastructure. It was explained that the project was costly due to the need to cross a dual carriageway, create an opening in the railings, and stagger the crossing. Additionally, the scheme would require the installation of bus stops and an anti-skid surface, further increasing the expense. While the applicant would not be financing the entire cost, thereby necessitating the identification of other funding sources, it was emphasised that the applicant was making a substantial contribution towards this vital infrastructure project.
- In response to further clarification being sought about parking provisions and the reduction in the number of electric vehicle (EV) charging points, details were provided that there were 24 electric vehicle charging points out of the 36 planned which would be provided from the outset, with passive provision for the remaining points to be added in the future, as needed. John Fletcher (Team Leader - Development Control) additionally noted that extensive negotiations had taken place to reduce the amount of parking. Prior to the opening of Brent Cross West station, the scheme had proposed 70 to 80 car parking spaces. However, with the station now open and greater emphasis on access via the train station, the number of parking spaces was reduced to 36. Although the scheme was not a car-free development as parking spaces were still required for the hotel and workspace, the reduction had been significant.
- Members raised questions around the potential overflow of parking in the surrounding area and whether it was within a Controlled Parking Zone (CPZ), or if there would be a contribution towards establishing a CPZ. John Fletcher (Team Leader - Development Control) advised that the area was not currently within a CPZ, however, there was likely to be increasing demand for a CPZ due to the station. Whilst the area was not presently designated as a CPZ, a contribution of £50,000 had been secured from the applicant towards the establishment of a CPZ, and this was included in the Heads of Term.
- Members queried the contribution to the Brent Cross West connection and sought clarification on its purpose. In response, Victoria McDonagh

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(Development Management Service Manager) informed that the contribution was intended to enhance connections from Brent Cross area to the station, specifically by improving pedestrian and cycle routes.

- With reference to the committee report in relation to the absence of competition between hotels in Wembley, members questioned whether potential competition nearing the Barnet boundary, given their regeneration scheme, had been considered. In response, David Glover (Head of Planning and Development Services) explained that the policy, rather than focusing on competition, primarily directed hotels to specific locations, namely Wembley and Kilburn. It was noted that while hotels were initially directed to these locations, this did not preclude them from being developed elsewhere. However, where hotels were proposed in other locations, a sequential test was required to determine if there were more favourable sites in the designated areas. The policy related to the optimal placement of new hotels within Brent, rather than considering the impact on Barnet. The sequential test process had established that there were no sites that were better suited for hotels, rendering it acceptable to have a hotel in the proposed location. Additionally, the recently adopted Staples Corner Master Plan had identified the proposed area as a suitable location for a hotel, reinforcing the established policy position.
- Members were keen to seek details around whether the development met the carbon-free standards. The Committee were informed that the planning application had initially been submitted in 2020, and the scheme had undergone significant evolution since that time, culminating in the adoption of the master plan. It was noted that, based on the 2013 version of the building, the development would achieve a 77% improvement in carbon efficiency. The scheme had incorporated essential elements as stipulated in the London Plan, including air source heat pumps and photovoltaic (PV) panels, and notably excluded a gas boiler. These features were in alignment with contemporary building standards. Furthermore, the building's fabric was of high quality. Members heard that a condition had been put in place to facilitate a district heat connection should one become available through the master plan. Any shortfall in meeting the carbon-free standards would be addressed through contributions to the carbon offsetting fund.

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

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## DECISION

The Committee **RESOLVED** to grant planning permission subject to:

- (1) 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 detailed in the main and updated within the supplementary committee report.
- (2) The conditions and informatives, as detailed in the main and amended within the supplementary committee report.

(Voting on the above planning application was unanimous in support)

**7. 24/0826 Rivington Court, Longstone Avenue, London, NW10 3RL**

## PROPOSAL

Proposed second and third floor extensions to 4 x existing blocks to create new self-contained residential dwellings. Associated enlargement of refuse storage, cycle parking spaces to front / rear 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 detailed within the report; and
- (2) The conditions and informatives as set out in the main Committee report.

Damian Manhertz (Development Management Area Manager) introduced the planning application committee report, detailing the proposal for second and third floor extensions to 4 x existing blocks to create new self-contained residential dwellings, and associated enlargement of refuse storage, cycle parking spaces to front / rear and improvements to soft landscaping to communal garden.

The Chair thanked Damian Manhertz for introducing the report. As there were no Committee questions raised at this point, the Chair then invited Maria S (who had

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registered to speak as an objector) to address the Committee in relation to the application, who highlighted the following points:

- In highlighting her objections it was felt the proposed development would result in a complete transformation, with much taller buildings, including two out of four blocks doubling in size, featuring flat roofs. Changes in the layout and size of the new flats, as well as the addition of balconies were noted. The period style of the 1930s, which characterised the current buildings, was felt to be entirely lost.
- Concerns were also highlighted in relation to the significant disruption that leaseholders and occupiers would endure during the demolition and construction phases. It was felt that this disruption would be particularly challenging for residents who spent the majority of their time at home, due to noise, dust, dirt, restricted movement, and invasion of privacy. It was also pointed out, if approved, the applicant had three years to commence the works, leaving residents in a state of limbo, unable to plan their lives, sell, or rent their properties, resulting in prolonged suffering and uncertainty.
- Concerns were expressed that, even if residents survived the construction phase without severe mental health impacts, many would find themselves in a completely new environment within a much larger estate, which would no longer feel like home with the enlargement of the new floor area equivalent to 24 existing flats, not 16, representing a 60% increase. It was felt that this would likely result in a proportional increase in the number of residents, all using the existing communal areas and amenities, significantly worsening the quality of life for current residents.
- In concluding her representations the objector strongly believed it was the Council's moral duty to reject the proposal and protect the property owners and occupiers who it was felt would be adversely affected by the freeholder's financial interests and the Council's pursuit of additional properties, without sufficient consideration for the potential harm and suffering caused to the existing residents.

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

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- As an initial query, further details were sought about the course of action the objector would take if the proposed development was her building and it required additional works and extension. In response, the objector stated that she would not require an extension of the building and noted that the building was constructed as a unit approximately 90 years ago, and it was originally intended to remain as such. It was also pointed out that the building materials and construction methods used at the time of the original construction were entirely different from those used today. It was expressed that if the buildings were no longer functional, redevelopment should be considered, but not at the expense of the current residents' quality of life.
- Following up, members inquired if there would be any circumstances under which the objector would consider altering the building. In response, members were advised that there was no necessity for any alterations with the proposed works attributed the impetus for development and council policies aimed at increasing the number of flats and generating financial gain from developers. It was felt that any financial benefits derived from the development should be allocated to compensating the residents for their significant suffering with many existing residents felt as though they did not truly own their properties and were treated as dispensable.

The Chair thanked the objector for responding to the Committee's queries and then moved on to invite Renata Krajewska (who had also registered to speak as an objector) to address the Committee in relation to the application, who highlighted the following points:

- In outlining their concerns Renata Krajewska noted that the proposed development would alter the character of the estate, with concerns raised regarding the presence of asbestos.
- It was noted that the garden would be overshadowed by the new development, resulting in a significant loss of sunlight.
- It was felt that the development would lead to an increase in the number of people residing in the building and using the garden. Concerns were also expressed about a potential rise in crime.



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- The objector felt that the development would generate additional noise, causing disruption to the residents with the overall disturbance to the residents' daily lives highlighted as a significant concern.
- It was felt that the new development would result in overlooking, leading to a loss of privacy for existing residents.
- It was also felt that the presence of construction sites would bring dust and other nuisances, further impacting the residents' quality of life.
- The objector felt that the development would lead to an increase in traffic in the area, exacerbating existing congestion issues.
- As a final point, concerns were raised about the availability of parking spaces, which would be further strained by the new development.

The Chair thanked Renata Krajewska for addressing the Committee. As there were no Committee questions raised at this point, the Chair then invited Theo Barrett (who had registered to speak as the applicant's representative) to address the Committee in relation to the application, who highlighted the following points:

- The application presented had followed pre-application discussions with the officers to ensure compliance with Brent's Planning policies, the London Plan, and National policy with the proposals fundamentally compliant with the Development Plan, and no objections raised by any statutory consultees.
- The proposal aimed to deliver housing in a sustainable location, including family housing, and was described as resulting in improved amenity benefits for both existing and new residents.
- Theo Barrett highlighted that the proposed dwellings were designed to be dual aspect and would benefit from daylight levels exceeding the relevant requirements.
- It was noted that the impact of daylight and sunlight on neighbouring buildings had been assessed and found to be acceptable, with no adverse impact.

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- In terms of sustainability, the proposal had included the use of Air Source Heat Pumps and photovoltaic panels to achieve high levels of energy efficiency. This was combined with a 67% reduction in CO2 emissions from the Part L 2021 baseline and a Biodiversity Net Gain of over 10%.
- The development was planned to be “car-free,” ensuring that new residents would not contribute to existing parking stress in the vicinity of the site.
- The applicants representative conveyed that public transport would not be adversely impacted by the increase in users resulting from the proposal, and the provision of cycle spaces exceeded the minimum requirements of Brent and London Plan Policy.
- It was stated that pre-commencement conditions had been agreed upon with the officers to limit impacts on local residents during the construction period with existing residents also to be kept informed about the proposals and construction activities.
- Affordable housing would be managed through early and late-stage viability assessments to determine the feasibility of delivering affordable housing within the scheme.
- The proposal was anticipated to provide planning benefits that would result in economic, social, and environmental gains for both existing and future residents.

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

- Members sought further details about the plans for securing the parking arrangements for the proposed development. In response, the supporting consultant explained that there was currently parking available on the site, but it was located outside of the red line boundary. There was an existing arrangement for some residents to use these parking spaces, however, with the new proposal, which entailed development above the existing flats, no parking permits would be issued to the new flats. The consultant affirmed that this condition could be secured either through a planning condition or via a section 106 legal agreement.

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- Members expressed concerns regarding the level of consultation with the 41 existing residents residing in the block. The supporting consultant responded that a prior approval application had been submitted in 2023. Prior to this submission, a letter had been dispatched to both owners and occupiers of the premises, informing them of the forthcoming application. Although the 2023 prior approval application was ultimately not approved, the residents had been informed of the applicant's intentions. Consequently, the decision had been made to pursue the planning application route. Following up, members sought clarification on whether the letter had included details about the proposed development to which the supporting consultant confirmed that the letter had included a description of the development but did not contain drawings or detailed plans, though these had been made available on the Council's website. This raised related questions as to whether any face-to-face meetings had been held with the existing residents. In responding to the query, the supporting consultant stated that no face-to-face meetings had been held with the residents.
- Members also highlighted concerns around the significant discrepancy between the financial viability assessment provided by the applicant and that of the Council, with it being noted that the developers projected a deficit of £853,000, whereas the Council's independent review identified a deficit of only £181,000, resulting in a difference of £700,000. Members sought an explanation for the substantial discrepancy. Additionally, members were keen to seek details regarding the applicant's offer to compensate for the major disruption to current residents. In addressing the first question, the supporting consultant explained that the viability assessment was an integral part of the application process, particularly when the policy-compliant level of affordable housing could not be met. This assessment encompassed various inputs, including sales values, finance, developer profit, and build costs. Minor adjustments to these inputs could result in significant differences in the final outcome, even for smaller schemes. The consultant identified two primary differences, which included a slight variation in build costs and a disagreement on the developer profit margin, which ranged between 17.5% and 20%. Despite these differences, both assessments indicated a deficit. The consultant assured that this matter would be secured within the Section 106 agreement, to be reviewed at both early and late stages. Should build costs decrease or sales values increase, a material difference would be reflected, potentially resulting in a contribution. Regarding the secondary question, the supporting consultant

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elaborated on the wider benefits proposed to mitigate the disruption to current residents. A number of residents had highlighted areas for improvement, such as the garden spaces. A landscape plan had been submitted, aiming to refurbish the garden spaces, incorporate sustainable urban drainage systems, introduce new tree planting, and enhance amenity areas. Additionally, some building facades required improvement, which would be addressed as part of the development, providing a visual and amenity enhancement. The design was considered an improvement and complementary to the existing structures, developed in close collaboration with Brent's Design Officer during pre-application discussions. The supporting consultant further mentioned the submission of a construction logistics plan and a construction environmental management plan, which were expected to include clauses on community liaison, informing residents about the timing, duration, and nature of construction activities, enabling them to plan accordingly.

- Member sought confirmation on whether the building would be repainted, to which it was affirmed that the new parts of the building would indeed be repainted. Following on from the previous question, members requested details on the rendering work that would be undertaken. In response, it was explained that the proposals included rendering work in areas where the new construction joined the existing building. These areas would need to appear seamless and aesthetically pleasing from a design and visual perspective. The consultant noted that the freeholder had the authority to carry out these improvements, though alterations to individual leaseholders' flats, such as windows, would not be possible. The consultant additionally stated that no contributions would be required from existing leaseholders as part of this planning application.
- The Chair sought details on whether any insulation or EPC rating works would be undertaken to uplift the buildings, noting the age of the buildings and whether the applicant would be implementing any measures to enhance the building's green credentials, apart from the PV panels being installed on the new dwellings, which were part of the mandatory requirements. The Chair emphasised the committee's interest in understanding the benefits for the existing users. Additionally, the Chair noted that the current car parking for the site fell outside the red line area of the site boundary and inquired whether there were any EV chargers in those parking spaces or any ambition to install passive EV chargers for residents in the future. The supporting consultant addressed the first

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question by explaining the challenges associated with the relatively complex ownerships, which limited the ability to make alterations to other people's flats. This complexity also impacted the overall viability of the scheme, which was not producing a surplus at present. Consequently, there were no proposals within the scheme to alter or amend individual leasehold flats. However, there may be improvements within some of the communal areas and within the exterior of the building. The building fabric for the new area or new flats would be of high quality, incorporating PV panels, air source heat pumps, and other credentials. This commitment aimed not only to connect to the existing infrastructure but also to improve the overall efficiency and sustainability of the new flats. Regarding the ambition to install passive EV chargers, the supporting consultant stated that they could not provide a definitive answer, as the arrangements for that parcel of land were unclear, and it was not included within the current application.

The Chair thanked representatives for responding to the Committee's queries and then moved on to offer the Committee the opportunity to ask the officers any remaining questions or points of clarity in relation to the application, with the following being noted:

- Member queried whether the presence of asbestos in the building was a planning consideration or if it was addressed under building regulations. In response, Damian Manhertz (Development Management Area Manager) informed that asbestos in buildings was addressed through other legislation. It was explained that it was not possible to ascertain the presence of asbestos without separate testing. Other legislation covered the safety protocols for dealing with hazardous substances in building materials.
- As an additional issue, concerns about the number of flats and the adequacy of communal garden space were raised. Damian Manhertz (Development Management Area Manager) advised that the current external space was fairly large, measuring approximately 1,589 square metres. Additionally, some properties would have private balconies, which were included as part of the external space. On average, each unit would have over 28 square metres of external space, which exceeded the requirements of the Local Plan, even where ground floor dwellings were allocated 50 square metres each. The space was also scheduled to be re-landscaped, with more planting and green space to improve its overall

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quality. It was confirmed that the amount of amenity space, considering both existing and new flats, would comply with policy BH13.

- Members were keen to seek details as to whether the applicants were providing a financial contribution to compensate for the absence of affordable housing. In response, Damian Manhertz (Development Management Area Manager) advised that where there were ten or more new properties, affordable housing should be provided on-site, and a viability test would determine whether it was feasible to provide affordable housing either on-site or, if not feasible, through a financial contribution. For developments with fewer than ten homes (between five and nine), a financial contribution would be taken instead of on-site provision due to the smaller number of properties. In this particular case, as there was no profit being made to provide affordable housing either on-site or off-site, no affordable housing contribution was required. Victoria McDonagh (Development Management Service Manager) further added that the applicants had proposed no affordable housing and were required to demonstrate through a viability assessment that they could not viably deliver any affordable housing. This assessment was reviewed and discussed in the committee report, with BNPP concluding that the scheme was in deficit. Consequently, the scheme could not viably deliver any affordable housing on-site, thereby complying with policy. The scheme would also secure an early and late-stage review, as required for non-fast track schemes. If there was any uplift, there would be an opportunity for a contribution towards affordable housing or, if substantial, the option for early-stage delivery on-site. It was clarified that under the former policy, developments with fewer than ten homes were not required to provide any affordable housing. However, the current Local Plan, adopted in 2021, recognised that smaller schemes (five to nine homes) could still contribute towards wider affordable housing. Victoria McDonagh addressed the confusion regarding the 35% and 50% thresholds, explaining that the policy required delivering the maximum viable amount of affordable housing. If a scheme did not meet these thresholds, it did not mean non-compliance with policy; rather, it required demonstrating the maximum viable delivery. In this case, the scheme was in deficit, resulting in no affordable housing. It was additionally noted that late-stage reviews tested actual construction figures, and if a surplus was identified, a contribution would be secured.

At this stage in proceedings, the Committee agreed to apply the guillotine procedure under Standing Order 62(c) in order to extend the meeting for a period

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of 15 minutes to enable conclusion of the item and remaining business on the agenda.

- In continuing, members sought details as to whether there was a commitment from the developers to ensure that the existing building would be brought in line with the new development, thereby benefiting the current residents. In response, David Glover (Head of Planning and Development Services) advised that the Council could only secure improvements that would mitigate the impact of the proposed development. Legally, the Council could not secure enhancements that would solely benefit existing residents. However, improvements such as landscaping and open space enhancements could be secured, as these would mitigate the increased intensity of use. Support was also expressed for the rollout of EV charging across the Borough. However, in the context of a car-free development, EV charging would not mitigate the impact of the development. Therefore, while the Council encouraged freeholders to implement EV charging, it could not be secured through this application.
- Member sought clarification on whether the character of the development would align with the character of the area and how the rendering works would affect the area's character. Damian Manhertz (Development Management Area Manager) advised that the area featured a diverse range of buildings. Opposite the proposed site was Knowles House, a taller, more modern council building. Adjacent to the site was Fairfield Court, which had recently received permission for upward extensions and had a slightly different design. The surrounding area included various other building types, resulting in no uniform or fixed character. The design of the new development had been carefully considered and evolved to its current form. Officers expressed confidence that the appearance of the new development would sit comfortably within the surrounding area. Victoria McDonagh (Development Management Service Manager) further added that the character of the area was expected to change over time due to site intensification, such as upward extensions and more efficient site use. It was reiterated that the design had been reviewed and deemed acceptable by the Council's Design Officer. It was also noted that details of the external materials would be conditioned as part of the planning consent.

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

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DECISION

The Committee **RESOLVED** to grant planning permission subject to:

- (1) The prior completion of a legal agreement to secure the planning obligations as detailed within the report.
- (2) The conditions and informatives as detailed within the report.

(Voting on the above decision was unanimous in support).

**8. Any Other Urgent Business**

There was no other urgent business.

The meeting closed at 9.10 pm

COUNCILLOR S BUTT  
(Vice-Chair in the Chair)