

Committee Report
Planning Committee on 15 October,
2014

Item No.

03

Case No.

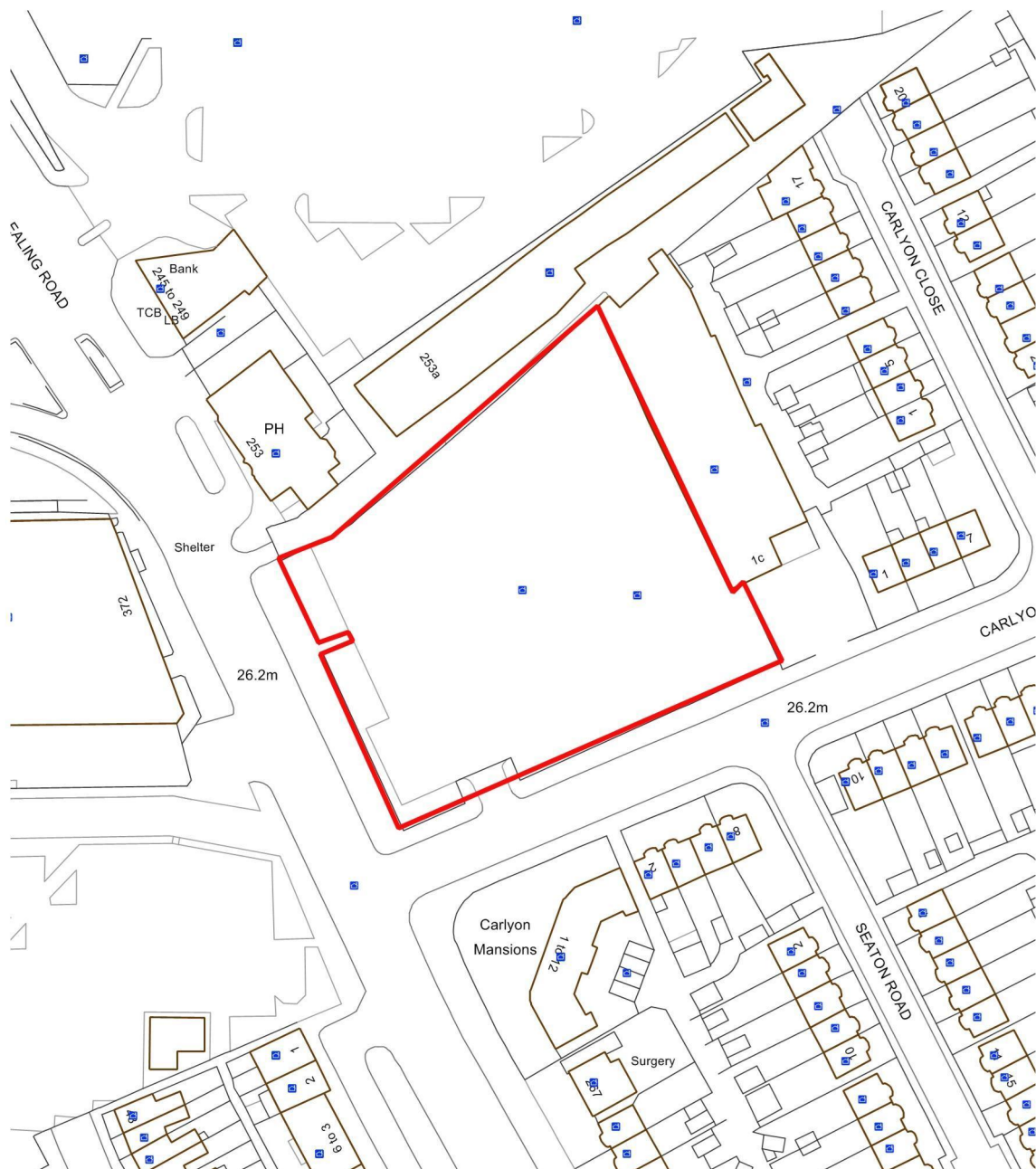
14/2276



Planning Committee Map

Site address: Land at 255, Ealing Road, Wembley, HA9

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

RECEIVED: 11 June, 2014

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: Land at 255, Ealing Road, Wembley, HA9

PROPOSAL: Construction of 3- to 9-storey building comprising 125 residential units and 277 sqms of affordable workspace (Use Class B1) and associated parking, access, landscaping and related ancillary works.

APPLICANT: R55 Ealing Road/Marvelairs Limited

CONTACT: Dalton Warner Davis LLP

PLAN NO'S:
See Condition 2

RECOMMENDATION

To:

- (a) Resolve to Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report and subject to conditions listed after paragraph 75, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Planning, or other duly authorised person, to refuse planning permission

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

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. Minimum of 19 affordable rented units (6 x 1 bed, 6 x 2 bed and 7 x 3 bed) and 19 shared ownership units (10 x 1 bed and 9 x 2 bed) 21 affordable rented units representing 30% affordable housing on a habitable rooms basis
3. A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to the piling of foundations for the development hereby approved. This shall demonstrate:
 - a. How the development will achieve Code for Sustainable Homes Level 4 in relation to residential homes (Use Class C3);
 - b. How the indicated Brent Sustainability Checklist measures will be implemented within the scheme (or other such measures approved by the Council which meet a level of at least 46.5%).
 - c. How the scheme will achieve a minimum CO2 reduction of 26.6 % from 2013 TER (regulated) including a minimum of reduction of 20 % through on-site renewables (after "be lean" and "be clean" measures have been applied) or other such revised measures as approved by the Council which achieve the same levels of CO2 reduction, together with an agreed Carbon Offset Fund contribution based on the calculated shortfall on the 2013 TER (regulated);
 - d. The applicant shall implement the approved Sustainability Implementation Strategy and shall

thereafter retain those measures.

4. On completion, independent evidence (through a BRE Post-Construction Review and completion certificates) shall be submitted on the scheme as built, to verify the achievement of Code for Sustainable Homes Level 4
5. If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required:
 - a. The submission and approval in writing by the Local Planning Authority of measures to remedy the omission; or, if this is not feasible,
 - b. The submission and approval in writing by the Local Planning Authority of acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough.
6. To provide measures to establish and promote a Car Club on the site from first occupation of the development, including the setting aside of two parking spaces for Car Club vehicles and the funding of three years' free membership for all new residents;
7. To implement the Travel Plan from first occupation of the development, to include funding to be used towards reviews of waiting restrictions in the area including potential Controlled Parking Zones;
8. To provide an agreed contribution towards the funding of a CPZ prior to first occupation of the residential units together with the scheme being "parking permit restricted" whereby the future owners and occupiers of the development are not eligible for on-street parking permits if a Controlled Parking Zone is introduced within 300 m of the site in the future.
9. Highway works along Carlyon Road and Ealing Road to be undertaken at the developer's expense under S278 of the Highways Act to provide "KEEP CLEAR" marking on Carlyon Road; road marking for 'Car Club' spaces; and new landscape works
10. Submission and approval of a Car Park Management Plan;
13. Provide the affordable workspace to shell, core and utilities prior to Occupation of the residential units. Should the unit(s) not be occupied within a 2 year period starting 6 months after being provided, to make the unit(s) available for community use (use class D1) at a subsidised rate;
14. Training and employment
 - a. To prepare and gain approval of a Employment Enterprise and Training Plan prior to commencement and to implement the Plan
 - b. To offer an interview to any job applicant who is a resident in Brent and meets the minimum criteria for the job
 - c. To use reasonable endeavours to: achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide paid training for a previously unemployed Brent resident or Brent school leaver for at least 6 months
 - d. From material start, to provide monthly verification of the number of Brent Residents employed or provided training during construction and if the above targets are not being met, to implement measures to achieve them
 - e. Prior to occupation, verify to the Council the number of Brent Residents employed during construction and unemployed/school leavers who received training.
15. To pay to the Council a total of £26,400 (index linked by RPI from the date of committee decision) towards the planting of street trees along the route between the development and the Alperton Sports Ground public open space

And, to authorise the Head of Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by

concluding an appropriate agreement.

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£2,643,964.61** of which £2,266,071 is Brent CIL and £407,893.61 is Mayoral CIL.

CIL Liable?

Yes/No: Yes

EXISTING

The application site comprises a vacant plot of land which is approx. 0.45 hectares. It is a corner plot fronting Ealing Road and Carlyon Road. It formally contained Marvelfairs House, which was an office building with attached warehousing unit. Outline planning permission was granted in 2005 to demolish the existing buildings and redevelop the site for 2000sqm of non food retail floor space. This planning permission was not implemented. Further details on the planning history are set out below.

The site is surrounded by a mix of uses. It immediately adjoins a single storey industrial building known as 1C Carlyon Road. To the north it abuts a rear service road that serves industrial units at 253A Ealing Road. Beyond the service road to the north is a public house and commercial uses fronting Ealing Road and slightly further north a site known as 243 Ealing Road (former B&Q site) which is being redeveloped to provide a residential led mixed use development with 441 residential units in seven blocks between 6 to 14 storeys high (LPA Ref: 09/2116). To the south and east of the site is predominantly suburban two and three storey residential properties and on the opposite side of Ealing Road a car showroom and storage warehouse.

The application site is located within the Alperton Growth Area and is allocated within the Site Specific Allocation Document (A.3 - Former B&Q and Marvelfairs House).

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain
assembly and leisure	0		0	0	
businesses / research and development	0		0	259	259
businesses and light industry	0		0	0	
businesses and offices	0		0	0	
drinking establishments (2004)	0		0	0	
financial and professional services	0		0	0	
general industrial	0		0	0	
hot food take aw ay (2004)	0		0	0	
hotels	0		0	0	
non-residential institutions	0		0	0	
residential institutions	0		0	0	
restaurants and cafes	0		0	0	
shops	0		0	0	
storage and distribution	0		0	0	

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	0		0	259	259

Monitoring Residential Breakdown

Existing

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
Flats û Market										
Affordable Rent Flat										
Flats û Intermediate										

Proposed

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
Flats û Market	33	48	6							87
Affordable Rent Flat	6	6	7							19
Flats û Intermediate	10	9								19

PROPOSAL

Construction of 3- to 9-storey building comprising 125 residential units and 277 sqms of affordable workspace (Use Class B1) and associated parking, access, landscaping and related ancillary works.

HISTORY

Relevant planning history

10/2623: Detail pursuant to conditions 2 (lighting), 3 (refuse storage) & 4 (soft landscaping) of reserved matters approval (reference 08/3045) granted 28/01/2009 and conditions 6 (wheel washing) & 10 (external materials) of outline planning permission (reference 99/0566) granted 19/12/2005 - **Granted, 24/01/2011.**

10/2014: Non-material amendment for proposed sub division of premises - **Granted, 29/09/2010.**

08/3045: Submission of reserved matters (siting, design, appearance, landscaping) and details pursuant to conditions 4 (planting), 8 (siting, design, external appearance and sections of the building; means of vehicular and pedestrian access to and movement within the site; the use and treatment of all open areas; provision for car-parking and loading, unloading and parking of service vehicles, provision of vehicle turning-space, and provision of lighting), 9 (refuse), 10 (relating to parts of the external materials), 12 (finished floor levels), 13 (disabled facilities), 16 (landscaping), 17 (means of enclosure), 19 (cycle spaces) and 20 (parking) relating to outline planning permission 99/0566 - **Granted, 28/01/2009.**

99/0566: Outline application for clearance of site and redevelopment to provide 2000msqm of non-food retail floorspace with associated parking and servicing (matters for determination : means of access) accompanied by Supporting statement by P M Property Consultancy Ltd. (March 1999) Retail assessment January 2004 by RPS and subject to a Deed of Agreement dated 07th December 2005 under Section 106 of the Town and Country Planning Act 1990, as amended - **Granted, 20/12/2005.**

E4462 6843: Full Planning Permission sought for demolition of part of existing buildings, renovation of remainder, erection of 3 storey extension, construction of car park and alterations to provide industrial units with ancillary offices - **Granted, 20/05/1974.**

POLICY CONSIDERATIONS

National policy guidance

National Planning Policy Framework 2012

This sets out 12 core planning principles, of which the following are relevant. Planning should:

- be genuinely plan-led, empowering local people to shape their surroundings;

- proactively drive and support sustainable economic development to deliver the homes, infrastructure and thriving local places.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for this and future generations;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Regional policy guidance

The London Plan 2011 and Revised Early Minor Alterations to the London Plan published on 11 October 2013

The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London to 2031. London boroughs' local plans need to be in general conformity with the London Plan, and its policies guide decisions on planning applications.

Chapter 3 - London's People

Policy 3.3: Increasing Housing Supply
 Policy 3.4: Optimising Housing Potential
 Policy 3.5: Quality and Design of Housing Development
 Policy 3.6: Children and Young People's Play and Informal Recreation Facilities
 Policy 3.8: Housing Choice
 Policy 3.9: Mixed and Balanced Communities
 Policy 3.10: Definition of Affordable Housing
 Policy 3.11: Affordable Housing Targets
 Policy 3.12: Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
 Policy 3.13: Affordable Housing Thresholds
 Policy 3.16: Protection and Enhancement of Social Infrastructure

Chapter 5 - London's Response to Climate Change

Policy 5.2: Minimising Carbon Dioxide Emissions
 Policy 5.3: Sustainable Design and Construction
 Policy 5.6: Decentralised Energy in Development Proposals
 Policy 5.7: Renewable Energy
 Policy 5.9: Overheating and Cooling
 Policy 5.13: Sustainable Drainage

Chapter 6 - London's Transport

Policy 6.3: Assessing Effects of Development on Transport Capacity
 Policy 6.9: Cycling
 Policy 6.13: Parking

Chapter 7 - London's Living Places and Spaces

Policy 7.2: An Inclusive Environment
Policy 7.3: Designing Out Crime
Policy 7.4: Local Character
Policy 7.5: Public Realm
Policy 7.6: Architecture
Policy 7.14: Improving Air Quality
Policy 7.15: Reducing Noise and Enhancing Soundscapes
Policy 7.19: Biodiversity and Access to Nature

Chapter 8 - Implementation, Monitoring and Review

Policy 8.2: Planning Obligations

Local policy guidance

Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The relevant policies for this application include:

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP8: Alperton Growth Area
CP19: Brent Strategic Climate Change Mitigation and Adaption Measures
CP21: A Balanced Housing Stock

Brent's Unitary Development Plan 2004

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary Development Plan (UDP), which was formally adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

Built Environment

BE2: Townscape - Local Context & Character
BE3: Urban Structure - Space & Movement
BE4: Access for Disabled People
BE5: Urban Clarity & Safety
BE6: Public Realm - Landscape Design
BE7: Public Realm - Streetscape
BE8: Lighting & Light Pollution
BE9: Architectural Quality
BE10: High Buildings
BE11: Intensive and Mixed Use Developments
BE12: Sustainable Design Principles
BE17: Building Services Equipment

Environmental Protection

EP2: Noise & Vibration
EP3: Local Air Quality Management
EP4: Potentially Polluting Development
EP6: Contaminated Land
EP14: New Energy, Renewable Energy and Fuel Storage Development

EP15: Infrastructure

Housing

H12: Residential Quality - Layout Considerations

H13: Residential Density

Town Centres and Shopping

SH10: Food and Drink Uses

SH11: Conditions for A3 Uses

Transport

TRN3: Environmental Impact of Traffic

TRN4: Measures to make Transport Impact Acceptable

TRN10: Walkable Environments

TRN11: The London Cycle Network

TRN22: Parking Standards - Non Residential Developments

TRN23: Parking Standards - Residential Developments

TRN34: Servicing in New Developments

TRN35: Transport Access for Disabled People and Others with Mobility Difficulties

Brent's Site Specific Allocations DPD adopted July 2011

The above document forms part of Brent's Local Plan and sets out the planning policies and guidance for the future development of over 70 key opportunity sites around the borough. One of these site is known as A.3 (B&Q and Marvelfairs House).

Supplementary Planning Guidance and Design Guides

Mayor's Housing SPG, November 2012

S106 Planning Obligations SPD, July 2013

Supplementary Planning Guidance 17 "Design Guide for New Development", October 2001

Alperton Masterplan SPD 2011

CONSULTATION

Consultation Period: 13/06/2014 - 04/07/2014

Site Notice: 20/06/2014 - 11/07/2014

Press Notice: 19/06/2014 - 10/07/2014

206 neighbours consulted - 6 letters of objection received raising the following concerns:

- Whilst the principle of redeveloping Alperton is supported this should not be achieved through high rise, high density housing which will have a huge negative impact on all residents. Already high density development at 243 Ealing Road and Minavil House.
- Redevelopment should include family sized housing with rear gardens, community spaces, a modern healthcare centre, quality retail/restaurants and activities for the already expanding community
- Parking provision on site completely inadequate especially as nearby sites being redeveloped. Residents already parking illegally (such as on double yellow lines) due to lack of parking spaces and future develop will force existing residents to sign up to CPZ at their expense.
- Lack of affordable housing compared to other sites within the Alperton Growth Area.
- The development will change the character of the area, it will look out of place, and will not fit in with the surrounding architecture as it is too high.
- No proper plans for infrastructure to support the increased population (medical centres and schools)
- Increase in anti social behaviour

- Proposal will adversely impact on amenities of nearby residential properties due to overlooking, overshadowing and additional noise and disturbance.
- Retail unit on ground floor unlikely to come forward due to limited footfall in area.
- Residents on Carlyon Close have already lost afternoon sunlight as a result of the redevelopment of B&Q site (243 Ealing Road).
- Proximity of new residential units to employment uses at 253A Ealing Road will adversely impact the ability for the employment uses to function.
- Proposal will compromise the redevelopment of the wider SSA including 253A Ealing Road.
- Proposal exceeds density matrix in London Plan and fails to meet minimum internal unit sizes as set out in London Plan.
- Proposal fails SPG17 and will overshadow neighbouring site at 253A Ealing Road significantly reducing sunlight and daylight to below BRE standards

One letter of support received advising that it will assist in the redevelopment of the wider Alperton area.

Cromwell and Burns Residents' Association (CABRA)

- High density redevelopment is taken place in Alperton without due consideration for the necessary infrastructure to service future and existing residents in the area
- Parking problems are already very bad in the area and this proposal combined with other ones such as 243 Ealing Road will worsen the situation. Residents already struggle to find parking spaces during the evening/night.
- Residents will be forced in to entering into a CPZ.
- GP Surgeries overstretched and not able to accommodate new patients.
- Schools and nurseries are already full.
- Other essential public Services such as Social and Adult Care, the Police and Fire Services plus our Refuse Collection Services are all understaffed and struggling to cope with the needs of the existing population.
- There is already a chronic shortage of Community and Leisure facilities for all age groups and that the site should be used as a Health Centre and a Community Centre with Car parking ,to meet the needs of the existing residents and the new occupants of 243 Ealing Road.

Petition

An petition has been received prepared by CABRA which contains 233 signatures. The petition raising the following objections:

-
- Totally opposed to any more tower blocks of flats in the Alperton area (from Alperton Tube Station to Alperton Lane and from Abbey Estate to Manor Farm Road.
- There is already severe parking problems and traffic congestion
- Existing infrastructure is already severely stretched, i.e. GP surgery, schools and nurseries
- Other essential public services such as refuse collection, police and fire service and adult social care are understaffed and struggling to cope with existing population.
- Shortage of community and leisure facilities
- There is an urgent need for a new medical centre and community centre with car parks

Thames Water

Requires a planning condition in relation to details of a drainage strategy.

Internal Consultation

Environmental Health - Proposal can be supported subject to a number of conditions covering matters including noise from Ealing Road, plant equipment and substation, air quality and contaminated land.

Landscape - Full details of the landscape scheme and tree protection to be conditioned to any forthcoming consent.

Transportation - Proposal can be supported on transportation ground subject to adequate mitigation measures provided to address potential overspill parking problems from the site on adjoining streets and for adequate off-street servicing would be provided within the site for the commercial uses.

REMARKS

Background and principle of development

1. The application site is located within the Alperton Growth Area. Policy CP8 of Brent's Core Strategy relates to Alperton Growth Area where it identifies Alperton for mixed use regeneration along the Grand Union Canal. It seeks to provide at least 1,600 new homes to 2026, supported by infrastructure to be identified within the Infrastructure and Investment Framework. Anticipated infrastructure will include new and/or improved education facilities at nursery, primary and secondary school level, new health facilities, new and improved public open space and new community centre.

2. To support Brent's Core Strategy the Council has produced and adopted its Site Specific Allocations Development Plan Document. This document sets out the planning policies and guidance for the future development of over 70 key opportunity sites around the borough. One of these sites known as A.3 is the "Former B&Q and Marvellairs House" site. Marvellairs House was the building that once stood on the application site which was recently demolished. Site A.3 is identified for a comprehensive mixed use development including residential, amenity space, B1 employment and A3 uses. There is indicative development capacity and phasing which is set out below:

Indicative development capacity	211 units	115 units	115 units
Indicative development phasing	2011-12	2013-14	2015-16

3. Planning permission has already been granted for the former B&Q part of the SSA for a mixed use development containing 440 flats and a dwellinghouse together with commercial and community space with associated landscaping and car parking (LPA Ref: 09/2116). Work has commenced on implementing this permission. The site also contains 245 to 253a Ealing Road and No. 1 Carlyon Road which are yet to be redeveloped.

4. In addition to the above policy documents, the Council has produced and adopted the "Alperton Masterplan" Supplementary Planning Document. The purpose of the Masterplan is to set out in detail how the Council will bring about the transformation of this industrial area into a new, mostly residential neighbourhood. It is intended to provide clear guidance for developers, landowners and residents about the scale of change which the Council would like to see happen. The Masterplan vision is to create three distinctive new neighbourhoods linked by a high quality and lively stretch of canal, which are:

- Alperton's core: a cultural centre
- Waterside residential neighbourhood
- Northfields Industrial Estate.

5. The application site lies just to the south of Alperton Core. The regeneration principles for Alperton Core is defined by

- distinctive buildings up to 17 storeys in height in specific locations
- high-density flatted development,
- new housing promoted for smaller households.

6. The redevelopment of the application site proposes a mixed use residential led scheme with two affordable workspaces . It is proposed that should the unit not be occupied, that it is made available within a specified period as community space which will be secured through the Section 106 Agreement.

7. The scheme is considered to meet the objectives of Brent's Core Strategy, the SSA and the Alperton Masterplan. It is therefore acceptable in principle subject to the scheme providing an appropriate mix and quality of accommodation of residential accommodation, consideration of neighbouring sites and overspill parking onto surrounding streets.

8. Each of these matters is discussed in detail below:

Design, scale and massing

9. The development will contain three buildings known as A, B and C that are connected to one another, forming a "U" shape fronting Ealing Road, Carlyon Road and No. 1 Carlyon Road. A distance of approx. 24m is maintained between Blocks A and B with a communal garden located within the central courtyard. Buildings A and C are both staggered and the scale reduces towards Carlyon Road to break up the overall bulk and massing of the development. All three buildings are to be built in a buff brick with brick lattice detailing, deep window reveals and recessed open balconies Which add visual interest and will result in a quality development. Parts of the upper floors will be clad in grey metal panelling to add variety to the palette of materials and assist in breaking up the bulk of the building. Full details of external materials, including samples of brick work to ensure that a high quality brick is provided, is recommended to be condition to any forthcoming consent. Each building is discussed in detail below.

10. Building A fronts Ealing Road and contains the commercial B1 uses at ground floor with a mezzanine level and residential flats above. Building A is 9 storeys high at the northern end of the site to reflect the scale of the development at the former B&Q site and its location on the busy Ealing Road; the building then steps down to 5 storeys at the southern end of the site where it fronts the corner of Ealing Road and Carlyon Road. The scale of the building has been stepped to reflect the suburban character of Carlyon Road which predominantly contains 2 to 3 storey dwellinghouses and flatted developments. Building A is proposed to be built up to the back edge of the pavement of Ealing Road on its northern end and up to the access road to No. 253a Ealing Road; the building then steps in away from the back edge of the pavement where it meets the corner of Carlyon Road through a series of staggered building lines achieving an overall set in of 7.2m from the pavement of Ealing Road and 0.93m set in from the pavement of Carlyon Road. Officers raised concerns regarding the 9 storey element being built up to the back edge of the pavement of Ealing Road and the access road to No. 253a Ealing Road due to its setting in the streetscene. This concern was reinforced due to the visibility of the substation doors on the flank elevation which would be prominent when viewed from Ealing Road. In response to these concerns, whilst more significant revisions were sought to set the building in from these site boundaries, revised plans have been submitted which make changes to relocate the substation on ground floor level to the north east corner of this plot further away from Ealing Road and extend the commercial unit at this point with further glazing . The architect for the scheme is of the view that more significant changes would impact on the design quality of the building. Whilst officers are of the view that more significant changes to the design of the scheme would improve the setting of the building in the streetscene, the changes have made some improvements to the quality of the ground floor and on balance can be supported.

11. A low level planter is proposed within the public pavement in front of part of Building A on Ealing Road which assist in improving the general visual amenity along Ealing Road. Such works will need to be secured through a section 273 agreement with the Council's highways department. Officers in Transportation have advised that sufficient width of pavement will be retained. The indicative proposals will be secured though maybe subject to some modification due to the location of equipment housing.

12. Building C is located at the eastern end of the site and runs parallel to the adjoining site at No. 1C Carlyon Road. At its northern end it is 8 storeys high and step down to 5 storeys high at the southern end. It achieves a set back of approx. 4.65m from the back edge of pavement on Carlyon Road. The lower 5 storey element is to be built up to the boundary with the front service yard of 1C Carlyon Road and then as the building increases in height a set in of 8.05m increasing to 14.5m is achieved to the boundary with No. 1C Carlyon Road. A minimum set in of 2.8m is provided to the boundary with the service road to No. 253a Ealing Road. The scale of this building reflects Building A which is higher at the northern end to reflect the scale of the development at the former B&Q site and then reduced in height towards Carlyon Road to reflect the more suburban residential character.

13. Building B fronts Carlyon Road and is 4 storeys high and contains residential units at all levels. The lower scale is intended to reflect the lower scale of surrounding buildings which predominantly contain 2 to 3 storey high residential properties. Building B is set back approx. 5m from the Carlyon Road frontage. Carlyon Road also contains the vehicular entrance to the site with seven car parking spaces fronting Carlyon Road together with entrances to the residential units in Blocks B and C. It is therefore important that this frontage is as active as possible. To achieve this the residential entrances have been clearly designed so that they are . Landscape

buffers are proposed in front of the car park grilles and in front of the residential units on ground floor to a defensible space to the pavement.

Residential Density

14. The scheme proposed a density of 753 habitable rooms per hectare. This has been calculated using a site area of 0.45 hectares and a total of 339 habitable rooms. The proposed density exceeds London Plan density range for this site, which recommends density between 200 to 700 habitable rooms per hectare for urban sites with PTAL 4. However it should be noted that increased densities are accepted in the London Plan and the Alpertown Masterplan where public transport accessibility is good due to the need to use land more efficiently, increase housing delivery and in part due to the sustainability advantages increased density can provide.

Affordable Housing

15. Policy 3.13 of the London Plan requires affordable housing to be provided on sites which are capable of providing 10 or more homes. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable and in line with London Policy 3.12 the maximum reasonable amount of affordable housing will be sought when negotiating on individual private residential and mixed use schemes, with due regard to a number of factors including development viability.

16. The applicant originally proposed 9 affordable rented units (5 x 1 bed, 2 x 2 bed and 2 x 3 bed flats) accounting for 7% of the overall units. In line with planning policy, the applicant submitted a development appraisal seeking to demonstrate that this represented the maximum reasonable amount of affordable housing that could be delivered on the scheme. Officers have instructed an independent assessor to review the development appraisal, who concluded that the scheme could reasonably and viably deliver additional affordable housing beyond the 7% proposed.

17. A further offer of 19 affordable rented units (6 x 1 bed, 6 x 2 bed and 7 x 3 bed) and 19 shared ownership units (10 x 1 bed and 9 x 2 bed) has been offered by the applicant accounting for 30% of the overall units. This revised offer has been accompanied by a viability assessment, which was also reviewed by the independent assessor whom concluded that 30% affordable housing is the maximum reasonable amount of affordable housing that can be delivered on the site. The revised affordable housing offer will be secured as part of a Section 106 Agreement.

Quality of proposed accommodation

Size and mix of units

18. The application originally proposed 128 residential units which has now been reduced to 125 residential units as a result of a number of amendments to the proposal which include increasing the distance from the boundary with the service road to No. 253a Ealing Road and the provision of increased car parking on site. Buildings A and B contain the private units, building A, B and C contains the shared ownership units and Block B contains the affordable rent units. A breakdown of the unit mix is set out below:

	One bed units	Two bed units	Three bed units	Total Units
Overall scheme	49 (%)	63 (50%)	13 (10%)	125
Private Units	33 (67%)	48 (76%)	6 (46%)	87 (69%)
Shared Ownership	10 (21%)	9 (14%)	0 (0%)	19 (15%)
Affordable units	6 (12%)	6 (10%)	7 (54%)	19 (15%)

19. Policy CP21 of Brent's Core Strategy seeks an appropriate mix of unit sizes within a scheme including a proportion of 25% of units to be three bedrooms or more. The Alpertown Masterplan promotes new housing to be for smaller households, with a predominance of one and two bedroom homes. It does however seek to provide 54% of affordable rented homes to be 3 bedrooms or more. In this case overall scheme predominantly comprises smaller one and two bedroom flats. However within the affordable units it will include a high proportion of family sized units, which is considered to meet the overall objectives of the Masterplan. The overall unit mix is therefore considered acceptable.

20. The London Plan requires residential units to provide the following internal floor space standards:

- 1 bed 2 person - 50sqm
- 2 bed 3 person - 61sqm
- 2 bed 4 person - 70sqm
- 3 bed 4 person - 74sqm
- 3 bed 5 person - 86sqm
- 3 bed 6 person - 95sqm

21. Further guidance on the internal room sizes within the residential units are set out in the Mayor's Housing SPG that states that a minimum area of 8sqm should be provided for a single bedroom and 12sqm for a twin/double bedroom. The floor space for living/dining and kitchen is recommended to be:

- 1 person/2 person - 23
- 3 person - 25
- 4 person - 27
- 5 person - 29
- 6 person - 31

22. A total of 33 units fall short of the internal floor space standard as set out in the London Plan. The majority of these units only marginally fall short of the required standard and generally meet or exceed the key room space standards for the living areas and bedrooms as set out above. As such it is considered that these units meet an acceptable standard of accommodation and the shortfall in the overall size is not considered significant to warrant a reason for refusal.

Outlook and privacy

23. The majority of units are dual aspect and where there are single aspect units these do not face in a northerly direction. The main window to the second bedroom in Flat types 21, 40 and 46 on the first to fourth floors in Block B are proposed to be obscured glazed. This is to prevent overlooking to the neighbouring site at No. 1C Carlyon Road as a distance of only 8.2m is provided to the boundary with 1C Carlyon Road rather than 10m as set out in SPG17. This secondary bedroom does have outlook into the open balcony area and as such is considered acceptable.

24. A distance of 24m is maintained between directly facing habitable windows within the development. This exceeds the minimum requirement as set out in SPG17 which requires 20m, and as such an acceptable level of privacy is provided between units within the development. The ground floor residential units are proposed with good landscape buffers and terraces to ensure that they will not experience a loss of privacy. In addition, the ground floor units will overlook Carlyon Road and the communal external amenity space providing natural surveillance to both these public and semi public spaces.

Daylight and Sunlight

25. A daylight, sunlight and overshadowing assessment has been submitted to consider the available of daylight and sunlight to residential units within the scheme given the layout of the development which is U shaped with the taller elements at the northern end of the site. This study concludes that acceptable levels of daylight and sunlight will be provided including the residential units on the lower floors that face into the communal garden and the residential units in Building C. Notwithstanding the advice contained within the daylight/sunlight study, further consideration has been given to unit type 20 which is located within the inside corner of the building. These units will experience the lower levels of daylight and sunlight, particularly at lower floor levels. To improve the general living conditions for these units, the layout has been amended to relocate the living areas furthest away from the inside corner of the building.

Wheelchair units and lifetime homes

26. Ten units within the scheme are proposed to be designed as wheelchair accessible housing . The number of wheelchair units account for approx. 8% of units which marginally falls short of the 10% requirement as set out in policy CP21 in Brent's Core Strategy 2010. A condition will be imposed to require a further 2 units to be

provided which are wheelchair accessible. All homes will be built to lifetime home standards.

External amenity space

27. Each residential flat has access to its own private balcony or terrace. The majority of these balconies/terraces meet or exceed the minimum requirement as set out in the mayor's Housing SPG (5sqm for 1 to 2 bed person units and an extra 1sqm for each additional occupant). In addition all residents will have access to a communal garden which is 888sqm and two small roof terraces on the sixth floor which adds an additional 127sqm. The daylight and sunlight study concludes that 69% of the communal amenity space will receive a minimum 2 hours of direct sunlight per day which exceeds the minimum requirement of 50% of the communal amenity area receiving a minimum of 2 hours of direct sunlight

28. Consideration also needs to be given to SPG17 which requires 20sqm of external amenity space per unit. Based on 125 flats this would amount to 2500sqm of external amenity space. The scheme provides a total of 2202sqm of external amenity space, which accounts for a shortfall of 298sqm or 2.3sqm per unit. On balance, this shortfall is not considered to justify a reason for refusal, particularly given that the main communal space is centrally located in the site and readily accessible to all residents.

Play and Recreation

29. The projected child yield of the development and the required play space provision has been calculated using the Mayor of London's play space calculator. The projected child yield for the development is:

Age	Projected child yield
Under 5	15
5-11 years	9
12+ years	6

30. The Mayor's Supplementary Planning Guidance sets out that play space (10 square metres per child) should be provided within 100 m of the dwellings for under 5s, within 400 m for 5-11 year olds and 800 m for 12+ year olds.

There are three open spaces near to the application site:

Open space	Size	Facilities	Distance to open space	Distance to play area
One Tree Hill Recreation Ground	Large	Equipped play area, Multi-Use Games Area	555	900
Alperton Sports Ground	Moderate	Equipped play area, Multi-Use Games Area, tennis courts	419	574
Abbey Estate Open Space	Small	Small equipped play area	521	700

Note: The specified distances represent the walking distance in metres

31. A minimum of 150 square metres of play space for under 5 year olds should be provided within the development. An area of approx. 90sqm of play space has been indicatively shown on the revised plans. Further details of the quality of this play space will be conditioned to any forthcoming consent. Other areas can be used for informal play and given that all units have access to private amenity space, the provision on balance is considered acceptable.

32. There are no open spaces within 400 m (walking distance) of the application site. The development should therefore also include 90 square metres of play space for 5 to 11 year olds which could be provided in the courtyard for informal play. There are existing public open spaces that are slightly over 400 square metres from the site. However, the distance to the play facilities is significantly greater than this and the route to the two of the public spaces is not ideal, being next to a busy four lane road. Nevertheless, if this application was

recommended for approval then Section 106 funding could be secured for improvements to the routes to the public open spaces such as by tree planting. In addition, the Alpertown Masterplan aims to provide further publicly accessible open space.

33. There are existing play and recreation facilities for over 12s, including the three open spaces, one of which includes tennis courts (440 m, from the site) and a Multi-Use Games Area (530 m from the site).

34. In summary, the proposal does not demonstrate that the development will comply with the Mayor's Supplementary Planning Guidance regarding play and recreation. However, this could be addressed through the use of a condition regarding on-site play space and Section 106 contributions towards improvements to the routes to existing off-site public open spaces. With regard to the section 106 contributions, it is recommended that these are secured to improve the route between the development and the Alpertown Sports Ground public open space through the planting of street trees along this route. Such trees can be planted at a cost of £1,200 per tree (including the required surveys and a maintenance contract). The council's Landscape Design team have recommended that trees are planted at 10 m intervals to improve this route. When taking existing trees, road junctions and large crossovers into account, a total of 26 trees should be planted along this 419 m route. The total contribution is therefore £26,400.

Environmental Constraints

Noise Impact

35. A Noise Impact Assessment has been submitted which concludes that to achieve required internal noise levels a robust glazing specification is required. Officers in Environmental Health have recommended that a condition is attached to any forthcoming consent that requires the residential units to be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain required internal noise levels and bedrooms and living rooms. They also recommend that a condition is secured regarding any plant equipment such as heating and ventilation to achieve noise level at least 10dB below background noise level.

Air Quality

36. As the site is located within an Air Quality Management Area and is sited next to Ealing Road an Air Quality Assessment has been submitted. This report identifies that mitigation measures are required to protect future residents from the impact of poor air quality in the residential units on the ground, first and second floors facing Ealing Road. Officers in Environmental Health have advised that a condition is secured to any forthcoming consent requiring details of mitigation measures to be provided.

Contaminated Land

37. A desk study has been submitted and reviewed by officers in Environmental Health who have advised that the study is acceptable. The desk study identifies the potential for on-site contamination. It is therefore recommended that conditions are secured to any forthcoming consent for a site investigation to be carried out to determine the nature and extent of any soil contamination present and for a verification report to be provided confirming that remediation has been carried out in accordance with the agreed remediation strategy.

Substation

38. A new substation is proposed on the ground floor of Building A at the northern end of this building. As the substation will be located within 10m of the proposed residential units officers in Environmental Health have advised that a condition is required to secure a BS4142:1997 assessment and ICNIRP Report. This is to consider electromagnetic radiation (EMF) and noise/vibration.

Impact on adjoining neighbours

39. The application is accompanied by a Daylight, Sunlight and Overshadowing assessment which examines the potential impact on the adjoining non-industrial sites. This included a detailed analysis of the impact of the scheme on the daylight and sunlight received by the windows of the nearby Carlyon Close units together with

the public house at 243 Ealing Road. This assessment was undertaken using the BRE guidance "Site layout planning for daylight and sunlight: A guide to good practice". This guidance document is routinely used across the Country to determine the potential impacts on adjoining properties and represents standard practice for this type of assessment.

40. The submitted report demonstrates that the proposed development will not have a significant impact on the levels of daylight or sunlight received by the Carlyon Close properties, and that the levels of daylight and sunlight for these properties will remain within the levels that are considered to be appropriate for residential dwellings.

41. The report shows that the scheme will have a "major adverse" impact on the levels of daylight and sunlight received by the adjoining public house. However, neither the Council's policies nor the BRE guidance protects the levels of daylight and sunlight received by windows of public houses and as such, the reduction in the levels of daylight and sunlight for the pub are considered to be acceptable. No objections have been received from the pub and that it is likely to benefit from the additional residents who would live locally if this scheme is approved.

42. This report did not examine the potential impact on the adjoining industrial units, namely Number 253a Ealing Road and 1c Carlyon Road. Whilst the Council's policies do not protect the levels of daylight or sunlight for such units, these sites are included in the Alperton Growth Area and the Site Specific Allocation and as such, consideration of the potential impact on those sites is considered to be necessary.

43. SPG17 sets out general guidance for the massing of new buildings, to ensure they do not have an overbearing impact on the neighbouring properties and avoid unnecessary overshadowing. In general, where proposed development adjoins private amenity/garden area, then the height of the new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m. It is noted that the proposed development would breach the 45 degree line. As such, the applicant subsequently submitted a shadow casting report which examines the potential levels of overshadowing associated with the development, showing the extent of shadows cast by the development on 21 March, 21 May and 21 July. The 21 March date is routinely used to examine the potential overshadowing of adjoining sites while the 21 July assessment shows the "best case" for overshadowing. The winter months are not typically used for shadow casting exercises as the shadows are significantly long, even for low density suburban development. The applicant has modelled an indicative scheme on the adjoining site to the north (253a Ealing Road) as planning permission has not been sought for the redevelopment of that site.

44. The study shows that shadow will be cast across the adjoining sites, although, this will be limited during the summer months. Not surprisingly, the western end of the 253a Ealing Road site will experience a greater level of overshadowing, but will experience good levels of sunlight earlier in the morning and later in the afternoon (after 3pm). The eastern end of this site will not be significantly overshadowed. With regard to adjoining site at 1c Carlyon Road, overshadowing will occur from around 1 pm in March and later in the day within the summer months.

45. The submission does not demonstrate the potential effects on the daylight received by the adjoining units. However, it is possible if not likely that levels of daylight will be low for any future homes within 253a Ealing Road that are immediately adjacent to and face the tall elements of the proposed building. An objection has been submitted on behalf of the owners of 253a Road which specifies that the proposed development will blight the delivery of residential development on No 253a and make it impossible to bring forward a viable development that achieves the Council's amenity standards.

46. The two adjoining sites are constrained by their size. The predominant width of 253a Ealing Road is between 14 m and 22 m while the width of 1c Carlyon Road varies between 17 and 19 m. Proposals for residential development are expected to provide sufficient outlook from habitable room windows within the site itself without relying on adjoining sites for this. The Council would normally expect that there is a minimum distance of 10 m between habitable room windows and the site boundaries unless that outlook is to an existing road or other public space. The size of these sites accordingly restricts the development potential of these sites irrespective of the scale of development on the application site.

47. When considering the impacts of the proposal on the levels of daylight and sunlight that may be received by future homes within these sites, the Council will have regard to the nature of the development that is

anticipated within this part of the Alpertown Growth Area. The BRE guidance specifies that it may be appropriate to adopt a flexible approach within high density residential environments. In this instance the Council typically seeks to maximise the number of units that accord with the BRE guidance levels of daylight and sunlight but would not necessarily stipulate that development could not occur on the areas of the adjoining site that are overshadowed by the proposed development.

48. As such, it is not considered likely that the effects of the proposed development on the levels of daylight and sunlight received by the adjoining industrial sites will have a significant impact on their development capacity.

49. In summary, the submission demonstrates that the proposed development will not have a significant impact on the levels of daylight and sunlight received by existing homes in the immediate vicinity. It will have a significant impact on the adjoining public house. However, the Council's policies and guidance do not look to protect the levels of daylight and sunlight for public houses. The proposal may affect the daylight and sunlight of the parts of the adjoining industrial sites that are immediately adjacent to the taller element of the proposed development. However, it is not considered likely that this will have a significant impact on the development potential of these sites.

Landscape and nature conservation

50. There is an existing London Plane tree located on the pavement on Ealing Road. The landscape officer has advised that a tree survey and protection method statement for this tree is provided during the construction phase in accordance with BS5387:12. New trees are proposed within the Carlyon Road pavement and such tree planting will need to be secured as part of the Section 106 Agreement.

51. A habitat survey has been undertaken for the existing site which concludes that the site is of low ecological value and the presence of protected species is negligible. The report recommends as precautionary measures that any site clearance is undertaken outside of the bird nesting season (March to end of August). The report goes on to recommend that a sensitive landscape scheme could enhance the biodiversity potential of the site including native landscaping, bat and/or bird boxes.

52. It is recommended that the above requirements are conditioned to any forthcoming consent.

Transportation

53. The site is not located within any Controlled Parking Zone. On-street parking is prohibited between 8am-6.30pm Mondays to Saturdays along the site frontage, with loading also prohibited between 8-9.30am & 4.30-6.30pm on weekdays along the Ealing Road frontage. A bus stop is also located along the Ealing Road frontage. Carlyon Road is not noted as being heavily parked, although the 2013 survey showed it to be only marginally under 80% parked. Nearby cul-de-sacs (Seaton Road, Tiverton Road & Carlyon Close) are noted in Appendix TRN3 of the UDP as being heavily parked at night, with recent surveys from 2013 confirming this is still the case. Footway parking is therefore commonplace in these narrow streets (n.b. the overnight parking surveys included in Appendix H of the Transport Assessment for these streets have ignored the prevalence of footway parking and thus overestimate existing practical parking capacity). Public transport access to the site is good (PTAL 4), with Alpertown Underground station (Piccadilly line) and six bus services (79, 83, 224, 245, 297 & 487) within 640 metres (8 minutes' walk).

Car parking

54. The application originally proposed 45 car parking spaces (including 13 disabled spaces) and two on site car club bays. The ratio of parking was 0.35 spaces per unit. As the application site is just outside the Alpertown Core and is located closer to residential streets which are heavily parked with no controlled parking zone at present, your officers required an increase in on site car parking spaces. The amount of on site parking has increased to 60 spaces (including 14 disabled bays) and two car club spaces relocated on Carlyon Road. The ratio of parking has increased to 0.48 spaces per unit which is more in line with the neighbouring former B&Q site which provides a ratio of 0.5 spaces per unit.

55. Whilst the Alpertown Masterplan seeks 0.4 car parking spaces per unit within the Alpertown Core, given that

this site is located just outside Alpertown Core and is in close proximity to residential streets that are currently heavily parked with no controlled parking zone, consideration needs to be given to any overspill parking onto neighbouring streets. Car parking allowances for the proposed uses within the site are set out in standards PS7 and PS14 of the adopted UDP 2004. As the site is not located within a CPZ, the full residential allowance applies, even though public transport access to the site is good. With regard to potential overspill parking, the change to the number and mix of units and the increase in the affordable housing provision reduces the estimated parking demand amongst residents to 104 cars. With 60 spaces now proposed within the development, estimated parking overspill would fall from 65 cars to 44 cars. As previously stated, the surrounding streets have very limited scope to accommodate overspill parking, particularly within 100m walk of the site.

56. To address concerns regarding overspill parking it is recommended that an upfront contribution is secured as part of the Section 106 Agreement rather than a penalty scheme secured through a Travel Plan towards implementing a Controlled Parking Zone in the event that one is required and supported by existing residents. Officers in Transportation have advised that a contribution of £60,000 towards the implementation of a CPZ and contribution towards a permit for existing residents in the area would be reasonable and this figure would be indexed link as part of the Section 106 Agreement. The contribution is recommended to be held for a long term period (i.e. 10 years from the date of first occupation of the residential units) and in the event that a CPZ is not required within that period the monies returned to the applicant. The Section 106 Agreement would also restrict the rights for occupiers within the new development to be able to obtain a parking permit in the event that a CPZ is implemented and this would be drawn to their attention when purchasing one of the units.

57. Whilst it is recognised that over time parking situation naturally vary, such as children within families obtaining driving licenses when they reach adulthood, and thus increasing the amount of cars within a household, given that the surrounding streets are already at capacity with regards to on street parking, only a small amount of overspill parking from this development is likely to have a significant impact on the surrounding residential roads. It is for this reason combined with the proximity of this development to the residential roads that warrants the need for an up front contribution rather than a penalty system. A penalty system is considered to be ineffective for this particular site as even a small amount of over spill parking is likely to have a significant impact and only small monies would be obtained for vehicles exceeding 50% parking cap to be able to implement a CPZ. A penalty system within the Travel Plan was secured as part of the legal agreement for the former B&Q site as it was considered to be more effective for the B&Q site context located further away from residential streets and thus less likely to result in overspill parking.

58. A number of other sustainable transport measures are also proposed to reduce car ownership. These include the provision of two car club spaces on Carlyon Road and a residential travel plan. The Travel Plan will be secured through a Section 106 Agreement to any forthcoming consent and officers in transportation have confirmed that the location of the two car club bays is acceptable subject measures being secured to fund the alterations of the Traffic Regulation Order to formalise these bays.

59. The above measures are consistent with the objectives of the Alpertown Masterplan which supports the need for a sustainable transport strategy including improved public transport, car clubs, and the roll out and subsidy of local controlled parking zones should be considered if it is in the interest of existing residents.

Junction capacity and impact on existing transport network

60. Vehicular access arrangements to the site remain as existing (i.e. off Carlyon Road) and to help to assess the future interaction of the access with the nearby junction of Ealing Road and Carlyon Road, a model of the existing signalised junction operation has been developed. The results suggest that in the morning peak hour, queues of 5-6 cars can be expected on the Carlyon Road arm of the junction, which would extend past the site access. This causes potential concern that vehicles turning right out of the site would not be able to join the traffic queue on the approach to the signals and would be tempted to block traffic entering Carlyon Road from Ealing Road.

61. However, it is recognised that a site access has been provided in this location for many years to access former buildings on the site (although the historic use of the access preceded the introduction of traffic signals at the Carlyon Road/Ealing Road junction). It is therefore recommended that a KEEP CLEAR marking be provided on Carlyon Road opposite the site entrance to help traffic to turn right out of the site. This will be

secured as part of the highway works within the Section 106 Agreement.

Cycle parking

62. Standard PS16 requires at least one secure bicycle parking space per flat and the proposed provision of 144 covered spaces within a secure storeroom alongside the car park is sufficient to satisfy this requirement. An additional 14 external spaces are also proposed to the Ealing Road frontage which is welcomed, providing two areas where visitors to the affordable workspace units can safely leave their bicycles.

Servicing and Refuse facilities

63. The two affordable workspaces are to be served by a shared transit sized bay located in the southeastern corner of the car park. Parking standard PS19 requires a 8m rigid vehicle bay. The width and headroom of the proposed space is sufficient to accommodate a Luton van-type vehicle and the only practical concern would be that such vehicles would temporarily obstruct access to parking space 2. However, as the two units only marginally exceed the threshold above which an 8m bay is required, this shortcoming can be accepted in this case as visits by vans larger than a transit are likely to be comparatively rare.

64. However, officers in Transportation have advised that trolleying distance between the bay and the commercial units should be minimised, to make the bay as convenient as possible and thus discourage unloading taking place from the vicinity of the Ealing Road bus stop. Both of the commercial units have a service door located as close as practically possible to the loading bay. In addition, it is recommended that a Servicing Management Plan is conditioned in any forthcoming consent.

65. Refuse storage for 25 x 1,100 litre Eurobins is proposed alongside the car park in a reasonably central location within about 30m of each of the residential entrance cores, thus minimising carrying distances for residents. However, it is over 20m from the highway boundary, so a standing area for refuse bins has been indicated along the Carlyon Road frontage of the site, to which bins will be moved on collection days.

Sustainability and Thames Water

66. Achieving sustainable development is essential to climate change mitigation and adaptation. The most recent relevant policy framework includes Brent's adopted Core Strategy 2010 policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures and the GLA's London Plan 2011 policies within Chapter Five London's Response to Climate Change.

Compliance with Brent policies

67. In support of the objective of satisfying Core Strategy policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures, a Code of Sustainable Homes Pre Assessment Report has been submitted predicting the development would exceed the minimum requirement for Code Level 4, providing flexibility within the design should credits be lost through the detailed design and construction process. This is to be secured as part of the section 106 agreement.

68. Brent's UDP 2004 policy BE12 and SPG19 Sustainable Design, Construction & Pollution Control 2003 require the submission of a Sustainable Development Checklist; the application is supported by a completed Brent Sustainable Development Checklist which demonstrates a score of 46.5% can be achieved. Whilst this score falls marginally short of 50%, it is considered that given that the scheme will achieve Code for Sustainable Homes Level 4 and the maximum reasonable amount of Carbon saving over Part L of Building Regulations 2013 can be achieved with appropriate off site contributions (see comments below), that this shortfall is can be accepted. The Sustainable Development Checklist is to be secured as part of the section 106 agreement.

69. In respect of Brent's sustainability policies, the proposal is considered acceptable.

Compliance with London Plan 2011

70. The scheme includes measures to minimise the impact of this proposal on, and mitigate for the effects of,

climate change and your officers consider the proposal to be in accordance with the energy hierarchy as required by London Plan 2011 policy 5.2 Minimising carbon dioxide emissions part (a): (i) be lean: use less energy; (ii) be clean: supply energy efficiently; (iii) be green: use renewable energy.

71. The application is supported by an Energy Strategy. In summary, the proposal does not meet the criteria of London Plan policy 5.2 for 35% improvement on Part L 2013 Building Regulations as a carbon saving of only 26.6% is achieved. The Energy Report has been reviewed by an independent energy consultant, and based on their recommendations, this shortfall is not considered significant to justify a reason for refusal and this is explained in more detail below.

- Lean measures

72. The buildings will be constructed using a range of passive design features, including a higher fabric specification; improvement over building regulations air permeability target; highly efficient heating and hot water system; and low energy efficient lighting.

73. It is estimated that a reduction in regulated CO2 emission of -2.1 tonnes per annum or -1.3% over baseline will be achieved through this first element ('Be Lean') of the energy hierarchy. This is a shortfall against the baseline at the energy efficiency 'Be Lean' stage. Pragmatically speaking this is only a negligible amount and whilst further improvements could be made the energy consultant has advised that it would probably not be cost effective for the developer to make further changes to achieve the target. Instead it would probably be more cost effective to pay into the carbon offset fund. The Carbon Offset Fund is part of the Government's Strategy known as "Allowable Solutions" for the delivery of mainstream zero carbon new homes from 2016. Through the mechanism of Allowable Solutions, the carbon emissions which can not be cost-effectively off-set on-site, after Carbon Compliance has been achieved, will be tackled through nearby or remote measures.

- Clean measures

The proposal will incorporate a communal gas boiler system to serve the residential units and Spilt Units for the commercial units. There is flexibility to allow future connections to a District Heating System via plate heat exchangers.

It is estimated that a reduction in regulated CO2 emission of 13.3 tonnes per annum or 9.7% over baseline will be achieved through this second element ('Be Clean') of the energy hierarchy.

- Green measures

The scheme proposes to install 66.05KwP (329.5sqm) of roof mounted Photovoltaic Panels. A reduction in regulated CO2 emissions of 43.6 tonnes per annum or 20% over baseline will be achieved through this third element ('Be Green') of the energy hierarchy. This meets the minimum requirement of 20% renewable energy requirement set out in policy 5.7 of the London Plan.

74. It is recommended that the Energy Strategy and the requirement to achieve a minimum of 26.6% improvement on Part L of 2013 Building Regulations together with appropriate contribution towards the carbon offset fund is secured as part of the Section 106 Agreement.

Further Response to objections

Objection	Response
High rise and high density development is inappropriate for the area.	As discussed in paragraph 5 above, the principle of high density development is supported within the growth area.
Proposal exceeds density matrix in London Plan and fails to meet minimum internal unit sizes as set out in London Plan.	More detailed discussions on density for this scheme is discussed in paragraph 14 above
Lack of on site car parking and impact on	Car parking and consideration of overspill parking

surrounding roads which already suffer congestion	has been discussed within paragraphs 54 to 59 above.
A CPZ would be at the expense of existing residents	Any CPZ would be subject to public consultation. In the event that a CPZ was introduced, there would be a requirement for the applicant to fund permits for existing residents for a three year period.
Lack of affordable housing compared to other sites within the Alpertown Growth Area.	Please refer to paragraphs 15 to 17 above.
Scheme not in keeping with character of area	Please refer to paragraphs 9 to 14 above
Scheme is not supported by infrastructure such as doctors, schools, community facilities etc and will have further stress on existing services	<p>The site is located within the Alpertown Growth Area which is strategically identified by the Council for housing growth. This growth will be supported by infrastructure identified within the Infrastructure and Investment Framework which is currently being developed. Anticipated infrastructure includes new primary school; new health services; new and improved public open spaces and recreational facilities; new bus services; community centre and new tree planting.</p> <p>This scheme will provide affordable workspace units, and in the event that these are not occupied within a two year period, these units will be made available for community access (use class D1) at a reduced rate. Such details will be secured as part of the Section 106 Agreement.</p>
Increase in anti social behaviour	There is no evidence to suggest that this scheme will result in anti social behaviour.
Nearby residential properties due to overlooking, overshadowing and additional noise and disturbance to nearby residential properties	Please refer to paragraphs 39 to 49 above
Proximity of new residential units to employment uses at 253A Ealing Road will adversely impact the ability for the employment uses to function.	Block B has been set in away from the boundary to provide a buffer to the nearby employment uses. Neither Block A or B have windows or balconies that face directly onto the employment use.
Proposal will compromise the redevelopment of the wider SSA including overshadowing 253A Ealing Road.	Please refer to paragraphs 39 to 49 above.

Conclusion

75. The application proposes the redevelopment of this former industrial site with a residential led mixed use development. It will contribute towards the objectives of the Alpertown Growth Area, including the delivery of affordable and family housing in the Growth Area.

116. It is recommended that the scheme be granted consent, subject to a legal agreement and planning condition, to secure the required planning merits.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Housing: in terms of protecting residential amenities and guiding new development
Employment: in terms of maintaining and sustaining a range of employment opportunities
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation
Transport: in terms of sustainability, safety and servicing needs
Community Facilities: in terms of meeting the demand for community services
Site-Specific Policies

Supplementary Planning Guidance and Design Guides

CONDITIONS/REASONS:

- (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):

11193 A P 001 - Location Plan
11193 A P 002 - Existing Plan
11193 A E 020 - Ealing Road & Carlyon Road Elevations

11193 A E 140 Rev B - Ealing Road Elevation 02
11193 A E 141 Rev B - Carlyon Road & East Elevations
11193 A E 142 Rev B - Elevation 04 & North Elevation
11193 A E 143 Rev B - Courtyard Elevation & Car Park Elevation to 1C Carlyon Road

11193 A S 120 Rev B - Sections 01 & 02
11193 A S 121 Rev B - Sections 03 & 04
11193 A S 122 Rev B - Sections 05 & 06

11193 A P 100 Rev C - Ground Floor Plan
11193 A P 101 Rev C - First Floor Plan
11193 A P 102 Rev C - Second Floor Plan
11193 A P 103 Rev C - Third Floor Plan
11193 A P 104 Rev C - Fourth Floor Plan
11193 A P 105 Rev C - Fifth Floor Plan
11193 A P 106 Rev C - Sixth Floor Plan
11193 A P 107 Rev C - Seventh Floor Plan
11193 A P 108 Rev C - Eighth Floor Plan
11193 A P 109 Rev C - Roof Plan

11193 A P 100 Rev B - Ground Floor Plan to indicatively show the tenure mix
11193 A P 101 Rev B - First Floor Plan to indicatively show the tenure mix
11193 A P 102 Rev B - Second Floor Plan to indicatively show the tenure mix
11193 A P 103 Rev B - Third Floor Plan to indicatively show the tenure mix

11193 A P 104 Rev B - Fourth Floor Plan to indicatively show the tenure mix
11193 A P 105 Rev B - Fifth Floor Plan to indicatively show the tenure mix
11193 A P 106 Rev B - Sixth Floor Plan to indicatively show the tenure mix
11193 A P 107 Rev B - Seventh Floor Plan to indicatively show the tenure mix
11193 A P 108 Rev B - Eighth Floor Plan to indicatively show the tenure mix

Other supporting documents

Air Quality Assessment prepared by Syntegra Consulting
BREEAM New Construction Assessment 2014 prepared by Syntegra Consulting
CGIs of proposed development
Daylight, Sunlight & Overshadowing prepared by Syntegra Consulting
Desk Study and Stage I Risk Assessment prepared by MRH Geotechnical
Design and Access Statement prepared by Francis Architects
Extended Phase 1 Habitat Survey prepared by Syntegra Consulting
Ecological Baseline and Code for Sustainable Homes Assessment Report prepared by Syntegra Consulting
Noise Impact Assessment prepared by Syntegra Consulting
Planning and Consultation Statement prepared by Dalton Warner Davis
Shadow Analysis with 253a Ealing Road
Sustainability and Energy Strategy Report Rev A, prepared by Syntegra Consulting
Transport Statement with Addendum Transport Note, dated July 2014
Table showing accommodation schedule with tenure type highlighted

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

- (3) All parking spaces (including disabled bays), Electric Vehicle Charging Points (including passive provision), cycle parking stands and refuse and recycling facilities shall be provided and permanently marked out prior to occupation of any part of the approved development in full accordance with approved plans, and thereafter retained in accordance with the approved details throughout the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic, or the conditions of general safety within the site and along the neighbouring highway & amenity and to provide sufficient cycle parking facilities and refuse and recycling facilities.

- (4) No works shall commence on site prior to a Construction Method Statement and Tree Protection Plan in accordance with BS 5837:2012 in relation to the existing London Plane on Ealing Road frontage has been submitted to and approved in writing by the Local Planning Authority.

Provision shall also be made for supervision of tree protection by a suitably qualified and experience arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

- (5) Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental

impact upon the community.

- (6) No works shall commence on site until a Construction Environmental Management Plan (CEMP) have been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors including:
- (i) Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
 - (ii) Working Hours: Standard construction hours (e.g. Monday to Friday 08:00 to 18:00 hours, Saturday 08:00 to 13:00 hours, with no working on Sundays or Bank Holidays), subject to consultation with the borough.
 - (iii) Access Routes: Routing construction traffic away from NSRs.
 - (iv) Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
 - (v) Screening: The use of site hoardings, enclosures, portable screens and/or screening noisier items of plant from NSRs, where reasonably practicable.
 - (vi) Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
 - (vii) Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
 - (viii) Piling: Ensuring that piling is undertaken using most appropriate technique, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with the LBB, prior to work commencing.
 - (ix) BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
 - (x) Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.
 - (xi) Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a possible future LEZ as a minimum; minimise movement of construction traffic around site.
 - (xii) Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
 - (xiii) Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate

The development shall be carried out strictly in accordance with the agreed details.

Reason: To minimise the noise and air quality impact of the demolition and construction works on sensitive receptors and to ensure demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.

- (7) Vegetation clearance shall be undertaken outside of the nesting bird season (generally extends between March and September inclusive). If this is not possible then any vegetation that is to be removed or disturbed shall be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may

affect them is required to be deleted until the young have fledged and the nest has been abandoned naturally.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- (8) Notwithstanding the details of the external materials set out in the Design and Access Statement, further details of the following external materials shall be submitted to and approved in writing by the local planning authority prior to commencement of building works on site. Such details shall include::

- Details of facing bricks including samples to be pre arranged to be viewed on site
- Details of the specification and colour of the window frames and doors
- Details of the finishing material and colour for balconies, parapets, canopies, balustrades and railings

The works shall be carried out in full accordance with the approved details.

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

- (9) Within three months of commencement of any works on site, further details of the following shall be submitted to and approved in writing by the local planning authority. Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50) or manufacturer's literature which show

- (a) details of the window and door reveals, headers and sills, including the depth of the reveals and the junction of materials around the returns;
- (b) details of proportion of window openings
- (c) details of the design and finish of the electricity substation door

The development shall be completed in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

- (10) Notwithstanding the unit layout plans otherwise approved, a revised layout shall be submitted to and approved in writing by the Local Planning Authority within three months of commencement of building works, providing a total provision of 12 wheelchair accessible/wheelchair adaptable units (accounting for c. 10%). These units shall thereafter be fully provided prior to first occupation of the residential units hereby approved.

Reason: To provide sufficient wheelchair accessible and adaptable units within the scheme.

- (11) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of development. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) all planting including location, species, size, density and number incorporating native species of local provenance along the southern boundary
- (b) details of the play equipment wfor formal and informal play area for under-fives and for 5

to 11 year olds within the courtyard

- (d) details of the provision of artificial bird and bat boxes
- (e) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users
- (f) the location of, details of materials and finishes of, all street furniture and external cycle stands
- (g) proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height
- (h) details of external lighting (including proposed sitting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows)
- (i) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- (12) Details of the roof plan, showing the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and shall be installed prior to occupation of the development hereby approved.

Reason: To demonstrate these are adequate and suitable to provide the level of carbon offset sought.

- (13) Following the demolition of the existing buildings and prior to commencement of building works, a site investigation shall be submitted to and approved in writing by the Local Planning Authority. The site investigation shall be carried out in accordance with BS 10175:2011 by competent persons to determine the nature and extent of any soil contamination present.

The site investigation shall include 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 should any contamination be found that presents an unacceptable risk to any identified receptors.

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

- (14) Any soil contamination remediation measures identified in condition 15 shall be carried out in full accordance with the approved details. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted 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

- (15) Prior to first occupation of the residential units hereby approved, details of the mitigation measures to protect future residents from the impact of poor air quality (as identified in the Air

Quality Assessment) shall be submitted to and approved in writing by the Local Planning Authority. All approved measures shall be implemented in full.

Reason: To protect future residents from the impacts of poor air quality.

- (16) Prior to first occupation of the residential units hereby approved, the following information shall be submitted to and approved in writing by the Local Planning Authority in relation to the substation in Block A and thereafter installed in accordance with the approved details.

- The magnitude of the electric and magnetic field at the base station based on its maximum usage and an assurance that the station will remain compliant with the ICNIRP recommendations;
- The projected electric and magnetic fields at the site boundary (compared to existing background) and that at the nearest residential premises.
- Details of noise/ vibration mitigation measures in the installation such as acoustic insulation/ screening or anti-vibrational mountings.

Reason: To secure the satisfactory development of the site in terms of human health and the wider environment.

- (17) All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

<u>Time</u>	<u>Area</u>	<u>Maximum noise level</u>
Daytime Noise 07:00 – 23:00	Living rooms	35dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

Prior to first occupation of the residential units hereby approved a test shall be carried out to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To obtain required sound insulation and prevent noise nuisance.

- (18) Prior to first occupation of the residential units hereby approved, an assessment of the noise level from any installed plant (such as air handling units, generators, ventilation/extraction systems) together with any associated ducting, achieving 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises, shall be undertaken and submitted to the Local Planning Authority for approval. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. If the predicted noise levels of the plant exceed those specified within this condition, then a scheme of insulation works to mitigate the noise shall be included. The recommendations provided within the noise assessment together with any required mitigation measures shall be carried out in full accordance with the approved details prior to first use of the plant equipment hereby approved.

Reason: To protect that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance.

INFORMATIVES:

- (1) 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

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337