

 Brent	Cabinet 12 October 2026
	Report from the Corporate Director Neighbourhoods and Regeneration
	Lead Member - Cabinet Member for Regeneration & Planning (Councillor Matt Kelcher)
Community Led Housing in Brent – Brentfield Road Development: Progress Update and Delegated Delivery Arrangements	
Wards Affected:	Stonebridge
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
List of Appendices:	Two Appendix 1: Site Plan; Appendix 2: Local Lettings Plan;
Background Papers:	None
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1.0 Executive Summary

- 1.1 This report provides Cabinet with an update on the progress made by Brent Community Land Trust (BCLT) towards delivery of a Community Led Housing (CLH) development on the Brentfield Road site and seeks approval for delegated arrangements to enable delivery of the scheme without the need for a further Cabinet report.
- 1.2 Cabinet previously agreed to ring-fence the Brentfield Road site for Community Led Housing purposes and approved, in principle, the grant of a long lease of the site to BCLT at nominal consideration, subject to several conditions being

satisfied. These conditions included planning permission, funding arrangements, viability and community engagement.

- 1.3 Since Cabinet last considered the project in April 2025, substantial progress has been achieved. The development proposal has progressed through planning, a Registered Provider partner has been secured, Heads of Terms and lease documentation have been developed and a Local Lettings Plan has been prepared.
- 1.4 The current proposal comprises 19 Affordable Housing units including wheelchair accessible accommodation, together with communal facilities and associated landscaping. The scheme will be delivered through a partnership between BCLT and Sapphire Independent Housing.
- 1.5 Whilst significant progress has been achieved, issues to be resolved relate to determination of the planning application, completion of associated planning obligations, finalisation of funding arrangements and resolution of historic rights of way affecting the site.
- 1.6 The purpose of this report is therefore to establish a governance framework enabling officers to conclude these matters through delegated authority and progress the project into delivery.

2.0 Recommendation(s)

Cabinet is asked to:

- 2.1 Note the substantial progress made by Brent Community Land Trust towards delivering Community Led Housing at Brentfield Road.
- 2.2 Confirm the Council's continuing commitment to the delivery of Community Led Housing at Brentfield Road and to entering into a long lease arrangement broadly consistent with the principles previously approved by Cabinet.
- 2.3 Authorise officers to continue negotiations with neighbouring property owners regarding the release of historic rights affecting the development site and if successful in these negotiations enter into the appropriate agreements (e.g. deeds of release) with the neighbouring property owners to release such rights.
- 2.4 Delegate authority to the Corporate Director, Neighbourhoods and Regeneration, in consultation with the relevant Cabinet Lead to determine whether reasonable attempts to secure voluntary release of private rights have been exhausted and, where considered necessary to facilitate delivery of the development and subject to planning approval, agree to appropriation of the site for planning purposes under section 122 Local Government Act 1972 and thereafter, engage the powers conferred by section 203 of the Housing and Planning Act 2016 to override easements and other rights together with any associated statutory actions required to address affected rights, subject to payment of any compensation properly due.

- 2.5 Delegate authority to the Corporate Director, Neighbourhoods and Regeneration to certify satisfaction of the conditions previously established by Cabinet regarding planning permission, funding, viability and community engagement requirements.
- 2.6 Delegate authority to the Corporate Director Neighbourhoods and Regeneration in consultation with the relevant Cabinet Lead to finalise and complete Heads of Terms, the Agreement for Lease, and all ancillary legal documentation required to facilitate delivery of the development.
- 2.7 Delegate authority to the Corporate Director, Neighbourhoods and Regeneration to approve minor amendments to the scheme, contractual documentation or funding arrangements where required by statutory processes, funding bodies or delivery partners, provided such amendments do not materially alter the objectives of the scheme.

3.0 Detail

3.1 Cabinet Member Foreword

- 3.1.1 The Council is determined to deliver the homes Brent residents need. Achieving this ambition will require us to be innovative and open to a wide range of ideas, methods and policies that can get spades in the ground and new homes built.
- 3.1.2 We have a particular responsibility to make the best possible use of land owned directly by Brent Council, delivering lasting benefits for our existing residents and for generations to come. Around one in four people in their late twenties in England and Wales still live with their parents. We will not change this reality unless we use every means available to increase the supply of genuinely affordable housing.
- 3.1.3 The Brentfield Road scheme is a perfect example of this approach. By partnering with Brent Community Land Trust, we can transform an underused garage site into not simply a collection of flats, but a community of homes in which local people have a meaningful role and a long-term stake in their stewardship.
- 3.1.4 Having met the BCLT team I have been impressed by their commitment, expertise and ambition for the area and am incredibly excited that the Council is partnering with them to deliver genuinely affordable housing in our borough and to demonstrate what can be achieved when the Council and local communities work together.
- 3.1.5 Since Cabinet approved the extension of the site agreement, substantial progress has been made in advancing the scheme through planning, funding and legal workstreams. The project is now significantly more mature, with clear delivery arrangements and an identified Registered Provider partner, bringing the development closer to implementation.

- 3.1.6 The recommendations contained within this report will provide officers with the necessary delegated authority to conclude the remaining matters required to facilitate delivery, whilst maintaining appropriate oversight and governance. I am pleased to support the continued progression of this important project and the opportunities it will create for both the local community and the borough as a whole.

3.2 Background

- 3.2.1 In 2018, a Scrutiny review recommended that Brent Council explore Community Led Housing as a mechanism for increasing the supply of affordable housing and enabling greater community involvement in housing delivery.
- 3.2.2 Brent Community Land Trust was subsequently established by residents and stakeholders, including members of the Harlesden Neighbourhood Forum, with the objective of delivering genuinely affordable housing owned and controlled for community benefit.
- 3.2.3 Following a review of potential sites, the Brentfield Road garage site was identified as an opportunity suitable for Community Led Housing. The site comprises several disused garages and associated land which had become increasingly underutilised and vulnerable to fly-tipping, anti-social behaviour and environmental decline.
- 3.2.4 In December 2021 a report presented to the Housing Commissioning and Investment Board supported the principle of disposing of the site to Brent Community Land Trust at nil consideration, subject to planning approval and suitable funding arrangements.
- 3.2.5 On 22 May 2023 Cabinet approved ring-fencing of the site for Community Led Housing and agreed in principle to enter a lease arrangement with BCLT subject to specified conditions being satisfied. These conditions required BCLT to obtain planning permission, secure funding, demonstrate viability and establish appropriate co-production arrangements with residents.
- 3.2.6 In April 2025 Cabinet considered a further report and approved continuation of the arrangement, delegated authority to negotiate Heads of Terms and lease documentation and agreed in principle to consider appropriation powers where necessary to facilitate delivery of the scheme.

3.3 Progress Since Previous Cabinet Approval

Planning

- 3.3.1 The project has progressed significantly through the planning process since Cabinet last considered the matter. BCLT undertook the pre-application process, participated in Design Review activity and completed additional technical and design work to address issues identified by planning officers and consultees.

- 3.3.2 A planning application has subsequently been submitted for redevelopment of the site and has progressed through statutory consultation. Planning officers have advised that no objections have been received during consultation and that responses from statutory consultees are being addressed.
- 3.3.3 The application remains under active consideration whilst final planning and legal matters, including Section 106 arrangements, are progressed. Officers are continuing to work with Planning Services and the applicant team to support timely determination of the application.

Development Proposal

- 3.3.4 The scheme originally evolved from concepts for approximately 22 homes but has subsequently been refined through the planning process. The current proposal comprises 19 affordable one-bed rented homes, including wheelchair accessible units and communal facilities designed to support residents and foster community interaction.
- 3.3.5 The development is intended to address identified housing need, particularly amongst single person households who often experience significant barriers to accessing affordable accommodation. The proposal will also transform a neglected garage site into a high-quality residential development.

Funding and Delivery Partner

- 3.3.6 BCLT has selected Sapphire Independent Housing as its preferred Registered Provider and development partner. Sapphire has considerable experience managing housing schemes of a similar scale and demographic profile and has worked closely with BCLT throughout scheme development.
- 3.3.7 BCLT has successfully secured earlier-stage Community Led Housing funding and has continued discussions regarding future funding opportunities required to deliver the development. Positive engagement has taken place with the Greater London Authority regarding future funding support although final allocations remain dependent on planning permission and completion of contractual arrangements.
- 3.3.8 The Council has also received confirmation that Sapphire supports the delivery assumptions underpinning the project and considers the scheme capable of being delivered subject to final funding requirements being satisfied.

Viability

- 3.3.9 A Quantity Surveyor review has been undertaken and viability assessments have continued to be refined as the project has progressed. Cabinet has previously noted that viability assumptions are dependent upon grant funding and the provision of the site at nominal consideration.
- 3.3.10 The Council has previously undertaken subsidy control assessments relating to the proposed disposal arrangement and concluded that the scheme is

consistent with the Council's affordable housing objectives and subsidy control requirements.

3.4 Community Engagement and Co-Production

- 3.4.1 Community engagement remains a core principle of the project. Community Led Housing is defined by meaningful community involvement throughout the development process and long-term community participation in ownership and stewardship arrangements.
- 3.4.2 BCLT has undertaken a range of engagement activities, including public consultation events, neighbourhood engagement and wider Community Led Housing participation activities. Public consultation events relating to the scheme were undertaken during 2025 and have informed development of the proposals.
- 3.4.3 Work has also continued on the Local Lettings Plan to ensure that future allocations support local housing priorities whilst remaining consistent with Council allocations policy.

3.5 Rights of Way

- 3.5.1 One of the principal remaining constraints affecting delivery of the development relates to historic rights benefiting a number of neighbouring properties.
- 3.5.2 These historic rights affect the development site and cannot be retained alongside delivery of the approved development layout. Resolution of these matters is therefore required before construction can commence.
- 3.5.3 The Council and BCLT have sought to resolve these matters through voluntary negotiation and have prepared a consistent package of compensation for affected parties. A formal letter has been prepared offering compensation together with legal cost in exchange for release of the affected rights.
- 3.5.4 Officers remain committed to achieving voluntary agreements wherever possible. However, legal advice obtained by the project team has highlighted that statutory mechanisms may be available where private rights would otherwise prevent delivery of a development which delivers substantial public benefits, most clearly the delivery of genuinely affordable housing.
- 3.5.5 The recommendations contained within this report therefore seek authority for officers to continue pursuing voluntary agreements and if successful, enter into deeds of release, whilst retaining the ability to progress alternative statutory options should negotiations not result in a satisfactory outcome.

3.6 Lease and Delivery Arrangements

- 3.6.1 Significant progress has been made in agreeing Heads of Terms and developing the Agreement for Lease and long lease structure.

- 3.6.2 The proposed lease arrangements remain consistent with principles previously approved by Cabinet, including a lease term of 250 years, nomination rights for Brent Council and protection of the long-term affordable housing objectives of the scheme.
- 3.6.3 It is anticipated that completion of these arrangements will take place once planning permission, funding requirements and other Cabinet conditions have been satisfied.

3.7 Next Steps

- 3.7.1 Subject to Cabinet approval, officers will continue progressing planning, rights of way negotiations, funding arrangements and contractual documentation necessary to facilitate delivery of the development.
- 3.7.2 The delegated arrangements sought through this report are intended to provide a clear governance route enabling progression from planning determination through to practical delivery without the requirement to return to Cabinet for further decisions.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 Officers have maintained regular engagement with Brent Community Land Trust, Sapphire Independent Housing, Planning Services, Legal Services and local stakeholders throughout development of the scheme.
- 4.2 Community consultation has been undertaken as part of the planning and Community Led Housing processes and engagement with neighbouring residents continues in relation to rights of way matters.

5.0 Financial Considerations

- 5.1 The Brentfield Road site is an existing HRA asset. The proposed redevelopment will facilitate the delivery of new affordable homes, making more effective use of Council-owned land and supporting the long-term objectives of the HRA.
- 5.2 The proposed grant of a 250-year lease to BCLT at a nominal premium of £1 constitutes a subsidy. An assessment undertaken in accordance with the Subsidy Control Act 2022 concluded that the subsidy was necessary to enable the delivery of affordable housing on the site, supported scheme viability without generating significant profit, would not adversely affect competing residential developments within Brent and would not materially distort competition or investment.
- 5.3 Cabinet's previous approval of the lease arrangement was conditional upon BCLT securing planning permission, appropriate funding arrangements, demonstrating viability and satisfying the other requirements established by Cabinet. Whilst substantial progress has been made, the scheme remains

dependent upon final planning approval, completion of planning obligations and confirmation of external funding arrangements.

- 5.4 BCLT has undertaken viability assessments for the scheme. Whilst independent verification remains outstanding pending confirmation of GLA funding, the final rental regime has yet to be agreed. Once these matters are confirmed, officers will complete a review of the scheme's viability as part of the process for determining whether the conditions previously established by Cabinet have been satisfied.
- 5.5 Cost estimates prepared by the project's Quantity Surveyor have been reviewed by Sapphire Independent Housing, which has confirmed that the proposed development is considered feasible based on the information currently available. However, the scheme remains subject to risks associated with construction inflation, market conditions, planning requirements and other site-specific constraints. BCLT has not yet confirmed contingency arrangements to address any additional costs or funding shortfalls that may arise during the development process.
- 5.6 The delegated authority sought within this report will enable officers, in consultation with the relevant Lead Member, Corporate Director, Neighbourhoods and Regeneration and other appropriate stakeholders, to confirm that satisfactory funding, viability and risk management arrangements are in place before the lease and associated delivery documentation are finalised. Briefing updates will be provided to Members at key milestones throughout the pre-development and planning stages to ensure they remain informed of project progress and any significant developments.

6.0 Legal Considerations

- 6.1 The legal considerations detailed in the Cabinet Report dated 7 April 2025 relating to this project are still relevant and apply to this report.

Deeds of release

- 6.2 As noted in this report, the Council's freehold title to the site is subject to rights of way benefiting neighbouring properties. Negotiations with the respective landowners are ongoing. Should those negotiations be successful, the Council will be required to enter into deeds of release with each affected landowner to secure the surrender and permanently extinguish of the relevant rights of way.
- 6.3 In relation to any proposed deed of release, Part 3, Paragraph 11.2 of the Constitution, provides that the Corporate Director, Finance and Resources and/or the Director of Property has delegated authority to acquire or dispose of leases, licences, and **easements** where:
 - i) the annual rent is not more than £250k.
 - ii) the premium is not more than £1m.

- iii) the leasehold term is no more than 125 years.
- 6.4 Where any disposal or acquisition of an interest in land or buildings is, in the view of the Corporate Director, Neighbourhoods and Regeneration, of a value over £250k and below £1m, where any leasehold interest has an annual value over £100k or below £250k, or where the lease length is between 50 and 125 years he or she shall consult with the Lead Member.
- 6.5 The Corporate Director, Neighbourhoods and Regeneration should be advised of any disposal or acquisition undertaken by this delegated authority within three months of any transaction.
- 6.6 The Corporate Director, Neighbourhoods and Regeneration may not sell or grant any lease or easement, licence or otherwise dispose of any land or buildings unless the consideration received, as confirmed by them is the best that can reasonably be obtained, whether or not the grant, sale or disposal is covered by a general or specific consent from the relevant Secretary of State.
- 6.7 In acquiring, selling or disposing of any land or buildings or granting any lease, licence or easement in respect thereof regard shall be had to any relevant Corporate Standards on property acquisitions, management and disposals.
- 6.8 The Corporate Director, Finance and Resources must be advised of the transaction undertaken by this delegated authority within three months of the transaction.
- 6.9 The Corporate Director, Finance and Resources may not sell or grant any lease or easement, licence or otherwise dispose of any land or buildings unless the consideration received, as confirmed by them is the best that can reasonably be obtained, whether or not the grant, sale or disposal is covered by a general or specific consent from the relevant Secretary of State.

Section 203 – Appropriation of Land

- 6.10 s.122 of the Local Government Act 1972 allows the Council to appropriate Council land for planning purposes. In considering whether or not the Council owned land within the sites to be appropriated for planning purposes, thereafter, engaging the powers conferred by section 203 of the Housing and Planning Act 2016, the Corporate Director of Neighbourhoods and Regeneration, in consultation with the Cabinet Member for Regeneration and Planning, to consider:
- Whether the land which is to be appropriated is already owned by the Council (this is a prerequisite to appropriation)
 - Whether the land which is to be appropriated is no longer required by the Council for the purposes it is currently held (this is a prerequisite to appropriation)

- Whether the purposes for which the Council would be appropriating the land is a purpose authorised by Statute (in the case of land to be appropriated for planning purposes, the relevant purposes would be authorised by section 232 of the Town and Country Planning Act 1990.
- Whether the proposed redevelopment of the relevant sites would be in the public interest. There is a compelling case in the public interest to appropriate the sites for planning purposes as developing the sites would serve the public interest by providing new housing and accordingly, such development outweighs the effect of the appropriation on the private rights of individuals
- Whether the public interest benefits which would arise from the redevelopment of the relevant sites would be sufficient to justify the interference with any private rights, such that the interference was proportionate
- Whether the Council could (in the alternative) acquire the land compulsorily for the purposes of the redevelopment
- Whether any related financial liabilities of the Council would be indemnified and
- Whether prior consultation had taken place.

6.11 The Council has the power to override third party rights in accordance with section 203 Housing and Planning Act 2016. This power is useful for the Council when developing its land to ensure that third parties with certain rights over the sites are overridden. Section 203 prevents third parties from obtaining an injunction to prevent redevelopment; however, compensation may be payable. The Council is required to consult with third parties prior to invoking section 203 and the officers should therefore ensure that they build in a period of consultation prior to the commencement of construction and assessing the level of compensation payable.

6.12 Therefore, subject to planning approval, Cabinet is requested to delegate authority to the Corporate Director, Neighbourhoods and Regeneration to agree to appropriate the lands under section 122 Local Government Act 1972 and thereafter, engage the powers conferred by section 203 of the Housing and Planning Act 2016 to override easements and other rights.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

7.1 The scheme will increase the supply of affordable housing and support households experiencing housing need. Allocations will be undertaken in accordance with the Council's policies and relevant equalities legislation.

8.0 Climate Change and Environmental Considerations

- 8.1 The proposal will regenerate an underutilised site, replace obsolete garage structures and deliver environmental improvements through redevelopment of a currently neglected area.

9.0 Human Resources/Property Considerations (if appropriate)

- 9.1 There are no direct Human Resources implications arising from the recommendations contained within this report.

10.0 Communication Considerations

- 10.1 Should the scheme progress into delivery, officers will continue to work with BCLT and Sapphire Independent Housing to ensure appropriate communication and engagement arrangements are maintained throughout the construction and occupation phases of the development.

Related document(s) for reference

[Cabinet Report - Community Led Housing in Brent \(22 May 2023\)](#)

[Cabinet Report – Community Led Housing in Brent – Extension to Brentfield Road Site Agreement \(7 April 2025\)](#)

Report sign off:

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