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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 11 June 2025 at 6.00 pm

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

ALSO PRESENT: Councillor Maurice (item 4).

1. Apologies for Absence and Clarification of Alternative Members

Apologies for absence were received from Councillor Akram with Councillor Bajwa substituting.

2. Declarations of interests

There were no declarations of interests made during the meeting.

3. Minutes of the previous meeting

RESOLVED:-

That the minutes of the previous meetings held on Wednesday 12 February 2025, Wednesday 12 March 2025 and Wednesday 09 April 2025 be approved as a correct record of the meeting.

4. 241735 - 96, 96A-B High Road, London, NW10 2PP

PROPOSAL

Demolition of existing dwellinghouses and outbuilding and erection of a four-storey building comprising 25 residential dwellings, part retention and upgrade of the original police station building as flexible commercial space with associated infrastructure works including private and communal space, cycle storage and public realm improvements.

RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- (1) The prior completion of a s106 legal agreement to secure the planning obligations as detailed within the main committee report.
- (2) The conditions and informatives, as detailed in the committee report.

Sarah Dilley (Principal Planning Officer) introduced the report, detailing the proposal for the demolition of existing dwellinghouses and outbuilding and erection

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of a building of up to four-storey in height comprising 25 residential dwellings comprising 1 x studio, 9 x 1 bed, 8 x two bed and 7 x three bed homes, together with the part retention, refurbishment and alteration of the original police station building as flexible commercial space with associated infrastructure works including private and communal space, cycle storage and public realm improvements.

Attention was drawn to the supplementary report, detailing that the number of objections received should be 47 as opposed to 46 in the committee report. It was also noted that since publication of the committee report, the Cabinet Member for Housing and Residents Services and ward councillor for Roundwood had submitted comments 'neither objecting to or supporting the planning application'. It was also highlighted that comments had raised concerns relating to, privacy, impact to residential amenity at number's 6 and 8 Huddlestone Road including impact to use of gardens in an urban area and resident's wellbeing. An additional objection had been received querying how the planning authority would ensure that the development was built according to the agreed plans and conditions, referencing the applicant having a history of not building according to specification. In response, it was confirmed that planning applications were required to be built in accordance with the approved plans and planning conditions. If a breach of planning permission occurred, then the matter would be investigated by the Planning Enforcement Team, with enforcement action taken where necessary.

The Chair thanked Sarah Dilley for introducing the report. As there were no Committee questions raised at this point, the Chair then invited Annie Walshe (who had registered to speak online as an objector) to address the Committee in relation to the application, who highlighted the following points:

- It was stated that the rear bay window contravened planning policy, as the 45-degree angle had been measured from the centre of the objector's projecting bay window rather than from the original rear wall, which extended 790mm further back.
- The objector noted that the officer report claimed that all main windows in both properties would retain daylight levels above the recommended guidance. However, it was highlighted that the report omitted the No Sky Line (NSL) and Annual Probable Sunlight Hours (APSH) figures for the W7 and W8 windows serving the first-floor bedroom - windows considered critical to the assessment. It was asserted that no recommendation could be properly made without reference to this data. It was further noted that the Planning Inspector had visited the room in question during a previous site inspection, and their recommendations had not been reflected in the current report.
- Reference was made to planning policy requirements for minimum separation distances of 18 metres and 9 metres to ensure adequate garden sizes and privacy. It was stated that the balcony to duplex unit 02_02 was only 7.1 metres from the boundary and lacked a privacy screen, resulting in

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direct overlooking of their garden. Additionally, it was noted that the west elevation showed two balconies at third-floor level which were not included on the proposed third-floor plan. One of these balconies was said to be only 8.59 metres from the boundary. The speaker disputed the officer's assertion that the drawings did not appear to be inaccurate, stating that they were indeed inaccurate and that the recommendation to approve the application was therefore based on unreliable information.

- The objector highlighted that the existing garden level was recorded at 46.7m, while the proposed communal garden level was shown as 46.9m, with an additional mound of 450mm, resulting in a total height difference of 650mm above the objector's garden. Furthermore, the finished ground floor level of the adjoining block was shown to be 500mm higher than the objector's garden level.
- It was conveyed that the proposed building height exceeded the permitted height by 653mm, constituting a breach of policy. The proposed second and third floor balconies on the Huddlestons Road elevation were also said to fall below the required 9-metre separation distance, as did the proposed step in the façade facing the communal gardens. It was also felt that the proposed first-floor 5m² balcony adjacent to the front of the objector's property was also below the required 9-metre distance and lacked privacy screening. The objector noted that this balcony projected further than the terrace bay windows. While the officer report stated that the building did not project further, the objector contended that the balconies, being part of the building did, and therefore represented a further breach.
- The officer's statement that "front windows would represent a similar relationship between existing properties on opposing sides of the road" was challenged, with the objector noting that no reference had been made to the balconies, which were described as entirely out of keeping with the surrounding context.
- The speaker expressed concern that, due to time constraints, they were unable to present references and illustrations supporting each of the points raised. It was their view that the errors and omissions should have been identified and addressed by officers.
- It was further noted that the Planning Committee had voted against the previous application, and the objector expressed serious concern that specific issues raised by the Planning Inspector, particularly regarding the loss of light and outlook from the window, had been disregarded.
- In concluding the response, Annie Walshe felt that the Committee was being asked to approve the application despite at least nine breaches of policy, and that the cumulative impact of these breaches would result in a significant loss of residential amenity and enjoyment of their property. It was also noted that the proposal included three balconies and a window that

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would result in overlooking, in breach of Brent's own separation distance policies.

The Chair thanked Annie Walshe for addressing the Committee and invited members to ask any questions they had in relation to the information presented. While technical issues affecting the connection of the online speaker were being addressed, the Chair proceeded to invite Councillor Maurice (who had also registered to speak as an objector) to address the Committee in relation to the application, who highlighted the following points:

- It was noted that the window of the affected property at no. 100 would be situated at a significantly reduced distance from the proposed development, resulting in a substantial loss of natural light which the residents had previously enjoyed.
- Councillor Maurice raised a serious concern regarding fire safety, stating that the officer report did not indicate that the London Fire Brigade had been consulted or had conducted a site visit. It was asserted that, in the event of a fire, one of the key egress points from the property would be obstructed due to the proximity of the proposed building, thereby preventing the use of ladders or other emergency access equipment. On these safety grounds, Councillor Maurice urged the Committee to reject the application.
- Concerns regarding the loss of light to neighbouring properties were reiterated and the objector expressed disappointment at what was perceived to be a lack of consideration by the applicant for the impact on neighbouring residents.
- It was noted that this was the third occasion on which the planning application had been brought before the Committee. Councillor Maurice recalled serving on the Committee during the first submission, which had been refused, particularly following comments from members who had stated that the proposal offered no discernible benefit to the Borough of Brent, and suggested that this assessment remained valid.
- In concluding his response, Councillor Maurice emphasised the absence of consultation with the fire authority and reiterated that, in the event of a fire at no. 100, safe egress would be severely compromised due to the proposed development's proximity.

The Chair thanked Councillor Maurice for addressing the Committee and invited members to ask any questions they had in relation to the information presented.

- The Chair raised questions regarding the relevance of the site's urban context in assessing the acceptability of the scheme. It was acknowledged that there were clear limits to what the Committee would consider appropriate, stating that no proposal would be approved if it were deemed excessively overbearing or if it resulted in a complete loss of light. The

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Chair noted that the site was located within Zone 2 of London, a dense urban environment, and queried whether this context should influence the Committee's expectations regarding proximity between buildings. In response, Councillor Maurice articulated that he did not accept that the urban context justified the impact on neighbouring amenity and expressed the view that it was unfair to impose such conditions on residents who had purchased or rented their homes with the expectation of enjoying the benefit of an additional window and the natural light it provided. It was emphasised that this amenity would be lost as a result of the proposed development

The Chair thanked Councillor Maurice for responding to the Committee's queries and, following the resolution of technical issues affecting the connection of the online speaker, returned to Annie Walshe's presentation and invited members to ask any questions they had in relation to the information presented.

- The Chair sought clarification from the speaker on the principal concern regarding the proposed development. Specifically, the Chair asked whether the primary issue related to overlooking of the garden, the windows, or both. In response, Annie Walshe stated that her principal concerns related to issues of privacy and overlooking. It was emphasised that the site in question was situated behind a row of Victorian terraced houses, and that the proposed balconies failed to meet Brent Council's own policy requirement of maintaining a minimum distance of 9 metres from the boundary. It was asserted that this non-compliance was known to the planning officers, the developers, and the Planning Inspector. Annie Walshe expressed disappointment that, despite being identified by the Planning Inspector as the resident most directly affected, specifically at no. 6 Huddleston Road, the developers had made no attempt to contact her to facilitate a more constructive dialogue and would have potentially avoided some of the current issues. It was further noted that the developers had argued for the protection of a full view from one of their proposed habitable rooms, claiming that the garden could not be obscured. However, the inconsistency in this position was highlighted, as the same consideration had not been extended to her own habitable room. Annie Walshe recalled that the Planning Inspector had visited her property and had stood in the affected room, concluding that the level of impact was unacceptable. Concern was expressed that this finding had not been referenced in the current officer report. In continuing the response, Annie Walshe raised objections to the proposed landscaping, specifically the inclusion of a 450mm high mound within the communal amenity space and questioned whether any precedent existed for such a design element. It was noted that the amenity space was already significantly below the required standard and that the introduction of the mound would further reduce its usability, particularly as it was intended to serve as a play space.

The Chair thanked Councillor Annie Walshe for responding to the Committee's queries and then moved on to invite Ben Thomas (who had registered to speak as

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the Agent) to address the Committee in relation to the application, who highlighted the following points:

- Ben Thomas advised that the scheme presented had been subject to an extended planning application process spanning several years. Throughout this period, the applicant had engaged constructively with the Council's planning officers to revise and enhance the proposals in response to feedback received.
- The Agent stated that the current proposals had been carefully formulated to address the outstanding matters identified by the Planning Inspector, particularly in relation to the quantum of amenity space and the provision of family-sized accommodation. Of particular importance, the applicant had sought to resolve concerns regarding privacy and outlook for the neighbouring property at No. 6 Huddlestone Road.
- It was noted that, following the acquisition of the site in 2014, the premises had experienced repeated incidents of anti-social behaviour and vandalism, including unlawful occupation by squatters. Although the former police station was currently under the stewardship of property guardians, the building remained in a state of disrepair and required substantial investment.
- The Agent highlighted that the proposals included the full restoration of the heritage asset, with the intention of reintroducing it as a new employment space serving the local community. The development was expected to significantly enhance the visual amenity of both Huddlestone Road and the High Road.
- Ben Thomas noted, in response to the refusal of a previous scheme, the number of residential units had been reduced by 3. Furthermore, the affordable housing contribution had been substantially increased from £143,000 to either 4 socially rented homes on-site or a financial contribution equivalent to £1,100,000.
- It was emphasised that the revised scheme would deliver 28% family-sized dwellings, and the total provision of amenity space had been significantly increased. The development would also achieve a biodiversity net gain of 123%, far exceeding the statutory requirement of 10%, and would meet the Urban Greening Factor target of 0.4. In terms of sustainability, the scheme incorporated air source heat pumps and solar panels, resulting in an 83.7% improvement in carbon emissions, substantially surpassing the 35% improvement target set out in the London Plan.
- With regard to the impact on no. 6 Huddlestone Road, Ben Thomas confirmed that all representations from the occupants had been reviewed. In collaboration with planning officers, the scheme had been sensitively amended to address these concerns. Specific design changes included the

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removal of the roof terrace adjacent to the neighbouring property, a reduction in building height, the introduction of inset balconies, and the removal of directly facing windows.

- The Agent reported that a public consultation event had been held, during which a range of views had been expressed. While some objections were received, a number of residents had expressed support for the development and welcomed the regeneration of the site.
- In concluding his response, Ben Thomas noted that the site was allocated for development within Brent's Local Plan. It was also mentioned that officers had undertaken a detailed review of the proposals and had concluded that the scheme was in accordance with the Development Plan. It was further highlighted that it was the officers' view that the revised proposals had fully addressed the concerns raised by the Planning Inspector and would deliver additional benefits to the London Borough of Brent.

The Chair thanked Ben Thomas 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 questioned whether any changes to the proposals had resulted from comments received during the public consultation event. In response, Ben Thomas explained that the application had previously been refused by the Planning Committee and subsequently reviewed by the Planning Inspector. It was stated that several issues raised in relation to scale, bulk, massing, and the impact on the conservation area had, in the applicant's view, been resolved through the Inspector's findings. The revised scheme had therefore focused on addressing the specific concerns raised by the Inspector, particularly the impact on no. 6 Huddlestone Road. Key amendments included the removal of a roof terrace adjacent to the neighbouring property, the setting back of balconies, and ensuring compliance with separation distances as stipulated in Brent's planning policies. Kieron Stephens (Architect) added that one of the principal considerations had been the impact on adjoining properties along Huddlestone Road. It was confirmed that the depth of the proposed building had been substantially reduced and now complied with the 45-degree angle rule as set out in Brent's SPD 2 guidance. The height of the building relative to no. 6 Huddlestone Road had also been significantly reduced. Whereas the previous scheme included a third storey flat-roofed element to the rear, the revised proposal incorporated a pitched roof and a two storey rear outrigger, aligning more closely with the form of no. 6. Although the new structure would be approximately 35cm taller, this was attributed to the requirement for 2.5m internal floor-to-ceiling heights in new dwellings, which supported overheating mitigation. It was further noted that a previously proposed terrace, which had been subject to a 600mm planted buffer and found unacceptable at appeal, had now been entirely removed. Additionally,

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a first-floor inset balcony adjacent to No. 6 had been repositioned 6.7 metres away from the boundary. Minor refinements had also been made to ensure full compliance with the 45-degree rule in plan.

- Members then queried the nature of any direct engagement with the resident of no. 6 Huddlestone Road. Kieron Stephens confirmed that a conversation had taken place during the public consultation event. The resident had expressed concerns regarding privacy, overlooking, and the bulk and massing of the proposed development. It was reiterated that these concerns had been addressed through the aforementioned amendments to height, depth, and roof form, as well as the removal and repositioning of terraces and balconies. It was explained that the slight height differential was due to modern building standards requiring increased internal heights, and that the revised roofscape now mirrored the eaves and ridge heights of no. 6, creating a transitional form along Huddlestone Road.
- Member raised further questions around whether a party wall agreement had been reached with no. 6 Huddlestone Road, the intended commercial use of the original police station, and the quality of the proposed housing, in light of concerns regarding previous developments. In response, Kieron Stephens informed that no party wall agreement had yet been entered into, as such matters were legal in nature and would be addressed post-planning approval. It was explained that it would be the responsibility of the site owner to initiate legal proceedings, appoint solicitors, and enter into the necessary agreements during the development phase. Ben Thomas addressed the commercial use of the former police station, stating that the applicant viewed the restoration as an opportunity to introduce a sustainable use that would benefit the local community. The building would fall within Use Class E, and subject to planning approval, the applicant would seek to identify a suitable tenant. It was noted that residents attending the consultation had expressed enthusiasm for potential uses such as an independent coffee shop or bar, and the applicant was supportive of such community-oriented uses. It was emphasised that, once restored, the building would make a positive contribution to the streetscape. In relation to housing quality, Ben Thomas affirmed that the current proposal met all relevant planning policy requirements, including unit sizes, outlook, and daylight/sunlight standards.
- Members raised concerns regarding the impact of the proposed development on daylight levels to neighbouring properties, particularly no. 100 High Road, and queried the adequacy of fire safety measures. Members also requested clarification on the purpose of the landscaped mound proposed within the communal amenity space. In response, Kieron Stephens noted that the relationship between the proposed development and no. 100 High Road had been a key issue in the original application and had formed one of the grounds for refusal. This matter was subsequently considered in detail at appeal. It was explained that no. 100 High Road contained 4 east-facing windows overlooking the application site, in addition

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to windows facing south towards the High Road and northwards. The east-facing windows served rooms that also benefitted from additional windows on other elevations. The Planning Inspector had concluded that, due to the presence of these additional windows, the affected rooms would continue to receive adequate daylight and that the impact of the development would not be unacceptable. The current scheme retained the same relationship with no. 100 High Road and, as such, the matter had been deemed acceptable by the Inspector. In relation to fire safety, it was confirmed that a comprehensive fire strategy report had been submitted as part of the planning application. The agent further advised that, should planning permission be granted, a revised fire strategy would be required at the Building Regulations stage. This would be subject to review by either an Approved Inspector or the Council's Building Control team, and it was anticipated that the London Fire Brigade would also be consulted. It was emphasised that the development would not be permitted to proceed without full compliance with fire safety regulations. Ben Thomas then addressed the question regarding the landscaped mound and explained that the communal amenity space to the rear of the site had been designed by a qualified landscape architect with the intention of creating a naturalistic play environment. The design incorporated climbing logs, boulders, seating areas, ornamental trees, and the aforementioned mound. It was acknowledged that concerns had been raised regarding the mound and confirmed that a planning condition required the final design to be approved by officers. It was also stated that, should Members feel strongly that the mound ought to be removed, the applicant would be content to amend the condition accordingly and explore alternative forms of play provision.

- Members referred to Policy BH13 and requested further clarification regarding the scheme's compliance with amenity space standards. Ben Thomas responded that one of the reasons for the previous refusal of the scheme had been the insufficient quantum and quality of amenity space. It was explained that the Planning Inspector had acknowledged that Policy BH13 allowed for a degree of flexibility but had concluded that the applicant had not demonstrated that all options for maximising amenity space had been explored. The Inspector had also noted that 3 units lacked private balconies and that a family unit had no access to communal space. Furthermore, the communal amenity area had been deemed to be of inadequate quality, and there had been a shortfall of approximately 300m² against policy requirements. It was confirmed that the revised scheme had addressed these concerns. All residential units were now provided with private balconies, and the communal amenity space had been significantly improved in both quality and layout. The current shortfall against Brent's policy was now limited to approximately 100m². It was emphasised that the majority of balconies exceeded the minimum size standards set out in the London Plan. In concluding the response, the agent stated that the applicant believed the revised scheme had maximised the provision of high-quality amenity space and confirmed that the applicant was willing to make an appropriate financial contribution towards off-site play space provision, subject to agreement with planning officers.

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- With reference to paragraph 162 of the committee report, which addressed the provision of informal play space in relation to the projected child yield of 9.35 children, members expressed concern that the report merely referenced the possibility of informal play space, despite a significant shortfall in overall amenity provision. While acknowledging the improvements made to the scheme in collaboration with officers, members noted that the Planning Inspector had previously identified the lack of high-quality amenity space, particularly informal play features, as a key deficiency. Members requested that the wording of the report be strengthened and suggested that, where on-site provision was not feasible, an off-site financial contribution would be welcomed. In response, Ben Thomas stressed that the applicant recognised the importance of informal play provision and had worked closely with officers to improve the quality and quantity of amenity space across the scheme. It was confirmed that the applicant was open to providing an appropriate financial contribution towards off-site play space within the local area, subject to agreement with planning officers.
- Member sought further details regarding the public consultation exercise, including the number of attendees and the date on which it was held. In response, Ben Thomas advised that approximately 1,000 invitations had been distributed to local residents in advance of the consultation event, which took place in November 2023. The invitation included contact details for the team, enabling residents to request further information or arrange individual meetings if they were unable to attend in person. It was reported that 25 individuals attended the event, which was considered a positive turnout. It was observed that the tone of the consultation had been more favourable than in previous years since the initial consultations in 2017. While some concerns remained, particularly regarding privacy and massing, many attendees had expressed support for the regeneration of the site, the high-quality design, and the potential for a new community-oriented commercial use, such as a coffee shop or retail unit. While it was acknowledged that objections had been received, it was noted that the number had decreased from approximately 90 in earlier applications to 46 in the current submission. Of those, 16 objections were purportedly from individuals residing outside the immediate vicinity.
- Members were keen to seek details as to why no visits had been undertaken to no. 100 High Road or no. 6 Huddlestone Road, given that these properties directly adjoined the proposed development site. In response, Ben Thomas stated that he could not recall whether representatives from no. 100 High Road had attended the consultation event. However, in relation to no. 6 Huddlestone Road, it was confirmed that email correspondence had taken place during and following the November 2023 consultation. While a meeting had not ultimately been arranged, the agent assured Members that the applicant had taken the concerns of the occupants into account. The relationship between the

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proposed development and no. 6 Huddlestone Road was said to have been a central focus of the design revisions undertaken over the past year in collaboration with the Council's planning officers.

The Chair thanked Ben Thomas and Kieron Stephens 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:

- The Chair invited officers to present their assessment of the revised application, with particular reference to how the current scheme represented an improvement upon the previously refused application, and specifically requested that officers address concerns raised in relation to the cluster of development in the north-eastern part of the site and its proximity to neighbouring residential properties. In response, Sarah Dilley (Principal Planning Officer) presented Slide 11 from the drawings pack and provided a comparative analysis between the current proposal and the previously refused scheme, which had been the subject of an appeal. It was noted that the appeal scheme constituted a material planning consideration and that the current application had undergone a significant number of amendments in response to the Inspector's findings. It was explained that 3D illustrations had been used to demonstrate the differences between the appeal scheme and the current proposal. These showed a reduction in both the depth and bulk of the two-storey element adjacent to no. 6 Huddlestone Road, as well as a reduction in height. The previously proposed terrace, which had raised concerns regarding overlooking, had been removed, thereby addressing the privacy issues identified in the appeal decision. Furthermore, the revised scheme now complied with the 45-degree angle guidance, measured from the centre of the adjacent bay window, thereby mitigating concerns relating to bulk, massing, and outlook. Slide 12 was then presented by officers, which compared the ground floor plans of the appeal scheme and the current proposal. It was noted that the depth of the ground floor had been reduced from 4.5 metres to 2.5 metres, with a corresponding reduction at first floor level. The second floor of the appeal scheme had previously included a terrace, which the Inspector had found would result in a perceived loss of privacy to the garden of no. 6 Huddlestone Road. This element had now been removed, and the proposed terrace in the current scheme was located at ground floor level. Sarah Dilley emphasised that the amendments had appropriately addressed the concerns raised in the appeal and were considered acceptable in terms of their impact. In continuing the response, Victoria McDonagh (Development Management Service Manager) provided further clarification regarding the relationship with no. 6 Huddlestone Road and explained that under the previous Supplementary Planning Document (SPD) in force at the time of the appeal, the 1:2 rule had been applied, which restricted extensions to no more than half the depth of the neighbouring property, measured from the centre of the window to the flank wall. Under the new Residential Extensions and Alterations Design Guide, adopted at the end of the previous year, the 45-degree rule was now applied, with the measurement taken from the

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midpoint of the window, including bay windows. It was confirmed that the current proposal complied with the 45-degree rule and that the depth of the extension was under three metres, in line with amenity protection standards. Reference was made to the Inspector's conclusion where it was found that, although there had been some breaches of the previous SPD guidance, the overall proposal would not result in harm through overshadowing or loss of light sufficient to diminish the quality of life of neighbouring occupants. The Inspector had therefore found the impact on no. 6 Huddlestone Road to be acceptable.

- The Chair raised a further query regarding the proximity of the proposed development to no. 100 High Road, particularly in relation to the potential impact on windows and associated fire safety concerns. In response, Sarah Dilley (Principal Planning Officer) referred members to paragraph 221 of the committee report, which addressed the impact on no. 100 High Road. It was noted that the appeal decision remained a material consideration. The side windows of no. 100 were acknowledged, but it was highlighted that each of the affected flats also benefitted from secondary windows to the front and rear. It was further stated that there was no evidence to suggest that the proposal would give rise to fire safety risks. Victoria McDonagh (Development Management Service Manager) further added that the windows in question were located on the flank wall of no. 100 High Road and had been considered during the appeal process. The Inspector had noted that the rooms served by these windows also benefitted from front and rear-facing windows, which provided adequate light and outlook. Although the side elevation windows would fall below Building Research Establishment (BRE) guidance, the rooms themselves would continue to meet No Sky Line (NSL) targets, indicating that daylight levels would remain acceptable. Victoria McDonagh further advised that the Inspector had concluded that, notwithstanding the close proximity of the proposed development to the side windows of no. 100, the scheme would not result in a harmful reduction in light or outlook. It was also conveyed that the Council had been found to have acted unreasonably in refusing the previous application on this ground.
- Members sought clarification regarding the heritage assessment, noting that references had been made to both "no harm" and "limited harm" in relation to the proposed development, requesting reassurance regarding the extent of harm and its implications, particularly in the context of the site's heritage value. Sarah Dilley (Principal Planning Officer) responded by outlining the heritage context of the site and confirmed that the existing buildings included the former police station at the front of the site, which was to be retained for Class E (commercial) use, and ancillary buildings to the rear, which were proposed for demolition. The front building was identified as a non-designated heritage asset and the site was located within the Willesden Green Conservation Area. Additionally, there were listed buildings and a place of worship in the vicinity, as detailed in the Committee Report. It was further explained that the previous scheme, which was similar in terms of appearance, height, and massing, had not attracted

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objections from Historic England, nor had the Planning Inspector identified harm to listed buildings. The Council's heritage officer had also not found harm to the conservation area in the earlier scheme. However, in the current application, Historic England had identified 'less than substantial harm' to the conservation area, specifically in relation to the loss of the rear building. This harm was assessed to be at the lower end of the scale. In accordance with the National Planning Policy Framework (NPPF), such harm must be weighed against the public benefits of the proposal. Officers considered that the public benefits, including the restoration of the heritage asset and the delivery of housing, outweighed the limited harm identified.

- Members welcomed the inclusion of affordable housing within the scheme but queried the reduction in provision from 7 units to 4 over the course of the application's evolution. In response, Victoria McDonagh (Development Management Service Manager) explained that the original submission had been accompanied by a Financial Viability Assessment (FVA) which concluded that no affordable housing could be delivered. This assessment was reviewed by the Council, which identified a surplus that could support the provision of up to 7 affordable homes. Following further viability testing, including consideration of sales values, build costs, and benchmark land values, it was determined that 5 affordable homes could be viably delivered, comprising 3 London Affordable Rent units and 2 shared ownership units. It was additionally noted that Registered Providers (RPs) had expressed a preference for single-tenure schemes, particularly on smaller developments. Given the high demand for social rented housing, the scheme was re-tested on the basis of delivering 4 social rent units, 3 two-bedroom and 1 three-bedroom, which was found to be the maximum viable provision. It was further noted that RPs often faced challenges in taking on small numbers of units within mixed-tenure schemes. In such cases, where no RP could be secured, the Council would require robust evidence before agreeing to a commuted sum in lieu of on-site provision. In this instance, the identified off-site contribution was approximately £1.1 million, representing the difference in value between a fully private scheme and one including social rent units. Early and late-stage viability review mechanisms would also be secured. In concluding the response, David Glover (Head of Planning and Development Services) informed that officers routinely engaged with RPs and internal Council departments to explore interest in taking on affordable units. If, after a 6-month period of genuine engagement, no RP could be secured, the scheme would then proceed to a financial contribution in lieu, in accordance with the agreed mechanism.
- Members queried whether a parking survey had been undertaken, given that the scheme was proposed as a car-free development, to which John Fletcher (Team Leader – Development Control, Transport Planning) confirmed that a Transport Assessment had been undertaken in relation to the application. In response to further questioning regarding parking provision for the commercial unit, John Fletcher confirmed that no off-street parking would be provided for the commercial element of the scheme. Following additional enquiries concerning servicing arrangements for the

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proposed development, John Fletcher explained that the site currently benefitted from an access point on Huddlestone Road, which was protected by zigzag markings due to its former use as a police station. The proposal included the removal of this access and the associated markings, which would allow for the creation of a designated loading bay on Huddlestone Road to facilitate servicing of the development. Members also enquired whether the nearby pedestrian crossing would be upgraded as part of the proposed development, to which John Fletcher (Team Leader – Development Control, Transport Planning) confirmed that no upgrades to the pedestrian crossing were proposed as part of the scheme. It was noted that a zebra crossing already existed along the site frontage on the High Road and that this would remain unchanged.

- Members sought clarification on the early and late-stage viability review mechanisms, specifically whether any identified surplus would result in additional on-site affordable housing or a financial contribution. In response, Victoria McDonagh (Development Management Service Manager) explained that the late-stage review, which occurs at 75% occupation, would result in a financial contribution rather than additional on-site provision, due to the timing of the review. The early-stage review, by contrast, would be triggered if substantial implementation had not occurred within 24 months of the grant of planning permission, and could potentially secure on-site provision. These mechanisms were consistent with adopted policy and guidance.
- Members then queried the maximum financial contribution that could be sought in lieu of on-site provision, to which Victoria McDonagh (Development Management Service Manager) advised that the precise amount would depend on engagement with the Council's Parks Team and the nature of the projects identified for funding. However, based on comparable schemes with similar shortfalls, a contribution in the region of £15,000 would be anticipated.
- As a final point, members proposed an amendment to secure improved play space provision and requested a provision to ensure the delivery of appropriate play equipment, either on-site or, where not feasible, through an off-site contribution (with specific wording to be confirmed). It was felt that the additional condition should take into account the viability and practicality of on-site provision. In response, Victoria McDonagh (Development Management Service Manager) highlighted that given the limited size of the site, the play space provision would typically be informal in nature, particularly for children aged 0–5. Such provision would generally consist of natural landscape features, such as logs and boulders, rather than formal play equipment. For older children, enhancements to existing open space or formal play areas off-site would be more appropriate. It was suggested that the proposed condition could be strengthened to secure doorstep play for younger children, with off-site contributions sought for older age groups where on-site provision was not feasible. As a result,

PLANNING COMMITTEE

11 June 2025

David Glover (Head of Planning and Development Services) advised that the amended planning condition would include a condition requiring details of play space features for children aged 0–5, along with an assessment of the impact on neighbouring properties, particularly in relation to privacy.

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 prior completion of a s106 legal agreement to secure the planning obligations as detailed within the main committee report.
- (2) The conditions and informatives, as set out in the main and updated within the supplementary committee report, together with:
 - An update to condition 22 (part iv) to include details of on-site play features designed for young children (ages 0–5), including detailed information together with sections to demonstrate potential impact on privacy of adjoining properties.
 - The requirement that an off-site financial contribution to be spent on improvements to nearby open spaces which may include improvements to the open spaces themselves, the play facilities within these open spaces and/or improvements to the routes to these spaces from the application site, through an additional heads of terms to the legal agreement.

(Voting on the above decision was unanimous).

5. Any Other Urgent Business

There was no other urgent business.

The meeting closed at 7.30 pm

COUNCILLOR KELCHER
Chair

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