

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 November, 2017
03
16/3606

SITE INFORMATION

RECEIVED	16 August, 2016
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	245-249 and 253 Ealing Road, Wembley, HA0 1EX
PROPOSAL	Redevelopment of the site to provide two new buildings of part 9 and part 10 storeys high to accommodate 92 flats (10 x studios, 42 x 1 bed, 25 x 2 bed and 15 x 3 bed units), ground floor commercial use within Use class A4 (drinking establishment) or Use class D1 (community centre) with associated basement for car and cycle parking spaces and storage, vehicular crossover, bin stores, amenity space, landscaping and associated works (Revised plans submitted changing the floorplans and elevations of Block B and Daylight/Sunlight Report addendum)
APPLICANT	Mr HKDD Properties Ltd
CONTACT	SF Planning Limited
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_129761</p> <p><u>When viewing this as an 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 "16/3606" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

INTRODUCTION

Introduction

1. This application was initially considered by Members at the Planning Committee on Wednesday 9 August 2017. At this Planning Committee meeting, Members resolved to grant planning permission, subject to conditions, a Section 106 agreement and Stage 2 referral to the Greater London Authority (GLA).
2. Following this, and before the application was referred to the GLA or the final decision notice issued, it was brought to the attention of officers that one letter of objection had not been fully discussed within the committee report. It was also found that there were some inaccuracies within the report relating to the description of the relationship between the proposed development and the adjoining commercial/development site, 253a Harrow Road. As such, it was considered necessary to report the application to the Committee again so that Members can consider the points raised in the objection and a fresh decision be made.
3. The objection in question raised concerns regarding 253a Ealing Road, which is a neighbouring narrow land parcel which is currently the subject of a separate planning application which was submitted on the 10 March 2017 (LPA reference: 17/1104) for the demolition of the existing buildings on site and the erection of four two storey terraced houses (4x2 beds) and two 4 storey residential blocks providing a total of 20 residential units (10 x 2bed and 10 x 3bed units). For information, this application was submitted to the Council after the letter of objection from the site owner was received by the Council.
4. In order to respond to the concerns raised within this objection, the applicant has commissioned a further daylight and sunlight assessment that quantifies the impact on this adjoining site, in the context of the development proposed under application 17/1104. Revisions were also made to the internal layout (and some corresponding changes to the external facade) which are discussed in this letter. Re-consultation was undertaken so that surrounding occupiers could consider and comment on the proposed revisions. Further responses are discussed below.

Daylight and Sunlight assessment of the adjoining site development site at 253a Ealing Road

5. The submitted report examines the potential impact on this adjoining development site, No. 253a Ealing Road. There are no sensitive buildings on that site at present. However, an application has been submitted to redevelop that site and as such, the potential impact on that scheme has been assessed. Whilst this assists the evaluation of the relationship with the adjoining development site, it does not warrant the same level of protection as existing homes as it is a new proposal for which consent has not been granted yet. It shows that all of the 71 habitable room windows tested passed BRE criteria for daylight and sunlight exposure. 48 of the windows had a modelled vertical sky component that was at least 80% of its current value, which means that these windows are unlikely to experience any material losses of daylight. Of the remaining 23 windows, 3 belong to dual aspect rooms where other sources of light will lessen the impact of daylight losses and 4 of them meet the BRE target of 2.0 in terms of their average daylight factor. The remaining 16 windows could be subject to some reduction in daylight, nonetheless the study confirms that all of these remaining windows meet the BRE target VSC of 13%, which is likely to result in a reduction of daylight within reasonable limits.
6. The scheme will not affect the sunlight received by windows within the proposed development of No. 253a due to the relative location of the two proposed developments.
7. The overshadowing results show that the amenity spaces of the proposed development at 253a Ealing Road will be overshadowed from 8:00 – 13:00 during the day (March 21st) irrespective of whether the 253 Ealing Road development is present. This clearly reflects the pre-existing limitations of the urban environment within which the development is proposed. The addition of the 253 Ealing Road development will result in some additional overshadowing of some amenity spaces during the afternoon and especially during the evening. Nonetheless, it is highlighted that this development does not yet exist

and does not warrant the same consideration of protection as existing accommodation.

8. Overall, all of the windows of the adjoining proposed development at 253a Ealing Road meet BRE criteria in respect of their impact by the proposed development at 253 Ealing Road. Further information, as well as details on specific windows being affected is available within the full report, which is on the Council's website. The impact is considered to be acceptable, particularly in view of the density of the surrounding urban environment.

Potential impact on the adjoining site at 253a Ealing Road in respect of privacy and revisions to the proposal

9. The impacts of the development on 253a Ealing Road were discussed within the previous committee report and considered acceptable. However, that report did not fully evaluate the potential impact on the roof top amenity spaces within the development proposed within that adjoining site. It should be noted that the scheme at No. 253a has not been approved yet, and it also proposes amenity spaces and development in very close proximity to the site boundaries. Nevertheless, the Council seeks to ensure that developments do not unreasonably prejudice the development potential of adjoining development sites.
10. To address this, the applicant has since submitted drawings to address the privacy relationship between the proposed development and that proposed within No. 253a. The revised drawings have reoriented the east facing windows and terraces of the three south-eastern most flats on each floor of Block B so that they splay away to prevent direct visibility towards 253a Ealing Road. In addition privacy screens on the eastern edges of the balconies and obscure glazing along part of the reoriented windows will assure that no direct overlooking with the adjoining site is possible. The reoriented sight lines now provide views across to the southwestern corner of Braunston House across Hatton Road. The closest opening to the edge of Braunston House is about 19m from the edge of Braunston House, and the views will be provided at a highly oblique angles, thus preventing direct lines of sight into the windows of Braunston House.
11. The amended plans have sufficiently addresses the privacy shortcomings in respect of the proximity to 253a Ealing Road.

Daylight and Sunlight assessment of the internal accommodation within the proposed buildings

12. The applicant has also submitted an updated internal daylight and sunlight assessment to consider any changes to internal quality following alteration to the plans. The report has examined 11 dwellings that were considered to be the worst-case units in terms of daylight access across the scheme were tested, these were on the ground floor, with all dwellings on higher floors highly likely to achieve better daylight. Sunlight assessment was carried out for 7 dwellings that were worse affected, those with at least one main window facing 90 degrees of due south. Finally, overshadowing studies were carried out for 7 amenity spaces on the ground floor (those likely to be most overshadowed).
13. The results confirm that in all cases the internal accommodation would meet BRE guidance. This is welcomed and further reinforces the benefit of the accommodation proposed.

Re-consultation and comments

14. As discussed above, following the receipt of revised drawings, re-consultation was carried out as follows:
 - 472 properties were sent new consultation letters on 25/09/2017

- A further site notice was erected on 05/10/2017
- A further press notice was published on 05/10/2017

15. The new round of consultation included the following information to clarify the purpose of the re-consultation:

“PLEASE NOTE: This is a revised letter. Please note revised plans have been submitted changing the floor plans and elevations of Block B and Daylight/Sunlight Report addendum. This letter supersedes previous letter sent.”

16. Following consultation, an additional 34 comments have been received, all in objection to the revised proposal. 13 of these comments are from neighbours and representees who did not formally respond to the original round of consultation, whilst 21 were from neighbours who had previously objected during the original round of consultation. Overall, during the course of the application, objections have been received from 55 separate neighbours and representees.

17. The grounds of objection within the second consultation responses generally reiterated the grounds of objection that were raised previously; new grounds that were raised are summarised and responded to below.

Ground of objection	Officer response
Proposed building is 9-10 storeys and in close proximity to southern and eastern boundaries, it does not meet the minimum 10 metre distances set out in SPG17 and incorporates windows facing a private land;	This is discussed in detail within the previous report, and also within the header for this report. See paragraphs 30 and 47 of the main committee report. Paragraph 30 considers how the 253a Ealing Road proposal would affect the internal standard of living of the subject proposal at 253 Ealing Road and paragraph 47 considers how the subject proposal at 253 Ealing Road would affect the visual amenity of the proposed accommodation at 253a Ealing Road.
Windows and balconies cause overlooking of the future development at 253a Ealing Road, in particular the roof terraces to this property.	This is discussed previously within the Header to this report.
Daylight and Sunlight assessment does not consider the impact on the future development of this site;	This is discussed previously within the Header to this report.
No assessment of overshadowing carried out;	This is discussed previously within the Header to this report.
The development represents an overdevelopment of the site including under provision of amenity space;	The development is appropriate and similarly reproduces the surrounding scale and density of development established within 243 Ealing Road. Amenity space provision appears to be reasonably maximised and is considered to be a good provision given the density of the scheme, which is unusual in terms of the wider borough, but not for the locality.
The materiality of the building is not complementary to the existing neighbouring buildings;	The character of the building is different from its neighbouring context within 243 Ealing Road, however a simplistic modern design is achieved in both cases and the massing and bulk of the buildings are very similar. It is not considered that the differences in materiality would detract from the overall character established amongst these tall residential buildings.
The proposal results in a lack of permeability;	The site would retain permeability similar to that of the current site, with pedestrian access between and around the blocks being possible.
The proposal results in an inactive frontage on the rear elevation, adjacent to 253a	The road to the rear (Hatton Road) does not provide through access and mainly only serves the

<p>Ealing Road and on the elevations between blocks A and B;</p>	<p>developments at 243 Ealing Road. Footfall is likely to be low.</p>
<p>The proposal would compromise the future development of the neighbouring site.</p>	<p>The neighbouring site (253a Ealing Road) is very constrained in terms of its width. Nonetheless, the two development proposals (16/3606 and 17/1104) are considered to work successfully in terms of their relationship between boundaries, as measured within SPG17 and as demonstrated by the daylight /sunlight assessment.</p>
<p>There are highways safety concerns in terms of access and egress to and from the site.</p>	<p>The highways arrangement has been closely considered by Brent's highways team and is discussed within the Highways Considerations section of the main committee report.</p>
<p>The changes to the application have made no attempt to address any of the issues for neighbouring residents</p>	<p>As discussed in the committee report, your officers consider that the development is acceptable in terms of its impact on neighbouring residents with the exception of its close proximity and relationship to the neighbouring land parcel of 253a Ealing Road. Amendments have now resolved this issue.</p>
<p>The obscure glass is poor design for living spaces.</p>	<p>The windows and balconies have been designed and oriented and the locations for any obscured glazing selected to ensure an adequate level of outlook will be provided for future residents.</p>
<p>The committee report had a circular and unfounded argument that numerous breaches of planning policy are expected in development of this scale.</p>	<p>Individual proposals must be considered on their specific merits having regard to policy and guidance. The proposal is considered to accord with relevant planning policies. Where a proposal does not entirely accord either adopted planning guidance or non-planning guidance (e.g. BRE Daylight and Sunlight guidance, which is not adopted but is commonly treated as "best practice" guidance across the UK), consideration must be given as to whether the proposal accords with adopted policy. This often involves the extent of harm associated with any non-compliance with guidance, and the benefits associated with a scheme. Where this is the case, it has been discussed within the committee report.</p>
<p>A newly added opening of the pub onto Hatton Road causes safety concerns in terms of crime and antisocial behaviour. Additional noise could be experienced.</p> <p>It requires the practical use of land owned by 243 Ealing Road and is not an appropriate secondary access.</p>	<p>The additional access is in response to comments made by the GLA regarding safety. The concerns of neighbours are acknowledged and the applicant has agreed to a condition to require the rear access to only be used in the event of a fire.</p> <p>An additional condition is recommending to require that the pubs entrance and exit doors are all equipped with automatic closing mechanisms and that there are maintained throughout the lifetime of the development. This will reasonably minimise any noise disturbance that could be experienced.</p>
<p>The development relies on the passageway between blocks which is owned by 243 Ealing Road, to wheel bins to the main pavement.</p> <p>There is no easement or right of way to permit this.</p> <p>The passage to access Ealing Road between the blocks will now be used for access to bin rooms for the private development which is undesirable.</p>	<p>There is sufficient room within the ownership of this site (1.1m at the narrowest point) to facilitate wheeling of Eurobins, even if a fence were erected between the boundaries. The largest Eurobins (1100L) are 1205mm x 775mm in size and would easily be wheeled through a 1.1m gap. A condition will be added that requires the applicant to submit details of a refuse management plan confirming how the management of the building will transport bins for collection from within the refuse vehicle stationing area within Block B.</p>
<p>The frosted glass proposed to the bedrooms of the new building has been</p>	<p>There have been no losses in frosted glass proposed windows. Such glazing will remain along the eastern</p>

removed, resulting in a breach of privacy.	elevation of the development and this is clearly shown on the plans (i.e. the windows facing Braunston House).
The report notes that the proposal is smaller in scale to the surrounding buildings, whereas it is proposed to be taller than Cosgrove House.	The original report incorrectly states that “the proposal is of a slightly smaller massing than its neighbours, Cosgrove and Braunston Houses to the north and east respectively”. Nonetheless, the difference in heights between the buildings is marginal, with the streetscene elevations confirming that the building will be very similar in scale to the neighbours at Braunston and Cosgrove houses; being marginally taller than Cosgrove House and marginally shorter than Braunston House.
The vehicle access swept paths are shown to be extremely tight and their proximity to the pedestrian crossing opposite Glacier Way needs to be taken into account.	Brent’s highways officers have reviewed the proposal, inclusive of the swept path tracking, and do not raise any objections to the arrangement.
The space is limited surrounding the development to construct. There is little space available for facilities and services without encroaching significantly on neighbouring public land.	The development is proposed within the application site and whilst the construction of a development within a tight site is more difficult, this cannot be considered within the planning application other than through the consideration of a construction method statement which is recommended to be secured through condition.
What is the purpose of having a cycle store in the basement without direct access from the ground level? This severely limits practical use.	The lift is to be increased in size to facilitate use and access.
The central passage between the blocks does not allow a secondary access and as such the pub cannot be built and this design cannot proceed.	The pub will rely on servicing from the stationing areas within the undercroft of Block B and not require the use of the passageway.
Referring to Hatton Road as a public highway is inaccurate as it is private. This should not be an excuse to reduce privacy standards.	The 20m guidance in SPG17 specifically refers to back-to-back garden distance where privacy would be most strongly desired. Given the more public (although not public in the sense of adoption) context of the road leading into the development, there are logical grounds to take a more balanced view on privacy distances when they are front-to-front windows in terms of character.
Light within the proposed buildings is likely to be insufficient.	The submitted daylight and sunlight assessment confirms light levels will be acceptable.
No assessment of daylight/sunlight has been done for the south side of Braunston House.	The daylight and sunlight assessment does not examine the southern facade of this property. However, given the relative location of this facade and the development, with this facade facing south and the proposed development is situated to the west of the likelihood of the proposal resulting in a significant loss of daylight or sunlight is low.
A full D&S assessment is required for dual aspect to be considered, which has not been done.	Dual aspect accommodation still offers a benefit in planning terms even if this has not been formally quantified in terms of BRE.
Why should the public pay the price for developers overpaying for the land? Meaning profitable routes require less social housing and high density?	The affordable housing offer has been scrutinised thoroughly in consultation with an external institution. The assessment of affordable housing feasibility was made on the basis of an independently assessed benchmark local land value rather than any consideration of what the developer paid for the land. This ensures that affordable housing has been reasonably maximised.
6 of the units are below the minimum size	As stated in the supplementary report, the units not

required for a dwelling	meeting standard are only 0.6sqm below the standard at most, unlikely to result in a material worsening of living standards below the minimum standards.
Only 16% of units are family sized despite a policy requirement for 25%	Alperton Masterplan has a specific policy requirement of 10% family units, increasing to 40% within affordable rent units. The 16% provision represents a good balance between these thresholds given the largely private tenure of the development. As far as practicable, larger family units are to be sought as affordable rent units within the development to ensure the housing mix maximises policy compliance.
Nearby Alperton tube station is not disabled accessible and has a poor service	Whilst noted, this is not considered to be a suitable reason to prevent new development and is a limitation outside of Brent's control.
No visitor parking is likely to reduce the wellbeing of residents	The site has good public transport accessibility and the provision of low levels of parking (including an absence of visitor parking) is considered to be acceptable in such areas.
No loading bays provided for deliveries or service vehicles will result in illegal parking on private property, controlled zones and on pavements	The loading bay for both blocks is situated within block B.
Nearby cycle lanes and canal towpaths are unsafe	The proposed development does not materially affect the cycle lane or towpath.
There will be significant risk from falling objects where pedestrians walk and cars are parked	The proposed development will not result in a level of risk of falling items that is not apparent within other buildings.
No assessment has been done on local amenities/facilities	The need for local amenities/facilities is identified within Brent Planning Policy and the Alperton Masterplan. CIL contributions from this and other developments may be used to fund the infrastructure.
The site is not in the catchment for any primary schools in Brent	Primary school places within Brent are evaluated by the Council's schools team who look to ensure that there are sufficient spaces to meet demand. Projections for new development set out within Brent Policy together with planning permissions are taken into account when considering this.
The roof garden is subject to high winds, against the London Plan Policy 7.6	The roof gardens will be equipped with screening for safety and to reduce wind, which is commonplace for new developments. Details of the screening is recommended to be required through condition.

Further discussion of Daylight and Sunlight impacts on surrounding development

18. The revisions do not materially alter the implications of the proposal on the levels of daylight or sunlight received by surrounding residential units. However, as this matter has been raised by objectors again, this section will briefly expand on the daylight and sunlight impacts as evaluated as a part of the submission and discussed within the previous report.

19. To reiterate, 589 windows were assessed, 195 of which passed the 25 degree plane test set out within BRE guidance and did not therefore require further testing.

20. The Visual Sky Component (VSC) of the other windows was tested. The VSC analysis, in broad terms, identifies how much of the sky is visible at present and how much of the sky would be visible with the new development being present. This is expressed in percentage terms, The tests are taken from the centre of windows tested. The BRE guidance stipulates two benchmarks for VSC: windows whose VSC value remains above 27% (benchmark for good daylight) and, for those which do not achieve this, windows whose VSC value are more than 80% of their former value (the loss of daylight is unlikely to be materially

noticeable). Many windows do not have starting VSCs of at least 27% and as such can only be assessed in terms of the 80% VSC test.

21. Of the 394 windows that do not pass the 25 degree test, 66 of the windows will retain a VSC of greater than 27% and 153 will retain a VSC value at least 80% of the previous.
22. It is suggested within guidance that a reduced standard VSC of 20% can be considered to offer acceptable light levels in dense urban environments with site constraints. Taking this test into account, another 31 windows meet this standard. The 122 remaining windows (20.7% of the total tested) do not meet BRE guidelines.
23. The surrounding buildings which would have at least one window failing BRE standards are:
 - 372 Ealing Road – property to south west – 7 out of 28 tested windows fail BRE test (fails range between 78% of the former VSC value and 54.8% of the former value with an average of 68.8% of the former VSC value)
 - 243 Ealing Road (Cosgrove House) – property to the north – 42 out of 59 tested windows fail BRE test (fails range between 60.7% of the former VSC value and 33% of the former VSC value with an average of 45.2% of the former VSC value)
 - 243 Ealing Road (Braunston House) – property to the northeast - 89 out of 255 tested windows fail BRE test (fails range between 79.6% of the former VSC value and 17.6% of the former VSC value with an average of 55.0% of the former VSC value)
 - 255 Ealing Road (not yet built) - 35 out of 140 tested windows will fail BRE test (fails range between 79.8% of the former VSC value and 32.6% of the former VSC value with an average of 63.1% of the former VSC value)
24. Residential buildings on Carlyon Road to the rear as well as building 5 of 243 Ealing Road were also tested but all windows passed BRE tests.
25. 421 south facing windows were tested nearby for sunlight loss. BRE standards only need to be assessed if the windows do not pass the 25 degree plane test. Since 189 windows passed the 25 degree plane test, 232 windows remain to be tested, 155 of which pass the relevant BRE tests for Probable Sunlight Hours and 77 of which do not pass the tests.
26. Two surrounding buildings are affected in sunlight terms, those being 243 Ealing Road (Cosgrove House) and 243 Ealing Road (Braunston House)
 - 243 Ealing Road (Cosgrove House) – property to the north – 41 out of 59 tested windows fail BRE test (fails range between 4.3% of annual sunlight hours lost and 8.4% of annual sunlight hours lost with an average of 6.9% of annual sunlight hours lost)
 - 243 Ealing Road (Braunston House) – property to the northeast - 37 out of 255 tested windows fail BRE test (fails range between 3.9% of annual sunlight hours lost and 42.6% of annual sunlight hours lost with an average of 15.3% of annual sunlight hours lost). 19 windows will lose more than 10% of their annual sunlight hours, 12 windows will lose more than 15% of their annual sunlight hours, 9 windows will lose more than 28% of their annual sunlight hours, 7 windows will lose more than 30% of their sunlight hours and 2 windows will lose more than 35% of their annual sunlight hours.
27. The proposal does result in a loss of daylight and sunlight beyond BRE guidance levels for a number of windows as discussed above. Given the benefits associated with the development of this site (the provision of a number of new homes in the borough) and the dense urban nature of the subject site and

surrounding sites, the benefit of the proposed development was considered to outweigh the harm associated with the loss of daylight and sunlight and it was and is recommended that planning permission is granted.

Recommendation

28. Officer continue to recommend that planning permission is granted for the development subject to the Stage 2 referral to the Mayor of London, the completion of a Section 106 legal agreement and subject to conditions and informatives as set out within the previous committee report, with the following additional / revised conditions.

- Revised condition 2 with amended drawing numbers;
- Additional condition requiring all commercial unit access doors to have automatic closing mechanisms and for these to be retained for the lifetime of the development;
- Additional condition requiring the rear commercial unit access door to operate as a fire escape only and are kept closed except when being used for such purposes;
- Additional condition requiring detailing of the screening of the roof gardens to be approved, in the interests of minimising detrimental effects of wind;
- Additional condition requiring management details of transference of bins to undercroft area to be submitted and approved;
- Alteration to condition 17 to require three publicly accessible cycle stands rather than two;

29. The full previous committee report, including its supplementary section, is included below for reference.

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and referral to the Mayor.

Section 106 Heads of Terms

1. Payment of legal and professional costs;
2. Affordable Housing (24 homes, 17 units will be affordable rent and 7 will be shared ownership - a 71:29 ratio of Affordable Rent to Shared Ownership);
3. A commuted payment of £6,000 towards the provision or enablement of offsite affordable housing;
4. A post implementation financial review mechanism, to reasonably capture any improvement in viability for deferred Affordable housing planning obligations;
5. Notification of commencement;
6. Requirement for the commercial unit to be legally bound in its use as a community facility;
7. Undertaking of highway works and soft landscaping on the highway through an agreement under S38/S278 of the Highways Act 1980;
8. The implementation of and monitoring of a residential travel plan, incorporating free membership of a car club in the vicinity of the development for residents for an enhanced period of at least two years;
9. Training and employment plan targeting Brent residents;
10. A financial contribution of £60,000 towards the cost of extending Controlled Parking Zones in the vicinity of the site, including the subsidisation of parking permits of existing local residents in the area;
11. Contribution towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in condition 7, should those targets not be met through on-site measures.
12. 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

1. Time Limit for commencement

2. Approved drawings/documents
3. Specific windows to be obscure glazed for privacy
4. Highway works and parking spaces, cycle, bin storage and amenity spaces to be laid out prior to occupation
5. Car free
6. Considerate Constructors' Scheme membership
7. Carry out in accordance with approved SUDS measures
8. Carry out in accordance with approved noise impact assessment
9. Carry out in accordance with approved air quality impact assessment
10. Details of materials to be approved
11. Recording report to capture The Plough public house heritage asset
12. Demonstration of 10% wheelchair accessible units
13. Demonstration of acceptable disabled access
14. Emissions details of domestic boilers
15. Electric vehicle charging points
16. Revised details of lifts of basement for practical use
17. Provision of public bicycle stands, alterations to parking entrance gates, provision of additional access
18. Delivery and servicing plan
19. Construction logistics plan
20. Landscaping and Child Play details
21. Tree details and planting viability
22. Consideration of additional energy saving
23. Procedures for CHP failure
24. Consideration of connection to local heat network
25. Implementation of site heat network
26. Consideration of carbon savings modelling
27. Plant noise limited
28. Sound insulation measures
29. Construction method statement
30. Contaminate land investigation
31. Contaminated land remediation
32. External lighting
33. Carbon savings
34. Communal TV and satellite
35. Water consumption

Informatives

1. Guidance notes from Thames Water
2. Notify highways service of intent to commence works
3. CIL liability

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 3 months of the committee date the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 245-249 and 253 Ealing Road, Wembley, HA0 1EX</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.



PROPOSAL IN DETAIL

The proposal is to demolish the existing buildings on site and erect two buildings of up to 10 storeys in height in their place. The basic form of the buildings is for a broadly rectangular footprint, with small steps in form along the façade for articulation. On the ground floor of the northernmost building would be a public house (A4) / community facility (D1) measuring 129sqm. On the ground floor of the southernmost building would be an at-grade car park containing disabled parking provision and a place for refuse collection. Ancillary floorspace such as cycle stores and plant area would be mainly located at basement level, with the refuse stores located on ground floor level.

Above this there would be 31 residential units within the northernmost building (block A) and 61 residential units within the southernmost building (block B), which would be a mix of one, two and three bedroom flats. Each block would have a single core, with block A's core serving up to 4 flats on each floor and block B's flat serving up to 8 flats on each floor. The building form is consistent up the structures although the top storey of each building is set back to a greater degree than the floors below. The top storey would have a 120sqm communal terrace and 58sqm of child play space in place of the built form that has been removed to achieve a set in on the south side. All flats are also to be provided with a private balcony/terrace and additional rooftop communal gardens are to be placed atop both buildings.

EXISTING

The site includes an MOT Centre, former HSBC bank building and the Plough Public House. These existing two storey buildings are all to be demolished in place of the proposal.

The surrounding area is mixed in character, with some retail and considerable light industry and manufacturing within close proximity. However, the area is increasingly becoming residential following completion of housing developments, including those to the immediate north (243 Ealing Road) and construction of new developments to the south (255 Ealing Road) as well as nearby emerging developments such as Abbey Wharf and Minavil House.

The site fronts on to Ealing Road, which is a significant thoroughfare within the borough. The northern part of the site located on the junction with Hatton Road and Glacier Way, a prominent junction which provides vehicular access to the Sainsbury's Superstore to the West. The northern and eastern sides of the site are bounded by Hatton Road, with modern residential blocks Cosgrove House (north) and Braunston House (east) forming the immediate context across Hatton Road. To the south, across a small service road is the site of 255 Ealing Road, where another significant residential development is being implemented. Between the Plough pub to the south and the former HSBC building to the north is a small strip of land containing an access to Hatton Road, this access is outside of the applicant's ownership. The site therefore encompasses two separate plots of land, HSBC to the north and the Plough to the south.

The site is within Alperton Growth Area, which is designated within the Core Strategy as one of the areas within the borough where the majority of the planned growth is expected to occur. It is part of site allocation A.3 (Former B&Q and Marvelfairs House). In July 2015 Alperton was designated as a Housing Zone by the Mayor of London.

Finally, the locality is designated as an Air Quality Management Area.

SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

- **Representations Received:** A total of 42 objections have been received principally raising concerns regarding scale & design, loss of light and views, transport and access impacts and a lack of supporting facilities
- **Land use:** The loss of a designated asset of community value is to be mitigated through a S106 obligation for a replacement pub whose community use can be assured and controlled. The residential use is strongly supported through the housing zone designation and the site specific allocation governing

this area.

- **Design:** The design of the building is considered to be acceptable and the height and massing is in keeping with the local context.
- **Housing density:** The density is very high but the site has a high Public Transport Accessibility Level (PTAL) and surrounding development is of a similar density.
- **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality. The mix of units is in accordance with the standards within the London Plan and closely aligned with the Alperton Masterplan mix, and would have good outlook. The amenity space is slightly below our standard, but not by much and is high for a tall building.
- **Affordable housing:** The maximum reasonable amount has been provided on a policy compliant tenure split. The viability has been tested and it has been demonstrated that this is the maximum reasonable amount that can be provided on site. The requirements of affordable housing obligations are considered to have been met.
- **Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, which is a function of a development on this scale. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits.
- **Highways and transportation:** The alterations to the public highway would be acceptable, considering the needs of pedestrians, cyclists and motorists. Only 10 disabled parking spaces are to be provided, with the remainder of the development expected to operate free of cars. Some alterations are required through condition, but the principle of the highways layout results in an acceptable arrangement.
- **Trees, landscaping and public realm:** Some trees are proposed to be removed but they are not considered worthy of retention. The proposal has the potential to improve on the existing situation with the forecourt landscaping proposed. This will be assured through conditions.
- **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Conditions will require further consideration of carbon savings prior to implementation.

RELEVANT SITE HISTORY

The site does not have any relevant planning history.

CONSULTATIONS

Consultation with neighbours

A press notice advertising the proposal was published on 29 September 2016, and a site notice was displayed on 19 September 2016. In addition, letters were sent to 469 neighbouring properties on 19 September 2016. Councillors for Alperton Ward were also consulted.

Following this, 42 representations have been received. The majority of objections were received from residents of Cosgrove House (to the north) and Braunston House (to the east). The prevailing issues raised within these representations are laid out and responded to below. In addition, a petition objecting to the proposal has been received. It has been signed by 75 residents of Braunston and Cosgrove Houses, although there are no specific comments made on the grounds of objection.

Objection	Response
<p>The development would result in inconvenience of access routes to the existing developments to the north and east.</p> <p>The access will need to be through the private road servicing 245 Ealing Road (Hatton Road).</p>	<p>The proposal will retain Hatton Road (access from Ealing Road) fully, as well as a pedestrian access between 245-249 and 253 Ealing Road, as is currently the case. It is therefore not considered that local access routes and permeability will be changed by this development.</p> <p>The proposed pedestrian and vehicular access to the building will be from along the main frontage along Ealing Road. No accesses will be made available from Hatton Road.</p>

<p>The scale of development is inappropriate, with insufficient spacing between and placement of blocks. The standard for separation between buildings is 18m-20m.</p> <p>There will be a loss of privacy due to the close proximity of buildings.</p>	<p>The scale of development is very similar to that of its immediate neighbours, Braunston and Cosgrove Houses. The placement of the building is broadly in line with the existing pattern although it is acknowledged that the relationship is tighter in places.</p> <p>The 20m separation standard within Brent's SPG5 guidance specifically refers to face-to-face windows in the interests of protecting privacy between neighbouring dwellings. The development has been designed so as to ensure that windows are not present where they would compromise privacy at an unsuitable distance, e.g. there are no clear glazed windows on the east facing elevation of Block A towards Braunston House.</p> <p>Proximity alone is not a measure of detrimental impact in terms of light and overshadowing and loss of privacy, as daylight and sunlight reports are used to assess the full impact of building proximities.</p>
<p>The Daylight and Sunlight assessment does not take into consideration the proposed developments at 255 Ealing Road, 253a Ealing Road and 1C Carlyon Road. The daylight and sunlight report indicates that a significant number of windows within neighbouring buildings are to lose light.</p>	<p>There are a number of principles within the BRE guidance that are used to demarcate varying standards of daylight/sunlight loss. Given the high density of the development and the established standard for this form of urban design in Alperton, it is to be expected that the most stringent of the BRE standards (e.g. the 25 degree plane test) are unlikely to be passed on a significant scale.</p> <p>The Council acknowledges that the daylight and sunlight impacts are significant in some cases. Nonetheless, it is considered that the scale of development, both that proposed and which has come before it, would only realistically be delivered alongside losses of light proportionate to the scale and density of development.</p> <p>The proposed development at 255 Ealing Road has been factored into the D&S report and modelling. The proposed development at 253a Ealing Road/1C Carlyon Road is small scale in nature</p>

	<p>(small domestic houses) and is unlikely to cast significant shadows or obstruct light in the same way as existing developments within this area.</p> <p>Brent's SPG17 guidance requires that 10m of unobstructed distance is required to achieve good outlook from neighbouring habitable windows, which is achieved within this development.</p>
<p>Parking stress will increase, owning a car will become very difficult. The traffic congestion on Ealing Road will increase.</p> <p>The transportation needs of the development will not be fulfilled by 143 cycle spaces and 10 car parking spaces.</p>	<p>These developments, as well as those to the north and east, are designed as car free developments (with the exception of disabled parking, where suitable parking spaces are made available) and as such, developments within this area deliberately do not provide parking capacity. This is justified on the grounds that public transport access is good within the local area and moving away from reliance on car use is important for future sustainability. This incentive to prevent car ownership includes restricting residents from applying for parking permits. Car free developments are therefore not considered to contribute to parking stress.</p> <p>By extension, the development is unlikely to have a noticeable impact on local traffic, as only a very small number of disabled car parking spaces can be used within this development which will generate a very small number of car movements in and out of the development.</p>
<p>There will be pressure put on local services.</p>	<p>The development would be liable for Community Infrastructure Levy (CIL) payment in excess of £1m, which would solely contribute towards local community infrastructure.</p>
<p>There are a high number of 1 bedroom flats proposed. In the suburbs (such as Alperton), the emphasis and encouragement should be on family living.</p>	<p>The Alperton Masterplan identifies that the need for family housing (10% or 40% within social rent tenure) is lower than the need in Brent as a whole (25%). Further information is in paragraphs 33 and 34 below.</p>
<p>The density and size of the site is likely to result in small units with minimal landscaping, which is undesirable to homeowners.</p>	<p>The units all comply with the Mayor's standards within the London Plan on suitable flat sizes. Achievement of these standards is considered to provide a functional and desirable space for the intended number of occupants. In addition</p>

	<p>to meeting floor space standards, the flats all have at least one balcony space and access to a substantial roof terrace. The overall amenity space offer is considered to be substantial given the site constraints.</p>
<p>The density must surely exceed the recommended density benchmark, as dictated by PTAL values.</p>	<p>The development does significantly exceed recommended density in accordance with the Mayor's density matrix (see paragraphs 26 and 27 below). This is considered acceptable by both Brent and the Greater London Authority and is common across the Mayor's housing zones.</p>
<p>There is little recreational space outside the building. Will the residents have access to the communal garden for residents of the 245 Ealing Road development?</p>	<p>There are to be landscaping improvements along Ealing Road, although the majority of recreational space is to be provided internally within private balconies and large roof terraces.</p> <p>The potential for prospective residents to access the 245 Ealing Road communal gardens is a private matter for the management of 245 Ealing Road to consider.</p>
<p>The community centre/replacement pub cannot function as both. The unit is also very small and without two accesses does not meet fire and access regulations.</p> <p>Reports that the current owner of the Plough public house has allowed the pub to become run down and a haven for drug users.</p>	<p>The community centre/pub will be used to replace the asset of community value. Unlike the existing pub, the proposed pub will be subject to the control of the Local Planning Authority to ensure it serves a community function. This is detailed within the S106 obligation.</p> <p>Some comments from objectors suggest that the existing public house does not effectively serve as a community asset. If this is the case, the new public house use will offer an opportunity to re-establish a more functional community asset, even if the floorspace will be reduced.</p> <p>The fire strategy will need to be addressed at the building regulations stage.</p>
<p>The proximity to Ealing Road will cause dust and dirt to build up on the balconies, glass and cladding. It is not mentioned how the need for regular cleans will be addressed.</p>	<p>Cleaning of the building will be the responsibility of the owners and those who manage the building on behalf of the owners. This is not a unique problem and would be experienced along many busy roads within the borough. An excessive build up of dirt and dust would result in an environmental health concern rather than</p>

	an issue with the planning consent.
Views would be obstructed.	Individual views are not protected within policy, only key strategic views (e.g. the Wembley Stadium arch from designated viewpoints).
The community would want a café, restaurant and/or a modern medical centre for an underserved population.	The A4 commercial use proposed would directly re-provide the service to be lost. The CIL payment is designed to contribute to the delivery of infrastructure upon which a development relies.
Crime, amenities and schools should first be addressed before further regeneration is permitted.	See above.
The pub will result in potential for increased noise and disturbance at night and anti-social behaviour.	The pub use is already present and will be reprovided. Any crime or noise disturbance should be addressed as and when it occurs, by Brent's environmental health team.
The development does not promote high quality homes and healthy communities.	The development meets the Mayor's residential design standards and provides sufficient private and communal amenity spaces, particularly given the surrounding density. The proposal is therefore considered to offer a good quality of accommodation to prospective residents.
The development would put pressure on Alperton tube station.	TfL were consulted regarding this proposal and did not raise concerns about an increased use of Alperton Station.
The size and shape of the proposal will surely affect external noise levels.	The building itself will not emit significant noise. It is expected that the development will be mostly (at least 90%) free of cars and the associated generation of traffic demand. As such, it is not considered likely that local external noise levels will increase substantially.
The air quality assessment shows a number of receptors are predicting annual mean NO ₂ levels over the APEC Band C requirements.	The air quality impacts have been considered thoroughly by Brent's relevant team. Further information on NO _x emissions are to be required, approved and implemented before the use commences.
The value of nearby properties will be affected.	This is not a material planning consideration.
There are no safe ground level children's play areas – the roofs are not large enough for the number of flats proposed.	Subject to appropriate safety measures, rooftop playspaces can be safe spaces for children to play. Building regulations will ensure that necessary aspects of safety are included. The overall outdoor space equates to

	about 14-15sqm per flat. Brent's SPG17 standards advise 20sqm of space per flat for suitable amenity space for a flat. Given the high density of this scheme, the amenity space achieved is considered to be substantial.
Pests and rubbish generation will increase.	Suitably sized refuse storage has been proposed to account for the occupancy envisioned.
The design of the building is inappropriate and the existing 2/3 storey height should be replicated in a redevelopment.	The housing zone designation by the Mayor of London of this part of Alperton and its adoption as a regeneration area within Brent puts pressure on the need for this area to provide a high quantity of new homes to address London's housing pressures. A 2/3 storey building would not represent an efficient use of land in the context of this policy background and would not necessarily relate well to the already established higher rise character of the area.
Energy bills will increase as natural light is reduced.	Losses of light to affected windows have the potential to increase the amount of time lighting is required. However, it is not expected that this would be dramatic.

Internal consultations

The following consultees were consulted, and made comments as detailed:

- **Environmental Health** – There are no objections raised. Conditions are suggested to cover issues including noise, construction impacts, air quality and contaminated land.
- **Affordable housing** – Following a negotiation process between the applicant and the Council, an agreement has been reached between parties that the maximum reasonable level of affordable housing is to be provided, given the projected costs.
- **Local Lead Flood Authority** – There are no objections raised and no conditions recommended.
- **Policy** – Loss of the community asset is not supported, unless further justification or re-provision of a similar community asset can be provided and clearly used as a community asset in accordance with the terms of a legal agreement.
- **Trees and landscaping** – The loss of trees is supported subject to further details of landscaping provision to satisfactorily mitigate this.
- **Heritage** – The pub has been identified as a potential candidate for local listing, however the building is not so significant that it should be retained at all costs, given the wider regenerative benefits.
- **Sustainability** – The proposal effectively demonstrates compliance with London Plan energy requirements.

External consultations

The following consultees were consulted, and made comments as detailed:

Greater London Authority (including Transport for London (TfL)) – The application is referable to the Mayor of London under the provisions of the Town & Country Planning (Mayor of London) Order 2008. The application is referable under category 1C of the Schedule to the Order 2008, namely the development comprises or includes the erection of a building more than 30 metres high, and is outside the City of London.

The Stage 1 report from the Mayor of London sets out that the principle of the housing-led mixed-use redevelopment of this site is supported. However, a number of strategic concerns are raised as follows:

1. **Housing:** The principle for a residential led mixed use development of the site is established by its location within the Alperton Growth Area defined by Brent policy Map (SSA(A)) and its location within the Alperton Housing Zone which encourages the speeding up of residential delivery. Assurance however is required over the loss and re-provision of community floorspace linked to a secured asset of community value.
2. **Affordable Housing:** The affordable housing offer should be further interrogated. The applicant's viability assessment should be thoroughly investigated by the Council's independent financial viability and its findings shared with GLA officers during the negotiation process.
3. **Urban design:** The height, scale and massing are supported but further work is required in relation to design quality and in particular the ground floor layouts of Blocks A and B.
4. **Playspace Provision:** The applicant has not set out the expected child yields and resultant play space requirements based on the Shaping Neighbourhoods: Play and Informal Recreation SPG 2012 and relate this to a playspace strategy. Brent Council should decide whether an off-site contribution to facilities is required in the context of the viability negotiations.
5. **Access:** Insufficient information provided to be compliant with the London Plan and the applicant should demonstrate that 90% of residential units meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and 10% meets Building Regulation requirement M4 (3) designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users; and the applicant should demonstrate that the public realm is inclusively designed.
6. **Sustainability:** The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan. The applicant should consider the scope for additional measures aimed at achieving further carbon reductions from the 'lean' scenario and provide the requested verification information before stage 2 referral.
7. **Transport:** TfL considers the proposal to be compliant with the London Plan and generally acceptable in transport terms, subject to the mitigation in relation to improvements to the surrounding pedestrian public realm and the securing of a construction logistics plan and Travel Plan.

Officers consider that these matters have been adequately addressed through the imposition of conditions or otherwise. Once Members have resolved to determine the application it is necessary to refer the application back to the Mayor for a decision as to whether to direct refusal, take it over for determination or allow the Council to determine the application itself. This is known as the Stage 2 referral.

Thames Water – No objections, but requirements for the applicant to obtain a Groundwater Risk Management Permit from Thames Water, as well as a requirement to install infrastructure for appropriate surface water drainage and for protection from backflow. These requirements are governed by legislation separate from planning and can be communicated to the applicant through an informative.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012)

London Plan (2016)

- Policy 1.1 – Delivering the strategic vision and objectives for London
- Policy 2.6 – Outer London: vision and strategy
- Policy 2.7 – Outer London: economy
- Policy 2.8 – Outer London: transport
- Policy 2.14 – Areas for regeneration
- Policy 2.15 – Town centres
- Policy 2.16 – Strategic outer London development centres
- Policy 3.1 – Ensuring equal life chances for all
- Policy 3.2 – Improving health and addressing health inequalities
- Policy 3.3 – Increasing housing supply
- Policy 3.4 – Optimising housing potential
- Policy 3.5 – Quality and design of housing developments
- Policy 3.6 – Children and young people's play and informal recreation facilities
- Policy 3.7 – Large residential developments
- 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
 - Policy 3.17 – Health and social care facilities
 - Policy 3.18 – Education facilities
 - Policy 4.1 – Developing London’s economy
 - Policy 4.2 – Offices
 - Policy 4.3 – Mixed use development and offices
 - Policy 4.7 – Retail and town centre development
 - Policy 4.8 – Supporting a successful and diverse retail sector and related facilities and services
 - Policy 4.9 – Small shops
 - Policy 4.10 – New and emerging economic sectors
 - Policy 4.11 – Encouraging a connected economy
 - Policy 4.12 – Improving opportunities for all
 - Policy 5.1 – Climate change mitigation
 - Policy 5.2 – Minimising carbon dioxide emissions
 - Policy 5.3 – Sustainable design and construction
 - Policy 5.5 – Decentralised energy networks
 - Policy 5.6 – Decentralised energy in development proposals
 - Policy 5.7 – Renewable energy
 - Policy 5.9 – Overheating and cooling
 - Policy 5.11 – Green roofs and development site environs
 - Policy 5.13 – Sustainable drainage
 - Policy 5.14 – Water quality and wastewater infrastructure
 - Policy 5.15 – Water use and supplies
 - Policy 5.17 – Waste capacity
 - Policy 5.18 – Construction, excavation and demolition waste
 - Policy 5.21 – Contaminated land
 - Policy 6.1 – Strategic approach
 - Policy 6.2 – Providing public transport capacity and safeguarding land for transport
 - Policy 6.3 – Assessing effects of development on transport capacity
 - Policy 6.4 – Enhancing London’s transport connectivity
 - Policy 6.7 – Better streets and surface transport
 - Policy 6.9 – Cycling
 - Policy 6.10 – Walking
 - Policy 6.11 – Smoothing traffic flow and tackling congestion
 - Policy 6.12 – Road network capacity
 - Policy 6.13 – Parking
 - Policy 7.1 – Lifetime neighbourhoods
 - 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 7.7 – Location and design of tall and large buildings
 - Policy 7.14 – Improving air quality
 - Policy 7.15 – Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 - Policy 7.19 – Biodiversity and access to nature
 - Policy 7.21 – Trees and woodlands
 - Policy 7.30 – London’s canals and other rivers and waterspaces
 - Policy 8.2 – Planning obligations
 - Policy 8.3 – Community infrastructure levy
 - Policy 8.4 – Monitoring and review
- **Core Strategy (2010)**
 - CP 1 – Spatial Development Strategy
 - CP 2 – Population and Housing Growth
 - CP 3 – Commercial Regeneration
 - CP 5 – Placemaking
 - CP 6 – Design & Density in Place Shaping
 - CP 8 – Alperton Growth Area
 - CP 14 – Public Transport Improvements
 - CP 15 – Infrastructure to Support Development
 - CP 16 – Town Centres and the Sequential Approach to Development

- CP 17 – Protecting and Enhancing the Suburban Character of Brent
 - CP 18 – Protection and Enhancement of Open Space, Sports and Biodiversity
 - CP 19 – Brent Strategic Climate Change Mitigation and Adaptation Measures
 - CP 20 – Strategic Industrial Locations and Locally Significant Industrial Sites
 - CP 21 – A Balanced Housing Stock
 - CP 23 – Protection of existing and provision of new Community and Cultural Facilities
- **Development Management Policies (2016)**
 - DMP 1 Development Management General Policy
 - DMP 2 Supporting Strong Centres
 - DMP 3 Non-Retail Uses
 - DMP 4 Neighbourhood Centres and Isolated Shop Units
 - DMP 6 Visitor Accommodation and Attractions
 - DMP 7 Brent's Heritage Assets
 - DMP 8 Open Space
 - DMP 9 Waterside Development
 - DMP 10 Capital Ring
 - DMP 11 Forming an Access on to a Road
 - DMP 12 Parking
 - DMP 13 Movement of Goods and Materials
 - DMP 14 Employment Sites
 - DMP 15 Affordable Housing
 - DMP 16 Resisting Housing Loss
 - DMP 17 Conversion of Family Sized Dwellings
 - DMP 18 Dwelling Size and Residential Outbuildings
 - DMP 19 Residential Amenity Space
 - DMP 20 Accommodation with Shared Facilities or additional support
 - DMP 21 Public Houses
- **Supplementary Planning Guides**
 - Design guide for new developments (SPG 17)
 - Employment development (SPG 18)
 - Roads - layout standards for access roads (SPG 13)
 - Roads - making an access to a road (SPG 3)
 - Shop fronts and shop signs (SPG 7)
 - Sustainable design, construction and pollution control (SPG 19)
 - Waste planning guide

DETAILED CONSIDERATIONS

Background

1. The planning application is referable to the GLA by the Mayor of London Order (2008). This requires that the GLA is consulted during the application (Stage 1), and following the Council's resolution (Stage 2). Stage 1 has been undertaken, but stage 2 can only come after the committee has resolved to either approve or refuse planning permission.

Land use

2. The proposal would result in 150sqm of retail/community (A4/D1) floorspace. The residential would be 5,549sqm in terms of individual units, although there will also be 520sqm on ground floor + other floors ancillary space in the form of corridors, stairwells, lifts, bin and bike stores and covered car parking.
3. Policy CP8 of the Core Strategy promotes the Alperton Growth Area as mixed use regeneration along the Grand Union Canal. It seeks a compact and sustainable waterside community, and an enterprise hub with modern light industrial units, studios and managed workspaces. Across the entire area a minimum of 1,600 new homes are to be promoted between 2010 and 2026. The Locally Significant Industrial Lane (LSIS) is to be protected for appropriate industrial operations within classes B1c, B2, B8 or related uses.
4. The site is allocated within the Site Specific Allocations (SSA), which was adopted in 2011. It is listed as *Former B&Q and Marvellairs House*. The allocation is described in the document as:

Comprehensive mixed use development including residential, amenity space, B1 employment and A3 uses. The canal side environment should be enhanced for pedestrian and canal users. The configuration

of light industrial workspace and A3 uses should seek to mitigate potential conflicts arising from the range of uses and noise generated at Ealing Road. Proposals should conserve and enhance the adjacent canal's Site of Metropolitan Nature Conservation Importance designation. To assist this, an undeveloped buffer strip of 5 metres from the canal will be encouraged.

5. The indicative capacity is listed as 441 units, and it was expected that it may have come forward for development between 2011 and 2016. The former B&Q building has already been redeveloped with 440 flats within 7 blocks (09/2116). This proposal would increase delivered residential units within the allocation from 440 to 532. The development site occupies the southern part of the allocation and is not located close to the Grand Union Canal. As such, the canal and nature conservation aspects of the allocation brief are not relevant to this site. This is a significant material consideration.
6. The site comprises two detached now vacant buildings formerly occupied by a bank and the former Plough public house. It is located within Alperton Growth Area and forms part of site allocation A3 B&Q and Marvelfairs House site. The site is allocated for comprehensive mixed use development including residential, amenity space, B1 employment and A3 uses. The key policy issue is if the loss of the public house has been justified, in line with Development Management Policy DMP 21.
7. It is acknowledged retaining the public house in its present form would prevent the comprehensive redevelopment of the B&Q and Marvelfairs House site, in line with the site allocation and Core Strategy policy CP8. Furthermore, the public house is not locally listed and the Conservation Officer has stated the building is not seen as so significant that it should be retained at all costs given the wider regeneration benefits (see below). That said, a public house use as part of a wider development could still play an important role in meeting the needs of local residents and contributing to the character of the area. The planning statement indicates the public house has been vacant since 2015 and provides an overview of existing public house provision in the wider area. However, this does not address the requirements of policy DMP 21, which requires evidence that the public house has been marketed for 24 months and of public consultation to ascertain the value of the public house to the local community. Furthermore, the public house is an Asset of Community Value meaning it has been demonstrated the public house can continue to further the social wellbeing and interest of the community.
8. The planning application allows for the inclusion of an A4 use as part of the new development, which is welcomed. The application does not necessarily suggest that the new provision will be equivalent to existing provision in terms of offer and floorspace. However, some comments from objectors suggest that the existing public house does not effectively serve as a community asset, with the current owner having allowed the building to become run down and a place attended by drug users. If this is the case, the new public house use will offer an opportunity to re-establish a more functional community asset, even if the floorspace will be reduced. To offer a greater degree of control over the community use of the A4 use, a Section 106 obligation will ensure and allow the Council to monitor that community functions and facilities are being provided as part of this use.

Residential

9. Finally, policy CP2 of the Core Strategy seeks to increase the supply of housing, and Alperton is expected to make a significant contribution to this. The site allocation anticipates 441 units as the capacity up until 2016 although does not indicate anticipation of any continued growth into 2017 and beyond. Although the specifics of the design, the quality of the accommodation and the impact on neighbours is discussed below, the principle of increasing the 2016 anticipated growth by 92 units is considered acceptable. The designation of the Alperton Housing Zone suggests a greater emphasis on housing than was the case when the site allocation was originally designated. Therefore, this is considered acceptable and would contribute to meeting the housing needs of the borough.

Design, conservation and heritage

10. Design is an important consideration, and buildings need to be high quality. This is promoted by policy 7.6 of the London Plan, CP6 and CP8 of the Core Strategy. Policy 7.7 of the London Plan is specific to tall buildings. It lists criteria which tall buildings should accord with, and this includes being located (inter alia) in town centres that have good access to public transport, have the highest architectural standards, have ground floor activities, and make a significant contribution to local regeneration.
11. The site is not within a conservation area and does not contain listed buildings. The nearest conservation area is over 1km away. The existing buildings on the northern side of the site are not considered to be of any great merit and their demolition is supported. The Plough Public House (253 Ealing Road) has been identified as a candidate for local listing, but the most recent local list has not been approved and this building was noted to have not been so significant that it should be retained at all costs, given the wider

regenerative benefit potential of the site. Nonetheless, the heritage value of the public house is a material consideration, and the Council's heritage officer has therefore required a condition to be attached to the consent seeking the submission of a recording report for the Plough, completed to Historic England level 3 standards.

12. The proposal is for two 10 storey buildings, which is equivalent to and, in some cases, slightly smaller than the seven residential blocks present to the immediate east and north. The building to the south (currently under construction) will also be 9 storeys at its highest – the southern third of Block B drops to 9 storeys and therefore matches with this context. The proposal is therefore considered to be a comfortable addition in terms of general massing, given its surrounding context on the east side of Ealing Road.
13. The buildings have been designed to follow the established front building line of development to the north and south. As the main road slopes down so too does the proposed building thereby generating a transition in between nos.243 and 255. There is a clear intention to generate a rhythm along the street and along the elevations of the proposed buildings. Landscaped areas are also proposed at the front immediately abutting the footway.
14. The buildings' bulk and massing is broken down through the creation of different volumes on the 9th/10th floors, with the massing being most broken up on the southern side of the site. The southern third of Block B terminates at a set in 9th storey, whilst the middle third of the building has a set in 10th storey. Additionally, the southern third of Block A has a set in 10th storey. The second key element in establishing articulation is the repetition and variety of balconies. Centrally within the elevations, balconies project beyond the building shell, whilst on the corners they are inset within the building shell. The inset corner balconies are open on both sides which helps to soften the visual massing of the building.
15. The materiality of the building is broken down into three contrasting aspects which have their own distinct modules along the elevations. Brick (a light yellow colour) forms the primary building element, whilst Tectiva cladding (terracotta colour) forms the more prominent boxes that project from the brick walls. Finally, a striking dark zinc metal cladding is used to draw attention to the lightweight elements at the extremities of the buildings (i.e. balcony edges, infill panels to glazing and the setback walls on the top floors).
16. The residents' entrances are identified by two modest, but clearly defined glazed entrances along the Ealing Road frontages, close to the centre separation between the blocks. The proposed landscaping in front of the buildings helps to differentiate between and direct the flow of people and cars. The top floors are designed to be understood as a continuous garden to be enjoyed by the residents. Children's play areas are located on them. Maximisation of views, space and energy efficiency are other considerations addressed through the design process.
17. The building, whilst tall in Brent terms, would not be especially visually prominent when seen from a distance, since it is of a slightly smaller massing than its neighbours, Cosgrove and Braunstone Houses to the north and east respectively. It will also be of an equivalent massing to the consented proposal to the south. As such, the building is unlikely to be visible from high ground to the north and east, and whilst it is likely to be visible from high ground to the west and south (e.g. One Tree Hill and Horsenden Hill), it will not appear to notably alter the established skyline of this part of Alperton.
18. The Ealing Road frontage is where the public house at the foot of Block A would be apparent, boosting the building's visual prominence and providing an active frontage which planning policy seeks. The presence of the car park entrance at the ground floor of Block B reduces frontage activity in this part of the development, although this part of the site is not located at a prominent junction and would sit more comfortably without an activated frontage, even if this is not ideal and has been raised as a concern by the GLA. Nonetheless, it is not clear how the building could reasonably be reconfigured to remove the need for a car park here and it is noted that a substantial amount of glazing is proposed at the ground floor level of Block B, allowing light into the car park and revealing some of the activities within. This would combine with the landscaping to create a positive environment. The landscaping would improve the public realm footway along Ealing Road. This is encouraged by policy 7.5 of the London Plan, but should not be seen as amenity space. The frontage glazing (across both blocks) is double height, which can help to increase the perception of activity within and further enhance the streetscene. The height (as expressed through lack of broken down built form) is focussed on the junction with Glacier Way, which is wide and open thus allowing for a building of this height and bulk in this location.

19. To the rear of the development there is a very small gap between the rear building lines and the boundary of the site, which is contrary to the guidance within SPG17. The purpose of this guidance is to ensure that the development of one site does not prejudice the development of another. Given the size and shape of the land parcel, to strictly impose this restriction would render much of the site undevelopable. Furthermore, the site's location, surrounded by highways means that notable separation between plots of land, buffered by public spaces, are already established.

20. Overall, the building's design and appearance is considered acceptable. It would be a substantial building but the focus of it on the main road junction, and the light materials are considered to mitigate the height.

Quality of the resulting residential accommodation (including housing density and mix)

21. Policy 3.5 of the London Plan seeks high quality residential units. Based on a PTAL of 4 and 5, the density matrix within the London Plan suggests that 200-700 habitable rooms per hectare is appropriate. However, the development would have a density of 1,997 habitable rooms per hectare and an average of 2.5 habitable rooms per unit (minimum of 2.7 recommended) and an average of 800 units per hectare (maximum of 260 recommended). It is noted that these high figures are partly reached by virtue of the small size of the plot of land (just 1157sqm, or 11.57% of a hectare). Whilst much of this land will be developed, it is noted that a substantial amenity space offer is proposed across balconies and rooftops, which on a practical level, will help to mitigate the density of the development proposed.

22. The GLA consider this to be appropriate, noting the high design and residential quality, and the changing nature of the location with other density schemes having been approved nearby. The GLA consider this to have been successful, although some objections suggest not. Nevertheless, being near to a station and bus routes it is considered a location where density can be increased. Concerns are raised however in terms of inclusive design, whereby 90% of the rooms should meet building regulations M4(2) requirements and 10% of rooms should meet building regulations requirement M4(3), designed to be wheelchair accessible, or easily adaptable for such users. It is not considered that the design and access statement or plans have demonstrated this and a condition will therefore be required requiring the submission of further information to demonstrate compliance with these aspects. The Design and Access statement should also demonstrate how disable people can access each of the entrances safely, including details of levels, widths and surface materials of the paths and seating arrangements. This will again be required by condition.

23. The units themselves are considered to be high quality. The approach to creating two buildings results in a high proportion of dual aspect units as well as far fewer units per core, resulting in better familiarity and cohesion between residents. There would be secure entrances in locations which are overlooked so as to maintain security, and in turn would overlook public areas in a more positive way than the existing buildings do. It is noted that there are no more than 8 units per core per floor, which accords with the Mayor's guidance. The units generally accord with the minimum room sizes within the London Plan, are logically laid out and would have good outlook. There are some single aspect units, but these are considered to have been minimised, with none of the single aspect units having sole north facing outlook.

24. An assessment has been provided which assessed the levels of daylight and sunlight that each flat would receive. The assessment considered daylight exposure, sunlight exposure and overshadowing for the proposed dwellings that are going to experience the least light – these generally being those on the lower floors to the rear of the building. It was confirmed that the proposed development will achieve satisfactory daylight, sunlight and overshadowing levels, with all worst affected habitable rooms meeting BRE guidelines. Therefore, there is no objection made to the internal daylight and sunlight.

25. Private balconies are a feature of the development, and are provided for all flats, generally of about 6sqm-8sqm in size. Some flats have two balconies. Three separate communal roof gardens are provided, which provides 530sqm of shared amenity space on the roof of Block B and 207sqm of shared amenity space of Block A. The overall quantum of amenity space equates to 14.77sqm per flat within Block A and 15.74sqm per flat within Block B. Brent's SPG17 guidance would generally seek 20sqm per flat. Considering the high density of the scheme and its urban surrounds, it is considered that the overall amenity space offer is acceptable. 162sqm of the rooftop space will comprise child play space. Given the affordable housing offer, it is likely that this would represent a lesser provision than the Mayor's target, in accordance with the child yield standards of the GLA. However, it is noted that there are two parks (Alperton Sports Ground and Abbey Estate Open Space) within approx. 800m of the development site which could supplement the playspace for children of 12+ years. The remaining rooftop play spaces are substantial and would likely provide a generous play offer for younger children, particularly in view of the development's density.

26. The mix of units is:

	NUMBERS				Total	PERCENTAGE				Total
	Studio	1 bed	2 bed	3 bed		Studio	1 bed	2 bed	3 bed	
	7	45	25	15	92	8%	49%	27%	16%	100%

27. Only 16% of the units would be family sized, with the others being studios and 1 and 2 bedrooms. Policy CP2 seeks 25% to be family sized units (with 3 bedrooms or more). The Alpertown Masterplan however contains a different mix which this development more closely aligns with:

	PERCENTAGE			
	1	2	3	Total
Affordable rent	15%	45%	40%	100%
Intermediate	45%	45%	10%	100%
Private	45%	45%	10%	100%

28. This only seeks 10% of intermediate units and family sized units as family sized, with 40% for affordable rent. The mix is closer to this than the borough wide target. It is clearly not identical, but there is recognition that this is a dense development and so lends itself more to smaller units, and the GLA has identified this. Therefore, this is considered acceptable.

29. A separate assessment into air quality has been submitted, reflecting that the site is within an Air Quality Management Area. The Environmental Health Officer agrees with the methodology of the report and most of the conclusions. A dispute is raised in terms of the proposed emission standard for NO_x boilers. Nonetheless, a condition can be applied requiring the applicant to submit revised details of domestic boilers, demonstrating that emission of oxides of Nitrogen will not exceed 30 mg/kWh. Another condition is recommended to ensure that other mitigation measures within the report and adhered to.

30. An emerging development at 253a Ealing Road (17/1104) which is currently being considered by the LPA is proposed to sit within 3-4m of the eastern elevation of Block B, across the two south-easternmost flats in this block, over the first, second and third floors. If planning permission were granted there would be no windows facing Block B of the proposed development, however the potential presence of this building in such close proximity to the proposal results in the obstruction of outlook from six proposed flats (two from each ground, first and second floors). Since the receipt of this application, revised plans have seen the window placement of these flats change, with the three flats in the south-eastern corner having their outlook altered to face towards the south and the neighbouring single aspect flats having their bedroom windows changed in angle to allow outlook across the north as well as the east. The windows serving the open plan living spaces within the single aspect neighbouring flats are too far north to face the flank wall of the neighbouring proposal and as such will not experience a loss of outlook.

31. Overall, the quality of the accommodation is considered to be high. The units would be well laid out with good outlook, and would not be subjected to unacceptable environmental impacts with the conditions which are suggested by Environmental Health.

Affordable housing, tenure and viability assessment

32. London Plan Policy 3.12 requires boroughs seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes delivered in the borough should be affordable. Brent's DMP15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It also notes that 70% of new affordable housing provision should be social/affordable rented housing and 30% should be intermediate housing in order to meet local housing needs in Brent.

33. The proposals for this scheme initially included 21 affordable residential units, representing 22.8% affordable housing by unit. 12 affordable rent and 9 intermediate housing units were proposed, representing a tenure ratio of 57:43 – falling significantly short of the 70:30 split sought within Brent Policy

DMP15. The GLA stressed the importance of continued interrogation of the affordable housing offer and that the maximum reasonable amount needs to be provided.

34. The applicant submitted a Financial Viability Assessment (FVA) undertaken by Douglas Birt Consulting. The Council appointed BNP Paribas to independently assess this FVA. Following a protracted negotiation over the course of eleven months, it was finally agreed between Brent Council (in consultation with BNP Paribas) and the applicant on 28/07/2017 that the scheme can reasonably deliver 24 affordable residential units, representing 26.1% affordable housing by unit. 17 affordable rent and 7 intermediate housing units are now proposed, representing a tenure ratio of 71:29, which is accurately in line with the 70:30 tenure split sought within Brent Policy DMP15. A projected £6,000 development surplus is also to be secured by the Council for the provision and enablement of offsite affordable housing, which will be required within a Section 106 agreement. As is typical with major developments in Brent, the Section 106 agreement will also secure a post-implementation review mechanism, in the interests of securing further contributions towards affordable housing within Brent, if the actual development surplus is higher than that projected.
35. Officers take the view that the affordable housing proposals on the scheme should be supported. Whilst falling significantly short of the 50% target, the Council is satisfied, as clarified through consultation with BNP Paribas, that the maximum reasonable provision of affordable housing has been achieved in the proposal. The tenure split provided is also directly in line with policy requirements. The proposal therefore satisfies the requirements of policy DMP15 in respect of its affordable housing offer.

Neighbouring amenity

36. The impact on neighbours is also a significant consideration, and policy DMP1 seeks to ensure that this is acceptable. The buildings to the north, east and south are residential in nature and as such will need to have the impact of this development considered.
37. The daylight, sunlight and overshadowing analysis indicates that there will not be a significant impact on surrounding properties arising from the proposed development at Ealing Road.
38. A total of 589 windows from buildings surrounding the site were highlighted as being in close proximity to, and facing the proposed development. Daylighting levels for potentially affected windows of surrounding developments by the proposed development were found to be acceptable.
39. The criteria to consider are whether the resulting levels of daylight are less than 27%, and if not whether the level remains above 80% of the existing level. In summary, 195 windows passed the 25 degree line test; 66 windows achieved a VSC of greater than 27%; 153 windows achieved relative VSCs over 80% of their former value; 31 of the remaining windows achieved VSCs levels over 20%. The remaining windows (144 (or 24%)) fall short of reaching the corresponding BRE recommended daylight values. Vertical Sky Component (VSC) is a measure of daylight.
40. It should be noted that although the numerical values stated in the BRE guide provide useful guidance, they should be considered in their local context. High density urban areas, for example, may often experience greater site constraints when compared to low-rise suburban areas, and thus some detrimental impact can be unavoidable.
41. A total of 421 windows from buildings surrounding the site were highlighted as facing the development and within 90 degrees of due south. These windows belong to properties included within this assessment. It must be noted that the BRE guidance for sunlight access is applicable to living rooms only. However, the analysis includes all south facing windows.
42. The analysis indicated that 344 (~82%) of the tested windows, within 90° due south, satisfy the BRE criteria for sunlight. It must be noted that the windows that do not meet the criteria are located below balconies and that the relative reduction in sunlight access is heightened by the significant difference between the height of the existing buildings and the proposed development which is designed to meet the height of nearby buildings.
43. Therefore, overall the impact of the proposal on daylight and sunlight is considered acceptable. There are instances where reductions would be felt (and they would be noticeable in some cases). However, the overall number of discrepancies is considered to be relatively minor considering the scale of the development.
44. Privacy and overlooking can occur where windows or amenity areas are introduced within 20m of existing

windows to habitable rooms. The buildings proposed do not achieve 20m separation with surrounding buildings in all cases; however the development has been designed to prevent overlooking in situations where suitable separations between buildings cannot be met. Most notably, Block A has been designed to restrict outlook for residents to the east, where, in places, this building comes to within 15m of the existing Braunston House.

45. On the northern elevation of Block A, the slanted nature of the building means that the block comes to within 19.95m of Cosgrove House (on the east side) and to within 18.5m of Cosgrove House (on the west side). Windows have been inserted only where at least a 19m separation between the block to the north can be achieved. Given the density and scale of the development and surroundings, the 1m shortfall in window separation is not considered to be unreasonable.
46. The southern elevation of Block B comes within 9m of the approved (but not yet built) 9 storey block at 255 Ealing Road (14/2276). However, the northern elevation of this scheme does not have any habitable room windows and as such there will be no loss of privacy to residents within this block once built.
47. An emerging development at 253a Ealing Road (17/1104) which is currently being considered by the LPA is proposed to sit within 3-4m of the eastern elevation of Block B, across the two south-easternmost flats in this block, over the first, second and third floors. There are no windows facing Block B of the proposed development, and very small rear yards are proposed at the back, which would not function as useable amenity spaces warranting protection from overlooking. As such, it is not considered that the emerging proposal for the development to the east at 253a Ealing Road raises amenity impact concerns in respect of this development.

Highways and transportation

48. It is important to ensure that any development has an appropriate impact on the highways network. Policy 6.3 of the London Plan requires that this is considered. The site has a PTAL of 4.
49. The scale of this proposal is such that it could have a significant impact on the local transport network. As such, a Transport Assessment has been prepared by EAS Transport Planning and submitted with the application.
50. The former bank and public house on the site would between them be permitted up to four off-street parking spaces and with little or no parking space provided, standards are currently broadly met. The public house requires deliveries by 10m rigid lorries and has an off-street service yard accessed from Ealing Road to satisfy this requirement. The bank requires deliveries by 8m rigid vehicles, but does not benefit from any off-street servicing space.
51. Car parking allowances for the proposed uses within the site are set out in the Development Management Policies. As the site is not located within a CPZ, the full residential allowance applies, even though public transport access to the site is good.
52. As such, up to 105.6 car parking spaces would be permitted for the 92 flats, with a further space permitted for the proposed public house/community centre, giving a total allowance of 106 spaces.
53. The proposed provision of just 10 disabled car parking spaces would therefore accord with standards, whilst meeting the London Plan lifetime home standards of one disabled space per 10 flats. Four of these spaces should be provided with electric vehicle charging points (two active and two passive) as a condition of any approval and this has been acknowledged in the Transport Assessment.
54. However, where the full residential parking standard is not met within any development, Policy requires the impact of overspill parking on parking conditions and traffic flow to be assessed. This does allow on-street parking to be counted towards standards, but only along local access roads that are not heavily parked and have sufficient width to safely accommodate on-street parking.
55. This development fronts a main London distributor road with waiting restrictions along the site frontage, so does not benefit from any safe kerbside parking. Hatton Road to the rear is not adopted as public highway, so is also unavailable for the use of residents.
56. In general, it is estimated that developments will generate car ownership at 75% of the maximum allowance (50% in the case of the 12 proposed affordable social rented housing units (6 x 1-bed, 4 x 2-bed & 2 x 3-bed) and on this basis, the proposed flats are estimated to generate demand for 76 spaces, giving a predicted overspill of up to 66 cars from the site.

57. To verify whether this is a realistic estimate for this area, car ownership data for flats at nearby Peppermint Heights and Grand Union Heights was examined from the 2011 Census. The results indicate average car ownership levels of about 0.76 cars/household for the relevant output areas, suggesting that the above figures are reasonably accurate. (n.b. the submitted Transport Statement gives a lower figure for car ownership for flats in the area of 0.54 cars/flat, but this is based upon a wider area extending further to the southwest, so is not as locally specific).
58. The site currently lies outside of any Controlled Parking Zone and residents that own cars would therefore be likely to overspill onto streets further afield (e.g. Bridgewater Road, Burnside Crescent, Carlyon Road), as these streets are not covered by CPZ's.
59. However, given the amount of development that has already been approved and is proposed in future in this growth area (most of which has low levels of parking), extensions to CPZs are increasingly likely to be required to address overspill parking issues. Consultation recently undertaken with local residents on a new CPZ in residential streets around Carlyon Road and Burns Road showed the majority of residents not to be in favour of the scheme though.
60. Any CPZ extension to address overspill parking from this and other nearby developments should therefore include funding to subsidise the cost to existing residents of parking permits, as the reason for the CPZ would be to address a parking problem that has been imposed upon them. A sum of £500 per flat is therefore sought towards this, which in combination with other development funding should be sufficient to be able to offer local residents a free average priced permit for a period of five years. This would amount to £46,000 in this case, with a further sum of £14,000 sought towards public consultation and physical implementation of the CPZ, thus giving a total of £60,000. This will need to be secured through a S106 agreement, as subsidies for permits cannot be funded through CIL payments.
61. The development should then also be subject to a suitable legal agreement or condition designating it as 'car (permit) free', with the right of future residents to on-street parking permits in any future CPZ withdrawn.
62. Planning policy requires at least one secure bicycle parking space per flat and the proposed provision of 149 double-height spaces within a secure storeroom at basement level is more than sufficient to satisfy this requirement. However, the location of the spaces in the basement makes them difficult to access and although lifts to the basement are proposed, they are too small to accommodate all types of bicycle. It is therefore recommended that the lifts be enlarged to provide internal dimensions of 1.2m x 2.3m – failing this, the bicycle stores would need to be relocated to ground floor level.
63. Further publicly accessible spaces are also required for the commercial unit and for visitors to the flats and at least two 'Sheffield' stands should be provided within the landscaped area to the front of the building as a condition of any approval.
64. With regard to servicing, the proposed public house will require servicing by 10m rigid vehicles, whilst the flats will require servicing by large refuse vehicles and other white goods delivery vehicles. To this end, rigid delivery and refuse collection vehicles are proposed to be accommodated within the car parking area, which would mean access to some of the disabled parking spaces would be temporarily obstructed. However, this does at least provide an off-street servicing facility, which is vitally important given the location of the site adjacent to a major signalised junction. Tracking has been provided to show that large refuse vehicles can access and turn within the site and adequate 4.4m headroom is provided above the loading area.
65. Overall residential refuse storage capacity is shown for 18 x 1,100 litre Eurobins and 6 x 240 litre wheeled bins, which is sufficient to meet standards. However, the trolleying distance between the loading bay and the store for Building A is in excess of 40m. It is therefore proposed that bins are moved from Building A to an identified location alongside the main refuse store on collection days. To assist this, it is recommended that an access door be added from the footpath bisecting the site into the main lift lobby of Building B in order to reduce bin carrying distances, whilst also helping to reduce trolleying distances for the commercial unit.
66. Given the shared use of the small loading area, a Delivery & Servicing Management Plan (DSMP) will also be required to set out measures such as pre-booking of deliveries to ensure the area remains able to cater for all delivery demands and that loading is not forced to take place from the adjoining highway instead. This has been acknowledged in the Transport Statement, along with a brief outline of content.

Submission and approval of a final DSMP should be secured by condition.

67. The small car park will be accessed via a new 5.5m wide drive with 4m kerb radii onto Ealing Road, which will allow two cars to pass one another in comfort. The submitted tracking drawings demonstrate that the access will also cater for refuse vehicles turning left into and out of the site without needing to overrun the northwestbound traffic lanes on Ealing Road.
68. The location of the access is not ideal, being onto a wide carriageway between closely located signalised junctions to the north and the south. However, the small size of the car park and service area means traffic movements would be minimal and there have historically been accesses along this length of the road to serve the former public house, which will need to be closed up. Given that the site has no other means of access to a publicly adopted highway, provision of this access can be accepted in this case, with sightlines being fine. However, any gates that are provided must be sited at least 10m from the future highway boundary.
69. The locations of the pedestrian entrance cores to the flats all front Ealing Road, as does the commercial unit entrance, which is welcomed, allowing fire access requirements to be met from the main frontage. The drawing also shows resurfacing of the public footways fronting the site in modular paving, with five planting beds added along the Ealing Road footway. Resurfacing of the footway in paving slabs is welcomed, including the removal of the redundant areas of footway crossover. However, the inclusion of planting beds would be a maintenance burden and should be left as hardsurfacing, with trees added within tree pits. All footway works will be subject to a S278 Agreement under the Highways Act 1980 and adoption of increased footway width along the frontage is also sought through a S38 Agreement.
70. To gauge likely impacts on local transport networks, surveys from two car-free private housing developments in inner London have been examined in order to produce estimated trip rates to and from this site. This exercise results in estimated residential person trips totalling 7 arrivals/36 departures in the morning peak hour (8-9am) and 27 arrivals/12 departures in the afternoon peak hour (6-7pm).
71. The modal shares for these trips suggest that just 14 arrivals/14 departures would be made by car across the course of the day (7am-7pm); none of which would be made in the morning or evening peak hours. As this development is not entirely car-free, there would be likely to be slightly more car traffic to and from the site than this exercise suggests, but not enough to have a significant impact on the local highway network.
72. A similar exercise has also been undertaken for the commercial floorspace, but based on the assumption it would be used as a doctor's surgery rather than a public house, which would be likely to generate more activity in the evening peak hour. Nevertheless, the absence of on-site parking again means that vehicular trips are likely to be insignificant.
73. All of the above is contingent upon CPZ controls being introduced in the surrounding area to regulate overspill parking though and the financial contributions to assist this are again important.
74. With regard to public transport impact, the development is estimated to generate 5 arrivals/17 departures in the morning peak hour (8-9am) and 19 arrivals/0 departures in the evening peak hour (5-6pm) by bus and rail. Given the large number of public transport services passing close to the site, these trips represent less than one additional passenger per service passing close to the site in each peak hour and on this basis, the impact on public transport services is accepted as being minimal.
75. For other modes, the quality of pedestrian and cycle routes in the vicinity of the site has been assessed through a PERS/CERS audit, examining routes to four key destinations in the area (Alpertons & Hangar Lane Underground stations, Sainsbury's supermarket and Perivale Primary School). Although the four routes, comprising nine links, six crossing points and four bus stops, were all rated as being of good quality overall, a number of minor shortcomings were identified, particularly with regard to kerb heights at bus stops, lack of directional signage and lack of dropped kerbs and tactile paving at certain crossing points.
76. With the footway fronting the site to be repaved and widened anyway through a S38/S278 Agreement, it is suggested that CIL funding be used to rectify shortcomings further from the site (although it is noted that some of these are within the London Borough of Ealing). The scale of the proposal is such that it exceeds the threshold above which a Residential Travel Plan is required. To this end, a Residential Travel Plan dated August 2016 has been included as an appendix to the Transport Assessment.

77. This sets out a range of measures, including the provision of information on walking, cycling and public transport through a Welcome Pack, noticeboards and social media, promotion of sustainable travel amongst residents including cycle training and/or £30 cycle vouchers, encouraging a reduced need to travel through home shopping/homeworking and promotion of local Car Clubs through one year's free membership. These measures are to be overseen by a Travel Plan Co-ordinator and monitored annually over a five-year period, with the primary aim that the modal share of journeys by car occupants (drivers and passengers) should fall from 12% to 10%.
78. The content of the Residential Travel Plan has been assessed using TfL's ATTrBuTE software programme and has scored a PASS mark. The only relatively minor comments are that car parking management on- and off-site should be addressed, including notification of the permit-free status of the development if a CPZ is introduced in the area, and that two year's free membership of a Car Club is the norm for this scale of development.
79. Road accident statistics for the area have been examined for the five year period 2010-2014. This identified a total of 28 personal injury accidents along the stretch of Ealing Road between its signalised junctions with Bridgewater Road and with Carlyon Road, of which four were serious.
80. Full accident listings have not been included in the Transport Assessment, but the summary provided by the consultant states that six accidents involved pedestrians, three involved cyclists and four involved motorcyclists. The vast majority of the accidents occurred at the three junctions within the study area (Bridgewater Road, Glacier Way and Carlyon Road), but aside from accidents involving right-turning buses into Glacier Way, there were no particular recurring patterns and no particular concerns that would be likely to be exacerbated by this development.
81. It has been confirmed that a Construction Logistics Plan will be submitted prior to works commencing and a condition is recommended to this end to ensure construction activity does not have a negative impact on the adjoining road network.
82. Finally, a financial contribution of at least £200,000 is sought towards sustainable transport improvements. A key measure within the area that funding can be used towards is the re-planning of the Alperton Underground station forecourt and bus stops. This sum can be taken from the overall Community Infrastructure Levy.

Trees, landscaping and public realm

83. There are no trees which are subject to a Tree Preservation Order which would be affected by the proposal. The proposal would result in the loss of 3 trees and the applicant has submitted an Arboricultural Impact Assessment. The 3 trees for removal have been classified as either grade C or U in accordance with BS5837 (of low amenity value); they are to be removed as these specimens could not be effectively retained, due to their position in relation to the proposed structures. The report indicates that it is proposed to provide some trees as part of the ground floor landscaping, which would mitigate the loss of the existing trees.
84. As noted above there are examples of landscaping within the development: there would be communal amenity and playspace areas, and external hard and soft landscaping around the entrances to the commercial units and the A4 unit, fronting Ealing Road. It is important that this is high quality and conditions would be required to ensure that the details achieve this, and so accord with policy 7.21 of the London Plan.
85. Brent's tree protection officer considers the overall proposed plans for street landscaping to be insufficient. It is requested that the applicants carry out a survey of underground services to ensure that trees will be able to be planted in the street as shown. Also, given the proposal to have grass strips beneath the trees, questions are raised over whether this will be within the applicant's land ownership. Further details of tree species and sizes proposed along with tree pit design details are also requested. A condition will require that details pursuant to the above matters will be provided.

Environmental impact, sustainability and energy

86. Chapter 5 of the London Plan includes policies requiring that developments are constructed to minimise their carbon emissions. This is based on the energy hierarchy: 'Be lean', 'Be clean', 'Be green'. This can be summarised as firstly reducing the carbon within the building's structure so that less energy is used. Secondly, considering whether there are methods to increase energy efficiency, and this is done through Combined Heat and Power (CHP) and connection to District Wide Heating Networks (DWHN). Finally, renewable energy should be incorporated into the design of the building.

87. The applicant has submitted an Energy / Sustainability Statement which has been reviewed by the Council's sustainability officer. The overall development is expected to exceed the energy requirements, in that the building will achieve a 36.5% improvement of Part L of the Building Regulations 2013, greater than the 35% required by London Plan policy.
88. At the 'be lean' stage, the applicants propose efficient lighting and high performance glazing which will achieve a 1% reduction in carbon emissions. The GLA have requested that further consideration of scope for efficiency savings at this stage are considered, and this can be required by condition.
89. With 'be clean' the applicants have used the London heat map to indicate that there are no current or proposed district heat networks nearby. Nonetheless, the use of CHP is proposed, which is expected to reduce carbon emissions by 25.1%. Plans have been provided for operation of the CHP in summer and winter, although there are concerns as to whether suitable plans are in place should the CHP fail to operate sufficiently, particularly considering that the CHP use represents a significant reduction in carbon emissions. The GLA has additionally requested that the projected running costs of the CHP system is provided too. A condition will require such details to be submitted.
90. At the 'be green' stage, the applicants have reviewed a number of different renewable options and have opted for the use of PV panels and air source heat pumps, which are projected to collectively reduce carbon emissions by 12.4%. A detailed roof plan has been provided for the PV panels, which are to cover 140sqm of the roof. The PV panel coverage appears to have been reasonably maximised.
91. The application was made prior to the adoption of the London Plan requirement for developers to pay a carbon offset contribution when developments cannot achieve carbon neutral operation. As such, the development will not be required to pay a carbon offset contribution as it achieves the target 35% carbon emissions reduction on Part L of the Building Regulations 2013.
92. The GLA also reviewed the sustainability information and have requested some further information. Whilst the applicant has referred to the London Heat map, the GLA have identified this area as a 'district heating opportunity area', and it has been requested that the applicant demonstrates that the current situation of the opportunity area is explored in more depth to consider more thoroughly establishing a connection to an existing heat network. This information can be required by condition.
93. The applicant is strongly encouraged to introduce a site heat network, linking all apartments and non-domestic uses within the heat network. Further details should be submitted that either demonstrates acceptable details of a site heat network to be implemented into the scheme, or to demonstrate why a site heat network is not viable for implementation. This information can be required by condition.
94. It has been requested that the applicant confirms the plant efficiencies used when modelling the carbon savings are based on the gross fuel input for gas rather than the net values often provided by manufacturers. This can be required by condition, and the condition can also require that projected carbon savings are updated for the LPA's review in line with the gross fuel inputs for gas, if these are not the figures upon which the current projections are based.

Assessment of Flood Risk and Drainage

95. The submitted report notes the proposed measures which can be incorporated into the development to mitigate the identified risks. The report states that as the site is located within Flood Zone 1 and is therefore considered to be at a low risk from flood risk.
96. The Flood Risk Strategy and Flood Risk Assessment Report has been assessed by Brent's Local Lead Flood Authority. It is considered that the report meets Brent's requirements and that the applicants have followed national policies and guidelines.
97. The site is less than half a hectare in size and existing area is impermeable. It appears that surface water from the existing site discharges to foul sewer in Ealing Road at a rate of 20 l/s.
98. The surface water discharge from the proposed development will be separated and connected to the surface water drainage network in Ealing Road. The applicants have considered various SuDS options but due to the soil condition, the options are very limited. The proposed development will have a green roof and an attenuation tank in the basement. Proposed surface water discharge will be restricted to 1.7 l/s and this is considerably less than existing. At present, there are no historical records of flooding and with the site being in Flood Zone 1, the flood risk is very low. A condition will require that the development

is implemented in accordance with the submitted SUDS report.

99. The Local Lead Flood Authority understands that Thames Water has confirmed that they have adequate capacity in the foul sewer network for the new 92 units.
100. Thames Water do not have any objections to the proposal, although have requested that informatives are provided that remind the applicant of their obligations in respect of surface water drainage, protection to the property and minimisation of groundwater discharge.

Environmental Health

101. The measures as laid out in the submitted Noise Impact Assessment are considered to be acceptable to the Council's Environmental Health Officer, subject to amendment to confirm Lmax levels. A condition has been recommended to ensure that the mitigation measures have been implemented. A condition will also be attached to ensure plant noise is limited in the interests of neighbour amenity. A further condition will ensure that suitable sound insulation measures are implemented.
102. The proposed layout of the building will have commercial units and car park below flats. These mixed uses between floors could result in noise disturbance to residents within the flats of the first floor if the sound insulation between the floors is not adequate. The Environmental Health Officers have recommended that a condition is attached to ensure that Building Regulations Approved Document E 'Resistance to the passage of sound' is met and implemented in full. However, this would duplicate a control that is within the Building Regulations and it is therefore not necessary to include this within a planning condition.
103. The proposed demolition of the existing building and construction of the new building will be carried out within close proximity to existing residential premises. Therefore without appropriate controls noise and dust emissions could cause disturbance to local residents and also dust emissions may adversely impact on local air quality. It is therefore considered necessary to require the submission and approval of a construction method statement through condition.
104. The proposed site has been used for previous industrial uses. These previous uses could have affected the condition of the land that is being developed. It is therefore recommended that conditions requiring details of a site investigation to be submitted and (if necessary) the submission of details of remediation and verification are provided in the event of contamination being likely.

Community Infrastructure Levy / Planning obligations

105. The GLA and the Brent Council have Community Infrastructure Levies (CIL) in place, which the development would be liable for. The GLA is a flat rate of £35 per sqm of floorspace. The Brent CIL has different amounts for different uses, including £200 per sqm for residential floorspace, and £40 for retail, restaurant/café, and office. However, social rented housing is not liable.
106. The purpose of CIL is to ensure that developers contribute proportionately to the upgrading of facilities where they create the need. The levy could ensure that impact on local services is mitigated.
107. A number of planning obligations have been referred to above. In addition, the applicant would pay the Council's legal and other professional fees in preparing and completing the section 106 agreement, and monitoring and enforcing its performance. The applicant would also join and adhere to the Considerate Contractors scheme, and there is a link to the *demolition and construction* section above.

Archaeological Impact

108. The applicant has submitted an archaeological assessment. This has demonstrated that this is not within a site of archaeological importance. Overall, the conclusion is that the proposal would not impact on any archaeological features (whether statutory or non-statutory).

Conclusion

109. The site is allocated for a mixed use development, and is an important part of the Alperton Growth Area given its prominent location. The proposal would result in the loss of an existing public house of some heritage value, but subject to mitigation through the re-provision of a new public house (as proposed), further mitigation to ensure use of the new public house as a community facility as monitored through a Section 106 agreement and the wider regenerative benefits of the scheme, this is considered to be a justified loss. The site allocation envisages a residential led scheme. The resulting mixed use development, incorporating a substantial amount of residential floorspace alongside a public house use is considered acceptable.

110. The building would be substantial, but ultimately comparable to its surroundings and emerging context in terms of height and massing. It is therefore not considered that the townscape and visual impacts would be detrimental. It is considered that the development is typical of the changing context within Alperton and that this would form part of the wider regeneration and tall building cluster so far established. The specific materials will be crucial to its success, but a condition can require details of this.
111. The Council is satisfied that the maximum reasonable amount of affordable housing is to be delivered at a tenure split which fits with the identified needs of Brent residents. A post-implementation review will ensure that further affordable housing will be delivered or enabled offsite if an unexpected development surplus is achieved.
112. The residential accommodation proposed would be high quality, with the units being well sized with good outlook and amenity space (private and communal). There would be impacts on neighbours, including the loss of light to some windows, although this is considered to be acceptably limited given the scale and density of the proposal and the surrounding context.
113. Following on from this, there would be an impact on the highway and transportation. The creation of a CPZ and the removal of residents' ability to obtain parking permits is crucial to ensuring the impact of a development of this size being acceptable. There are some highways improvements which would make a positive impact.
114. The applicant has demonstrated that, with the imposition of conditions and section 106 obligations, the proposal accords with policies on environmental sustainability, and would have an acceptable impact on existing trees, ecology, and flood risk. Contaminated land will need to be considered, also subject to conditions.
115. Overall, it is concluded that the development is acceptable, and that if there is a resolution to grant planning permission that it be sent to the GLA for their stage 2 consideration and response.

Agenda Item 05

Supplementary Information

Planning Committee on 9 August, 2017 Case No.

16/3606

Location	245-249 and 253 Ealing Road, Wembley, HA0 1EX
Description	Redevelopment of the site to provide two new buildings of part 9 and part 10 storeys high to accommodate 92 flats (7 x studios, 45 x 1 bed, 26 x 2 bed and 14 x 3 bed units), ground floor commercial use within Use class A4 (drinking establishment) or Use class D1 (community centre) with associated basement for car and cycle parking spaces and storage, vehicular crossover, bin stores, amenity space, landscaping and associated works

Agenda Page Number: 33-70

Clarifications on report information

It is to be clarified that an MOT centre is not present on the site, and that this is incorrectly stated on page 5, paragraph 1 of the committee report.

It is also to be clarified that Block B will not be a single core building as a fire escape core will also be provided for emergency access.

Accessibility of development

The applicants have already provided information on how the development achieves 10% wheelchair accessible units and these are shown on the latest floorplans although not referred to within the initial committee report. The floorplans show the entrance details for disabled access and typical flat layout for

wheelchair accessible homes also demonstrating compliance with part M4 (2) and part M4 (3) of building regulations. Given this, condition 15 of the draft decision notice will be changed to require compliance with this, rather than a requirement to submit further information to demonstrate such compliance is possible.

Unit sizes

The committee report does not make reference to the residential units proposed generally being oversized compared to the minimum floor space standards within the London Plan. It is considered that this further justifies the overall amenity space provision not achieving the 20sqm per flat benchmark set out within guidance. Of the 92 flats proposed, only 6 fall short of the London Plan standard, with the other 86 flats exceeding the standards. 21 of the flats are more than 5sqm larger than standard, 10 of the flats are more than 10sqm larger than standard and 3 of the flats are around 20sqm larger than standard. Of the 6 flats that fall short of the space standard, none of the flats fall short by more than 0.6sqm.

Changes to conditions relation to sustainability and carbon savings

- In relation to **condition 25**, which requires further consideration of 'be lean' measures in terms of achieving carbon reductions, the applicant has provided information to justify the potential measures having been maximised. The following comments are made by the applicant

U-values and airtightness are at least 50% improved relative to the minimum requirements of the Building Regulations, and energy efficient building services (lighting, heating and cooling) have also been included in the calculations and exceed the requirements of Building Services Compliance Guides. Improving U-values further would have a significant impact on build-up thicknesses without providing notable further savings whilst further improvements to the building services would not be realistic at this stage. The development will achieve Part L compliance at the Be Lean stage, in line with GLA's policy.

Given the above clarification, it is considered reasonable to remove condition 25. Condition 10 still requires compliance with the carbon saving measures so far specified. The additional information above will still be subject to review by the GLA as part of the stage II review, should the application be approved at committee. Based on the GLA's view, it *may* be necessary to reinstate a condition requiring further consideration of the above criteria, if deemed necessary.

- In relation to **condition 26**, which requires further consideration of procedures in the event that the CHP system fails to operate sufficiently, the applicant has clarified that:

The projected running costs of CHP are difficult to estimate pre-planning. Maintenance and engineering needs to be carried out during detailed design stage with more accurate heat load calculations to accurately size the CHP system and project its operation profile. The projected running cost will be provided post planning to satisfy planning condition.

Given the above information, it is considered reasonable to reword condition 26 to allow such information to be submitted for approval within 6 months of first operation of the development. The additional information above will still be subject to review by the GLA as part of the stage II review, should the application be approved at committee. Based on the GLA's view, it *may* be necessary to alter this proposed condition alteration, if deemed necessary.

- In relation to **condition 27**, which requires further consideration of connecting to the local heat district opportunity area, the applicant has supplied the following information:

This is indeed a DH opportunity area. However, there is no existing network available near the site so it would not be possible to anticipate connection to a district heat network in the foreseeable future. The energy and M&E strategy will consider provision of space should a network become available in the future to enable the development to connect to a district heat network.

Given the above information, it is considered reasonable to alter condition 27 to require the CHP to be implemented with an external connection and that the CHP is connected to a local heat network once one is available locally. The additional information above will still be subject to review by the GLA as part of the stage II review, should the application be approved at committee. Based on the GLA's view, it *may* be necessary to alter this proposed condition alteration, if deemed necessary.

- In relation to **condition 28**, which requires further consideration of a site heat network, the applicant

has supplied the following information:

A site heat network has indeed been considered for the development. All apartments will connect to the communal plantroom with CHP via a site heat network and capped services will be provided to the non-residential elements to enable those spaces to connect to CHP depending on their hot water load during detailed design stage.

Given the above information, it is considered reasonable to remove condition 28. The additional information above will still be subject to review by the GLA as part of the stage II review, should the application be approved at committee. Based on the GLA's view, it *may* be necessary to alter this proposed condition alteration, if deemed necessary.

- In relation to **condition 29**, which requires confirmation of plant efficiencies, the applicant has confirmed the following:

The plant efficiencies used in the calculation are gross and in line with GLA's guidance. The Energy Strategy report has appendices will all details of efficiencies used in the calculations at the different stages for both the residential and non-residential elements of the development.

Given this confirmation, it is considered reasonable to remove condition 29. The additional information above will still be subject to review by the GLA as part of the stage II review, should the application be approved at committee. Based on the GLA's view, it *may* be necessary to alter this proposed condition alteration, if deemed necessary.

Consideration of harm to residents of surrounding buildings / proximity of habitable room windows to neighbouring developments

The distance of the proposed buildings to surrounding developments is shown in the plan below:



The distance does not achieve the 20m separation distance in many instances; however SPG17 stipulates that 20m is a standard for privacy and not for outlook.

As per SPG17 guidance, which 243 Ealing Road was also subject to, at least 20m should be established between facing windows for privacy and at least 10m of unobstructed space should be achieved from habitable room windows to establish suitable outlook.

Eastern Elevation

The development achieves this along its eastern elevation, with at least 15m of separation achieved between the proposed building and Braunston House to preserve suitable outlook for all residents. In addition, the habitable room windows within Block A are focussed on northern and southern aspects and the windows that are facing directly east are obscure glazed to protect privacy of the west facing windows of Braunston House.

The east facing outlook within Block B mostly overlooks the highway, although in places where the outlook would be obscured by the emerging development at 253a Ealing Road, window placement has been altered to allow acceptable outlook to the north and south. No side facing windows are proposed within the western elevation of 253a Ealing Road and as such there are no concerns regarding privacy.

Southern Elevation

The southern elevation faces towards the consented development at 255 Ealing Road. From floors 1-6, the south-westernmost flat on each floor will have one or (in the case of 3 bed flats) two bedrooms that will have sole south facing outlook onto the flank wall of the approved development. There are no windows proposed in the approved flank elevation at 255 Ealing Road and as such there are no concerns regarding privacy, however these bedrooms will only achieve 8m of separation between the window and the flank wall, not satisfying requirements for outlook (minimum of 10m recommended). Taking a pragmatic approach, it is not considered that the scheme should be refused on the basis that six flats (which are all dual aspect flats) have one or two single aspect habitable rooms whose windows fall slightly short of the 10m standard required for outlook within guidance.

Western Elevation

The western elevation faces towards the wide thoroughfare of Ealing Road, providing a generous buffer with development on the other side of the road. The western elevation therefore easily achieves the necessary 20m privacy and 10m outlook distances.

Northern Elevation

The northern elevation faces towards the southern elevation of Cosgrove House at a distance that varies between approx. 18m (on the west side) and approx. 19.75m (on the east side). Whilst this distance easily preserves the 10m outlook requirement for residents of both buildings, it is acknowledged that the 20m privacy distance is not quite achieved in full. This is not considered to be of particular concern, as SPG17 refers to the 20m requirement for back-to-back windows. Since the relationship between the proposed building and Cosgrove House would be across a highway, it is not necessarily expected that the same standards of privacy need to be achieved, particularly in view of the fact that the two elevations are separated by an active and public space.

Given concerns raised by residents it is considered suitable to impose an additional condition to require the applicant to submit a revised schedule of obscure glazing and balcony screening to fully address outstanding flaws in privacy. On the north-western side of Block A (where the relationship is most strained), all units are dual aspect. As such, the north facing windows can acceptably be obscure glazed whilst retaining an acceptable internal standard of living for future occupants.

There are some windows on the eastern side of the north elevation (on floors 2, 4, 6, 8 and 9) that provide sole north facing outlook to the rooms within (the wider flats retain a dual aspect). These windows could not acceptably be obscurely glazed, although it is noted that the relationship (in terms of protecting privacy) is more acceptable on this side of the elevation, with at least 19m of separation established between facing windows. The slanted nature of the elevation on the southern side of Cosgrove House results in the relationship between facing windows being slightly oblique, removing a clear and direct line of sight between the windows. Taking a pragmatic approach, it is not considered that the scheme should be refused on the basis that a small number of windows (serving 10 bedrooms) only achieve 19m of separating distance for privacy, given that, in practice, the perception of this distance is unlikely to be materially different from a policy compliant separation.

Consideration of density

The development has a density of 1,997 habitable rooms per hectare, which is substantially higher than the 725 habitable rooms per hectare achieved at the 243 Ealing Road development. Both of these densities are higher than the recommended 200-700 habitable rooms per hectare within the London Plan. It is noted that density calculations are strongly influenced by the open space within the plot of land to be developed. Whilst the plot of land available in this proposal is small and will be substantially covered by buildings, the density calculation is not able to take into account the open space and car parking around the proposed building (which was not the case for 243 Ealing Road), where, for most of its surrounds it borders with public highways, resulting in notable openness around the building proposed.

Whilst it is acknowledged that its relationship with the existing buildings is slightly tighter than that established within 243 Ealing Road, and that the density is therefore greater, the building still sits within more open surroundings that cannot be accounted for within a density calculation that only considers land within the applicant's ownership. For example, the density calculation has not been able to factor in the open pedestrian access space between blocks A and B as this is not within the applicant's curtilage. Inclusion of such open

space would inevitably reduce the linear density calculation.

The application has been considered by the Greater London Authority (which established the methodology used in calculating density for London developments), who, whilst acknowledging the high density of the proposal, have considered that this is acceptable in view of the established and emerging context.

Consideration of daylight and sunlight impacts

Summary of daylight results for surrounding windows

Total number of windows tested at planning stage	589
Number of windows of 589 tested belonging to non-habitable rooms	36
Number of windows belong to habitable rooms meeting the alternative VSC target of 13%	52
Total number of windows meeting BRE guidelines	475
Total number of windows not meeting BRE recommendations	78
% of tested windows not meeting BRE recommendations	13.2%

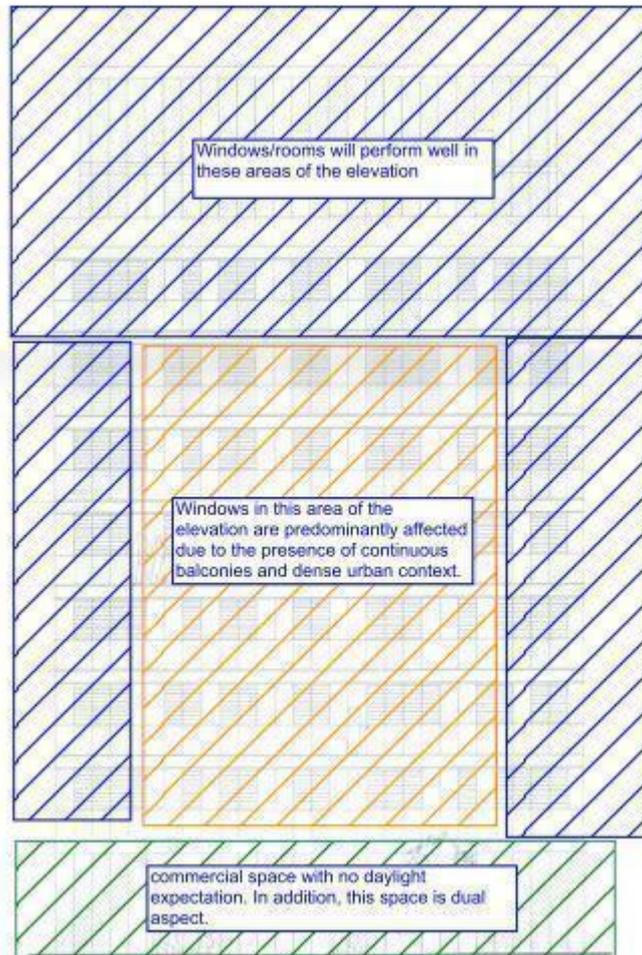
Summary of sunlight results for surrounding windows

Total number of windows facing south	421
Total number of living room windows facing south	155
Total number of windows to living rooms meeting BRE recommendations	133
Total number of windows to living rooms not meeting BRE recommendations	22
% of tested windows not meeting BRE recommendations	14.1%

In depth consideration of the windows/elevations most directly affected by the development:

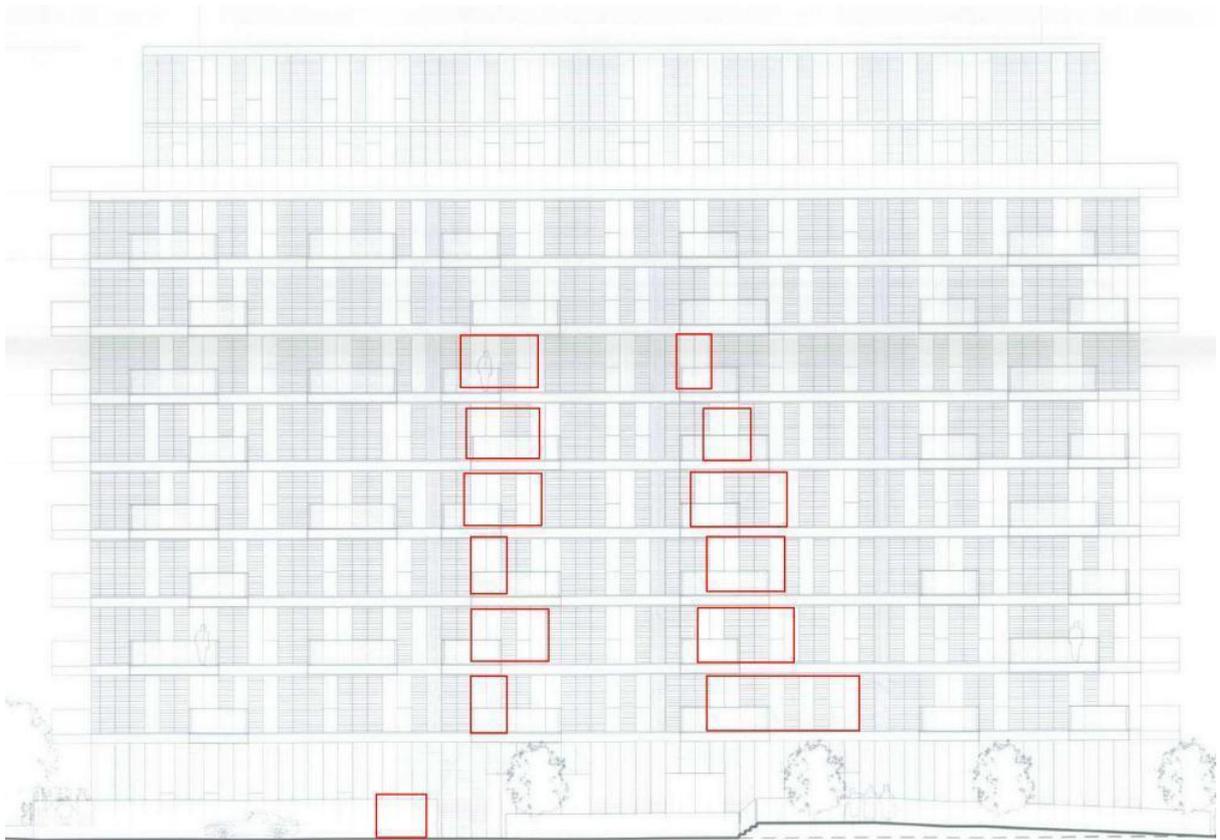
Cosgrove House – South Elevation

Floors 1 – 9 are residential and have south facing windows whose view is affected by the development. The results show that all windows on floors 1-6 will not meet the BRE recommendations for good levels of daylight. Floors 7-9 will achieve good levels of daylight in line with BRE recommendations. The daylight and sunlight report confirms that much of this light loss is as a result of the overhanging balconies that oversail every floor of the development. Whilst a significant proportion of windows are affected, it is noted that the windows along the edges of the southern elevation (serving the corner rooms) provide light to a dual aspect room, with the eastern and western aspect outlook being retained in full. As such, it is not considered that losses of light to these windows are to be unduly detrimental to the overall environment in the rooms they serve given this context. Once the corner windows are removed from the considerations, it is the rooms served by the central windows on floors 1-6 will experience an impact which does not fully meet BRE recommendations. Please see this demonstrated in the diagram below:



Braunston House – West Elevation

Only some central windows within the first seven floors of the eleven floor building will not meet the recommended BRE guidelines. Windows not performing strictly in line with BRE guidelines are identified to mostly be situated below balconies. Daylight calculations are undertaken with “overcast” sky conditions where the daylight luminosity is far greater from the zenith than from the horizon. This means that balconies restrict daylight in themselves as they obstruct daylight from the zenith, whilst the development only obstructs daylight from the horizon. The following diagram identifies the windows that are unduly affected when tested for daylight:



Your officers would maintain that the daylight and sunlight impact is acceptable, given the wider urban context of the site and the identification of balconies as already resulting in reductions in daylight.

Affordable Housing and Viability

The affordable housing offer has been closely interrogated by Brent Council in communication with BNP Paribas. The Council's dissatisfaction with various affordable housing offers has repeatedly resulted in the application being postponed from determination at committee. The final affordable housing offer made in July 2017 is considered to represent the maximum reasonable amount when compared against the development costs/constraints, as backed up by correspondence from BNP Paribas. Your officers would therefore consider that Affordable Housing has been closely and effectively scrutinised.

Demand for D1 or A4 use and whether the size is appropriate

The national loss of public houses over recent years has been identified as a highly detrimental reduction in local community facilities and culture within communities. The Plough public house has been identified and protected as an asset of community value for this reason. The loss of such a pub without replacement of equivalent quality facilities would be contrary to Brent's policy DMP21 which seeks the retention of public houses and the contribution to community facilities they bring. As such, planning policy would prescribe a replacement of the lost public house as necessary to address policy DMP21. The size of the existing pub is larger than that which is proposed (129sqm). There is no reason why a smaller public house cannot serve effectively as a community asset and the key will be in securing an effective and enforceable obligation for community use.

How would the D1 use work and be genuinely secured for the community?

The community use would be secured through the S106 agreement and would likely be secured through the following obligations:

- A requirement for the premises to be made available to community groups and voluntary sector

organisations at various times throughout the week (likely to be Monday through to Wednesday or Thursday).

- The pub should also be made available for booking out by community groups and voluntary sector organisation for a minimum number of hours per week.
- The pub should also be made available for hire at comparable rates to similar facilities which are available for hire within the locality of the property.
- When the pub is not being used by community groups and/or voluntary sector organisations it will need to be available for use by patrons during normal opening hours.
- Submission of a community access plan to set out the specific arrangements for the above obligations.

A new condition will need to be added to the decision notice, revoking permitted development rights for the unit to convert to an A1, A2 or A3 unit. This will ensure the pub use is retained.

Would the D1/A4 use be fully finished internally to lessen the burden on the end user?

This is a pub unit, which would be fitted out as a pub with some community use, as bound by legal agreement.

The unit is to be run by a commercial enterprise with community access and it is not intended to be a unit run by the community. As such, the overhead costs associated with fitting out a pub would be an expected part of a commercial operation.

Recommendation: Remains approval, subject to the conditions and S106 obligations set out within the committee report as well as the additional conditions and altered conditions as identified within this supplementary report

CIL DETAILS

This application is liable to pay **£2,223,704.47*** 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): 832 sq. m.

Total amount of floorspace on completion (G): 8331 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
Dwelling houses	8180	0	7363.08006 241748	£200.00	£35.15	£1,880,215.09	£330,447.80
Drinking establishments (2004)	151	0	135.919937 582523	£40.00	£35.15	£6,941.63	£6,099.95

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	286	
Total chargeable amount	£1,887,156.72	£336,547.75

*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.



DECISION NOTICE – APPROVAL

Application No: 16/3606

To: Mr Jenkins
SF Planning Limited
12 Royal Crescent
Cheltenham
GL50 3DA

I refer to your application dated **16/08/2016** proposing the following:

Redevelopment of the site to provide two new buildings of part 9 and part 10 storeys high to accommodate 92 flats (10 x studios, 42 x 1 bed, 25 x 2 bed and 15 x 3 bed units), ground floor commercial use within Use class A4 (drinking establishment) or Use class D1 (community centre) with associated basement for car and cycle parking spaces and storage, vehicular crossover, bin stores, amenity space, landscaping and associated works (Revised plans submitted changing the floorplans and elevations of Block B and Daylight/Sunlight Report addendum)

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

at **245-249 and 253 Ealing Road, Wembley, HA0 1EX**

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: 02/11/2017

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

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:-

National Planning Policy Framework 2012
London Plan 2015
Brent Core Strategy 2010
Brent Development Management Policies 2016
Council's Supplementary Planning Guidance 5 2002
Council's Supplementary Planning Guidance 17 2001

- 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):

BBA 669.P.01 SITE LOCATION PLAN
BBA 669.P.02 EXISTING SITE PLAN
BBA 669.P.03 EXISTING STREET SCENE
BBA 669.P.04 PROPOSED SITE PLAN
BBA 669.P.05A PROPOSED BASEMENT
BBA 669.P.06B PROPOSED GROUND FLOOR PLAN
BBA 669.P.07C PROPOSED 1ST FLOOR PLAN
BBA 669.P.08C PROPOSED 2ND FLOOR PLAN
BBA 669.P.09C PROPOSED 3RD FLOOR PLAN
BBA 669.P.10C PROPOSED 4TH FLOOR PLAN
BBA 669.P.11A PROPOSED 5TH FLOOR PLAN
BBA 669.P.12A PROPOSED 6TH FLOOR PLAN
BBA 669.P.13A PROPOSED 7TH FLOOR PLAN
BBA 669.P.14A PROPOSED 8TH FLOOR PLAN
BBA 669.P.15A PROPOSED 9TH FLOOR PLAN
BBA 669.P.16 PROPOSED 10TH FLOOR PLAN
BBA 669.P.18 PROPOSED STREET SCENE
BBA 669.P.19A PROPOSED FRONT ELEVATION
BBA 669.P.20C PROPOSED REAR ELEVATION
BBA 669.P.19 PROPOSED FRONT ELEVATION
BBA 669.P.21 PROPOSED SIDE ELEVATIONS
BBA 669.P.22A PROPOSED SIDE ELEVATIONS
BBA 669.P.23 PROPOSED CROSS SECTION
BBA 669.P.24 PROPOSED LONGITUDINAL SECTION

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

- 3 The windows on the approved plans identified with the annotation stating 'obscure glass' shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To protect the privacy of neighbours in accordance with Policy DMP1.

- 4 The car parking spaces, refuse storage, cycle storage, private and communal amenity spaces identified on the approved plans shall be laid out and made available prior to the occupation of any part of the development hereby approved. The spaces / storage shall be retained as such for the lifetime of the Development.

Reason: To ensure that the impact of the development on the highways network is appropriate and that the development is fit for purpose.

- 5 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 6 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 7 The development hereby approved shall be carried out in full accordance with the details stipulated in the Flood Risk Assessment and SUDS Statement dated August 2016, as complied by EAS.

Reason: To ensure that the development appropriately mitigates flood and surface water runoff risk.

- 8 The development hereby approved shall be carried out in full accordance with the details stipulated in the Noise Impact Assessment (KP Acoustics Report 14485.NIA.01 dated 10th November 2016).

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1

- 9 The development hereby approved shall be carried out in full accordance with the details stipulated in the approved Air Quality Impact Assessment (AMEC Foster Wheeler air quality assessment dated August 2016).

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 10 Prior to the first occupation of any part of the development the measures outlined to achieve a carbon saving of 36.5% above the baseline of Part L of the building regulations 2013 shall be installed and operational, and remain as such for the lifetime of the development.

Reason: To ensure a sustainable development

- 11 A communal television aerial and satellite dish system shall be provided for each block, linking to all residential units unless otherwise agreed in writing by the local planning authority.

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

- 12 The building 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.

- 13 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition, site clearance and the laying of foundations). The work shall be carried out in accordance with the approved details.

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

- 14 Prior to commencement of the development, a recording report shall be submitted to and approved in writing by the Local Planning Authority. The recording report shall detail the heritage assets and value of the Plough public house and shall be completed to Historic England Level 3 standard.

Reason: To ensure that the heritage value of the building is recorded, given that it has been identified as a potential heritage asset.

- 15 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), further details of how the development will be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8

- 16 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), further details of disabled access arrangements shall be submitted to and approved in writing by the local planning authority. The details shall include indications of levels, widths, surface materials of paths and seating arrangements that will aid and enable disabled access to the building. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8

- 17 Prior to the commencement of the use the applicant shall submit details of domestic boilers to the Local Planning Authority. The details shall demonstrate that for all domestic boilers installed, rated emissions of Oxides of Nitrogen (NO_x) do not exceed 30 mg/kWh. The Local Planning Authority shall approve the details in writing prior to commencement of the building's use.

Reason: To protect local air quality, in accordance with Brent Policy DMP1

- 18 Prior to first occupation of the development hereby approved, electric vehicle charging points shall be provided and made available for use within at least 20% of the approved car parking spaces within the site, and maintained as such thereafter. The provision of electric vehicle charging points shall be in accordance with London Plan standards, providing both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of London Plan policy 6.13.

- 19 Prior to first occupation of the development hereby approved, revised details showing the lifts to the basement with increased internal dimensions (achieving a minimum of 1.2m x 2.3m), shall be submitted to and approved in writing by the Local Planning Authority. Alternatively, revised details showing all cycle storage being relocated to ground floor level in an acceptable arrangement, shall be submitted to and approved in writing by the Local Planning Authority. Following approval of one of the abovementioned revised sets of plans, the development shall be carried out in accordance with the approved details.

Reason: To ensure that bicycle storage is practically accessible for residents.

- 20 Prior to first occupation of the development hereby approved, additional details showing the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Two publically accessible bicycle stands
- Setting back of any entrance gates to the car park by at least 10m from the highway boundary
- Provision of an access door from the main lift lobby of Block B to the footpath in between the two blocks.

Following approval of the above details, the development shall be carried out in accordance with these approved details.

Reason: To ensure the development is fit for purpose from a transport and highways perspective.

- 21 Prior to occupation of the commercial unit hereby approved, a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall subsequently be implemented in full and maintained as such thereafter.

Reason: To ensure the development can be appropriately serviced without detrimental impact on the highway.

- 22 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall subsequently be implemented in full and

maintained as such for the full length of the construction period.

Reason: To ensure the development is sensitive to its surroundings and does not give rise to unduly detrimental external impacts.

- 23 Within 6 months of the commencement of development, details of the hard and soft landscaping of the areas identified within the drawings hereby approved, including the roof terraces and child play spaces, shall be submitted to and approved in writing by the Local Planning Authority.

The details shall specify species, densities and heights of plants proposed together with hard landscaping materials and other landscaping features. They shall also include full details of children's play equipment.

The children's play equipment shall be installed prior to the occupation of any of the residential units hereby approved, and maintained thereafter. The landscaping (hard and soft) shall be provided within the first available planting season. Any planting that is part of the approved scheme that within the lifetime of the development after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To preserve the amenities of nearby residents and to prevent privacy being compromised

- 24 Prior to occupation of the development hereby approved the following shall be submitted to and approved in writing by the Local Planning Authority:

- Further details of the proposed trees to be planted, indicating tree species, size and tree pit design details.
- A survey of underground services demonstrating that the proposed trees will be able to be planted in the street as shown, shall be submitted to and approved in writing by the Local Planning Authority. If it is found that the trees cannot be planted as shown on the approved plans, an alternative tree planting plan of similar provision, shown to be viable through an underground survey, shall be submitted to and approved in writing by the Local Planning Authority.

The approved trees shall be planted in the first available planting season following occupation of the development.

Any trees that are part of the approved scheme that within the lifetime of the development after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To preserve and enhance the amenity of the street.

- 25 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), a report summarising additional considerations of viable means of further of reducing the development's carbon emissions shall be submitted to and approved in writing by the Local Planning Authority.

The report shall consider means of using less energy within the development, as required by the 'be lean' criterion set out in Policy 5.2 of the London Plan. The report shall demonstrate that additional measures have been considered and if applicable, identify any additional energy

saving measures that are viable for implementation.

Following approval of the details, the additional energy saving measures identified shall be implemented prior to occupation of the development.

Reason: To ensure the development has maximised its carbon savings, in accordance with London Plan Policy 5.2.

26 Prior to the implementation of the CHP system, the following shall be submitted to and approved in writing by the Local Planning Authority:

- Details of suitable plans for procedures in the event that the CHP system fails to operate sufficiently

Reason: To ensure the CHP will be reliable, particularly in view of its significant contribution to carbon emissions.

27 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), a report demonstrating that the current situation of the local heat district opportunity area is explored in more depth to consider more thoroughly whether a connection can be made to an existing heat network. If it is concluded that such a connection can be made, then this connection shall be functionally implemented prior to occupation of the development.

Reason: To ensure the building maximises its environmental sustainability, as required by London Plan Policy 5.2.

28 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), a report demonstrating acceptable details of a site heat network to be implemented into the development, or a report demonstrating why a site heat network is not viable for implementation shall be submitted to and approved in writing by the Local Planning Authority.

If the approved details are of an acceptable site heat network for implementation, the site heat network shall be functionally implemented prior to occupation of the development.

Reason: To ensure the building maximises its environmental sustainability, as required by London Plan Policy 5.2.

29 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), details confirming whether the plant efficiencies used when modelling the submitted carbon savings are based on the gross fuel input for gas or the net values provided by a manufacturer shall be submitted to and approved in writing by the Local Planning Authority. If the submitted details confirm that the plant efficiencies are not based on gross fuel inputs for gas then a revised projected carbon savings shall also be submitted to and approved in writing, achieving the maximum possible carbon savings in line with the requirements of London Plan Policy 5.2.

Reason: To ensure the building maximises its environmental sustainability, as required by London Plan Policy 5.2.

30 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority in writing for approval. The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1

- 31 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), a scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority for approval.

The insulation shall be designed so that noise from the ground floor commercial uses does not result in an exceedance of the indoor ambient noise levels specified within BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' in the flats within close proximity to the commercial uses. The approved insulation measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 32 Prior to the commencement of the development (excluding demolition, site clearance and the laying of foundations), a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance

- 33 Prior to the commencement of the development (excluding demolition, site clearance) 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 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 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

- 34 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 in writing by the Local Planning Authority prior to (excluding demolition, site clearance), 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

- 35 Details of any external lighting, including details of the fixtures and luminance levels, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting and the lighting shall thereafter be installed in accordance with the approved details.

Reason: In the interest of the amenity of adjoining occupiers and the safety of pedestrians and

vehicles using the parking and communal areas within the development and on the local highway network.

INFORMATIVES

- 1 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.
- 2 The following guidance notes are for the information of the applicant from Thames Water:
 - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
 - Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
 - We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
- 3 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 4 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.

Document Imaged

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903