

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

13 January, 2021
03
20/1683

SITE INFORMATION

RECEIVED	10 June, 2020
WARD	Alperton
PLANNING AREA	
LOCATION	416 Ealing Road, Wembley, HA0 1JQ
PROPOSAL	Demolition of existing building and redevelopment of the site to deliver a building of between three and seven storeys in height comprising residential homes and flexible commercial space, with associated outdoor communal amenity space at courtyard and roof levels, widened pavement along Ealing Road and Alperton Lane to accommodate new outdoor public space, car parking, cycle storage, refuse storage, hard and soft landscaping and plant
PLAN NO'S	Refer to condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_150237</p> <p><u>When viewing this as a Hard Copy</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "20/1683" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to completion of a legal agreement to secure the following planning obligations:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
2. Notification of material start 28 days prior to commencement.
3. 21% affordable housing comprising of 13 affordable rent units at London Affordable rent levels and 6 shared ownership units.
4. An appropriate late stage review mechanism to secure additional on site affordable housing .
5. Carbon Off-setting– Pre-construction: submission of revised Energy Assessment to achieve minimum of 35% carbon reduction with any shortfall in carbon zero to be secured through a financial contribution to Brent's carbon offsetting scheme. Post-completion: submission of revised Assessment, final financial contribution.
6. Controlled Parking Zone – Financial contribution of £70,000 towards implementation of Controlled Parking Zone in the vicinity.
7. A parking permit restriction to remove the right of residents to on-street parking permits in any future Controlled Parking Zone that is implemented in the area.
8. Highway Works under a S38/S278 Agreement to:
 - (i) Highway works to widen the footway of Alperton Lane to accommodate a loading bay.
 - (ii) Remove all redundant accesses to the site
 - (iii) Resurface the footways of Alperton Lane and Ealing Road along the site frontages
 - (iv) Improved vehicle entrance kerb radii west of the site
9. Car Club - Provision of three years free membership of a local Car Club for all incoming residents.
10. Provide the community floorspace to shell, core and utilities prior to Occupation of the residential units. Should the unit not be occupied within a 2 year period starting 6 months after being provided having been marketed throughout this period at a cost that is appropriate for a community hall, to make the unit available for commercial use falling within Use Classes E(a) to (c)
11. Submission of a Travel Plan
12. Submission of an employment and training plan for Brent residents
13. Indexation of contributions in line with inflation

Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

Compliance

1. 3 years consent

2. Approved Drawings
3. Number of Units
4. Use of Commercial Units
5. Accessible Homes
6. Refuse Details
7. NRMN
8. Approved Parking and Cycle Storage
9. Water Consumption
10. C4 small HMO restriction
11. Recommendations in approved Air Quality Assessment
12. In accordance with approved Aboricultural Impact Assessment

Pre-commencement

13. Construction Method Statement
14. Construction Logistics Plan
15. Fire Safety Strategy
16. Thames Water: Potable Water Infrastructure details

Post-commencement

17. Materials
18. Land Contamination study
19. Soil Commination Remediation
20. Balcony screening details
21. Landscaping details

Pre-occupation or use

22. Noise Impact Assessment
23. Plant noise testing if necessary
24. Waste Management Plan
25. No piling method statement

Informatives

1. Building Adjacent to Boundary
2. CIL Liability
3. Party Wall Act
4. London Living Wage
5. Fire Safety Standards
6. Asbestos Regulations
7. Quality of Imported Soil

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision

(such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That, if by the “expiry date” of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

SITE MAP

 **Brent** **Planning Committee Map**
Site address: 416 Ealing Road, Wembley, HA0 1JQ
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This map is indicative only.

PROPOSAL IN DETAIL

The application is seeking planning to demolish the existing building occupying the site. The proposal would result in a new mixed use development comprising of commercial space (508sqm) and community use on the ground floor (102sqm). The upper floors would facilitate 132 new homes which would include 18 x studio flats, 69 x 1 bedrooms, 19 x 2 bedrooms and 26 x 3 bedrooms.

The proposed new build would incorporate a stepped massing approach that would rise from three storeys along the northern boundary up to seven storeys at the corner of Ealing Road and Alperton Lane. The west block would rise from three to seven storeys and east block would rise from four to seven storeys.

The flexible commercial space would be located along Ealing Road with elements wrapping around the south eastern portion of the development. The existing access road to the west of the site would be maintained. 11 parking spaces would be positioned to the rear of the site. Four of the spaces would be allocated for disabled spaces. An additional 4 spaces would be included adjacent to the parking access road. The refuse storage area would be provided towards the north western portion of the site.

The development has four cores, located at each corner of the development. These cores are accessed by residents only through the communal courtyard in the centre of the site. Further communal terrace spaces would be located on the third and sixth floors.

Additional trees would be planted along the pedestrian pavement facing Ealing Road. The proposed community use would be sited in a separate single storey structure that would be positioned between both blocks east and west of the site. A loading bay would be included to the south of the site along Alperton Lane. PV panels would also be included on the roof. The refuse storage area would be located north west of the site.

EXISTING

The application site consists of a large single storey retail warehouse unit occupied by Curry's PC world and Carphone Warehouse. The area to the front of the retail warehouse unit contains a car park area and both a loading and refuse areas are located to the rear of the site. The areas north and east of the site are residential in nature.

A group of terraced properties are situated along the northern flank boundary of the application of the site. The properties north of the site facing Ealing Road contain a group of terraced properties with retail uses occupying the ground floor elements.

The site is also designated as a site allocation within the Draft Local Plan (Allocation: BSWSA16). The site directly west of the site contains industrial warehouse type buildings. A petrol garage is situated to the south of the site which is designated as LSIS. The site is not situated within a Conservation Area nor is the building listed.

AMENDMENTS SINCE SUBMISSION

Amended plans were provided during the course of the application. These involved minor modifications that were not considered to materially alter the nature of the scheme. As such, no further consultation was carried out. A summary of the changes include:

Internal re-arrangements to a number of flats

- Screening to north facing balconies

- Alterations to spacings between bicycle racks changed and number of long-term cycle residential spaces increased to 212

- Addition of 58 solar panels added to suitable roof areas.
- Loading bay added in front of community use building.
- External entrance to south-west bicycle storage removed.
- Doors from Community Use space into residential courtyard removed.
- Submission of daylight and sunlight report to assess the sunlight and daylight matters within the development.
- Submission of amended sunlight and daylight report assessing overshadowing analysis of neighbouring properties to the north of the site.
- An additional Sunlight and Daylight Report was submitted including the alleyway to the rear of No's 1 – 10 Burns Road. The results of the study illustrate no additional harm in relation to Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (ASPH) findings. The overshadowing study also included the alleyway to the rear 1 – 10 Burns Road. Sunlight and Daylight analysis are discussed in greater detail within the main body of the report.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Representations received: 10 objections were received during the course of the application. The objections are summarised within the consultation section of the report.

Principle of Development: The proposal is for a residential-led mixed use development that responds well to the emerging policy context for a residential led mixed use development on the site. The majority of the commercial and community floorspace would face Ealing Road and Alperton Lane, and these spaces would activate ground floor which would benefit the area. The proposal would also contribute towards the borough's housing targets. As a result there is not principle objection to the development.

Affordable Housing and Housing Mix: The proposal would result in 19 Affordable homes with 13 of the homes at London Affordable Rent and 6 Intermediate homes (accounting for 17% by habitable room). This would result in an almost policy compliant tenure split at 68% London Affordable Rent and 32% Intermediate (shared ownership). The proposed affordable housing contribution was considered the maximum reasonable amount the proposed development can offer and has been supported by the Financial Viability Appraisal which has been robustly reviewed by consultants acting on behalf of the Council. The proportion of family sized (3 bedroom) homes would be 20%. This would not meet the 25% target of Policy CP2 and emerging Policy BH6 but is considered acceptable when weighed against the benefits of the scheme having regard to the scheme's overall viability and associated impact on the provision of Affordable housing.

Design, Scale and Appearance: The maximum of 7 storeys to the south of the development using a stepping approach to 3 storeys to the north is considered acceptable. The proposal would allow for an appropriate transition and relationship factoring into account the traditional two storey dwellings to the north of the application site. The overall scale is considered to be appropriate for the area, despite being higher than the maximum heights specified within the Draft Local Plan (5-storeys). Each elevation would incorporate high quality finishes with a contemporary design and the introduction of different materials adds variety to each façade. The proposal would provide an active commercial frontage at ground floor level, adequate space to the sides to provide an appropriate setting, and would include footway works to provide landscaping, street trees and an enhanced pathway for pedestrians. Overall the design is considered to be of a high standard.

Impact on Residential Amenity: Separation distances would be sufficient to provide adequate levels of privacy for neighbouring residents and to allow the adjoining site to come forward for redevelopment. Impacts on daylight and sunlight to neighbouring properties, and overshadowing to neighbouring external amenity spaces, have been assessed and are considered to be acceptable given the site's location and designation.

Residential Living Standards: All homes would comply with minimum space standards and the number of single aspect units would be minimised, with none being north-facing. Whilst the amount of external amenity space on site does fall short of the requirements set out in DMP19, the level amenity space provided is satisfactory given the proximity to the nearby open space further west.

Transport Considerations: The level of car parking is considered sufficient given the level of public transport accessibility. A financial contribution of £70,000 would be provided towards the implementation of a Controlled Parking Zone. Servicing via a loading bay along Alperton Lane and refuse collection arrangements are acceptable. Delivery and Service Plan would be secured a condition. Satisfactory levels of cycle parking are proposed to London Plan standards. An additional Travel Plan Statement has also been requested via a planning condition.

Environmental Health Considerations: Conditions to be secured ensuring appropriate safeguards in terms of noise and vibration, air quality, contaminated land and the construction process.

Sustainability and Energy: The Energy Strategy demonstrates A 'Lean, Clean, Green' has been adopted and the development achieves an overall improvement (DER/TER) in regulated emissions at over 64.15% beyond Part L 2013 standard, through the adoption of high standards of insulation, heat pump driven heating/hot water systems and heat recovery ventilation systems. A carbon off-set payment of £90,180.00 for this major scheme will meet with London Plan "Zero Carbon" requirements for major residential scheme.

Flood Risk and Drainage: The site is located in a Flood Zone 1 area and therefore has a low risk level of any potential flooding. The proposal development would greatly reduce the surface water run off leaving the site and as such would reduce flood risk on site and elsewhere.

Trees and Landscaping: Tree protection measures have been proposed, together with landscaping enhancements provided as part of the development. There are no protected trees or notable trees on site or within the vicinity of the application site.

RELEVANT SITE HISTORY

94/2031 - Outline application - Development for (Use Class A1) non-food retail warehouse unit with ancillary car parking, servicing, landscaping, and demolition of existing public house on site – Granted, 23/06/1995.

CONSULTATIONS

Consultation

Public Consultation

158 neighbouring addresses were consulted on the application on the 16/06/2020.

A site notice was posted on the 26/06/2020.

A press notice was published on the 25/06/2020.

Additional public consultation was carried out on 23/11/2020 with updated site notice displayed on 02/12/2020 and advertisement in the press on 03/12/2020 as an updated daylight and sunlight report was submitted

14 objections were received from individual addresses and the Cromwell and Burns Residents Association. A summary of the objections is set out below:

Comment	Officer's Response
Concerns raised with regards impact on light to neighbouring properties.	This addressed in paragraphs 46-58.

Issued with regards to overlooking.	This is addressed in paragraphs 38-41.
The overall height of the proposal is not acceptable.	This is addressed in paragraphs 25–29.
The development would result in an overspill of parking.	This addressed in paragraph 80.
The scheme would result in an increase in congestion on the local road networks.	This addressed in paragraphs 86-93.
The GP and dental practice is currently at full capacity. There is a lack of community and social infrastructure throughout the area. The site could be used as a community centre and medical centre	<p>To accompany the new Local Plan, an Infrastructure Delivery Plan has been prepared to identify infrastructure needs across the Borough to accommodate the projected growth.</p> <p>The scheme proposes a dedicated community space, and will be will be liable to Community Infrastructure Levy.</p>
The proposal would result in an increase noise and light pollution.	<p>The level of noise from the proposed development is not considered likely to be detrimental to the surrounding neighbouring properties given the nature of the proposed uses and furthermore Ealing Road comprises of a range of mix uses.</p> <p>A lighting strategy has been conditioned to ensure of the level illuminance does not have a negative impact on the surrounding properties.</p>
The proposal is overdevelopment of the site.	Refer to paragraphs 25–34.
The local park in Alperton Lane has become very noisy and overcrowded which makes it unpleasant to visit.	<p>The proposal is providing on site amenity space. It is noted that this is a shortfall to that of the required amenity space within DMP19 and emerging policy BH13. However, the overspill of any future residents utilising local parks within the area is not considered to have dramatic impact.</p> <p>Refer to paragraphs 73-78 for a full assessment.</p>
Character of the area has changed due to high rise developments to the detriment of the area	Alperton is designated as one of the Growth Area in the Borough which seeks to focus housing and employment delivery within the growth area and as such, Alperton has seen a lot of

	development proposals recently. The application site is outside of the Growth Area but within an intensification corridor, introduced through the emerging local plan primarily within main road locations, where additional height and density is encouraged to further increase housing delivery, in line with the targets set within the London Plan.
Increased crime as a result of developments	There is no evidence to suggest that there is increased crime as a result of the developments in the area. The proposed scheme has been designed with active frontages to enhance the level of natural surveillance along Ealing Road and Alperton Lane frontages. The introduction of new homes, commercial space and community space will see increased numbers of people coming and leaving the site. Natural surveillance will increase significantly above current levels.
Neighbouring properties did not get notified of the planning application	Public consultation was carried out in accordance with statutory legislation. In response a number of objections were received from local properties.
Site should remain in commercial use	The proposal will include an element of commercial use to complement the scheme as a mixed use development.
Proposal is out of keeping with the aspirations of the original masterplan for the Alperton Growth Area	The site is outside of the 2011 Alperton Masterplan area, and this SPD has also now been revoked. As discussed previously, the site is within an "intensification corridor" identified within the emerging Local Plan.
Mircoclimate issues from tall buildings in the area resulting in windy environment	Whilst the building will be taller than its surroundings, this stretch of Ealing Road is wide, the impact on wind is unlikely to result in an adverse impact on the local environment and pedestrian comfort.
Lack of affordable housing	The scheme proposes 17% affordable housing. This offer has been accompanied by a FVA that concludes that the scheme has delivered the maximum reasonable amount of affordable housing
Construction work would have impacts on the area by way of noise, dust and construction traffic.	A Construction Management Plan and Construction Logistics Plan have been recommended via conditions prior to commencement of works on site.
The proposal would result in a loss of light to the offices south west of the application site.	BRE Guidance does not explicitly address commercial uses as these are considered less sensitive to loss of light than residential uses.
The proposed housing mix is not policy compliant.	Refer to paragraphs 21-22.

Internal Consultation

Environmental Health Officer - No objections to the development. Requested additional information via

conditions discussed within the report.

Noise Team – The officer raised no objections. Additional information requested via conditions discussed with the report.

Sustainability Officer – No objections to the development. Requested relevant conditions discussed within the report.

External Consultation

Thames Water – Thames Water raised no objections to the proposed development subject to conditions.

Statement of Community Involvement

The applicants have submitted a statement of community involvement which highlights the key activities undertaken prior to submission to engage with stakeholders. The stakeholder engagement activities can be summarised as follows below.

606 leaflets were sent out to local residents inviting them to attend two public exhibitions. The Ward Councillors were also notified of both these events. The two public exhibitions held in close proximity to the site at Peppermint Heights Community Centre, Northwick Rd, Alperton, HA0 1LG on 11 December 2019 between 4pm and 7:30pm, and at the Fox and Goose Hotel Pub function room, Hanger Lane, Hanger Hill, London W5 1DP on 12 March 2020 between 4pm and 8pm.

A total of 10 feedback forms were filled out from both exhibitions. Of the ten forms received nine expressed their objections to the development. The majority of the feedback outlined concerns in relation to an overspill of parking to the surrounding streets and the impact on the local traffic. Issues were raised in relation to the height, loss of daylight, scale, stress on local services, overlooking, lack of landscaping and waste collection. The feedback also highlighted that the consultation methodology was unacceptable.

Overall the majority of the feedback was not supportive of the proposed development.

POLICY CONSIDERATIONS

Determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan 2016, Brent Core Strategy 2010 and Brent Development Management Policies 2016.

Key policies include:

The London Plan 2016

Key policies include:

3.3 - Increasing Housing Supply

3.4 - Optimising housing potential

3.5 – Quality and Design of Housing Development

3.6 - Children and young person's play and informal recreation facilities

3.12 - Negotiating affordable housing on individual private residential and mixed use schemes

5.2 - Minimising Carbon Dioxide emissions

5.13 - Sustainable Drainage

6.3 - Assessing effects of development on transport capacity

6.9 - Cycling

6.10 – Walking

7.2 - An inclusive environment

Brent Core Strategy (2010)

CP1: Spatial Development Strategy

CP2: Population and Housing Growth

CP5: Placemaking

CP6: Design & Density in Place Shaping

CP8: Alperton Core Strategy

CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures

CP21: A Balanced Housing Stock

Development Management Policies (2016)

DMP1: Development Management General Policy

DMP 9 B: On Site Water Management and Surface Water Attenuation

DMP12: Parking

DMP 13: Movement of Goods and Materials

DMP 15: Affordable Housing

DMP 18: Dwelling Size and Residential Outbuildings

DMP 19: Residential Amenity Space

Emerging Policy Context

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. . The Hearing sessions were completed on 16th October 2020. The Council is now considering the discussions which took place, and enacting any actions which were recommended by the Inspectors in order to make the Plan and its associated documents 'sound' Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

The draft London Plan has recently been subject to an Examination in Public, and is at the intend to publish stage.

These documents collectively carry increasing weight in the assessment of planning applications as they progress through the statutory plan-making processes.

The Draft London Plan – Intend to Publish Version

Key policies include:

D3 – Optimising site capacity through the design-led approach

D4 - Delivering good design

D5 - Inclusive design

D6 - Housing quality and standards

D7 - Accessible housing

D8 - Public realm

D11 Safety, security and resilience to emergency

D12 – Fire Safety

D13 – Agent of Change

D14 – Noise

H1 - Increasing housing supply

H4 - Delivering affordable housing

H5 - Threshold approach to applications

H6 – Affordable housing tenure

H7 - Monitoring of affordable housing

Brent's Draft Local Plan

Key policies include:

- Policy DMP1 Development Management General Policy
- Policy BP7 South West
- Site Allocation – BSWASA16
- Policy BD1 Leading the Way in Good Urban Design
- Policy BD2 Tall Buildings in Brent
- Policy BH1 Increasing Housing Supply in Brent
- Policy BH2 Priority Areas for Additional Housing Provision within Brent
- Policy BH5 Affordable Housing
- Policy BH6 Housing Size Mix
- Policy BH13 Residential Amenity Space
- Policy BE1 Economic Growth and Employment Opportunities for All
- Policy BGI2 Trees and Woodlands
- Policy BSUI1 Creating a Resilient and Efficient Brent
- Policy BSUI2 Air Quality
- Policy BSUI4 On-Site Water Management and surface water Attenuation
- Policy BT1 Sustainable Travel Choice
- Policy BT2 Parking and Car Free Development
- Policy BT3 Freight and Servicing, Provision and Protection of Freight Facilities

The following are also relevant material considerations:

National Planning Policy Framework 2019

Brent Waste Planning Guide 2013

Brent's Design Guide – Supplementary Planning Document 1 2018

Brent's S106 Planning Obligations SPD

Mayor of London's Play and Informal Recreation SPG 2012

DETAILED CONSIDERATIONS

Principal

Demolition of Existing Building

1. The existing building occupying the site is not listed nor is the application within a Conservation Area. As such there are no objections to the demolition of the building as it does not add a distinctive contribution to the character of the street scene.

Residential Led Mixed Use Development

2. The National Planning Policy Framework emphasises the provision of new homes as one of the key roles of the planning system, and this is reflected in the housing targets set out in Core Strategy Policy CP2, which aims to deliver 22,000 new homes over the 2007-2026 period. The draft new London Plan proposes a substantial increase in housing targets across London, including a target for Brent of up to 2,325 new homes per year. Brent's draft Local Plan responds to these targets by proposing plan-led growth and site-specific allocations concentrated adjacent to a number of Growth Areas. Emerging policy BH1 reflects the draft London Plan target.
3. Policy BP7 of the draft Local Plan identifies the continuation of residential-led mixed use development along Ealing Road intensification corridors. This site lies within the intensification corridor. As such the mixed use development can be supported at this application site. It is noted the proposal would result in the removal of the existing commercial use on site. However the proposed development would re-provide commercial space on the ground floor. Policy BP7 further highlights the importance intensification corridors play in contributing to providing homes to London. In addition to this the site allocation (BSWSA16) identifies the site being suitable for a mixed use development with residential and commercial/retail uses. It further stipulates that the loss of the majority of retail space is acceptable and the level of retail space provided should face Ealing Road. As such the development provides adequate level of commercial space that would face activate the elevation facing Ealing Road.
4. The proposal would provide 132 new homes in an accessible location along this intensification corridor. Therefore the introduction of housing in this location is supported by emerging policy context which is seeking to direct new homes within site allocations identified in the emerging Local Plan in line with Policies BP7 and BSWSA16. It is noted that the number of residential units proposed exceeds the indicative capacity of the site allocation of 80 homes, however the given the overall scale and sustainable location of the site, the density of units is considered acceptable. Furthermore, the proposed 132 new homes would contribute towards the Borough's housing targets.
5. The scheme also proposes three flexible commercial spaces (ranging from 103.97sqm to 266.03sqm) fronting on to Ealing Road and Alperton Lane. These units are to be used within use classes A1, A2, A3, B1, D1 and D2 (use class E from September 2020), Given the site's location outside of a designated town centre, it is recommended that a condition is secured for the size of any of these units to not exceed 499sqm. A dedicated community space is also proposed with a floorspace of 102.33sqm (falling within use class D1 (use class F2(b) from September 2020)) , fronting into Alperton lane. It will have its own entrance from Alperton Lane with a dedicated kitchenette and WC facilities.
6. Overall, the development is supported in principle and is considered to be appropriately compliant with key strategic policies relating to housing and employment floor space provision, factoring both adopted and emerging policies.

Relationship with Surrounding LSIS (industrial) Land

7. The sites immediately south and south west of the application are designated as Alperton South Locally Significant Industrial Site.
8. Policy BE2 of the draft Local Plan outlines that there is primary focus on retaining and encouraging

intensification of employment uses at this LSIS land within the use class B1c, B2 and B8 and closely related sui generis. This is consistent with London Plan policy, the council is seeking to ensure intensification of employment uses throughout the Borough. New residential development near to industrial land has the potential to affect the current or future operation of that land for industrial or warehousing purposes, and as such, this relationship must be carefully examined.

9. The proposed development is separated from the LSIS site on the opposite side of Alperton Lane by the road with a distance of approx. 20mm being maintained between the residential units within the development and the LSIS site. Likewise, there are residential units that face onto the neighbouring warehouse building to the west, but a minimum distance of 7.45m from the edge of the closest balcony to the boundary with the adjoining site is maintained. The noise report submitted with the application identifies that the development would not be affected by the established industrial uses within the vicinity of the application site. The local noise climate is dominated by vehicle traffic from Alperton Lane and some of the traffic would be associated with the industrial type uses in the LSIS land. The noise report has identified that appropriate glazing would be required to mitigate the noise levels from Alperton Lane. To maintain thermal comfort the proposal is seeking to include mechanical ventilation mechanism.
10. Therefore based on the above it is considered that the introduction of residential units at the site would not prejudice the ability for the businesses within the LSIS land or the industrial uses within the neighbouring site to operate in an appropriate manner. It is therefore consistent with the agent of change policy set within the emerging policies BP2 and BE2 within the draft Local Plan.

Affordable Housing and Housing Mix

Policy Background

11. Brent's adopted local Policies CP2 and DMP15 set out the requirements for major applications in respect of affordable housing provision, and stipulate that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction in affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target). As such, it does not require all schemes to deliver 50% Affordable Housing.
12. The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing.
13. The emerging London Plan (Intend to Publish Version) affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and that the following split of affordable housing provision is applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.
14. Brent's emerging Local Plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (emerging Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split. Brent draft Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.
15. Brent's draft Local Plan has yet to be examined fully by the Planning Inspectorate and as such the adopted Policy DMP15 would carry considerably more weight than the emerging policy at present.
16. The draft London Plan is at a more advanced stage than Brent's emerging Local Plan and has been

subject to comments from the Planning Inspectorate. Whilst concerns have been raised about some London Plan draft policies by the Inspectorate, none of those concerns relate to these policies and it can therefore be considered that this draft policy carries reasonable weight at this stage. The policy requirements can be summarised as follows:

17.

Policy context	Status	% Affordable Housing required	Tenure split		
Existing adopted policy	Adopted	Maximum reasonable proportion	70% Affordable Rent (to 80% Market)	30% Intermediate	
Emerging London Plan	Greater weight	Maximum reasonable proportion	30% Social / London Affordable Rent	30% Intermediate	40% determined by borough
Emerging Local Plan	Limited weight	Maximum reasonable proportion	70% Social / London Affordable Rent	30% Intermediate	

18. The proposal would provide the following mix of units:

	1 bed	2 bed	3 bed	Total
London Affordable Rented units	6	3	4	13
Shared Ownership units	1	5	0	6
Market Units	80	11	22	113
Total Units	87	19	26	132

19. The scheme proposes 14% affordable housing by unit (17% by habitable room) and a tenure split would be 68:32 Affordable Rent to Shared Ownership. Given that the level of affordable housing is under 50% target set out in policy DMP15, a financial viability appraisal (FVA) was submitted with the application. It was identified within the FVA that the development when comparing the Residual Land Value of the proposed development to the Benchmark Land Value there is a deficit of £11.2m. It highlights that the applicant is willing to accept a sub-market return in this case, whilst understanding the importance of providing affordable housing within the scheme.

20. The applicant's supporting financial viability assessment was robustly reviewed by consultants on behalf of the Council and this review concluded that the scheme would deliver a smaller deficit of £5.9m. This review highlights that the proposed development generates a deficit when benchmarked against the calculated site value, and the scheme is therefore delivering more than the maximum reasonable amount of Affordable Housing. The review has calculated lower benchmark site value of £7.23m in contrast to £9.18m put forward by the applicant. The proposed tenure split is weighted towards London Affordable Rent levels at 68% with shared ownership at 32%. This is a very marginal shortfall in the 70:30 split and the proposed offer is considered to represent the maximum reasonable amount of affordable offer, in accordance with adopted and emerging policy. The proposed affordable units would be located in the north western corner of the development and all units would be accessed through one core (i.e. Core C). The sensitivity analysis undertaken by the Council's consultants has demonstrated that private sale values would need to increase by 15% and construction costs would need to reduce by 10% in order to generate a residual land value greater than the benchmark land value. An appropriate post-completion review mechanism is recommended to be secured within the legal agreement to capture an additional

contribution to affordable housing should the viability of the scheme improve.

Housing Mix

21. The proposed development would result in the following housing mix of 18 x studio, 69 x 1 bedroom flats, 19 x 2 bedroom flats, and 26 x 3 bedroom flats. Policy CP2 seeks for at least 25% of units to be family sized (three bedrooms or more). Brent's emerging policy BH6 within the draft Local Plan carries forward this same target but specifies that 1 in 4 new homes should be provided as three bedroom homes. The proposal would achieve 20% family sized accommodation, with 30% of London Affordable Rented units as family sized homes. Whilst this falls short of 25% target, when balanced against the wider benefits of the proposal, including the delivery of a community space and provision of Affordable housing, officers weigh in favour of the benefits of the scheme over the shortfall in the number of family sized homes.
22. The proposed level of family sized units is considered to provide an appropriate balance between these policy objectives. Your officers consider that the proposed housing mix should be accepted on this basis.

Design, Character and Impact on the Street Scene

23. The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation, and Policy DMP1 requires the scale, type and design of development to complement the locality.
24. The surrounding area is mixed in nature with traditional two storey dwellings backing onto the northern boundary of the site. A row of two storey buildings are sited directly north east of the site facing Ealing Road. These buildings support a small row of commercial units and appear to support flats on the upper floors. A group of two and three storey residential buildings are located further east of the site. The built form further south and west of the site are industrial in nature which mainly comprise of warehouse type buildings.

Height

25. Draft policy BD2 in the emerging Local Plan relates to tall buildings. A tall building is defined as one that is more than 6m above the general prevailing heights of the surrounding area or more than 30m in height. Tall buildings are directed to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. In intensification corridors, the policy recommends that the general building height of 15m above ground level (approx. 5 storeys) could be acceptable. As previously highlighted the application site is designated as an intensification corridor and also forms part of a site allocation.
26. Two main blocks would be introduced that would occupy both the eastern and western sides of the site and a courtyard would be positioned in the centre of the development. The eastern block rising from four to seven storeys and the western block rising from three to seven stories (with the increased height located on Alperton Lane and corner of Alperton Lane/Ealing Road. These blocks would be linked to the north with a three storey element. A single storey community use structure would be located along the southern edge of the site fronting Alperton Lane.
27. The long view townscape study provided within the applicant's Design and Access Statement illustrates that proposal has the potential to provide a landmark feature along this part of Ealing Road. Whilst the building would in parts be taller than the 5 storey height set out within the draft Local Plan, as highlighted above the majority of the height would be focused along the southern segments of the site, and away from the existing residential properties on Burns Road. The reduction in height towards the north of the development would allow for an appropriate transition and relationship when considering the height of the existing dwellings north of the site. The site also sits at the lower part of Ealing Road with the land levels gradually rising towards Alperton Station and lowering towards Hanger Lane Station direction. The stepped approach to the building breaks up its massing and scale. The separation between both 7 storey blocks is substantial and this further breaks up the visual appearance of the height of the development.. Furthermore given the emerging height of the developments further north of the site the proposal would appear out of context within the wider area.
28. The lift overrun and stairwell at seventh floor level would be of a minimal footprint and not overly

dominant within the streetscene, and the addition of these facilities on top of the main building is common practice for such developments. The stepped approach to the building line along the eastern elevation would break up the bulk of the development when viewed from Ealing Road.

29. Overall, the proposal is considered to be of a high quality design, responding to the emerging Local Plan objectives of intensify the site for new homes and commercial uses. The benefits of the scheme are considered to outweigh the limited harm of the height exceeding 15m as set out in policy BD2.

Layout

30. The proposed building line fronting Ealing Road would be stepped and result in a gradual projection forward of the established built form. It responds to the splayed boundary on Ealing Road, and would allow for a large public realm area for pedestrian use to the east of the site. This would result in the introduction of tree planting and additional elements of soft landscaping, providing an enjoyable environment for pedestrians.
31. At ground level on the Alperton Lane frontage, the building is stepped back at least 5m from the back edge of the pavement (along this reduced down to 3.45m between the community building and loading bay). The upper floors overhang the ground floor and project closer to the Alperton Lane frontage but sit within the site boundaries. A sense of openness is still maintained when viewed from pavement level, and it is considered that this overhanging element would not have a harmful impact when viewed from street level.
32. Flexible commercial space would be introduced at ground floor level and would incorporate attractive glazed frontages. This design approach would provide active frontage facing Ealing Road and in turn would benefit this part of Ealing Road. Elements of the commercial space would wrap around the building and would face Alperton Lane. The proposed community centre would be situated to the south allowing degree of a visual connection between the courtyard and Alperton Lane. The design of this structure would also utilise large panelled glazing to the frontage creating a harmonious relationship.
33. The majority of units would be accessed from the Alperton Lane via the a gate from Alperton Lane which would lead to the central courtyard. There would be a sense of arrival to the entrance along Alperton Lane and clear legibility within the central courtyard. All communal space proposed would be easily accessed and overlooked. The proposed parking would be tucked away to the rear and would not be visible from the street scene. A refuse collection point would be located at north western portion of the site. Plant, refuse/recycling and cycle storage are located centrally at each core.
34. The western elevation would maintain a 9m separation distance with the flank boundary treatment with the adjacent site. This elevation would resemble the appearance of a mews style design with ground floor units having an entrance and in some instances have access to a private garden. This area would be gated off and provide access to the rear parking, refuse vehicles and additional service vehicles. The access way would not over dominant this portion of the site given the level of soft landscaping proposed. This would create a pleasant environment for residents gaining access to their properties situated to the west of the site. Having residential entrances sited here would create general activity and would benefit this area of the development.

Architecture and Materially

35. SPD1 states that the use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with local character.
36. The new build would comprise of a finish in charcoal, sand tone and tan tone brick with dark grey metal panelled façade detailing. The variation of materials to each elevation adds further distinction to each elevation and further articulates the stepping in massing. The varied range of materials adds a diversity to that would benefit the development and the street scene. The Design and Access Statement submitted with the application provides general samples of the materials proposed and these are considered acceptable in principle.
37. Overall, the building would be of a high-quality design and contain a contemporary design that would benefit from positive architectural features. The proposed materials are considered satisfactory and would complement the area. However, further details including samples of the external materials are recommended to be secured as a condition.

Impact on Neighbouring Occupiers

Separation Distance and Privacy

38. Any development are required need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. Separation distances of 18m between directly facing windows and 9m to boundaries should be maintained.
39. The main elevation of the northern elevation of the site would maintain a separation distance of 10.9m to 12.6m to the boundary with the rear gardens on Burns Road. The sites are separated by an access way. It is noted that the balconies facilitating Units 01.20 and 02.20 would fall just short of 9m to the boundary with the rear garden of No. 9 Burns Road (8.81m). This is a marginal shortfall and would not be considered to unduly comprise the privacy of the occupants of this address.
40. In relation to 18m separation distance between directly facing rear habitable room windows, there are a number of instances where the separation between the proposed building and the properties on Burns Road is less than 18m (Nos. 6 to 10 Burns Road) when measured from their ground floor rear habitable room windows. The worse affected is No. 9 Burns Road with a separation distance of 14.35m between directly facing windows within the development and the ground floor rear extension at No. 9 Burns Road (reduced to 12.14m when measured from the edge of the balcony). This is as a result of the shallow depth of gardens of the properties on Burns Road and varying depth of extensions added to these properties bringing their rear windows at ground floor closer to the boundary and within 9m of the rear boundary. At first floor level from the original outriggers a separation distance of 19m is maintained which complies with SPD1. Furthermore, given that overlook would only occur at first floor level and above, direct overlooking would take place to the upper floor windows of the properties on Burns Road where as overlooking to the ground floor windows would be at a splayed angle. Overall, it is considered that whilst there will be loss of privacy and overlooking to the occupiers of the properties on Burns Road, the degree of overlooking is considered to be within reasonable limits given the relationship between the sites.
41. In relation to No. 414 Ealing Road, the scheme does not include any sole facing habitable room windows on the flank elevation. As such, it does not rely on outlook over No. 414 Ealing Road. The northern link block maintained a separation distance of 9m to the service yard of No. 414 Ealing Road, and thus would not prejudice it from coming forward for redevelopment in the future.

Overbearing Appearance

42. SPD1 sets out that new developments should normally sit within a line drawn at 30 degree from the nearest rear habitable room window of adjoining development (measured at 2m high from internal floor level) and site within a line drawn at 45 degree from the neighbouring private rear garden area (measured at 2m above garden level). SPD1 further highlights The 2:1 rule for two storey extensions for commercial developments next to residential as well as between residential developments.
43. Section plans have been submitted that show the relationship of the building in relation to the properties on Burns Road. This has considered both the 30 and 45 degree angles. The plans demonstrate that the scheme sits within both the 30 degree line from the nearest rear habitable room windows of the properties on Burns Road and the 45 degree from the edge of the rear gardens. A 30 degree angle was taken from the worst case scenario from No. 9 Burns Road which has a substantial rear extension. A minor infringement of approximately 1.1m would occur in relation to the upper portions of the 3 storey element and the 5 storey element positioned along the northern parts of the site. The majority of the infringement would relate the screening for the proposed roof terrace gardens. This slight infringement is considered negligible and the overall relationship achieved is not considered to have negative impact on the occupiers of this property. The proposal would comply with the 30 degree angle taken from the additional properties along Burns Road.
44. The northern part of the of the eastern block would be within close proximity to the 414 Ealing Road which includes a commercial unit on the ground floor and a residential unit on the upper floor. Therefore 2:1 rule is taken into consideration to assess the relationship with the residential unit located on the upper floor of 414 Ealing Road. This neighbouring property contains a first floor rear projection and the side elevation of the proposal would be situated approximately 2.4m from the side elevation of this first floor projection. The proposal would extend beyond the rear elevation of this neighbouring projection by approximately 3.4m. The proposal would therefore fail to comply 2:1 rule, however SPD2 outlines that development should not interfere with a habitable room window (this includes kitchens but excludes

bathrooms, storage cupboards etc). During the course of the site visit it was noted that this window is obscured glazed and appears to serve a bathroom. Therefore this relationship is considered satisfactory.

45. Nevertheless, the impact of the proposal upon daylight and sunlight to neighbouring sites does need to be considered and this is discussed below.

Daylight and Sunlight

46. In terms of impacts on daylight and sunlight to neighbouring properties, BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. The BRE guidance sets a target of 0.8 times its former value.
47. To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months, or when amenity spaces receive less than two hours sunlight on 21 March or less than 0.8 times their former value.
48. However, the BRE also recognises that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas, and the NPPF 2019 also supports a flexible approach to applying standards in order to make efficient use of sites.
49. A sunlight and daylight assessment was provided with the application assessing the impact on the neighbouring properties within the vicinity of the application site. It tested Nos. 1 to 16 Burns Road, 406 – 408 Ealing Road, 412 Ealing Road, 1-2 Riverside Gardens and 1-23 Sundew Court.
50. The report concluded that 1 – 3 Burns Road, 15 and 16 Burns Road, 406 – 408 Ealing Road, 412 Ealing Road, and 1-2 Riverside Gardens, fully complied with BRE guidelines, and would not result in any material changes to daylight or sunlight as a result of this development.

Properties on Burns Road and 1-23 Sundew Court

Daylight and Sunlight

51. A number of properties on Burns Road (Nos. 5 to 14) and windows in Sundew Court, would experience a reduction in daylight beyond BRE guidelines in relation to either VSC or NSL. A number of habitable rooms would experience a reduction in VSC by up to 32.8% compared to the existing situation, and NSL by up to 59%. This is considered to be acceptable given the context of the site and the site allocation.
52. A summary of the affected rooms is set out below:

13 Burns Road - R1/F00 - habitable room served by two windows - one would continue to meet BRE guidance for VSC and the other window would experience a reduction of 25% in VSC retaining an actual figure of 22%. NSL will also be reduced by 29%

12 Burns Road - R1/F00 - habitable room served by two windows - reduction to both windows, with . NSL would also be reduced by 46%.

11 Burns Road - R1/F00 - habitable room to experience reduction in VSC by 27%. Actual retained value would be 23%. NSL reduced by 59%.

10 Burns Road - R1/F00 - habitable room to experience 28% reduction in VSC to both windows. Each window to retain actual VSC value of 21%. NSL to the room reduced by 47%.

9 Burns Road - R1/F00 - habitable room to experience reduction in VSC by 30/31% for both windows. Each window to retain actual VSC value of 21%. NSL reduced by 59%.

8 Burns Road - R1/F00 - habitable room to experience a reduction in VSC by 24%, with actual retained VSC value of 22%. NSL reduced by 50%.

7 Burns Road - Whilst VSC would continue to meet BRE guidelines for the habitable room, NSL

would be reduced by 54%

6 Burns Road - R2/F00 - habitable room to experience a reduction in VSC by 22% with an actual retained VSC value of 24%. NSL reduced by 36%

5 Burns Road - Kitchen to meet BRE guidance for VSC but reduction in NSL by 27%.

R1/F01 at No.14 Burns Road is considered to be a habitable room and is served by two windows. VSC to one window will experience a 33% reduction in VSC but the remaining window will comply with BRE guidelines. However the change to

53. Windows W8/F00, W9/F00 and W6/F01 at Sundrew Court would see changes between 27% and 30%. This would not comply with BRE guidance however the majority of daylight changes are in the lower brackets of 20-25%. NSL would be reduced by 22 to 45%. As such the proposal would retain suitable levels with the majority of windows at Sundrew Court and on balance it is considered that the proposal is acceptable as the majority of breaches will not exceed the BRE guidance significantly.

54. All rooms surrounding properties continue to receive sunlight in accordance with BRE guidelines.

Overshadowing to Rear Gardens

55. There are a number of cases where overshadowing to the gardens on Burns Road would occur, which increased the amount of garden that will experience a loss of direct sunlight beyond 2 hours for 50% of the garden area by over 20% from the existing situation. This relates to Nos. 4, 5, 7 and 9 Burns Road. In the worse the reduction is up to 40% for No. 7 Burns Road. It should be noted that the existing garden only received 2 hours direct sunlight to around 1% of its total area, and this would be reduced to 0.8% (40% change). However there is only a small area in the existing garden that sees two hours direct sunlight, and the resulting reduction would not be considered to materially alter how the space is used.

56. Overall, whilst it is noted that there are minor failings in relation to daylight of some of the nearby properties on Burns Road and overshadowing to some of the gardens on Burns Road, the reductions are considered reasonable given the nature of the site, the urban context of the area and allocation of the site. On balance, the impact to the neighbouring properties is acceptable in the context of the wider benefits of the scheme.

57. Furthermore at paragraph 123 of the National Planning Policy Framework (NPPF), it is stated that “when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”.

58. Given the site allocation which envisions a dense development and the surrounding sites have been factored into account and the relationship is considered satisfactory. As a result there is some expectation for the development not to fully comply with the daylight and sunlight guidance given that site forms part of an intensification corridor where by additional height is expected when taken into consideration the surrounding context.

Quality of Accommodation

Daylight + Sunlight

59. A daylight and sunlight report was submitted with the application assessing the internal arrangement of the proposed residential units. The Annual Daylight Factor has been used to analyse the proposed units. The BRE guidelines outline the following ADF levels recommended for habitable room uses; 1% for bedrooms, 1.5% for living rooms and 2% for kitchens.

60. The assessment reviews internal daylight of the most sensitive properties given certain units orientation facing the courtyard which have the potential to be self impacted due to the projecting wings however as discussed in greater detail below these properties would achieve the required Average Daylight Factor (ADF) levels.

61. There are no stand alone kitchens associated with the proposed units. The majority of kitchen areas would be linked by a living room area that receives good levels of light. It is noted that some units would fail as certain windows would be located beneath balconies, however this is considered acceptable given the amenity value these balconies would provide to each of the proposed units. These windows were

assessed while removing the balconies and it is noted that there would be a slight shortfall in ADF. The proposed materials used would allow natural reflectance to the proposed units.

62. The information submitted demonstrates that the proposal would not significantly fall short of the BRE Average Daylight Factor targets. Whilst not all rooms will receive ideal levels of sunlight, the BRE guide does not give mandatory requirements for sunlight availability. The marginal shortfall is considered satisfactory given the overall quality of the proposed accommodation.
63. Overall, the internal configuration and layout of each flat provides sufficient outlook and access to daylight.

Floorspace Requirements

64. DMP18 outlines that the size of dwellings should be consistent with London Plan Policy 3.5 Table 3.3 Minimum Space Standards for New Dwellings. This is also set out in draft policy D6 of the emerging London Plan.
65. A large proportion of the new homes meet or exceed minimum space standards as required by the above policy. There are however a small number of number of the new homes (7 in total) that fall very marginally below minimum internal space standards, by less than 1sqm. These are mainly within the smaller units (one and two bedrooms homes) and within all tenures. Nevertheless these units still meet minimum space standards for the single and double bedrooms, and the marginal shortfall by 1sqm is not considered significant to result in a poor level of accommodation for the proposed scheme.
66. Cores B, C and D would not support more than 8 individual units which complies with London Plan. It is noted that the first floor to fifth floor at Core A would support 9 units the overspill of one unit of the preferred 8 units per core is not considered detrimental to the future occupants. This would not have negative impact on social cohesion on each of these floors. Therefore the overall objectives of the Mayor's Housing SPG.

Aspect

67. The configuration of the proposed new homes would minimise single aspect north facing units (2 no. one bedroom flats within the northern link block). It is noted that units 01.16 and 02.16 would incorporate a single aspect arrangement facing north however this is minimum number when considering the internal configuration of the units of the overall scheme There are a number of single aspect east and west facing homes. The proposal equates to approximately 35% single aspect units, however these units would result in good outlook as a separation distance between the blocks east and west of the courtyard would be 25m. Furthermore the units along western elevation of the site would not be blocked significantly by any built form. The units would have access to satisfactory levels of daylight and given the internal configuration the levels of outlook for these units would be satisfactory.

Accessibility

68. Policy 3.8 of the London Plan states that 90% of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and 10% should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings'. Draft London Plan policy D7 further emphasises this Building Regulation requirement. The development has been designed so as to be step-free with level access from the external environment for residents and visitors through clearly visible and identifiable entrances from the public realm.
69. The scheme has been designed to inclusive design and access standards for the approaches, communal circulation and interiors of the dwellings (subject to detail design) have been designed in accordance with Building Regulations Part M4(2) 'accessible and adaptable homes' with 13 units designed to Building regulations M4(3) 'wheel chair accessible homes standards' and the Building Regulations Part K (accounting for over 10%). As such, this is in line with policy 3.8 of the London Plan which seeks 10% of homes in major developments being adaptable for use by disabled residents.

Privacy

70. In terms of privacy between blocks, a distance of 20m is maintained between balconies overlooking the central podium garden. Screening is recommended to be secured by condition to prevent overlooking

between adjoining balconies.

71. It is noted that units 01.19 and 02.19 would contain bedroom windows that would be sited within close proximity to the balconies associated with units 01.18 and 02.18 which would require appropriate screening. This relationship is considered acceptable given that the lounge area would have appropriate levels of outlook and aspect. Furthermore, the lounge area would have access to private balcony and as a result the overall internal layout of these units are considered satisfactory. The proposed floorspace of these subject units would exceed the London Plan floorspace requirements.
72. At ground floor level, a landscape buffer is provided between the ground floor units and the parking area, to provide a sense of separation and maintain privacy. The new homes facing the car park are dual aspect, and these also face onto the communal garden. Allowing habitable room windows onto the car park and access road would provide the benefit of natural surveillance.

Amenity Space

73. DMP19 and BH13 outlines that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats). New developments should provide private amenity space to all dwellings. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be supplied in the form of communal amenity space.
74. In line with policy DMP19 and emerging policy BH13, the scheme would be required to provide a total of 2,640 sqm of amenity space (i.e. 132 x 20sqm) The proposal would not incorporate any three bedroom units on the ground floor. The policy states that this should be private external amenity space per unit but recognises that in denser schemes this can be difficult to solely achieve through private amenity space, and allows the shortfall to be offset through communal amenity space. The proposal would result in each unit having access to private amenity space via private balcony or private terrace at ground floor level, that has a minimum of 5sqm with a depth of 1.5m as required by the London Plan. To offset the shortfall, a courtyard on the ground floor would be provided followed by terraces on the third and sixth floors.
75. Each Core (A, B, C + D) would have access to have access to certain roof terraces. Cores A and B would have access to the roof terrace on the sixth floor (Roof Terrace 1). Cores B + C would have access to the roof terrace on the third floor (Roof Terrace 2). In addition to this Core D would have access to a roof terrace on the sixth floor (Roof Terrace 3). All units would have access to the courtyard located in the middle of the site and this amounts to 630sqm. A percentage of space from the courtyard has been proportioned to each core based on the number of units associated with each core. This approach has also been taken into consideration for the cores that share any roof terrace space. Core C would comprise of the proposed affordable units and the additional Cores would occupy the additional private units.

Amenity Space Breakdown

Core	Amenity Space required	Cumulative private amenity Space Provided	Cumulative shortfall in private amenity space	Communal Courtyard Allocation	Roof Terrace	Total	Total cumulative Shortfall
A	980 sqm (49 units x 20 sqm)	314 sqm	666 sqm	233 sqm (37% Courtyard)	331 sqm (61% Roof Terrace 1)	564 sqm	102 sqm
B	620 sqm (31 units x 20 sqm)	170 sqm	470 sqm	145 sqm (23% Courtyard)	212 sqm + 255 sqm (39%)	612 sqm	No Shortfall

					Roof Terrace 1 + 63% Roof Terrace 2)		
C	360 sqm (18 units x 20 sqm)	149 sqm	225 sqm	88 sqm (14% Courtyard)	150 sqm (37% Roof Terrace 2)	238 sqm	No Shortfall
D	680 sqm (34 x 20 sqm)	265 sqm	415 sqm	164 sqm (26% Courtyard)	235 sqm (100% Roof Terrace 3)	399 sqm	16 sqm

76. As highlighted above the shortfall in external amenity space across the scheme is 118 sqm which is minor in comparison to the policy target. Each new home would have access to the private amenity space via balconies and would have entry to good quality communal amenity space. In addition to this, Alperton Sports Ground is within close proximity to the site where there are numerous recreational facilities. It is anticipated for a slight shortfall given the overall scale of the development however the minor shortfall identified above is not considered significant. It is considered that amenity space provision has been reasonably maximised across the development, utilising all rooftops where possible. It is therefore considered that such a shortfall should be accepted given that the wider benefits of the scheme and that the development proposal is within a site allocated for residential development.

Play Space

77. Policy 3.6 of the adopted London Plan requires that on site play space is provided to service the expected child population of the development. These requirements are carried through within the emerging London Plan under policy heading S4.
78. A total of 390 sqm of the communal space would be allocated for playspace for children aged between 0-11 which would exceed the GLA requirement of 383sqm based on the population yield calculator. Natural play elements are integrated into the courtyard design focused on the central greenspace. Doorstep playspace is featured around the edges of the central space for 0-5 year olds with play for the 5-11 years old age group in the centre. In addition to this a playground is also located at the Alperton Sports Grounds which is walking distance from the application site.

Transport and Highway Considerations

79. Alperton Lane is a local distributor road, from which the site is accessed. There are double yellow lines from Ealing Road to the vehicle access and single yellow lines across the vehicle access up to 15m beyond it. On-street parking is currently unrestricted beyond this. The site has a PTAL rating of 5.

Parking

80. The proposal would include 15 parking with four of these spaces designated as disabled spaces which would be 3% from the outset. 12 spaces can be reconfigured to provide additional disabled parking which would exceed the 10% requirement. These spaces would be secured as part of a condition as part of any consent. Based on Development Management Standards the maximum allowance on site is 110 spaces. According to census data for flats the car parking demand is less than 0.5. The site contains a PTAL rating of 5 and therefore the proposal would meet the Development Management Plan's standards for car free. Furthermore emerging Policy T6 of the draft London plan outlines the importance for new development proposals to be car-free while seeking to utilise more sustainable forms of transportation and promote less reliance on cars throughout London. The level of parking spaces proposed is within the maximum parking standards. In order to address mitigation from overspill parking, a contribution of £70,000 towards the consultation and implementation of a controlled parking zone within the vicinity of the site would be secured through the Section 106 Agreement. The removal of parking permits for future residents would also be secured within the Section 106 Agreement. There is no requirement to provide car parking for the commercial uses or the community use, given the accessible location of the site.

Three of the car parking spaces would be utilised as electrical charging points. This would be secured as a condition to any forthcoming planning consent.

Cycle Parking

81. The proposal would require 212 long-term spaces cycle spaces based on the draft London Plan requirements. The proposal would provide a total of 216 spaces in three cycle stores located on the ground floor. The residential units require four short-stay spaces, with a further 14 or so spaces required for the non-residential floorspace. Sixteen 'Sheffield' stands (32 spaces) are proposed along the Ealing Road and Alperton Lane site frontages to more than satisfy this requirement. The cycle parking will be secured as a planning condition.

Servicing

82. The proposal would require 212 long-term spaces cycle spaces based on the draft London Plan requirements. The proposal would provide a total of 216 spaces in three cycle stores located on the ground floor. The residential units require four short-stay spaces, with a further 14 or so spaces required for the non-residential floorspace. Sixteen 'Sheffield' stands (32 spaces) are proposed along the Ealing Road and Alperton Lane site frontages to more than satisfy this requirement.

Servicing

Refuse:

83. Each core has its own refuse store, which provides ease of access for the residents to the stores. However, these would be located more than 10m carrying distance from the vehicle for refuse operatives. The applicant proposes to overcome this issue by employing a waste management team to transport the bins from the stores to a refuse holding area in time for the weekly refuse collection. This holding area will be located in the north-western corner of the site and a tracking diagram has been provided to show that a refuse vehicle can access and egress the site in a forward gear by reversing into this holding area. The tracking diagrams demonstrate that an appropriately sized vehicle can access and egress the site in a forward gear. The refuse vehicle will enter the site to collect the waste from the dedicated collection area. This arrangement is therefore considered satisfactory, however a waste management plan has been conditioned.

Servicing:

84. The commercial units would also require servicing and a Delivery and Servicing Plan has been submitted that indicates that the commercial elements of the proposal would result in a demand of four vehicles per day. These will be expected to be pre-booked, whilst the plan also confirms that a concierge will be provided for the residential units to manage deliveries.

85. A loading bay would be located along Alperton Lane which is positioned satisfactory distance from the flexible commercial unit. The Transport Officer raised no objections to the location of the loading bay and this would support the appropriate vehicle for servicing the commercial units.

Transport Impact

86. The Transport Assessment has used surveys of a number of other residential, retail and gym units in outer London to predict likely future trip numbers. This exercise produces estimated trips totalling 14 arrivals/66 departures in the morning peak hour (8-9am) and 39 arrivals/23 departures in the evening peak hour by all modes of transport.

87. On the basis that an average of 28% of trips would be by car drivers, the number of vehicular trips have been calculated as 4 arrivals/18 departures in the AM peak and 11 arrivals/6 departures in the PM peak. Whilst the am peak hour movements would be additional to the network, it should be noted that the estimated pm peak hour vehicular trips are lower than the existing movements into and out of the retail store at present, so represent a reduction in flows on the local road network.

88. A Transport Assessment that Brent commissioned in 2016 for the Alperton Housing Zone (AHZ) indicated that the adjoining priority junction of Alperton Lane and Ealing Road would require minor widening to provide capacity improvements in the pm peak hour, with a predicted ratio of flow to capacity (rfc) value of 0.86 in the pm peak hour for the year 2026 once the redevelopment of the area is built out

(the maximum recommended rfc value is 0.85). The AHZ assessment therefore recommended securing of a strip of land from this site to allow the junction to be widened.

89. Developments that have been approved in the Alperton area since the AHZ Transport Assessment was written have tended to provide less parking than had been assumed and therefore generate less vehicular movements. Taking these factors into account, Brent's transport officers have re-run the model for this junction with the reduction in traffic flows and this has produced a maximum rfc value of 0.82 for the weekday peak hour. On this basis, the suggested works to widen the junction are no longer considered necessary and would in any case be detrimental to pedestrian movement across the Alperton Lane junction.
90. It is noted that this development would result in an increase in am peak hour vehicular trips through the Alperton Lane/Ealing Road junction. However, the AHZ Transport Assessment indicated that there is plenty of spare capacity at the junction in the morning peak hour to accommodate this increase in flows.
91. For public transport, the development is estimated to generate 3 arrivals/12 departures by bus in the am peak hour and 7 arrivals/4 departures in the pm peak hour. Combined rail and tube trips are estimated at 5 arrivals/22 departures in the am peak hour and 13 arrivals/8 departures in the pm peak hour. This amounts to less than one additional passenger per bus and tube service in the vicinity of the site, so is not considered to have any noticeable impact on service capacity.
92. The applicants have submitted a Travel Plan setting out measures to try to minimise the number of car trips made to and from the development and to increase 'active' travel.
93. The Travel Plan includes a number of measures, particularly centred around promotion and publicising of options, to be implemented by a Travel Plan Co-ordinator. One of these measures is the promotion of local Car Clubs, with a proposal being included from Zipcar to promote its local car club network to future residents and offer them three years' free membership. Given the number of vehicles operating in the area already, Zipcar does not propose to base a vehicle at the site, although this could be reviewed in the future if use of vehicles is high enough. The Travel Plan will be monitored using the TRICS survey methodology over a five year period and this is welcomed. The Travel Plan is therefore considered acceptable and this would be secured through the Section 106 Agreement.

Other Matters:

94. A Healthy Streets Assessment was submitted with the application and it was highlighted that the adjoining streets are heavily trafficked with certain pinch points along the footways due to the bus shelters. However the overall score is satisfactory given the nature of the area. Improvements would be made to the site frontage. The improvements to the pathway facing Ealing with the introduction of soft landscaping would benefit pedestrians using this pathway.
95. A Construction Logistics Plan in compliance with TFL would be required and this has been recommended via a condition. These details are required to demonstrate what impacts construction will have on the highway, including the numbers type and routings of construction vehicles, where they will park and how they will access the parking areas.
96. A S106 obligation would be required for S38/278 Agreement is entered into for the construction of the loading bay and alterations to the access point to the south west of the site. Further S278 works would be required in order to make the junction of Alperton Lane with Ealing Road more pedestrian and cyclist friendly. Furthermore the works would be required to remove all redundant accesses to the site and to resurface the footways of Alperton Lane and Ealing Road along the site frontages.

Tree Consideration, Landscaping Provision and Urban Greening

97. The Design and Access Statement submitted with the application reveals that the applicant is seeking to include soft landscaping and planted trees along the public realm facing Ealing Road which as outlined above would assist in greening the street. Additional landscaping would be incorporated along the western parts of the site. A series of upper floor terraces would also be featured, along with the central courtyard which provides large amounts of green space. No trees would be lost on site and proposal would result in additional planting of trees which would benefit the area. This would result in an overall increase of 17 trees on site that would be located along the public pathway facing Ealing Road, the central courtyard and the access way west of the site.

98. An Arboricultural Report was submitted with the application. There is a group of low quality sycamore (T2, T3 and T4) growing just outside the western boundary. Alongside Ealing Road, to the east of the site, there are three semi-mature lime. No trees are proposed to be removed. Adequate areas of shrub bed have been provided which will allow retained trees to reach their potential. Protection measures have been specified to protect the Root Protection Area of all retained trees. Overall the arboricultural impact of this development on existing trees will be minimal. The Tree Officer reviewed the information submitted and was satisfied with the findings of the report.
99. Detailed plans of the landscaping's individual features will be secured through a landscaping condition.

Sustainability

100. Policy 5.2 of the adopted London Plan and draft policy SI 2 of the Intend to publish London Plan require major developments to achieve carbon savings beyond the requirements of Building Regulations. These are referred to as 'be lean' (fabric efficiency), 'be clean' (clean source of energy supply) and 'be green' measures (use of renewable energy technologies). A zero carbon development is ideal, however the policies acknowledge the practical difficulties of this and allow for a minimum of 35% improvement beyond minimum Building Regulations requirements with the remaining regulated carbon emissions being financially offset instead. Policy SI 2 stipulates that at least 10 points of the 35 point minimum saving must be from 'be lean' for the domestic part of the development whilst at least 15 points of the 35 point minimum must be from 'be lean' for the non-domestic workspace part of the development.
101. An Energy and Sustainability report has been submitted with the application. A 'Lean, Clean, Green' has been adopted and the development achieves an overall improvement (DER/TER) in regulated emissions at over 64.15% beyond Part L 2013 standard, through the adoption of high standards of insulation, heat pump driven heating/hot water systems, heat recovery ventilation systems and a roof mounted PV array. The roof would accommodate 58 PV panels facing south. The most suitable solution to meeting reduction in CO₂ emissions would be via the use of heat pump technology for the generation of heating & hot water. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment will be secured through a legal agreement to any forthcoming consent. With the modelling provided, a payment of £90,180 would be secured for this purpose.
102. Brent's adopted CP19 policy and draft BSU11 policy require all major non-residential development (i.e. non-residential floor space in excess of 1,000sqm) to achieve a BREEAM standard of 'Excellent'. The proposal would contain approximately 620sqm of commercial space and therefore is not subject to this policy requirement. The commercial units would be mechanically ventilated, utilising heat recovery systems.
103. The development minimise water use as far as practicable by incorporating appropriate water efficiency and water recycling measures. The applicants will ensure that all dwellings meet the required level of 105 litres maximum daily allowable usage per person.
104. The proposal would utilise mechanical ventilation systems with heat recovery combined with an air tight construction. It has been outlined that the use of a fully natural ventilation strategy is not considered appropriate and the associated noise ingress could conflict with the requirement to protect the viability of the adjacent uses. The residential spaces are to utilise a low energy mechanical ventilation strategy, with opening windows for additional purge ventilation.

Environmental Considerations

105. A Noise Impact Assessment has been submitted with the application. The south and east facades on Ealing Road and Alperton Lane will experience high levels of road traffic noise. Bedrooms and living rooms on these facades will require enhanced acoustic specification glazing in order to achieve suitable internal noise levels. The noise report outlines that windows would to be openable for occasional purge ventilation and additional ventilation mechanisms would be used to mitigate any overheating. The energy statement submitted with the application identifies that the proposal would utilise mechanical ventilation throughout the entire development.
106. An assessment of noise vibration generated from potential gym equipment on the ground floor has been carried out. It is concluded that a suitable impact-isolating gym flooring will be necessary to control vibration impacts. Furthermore suitable airborne sound insulation between the gym and all

residential units would be used. The external plant areas would include acoustic screens.

107. A condition will be applied requiring the development to be implemented in accordance with the details of the noise impact assessment and for evidence of the mitigation measures implemented to be submitted.
108. The proposed site is within an air quality management area and London Plan policy 7.14 is relevant. An Air Quality Assessment has been provided with the application. The Environmental Health Officer reviewed the information and was satisfied with the information provided. The results indicate that the redevelopment of the site would not result in a significant impact on local air quality, and that no mitigation measures are required in terms of health risk to future residents due to exposure to of high levels of concentrates of pollutants, as the new homes facing Ealing Road and Alperton Lane are located above ground floor level and within the recommended levels of exposure of NO₂ concentrations.
109. The works would implement a Dust Management Plan to effectively minimise any potential impact to nearby properties. Traffic generated by the proposed development is not expected to significantly affect local air quality. Heat and hot water will be supplied to the mixed use development through a centralised electrically driven heat pump systems, generating zero local NO₂ and PM pollution. The building related emissions would be air quality neutral.

Construction Noise and Dust

110. The development is within an Air Quality Management Area and located very close to residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. The applicant will need to submit a construction management plan to set out how external environmental impacts from construction processes will be minimised. This will be secured by condition. Furthermore, a condition governing the need for non-road mobile machinery to meet reasonable emission limits is also recommended to be applied to the decision.

Contamination Land

111. The site and surrounding area has been identified as previously contaminated and therefore a full assessment of land contamination should be undertaken. The applicant has provided a desk top study undertaken and Environmental Health Officer reviewed the document. The findings highlighted that a site investigation is required. Conditions are recommended requiring an investigation of land contamination to be carried out following demolition of the buildings on site. The findings will need to be submitted to the Council through a condition. Based on the findings, a remediation strategy may be necessary and a condition will require that the means of remediation are demonstrated.

Lighting

112. Any new lighting at the proposed site should be installed considering existing homes and buildings. The new development must not give rise to light or other nuisance to nearby residents. A condition will require that, should external lighting be installed, details of the lighting, including a measure of lux levels, is submitted and approved by the Council – this will be incorporated as part of the landscaping condition.

Flooding and Drainage

113. London Plan Policy 5.13 and Brent Policy DMP9B require sustainable drainage measures to be implemented as part of major developments. Draft London Plan policy SI12 states development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy BSUI4 of the Draft Local Plan highlights the importance of a good drainage strategy.
114. A Drainage and SuDS Strategy Report was submitted with the application. The site is located within a Flood Zone 1 area and therefore would have little risk of flooding. The proposed SuDS design strategy provides mainly source control techniques of green roof / blue roof and permeable paving with rain water harvesting techniques appropriately designed at detail design stage. The SUDS strategy would mitigate the surface water risk on site. The report further provided a maintenance management plan that should be considered throughout the lifetime of the development.
115. Surface water will be discharged into the existing Thames Water surface water sewer network directly adjacent to the proposed development in Alperton Lane. Thames Water were consulted during

the course of the application and raised no objections. Conditions were requested in relation to the works tied to the subsurface potable water infrastructure and a detailed piling method statement.

Equalities

116. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

117. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of a Section 106 Agreement.

118. The development would provide a suitable and attractive built addition along the Ealing Road intensification corridor, providing an appropriate transition with the established residential properties within the locality. Whilst the development would incur some limited level of harm to the daylight and sunlight enjoyed at neighbouring properties, a balance has to be struck between different planning objectives, and the provision of a significant quantum of new homes (including affordable homes) and a community use is a significant planning benefit that carries significant weight. Whilst the scheme does fall marginally short on external amenity space targets set out in Policy DMP19 and draft Policy BH13, the quality of accommodation is considered to be good and this would be mitigated through its proximity to Alperton Open Space.. As such, the conflict with adopted and emerging policy is limited and would be outweighed by the wider benefits of redeveloping the site for affordable housing.

119. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal should be approved subject to conditions and a Section 106 obligation.

CIL DETAILS

This application is liable to pay **£3,519,468.28** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): 1806 sq. m.

Total amount of floorspace on completion (G): 11986 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	11378		9663.61	£200.00	£0.00	£2,881,826.82	£0.00
(Brent) Shops	506		429.76	£40.00	£0.00	£25,632.00	£0.00
(Brent) Non-residential institutions	102		86.63	£0.00	£0.00	£0.00	£0.00
(Mayoral) Dwelling houses	11378		9648.9	£0.00	£60.00	£0.00	£585,951.16
(Mayoral) Shops	506		429.1	£0.00	£60.00	£0.00	£26,058.30
(Mayoral) Non-residen			0	£0.00	£60.00	£0.00	£0.00

tial institutions							
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BCIS figure for year in which the charging schedule took effect (Ic)	224	330
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£2,907,458.82	£612,009.46

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

**Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 20/1683

To: Ms Barrett
Maddox and Associates Ltd
68 Hanbury Street

London
E1 5KL

I refer to your application dated **10/06/2020** proposing the following:

Demolition of existing building and redevelopment of the site to deliver a building of between three and seven storeys in height comprising residential homes and flexible commercial space, with associated outdoor communal amenity space at courtyard and roof levels, widened pavement along Ealing Road and Alperton Lane to accommodate new outdoor public space, car parking, cycle storage, refuse storage, hard and soft landscaping and plant

and accompanied by plans or documents listed here:
Refer to condition 2

at **416 Ealing Road, Wembley, HA0 1JQ**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 05/01/2021

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

Adopted Policy

- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)

Emerging Policy

- The Intend to Publish London Plan (2019)
- Brent's Local Plan (Reg 19 Version – 2020)

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

Plans: _

ALP-PDP-ZZ-ZZ-DR-A-01_000, ALP-PDP-ZZ-ZZ-DR-A-01_001,
ALP-PDP-ZZ-ZZ-DR-A-02_000 (Dated 16/11/2020), ALP-PDP-ZZ-ZZ-DR-A-02_001
(Dated 16/11/2020), ALP-PDP-ZZ-ZZ-DR-A-02_002 (Dated 16/09/2011)
ALP-PDP-ZZ-ZZ-DR-A-02_003 (Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_004
(Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_005 (Dated 16/09/2020),
ALP-PDP-ZZ-ZZ-DR-A-02_006 (Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_007
(Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_008 (Dated 16/09/2020),
ALP-PDP-ZZ-ZZ-DR-A-02_009 (Dated 16/11/2020), ALP-PDP-ZZ-ZZ-DR-A-02_020
(Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_021 (Dated 16/09/2020),
ALP-PDP-ZZ-ZZ-DR-A-02_022 (Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_023
(Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_024 (Dated 16/09/2020),
ALP-PDP-ZZ-ZZ-DR-A-02_025 (Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_026
(Dated 16/09/2020), ALP-PDP-ZZ-ZZ-DR-A-02_100 (Dated 12/05/2020),
ALP-PDP-ZZ-ZZ-DR-A-02_101 (Dated 12/05/2020), ALP-PDP-ZZ-ZZ-DR-A-02_102
(Dated 12/05/2020), ALP-PDP-ZZ-ZZ-DR-A-02_103 (Dated 12/05/2020),
ALP-PDP-ZZ-ZZ-DR-A-02_200 (Dated 16/11/2020), ALP-PDP-ZZ-ZZ-DR-A-02_201
(Dated 16/11/2020), ALP-PDP-ZZ-ZZ-DR-A-02_202 (Dated 12/05/2020),
ALP-PDP-ZZ-ZZ-DR-A-02_203 (Dated 16/11/2020), ALP-PDP-ZZ-ZZ-DR-A-02_300
(Dated 12/05/2020), ALP-PDP-ZZ-ZZ-DR-A-02_301 (Dated 12/05/2020),
ALP-PDP-ZZ-ZZ-DR-A-02_707 (Dated 12/05/2020), ALP-PDP-ZZ-ZZ-DR-A-02_600
(Dated 12/05/2020), 33287_01_P (Dated 12/05/2020), 33287_02_P (Dated

12/05/2020), 33287_03_E (Dated 12/05/2020), 33287_04_E (Dated 12/05/2020), 33287_05_S (Dated 12/05/2020), ITL14664-GA-006 REV. D, ITL14664-GA-005 REV. D, ITL14664-GA-012 REV. B, 10760-LD-PLN-200 E

Information Submitted:

Air quality assessment by eb7

Arboricultural Impact Assessment by SJ Stephens Associates

Drainage / SuDS strategy report by eb7

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The scheme hereby approved shall contain 132 residential homes as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 The development hereby approved shall contain 506 sqm commercial space which shall be used as Class E (formerly Use Classes A1, A2, B1, D1 and D2)and 102sqm Class F2(b) (Use Class D1) shall not be used other than for purposes as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

The floorspace for individual units set out above shall not exceed 499sqm, unless an application is firstly submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of proper planning and to ensure the adequate provision of commercial, employment and community floorspace.

- 5 Units 01.11, 01.19, 02.11, 02.19, 03.11, 03.18, 03.20, 04.11, 04.15, 04.16, 05.11, 05.13, 05.14 shall be constructed so that 90% of the residential units will comply with Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% will comply with M4(3) 'wheelchair accessible homes' standards.

Reason: To ensure the provision of accessible homes, in accordance with the Mayor's Housing SPG 2015.

- 6 A communal television aerial and satellite dish system for each building, or a single system for the development as a whole, shall be provided, linking to all residential units within that building unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 7 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary

planning guidance “Control of Dust and Emissions During Construction and Demolition” dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1 and London Plan policies 5.3 and 7.14.

- 8 The residential car parking space, commercial loading bay, residential and commercial cycle and refuse storage shall be provided in full prior to first occupation of the development, and shall be used for the parking of vehicles, servicing, and storage of cycles/bins associated with the development and shall not be used for any other purpose unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway flow and safety.

- 9 The development hereby approved shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 10 The residential units hereby approved shall at no time be converted from use class C3 residential to a use class C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any equivalent provision in any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 11 Unless alternative details are first agreed in writing by the Local Planning Authority, the tree protection recommendations set out in the submitted Arboricultural Impact Assessment (prepared by SJ Stephens Associates dated 24th March 2020) shall be fully implemented throughout the demolition of the existing building(s) and construction of the development.

Reason: To ensure the development suitably protects trees that could be damaged by the development.

- 12 Prior to the commencement of the development a Construction Method Statement (CMS) shall be submitted through the submission of an application of approval of details to the Local Planning Authority, outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works.

All agreed actions shall be carried out in full.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the

development that would otherwise give rise to nuisance.

Reason for pre-commencement condition: These impacts can arise at any time from the start of construction works, and adequate controls need to be in place at this time.

- 13 Prior to commencement of development, a Construction Logistics Plan, identifying anticipated construction traffic movements and setting out measures to manage and minimise the construction traffic impacts arising from the development, taking into account other construction projects in the vicinity, shall be submitted through the submission of an application of approval of details to the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the approved Construction Logistics Plan.

Reason: To ensure construction traffic impacts are effectively managed throughout the construction process.

Reason for pre-commencement condition: Construction traffic impacts can arise at any time from the commencement of works, and adequate controls need to be in place from this time.

- 14 Prior to the commencement of the development, a revised Fire Safety Strategy shall be submitted through the submission of an application of approval of details to the Local Planning Authority. The strategy should confirm details of the specific materials to be used in the construction of the development to ensure a fire resistant development. The Fire Safety Strategy shall be implemented in full following commencement of the development.

Reason: To ensure that the development has thoroughly considered fire safety at the planning stage, in line with the requirements of policy D12 in the Intend to Publish London Plan.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 15 Prior to commencement of the development hereby approved, information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted through the submission of an application of approval of details to the Local Planning Authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 16 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing through the submission of an application of approval of details to the Local Planning Authority in

consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

- 17 (a) Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options and a Remediation Strategy should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to and approved by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site

- 18 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), the following shall be submitted through the submission of an application of approval of details to the Local Planning Authority;

- (a) Details of materials for all external surfaces of the building
- (b) Details of the proposed entrances gates
- (c) Details of screening to be installed on the proposed balconies
- (d) Details of screening linked to the proposed roof terrace areas.

The works shall be carried out with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 19 Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted through the submission of an application of approval of details to the Local Planning Authority

The submitted scheme shall set out detailed proposals for the following aspects:

- a) Hard surfacing, any external furniture and play equipment, and boundary treatments throughout the site
- b) details of soft landscaping (including species, location and densities) together with design of tree pits for 17 trees planted within the site.
- c) details of any external CCTV.
- d) details of proposed external lighting design including a light spillage plan taken into consideration neighbouring properties.
- e) arrangements for maintenance of trees and other planted species.
- f) external refuse details.

The approved landscaping scheme shall be completed prior to the first occupation of the development hereby approved, or in the case of planted elements, within the first planting season after the occupation of the development hereby approved and thereafter maintained, unless alternative details are first agreed in writing by the Local Planning Authority.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality, provides functional spaces and to maximise biodiversity benefits.

- 20 Within six months of commencement of works above ground level, further details of rooftop PV installations (including a roof plan and section plans) to achieve the carbon emissions reductions agreed through the s106 agreement shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application of approval of details, and thereafter implemented in accordance with the approved plans.

Reason: To ensure the maximum reasonable carbon emissions reductions are achieved on-site.

- 21 Within six months of commencement of works above ground level, details of the roof plants and appropriate screening shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application of approval of details. The scheme shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 22 Prior to occupation of the development hereby approved, a Car Park Management Plan shall be submitted to and approved in writing through the submission of an application of approval of details to the Local Planning Authority, setting out how parking spaces shall be allocated to residents with the most need for parking. All parking spaces shall be made available on short-term leases rather than sold to individual residents or workspace users. The allocation and management of parking spaces shall be conducted in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that parking spaces are allocated to residents and workspace users with the greatest need for parking.

- 23 Prior to occupation of the development hereby approved, a Delivery and Servicing Plan shall be submitted to and approved in writing through the submission of an application of approval of details to the Local Planning Authority. The Delivery and Servicing Plan shall include details of the use of off-carriageway servicing space for the commercial units.

The development shall thereafter operate in accordance with the approved Delivery and Servicing Plan.

Reason: To ensure the development provides a safe and efficient environment in respect of the interplay between pedestrians and delivery/servicing vehicles.

- 24 Prior to first occupation of the proposed development a Waste Management Plan shall be submitted through the submission of an application of approval of details to the Local Planning Authority and the approved details shall thereafter be implemented from first occupation of the development.

Reason: In the interest of the free and safe flow of traffic on the highway network.

- 25 Unless alternative details are first agreed in writing by the Local Planning Authority, prior to occupation of the development hereby approved, evidence that the noise mitigation measures set out in the submitted Noise Impact Assessment prepared by ALN Acoustic Design dated 22nd April 2020 have been implemented shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application of approval of details.

Reason: To demonstrate a suitable noise environment for prospective residents.

- 26 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing through the submission of an application of approval of details to the Local Planning Authority prior to installation of such plant. All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours.

INFORMATIVES

- 1 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 3 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 7 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 8 The applicant should contact Thames Water to discuss their proposed development in more detail. All enquiries from developers in relation to proposed developments should be made to Thames Waters Developer Services team. Their contact details are as follows: Thames Water Developer Services Tel: 0800 009 3921 Email: developer.services@thameswater.co.uk

Any person wishing to inspect the above papers should contact Denis Toomey, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1620