

Agenda Item 04

Supplementary Information Planning Committee on 13 September, 2022

Case No.

21/3941

Location	Part of Westend Saab, 2A Bridgewater Road and Boyriven Textile, Bridgewater Road, Wembley, HA0 1AJ
Description	Demolition of the existing buildings and structures, the erection of a 'co-location' scheme ranging in height from 2 to 19 storeys, incorporating industrial floorspace with residential accommodation (Use Class C3), together with associated landscaping, access arrangements, car and cycle parking, servicing and refuse and recycling facilities

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Supporting documents' conformity with amended plans

In light of the amendments to the plans described in the Amendments Since Submission section of the Committee Report, the applicants have provided the following supporting documents confirming that the findings of the original supporting documents remain valid:

- Noise and Vibration Assessment Statement of Conformity (Buro Happold, 26 August 2022);
- Ecology (Ecological Appraisal and Biodiversity Net Gain) and Air Quality Assessments Statement of Conformity (Buro Happold, 2 September 2022)
- Letter re Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement (Thomson Environmental Consultants, 2 September 2022)
- Letter re Electromagnetic Interference Assessment (GTech Surveys Limited, 30 August 2022)

Air quality positive status (paragraph 135)

At the time the planning application was made in October 2021, there was no available guidance with respect to how developments should respond to the Air Quality Positive approach outlined in London Plan Policy SI1 and adopted in Brent's Local Plan Policy BSUI2 as a policy requirement for major developments in Growth Areas. The Local Plan was not adopted at the time, although it was an emerging document carrying significant weight.

Notwithstanding these points, the application must be determined in accordance with current adopted policy, unless other material considerations indicate otherwise. The consented scheme (19/4541) was granted permission before the adoption of the London Plan 2021 or Brent Local Plan and demonstrated Air Quality Neutral status in line with the adopted policy at that time. This scheme could legally be implemented at this time and therefore represents a fallback position. This is a material planning consideration of significant weight.

The applicant's Air Quality Assessment suggested that "given the car free nature of this scheme, the heating requirements being met by zero emission heat pumps, and the air quality neutral benchmarks being met by a significant margin it is reasonable to assume that the development would meet the air quality positive standard."

A technical note from the applicants has subsequently been provided to address the potential for Air Quality Positive status in the light of amendments to the scheme. It indicates that the GLA's Consultation Draft Air Quality Positive (AQP) guidance, first published in November 2021, provides a breakdown of what is expected from developers, and relevant design team members, to meet the AQP requirement. Given that the planning application was submitted before the guidance was issued, these requirements have not been fully addressed in the Air Quality Assessment (AQA) submitted. However, when considering the emission and car free nature of the development, as well as designed in mitigation measures such as elevated amenity spaces, separation between proposed receptors and nearby sources of pollution and travel planning), the applicants consider that this would not impact the findings, conclusions or recommendations outlined in the AQA.

A further review of baseline conditions and residual effects was conducted and is summarised below.

In terms of baseline conditions, an additional 12 months of published air quality data has become available since the preparation of the Air Quality Assessment, across the full 2021 calendar year. However, the impacts of the COVID-19 outbreak upon air quality, due to nationwide changes in transport patterns and pollutant concentrations, mean that data from 2021 would not be representative of baseline conditions and so should not be used for assessment purposes. Therefore the approach taken in the Air Quality Assessment, to use 2019 as a baseline year, is considered to remain the most robust means of assessment. The newly available data would not impact the results, conclusion or proposed mitigation.

In terms of residual impacts on air quality, the predicted demolition and construction effects would not be affected by the amendments to the plans and would remain insignificant. In terms of operational effects, relocating two residential units from the first floor to the second floor would reduce the exposure of future residents to poor air quality, in line with the expectations of the Air Quality Positive approach. Conversely, relocating the residents lounge to the ground floor could result in future residents being exposed to poor air quality. Mitigation measures such as nitrogen oxide filtration would be required to prevent significant health impacts on residents using the lounge.

It is likely that these mitigation measures would not support windows in the lounge being openable. However, it should be noted that the residents lounge is not required by policy but is proposed as additional to the private internal space of residents' homes and the private and communal external amenity space provided. Residents could choose whether to make use of it, and would be less likely to use it for prolonged periods of time compared to their own homes and the external spaces. In these circumstances, it is considered that non-openable windows would be acceptable.

The necessary mitigation measures could be secured by the following proposed additional condition:

"Condition 29: Prior to first occupation or use of the development, further details of air quality mitigation measures required to ensure acceptable air quality levels in the residents' lounge, shall be submitted to and approved in writing by the local planning authority.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure an acceptable standard of air quality for residents is achieved within the development."

The proposed scheme also delivers significant planning benefits over and above those secured in the consented scheme, principally the increased number of affordable homes and increased amount of industrial floorspace. Although the development has not been demonstrated to be Air Quality Positive, these factors, taken together with the fallback position and proposed mitigation measures outlined above, are considered to outweigh the harm caused by this limited conflict with policy in this case.

Amendments to plan numbers (Condition 2):

Minor amendments to the list of approved plans are proposed below.

"A-E10-001 PL0

...

A2-P13-001-PL04 A2-P13-001 PL02

A2-P13-002-PL02 A2-P13-002 PL03

A2-P13-003-PL04 A2-P13-003 PL02

A2-P13-004-PL03 A2-P13-004 PL04

A2-P13-005-PL02 A2-P13-005 PL03

A2-P13-006-PL02 A2-P13-006 PL03

A2-P13-007-PL03 A2-P13-007 PL04

..."

These reflect the submission of an existing site plan to aid CIL calculations, and minor alterations to the elevational drawings including amendments to fenestration detailing. These alterations would have a negligible impact on the overall design quality and appearance of the proposal and are not considered to require reconsultation.

Recommendation: Remains to GRANT PERMISSION subject to conditions and s106 obligations as set out in the Committee Report and the additional Condition 29 proposed above.

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