

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

7 August, 2024  
05  
22/2477

## SITE INFORMATION

RECEIVED	12 July, 2022
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	245-249 and 253 Ealing Road, Wembley, HA0 1EX
PROPOSAL	Redevelopment of site to provide two buildings accommodating residential units, the use of ground floor as a Community Use (Use Class: F2) with additional affordable workspace (Use Class: E) at ground floor level, associated vehicular crossover, car and cycle parking spaces, refuse storage, amenity spaces, landscaping and associated works
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_161085">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_161085</a></p> <p><b><u>When viewing this as an Hard Copy</u></b></p> <p>Please use the following steps</p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "22/2477" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the application's referral to the Mayor of London (Stage 2 referral).

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

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
2. Notification of material start 28 days prior to commencement.
3. Provision of 32 homes (10 Shared Ownership and 22 London Affordable Rent) at 35.5% per habitable room and an early and late-stage review mechanism, and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights on first lets and 75% nomination rights on subsequent lets for the Council)
4. Training and employment of Brent residents - Prior to a material start:
  - a) to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
  - b) to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development;
  - c) financial contribution (estimated to be £27,500 for construction fee and £7,150 for operational fee) to Brent Works for job brokerage services., any additional charge against the shortfall in provision of jobs as identified within the employment and training plan.
5. The Class E Workspace floorspace to be provided as affordable workspace to be delivered as follows:
  - a) In perpetuity
  - b) At no more than 50% of comparable local market rates
  - c) Floorspace is to be provided as affordable research and development, light industrial, flexible office and studio workspace (Use Class E(g))
  - d) Managed by one of the Councils approved affordable workspace operators
  - e) With a minimum lease term of 15 years or a minimum long-lease of 125 years
  - f) To a minimum fit-out standard as set out in the Affordable Workspace SPD
6. Sustainability and Energy;
  - Detailed design stage energy assessment based on Part L 2021 of Building Regulations with a minimum 35% reduction on site. Initial carbon offset payment to be paid prior to material start if zero-carbon target not achieved on site.
  - Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site.
  - Be seen' energy performance monitoring and reporting
7. A Section 38/278 Agreement to include highway works to:-
  - (i) provide a loading bay within the Ealing Road footway (as amended to extend the entry splay and provide protective bollards);
  - (ii) widen and re-landscape the Ealing Road footway along the site frontage to retain a minimum 3m wide footway past the loading bay;
  - (iii) reinstate all existing redundant vehicular crossovers to the site to footway;
  - (iv) create the new site access with 2m kerb radii,
  - (v) provide any other works to statutory undertakers' equipment or other ancillary or accommodation works associated with items (i)-(iv) above

all in general accordance with the details shown on drawing number BBA669.P.04G
8. The implementation of the Residential Travel Plan ;
9. A financial contribution of £45,000 towards the extension of Controlled Parking Zones in the vicinity of the site;
10. Promotion of local Car Clubs, with the provision of free membership of a Car Club in the vicinity of the

development offered to residents for a period of at least two years;  
11. A wayfinding strategy and contribution of £2,000 for Ealing Road signage

12. Financial contributions

a) To Brent Council for enhancement of off-site tree planting (£7,000).

b) A contribution to Brent Parks of £10,000 for enhancement and improvements to public open spaces within the Borough

13. Transport for London:

a) To TfL for public transport (£67,166 agreed between the applicant and TfL for bus service enhancements)

b) To TfL for public transport (£149,190 requested by TfL for step-free access agreed by the applicant and TfL)

14. Detailed submission of Television and Radio Reception Impact and underwriting of all mitigation required in addressing any interference

15. Indexation of contributions in line with inflation (to be indexed from date of Planning Committee)

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

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

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

Conditions

**Compliance**

1. 3 years consent

2. Approved Drawings

3. Number of Units

4. Commercial uses

5. Water Restriction

6. Amenity Space

7. Obscure Glazing

8. Flood Risk

9. Noise

10. Wheelchair accessible homes

11. Non-Road Mobile Machinery (NRMM)

12. Communal amenity space

13. EVPCs

14. Parking, Cycle and Refuse Stores

15. Air Quality

**Pre-commencement Conditions**

16. Construction Method Plan

17. Construction Logistics Plan

18. Heritage recording

**Post Commencement**

19. Contaminated land

20. District Heat Network

21. Digital Connection

22. Materials

23. Hard and Soft Landscaping

24. Access Routes

25. Sound insulation

26. Delivery and Servicing Plan

27. Internal Noise

28. Community Access Plan

29. External Lighting

30. Plant

31. Whole Life Carbon

32. Circular Economy

Informatives

1. Building Adjacent to Boundary

2. CIL Liability

3. Party Wall Act

4. London Living Wage

5. Fire Informative

6. Quality of Imported Soil

7. Thames Water Details

8. Groundwater Risk Management Permit

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

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

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**



**Brent**

## Planning Committee Map

Site address: 245-249 and 253 Ealing Road, Wembley, HA0 1EX

© Crown copyright and database rights 2011 Ordnance Survey 100025260



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 would be 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 community facility (Use Class F2) measuring 140sqm. On the ground floor of the southernmost building would be a 251sqm affordable workspace area and a car park. Ancillary floorspace such as cycle stores and plant area would be mainly located at ground and mezzanine levels, with the refuse stores located on ground floor level.

Above this there would be 31 residential units within the northernmost building (block A) and 57 residential units within the southernmost building (block B), which would be a mix of one, two, and three bedroom flats. Block A would provide the affordable housing units, with one additional unit in Block B at first floor. Block A would have a single core, serving up to 4 flats on each floor and block B with two cores 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 of Block A would have a 234.4sqm communal terrace with Block B having a 280.05sqm terrace, with 121.5sqm provided on level 9 of Block B's roof terrace. All flats are also to be provided with a private balcony/terrace and additional rooftop communal gardens are to be placed atop both buildings.

It is noted that a previous consent existed on this site, granted in July 2019 under application reference 16/3606, for a similar scale of development. However, this permission was not implemented, and has since lapsed. The reason for this has been explained, in part, to be as a result of legislative changes around fire safety, and the requirement for additional evacuation cores. This is discussed in the site history section of this report.

### Key Information

#### Site Designations

Relevant site designations:
Alperton Growth Area
Tall Building Zone
Air Quality Focus Area

#### Land Use Details

Site area (ha):	0.12ha
-----------------	--------

Non-residential details:			
	Use Description	Use Class	Floorspace (m <sup>2</sup> ) (Gross Internal Area)
<b>Existing</b>	Public House	Sui Generis	368m <sup>2</sup>
	Bank	Class E	232sqm
<b>Proposed</b>	Community use	F2	143m <sup>2</sup>
	Workspace	Class E(g)	251m <sup>2</sup>
<b>Total Proposed</b>			394m <sup>2</sup>

#### Parking

	Car Parking Spaces (General)	Car Parking Spaces (Disabled)	% EVCP	Bicycle Spaces	
				Short stay	Long stay
<b>Existing</b>	N/A	NA	N/A	N/A	N/A
<b>Proposed</b>	0	3	3	4	154

### Environmental performance

	Policy target	Proposed
<b>Energy</b>		
Percentage of on-site carbon savings beyond Part L of Building Regulations (2021)	Since the submission of the planning application, the Building Regulations have been updated with 2021 version which came into effect in July 2022. In this case whilst the application was submitted in August 2022, the Energy Assessment was prepared in July 2021 and designed in accordance with 2013 regulations. This would achieve a 64% reduction in carbon emission in total. Nevertheless, a detailed design stage energy strategy will be required prior to commencement as an obligation within the Section 106 legal agreement and this will be assessed against the Building Regulations 2021	
Percentage of on-site carbon savings achieved through energy efficiency measures		
Off-site reduction (%) and/or carbon offset contribution		
Unregulated carbon emissions		
<b>Sustainability</b>		
BREEAM score	Excellent if over 1000sqm of commercial floorspace	Not required as less than 1000sqm
Urban Greening Factor (UGF)	0.4	0.4
Biodiversity Net Gain (BNG)	Positive	Figures not provided but likely to be an improvement given the hardstanding and buildings on site at present

Amendments since submission:

- Improvements to the UGF score to achieve 0.4
- An updated Drainage Strategy to remove pump
- Updated ecology report with dusk emergence survey
- Updates to the ground floor layout to improve the usability of the community floorspace
- Updates and increased sizing to some of the units bedroom sizes and the balconies
- Updates to the living/kitchen/dining units to rationalise the layouts

## EXISTING

The two sites as existing are vacant, however, they previously incorporated an MOT Centre, a former HSBC bank building and the Plough Public House. These existing two storey buildings are all to be demolished in order for the proposed development to commence. The sites are labelled as Site A and Site B, however, the connecting access route between the sites would be retained as a through access.

The surrounding area is mixed in character, with some retail, considerable light industry and manufacturing within close proximity. However, the area is currently in a transitional period, becoming more residential in nature 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 developments under construction 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. It is also within the Ealing Road and Alperton Creative Enterprise Zone.

The site and wider locality is within the Alperton/Ealing Road Air Quality Focus Area and is also designated as an Air Quality Management Area.

## SUMMARY OF KEY ISSUES

### Summary of Key Issues

The key issues for consideration are as follows:

**Representations Received:** A total of 84 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. These issues are discussed in the body of this report.

**Land use:** The loss of the public house would be secured through an appropriate sized replacement community use within the development and a community access plan would be secured by condition. The residential use is supported in principle.

**Design:** The design of the building is considered to be acceptable, and the height and massing is in keeping with the local context. The design of the building is discussed further in the body of this report.

**Quality of the resulting residential accommodation:** The residential accommodation proposed is of a sufficiently high quality. The overall mix of unit sizes is in accordance with policy standards, and each would have sufficient access to daylight and outlook. There is a slight shortfall of the proposed private amenity space, however this marginal shortfall is offset by the closely located public open spaces and is therefore considered to be acceptable and in accordance with BH13 when weighed up against the delivery of housing in an appropriate location, with sufficient access to shared amenity space. This is discussed further in the body of this report.

**Affordable housing and Mix of Homes:** The scheme would deliver 33 affordable units (10 Shared Ownership and 22 London Affordable Rents) at 35.5% by habitable room. As the scheme is delivering more than 35% affordable housing, it qualifies for the Fast Track route as set out within both the London Plan and Brent's Local Plan, subject to both an early and late stage review mechanism. The scheme would achieve a policy compliant level of family sized homes (24 homes in total) in line with policy BH6.

**Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, however this is often unavoidable in developments of this scale in built up urban areas. The overall impact of the development is considered to be acceptable, particularly in view of the wider regenerative benefits and the delivery of housing, including affordable housing. This is discussed further in the body of this report.

**Highways and transportation:** The proposed alterations to the public highway are acceptable, considering the needs of pedestrians, cyclists and motorists. 3 disabled parking spaces are to be provided, with the remainder of the development expected to operate free of cars. Some minor changes would be required through dischargeable condition in consultation with the Council's Transport officers, but the principle of the highways layout results in an acceptable arrangement.

**Trees, landscaping and public realm:** While some trees are proposed to be removed, through detailed analysis in an arboricultural assessment they are not in this instance considered to be of a sufficient quality to warrant their retention, and notwithstanding this there would be sufficient replanting and other improvements. The proposal has the potential to improve on the existing situation with the forecourt landscaping proposed. This would be assured through the use of dischargeable conditions.

**Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Issues surrounding Urban Greening and Biodiversity Net Gain are discussed in further detail within the body of this report.



## RELEVANT SITE HISTORY

### 16/3606. Full Planning Permission. 26/07/2019. Granted – subject to legal agreement.

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)

### 21/4633. Discharge of Conditions. 09/05/2022. Approved.

Details pursuant to condition 13 (materials) of Full Planning Permission reference 16/3606 dated 26 July, 2019, for Redevelopment of the site to provide two new buildings of part 9 and part 10 storeys high to accommodate 92 flats (10 x studios, 41 x 1 bed, 27 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 (Revised plans submitted changing the floorplans and elevations of Block B and Daylight/Sunlight Report addendum)

## CONSULTATIONS

### Consultation with neighbours

A press notice advertising the proposal was published on 3<sup>rd</sup> October 2023, and a site notice was displayed on 21st September 2023. In addition, letters were sent to 637 neighbouring properties on 9<sup>th</sup> January 2023.

Following this, 84 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.

Objection	Response
<p>The development would restrict 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>Since the earlier consent, the locality has changed with additional buildings that need to be considered.</p>	<p>The proposal has taken into account any impacts upon daylight and sunlight on these buildings within paragraphs 86 to 125 and the impact of the building on the locality is set out within paragraphs 22 to 37. While it is accepted that there have been additional developments since the previous consent, this is a growth area with change expected. The impacts have been assessed and it is not considered to be unacceptable.</p>
<p>The development would result in overcrowding</p>	<p>The mix of units is discussed in paragraph 17, with further assessment of the quality of these units between paragraphs 38 to 59 and it is considered that the proposal and each unit would be of high quality and of suitable space standard for each individual occupant.</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>The application site is located within a Tall Building Zone. The scale of development would be very similar to that of its immediate neighbours, Braunston and Cosgrove Houses. The placement of the building would broadly in line with the existing pattern although it is acknowledged that due to the urban context of the site and surrounding</p>

<p>There will be a loss of privacy due to the close proximity of buildings.</p>	<p>buildings the relationship would in places be constrained, however on balance this is not considered to be to an unacceptable level.</p> <p>The 18m separation standard within Brent's SPD1 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>Please refer to paragraphs 88 to 126 within the main body of the report below.</p>
<p>Parking stress will increase, owning a car will become very difficult. The traffic congestion on Ealing Road will increase.</p>	<p>Please refer to paragraphs 127 to 134 within the main body of the report below.</p>
<p>There will be pressure put on local services.</p>	<p>The development would be liable for Community Infrastructure Levy (CIL), which would solely contribute towards local community infrastructure. Notwithstanding this, an on-site community centre is proposed. Brent's Infrastructure Delivery Plan sets out a comprehensive breakdown of infrastructure required, where there is the potential for additional pressure on services, particularly within Growth Areas. The IDP identifies any potential shortfall and how we manage this to ensure that the growth of the Borough is sustainable. Financial contributions have been sought in order to address any potential shortfalls.</p>
<p>The density and size of the site is likely to result in small units with minimal landscaping.</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 to meeting floor space standards, the flats all have at least one balcony space and access to a substantial roof terrace.</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>Access to the communal gardens will be restricted to residents within the development rather than for general</p>

	<p>public use.</p> <p>A contribution to the enhancement and improvements to public open space will be sought as part of the legal agreement.</p>
<p>Reports that the current owner of the Plough public house has allowed the pub to become run down and increases the risk of anti-social behaviour.</p>	<p>Anti-social behaviour reported from the pub would not be a material planning consideration. The proposal would provide an appropriate replacement community facility.</p>
<p>A drinking establishment would lead to anti-social behaviour in this area</p>	<p>A public house no longer forms part of this development.</p>
<p>Views would be obstructed.</p>	<p>Individual views are not protected within policy, only key strategic views (e.g. the Wembley Stadium arch from designated viewpoints). However, it is considered that surrounding properties would retain sufficient levels of outlook.</p>
<p>The community would want a café, restaurant and/or a modern medical centre for an underserved population.</p>	<p>The site allocation does not require the bank to be reprovided and the uses proposed are considered acceptable and in line with the site allocation. The development would be liable for CIL payment which is designed to contribute to the delivery of infrastructure upon which a development relies. Brent's Infrastructure Delivery Plan sets out a comprehensive breakdown of infrastructure required, where there is the potential for additional pressure on services, particularly within Growth Areas. The IDP identifies any potential shortfall and how we manage this to ensure that the growth of the Borough is sustainable. Financial contributions have been sought in order to address any potential shortfalls.</p>
<p>Crime, amenities and schools should first be addressed before further regeneration is permitted.</p>	<p>See above. It is noted that the concerns raised with regard any criminality at the existing public house would cease if it were to be demolished as a result of this application.</p>
<p>The development does not promote high quality homes and healthy communities.</p>	<p>The new homes meet internal space standards as set out within the London Plan, 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.</p>
<p>The development would put pressure on the local public transport network</p>	<p>TfL were consulted regarding this proposal and did not raise concerns about an increased use of Alperton Station. TfL were consulted and they did not raise objections to the intensification of use of Alperton Station, subject to financial contributions relating to step-free access. Additionally, a contribution is sought for bus service improvements along the Ealing Road.</p>
<p>The size and shape of the proposal will surely affect external noise levels.</p>	<p>Given the uses proposed within the building, it is not expected that the building would emit significant noise. A condition would be secured in relation to plant noise.</p>
<p>The value of nearby properties will be affected.</p>	<p>This is not a material planning consideration.</p>
<p>There are no safe ground level children's play areas – the roofs are not large enough for the number of flats proposed.</p>	<p>Subject to appropriate safety measures, rooftop playspaces can be safe spaces for children to play. Building regulations will ensure that necessary aspects of</p>

	<p>safety are included.</p> <p>Given the high density of this scheme, the amenity space achieved is considered to be acceptable as discussed further in the body of this report.</p> <p>Additionally, an offsite financial contribution is to be secured through Section 106 of the Act to secure funding towards the improvement of public open space within the borough.</p>
Pests and rubbish generation will increase.	Suitably sized refuse storage has been proposed to account for the storage of refuse 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 site is located within a tall building zone which sets out that heights of 30m or more are generally acceptable. The design of the building and its height would be considered acceptable for its context as discussed within paragraphs 23 to 31 below.
Energy bills will increase as natural light is reduced.	Losses of light to affected windows would have the potential to marginally increase the amount of time lighting is required. However, it is not expected that this would be to an unacceptable degree.

#### 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.

**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 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, concerns were raised with some of the transport considerations. Further information was therefore required in relation to public realm landscaping, cycle parking, servicing and travel planning. Delivery and servicing plan, construction logistics plan and a travel plan, all of these matters have been addressed throughout the course of the application and are set out in more detail below.

Additionally, there were some points raised with regard to the activation of Block B, this has been addressed and the design of the building is broadly accepted

**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**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprises of the:

London Plan 2021  
Brent Local Plan 2019-2041

Key policies include:

London Plan 2021

Policy D1: London's form, character and capacity for growth

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering good design

Policy D5 Inclusive Design

Policy D6 Housing quality and standards

Policy D7 Accessible housing

Policy D8: Public realm

Policy D9: Tall buildings

Policy D12 Fire Safety

Policy D13: Agent of change

Policy D14 Noise

Policy H1 Increasing housing supply

Policy H2 Small Sites

Policy H4 Delivering affordable housing

Policy H5 Threshold approach to applications

Policy H6 Affordable housing tenure

Policy H7 Monitoring of affordable housing

Policy HC1 Heritage conservation and growth

Policy G5 Urban greening

Policy G6 Biodiversity and access to nature

Policy G7 Trees and woodlands

Policy SI 1 Improving air quality

Policy SI2 Minimising greenhouse gas emissions

Policy SI4 Managing heat risk

Policy SI5 Water infrastructure

Policy SI 12 Flood risk management

Policy SI 13 Sustainable drainage

Policy T2 Healthy Streets

Policy T5 Cycling

Policy T6 Car parking

Policy T6.1 Residential parking

Policy T7 Deliveries, servicing and construction

## Local Plan 2019-2041

DMP1 – Development Management General Policy  
BP7: South West  
BSWGA1: Alperton Growth Area  
BD1 – Leading the way in good design  
BD2 – Tall Buildings  
BD3 – Basement Development  
BH1 – Increasing Housing Supply in Brent  
BH2 – Priority Areas for Additional Housing Provision within Brent  
BH4 - Small Sites and Small Housing Developments in Brent  
BH5 - Affordable Housing  
BH6 - Housing Size Mix  
BH13 – Residential Amenity Space  
BHC1 – Brent's Heritage Assets  
BHC3 - Supporting Brent's Culture and Creative Industries  
BHC5 - Public Houses  
BGI1 – Green and Blue Infrastructure in Brent  
BGI2 – Trees and Woodland  
BSUI1 – Creating a Resilient and Efficient Brent  
BSUI2 – Air Quality  
BSUI3 – Managing Flood Risk  
BSUI4 - On-Site Water Management and surface water Attenuation  
BT1 – Sustainable Travel Choice  
BT2 – Parking and Car Free Development  
BT3 – Freight and Servicing  
BT4 - Forming an Access on to a Road

### The following are also relevant material considerations include:

National Planning Policy Framework 2023  
Brent Waste Planning Guide 2013  
Brent's Design Guide – Supplementary Planning Document 1 2018  
Residential Amenity Space & Place Quality – SPD – 2023  
Sustainable Environment & Development – SPD – 2023  
Council's S106: Supplementary Planning Document 2022

## **DETAILED CONSIDERATIONS**

### Site Background and context

1. Planning permission was previously granted in 2019 for the redevelopment of the site for 92 flats and a

ground floor commercial use, with an associated basement for parking, storage and refuse areas. This consent was not implemented and has since expired, however, many of the principles of development remain largely similar with the proposed development under consideration here addressing the amendments required relating to matters of fire regulation, with the resultant internal re-configuration and external fenestration changes to bring forward the development.

2. Since the previously consented scheme, National, Regional and Local planning policy documents have been updated and in some instances new documents have been introduced. The National Planning Policy Framework (2023) and The London Plan (2021) have been updated, and Brent's Local Plan (2019 – 2041) completed its consultation and was subsequently adopted. The differences between the previous adopted policies and those in place now, and how they impact this submission have been addressed in the relevant sections of this report.
3. The previous consent saw 150sqm of retail/community floorspace with 92 residential units. Of these only 16% (15 units) were secured as family sized units (three bedrooms or more) and the scheme provided 24 affordable units (17 affordable rent and 7 intermediate residential units, representing a tenure ratio of 71:29, the scheme per unit achieved 26.1% affordable housing. The proposed development would be an improvement over this.
4. The previously consented scheme has now expired and as such, cannot be implemented. However the scheme as revised and under consideration here has been submitted to ensure the inclusion of a second stair core is set out below and against Brent's updated planning policies. The proposed scheme comprises a reduced number of 88 units (10 x studio, 31 x 1B2P, 23 x 2B3P, 17 x 3B4P, 7 x 3B5P). It also re-provides floorspace for a community use and affordable workspace area. The submission now includes 32 affordable units (10 Shared Ownership and 22 London Affordable Rent) at 35.5% by habitable room.

#### Land Use

5. Brent's Housing targets have significantly increased as part of the London Plan 2021, with the target increasing to 2,325 dwellings per annum for the period 2019/20-2028/29 in Policy H1 of the London Plan recognising the increasing demand for delivery of new homes across London. Brent's local plan policy BH1 reflects this target as well.
6. Policy D3 of London Plan 2021 required developments to make the best use of land by following a design-led approach that optimises the capacity of the site, with development that is the most appropriate form and land use for the site, with the policy recognising that small sites make a significant contribution towards increasing housing supply within London. This is also set out in policy H2 of London Plan 2021.
7. In response to the strategic policy position above, within Brent's Local Plan, the Council has set out priority areas for new housing under policy BH2. This policy identifies that new housing would be prioritised for growth areas, site allocations, town centres, edge of town centre sites, areas with higher levels of public transport accessibility and intensification corridors. As the site is under 0.25 hectares, it would be defined as a small site within both London Plan (Policy H2) and Brent's Local Plan (policy BH4). this policy highlights that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to amongst other considerations achieve the minimum targets for small sites as part of overall housing targets and increase the contribution of small sites to meet London's housing needs. The policies recognise the use of small sites for delivering a net addition of self-contained dwellings through the more intensive and efficient use of sites, where consistent with other policies in the development plan.
8. The site is located within the Alperton Growth Area and is therefore within a priority location for additional homes. It would also have access to higher levels of public transport accessibility and would be a priority site for new homes under policy BH4 as well. Local Plan Policy BSWGA1 sets out the requirement to deliver over 6,800 additional homes within the Alperton Growth Area and the policy sets out that Alperton will continue to be an extensive area of mixed use residential led regeneration, primarily along the Grand Union between Alperton and Stonebridge Park stations.
9. The site comprises two vacant and detached buildings, formerly occupied by a bank (Use Class E) and the former Plough Public House (Use Class Sui Generis). The site is located within Alperton Growth Area. The scheme proposes 143 sqm for alternative uses including a community use (F2) and 251sqm of affordable workspace (Use Class E(g)).
10. Local Plan Policy BHC5 recognises the important role that pubs can have in contributing to the borough's character and their role as community assets. The policy highlights that the loss of public houses will be

resisted unless its continued use as a pub or as an alternative community facility is not economically viable as demonstrated by meeting the marketing requirements as set out in paragraph 6.5.39 within the supporting text to the Local Plan. In this case the proposal would provide a replacement space to be used as a community space. Whilst there would be an overall loss in floorspace from 368sqm to 143sqm, it has been demonstrated that the floorspace proposed would be functional for a community use. The application site has been vacant since at least 2015 and while the community use floorspace does not necessarily suggest that the new provision will be equivalent to existing provision in terms of offer and floorspace. The existing public house does not effectively serve as a community asset, given it has been out of use for a number of years and in the past has been accused of being operated in a manner which encouraged anti-social behaviour. It is considered that the proposed community centre use would 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 community 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. It is also worth noting that a new public house has been secured as part of the approved development for Alperton House LPA: 18/4199 which is currently under construction and in close proximity to the application site.

11. Policy BSWG1 highlights that in addition to over 6,800 additional homes, Alperton will be encouraged to become an enterprise hub. Since the adoption of the Local Plan, it has also been designated as a Creative Enterprise Zone (CEZ). The Council's regeneration team have been involved in discussions around securing the affordable workspace. The provision of 251sqm of affordable workspace (Use Class E(g) would contribute towards the aims of the creative enterprise zone .

#### Affordable Housing and Housing Mix

12. London Plan Policies H4, H5 and H6 set out the Mayor's commitment to delivering 'genuinely affordable' housing. The strategic target remains at 50% affordable housing, and a fast track route is provided for applications proposing at least 35% affordable housing (50% on public sector or industrial land, including non-designated industrial sites where the scheme would result in the net loss of industrial capacity) with a policy-compliant tenure split. Applications not meeting the criteria for the fast-track route are subject to viability testing, to determine the maximum reasonable amount of affordable housing that the scheme can support.
13. Policy H6 requires affordable housing provision to include a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; and 40% to be determined by the borough based on identified need.
14. Brent's Local Plan Policy BH5 supports this approach and sets a target of 70% of affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category.
15. The affordable housing tenure split should comply with 70:30 LAR/intermediate split. The scheme proposes 22 London Affordable Rent, 10 shared ownership and 56 private units.

	London Affordable Rent		Intermediate		Market		Totals	
	Units	H/R	Units	H/R	Units	H/R	Units	H/R
<b>Studio</b>	3	6	1	2	6	12	<b>10</b>	<b>20</b>
<b>1 Bed</b>	9	18	4	8	18	36	<b>31</b>	<b>62</b>
<b>2 Bed</b>	5	15	1	3	17	42	<b>23</b>	<b>69</b>
<b>3 Bed</b>	5	20	4	16	15	64	<b>24</b>	<b>96</b>
<b>Total</b>	22	59	10	29	56	154	<b>88</b>	<b>247</b>
<b>%</b>	25	23.8	11.3	11.7	63.6	62.3		
<b>Units Affordable</b>	<b>36.3</b>				<b>63.6</b>			
<b>HR %</b>	<b>35.5</b>				<b>62.3</b>			

16. As noted within the table above, the scheme would deliver 35.5% affordable housing by habitable room. The tenure split would be 67: 33 weighted towards London Affordable Rent. While the fast-track route for financial viability would usually require a 70:30 split the Greater London Authority have confirmed as part of their Stage 1 that due the marginal discrepancy, and the split being in favour of London Affordable Rent, the 67:30 split is considered to be acceptable in this instance and suitably meets the fast track



criteria. The mix of units therefore complies with the level of affordable set out within Brent's Local Plan and through the London Plan fast-track route. The affordable housing split will be assessed further through an early and late stage review to ensure it remains compliant.

17. The mix of units is:

<b>Numbers</b>				
Studio	1-bed	2-bed	3-bed	Total
10	31	23	24	88

<b>Percentage</b>				
Studio	1-bed	2-bed	3-bed	Total
8.8	27.28	20.24	21.11	100%

18. Policy BH6 seeks 25% of new homes to be family sized (3+ beds) and requires for each application that for every four dwellings included in a development, one must be family sized dwelling. A family sized unit is defined as 3 bedrooms or more. The scheme would deliver 24 family sized homes which exceeds the 1 in 4 requirement set out within policy BH6 (which would require 22 homes).

#### Design, conservation and heritage

19. Design is an important consideration, and buildings need to be of a high quality. London Plan Policy D3 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth by seeking development of the most appropriate form and land use, while Policy D5 seeks inclusive design without disabling barriers. Brent's Policy BD1 seeks the highest quality of architectural and urban design.

20. The NPPF (2023) requires "Planning Policies and decisions should ensure that developments...are visually attractive as a result of good architecture, layout, appropriate and effective landscaping...Permission should be refused for development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions" (Paragraphs 127 and 130 of the NPPF, 2023)

21. Design should respond to contributing towards "a positive relationship between urban structure and natural landscape features..." Additional design guidance can be found in DMP1 ("Development Management General Policy") and within the Councils SPD1 ("Design Guide for New Development").

22. Policy BD1 of Brent's Local Plan reinforces the need for all new development must be of the highest architectural and urban design quality. Innovative contemporary design will be supported where it respects and complements historic character but is also fit for the future.

23. Policy BD2 sets out that a tall building is one that is more than 30 m in height above ground level. Tall buildings are to generally be located within Tall Building Zones as defined within the policies map attached to the Brent Local Plan. The proposal under consideration here constitutes a tall building at 31.3m and would be located within a designated Tall Building Zone. Policy D9 of the London Plan allows for development plans to define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but is not less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. Policy BD2 of the Local Plan defines a tall building as one that is more than 30m in height above ground-level, reiterating that They should be of exceptional design quality, consistent with London Plan Policy requirements in showing how they positively address their visual, functional, environmental, and cumulative impacts.

24. The building is within a cluster of taller buildings and is in a growth area, the building at the height proposed is considered to match the context and presents a shoulder to the building by virtue of the setting in of the 9<sup>th</sup> storey. The proposal with regard to the impact of the height on the surroundings is considered to be suitable for the locality.

25. It is considered that the proposed building's have successfully addressed the criterion set out within London Plan Policy D9, owing to the buildings limited impact, given its height when considered in the context of this Tall Building Zone, while remaining functional for all future users, with key accessibility

points addressed, allowing the navigation through the site, between the two buildings. An access condition would be added to any grant of consent to ensure the level changes between the sites are addressed and would not impact the building's functionality.

26. The site is not within a Conservation Area and does not contain any statutorily listed buildings. The nearest Conservation Area is over 1km away from the site. The existing buildings on the northern side of the site are not considered to be of any great architectural or historical merit, and do not constitute non-designated heritage assets and their demolition is supported. The Plough Public House (253 Ealing Road) had previously been identified as a candidate for local listing, however, this was not carried forward. It is therefore considered that the overall regenerative and planning benefits of the proposed development are considered to carry significant material weight when considered against the loss of the existing buildings on 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.
27. The Alperton Underground Station is also a Locally Listed Heritage asset, which is sited 233m from the application site. It is not considered that given the urban environment and the cluster of taller buildings in this location that the development proposals would be visible and therefore cause harm to the heritage asset. As such, it is not considered that the development would harm this Locally listed heritage asset.
28. 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 of the application site. The building to the south is 9 storeys at its highest, where 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 height and commensurate massing, given its surrounding context on the east side of Ealing Road.
29. The buildings have been designed to follow the established front building line of the developments 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.
30. The buildings' bulk and massing is broken down through the creation of different volumes on the 9<sup>th</sup> and 10<sup>th</sup> floors, with the massing being mostly broken up on the southern side of the site. The southern end of Block B terminates at a set in 9<sup>th</sup> storey, whilst the middle third of the building has a set in 10<sup>th</sup> storey.
31. Additionally, the southern third of Block A has a set in 10<sup>th</sup> 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.
32. The materiality of the building is broken down into three contrasting aspects which have their own distinct areas of character and material palette 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 dark zinc metal cladding is proposed to be 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).
33. The residents' entrances are proposed to be identified by two 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, along with vehicles accessing the site and passing through it. The top floors are designed to be understood as a continuous garden to be enjoyed by the residents. Children's play areas are proposed to be located upon them. Maximisation of the views, space and energy efficiency are other considerations addressed through the design process, with the proposed facades responding to thermal efficiency.
34. The building, would not be unduly visually prominent when seen from a distance, since it would be of smaller massing than its immediate 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 taller the established skyline of this part of Alperton given the surrounding context in this area. The proposal is not considered to have an impact on the Wembley Arch from the protected views identified in the Local Plan given the distance between the sites and its siting within this cluster of development.

35. The Ealing Road frontage is where the community use space 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 affordable workspace area within the ground floor of Block B maintains a strong level of activity, given it is predominantly glazed in this part of the development.
36. 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.
37. Overall, the building's design and appearance is considered to be acceptable. It would result in a substantial pair of building's but the focus of it on the main road junction, and the light materials are considered to mitigate the height. The overall design and materiality of the proposed development is considered to respond to and compliment the wider streetscene and local area, with a contemporary design language that would be broadly in keeping with other recent developments of a similar scale.

Quality of resulting residential accommodation

38. New residential homes should meet with or exceed the minimum internal space standards contained within the London Plan policy D6. The policy highlights that new homes should be provided with adequate levels of outlook, daylight and natural ventilation, which is supported by Council's Design guide SPD 1 (2018).
39. Policy D6 of London Plan sets out that housing developments should be of high quality design and provide adequately sized rooms with comfortable and function layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. Part (c) highlights that housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.
40. Part F of Policy D6 sets out that housing developments are required to meet the minimum standards below which apply to all tenures and all residential accommodation that is self-contained.
41. Dwellings must provide at least the gross internal floor area and built-in storage area set out in Table 3.1.
  - A dwelling with two or more bedspaces must have at least one double (or twin) bedroom that is at least 2.75m wide. Every other additional double (or twin) bedroom must be at least 2.55m wide.
  - A one bedspace single bedroom must have a floor area of at least 7.5 sq.m. and be at least 2.15m wide.
  - A two bedspace double (or twin) bedroom must have a floor area of at least 11.5 sq.m.
  - Any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (If the area under the stairs is to be used for storage, assume a general floor area of 1 sq.m. within the Gross Internal Area).
  - Any other area that is used solely for storage and has a headroom of 0.9-1.5m (such as under eaves) can only be counted up to 50 per cent of its floor area, and any area lower than 0.9m is not counted at all.
  - A built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. Any built-in area in excess of 0.72 sq.m. in a double bedroom and 0.36 sq.m. in a single bedroom counts towards the built-in storage requirement.
42. The minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.

The table below sets out the minimum internal floor space requirement for each unit type to be used for a new dwelling - new build, conversions and change of use.

Type of dwelling	Minimum gross internal areas and storage (square metres)
------------------	--

Number of Bedrooms	Number of bed spaces	1 storey dwelling	2 storey dwelling	3 storey dwelling	Built-in storage
1b	1p	39 (37)* Shower room instead of bathroom = 37	N/A	N/A	1
	2p	50	58	N/A	1.5
2b	3p	61	70	N/A	2
	4p	70	79	N/A	2
3b	4p	74	84	90	2.5
	5p	86	93	99	2.5
	6p	95	102	108	2.5

43. The units would meet the above standards and are considered to be of a sufficient 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 in accordance with the Housing Quality LPG. There would also be a number of triple aspect units which is welcomed and the amount of daylight and sunlight within the site is considered to achieve a good level of outlook and light.
44. 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 and are discussed in more detail below.
45. 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. The two residential entrances would be accessed from Ealing Road. The homes are located at first floor level and above.
46. The submitted drawings indicate that all the units would meet the minimum space standards set out by the London Plan. Furthermore, each single bedroom would require a GIA of 7.5sqm with a width of at least 2.15m and each double-bedroom should have a floorspace of 11.5sqm and should be at least 2.55m wide. Every other additional double (or twin) bedroom must be at least 2.55m wide. The submitted drawings have demonstrated that the above has been achieved.
47. Of the 88 units proposed, 66 units would feature a dual aspect outlook which is welcomed. The units which have single aspect outlook have been suitably located on facing south-west and north-east, reducing any reliance on solely north or south facing units which is also welcomed. These homes would have outlook to the west over Ealing Road, and to the north and east over Hatton Road. Windows would be obscure glazed to some windows facing towards the south, given the proximity of both the southern building and Grand Union House development. While there are very few instances of single aspect windows, given that the site is within the Alperton Growth Area it is considered that the shortfall of dual aspect units can be considered on balance acceptable, resulting in an efficient use of the land in an urban context.
48. London Plan policy D6 also requires at least 75% of the GIA of each flat to have an internal floor-to-ceiling height of 2.5m. Each home would achieve an internal floor to ceiling height of over 2.5m in line with Policy D6.
49. In terms of privacy, SPD1 outlines that new development should provide adequate privacy and amenity for new residents and protect those of existing ones. Development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will require a minimum separation distance of 18m, and habitable room windows should be positioned 9m away from neighbouring rear gardens. Brent's SPD 1 Design guide states that balconies should not overlook the habitable room windows or gardens of adjoining properties.
50. The proposal has demonstrated that the above is achieved between directly facing homes with a distance of 19m being achieved between directly facing habitable room windows of the north which is in accordance with Brent's SPD1 document.

## External Amenity Space

51. Policy BH13 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 50sqm for family homes located at ground floor level (three or more bedrooms) and 20sqm in all other cases.
52. The BH13 requirement for external private amenity space established through BH13 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
53. With regard to quality of the space, the supporting text to policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
54. London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m is reconfirmed in the policy.
55. Moreover, the Council adopted the Brent Residential Amenity Space and Place Quality supplementary Planning Document on 12th of June 2023. The SPD provides guidance on planning matters related to the provision of residential amenity space and public realm within developments.

<b>Unit No.</b>	<b>Balcony Amenity Space (sqm)</b>	<b>Shortfall (from 20sqm)</b>	<b>Communal Amenity Space</b>
1	8	12	
2	11	9	
3	8.5	11.5	
4	8	12	
5	11	9	
6	12	8	
7	8	12	
8	6	14	
9	6	14	
10	8.5	11.5	
11	8	12	
12	13	7	
13	8.5	11.5	
14	8	12	
15	6	14	
16	6	14	
17	8.5	11.5	
18	8	12	
19	13	7	
20	8.5	11.5	
21	8	12	
22	6	14	
23	6	14	
24	8.5	11.5	
25	8	12	
26	13	7	
27	8.5	11.5	
28	8	12	
29	6	14	
30	6	14	
31	8.5	11.5	
32	7	13	

33	5	15
34	5	15
35	7	13
36	13	7
37	5	15
38	6	14
39	7	13
40	5	15
41	5	15
42	10	10
43	13	7
44	5	15
45	6	14
46	7	13
47	5	15
48	5	15
49	7	13
50	6	14
51	5	15
52	5	15
53	6	14
54	7	13
55	5	15
56	5	15
57	10	10
58	13	7
59	5	15
60	6	14
61	7	13
62	5	15
63	5	15
64	7	13
65	6	13
66	5	15
67	5	15
68	6	14
69	7	13
70	5	15
71	5	15
72	10	10
73	13	7
74	5	15
75	6	14
76	7	13
77	5	15
78	12	8
79	10.5	9.5
80	5	15
81	6	14
82	12	8
83	18	2
84	10.5	9.5
85	15	5
86	9	11
87	9	11
88	17.5	2.5
Total	690.5	1068.5
Block A		260

<i>Block B</i>		418.5
<b>Total Communal Space</b>		<b>678.5</b>
<b>Cumulative Shortfall Total</b>		<b>390sqm</b>

Block	No. of Units	Balcony Space Provided (sqm)	Amenity Space required for Block (sqm)	Communal Amenity Space provided (sqm)	Shortfall (sqm)
A	31	261	620 (31 x 20sqm)	260	99
B	57	429.5	1,140 (57 x 20sqm)	418.5	292

56. Private balconies are a feature of the development, and are provided for all flats, generally of about 5sqm-11sqm in size. Some flats have two balconies, each of them achieves at least 5sqm in area, however, there are some with an additional balcony which is notably smaller at 2.5sqm. Three separate communal roof gardens are provided, which provides 121.5sqm on the 9<sup>th</sup> floor south-east wing and 297sqm of shared amenity space on the roof of Block B and an additional 260sqm of shared amenity space of Block A. Within Block A, the 31 units would require 620sqm of amenity space and within Block B, the 57 units would require 1,140sqm of amenity space. The breakdown of their individual shortfalls are shown in the table above, with Block A having a 99sqm shortfall and Block B having a 292sqm shortfall. As the residential units of both blocks are all situated above ground floor they require 20sqm of amenity space provision, as set out within Policy BH13. Considering the high density of the scheme and its urban surrounds, while there is a shortfall in amenity space provision it is considered that the overall amenity space offer is acceptable given that there are two parks (Alperton Sports Ground and Abbey Estate Open Space) within approx. 500m of the application site, which would offer sufficient shared outdoor amenity space to make up for the shortfall on site, thereby providing amenity space of a sufficient size and type for the development. An off-site contribution would be secured under the s106 agreement for funding towards improvements and enhancements to local public open spaces.

57. London Plan policy S4 refers to play space requirements for residential developments. The proposal includes 112sqm of the rooftop space which will comprise on-site child play space and the remaining space could be met through these local parks for children of 12+ years. There is a condition requiring further clarification on the age groups the spaces would accommodate for. 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. Such details are recommended to be conditioned to any forthcoming consent.

#### Accessible Homes

58. In line with London Plan policy D7, 10% of new dwellings should be designed to M4(3) standards and the remainder to be M4(2) standards. The submitted plans show 9 of the homes designed to M4(3) standards and the remainder to M4(2) standards. This achieves the 10% and a compliance condition is will be attached to ensure that 9 of the new homes to be designed to M4(3) standards to comply with policy D7.

59. The proposal includes 9 wheelchair accessible dwellings, these are sited within the following blocks:

Floor	Block A	Block B
<b>1st Floor</b>	Unit 1	
	Unit 3	
<b>2nd Floor</b>	Unit 4	Unit 39
<b>3rd Floor</b>	Unit 7	Unit 46
<b>4th Floor</b>		Unit 57
<b>7th Floor</b>		Unit 79
<b>8th Floor</b>		Unit 84
<b>Total</b>	<b>9</b>	

## Internal daylight and sunlight

### *Daylight*

60. An internal daylight and sunlight report has been carried out in accordance with Building Research Establishment's Report 209 "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" (2022 3rd Edition).
61. Internal Daylight has been assessed using Spatial Daylight Autonomy (SDA). The SDA is used to calculate the illuminance from daylight at each point on an assessment grid placed within the room at the working plane at hourly intervals for a typical year. Target illuminance (ET) for bedrooms is 100 lx, for living rooms, 150 lx and kitchens, 200 lx. These levels should be achieved across at least 50% of the working plane in a daylight space for at least half of the possible daylight hours. It should be noted that the first two levels of the development have been assessed for their internal daylight and sunlight as it is considered that these would have the largest impacts, and windows at upper levels from this would have better outlook. As such, the worst instances for the internal room lighting for each unit have been assessed as below. The assessment has included the residential units which are situated at floors 1 and 2, omitting the floors above these levels. It is considered that the lower floors would have the most impact and as such the assessment for these units is set out below, the upper levels are considered to have a greater level of daylight and sunlight achieved per room owing to the additional height for the building and it exceeding the height of some of the wider surrounding area. In this dense, urban area the assessment of only the first and second floors is considered to be acceptable and the assessments are set out below.
62. The results note that of the 53 rooms tested 25 are not fully compliant with the BRE Daylight factor values. Of these 10 serve bedrooms, 11 are living/kitchen/dining areas and 4 are studio apartments which are centrally located within Block B and have outlook to the north-east and to the south-west over Ealing Road.
63. Of the rooms that do not meet the daylight factor targets, 10 serve a bedroom. These rooms fall below the target of 50% for the room area, however, some only fall below marginally. It is noted that the BRE guidance is intended to be interpreted flexibly and it is also acknowledged that bedrooms have the lowest expectation of requirement of daylight owing to the primary hours of its usage. This does not suggest that these rooms will have inadequate daylighting, just that the distribution of daylight within the room is below the recommended targets.
64. When considering the 11 living/kitchen/dining areas (LKD's) and 4 studio apartments that are below the daylight factor targets it is evident from the scheme of drawings that the primary reason for this result is due to the presence of balconies overhanging the main windows which result is due to the presence of balconies overhanging the main windows which restricts the view of the sky from the window. Although the presence of these balconies does not restrict the view of the sky from the window, these 15 rooms all have direct access to a private balcony which provides a valuable and desirable direct amenity to the flat.
65. The balcony areas themselves are often considered to be an extension of the living space and these areas will receive a much greater level of daylight.
66. Therefore, where balconies are present it is important to acknowledge that whilst daylight availability to the external balcony areas is not registered by the numerical analysis as being incident on the window, it is nevertheless falling on and within the balcony areas and will provide an amenity benefit to these units.
67. It should also be noted that the scheme is very similar to an earlier, however expired consent at the site. While there have been some layouts updated to ensure compliance with fire safety regulations, many of the units have remained unchanged and are considered acceptable.
68. Overall, 53% of the rooms tested on the first and second floors, the provision of natural daylight will meet the requirements of BS EN 17037, while there is a shortfall in compliance when considering the urban environment and the overhanging balconies, the overall provision of daylighting is considered to be acceptable. It is considered that the upper floor levels, above the second floor would generate an improvement and as such these rooms have not been considered as part of the submission.

### *Sunlight*

69. The BRE guide requires that the sunlight testing is applied to rooms of all orientations, noting that rooms facing north of due east or west are unlikely to meet the targets.



70. BS EN 17037 recommends that a space should receive a minimum of 1.5 hours of direct sunlight on the 21st March (equinox). For dwellings, at least one habitable room, preferably a main living room, should meet at least the minimum criterion.
71. The orientation of the site will play a big role in the proposal's compliance with this test. Obviously not all sites are well situated to receive direct sunlight, so a flexible approach is recommended on this basis. Of the 53 rooms tested, 27 would meet or exceed the minimum requirements set out in the BRE guidelines. There are however, 26 rooms that do not meet this standard. However, on further assessment of these detailed results set out in the internal daylight and sunlight assessment the majority of these are bedrooms and therefore the requirement for sunlight is considered less than a main habitable room.
72. The aspirational requirements of the BRE guidelines are that it is preferred that all living spaces achieve a minimum of 1.5 hours sunlight on the 21<sup>st</sup> March. As highlighted in the assessment, of the 23 units appraised, 16 include a main living room that meets this standard, and 17 units have at least one habitable room that meets the recommended standard.
73. Of the 6 remaining units that do not have at least one habitable room that meets 1.5 hours of sunlight on 21<sup>st</sup> March, it is evident from the site plan that these are units solely with north facing windows. Given the typology and location of the proposed development it is not possible that every window is orientated within 90 degrees of due south. The BRE guidelines acknowledge that it is not always possible that every window is orientated within 90 degrees of due south. The BRE guidelines acknowledge that it is not always possible to orientate every window serving a habitable room within 90 degrees of due south and it is inevitable that there will be some windows facing within 90 degrees of due north in order to make efficient use of a development site. This does not suggest that these living spaces will have inadequate sunlight, simply that during the equinox period, the number of hours per day will be less than 1.5.
74. Given the dense urban environment and typology of the development, having 73% of the tested units within one habitable room exceeding the sunlight targets should be considered to be acceptable.

#### *Overshadowing to external amenity spaces*

75. The BRE guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March.
76. The site plan indicated that the residents' of the proposed units would have access to a large area of high quality amenity space in the form of roof terraces and children's play areas on the ninth and tenth stories of both Block A and B. The assessment results indicate that the spaces would receive well in excess of 2 hours of direct sunlight to over 50% of its area on 21<sup>st</sup> March. In exceeding this minimum target, these amenity spaces will deliver the principal benefits derived from direct sunlight and as a result will help deliver the amenity benefits provided by outdoor spaces.

#### *Conclusion*

77. The levels of daylight and sunlight received by the new homes and amenity spaces within the development are considered to be appropriate for a scheme of this density, and that the provision of private external amenity space (in the form of balconies) outweighs the associated reduction in daylight received by rooms. It is also noted that residents will be able to access a variety of amenity spaces throughout the site, with the majority of these meeting BRE guidance levels for sunlight. The proposal is considered to be acceptable in relation to the levels of internal daylight and sunlight.

#### Managing heat risk

78. London Plan Policy S14 expects all new proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials, and the incorporation of green infrastructure. Major proposals should demonstrate how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:

- Reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure;
- Minimise internal heat generation through energy efficient design;
- Manage the heat within the building through exposed internal thermal mass and high ceilings;
- Provide passive ventilation;
- Provide mechanical ventilation; and
- Provide active cooling systems.

79. The energy and sustainability statement confirms that overheating risk was considered early in the design

process to ensure compliance with relevant standards. Suitable passive measures have been incorporated within the building envelope and services design to mitigate overheating and reduce cooling demand.

80. The strategy sets out that the development with all dwelling areas and the majority of accommodation would seek to limit solar gains within the units. The report advises that curtains and blinds will be considered and introduced where needed to reduce overheating on rooms that may appear to fail initial calculations.

### Relationship with neighbouring properties

#### *Impact on neighbouring residential amenity*

81. Brent's DMP1 policy in the adopted Local Plan and Brent's SPD1 guidance sets out a number of criteria for judging a development's impact on neighbouring residential properties in terms of losses of privacy and the creation of a sense of enclosure. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, in the context of the existing urban grain, and for any residential amenity impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the

#### *Privacy*

82. In order to retain acceptable privacy levels to properties, SPD1 states that development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will normally require a minimum separation distance of 18 m, except where the existing character of the area varies from this. A distance of 9 m should be kept between gardens and habitable rooms or balconies. Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy as well as high quality design and solutions which can sometimes mitigate impacts and allow for efficient use of land. development's performance against them are explained below.
83. It is acknowledged that there are windows situated closer to the neighbouring 243 Ealing Road which is situated eastward, however, these windows are not the sole habitable room windows to the living kitchen dining area and bedroom proposed on this elevation, and as such, these can be conditioned to be obscure glazed and non-opening to ensure that there is no overlooking. On the south building there is a partial immediate neighbour south eastwards at 253a Ealing Road, to avoid any overlooking on this boundary a chamfered approach to the windows has been included to ensure maximum optimisation of the site. The windows are at an angle and overlooking Hatton Road which is acceptable. There are windows proposed to the south elevation of the south building, which could create overlooking, however, the recently developed Grand Union House Development does not have any windows on its northern flank elevation and as the building has recently been redeveloped it is not considered that development at the application site would preclude further development coming forward. There are no external amenity spaces or gardens located close by that would require additional consideration.

#### *Sense of enclosure*

84. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2 m height at the nearest edge of an affected property private amenity space and sit below a line drawn at 30-degrees from neighbouring rear habitable room windows.
85. In this case, the development does not adjoin any private rear gardens so 45 degree line would not be applicable and the windows surrounding the site which serve habitable rooms are assessed below in the daylight and sunlight assessment.

### Daylight and Sunlight

86. Where buildings would be within a 25 degree line of existing windows, the Building Research Establishment considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. A more detailed assessment of daylight and sunlight impacts based on the BRE's Site Layout Planning for Daylight and Sunlight (BRE209) 2022 guidance is required where the 25 degree test is not met. This guidance supersedes the 2011 version, however the advice in relation to assessing the impact on neighbouring properties remains consistent with the earlier version.
87. In support of the application a Daylight and Sunlight Report has been submitted, which assesses the

effect of the proposed development on surrounding properties as well as within the proposal itself (discussed above)

88. In terms of impacts on daylight and sunlight to neighbouring properties, BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. In addition, existing daylight may be affected if levels of No-Sky Line (NSL) within rooms are reduced to less than 0.80 times their former values.
89. In respect of direct sunlight and overshadowing, the 2022 BRE guidance recommends that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1st of February and 21st of March with cloudless conditions. It is suggested that 21st March (equinox) be used for the assessment.
90. To assess impacts on sunlight to existing south facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months and that the amount of sunlight, following the proposed development, is reduced by more than 4%, to less than 0.80 times its former value.
91. The BRE guide defines criteria by which to assess the impact of a proposed development on open spaces using the sunlight amenity test. This test quantifies the area of each space that receives at least two hours of sunlight on the 21st of March, in both the existing and the proposed situations. The 21st of March is chosen as it represents the mid-point of the sun's position throughout the year (equinox). The guidance suggests that, for a space to appear adequately sunlit throughout the year, at least 50% of its area should receive two or more hours of sunlight on the 21st of March. If the space fails to meet the above, then the area receiving at least 2 hours of sunlight should not be reduced to less than 0.80 times its former area.
92. The assessment has considered all the closest neighbouring residential properties with windows overlooking the proposed development which are:
- 245 Ealing Road (Blocks 6 and 7)*
- 255 Ealing Road*
- 253a Ealing Road*
- 1C Carlyon Road*
93. A further analysis looking at the individual properties is set out below:
- 255 Ealing Road*
94. From the results for the Vertical Sky Component test (VSC) the assessment indicates that 79% of the windows tested would meet the BRE Guidelines and are therefore would be fully compliant. There are however 37 windows that are highlighted do experience a potentially noticeable reduction in daylighting, with 20 windows registering a minor transgression, 5 a moderate transgression and 12 a major transgression.
95. When further inspecting the results and design of the property, it is evident that some of these windows serve rooms which are served by multiple windows and in some cases the affected window is not always the primary window. Consequently, the results of the VSC analysis in isolation are not necessarily indicative of the impact of the daylighting levels within the room itself.
96. One of the ways in which the BRE Guidelines recommends quantifying the potential impact in this situation is to take the weighted average VSC value for the room under both the existing and proposed scenarios and base the ratio of change on the averaged ratio of change value.
97. When this calculation is undertaken for the windows serving R2 and R6 on the first floor R2, R7 on the second floor and R2 on the third to seventh floors is evident from the assessment, the resulting ratio of change for these rooms is above the 0.80 BRE Guideline value. This therefore demonstrates that when the impact on the room itself is examined in detail, the reduction in daylight will be within the permitted tolerances set out within the guidelines.
98. For the remaining transgressional results, whilst these are below the standard BRE targets, this does not

necessarily mean that the results are unacceptable.

99. When the results for these windows are examined in more detail is evident that the windows either retain a VSC of greater than 13% or are located under an overhanging canopy or are part of an internal balcony, therefore significantly reducing the sky view to the window and as a result restricting the availability of daylight to the windows as a result of its own building features.
100. When taking into consideration the current relatively underdeveloped status of the existing site it is generally accepted that in an inner city and dense environment, VSC values in the mid-teens are generally acceptable. This report concludes that the previously undertaken daylight and sunlight report conditions that the remaining windows meet the target VSC of 13% which is likely to result in a reduction of daylight within reasonable limits, highlighting the flexibility that should be considered in urban environments such as this. Therefore, the daylighting to these windows should be considered reasonable given the site constraints.
101. With regard to the windows receiving VSC values lower than this, the majority of these windows are located beneath canopy or overhanging balcony features and as a result retain very low VSC values under existing conditions. Therefore any change on the development site is likely to result in a large ratio of change to the neighbouring window. The results of the assessment indicate that the reduction in the area of the working plane that has a direct view of the sky will be less than 20% in the majority of cases and therefore the change in distribution of daylight within these rooms will not be noticeable. There are however, three exceptions to this, a bedroom on the ground floor (R8) and a LKD on the first and second floors (R4 and 5 respectively).
102. With regard to the NSL results for this property, the dimensions and layouts of the habitable rooms of 255 Ealing Road have been assessed subject of the planning application reference LPA: 14/2276 and 16/5161. The results of the test indicate that the reduction in the area of the working plane that has a direct view of the sky will be less than 20% in the majority of cases and therefore the change in the distribution of daylight in these rooms would not be noticeable. There are three exceptions to this, a bedroom on the ground floor (R8) and an LKD on the first and second floors (R4 and R5 respectively).
103. As the floorplans for this property are known, it is possible to identify that the room depth of the bedroom and LKD are greater than 5m. A reduction in the NSL is not an uncommon situation when appraising modern, open plan rooms which tend to be deep and single aspect and is a point that is acknowledged by the BRE guidelines. In this case, given the deep single, aspect nature of these rooms and the urban high-rise nature of the built environment, it can be seen that reductions in daylight distribution are unavoidable due to the design of the building itself.
104. The sunlight analysis (APSH) test for this property shows that for the vast majority of rooms and windows assessed, the degree of reduction is negligible. There are some reductions that exceed the BRE criteria annually, however, all the windows are fully compliant in winter. However, it is important to reiterate that the BRE guidelines are intended to be interpreted flexibly and given the high-density nature of the surrounding properties, some reduction in sunlight is to be expected.

#### *1C Carlyon Road*

105. When assessing the results, it is evident that 11 out of the 14 windows tested at 1c Carlyon Road either retain a VSC value greater than 27% post development or have a ratio of change that is 0.8 or above and therefore are fully compliant. Consequently, in line with the assessment criteria set out within the BRE guidelines it is possible to conclude that the impact will be negligible to these windows.
106. There are however, three windows experiencing a minor impact and while these windows do experience a transgressional result, this is not necessarily unacceptable. When analysing the affected windows in more detail, it is evident that these are located underneath balcony features and therefore the features of the building itself as discussed for No. 255 Ealing Road are restricting the available daylight to these windows.
107. Furthermore, when assessing the retained VSC values as a result of the obstructed windows, these windows retain a very low VSC value under current conditions. For all 3 windows, the absolute reduction in VSC will not be greater than 1.5% from the existing to the proposed scenario and this small reduction is unlikely to be noticeable to the occupant.
108. As such, it is again evident that the proposed development by itself is being unfairly constrained by the design features at the host property and as such this should not hamper the development potential of a neighbouring site.
109. The results for the daylight distribution test (NSL) for 1c Carlyon Road indicate that overall, the impact

on the daylight distribution will be negligible, apart from one room. There is one living room on the ground floor experiencing a minor transgression and whilst this does not indicate a potentially noticeable transgression it should be reiterated that the existing development site is currently underdeveloped in comparison to the rest of the surrounding area.

110. Therefore, any massing on the development site is likely to cause a greater than normal reduction in the distribution of daylight. In most cases, the reduction in the working plane that has a direct view of the sky will be less than 20% therefore occupants are unlikely to notice any change.

111. Finally, the APSH results for this property indicate that overall, all the windows serving this property will be compliant with the BRE criteria. Despite two windows not quite meeting the targets for annual and winter sunlight, these will still receive some direct sunlight throughout the year. Therefore, the reduction because of the proposed development is unlikely to be noticeable.

#### *253a Ealing Road*

112. This property has recently been constructed having received approval in February 2019. The VSC results for this property indicate most windows will meet the criteria set out within the BRE guidelines, however, there will be reductions in VSC to 26 windows largely serving LKD's on the ground and second floors and bedrooms on the first and third floor.

113. It is typically accepted that bedrooms have the lowest requirement for daylight and upon inspecting the results in the assessment, all the bedrooms on the third floor will have a retained VSC of greater than 13%. The results of the daylight distribution (NSL) tests indicate that there will be 6 rooms experiencing a minor transgression and 3 major transgressions. Of these transgressions, 6 of the rooms will serve bedrooms. As it is generally accepted that bedrooms have the lowest requirement for daylighting the impact to these rooms should hold a lesser weighting than the main habitable rooms.

114. For the remaining 3 rooms experiencing a potentially noticeable reduction in daylighting, these all serve LKD's and are experiencing a minor transgression. Given that these results are minor, and the fact the scheme was design and approved alongside the application for the earlier consent which has since expired at the application site, these results carry extra weight when being considered reasonable given the surrounding context.

115. Furthermore, the APSH results for this property indicate that there are 2 windows experiencing APSH reductions beyond the thresholds set out in the BRE guidelines and 1 window exceeding the threshold in the winter months. Despite these reductions, as the layout of this property are known, it is possible to conclude that the units with windows displaying a transgressional result will still have an alternative room or window that will receive sufficient sunlight throughout the year.

116. It should also be noted, that despite the transgressional results to this property, the previously consented scheme at the development site within this assessment report was approved in 2019. Therefore, this achieved approval after the expired and extant consent at the application site, and therefore the impact on daylight and sunlight on this property was considered reasonable in this instance.

#### *245 Ealing Road (Block 6)*

117. When considering the VSC for this property, it can be concluded that while 48% of the assessed windows at this property experience a transgressional result, most of these windows will retain a VSC of 13% and above, for which as discussed above, for an urban environment such as this it can be considered acceptable.

118. For the remaining windows that do not retain a VSC of greater than 12%, this does not necessarily mean that this is unacceptable. When reviewing further assessment it is evident that a significant proportion of the sky view is obscured by the balcony above the window, which is a similar situation for 255 Ealing Road and 1c Carlyon Road, it is therefore the effect of the balcony, as well as the obstruction caused by the proposed development that is resulting a greater reduction in sky view in the majority of cases.

119. In terms of the NSL tests for this property, the area of working plane with a clear sky view is reduced by 20% in many cases, however, 80% of the assessed rooms would still be BRE compliant. The floorplans for this property, while found, only had general layout plants and as such, an estimate of the room dimension was made. Appendix D of the BRE guidance sets out that where the room layouts cannot be found, estimating room layouts is not generally recommended. However, where plans are available then the calculation can be carried out. As such, it is considered that where there are transgressions, these properties are likely to be less significant, as the rooms could be smaller. As a result, the NSL results for this property are considered to have a lesser weighting than those properties where the layouts and

dimensions are known exactly.

120. It should be noted that despite the reductions in daylight and sunlight, a previous scheme with the exact height and massing as the current proposals has been approved on site. While this application has now lapsed, if the building had not been amended to comply with fire safety regulations, the development could have been constructed. Therefore, provided that the daylight and sunlight impact upon the neighbouring property were considered acceptable for the earlier application, and while this is not a material consideration it does carry some weight, and an element of flexibility is considered when interpreting the updated review.

#### *245 Ealing Road (Block 7)*

121. Most of the windows facing the development site at this property are as above, overhung by the balconies within the host development. It is also worth reiterating that most of the windows at this property face the development site and that as existing the current site is underdeveloped in comparison to the surrounding environment containing multiple two storey properties, in comparison to the 10 storey schemes surrounding the site. Therefore, the surrounding buildings currently enjoy a relatively open aspect in comparison and any massing on the development site is likely to cause a greater than normal reduction. As a result of these features, 46% of the neighbouring windows are shown to be compliant with the BRE criteria.

122. The NSL test has also been undertaken for this property, despite the room dimensions being estimated where appropriate. From the assessment, 75% of the rooms are compliant with BRE criteria, and there are 6 minor and 3 moderate transgressions as a result of the proposed development, as discussed for Block 6 above, the results of these are considered to hold a lesser weighting than for those properties where the exact room dimensions are known.

123. Finally, the APSH test for this property does indicate a reduction in annual winter sunlight in the assessed window, it can be considered that the windows would also retain some sunlight throughout the year, which would be in line with the levels that would be expected within a dense urban location such as this.

#### *Conclusion*

124. While there are some windows which do not achieve the BRE the scheme provides an overall high compliance with BRE guidance, and these results are considered to be acceptable given the urban context of the, and that the site is within a Tall Building Zone. The properties that are mainly affected currently afford outlook over the low scale existing buildings on site resulting in higher levels of daylight than what could be expected for a typical urban context, in addition to being affected by their own developments and balcony placement. The overall benefits of the development including the delivery of new commercial floorspace and residential homes (including a policy compliant level of family sized homes) would outweigh the limited harm identified above.

#### Transport and Highways

##### *Site Context and Background*

125. This application is essentially a re-submission of a previously approved scheme for the redevelopment of this site, comprising 92 flats above a public house/community unit, which expired in July 2022 (ref: 16/3606).

126. Minor amendments to the development include a slight alteration to the housing mix to provide residential units, removal of basement, plus alterations to the bicycle and bin storage areas and residential entrance arrangements at ground floor level. Otherwise, the parking, servicing and vehicular access arrangements remain.

127. Further revised plans have now been received, making minor amendments to the public realm and access arrangements along Ealing Road to enlarge the loading bay and reduce the car park access radii. Also, the basement has been removed. Otherwise, the building remains essentially unaltered, with flats proposed above a community space (143m<sup>2</sup>), affordable workspace (251m<sup>2</sup>), an undercroft car park with three disabled spaces and bin and bicycle stores.

##### *Car Parking*

128. Policy T6.1 of London Plan sets out that new residential development should not exceed the maximum parking standards set out in table 10.3. This is also reinforced within policy BT2 of Brent's Local Plan that sets out that developments should provide parking consistent with parking standards in

Appendix 4. Car parking standards are the maximum and car free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.

- 129. Maximum car parking standards would allow up to 46 spaces in total, so the proposed provision of three disabled car parking spaces accords with standards, whilst also meeting the London Plan minimum standard of an allocated disabled space for 3% of the flats.
- 130. The applicant has now also committed to providing a Parking Management Plan that will seek to identify further opportunities for disabled parking to be provided in the area in the event that the three disabled spaces within the site prove to be insufficient to meet demand.
- 131. The three proposed spaces will require electric vehicle charging points and the applicant has confirmed that these will be provided.
- 132. To mitigate concerns over the potential for parking displacement onto surrounding streets as a result of the limited parking, a financial contribution of £45,000 is sought towards the introduction of a Controlled Parking Zone in the area, along with a legal agreement or condition designating the flats as 'car (permit) free' to withdraw the right of future residents to on-street parking permits. The developer has confirmed that they agree to these matters.

*Cycle Parking*

- 133. Policy T5 of London Plan sets out the need to secure the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3, ensuring that a minimum of two short-stay and two long-stay cycle parking spaces are provided where the application of the minimum standards would result in a lower provision. This is also set out within policy BT1 of Brent's Local Plan that highlights the need for developments to include cycle parking, in line with or exceeding London Plan standards.
- 134. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.
- 135. Where it is not possible to provide adequate cycle parking within residential developments, boroughs must work with developers to propose alternative solutions which meet the objectives of the standards. These may include options such as providing spaces in secure, conveniently-located, on-street parking facilities such as bicycle hangers.
- 136. In terms of bicycle parking, the 88 flats require 151 long-stay spaces and three short-stay spaces, whilst three long-stay and five short-stay spaces are required for the ground floor commercial uses.
- 137. A total of 154 long-stay spaces are shown within internal stores at ground and mezzanine floor levels to meet the long-stay requirement, with a suitably sized platform lift to the upper floor. The provision comprises a mixture of two-tier racks and 'Sheffield' stands to accommodate a variety of different bicycles and these should be supplemented by power sockets to allow the charging of electric bikes.
- 138. Four 'Sheffield' stands are proposed along the Ealing Road frontage of the building to meet the short-stay requirement.
- 139. The proposed cycle parking provision is considered to be acceptable and complies sufficiently with the London Plan and Brent Local Plan standards.
- 140. *Servicing and Refuse*
- 141. Policy D6 of London Plan highlights the need for housing should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food waste as well as residual waste. This is reinforced within policy DMP1 that highlights the need for developments to provide high levels of internal and external amenity and does not unacceptably increase exposure to smells and waste.
- 142. Brent's "Waste and Recycling Storage and Collection Guidance for Residential Properties" sets out the following requirements:

Property Type	Receptacle	Residual waste	Dry recycling (litres)	Food waste

	position	(litres)		(litres)
Houses (1 household)	External	1 x 140l wheeled bin	1 x 240l wheeled bin	1 x 23l kerbside container
	Internal	30l min	30l min	5l kitchen caddy
House conversions and residential developments up to 8 households	External	70l per household	120l per household	1 x 23l kerbside container per household
	Internal	30l min per conversion	30l min per conversion	5l per conversion
Residential developments over 8 household	External	60l per bedroom	60l per bedroom	23l per household
	Internal	30l min per household	30l min per household	5l per household

143. The guidance also highlights that collection operatives should not be required to:

- move wheeled bins of up to 240 litres more than 20 metres in total. This is the maximum distance between the point of collection and the collection vehicle.
- move a 1,100 litre eurobin or a similar wheeled container more than 10 metres in total. This is the maximum distance between the point of collection and the waste collection vehicle.

144. Servicing for the site would require 10m rigid vehicles for the community space, plus large 10m refuse vehicles for the flats and 8m Luton vans for the workspace. A loading bay is proposed along the Ealing Road frontage to accommodate service vehicles with the dimensions of 12m x 3m plus splayed kerbs to address previous concerns over its restricted dimensions. The proposed landscaping to the rear of the loading bay has also been amended to retain a clear 3m footway width which is welcomed. Tracking drawings provided by the applicants currently show refuse vehicles having to reverse into the bay, due to the sharp 45 degree angle of the approach splay. The need for reversing would in itself cause highway safety concerns on this London distributor road. To address this and meet the recommended layouts shown in TfL's Kerbside Loading Guidance, a gentler entry splay (about 15 degrees) will be required be provided to allow forward entry into the bay by 10m rigid vehicles. There are no on-site constraints in terms of footway width or statutory undertakers' equipment to prevent this being done, so a minor amendment to the highway layout will be secured subject to a s278/38 highway works agreement. A planning condition would be added to any consent reiterating this.

145. A Stage 1 Road Safety Audit on the layout has also been undertaken and although it did not raise the issue of reversing into the bay, it did raise five other minor problems. One concerned the width of the car park access not allowing easy two-way flow. Brent's officers consider the 5m width to be more than adequate to serve just three parking spaces, so the inclusion of 2m radius kerbs would be sufficient to address this problem. An earlier concern raised multiple road access points along a short stretch of Ealing Road, but the access to the adjoining site at 253a Ealing Road is being removed through the redevelopment of that site, so this matter has been addressed and transport raise no objection.

146. The other minor problems concerned the need for contrasting materials for the loading bay, site access and footway to make them more legible for disabled and partially sighted persons and the need for protective bollards between the loading bay and site access. These measures have been agreed by the applicant and will be picked up at the detailed drawing approval stage under the S38/S278 Agreement. There was also a recommendation for temporary New Road Layout Ahead signage, but this is considered unnecessary as the works do not affect the carriageway of Ealing Road.

147. The loading bay will require adoption of part of the site frontage as public highway and a clear future boundary line between the public highway and private forecourt along the front of both blocks will need to be agreed so that it is clear who has responsibility for maintaining which areas (incl. the planter beds). At present, it remains unclear where the future boundary line will be run, but this can also be agreed through the detailed highway works approval process.

148. The widened footway will require some land beneath the oversailing balconies to be adopted and this will in turn require an oversailing licence under S177 of the Highways Act 1980.

149. Otherwise, the resurfacing of the public footways fronting the site in modular paving, the removal of the redundant crossovers and service road and the provision of new planting beds is all welcomed in principle and will significantly improve the Healthy Streets rating of the site frontage.



150. All works within the existing and future highway to construct the loading bay, widen and resurface the footways and install planter beds need to be undertaken through a S38/S278 Highways Agreement and this will need to be secured through any S106 Agreement. This has been included in the Heads of Terms for an eventual legal agreement, which has been agreed in principle by the applicants.
151. Refuse storage remains as previously proposed and meets capacity requirements. On refuse collection days, bins will be moved to the front of the site (alongside the path between the two blocks) by the management of the blocks, so that they are close to the loading bay. An alternative collection of waste from Hatton Road to the rear remains an option if this can be agreed with Network Homes.
152. A Delivery & Servicing Management Plan is sought to manage use of the loading bay by the competing occupiers of the building and it is now confirmed that this will be provided, with the content to include co-ordination of deliveries outside of peak times and promotion of sustainable delivery vehicle options, to be communicated through Welcome Packs. While it is important that clear routing instructions are set out, as the lay-by would not be able to be safely accessed and egressed by vehicles travelling northbound on Ealing Road. A wayfinding financial contribution would be included for the highway works to inform road users not to turn right.

### *Trip Generation*

153. The submitted Transport Response Note includes trip generation assessments.
154. The trip rates have been based upon agreed trip rates for the recently approved Alperton Bus Depot development site nearby and this exercise results in estimated person trips totalling 14 arrivals/47 departures in the morning peak hour (8-9am) and 24 arrivals/19 departures in the afternoon peak hour (5-6pm).
155. The very low car parking provision means that no car driver trips are expected to be made in the morning or evening peak hours and whilst there may be occasional trips in practice, these would not be sufficient to have a noticeable impact on the local highway network.
156. The above conclusion does rely upon CPZ controls being introduced in the surrounding area to regulate overspill parking though, so the financial contributions to assist this remain important.
157. With regard to public transport impact, the development is estimated to generate 11 arrivals/33 departures in the morning peak hour (8-9am) and 17 arrivals/13 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.
158. Nevertheless, TfL have requested a financial contribution towards bus service enhancements to reflect the cumulative impact on services, with a sum of £67,166 being sought.
159. In addition, a sum of £141,190 has been requested towards the provision of step-free access at Alperton Underground station, with TfL looking to progress with a concept design for providing lifts to the platforms.
160. The developer has agreed to provide these requested sums, which is welcomed.

### *Healthy Streets Assessment*

161. With regard to walking and cycling access, a Healthy Streets Assessment of six walking routes to key destinations in the local area has now been undertaken. Four accident clusters were identified at Manor Farm Road/Bridgewater Road junction, Ealing Road (Alperton station), Stanley Avenue and Alperton Lane/Ealing Road junction. Other shortcomings identified along the routes included Drainage issues along Ealing Road and Alperton Lane, footway surfacing issues along Ealing Road south of the site, obstructive parking on footways along Bridgewater Road, Bridgehill Close and Sunleigh Road, obstructed and damaged footways along Athlon Road, poor pedestrian crossing arrangements at the Ealing Road/Glacier Way junction, street clutter restricting footway widths along Ealing Road shopping frontage and the narrow poorly lit footpath between Mount Pleasant and Stanley Avenue. Several of these issues will be addressed by other on-going or proposed future developments in the area anyway.
162. Otherwise, the site frontage along Ealing Road is a key area where improvements are being made to the Healthy Streets environment through the removal of the service road and the resurfacing of the footways, although this wasn't particularly acknowledged in the Healthy Street Assessment. As such, the development will actively address the most relevant area for improvement.

### *Other Requirements*

163. No updates to the submitted Residential Travel Plan for the 2016 application have been submitted for this application, but officers in Transportation have advised that this remains acceptable, subject to the promotion of Car Clubs (i.e. the provision of two years' free membership for incoming residents).
164. A Construction Logistics Plan will also be required to be approved prior to works commencing as a condition of any approval.

### Environmental Health Considerations

#### *Air Quality*

165. The site is within an air quality management area, and London Plan Policy S11 requires major developments to be supported by an air quality assessment and to demonstrate 'air quality neutral' impacts. The assessment should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development.
166. In addition, policy BSUI2 of Brent's Local Plan 2019-2041 sets out the requirements for Major developments within Growth Areas and Air Quality Focus Areas to be required to be Air Quality Positive and elsewhere Air Quality Neutral. Where on site delivery of these standards cannot be met, off-site mitigation measures will be required.
167. The air quality assessment prepared in support of the planning application predicted that the average NO<sub>2</sub> levels exceeded all proposed development receptors in the baseline year of 2015 and 26 of the 39 receptors in the operational year of 2019. While this information is based upon an out-of-date assessment, it is acknowledged that there would be higher concentrations of NO<sub>2</sub> that should be addressed as part of the application. As such, mitigation measures have been proposed, such as installation of mechanical ventilation on the first and second floors of the proposed development, to reduce the exposure of these residents' to high NO<sub>2</sub> concentrations. As predicted NO<sub>2</sub> concentrations at the first floor and above are below 60µg m<sup>-3</sup>, it is not considered that the 1-hour mean AQO will be exceeded, and therefore private balconies and roof terraces should not be restricted on the basis of air quality. A condition will be added to ensure compliance with the assessment.
168. The air quality assessment has included an Air Quality Neutral Assessment. The assessment has taken into account the main likely effects on local air quality during construction, which relate to the generation of dust and particulates. It notes that the development would be car free with the exception of a small number of disabled parking bays and in terms of building emissions, that the scheme would not have a centralised gas operated energy centre, and therefore it would be air quality neutral. It should be noted that the scheme is required to be Air Quality positive rather than Air Quality Neutral. However, while an air quality neutral assessment has been submitted, given the car free nature of the development and inclusion of Air Source Heat Pumps, it is considered that reasonable measures have been incorporated to mitigate any potential air quality effects.
169. The submitted assessment sets out measures to minimise or prevent dust and particulates to be implemented on site throughout the construction works, and these would be covered through a Construction Method Statement. Due to the site being located very close to other commercial and residential premises. Demolition and construction therefore have the potential to contribute to background air pollution levels and cause nuisance to neighbours. The construction management plan provides good controls on noise and dust, including a requirement for bored piles as opposed to driven. Additionally, a condition is recommended to ensure non-road mobile machinery complies with appropriate emissions standards.

#### *Contaminated land*

170. The site and surrounding area would be likely to have previous uses that may have caused land contamination. In the absence of an assessment submitted with this application, a contaminated land investigation and any remediation and verification works that would be necessary and would be conditioned. Environmental Health Officers subject to conditions requiring further investigation, remediation and verification of works carried out would raise no objection.

#### *Noise*

171. The applicant has submitted a KP Acoustics Noise Impact Assessment report ref 14485.NIA.01 dated 15/7/16. This report considers external noise and the mitigation measures required to ensure that internal noise levels in line with BS8233 are achieved. However, the report does not consider noise from the proposed ground floor drinking establishment and other commercial activities on the ground floor and

how this would impact on the residential dwellings above. As such, some conditions would be secured. Given that the proposed development site is in an urban location with the principal noise sources being road traffic, it is not considered that the development would be exposed to noise levels that exceed guidance.

172. In response to the above matters, it is recommended that conditions are secured in relation to mitigation measures in relation to internal noise levels and for plant noise to be conditioned.

### *Sustainability*

173. Planning applications for major development are required to be supported by proposals for sustainable design that accord with various policies in the Brent Local Plan and the London Plan. This is designed to demonstrate, at the design stage, how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per day (SI 5) and the use of sustainable drainage (BSUI4)

174. Policy S12 of London Plan sets out the need for major developments to be net zero-carbon in terms of reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

175. Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

176. Policy SI2 sets out that a minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain.

177. Since the submission of the planning application, the Building Regulations have been updated with 2021 version which came into effect in June 2022. In this case whilst the application was submitted in July 2022, the Energy Assessment was prepared in July 2022 and designed in accordance with 2013 regulations. Nevertheless, a detailed design stage energy strategy will be required prior to commencement as an obligation within the Section 106 legal agreement and this will be assessed against the Building Regulations 2021. Policy SI2 also sets out more detailed requirements, including the 'Be Seen' requirement for energy monitoring and reporting. Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.

178. Any shortfall in achieving the target emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the national price per tonne of carbon of £95, or through off-site measures to be agreed with the Council.

179. For the residential parts of the development, the policy also requires at least 10 percentage points of the minimum 35 percentage point reduction to be attributable to energy efficiency measures (known as 'be lean' measures) and for the commercial parts of the development, the policy requires at least 15 percentage points of the reduction to be attributable to 'be lean' measures. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.

180. In accordance with this strategy, the proposed development will incorporate a range of passive and active energy efficient measures, exceeding current Building Regulations 2010, Part L (2013 edition with 2016 amendments) requirements for the levels of insulation and air tightness, the installation of high-performance glazing, heat recovery ventilation and energy efficient lighting. The implementation of

these measures will reduce CO2 emissions by 18%.

181. A feasibility study was then carried out for the development and a range of renewable technologies analysed. That analysis identified that Air Source Heat Pumps were the most suitable technology for this development. This will reduce CO2 emissions by 64%. As such the proposed development achieves a total regulated CO2 saving of 65 % which exceeds the 35% minimum set out in London Plan Policy SI2.

182. Policy BSUI1 expects major development to connect to or contribute towards a decentralised energy system. Developments completed prior to the implementation of the heat network should be designed so that they can switch to the heat network once it is available. There are currently no plans for a district heating system within the Alperton Area, however, a condition to secure further exploration for the connection to a future district heating sub-station would be included.

183. At the Be Green Stage, renewable technologies are considered for implementation. This includes using systems such as Photovoltaic Solar Panels (PV). As the 35% reduction required by London's Local Plan was achieved at the Be Clean stage however, no further improvements are needed, and none shall be made at this stage.

184. This means that the reduction in regulated emissions does not change for the development, and remain at a 64%. A 39% reduction is also expected for the non-domestic element.

	<b>CO2 Emissions (Tonnes CO 2 /Year)</b>	<b>CO 2 Emissions Savings (%)</b>
Baseline	83.47%	
Be Lean	68.59%	17.83
Be Clean/Green	36.52	38.42
Total Reduction	46.95	64%
Carbon Offset	1095.60 (36.52 x 30 years)	£104,082.00

#### *Whole Life Carbon and Circular Economy*

185. A Whole Life Cycle (WLC) Carbon Assessment has been provided, as required by London Plan policy SI2, demonstrating whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrating actions taken to reduce life-cycle carbon emissions. By undertaking a WLC, the development has demonstrated (subject to further Stage 2 consideration by the GLA) that options for reducing carbon emissions have been considered and implemented where feasible. The GLA have confirmed that all WLC matters have been satisfactorily addressed. A Circular Economy (CE) statement has been submitted, as required by London Plan policy SI7. While the principles of this are generally supported, there are some details which require review by the GLA as part of the stage 2 referral.

186. Suitable planning conditions, including post completion, relating to the WLC and CE Statement will be incorporated following consideration of GLA feedback at the Stage 2 referral stage.

#### *Water Consumption*

187. London Plan Policy SI 5 Water infrastructure and Policy BSUI4 On-Site Water Management and Surface Water Attenuation requires proposals to minimise the use of mains water achieving water consumption of 105 litres or less per head per day. The applicant has not addressed this water conservation at target in their Sustainability statement and therefore a condition securing this as a requirement would be attached to any subsequent consent.

#### Trees, Landscaping and the public realm

188. Policy DMP1(h) highlights the need for development proposals to retain existing blue and green infrastructure including water ways, open space, high amenity trees and landscape features and providing appropriate additions or enhancements where possible.

189. London Plan policy G7 sets out the need for development proposals to ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the

trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

190. Policy BG12 highlights in the case of major development to make provision for the planting and retention of trees on site. Where retention is agreed to not be possible, developers shall provide new trees to achieve equivalent canopy cover or a financial contribution for off-site tree planting of equivalent canopy cover will be sought. Replacement canopy cover will be measured as total canopy area of new trees at time of planting being equal to canopy area of existing mature trees proposed for removal.
191. The site is not affected by any Tree Preservation Orders and nor is it within a designated Conservation Area. There are very limited trees and landscaping existing on site with the two trees a Norway Maple (T1) and a Robinia (T2) being situated on the corner of Ealing Road and Hatton Road to the rear of the bank building. These two trees are significant as the only two established trees on site, despite only being categorised within the tree survey as Category C trees. There are other small trees and shrub planting of little consequent between the two carriageways of Hatton Road. A tree is shown on the plans as being situated on the corner of Ealing Road and Hatton Road in front of the bank building, however it is understood that the tree has subsequently been removed from the site.
192. Two trees are currently shown to be retained, however, this is not likely to be successful to ensure their retention considering a ten storey building is proposed within the canopy area of these trees. As such, a financial contribution of £7,000 for two trees (£3,500 per tree) has been secured within the vicinity of the site.
193. The proposals appear to show six trees planted along the road frontage and a condition for further landscaping and improvements would be conditioned, in addition to a tree protection plan.

#### *Urban Greening Factor*

194. The submission includes supporting information to demonstrate that the scheme would achieve an urban greening factor score of 0.4, which meets the minimum required for a scheme of this size under policy BH4 of the Local Plan and policy G5 of the London Plan. The site at present only consists of buildings and hard surfacing, so the scheme would significantly improve upon its urban greening factor score compared to the existing situation. Details to maximise the urban green factor score within the site are recommended to be conditioned to any forthcoming consent.
195. Landscaping details have been submitted which set out how the urban green factor score of 0.4 would be achieved. Soft landscaping would be provided at both courtyard and roof top levels and include the provision of new plant and flower beds, trees and green roofs.

#### *Ecology and Biodiversity Net Gain*

196. Policy BG11 'd' states that all developments should achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area. Part 'e' of this policy also states that in meeting the urban greening factor, place emphasis on solutions that support biodiversity. This is supported by policies G5 and G6 of the London Plan.
197. An ecology appraisal has been submitted. In terms of habitat there were no trees or vegetation of any kind on site. The site consisted solely of buildings and hardstanding. There is also a lack of natural habitats around the site with no connective habitat to more vegetated areas. Only occasional street trees were present along London Road and adjoining roads. As such, the site is unsuitable for most wildlife. As the site has limited ecological value and the extent of hardstanding and the enhancements to landscaping within the site proposed, it is likely that a biodiversity net gain would be achieved and would be conditioned.
198. The originally submitted document was published in 2016, as such, it is significantly out of date. As such, an update report had been commissioned and while the site remains of negligible ecological value, an additional bat dusk emergence survey has been submitted given the period of time that the site has remained vacant for.
199. Additionally, the buildings were also assessed for potential bat roosting features. This concluded that no evidence of bats, such as droppings or feeding remains, was found anywhere in or around the buildings. There were no suitable crevices or perches available for roosting bats. While there were places for bats to enter, there was no evidence of this. The updated report maintained this conclusion.
200. The site had minimal vegetation and is unlikely to be used by foraging or commuting bats, therefore a

bat activity survey is not deemed necessary. The proposed development may provide an opportunity to enhance the site for roosting bats by incorporating roosts into the new buildings, however this is unlikely to be a worthwhile exercise given the location of the site. If any roosting features are provided, these should be limited to external cavity roosts such as Schwegler Bat Access Panel 1FE, or bat tubes such as the Schwegler 2FR Bat Tube which can be incorporated into the building exteriors with little visual impact, or roosts such as the Schwegler Bat Roost 1FQ can be erected after building completion.

201. Given the urban location of the site no specific restrictions on lighting are required but any lighting should not exceed that which is required and should be designed in line with best practice.

#### Sustainable Drainage and Flood Risk

202. Policy BSUI3 sets out that proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy.

203. The applicant has submitted a 'Flood Risk Assessment, SUDS Statement and Drainage Strategy'. The submission confirms that the site lies within Flood Zone 1 in terms of fluvial or tidal flooding. However, the report demonstrates some localised pockets of surface water flooding, and the West London Strategic Flood Risk Assessment confirms that large parts of the site are within Flood Zone 3a for surface water flooding.

204. The proposal has been assessed against the London Plan's drainage hierarchy:

1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation) - due to the site's spatial constraints and in order to meet the four pillar of SuDS, green roofs are proposed within the communal roof areas.

2) rainwater infiltration to ground at or close to source - the site is situated on the London Clay Formation with no superficial deposits therefore, infiltration is considered unviable.

3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens) - green roofs are proposed.

4) rainwater discharge direct to a watercourse (unless not appropriate) - there is no water course within the vicinity of the site.

5) controlled rainwater discharge to a surface water sewer or drain - proposed to outfall to a surface water sewer.

6) controlled rainwater discharge to a combined sewer. - proposed to outfall to a surface water sewer.

205. The FRA demonstrates that the site has a low risk of flooding from fluvial, groundwater and sewer sources. The report sets out the use of flood doors as well as other flood resistant and resilient construction measures are used, the flood doors contain a seal which forms due to the pressure of the flood water. The proposed landscape, levels and drainage strategies are proposed to direct surface water runoff away from buildings and towards SuDS features throughout the site including green roofs, tree pits, soft landscape and permeable pavements.

206. The proposal includes the use of a number of green roofs within the communal roof areas to provide amenity and to collect and attenuate the roof runoff. Permeable Paving has been proposed in suitable areas to collect runoff from hardstanding. Due to the spatial constraints of the site open water attenuation SuDS are not feasible and so geo-cellular tank is proposed within the undercroft parking area to provide the final attenuation for the site's runoff. A hydro-brake will restrict the runoff from the tank at a maximum outfall rate of 1.0 l/s. Green roofs have also been proposed to provide amenity in the communal roof areas. The green roofs also satisfy the four pillars of SuDS.

207. Brent Local Plan Policy BSUI4 On site water management and surface water attenuation suggest that proposals should submit a drainage strategy, make use of sustainable drainage measures wherever feasible, and must ensure separation of surface and foul water systems. Surface water should be limited to greenfield run-off rates.

208. The site is entirely brownfield as existing, and the proposed attenuation strategy provides a significant improvement from the existing drainage. A condition is recommended to be secured in relation to sustainable drainage measures as set out within the drainage strategy including a drainage maintenance

plan.

### Fire safety

**209.** London Plan Policy D12 requires all new development to achieve high standards of fire safety, and major developments are required to submit a Fire Statement outlining compliance with the measures required under Policy D12(B). A fire statement was submitted in accordance with this policy, and sets out details of construction, means of warning and escape, features to reduce the risk to life, access for fire service personnel, equipment and appliances, and the impact of potential future modifications. Fire evacuation lifts and refuge points would be provided for disabled residents. The statement is considered to satisfy the requirements of Policy D12.

210. The proposal would be considered as a "relevant" building for the purposes of consulting the Health and Safety Executive (HSE). Block A contains one stair core which constitutes a firefighting stair, with one firefighting lift and one evacuation lift. The single staircase is the only means of escape staircase serving dwellings on every upper floor level. Block B has two stair cores. The main core, which constitutes a firefighting stair and two lifts, is located at the North side of the building, whereas a protected stair and an evacuation lift, are provided at the South side. The two cores are connected through an internal corridor on each residential level. Means of escape from the mezzanine floor level will be via the cores to ground floor level. The latest response from the HSE dated 05.03.2024 has confirmed that they are now content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

211. HSE had also raised a concern in the previous substantive response, regarding the excessive single direction travel distance within the Block B 'Mezzanine Affordable Workspace' room. It is noted on the new 'Proposed Mezzanine Floor Plan' drawing that the concern has been suitably addressed. The travel distance from the farthest point to the exit door within the 'Mezzanine Affordable Workspace' room (Block B), is now 12m which represents the 'direct distance', two-thirds of the actual travel distance (maximum 18m accepted), as "the internal layout of partitions, fittings, etc. is not known". Therefore, the travel distance within the Block B 'Mezzanine Affordable Workspace' room is compliant with fire safety standards recommendations.

212. It is noted that Block A would only feature a single core. The Health and Safety Executive were consulted on the scheme and have raised no objection to the single core, as it would not access shared facilities that would present a fire risk, and it is not a legal requirement to contain a second core providing the scheme is delivered within the timescales of the transitional arrangements within the Building Regulations.

213. Overall, it is considered that the proposal is acceptable in regard to fire safety.

### Impacts on microclimate and reception of TV and radio services

**214.** Policy D4 of the London Plan requires buildings and their construction to not interfere with telecommunications.

215. A Television and Radio Impact Assessment has not been prepared as part of this application. A condition to ensure that there is no disruption to reception of both digital terrestrial and digital satellite television services will be conditioned. However, if there are concerns, improving antennas and moving satellites should restore good reception conditions.

### Employment, Apprenticeship and Training

**216.** Brent Local Plan Policy BE1 sets out an Employment, Apprenticeship and Training Plan will be required for all developments of 5,000sq.m or more or sites capable of providing 50 or more residential units, to be prepared in partnership with Brent Works or any successor body. The applicant has confirmed a contribution in relation to Employment and Training. This will be secured through the section 106 legal agreement.

### Equalities

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

belief, sex, and sexual orientation).

### Conclusion

The proposal would include the redevelopment of the site to provide two mixed use buildings of up to 10 storeys, with a commercial community use/public house unit and 88 residential units. It would optimise the capacity of the site within a highly sustainable location within the Borough and make a contribution towards housing supply, including affordable housing, within the Borough, including the delivery of family sized homes. The scheme includes a UGF score of 0.4. The proposal is considered to sufficiently accord with the development plan, and having regard to all material planning considerations, and officers recommend the application should be approved subject to conditions and the completion of a legal agreement.



## DRAFT DECISION NOTICE



# Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

Application No: 22/2477

To: Mr Jenkins  
SF Planning Limited  
19 Eastbourne Terrace  
London  
W2 6LA

I refer to your application dated **12/07/2022** proposing the following:

Redevelopment of site to provide two buildings accommodating residential units, the use of ground floor as a Community Use (Use Class: F2) with additional affordable workspace (Use Class: E) at ground floor level, associated vehicular crossover, car and cycle parking spaces, refuse storage, amenity spaces, landscaping and associated works

and accompanied by plans or documents listed here:  
See 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: 30/07/2024

Signature:

**David Glover**  
Head of Planning and Development Services

### Notes

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

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

- 1 The proposed development is in general accordance with policies contained in the:-  
London Plan 2021  
Brent Local Plan 2019-2041
  
- 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 B (29.03.23) - Site Location Plan  
BBA 669.P.02 B (29.03.23) - Existing Site Plan  
BBA 669.P.03 B (29.03.23) - Existing Street Scene  
BBA 669.P.04 G (17.04.24) - Proposed Site Plan  
BBA 669.P.06 X (03.06.24) - Proposed Ground Floor Plan  
BBA 669.P.07 K (28.05.24) - Proposed First Floor Plan  
BBA 669.P.08 K (28.05.24) - Proposed Second Floor Plan  
BBA 669.P.09 K (28.05.24) - Proposed Third Floor Plan  
BBA 669.P.10 K (28.05.24) - Proposed Fourth Floor Plan  
BBA 669.P.11 H (28.05.24) - Proposed Fifth Floor Plan  
BBA 669.P.12 H (28.05.24) - Proposed Sixth Floor Plan  
BBA 669.P.13 H (28.05.24) - Proposed Seventh Floor Plan  
BBA 669.P.14 H (28.05.24) - Proposed Eighth Floor Plan  
BBA 669.P.15 N (01.07.24) - Proposed Ninth Floor Plan  
BBA 669.P.16 J (01.07.24) - Proposed Tenth Floor Roof Plan  
BBA 669.P.17 R (01.07.24)- Schedule of Accommodation  
BBA 669.P.18 N (03.06.24) - Proposed Street Scene  
BBA 669.P.19 P (03.06.24) - Proposed Front Elevation  
BBA 669.P.20 P (28.05.24) - Proposed Rear Elevation  
BBA 669.P.21 P (03.06.24) - Proposed Side Elevations – Block A  
BBA 669.P.22 M (28.05.24) - Proposed Side Elevations – Block B  
BBA 669.P.23 G (01.07.24) - Proposed Cross Section  
BBA 669.P.24 K (01.07.24) - Proposed Longitudinal Section

BBA 669.P.25 Q (03.06.24) - Proposed Mezzanine Floor Plan

BBA 669.P.26 H (04.06.24) - Areas

BBA 669.P.27 A (13.12.23) - Proposed Green Infrastructure

BBA 669.P.28 B (17.04.24) - Proposed New Green Area Layout

BBA 669.P.29 A (17.04.24) - Proposed Vehicle Layby

#### Supporting Documents

KP Acoustics Report 14485.NIA.01 dated 10th November 2016

Flood Risk Assessment and SUDS Report dated June 2024, as compiled by EAS

Brick Details D - (22.04.24)

Air Quality Impact Assessment (AMEC Foster Wheeler air quality assessment dated August 2016).

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

- 3 The development hereby approved shall contain 143sqm of community use (use class F2) and 251sqm of affordable workspace (Use Class E (g)) as detailed in the drawings hereby approved, and shall not be used for any other purpose, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instruments revoking and re-enacting those Orders with or without modification.

Reason: In the interests of proper planning.

- 4 The scheme hereby approved shall contain 88 residential units as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

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

Reason: In order to ensure a sustainable development by minimising water consumption in compliance with policy SI5 of London Plan 2021 and Brent Policy BSUI4.

- 6 The development hereby approved shall not be occupied unless the external amenity spaces at ninth and roof top levels have been completed in full accordance with the approved drawings and those spaces shall thereafter be made available to residents of the development and shall not be used other than for purposes ancillary to the flats hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 7 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.

- 8 The development hereby approved shall be carried out in full accordance with the details stipulated in the Flood Risk Assessment and SUDS Report dated June 2024, as compiled by EAS.

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

risk.

- 9 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

- 10 The development hereby approved shall be built so that no fewer than 9 of the 88 residential homes achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings, and the remaining homes shall be built to achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy D7.

- 11 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/> "

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14

- 12 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.

- 13 Prior to first occupation of the development hereby approved, electric vehicle charging points shall be provided to at least 20% of the Blue Badge parking spaces provided and shall be maintained for the lifetime of the development, whilst the remaining spaces hereby approved shall be provided with passive electric vehicle charging facilities.

Reason: To encourage the uptake of electric vehicles as part of the aims of London Plan policy T6.1.

- 14 The approved car parking spaces, cycle storage facilities and bin storage facilities shall be installed and made available for use prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the development hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 15 The development hereby approved shall be carried out in full accordance with the mitigation 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.

- 16 Prior to the commencement of the development 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. In addition, measures to control emissions during the construction phase relevant to a medium risk site should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should also be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

The development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

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

Reason for pre-commencement condition: Nuisance from demolition and construction activities can occur at any time, and adequate controls need to be in place before any work starts on site.

- 17 Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Logistics Plan shall include details of how:
- construction would be co-ordinated with the construction operations of other developments in the area, so as to minimise the cumulative impacts on local residents and businesses.
  - construction traffic would be managed so as to prevent any undue obstruction to Ealing Road and associated bus services.

The development shall thereafter be constructed in accordance with the approved Construction Logistics Plan.

Reason: To ensure the development is constructed in an acceptable manner.

Pre-commencement Reason: The condition relates to details of construction, which need to be known before commencement of that construction.

- 18 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.

- 19 (a) Prior to the commencement of development (excluding site clearance and demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present within that Phase. 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 prior to the commencement of building works 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.

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works. Prior to the occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority stating that remediation has been carried out in accordance with the approved remediation scheme and the land 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.

- 20 Prior to commencement of development (excluding site clearance and demolition works), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority.

The development shall be completed in accordance with the approved details thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI3 and Brent's Local Plan Policy BSUI1.

- 21 Prior to commencement of development (excluding site clearance and demolition works), detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans thereafter and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness.

- 22 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.

- 23 Details of the hard and soft landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), Such details shall include:
- I. A schedule detailing sizes and numbers of all proposed trees and use of native and/or wildlife attracting species to achieve a net gain in biodiversity within the site
  - II. Details to demonstrate that an Urban Greening Factor of at least 0.4 would be achieved within the site
  - III. Sufficient specification to ensure successful establishment and survival of new planting
  - IV. Details of all proposed hardstanding including tree pits design;
  - V. Details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights) including all gates that front the highway to be designed to not open outwards onto the highway
  - VI. Details of roof terrace design and planting for high quality usable external amenity space
  - VII. Details of children's play equipment suitable and identified for individual age groups within the communal roof gardens
  - VIII. Details of bird and bat boxes
  - IX. A schedule of landscape maintenance for a period of 5 years which shall include details of the arrangements for its implementation and sufficient specification to ensure successful establishment and survival of new planting.

The hard and soft landscape works shall be carried out in full accordance with the approved details prior to the use of the dwellings hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales .

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new trees(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning authority gives its written consent to any variation).

Reason To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies DMP1 and BGI 2.

- 24 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 D4 and D7.

- 25 Prior to the commencement of the development (excluding any 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. The insulation of the separating floor between the commercial uses and the flats on the first floor shall be designed to meet the standards of Building Regulations Approved Document E 'Resistance to the passage of sound'. The approved measures shall thereafter be implemented in full accordance with the approved details.

Reason: To protect acceptable local noise levels

- 26 Prior to first occupation or use of the development hereby approved, a Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the local planning authority. All delivery and servicing activity shall thereafter be carried out fully in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network.

- 27 All residential homes shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:
- Daytime Noise (07:00-23:00) in relation to living rooms and bedrooms to have a maximum noise level at no more than 35dB LAeq(16hr)
  - Night time Noise (23:00-07:00) in relation to bedrooms to have a maximum noise level at no more than 30dB LAeq(8hr)

Prior to first occupation of any of residential homes hereby approved, a test shall be carried out with the results submitted to and approved in writing by the Local Planning Authority to show that the required internal noise levels have been met.

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

- 28 Prior to first occupation or first use, a Community Access Plan relating to the use shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access arrangements and management responsibilities.

The approved Community Access Plan shall be brought into operation within 3 months of first occupation or use of the facilities and it shall remain in operation for the duration of the use of the Development.

Reason: To secure well-managed, safe community access, to ensure sufficient benefit to the Development of a community facility and to accord with Local Plan.

- 29 Prior to the installation of any external lighting, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but is not limited to, details of the lighting fixtures, luminance levels within and adjoining the site, as well as ecological sensitivity measures that form a part of the lighting strategy. The lighting shall not be installed other than in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of safety and the amenities of the area.

- 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. The plant shall thereafter be installed together with any necessary mitigation measures and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

- 31 Prior to the occupation of each building the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: [ZeroCarbonPlanning@london.gov.uk](mailto:ZeroCarbonPlanning@london.gov.uk), along with any supporting evidence as per the published guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the relevant building.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

- 32 Prior to the occupation of any phase of development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: [CircularEconomyLPG@london.gov.uk](mailto:CircularEconomyLPG@london.gov.uk), along with any supporting evidence as per the GLA's Circular Economy Statement Guidance 2022. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by the Local Planning Authority, prior to occupation.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials.

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the government website: <https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out



entirely within the application property.

- 3 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](http://www.brent.gov.uk/CIL).

- 4 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 [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

- 5 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](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.

Any person wishing to inspect the above papers should contact Nicola Blake, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5149