

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

24 May, 2017  
04  
16/2629

## SITE INFORMATION

RECEIVED	17 June, 2016
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	Minavil House, Rosemont Road, Wembley, HA0 4PZ
PROPOSAL	Demolition of existing two storey commercial buildings and erection of a mixed used development ranging from ten to twenty six storeys in height, comprising 251 residential flats (83 x 1bed, 136 x 2bed and 32 x 3bed), 1,942 sqm retail foodstore (Use class A1) on the ground floor, 622sqm of office space (Use Class B1) on the first floor, 634sqm retail floorspace for flexible use as cafe, bar or restaurant (Use class A1, A4 or A3) at lower ground floor and ground floor level; together with associated vehicular access, car and cycle parking spaces, bin stores, plant room, landscaping and private and communal amenity space.
APPLICANT	R55 and Genesis Housing Association
CONTACT	Colliers International
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_134158">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134158</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> .</p> <p><b>Please use the following steps</b></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 "16/2629" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

Resolve to grant planning permission, subject to the Stage 2 referral to the Mayor of London, and subject to the completion of a satisfactory Section 106 or other legal agreement

### Section 106 Heads of Terms

1. Payment of Council's legal and other professional costs in preparing and completing agreement, and monitoring and enforcing its performance
2. Securing 32 affordable rental units (at 60% of market rent including service charges and capped at LHA rates) and 194 intermediate units (*The unit size mix is detailed in the affordable housing section below*)
  - a. 100% nominations agreement for affordable rented units
  - b. Shared ownership nominations agreement
  - c. Genesis to be party to section 106
3. Affordable workspace - Contribution of £100,000 towards off-site affordable workspace.
4. A detailed 'Sustainability Implementation Strategy
5. CPZ contribution and removal of future resident's ability to apply for parking permits
6. Training and employment
7. Review and monitoring of travel plans
8. Car club for future disabled residents
9. Securing access to the public areas of the site
10. Considerate Contractors Scheme
11. Contribution towards bus services
12. Requirement to enter into legal agreement under Section 38 and 278 of the Highways Act 1980 for junction improvements, and removal of redundant crossovers

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

### Conditions

1. Standard 3 year permission
2. List of all approved plan numbers/documents
3. Noise from plant and machinery
4. Sound insulation (background noise)
5. Construction and Demolition Environmental Management Plan
6. Air quality mitigation
7. Air Quality Neutral Assessment
8. Land contamination
9. External lighting
10. Ventilation
11. London Underground infrastructure
12. Children's playspace
13. Private and communal amenity space
14. Landscaping
15. Servicing and delivery bay
16. Car parking
17. Car parking – electric vehicle charging points
18. Cycle parking
19. Canal and River Trust – Waterway wall
20. Surface water drainage
21. Canal and River Trust – Risk assessment and method statement
22. Refuse storage
23. Materials
24. Thames Water
25. Satellite dishes
26. Delivery and Servicing Management Plan
27. Car Parking Management Plan
28. Travel Plan
29. Piling Method Statement
30. Sales area of retail
31. Accessible Homes
32. Water Use

- 33. Sustainable Design
- 34. Flooding

Informatives

- 1. CIL Liabile approval
- 2. Asbestos
- 3. London Underground
- 4. Thames Water
- 5. Canal and River Trust
- 6. Highways

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) 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.

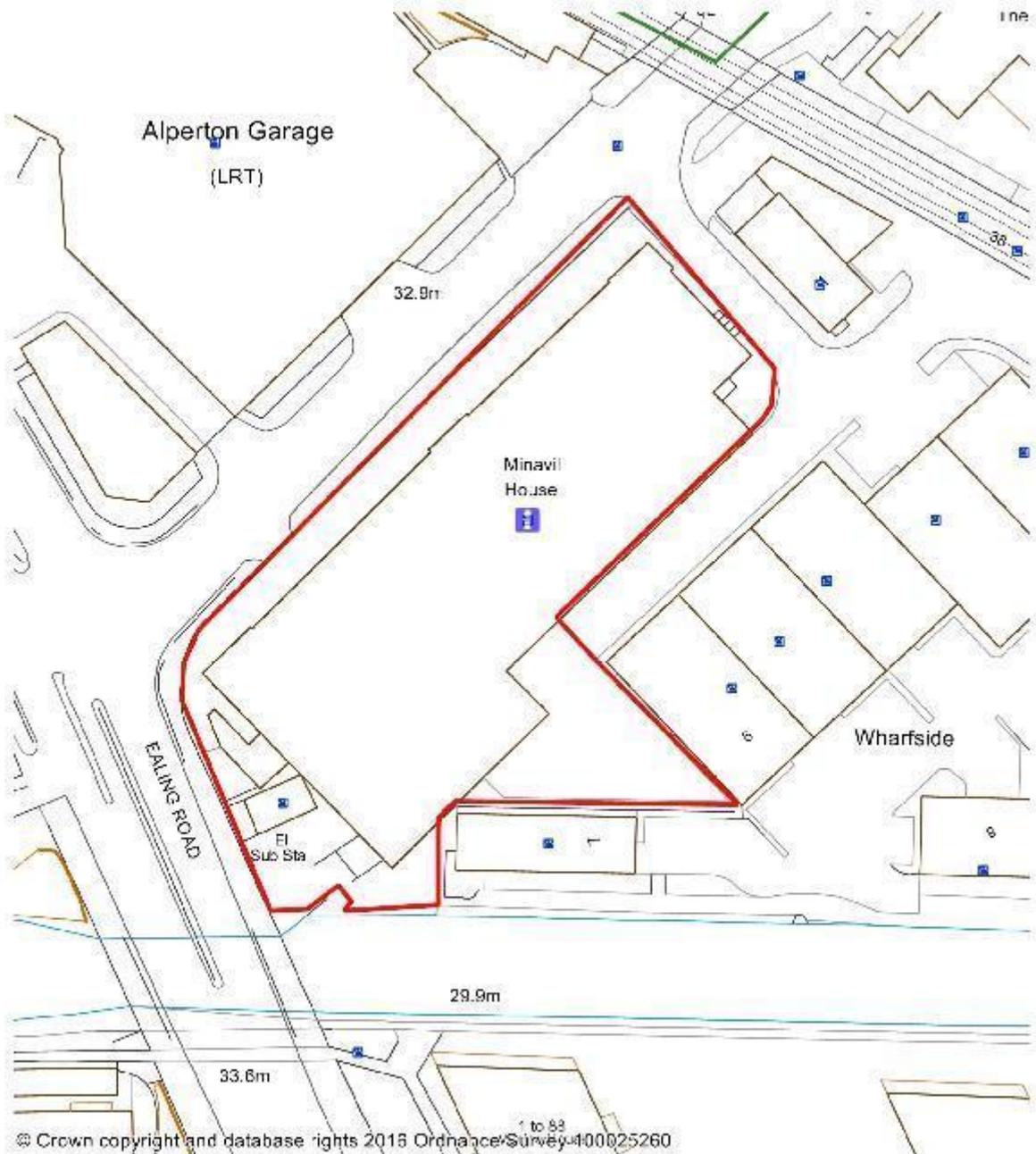
## SITE MAP



### Planning Committee Map

Site address: Minavil House, Rosemont Road, Wembley, HA0 4PZ

© 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 a building of up to 26 storeys in height. The basic form of the building is a recti-linear building with a 45 degree kink in it near to the main road junction, reflecting the shape of the site. There would be a retail foodstore (Class A1) measuring 1,942sqm at lower ground, ground, and first floor levels. Ancillary floorspace such as cycle stores and plant area would also be at lower ground and ground floor level. There would also be a double height commercial unit adjacent to the canal at lower ground and ground floor level. This is proposed as a flexible use for retail (A1), café and restaurant (A4) or drinking establishment (A4), and this would be 634sqm. At first floor level, another commercial unit would be for office (B1) and measure 622sqm. These floors would combine to form a podium building. Parking is proposed at ground floor level adjacent to Rosemont Road and to the rear of the site.

Above this there would be 251 residential units, which would be a mix of one, two and three bedroom flats. This would be within 2 cores, one serving 164 flats and the other serving 87 flats. At this point the building's form starts to change with set backs from the rear, and the front near to the main junction on Ealing Road. There would be amenity space and play space at this level to serve the residential units. This form continues up to the 9<sup>th</sup> floor level, after which there is then a set-back on the northern side of the building. This then remains the same until a further setback at 13<sup>th</sup> floor level results in a basic 'T' shape which is focused towards the junction rather than the northern section of Ealing Road. At 16<sup>th</sup> floor level a further set-back creates an 'L' shape, which is maintained up to 18<sup>th</sup> floor when it reduced again up to its maximum height.

## EXISTING

The site includes Minavil House and land around it. It was constructed in the 1960s. The area is made up of buildings which have historically been used for light industry and manufacturing. However, there has been a decline in this in recent years and the buildings on site are partially vacant. It is occupied by two vehicular workshops and a printing centre/supplier. The site fronts on to Ealing Road, which is a significant thoroughfare within the borough, and is opposite Alperton Garage. To the north is a commercial use (which is a restaurant and shisha bar), and beyond this is the railway bridge that serves Alperton Underground Station. The railway lines are designated as a wildlife corridor. To the east is a more modern industrial estate, which is designated as a Locally Significant Industrial Site (LSIS). To the south is the Grand Union Canal which is designated as a Green Chain.

The site is within Alperton Growth Area, which is designated within the Core Strategy as one of the areas within the borough where the majority of the planned growth is expected to occur. It is part of site allocation A.2 (Minavil House and Unit 7, Rosemont Road). In July 2015 Alperton was designated as a Housing Zone by the Mayor of London.

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

## AMENDMENTS SINCE SUBMISSION

The applicant has amended the development due to specific requirements for servicing, and to be compliant with the London Housing Design Guide and following changes in Housing Association requirements and structural input. This has led to an increase in the floor to ceiling heights for the residential units (so increasing the overall height), and an increase in the building floorplate. This is not uniform with different parts of the building increasingly differently than others. The number of stories remains the same. The floorplate would be altered very slightly, with the difference typically being between 14cm and 30cm. This would increase the Gross Internal Area (GIA) of the building by 644sqm, which equates to an increase of 2.5%.

The applicant has provided advice on the Environmental Statement, noting that the conclusions reached previously are unchanged. Specific commentary accompanies this.

This can be best illustrated below:

Existing height	Proposed height	Difference
65.8m	67.175m	+1.375m

74.8m	76.475m	+1.75m
83.8m	87.775m	+1.975m
92.8m	95.075m	+2.275m
111.8m	113.675m	+1.875m



## SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

- **Representations Received:** A total of 61 objections have been received principally raising concerns regarding land use, scale & design, quality of accommodation, impact on canal and transportation.
- **Land use:** –There are considered to be material considerations as to why the foodstore is acceptable outside of the Ealing Road District Centre. The residential and office uses are specifically mentioned in the site allocation as forming part of a mixed use development, and the other commercial uses are relatively small.
- **Design:** – Although this would be the tallest building in the vicinity there are already tall buildings nearby.
- **Housing density:** –The density is very high but the site has a high Public Transport Accessibility Level (PTAL).
- **Quality of the resulting residential accommodation:** – The residential accommodation proposed is of sufficiently high quality. The mix of units is in accordance with the standards within the London Plan, and would have good outlook. The amenity space is slightly below our standard, but not by much and is high for a tall building.
- **Affordable housing:** –The mix is skewed away from the guidance within Core Strategy, but the overall quantum is very high, with all but 25 units being affordable. The viability has been tested and it has been demonstrated that this is the maximum reasonable amount that can be provided on site.
- **Neighbouring amenity:** –A number of conditions are suggested which would mitigate the impacts of the development on neighbours. However, there have been objections on a number of grounds and there would be a loss of daylight to some nearby windows, but the discrepancy is considered relatively minor.
- **Highways and transportation:** –The alterations to the public highway would be acceptable, considering the needs of pedestrians, cyclists and motorists. Servicing and deliveries is an important consideration, as is the impact on traffic in the area. Objections cite existing traffic issues and the impact that this proposal would have on them. With the extension of the CPZ and the removal of future residents would be crucial to managing the impacts. There is provision for servicing and deliveries to the rear of the site, and whilst this will need to be managed very carefully to ensure that there is no danger to pedestrians it is considered that this can be done.

- **Trees, landscaping and public realm:** –Some trees are proposed to be removed but they are not considered worthy of retention. The proposal is considered to improve on the existing situation, and the canal side café and link from Ealing Road are particularly positive.
- **Environmental impact, sustainability and energy:** –The measures outlined by the applicant are considered to maximise the carbon savings. There are also other measures proposed, and these are supported

## RELEVANT SITE HISTORY

**June 2006:** Planning application (ref: 05/3651) for outline planning permission for “demolition of the existing building and erection of a two-storey building, consisting of a Lidl supermarket with 1,451m<sup>2</sup> of retail floor space and 1,100m<sup>2</sup> of first-floor office space (B1), with provision for 91 car-parking spaces and associated landscaping”. This was the subject of an appeal into non-determination, which was subsequently withdrawn.

**February 2009:** Planning application (ref: 08/3067) refused for “Demolition of the existing building and erection of a 1-/8-storey building comprising a basement parking area, a retail unit (Use Class A1) on the ground floor, office space (Use Class B1) on the first floor and 79 self-contained residential units on the remaining floors, relocation of electricity substation, 86 car-parking spaces, bicycle and bin storage, amenity space, children's play area, associated landscaping and other works (as supported by Air Quality Report, Design and Access Statement, Energy Statement for mixed-use development, Ground Investigation Interpretative Report, Land Quality Assessment Phase 1, Noise Assessment of proposed Lidl Store at Ealing Road Alperton, Outline Commercial Travel Plan, Outline Lidl Travel Plan, Outline Residential Travel Plan, Planning and Retail Report, Sustainability Statement, and Transport Assessment). The reasons for refusal are summarised below:

1. Unacceptable scale & design.
2. Inadequate provision of children’s play space.
3. Failure to provide a satisfactory relationship to canal.
4. Over provision of car parking.
5. Legal agreement not completed to secure sustainable design, infrastructure contribution, travel plans, affordable office workspace & affordable housing.
6. Sequential test not demonstrated that not preferable sites for the retail store.

**December 2012:** Planning permission (ref: 10/0245) granted for “Demolition of existing building and erection of new building ranging from one storey to 11 storeys in height, comprising retail space at ground floor, office space at first floor, 55 flats at upper-floor levels, provision of 35 off-street parking spaces, cycle storage areas, roof terraces and amenity space with associated landscaping to site and subject to a Deed of Agreement dated 11th November 2011 under Section 106 of the Town and Country Planning Act 1990, as amended.

## CONSULTATIONS

### Consultation with neighbours

A press notice advertising the proposal was published on 30 June 2016, and a site notice was displayed on 1 August 2016. In addition, letters were sent to 773 neighbouring properties on 30 June 2016. Councillors for Alperton and Wembley Central Wards were also consulted.

Following this, 61 representations have been received, and they raised the following issues:

Objection	Response
<i>Land use</i>	
A commercial development which creates jobs would be preferable.	There is a commercial element to the scheme, and planning policy seeks a mixed use development. Please see paragraphs 15 - 19.
Other uses, such as retail, chemist, bakery and dry cleaner would be more welcome and serve the community and offer something different to what is currently available on Ealing Road.	There would be a bakery as part of the foodstore, but not the other uses. Please see paragraph 31.
Offices for young entrepreneurs would be most welcome and contribute to the new image of	There is an element of affordable workspace proposed, which would potentially encourage

*Document Imaged*

Brent.	entrepreneurs. Please see paragraph 28.
A community centre and park would be preferable.	There is an element of landscaping proposed as part of the development. Please see paragraphs 31 and 40.
Support for the proposed uses, and support for the modernisation of the area bringing money to local businesses.	The land use section deals with this in totality. Please see paragraphs 15 - 31.
The proposal would impact on the local industrial estate, which is designated as a Locally Significant Industrial Estate (LSIS), where there are a variety of businesses operating in service, maintenance, hi-tech and research and development sectors. There is concern that future restrictions could be placed on their operation.	The intention is for the LSIS to remain, and it is considered that it could sit alongside the proposed development. Please see paragraphs 16 and 72.
<i>Design, conservation and heritage</i>	
The existing buildings are an eye sore and redevelopment is welcomed	This is agreed with. Please see paragraph 33.
The height of the development is out of character with the neighbourhood, and would create a precedent.	Whilst the building would be taller than anything else around it there are other tall buildings nearby. Please see paragraph 34.
The building is too bulky.	The bulk is certainly substantial but is considered acceptable. Please see paragraphs 34 – 38.
The density is too high.	The height is certainly substantial but is considered acceptable. Please see paragraphs 34 – 38.
The Alperon Masterplan does not support tall buildings.	There is support for tall buildings within the document but it states that this is up to 17 storeys. Please see paragraph 34.
The previous approvals are preferable.	Each application must be considered on its own merits.
There are no developments in the wider area which are this tall.	Whilst the building would be taller than anything else around it there are other tall buildings nearby. Please see paragraph 34.
Some support for the height.	Please see paragraphs 34 – 38.
A low density, low rise development would be preferable. Suggestions range from 3-4 storeys to 10, 11, 12 or 16 storeys.	Each application must be considered on its own merits.
The design is not pleasing.	The design, conservation and heritage section deals with this in totality. Please see paragraphs 32 – 43.
<i>Quality of the resulting residential accommodation</i>	
There is insufficient outdoor space for all of the flats.	The level provided is slightly below the recommended standard but is still good. Please see paragraph 47.
<i>Affordable housing</i>	
Support for 72% of the units to be affordable.	This has now been increased to over 90%.
<i>Neighbouring amenity</i>	
The daylight and sunlight is currently blocked by new flats on the nearby sites, and there is concern that the proposal will further impact on light received.	There would be an impact on some windows, but most would not be materially affected. Please see paragraphs 63 – 67.
Existing flats in 243 Ealing Road will lose their views to One Tree Hill and Sudbury Golf Court.	Although it is not considered to protect specific views, outlook is a consideration. Please see paragraph 68
The spacing between this site and 243 Ealing	There would be an impact on some spaces,

Road is too close, and will block sunlight.	but most would not be materially affected. Please see paragraph 65.
Construction could cause major traffic disturbance so close to the station, and could block one side of Ealing Road. Noise is also a potential problem.	There would be an element of disruption but this would be managed with a Construction Management Plan. Please see paragraphs 72, 75 - 76.
Light from the development could have a negative impact on the surrounding area.	A condition is proposed seeking details of lighting from the communal and outdoor areas. Please see paragraph 71.
Refuse and delivery vehicles near to commercial activities which provide services which require provision will be disrupted by noise and vibration. The submitted information does not address this.	Much of this is proposed to occur outside of the opening times of the foodstore, and a Delivery and Servicing Management Plan is proposed to manage this. Please see paragraphs 84 – 85.
Boats moored on the canal would be affected.	Concerns about wind and microclimate impacts are considered to have been addressed as part of the submission. Please see paragraph 73.
The proposal could create problems of wind.	As above.
The proposal would generate dust.	There would be an element of disruption but this would be managed with a Construction Management Plan. Please see paragraphs 72, 75 - 76
There would be a loss of outlook to occupiers of the nearby commercial units.	There would be some loss of outlook, but the commercial units are considered less vulnerable to this than residential units. Please see paragraph 68.
The proposal would overlook neighbouring properties.	This is not considered to be the case. Please see paragraph 68.
The AWMC should be consulted on a Construction Environmental Management Plan (CEMP), which should be required prior to development commencing.	This is possible if considered necessary.
<i>Highways and transportation</i>	
The nearby junction is already congested, and the development will make it worse.	This is covered in the Highways and Transport section in totality. Please see paragraphs 77 – 94.
Match days at Wembley create traffic problems.	As above.
There is a lack of parking provision as part of the proposal, for the supermarket and residential uses.	The level is low, but subject to condition and section 106 obligations (especially related to CPZ and parking permits this is considered acceptable. Please see paragraphs 77 – 82.
There is already illegal parking nearby.	The proposal cannot correct existing issues.
The Rayners Lane branch of the Piccadilly Line is poorly served, with no plans for a night service. There is no direct bus to and from Central London.	There is no objection overall from TfL to this, who have noted that the increase on the Underground would be limited. Please see paragraphs 86 – 89.
The level of traffic pollution will increase.	This is covered in the Highways and Transport section in totality. Please see paragraphs 77 – 94.
Potential for an increase in the number of accidents.	There have been accidents nearby and subject to road improvement and management this is not expected to increase. Please see paragraphs 84 and 87.
Servicing will require vehicles to turn on to Rosemont Road (a private road) before reversing down the branch adjacent to Minavil House, but a right of access does not exist for all of Rosemont Road. This would be a	This is an important consideration, and some measures are proposed to ensure this is acceptable. Please see paragraphs 84 – 85.

particular problem for HGVs.	
The position of car parking spaces adjacent to Rosemont Road would not be safe for pedestrians and would require vehicles to reverse out on to the road.	There have been accidents nearby and subject to road improvement and management this is not expected to increase. Please see paragraphs 84 and 87.
Vehicles will spill over into Rosemont Road.	With an extension to parking controls and removal of rights of residents to obtain parking permits this is not expected to occur. Please see paragraphs 77 – 82.
Servicing would include HGV deliveries to the supermarket, service deliveries to the café, and refuse collection, vehicle access to the supermarket car park and ad hoc deliveries. This increase in traffic would not be sustainable.	This is covered in the Highways and Transport section in totality. Please see paragraphs 77 – 94.
There is no drop off zone.	This is an important consideration, and some measures are proposed to ensure this is acceptable. Please see paragraphs 84 – 85.
Concern that the Servicing Delivery Plan submitted has a lack of information on ad hoc deliveries and where vehicles will park, and that a revised document is the subject of a condition on any planning approval, with the Alperton Wharfside Management Company (AWMC) being consulted.	This is possible if considered necessary.
Concern that the transport impacts during the construction period have not been addressed, and that the length of the consultation period will place unreasonable pressure on the nearby commercial occupiers.	This is covered in the Highways and Transport section in totality. Please see paragraphs 77 – 94.
Alperton Station is already over crowded and the proposal would make it worse.	There is no objection overall from TfL to this, who have noted that the increase on the Underground would be limited. Please see paragraphs 86 – 89.
<i>Trees, landscaping and public realm</i>	
There is insufficient landscaping and green space, as there is a lack of this along Ealing Road and this is a prominent location in close proximity to the canal.	There would be an overall increase compared to now. This is covered in the Trees, landscaping and public realm section in totality. Please see paragraphs 94 - 96.
There are no pathways proposed alongside the canal, despite what the Alperton Masterplan says.	There would be an enhancement of the canal towpath. Please see paragraphs 94 – 96.
<i>Ecology and biodiversity</i>	
The proposal would impact on the canal, which is a nature reserve. It will be in shadow.	This is covered in the Ecology and biodiversity section in totality. Please see paragraphs 104 – 108.
Concern that the ecological report did not include a survey of the canal and canal bank, or the impact	
<i>Environmental impact, sustainability and energy</i>	
Support for the carbon dioxide savings within the development.	This is agreed with. Please see paragraphs 97 – 103.
<i>Other matters</i>	
The value of nearby properties will be lowered by a developer seeking to maximise profits.	This is not a material consideration in the planning process. Please see paragraph 120.
There is limited information on the developer.	If planning permission is granted it would run

	with the land regardless of ownership.
There is a lack of health care facilities nearby, with GP practices nearby being overstretched. Northwick Park being some distance away.	The development would be liable for Community Infrastructure Levy (CIL), which would contribute towards community infrastructure. Please see paragraphs 113 – 115.
Schools nearby are overstretched.	As above.
There is a cumulative impact with other developments nearby.	Consideration forms part of the ES, and the area is, and will continue to be, subject to change. Please see paragraphs 121 – 123.
The plant room and substation will create a narrow alley between the buildings which will not allow two people to pass. There could be increased opportunities for crime at the site and the commercial areas to the rear.	This is true but with correct management is not considered to be a problem. Please see paragraph 74.
Overcrowding of the paths and areas around the site will result, with potential for anti-social behaviour.	The proposal is considered to reduce opportunities for anti-social behaviour. Please see paragraph 74.
There is potential for damage to nearby buildings during the construction period.	There is potential for this but it would be managed by a CMP.
There is some encroachment on to neighbouring land, including some overhanging balconies.	The applicant would need to get all the necessary permissions / licenses from affected parties.
Closure of access to the canal must be agreed with British Waterways beforehand.	The applicant would need to get all the necessary permissions / licenses from affected parties.
Query about whether business rates will be reduced if the development goes ahead.	This is not expected to be the case.
Queries about who the applicant is, and whether a local company would be better to deliver redevelopment of the site.	If planning permission is granted it would run with the land regardless of ownership.

#### Internal consultations

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

- **Environmental Health** – Following queries there are no objections raised. Conditions are suggested to cover issues including noise, construction impacts, air quality, contaminated land, and odour.
- **Affordable housing** – Following an exercise to test the viability of the development it has been concluded that the level of affordable housing proposed is the maximum reasonable amount.
- **Local Lead Flood Authority** – No objections.

#### External consultations

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

- **Greater London Authority** – The application is referable to the GLA and they have issued their stage 1 response. The principle of the uses proposed is considered acceptable, with no objection to the retail, employment floorspace (including affordable workspace) and the residential. Support for the affordable housing offer of 72% by unit. It is acknowledged that the proposal is skewed towards one and two bedroom units, but given its high density this is accepted. The density is considered acceptable, given the changing nature of the location. No objections are raised to the design, in terms of internal layout, massing, height, scale, impacts on the canal, or appearance. The public realm and residential units would provide appropriate access for all. Sufficient play space is proposed. A number of queries were raised about the energy savings as part of the proposed design. Flood risk and drainage issues are considered acceptable subject to condition. Queries regarding air quality. The comments on transport reflect those of Transport for London (see below).
- **Transport for London** – Comments note that vehicles visiting the site could access it comfortably and safely with the proposed modifications to the junction of Rosemont House and Ealing Road. It is not ideal that vehicles using the loading bay will need to use the car park entrance to reverse in, and could result in some potential conflict with pedestrians, but this is (on balance) considered acceptable given that activity within the car park is expected to be limited. The proposed highway improvements are welcomed. The number of trips generated is not expected to cause problems on the local or wider highway network.

Improvements to the number 224 bus route are requested. The level of car parking is not objected to, although it is noted that the number of disabled spaces for the residential units is below the 10% requirement, but that a wheelchair accessible car club is proposed to address this. There is no outright objection to this approach, but further information on its viability is requested. Funding for car club membership is sought. A Controlled Parking Zone (CPZ) is required in the area (and the applicant should make a contribution to this), which would allow for a car free development. Further details on a Car Parking Management Plan are required to be secured through a legal agreement. The level of cycle parking is considered appropriate. Contributions are expected from the applicant to improve the walking and cycling environment in the vicinity of the site. A Construction and Logistics Plan (CLP) and Travel Plan would need to be secured through a legal agreement.

- **Thames Water** – No objections, but request for a condition requiring a drainage strategy to be submitted and approved prior to development commencing. Request for the Flood Risk Assessment to include details of both foul and surface water flows,
- **Canal and River Trust** – Comments that it is important that there should be no discharge of water into the Grand Union Canal during construction works to prevent contaminated materials. Not all potential pollution linkages have been adequately addressed in the contamination report, and a condition suggesting further information is requested. They are keen to ensure that the canalside is not left out of landscaping improvements. There is support for the canalside café, and identify an opportunity to provide a mooring point. Concern that the height of the building would result in a reduction in daylight to the canal, and an increase in wind which has not been considered. Lighting from the building could spill onto the canal. Bats will need to be considered during demolition. A contribution towards the enhancement of the towpath and waterway environment is requested. Conditions and informatives are requested.
- **London Underground (LU)** – No objections, subject to conditions being imposed requesting details of design and method statements, and an informative regarding the need to contact LU to discuss further.
- **The Environment Agency** – No comments as they consider that there is a low risk in respect of environmental constraints.
- **British Waterways** – No comments received.
- **Historic England (Archaeology)** – The site is not within an archaeological priority area.
- **Natural England** – Advises that the proposal is unlikely to affect any statutorily protected sites. Where a site is adjacent to a local wildlife site sufficient information needs to be submitted to enable a full understanding of the impact on the local site. The application may provide opportunities to incorporate features into the design which are beneficial to wildlife (such as roosting opportunities for bats and bird nest boxes). Landscaping could also enhance character and distinctiveness.
- **Department for Communities and Local Government** – No comments.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (2012)

#### London Plan (2016)

- Policy 1.1 – Delivering the strategic vision and objectives for London
- Policy 2.6 – Outer London: vision and strategy
- Policy 2.7 – Outer London: economy
- Policy 2.8 – Outer London: transport
- Policy 2.14 – Areas for regeneration
- Policy 2.15 – Town centres
- Policy 2.16 – Strategic outer London development centres
- Policy 3.1 – Ensuring equal life chances for all
- Policy 3.2 – Improving health and addressing health inequalities
- Policy 3.3 – Increasing housing supply
- Policy 3.4 – Optimising housing potential
- Policy 3.5 – Quality and design of housing developments
- Policy 3.6 – Children and young people's play and informal recreation facilities
- Policy 3.7 – Large residential developments
- Policy 3.8 – Housing choice
- Policy 3.9 – Mixed and balanced communities
- Policy 3.10 – Definition of affordable housing
- Policy 3.11 – Affordable housing targets
- Policy 3.12 – Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 – Affordable housing thresholds
- Policy 3.16 – Protection and enhancement of social infrastructure
- Policy 3.17 – Health and social care facilities

- Policy 3.18 – Education facilities
- Policy 4.1 – Developing London’s economy
- Policy 4.2 – Offices
- Policy 4.3 – Mixed use development and offices
- Policy 4.7 – Retail and town centre development
- Policy 4.8 – Supporting a successful and diverse retail sector and related facilities and services
- Policy 4.9 – Small shops
- Policy 4.10 – New and emerging economic sectors
- Policy 4.11 – Encouraging a connected economy
- Policy 4.12 – Improving opportunities for all
- Policy 5.1 – Climate change mitigation
- Policy 5.2 – Minimising carbon dioxide emissions
- Policy 5.3 – Sustainable design and construction
- Policy 5.5 – Decentralised energy networks
- Policy 5.6 – Decentralised energy in development proposals
- Policy 5.7 – Renewable energy
- Policy 5.9 – Overheating and cooling
- Policy 5.11 – Green roofs and development site environs
- Policy 5.13 – Sustainable drainage
- Policy 5.14 – Water quality and wastewater infrastructure
- Policy 5.15 – Water use and supplies
- Policy 5.17 – Waste capacity
- Policy 5.18 – Construction, excavation and demolition waste
- Policy 5.21 – Contaminated land
- Policy 6.1 – Strategic approach
- Policy 6.2 – Providing public transport capacity and safeguarding land for transport
- Policy 6.3 – Assessing effects of development on transport capacity
- Policy 6.4 – Enhancing London’s transport connectivity
- Policy 6.7 – Better streets and surface transport
- Policy 6.9 – Cycling
- Policy 6.10 – Walking
- Policy 6.11 – Smoothing traffic flow and tackling congestion
- Policy 6.12 – Road network capacity
- Policy 6.13 – Parking
- Policy 7.1 – Lifetime neighbourhoods
- Policy 7.2 – An inclusive environment
- Policy 7.3 – Designing out crime
- Policy 7.4 – Local character
- Policy 7.5 – Public realm
- Policy 7.6 – Architecture
- Policy 7.7 – Location and design of tall and large buildings
- Policy 7.14 – Improving air quality
- Policy 7.15 – Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 7.19 – Biodiversity and access to nature
- Policy 7.21 – Trees and woodlands
- Policy 7.30 – London’s canals and other rivers and waterspaces
- Policy 8.2 – Planning obligations
- Policy 8.3 – Community infrastructure levy
- Policy 8.4 – Monitoring and review

**Core Strategy (2010)**

- CP 1 – Spatial Development Strategy
- CP 2 – Population and Housing Growth
- CP 3 – Commercial Regeneration
- CP 5 – Placemaking
- CP 6 – Design & Density in Place Shaping
- CP 8 – Alperton Growth Area
- CP 14 – Public Transport Improvements
- CP 15 – Infrastructure to Support Development
- CP 16 – Town Centres and the Sequential Approach to Development
- CP 17 – Protecting and Enhancing the Suburban Character of Brent
- CP 18 – Protection and Enhancement of Open Space, Sports and Biodiversity

- CP 19 – Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP 20 – Strategic Industrial Locations and Locally Significant Industrial Sites
- CP 21 – A Balanced Housing Stock
- CP 23 – Protection of existing and provision of new Community and Cultural Facilities

### **Development Management Policies (2016)**

- DMP 1 Development Management General Policy
- DMP 2 Supporting Strong Centres
- DMP 3 Non-Retail Uses
- DMP 4 Neighbourhood Centres and Isolated Shop Units
- DMP 6 Visitor Accommodation and Attractions
- DMP 7 Brent's Heritage Assets
- DMP 8 Open Space
- DMP 9 Waterside Development
- DMP 10 Capital Ring
- DMP 11 Forming an Access on to a Road
- DMP 12 Parking
- DMP 13 Movement of Goods and Materials
- DMP 14 Employment Sites
- DMP 15 Affordable Housing
- DMP 16 Resisting Housing Loss
- DMP 17 Conversion of Family Sized Dwellings
- DMP 18 Dwelling Size and Residential Outbuildings
- DMP 19 Residential Amenity Space
- DMP 20 Accommodation with Shared Facilities or additional support
- DMP 21 Public Houses

### **Supplementary Planning Guides**

- Design guide for new developments (SPG 17)
- Employment development (SPG 18)
- Roads - layout standards for access roads (SPG 13)
- Roads - making an access to a road (SPG 3)
- Shop fronts and shop signs (SPG 7)
- Sustainable design, construction and pollution control (SPG 19)
- Waste planning guide

## **DETAILED CONSIDERATIONS**

### ***Background***

1. The application is subject to an Environmental Impact Assessment (EIA) which has been submitted to support the planning application. This is made up of an Environmental Statement (ES), which is supported by technical appendices, and a Non-Technical Summary.
2. The ES includes chapters on the methodology, analysis of alternatives, and detailed description of the proposal. Following on from this the main topic based issues are assessed. They are:
  - Demolition and construction
  - Wind microclimate
  - Daylight, sunlight and overshadowing
  - Townscape and visual analysis
3. Finally, chapters then consider the effect of impacts interacting, and a conclusion of the overall impacts of the development. To accompany the amendments made to the design the EIA consultants have produced a statement of conformity to detail the differences and whether or not they are significant.
- 4.
5. The proposal does raise a number of other issues, which need to be assessed. Despite them being outside of the EIA process, the applicant has also submitted a number of other documents to address issues including flood risk, transport and air quality.
6. The ES is structured around identifying impacts, where these impacts are felt, how significant they are, and whether they are adverse or beneficial. It does this with reference to the existing baseline conditions, the characteristics of the proposal and any mitigation effects, the residual effects, and whether there are any cumulative effects.

7. This ES initially includes a summary of the proposal, and a discussion of alternatives to the proposal and the design evolution. This is based on a 'No development' alternative, exploration of alternative sites and alternative designs.
8. The 'No development' alternative considers leaving the site in its current state. As identified by the applicant the existing buildings are low density and architecturally poor. This fails to take advantage of the site's potential, and the need to deliver development across the borough but primarily within the identified growth areas of which Alperton is one. This has been ruled out by the applicant, and this is agreed with. Many of the objections specifically state that there is no objection to the redevelopment of the site (although many cite specific concerns about the replacement buildings). Given the state of the existing site, and the planning policy on this site, which is discussed in greater detail in the land use section, this conclusion is agreed with.
9. The applicant has not considered alternative sites, as this is the only one within their ownership in the vicinity. Much of the assessment below is to determine whether or not the site could or should be developed in the form proposed, and there is considered sufficient justification for a redevelopment of this site: as part of the Alperton Growth Area there is specific reference to this site and the aspiration for it.
10. In exploring alternative designs the applicant has advised that they have sought to optimise the housing density of the site, whilst maximising daylight exposure and views within the site and surrounding area. The applicant has also considered daylighting to external spaces, the contextual height of the surrounding buildings, and the need to enhance the architectural quality of the scheme to regenerate the streetscape. Other considerations were the need to reduce energy and carbon emissions, to maintain and enhance local wind microclimate, to enhance biodiversity, and consider the public realm and accessibility for pedestrians and cyclists.
11. In terms of alternatives the applicant considered:
  - A lower podium with a tower
  - A three block stepped composition leading to a main tower
  - A five block stepped compositions leading to a main tower
12. The latter option was considered to provide the most opportunities for amenity space, as it could be provided on top of the various steps, and was explored in greater detail. The applicant advises that the design was further developed with comments from the Council and the GLA, to result in the development which is the subject of this planning application.
13. The ES then provides analysis of the development. This primarily focuses on the impacts of demolition and construction, wind microclimate, daylight, sunlight and overshadowing, and townscape and visual impact. An assessment of cumulative impact has also been undertaken. These issues, along with other relevant considerations, are considered below.
14. The planning application is referable to the GLA by the Mayor of London Order (2008). This requires that the GLA is consulted during the application (Stage 1), and following the Council's resolution (Stage 2). Stage 1 has been undertaken, but stage 2 can only come after the committee has resolved to either approve or refuse planning permission.
15. The previous planning application (ref: 10/0245) was granted planning permission on 7 December 2011 with a condition that development shall be commenced within 5 years, taking this to 7 December 2016. When the application was submitted the planning permission was extant and so represented a 'fallback', which the applicant could construct. However, in the interim it is considered to have expired.

#### ***Land use***

16. The proposal would result in 1,942sqm of retail (A1) floorspace, 622sqm of office floorspace, and 634sqm of non-food retail (A1, A3, A4). All of these measures are Gross Internal Area. The residential would be 21,821sqm in area. This would replace 3,470sqm of light industrial (B1c) floorspace.
17. Policy CP8 of the Core Strategy promotes the Alperton Growth Area as mixed use regeneration along the Grand Union Canal. It seeks a compact and sustainable waterside community, and an enterprise hub with modern light industrial units, studios and managed workspaces. Across the entire area a minimum of 1,600 new homes are to be promoted between 2010 and 2026. The Locally Significant Industrial Lane (LSIS) is to be protected for appropriate industrial operations within classes B1c, B2, B8 or related uses.

18. The site is allocated within the Site Specific Allocations (SSA), which was adopted in 2011. It is listed as *Minavil House and Unit 7, Rosemont Road*. The allocation is described in the document as:

*A mixed use development including B1 floor space, including a proportion of managed affordable office and workspace on the ground and first floor as a minimum, with residential on the upper floors. The Council may consider a proportion of work/live development, subject to a satisfactory management agreement. The inclusion of Unit 7 Rosemont Road is supported to achieve the redevelopment, but the Council will resist the loss of the remaining units. Proposals may include an appropriate tall building located towards the apex of Ealing Road, with storey heights stepped down away from this and towards the canal. Proposals shall entail amenity space to the south and link with improved pedestrian access to the canal front. Proposals should conserve and enhance the canal's Metropolitan Site of Nature Conservation Importance designation. To assist this, an undeveloped buffer strip of 5 metres from the canal will be encouraged.*

19. The indicative capacity is listed as 55 units, and it was expected that it may have come forward for development in 2011-12. The justification for this is stated within the document:

*Contributing to the Alperton growth area while enabling the provision of new managed affordable workspace. The inclusion of Unit 7 will help achieve significant environmental improvements and provide a high quality canal side setting for development.*

20. This is a significant material consideration.

*Loss of existing floorspace*

21. Policy DMP14 of the Development Management Policies concerns employment sites. It advises that Local Employment Sites will be released to non-employment uses where a continued wholly employment use is unviable or there are significant benefits consistent with the wider objectives of the Development Plan. Where non-employment uses are proposed the maximum amount of existing floorspace type or Managed Affordable Workspace shall be incorporated. The site allocation is significant, and it clearly indicates that the future of this site is envisaged to be as a mixed use site with residential and commercial. Notwithstanding this, the quality of the existing commercial floorspace is not considered high, and it has dated to the point where vacancy has become a real feature of the site. Therefore, there is not considered to be an objection to the loss of the existing floorspace. The question then is whether or not the proposed uses are acceptable.

*Retail and other 'A' class uses*

22. The proposal would include a substantial retail unit, which is intended to be occupied by Lidl, and another smaller unit which would also feature a town centre use. This is greater than the 1,380sqm supermarket which was considered acceptable previously, although the net sales floor area for this and the proposed store is almost identical (1,078sqm now proposed compared to 1,101sqm). Another unit would also increase the difference between 2011 and now. The site is outside of a town centre.
23. Policy 2.15 of the London Plan considers town centres to be the main focus for commercial development beyond the Central Activity Zone. Policy CP16 seeks to focus major new retail and other town centre uses within centres before out of centre sites are considered. The foodstore is in an out of centre location. Therefore, in accordance with advice within the National Planning Policy Framework a sequential test needs to be carried out to determine the impact. The conclusion on the previous planning application was that the impact was acceptable, hence permission was granted. Providing commentary now, the applicant considers that the same conclusion should again be drawn and that, based on the 2011 conclusion, there remains no alternative site within Ealing or Wembley suitable of accommodating the development proposed. The applicant also notes that there is no requirement for the particular developer to drastically alter their format in order to occupy a more sequentially preferable location, and this is agreed with. In practice this means that it would not be reasonable to suggest that Lidl could occupy a unit within a centre which is significantly smaller than their main format. The conclusion reached on the previous planning application was that there was a lack of available and suitable alternative sites within the catchment area. With the site being within the Alperton Growth Area and a highly accessible location, it was concluded that the retail development was acceptable. Indeed, the site is acknowledged to be more accessible than some locations within the Ealing Road district centre given how close it is to Alperton Station.
24. Policy DMP2 requires that a Retail Impact Assessment (RIA) is submitted for proposals involving 500sqm or more of gross retail floorspace, and the applicant has submitted a RIA to build on the sequential test.

This refers to the previous RIA for the planning permission (ref: 10/0245) granted in 2011, and seeks to update the assessment.

25. In referring to the Brent Retail Study, the applicant has identified nearby centres and carried out a 'health check' and established baseline information. Information from 2016 was then utilised. In examining a 'no development' scenario it is assumed that the population will grow (which given that this is a growth area appears logical) and suggests that shoppers would have to travel elsewhere for their shopping. There is a Sainsbury's nearby on Ealing Road and other shops within the Ealing Road district centre. Shoppers are potentially more likely to drive to Sainsbury's, but the location of the application site would imply that more journeys would be made using sustainable transportation. The relative lack of parking (see later section on *Highways and Transportation*) also makes this more likely. If the proposed retail unit were to be granted permission and constructed it is likely to draw some trade from both locations. This would be less concerning from Sainsbury's, as this is also out of centre. Ealing Road has relatively low vacancy, and so is considered healthy, and includes a specific retail offer distinct from the more mainstream offer of Lidl. The applicant concludes that the magnitude of the loss of trade would be relatively low. The same conclusion is reached when considering the impact on Sudbury and Perivale centres. Other centres such as Wembley and Park Royal are much further away and so the impact would be felt less.
26. The potential for a café/restaurant use facing the canal has been well received by some residents and the Canals and Rivers Trust. This would provide an attractive outlook on to the canal, and is less likely to be competing with similar uses within Ealing Road district centre, as it would be a different offer, in a location off the main roads.
27. . It is noted that retail is not listed in the text to accompany the site allocation. However, the GLA consider that the applicant has demonstrated that there are no available, deliverable or viable alternative sites. Therefore, the provision of the retail uses proposed is, on balance, acceptable. This conclusion is reached acknowledging that there is no longer a fallback position for the applicant, but is based around the conclusions reached by the applicant and that the population in the area is expected to increase in the coming years.

#### *Office uses*

28. Referring back to the site allocation it is clear that office space (B1) is envisaged to form part of the redevelopment. The proposal would result in the loss of over 2,400sqm of floorspace, but as noted above it is currently low quality floorspace. Therefore, the provision of this new space is supported, albeit that it is lower than was included in the previous planning permission. Less people would be employed than was the case historically, but realistically the existing floorspace is not expected to be fully occupied again.
29. The initial proposal was for a proportion of the office floorspace to be affordable, with different reductions from open market rates for different periods of time. The applicant subsequently proposed that it is all affordable, but for a shorter length of time. There is a further consideration that the workspace is above ground floor. There is no suggestion that not having a ground floor frontage means that the space cannot function, but it would be less attractive than if it was at ground floor. It is the retail unit which largely prevents this, and so officer consider that there is a justification for taking a financial contribution in lieu of this. This is an exception based on this particular circumstances, rather than being a principle which should be applied more widely.
30. The applicant has agreed that as part of the section 106 legal agreement, obligations relating to employment and training are included. These would assist in encouraging local employment during the construction phase as well as the completed development.

#### *Residential*

31. Finally, policy CP2 of the Core Strategy seeks to increase the supply of housing, and Alperton is expected to make a significant contribution to this. The site allocation anticipates 55 units as the capacity, and this appears based on the previous planning permission. Although the specifics of the design, the quality of the accommodation, and the impact on neighbours is discussed below, the principle of increasing this number is considered acceptable. The designation of the Alperton Housing Zone suggests a greater emphasis on housing than was the case when the site allocation was originally designated. Therefore, this is considered acceptable and would contribute to meeting the housing needs of the borough.

#### *Other uses*

32. Objections suggest that other uses, such as chemist, bakery, dry cleaner, community centre and park.

There would be a bakery as part of the proposed foodstore, but the Council is not aware of plans for it to also incorporate other uses. Policy CP5 of the Core Strategy does refer to community uses. Referring to the text accompanying the site allocation it is only office and residential that are specifically mentioned, and so whilst there would be no objection to these being proposed, there is not considered to be a policy requirement for them.

### ***Design, conservation and heritage***

33. Design is an important consideration, and buildings need to be high quality. This is promoted by policy 7.6 of the London Plan, CP6 and CP8 of the Core Strategy. Policy 7.7 of the London Plan is specific to tall buildings. It lists criteria which tall buildings should accord with, and this includes being located (inter alia) in town centres that have good access to public transport, have the highest architectural standards, have ground floor activities, and make a significant contribution to local regeneration.
34. The ES contains a chapter on *Townscape and Visual Analysis*. The site is not within a conservation area and does not contain listed buildings. The nearest conservation area is over 1km away. Alperton Station is a Locally Listed Building. The existing buildings on site are not considered of any great merit and their demolition is supported. There is an acknowledgement in many of the comments received that the site's appearance needs to be improved. The GLA has raised no objections to the design.
35. The proposal is substantial in terms of height, and objections have referred to this. Since submission the building has increased in height, and the assessment has been made based on the revised drawings. It is 26 storeys in total and it needs to be acknowledged that the Alperton Masterplan identifies some buildings of up to 17 storeys being appropriate. This clearly exceeds that, and would be taller than anything else nearby. Despite concerns suggesting that this would set a precedent for tall buildings, there are already tall buildings nearby: the context includes 243 Ealing Road (up to 14 storeys), Peppermints Heights (18 storeys) and Atlip Road (13 storeys). Minavil House is nearer to the station than the others, and the inevitably slightly better access to public transport does imply that this is where the greatest density should occur, which is a function of height. It is not within a town centre, but is near to a district centre.
36. The ES identifies a number of viewpoints from near to the site and further away. Views from public rights of way along the canal and the footway along Ealing Road were also considered. There would be an impact on the canal, and the character would change along this section. The proposal would be highly visible when walking along the towpath, but it is relevant that architecturally poor buildings are currently on site and these would be removed. The context is of existing tall buildings to the south and there would be increased connectivity created by the new steps and footpath from Ealing Road, and a new commercial unit. This would be a benefit to the canal arising directly from the development. From Ealing Road there would also be a significant change, but the context here is of a footpath alongside a busy road with no specific historical value. The improvements to the footway (see *Highways and Transportation* section below) would be beneficial. The height would be focussed on the junction, which is what the site allocation envisages.
37. Of the other views, generally the sensitivity to change is considered to be low for those views nearest to the site, by virtue of a lack of heritage assets. The site would be viewed from some major thoroughfares (such as Bridgewater Road and Ealing Road), and from Rosemont Road and the existing tall buildings would partially obscure the site from certain vantage points. From close in, the size of the building would mean that the impact of it would be high, but this in itself does not make it unacceptable and the context from which it is viewed is of relevance, and this includes the tall buildings already in place.
38. From further away the proposal would be noticeable as a large feature on the skyline, even alongside the other tall buildings. Views would be possible from One Tree Hill Recreation Ground, Barn Hill, Horsenden Hill, and the Sports ground adjacent to Manor Farm Road. There is contrast between the latter site and the other 3 in that sporting activity is more likely to be the reason why people visit it, and so they may be less aware of what is visible around it. The others are more likely to be used by those walking and the development would be noticeable to them. The further away the viewpoint is then the less the magnitude of change, albeit acknowledging that it also becomes less likely that views of the proposal would be obstructed.
39. Overall, the ES considers that the effect of the proposal would have would be negligible from Barn Hill, and moderately neutral in locations such as from One Tree Hill and further north on Ealing Road. It concludes that there would be some beneficial impact from Ealing Road and Rosemont Road. These conclusions are the same for the original and revised design: the magnitude of change between the two is considered negligible. The later section on *Neighbouring Amenity* discusses the impact on outlook and

views from specific properties nearby. Cumulative impacts from the existing tall buildings have been referred to above, but there are also sites nearby which could come forward for development in due course, and this includes Alperton House (which the Alperton Masterplan suggests could be 12 storeys), Atlip Road (3-10 storeys), 255 Ealing Road (3-9 storeys) and 1C Carlyon Road (4-6 storeys). All would be lower than the proposal and the existing tall buildings on Ealing Road. They would not all be visible from all vantage points. The ES concludes that the cumulative visual impacts would not be unacceptable.

40. A further assessment is required of some of the specific design details and features. Although the ground floor covers much of the site, the various steps back from each side as the height increases reduces the bulk and mass of the building. The building is broken down into identified elements of horizontal and vertical blocks, and the 45 degree kink breaks this up further. The result is a base, middle and top of the development as a whole, which progressively steps back from all sides. As noted above the focus of this height is where the site allocation envisages it.
41. The Ealing Road frontage is where the foodstore would be most apparent, and this use does lead to a more imposing building, but it would provide active frontages which planning policy seeks. The presence of the car park means that this is not across the whole frontage. The existing building covers most of the frontage, but has less *active* frontage than is now proposed. This is due to a lower level of glazing with a number of windows being blocked. The set back of the building near to the Ealing Road / Bridgewater Road junction would make the building less imposing, and allow for the steps down to the canal which is a positive feature. The height is focussed on this junction, which is wide and open so allows for a building of this height and bulk in this location when in other parts of the growth area it may appear too great. A substantial amount of glazing is proposed at ground floor level, which would reveal some of the activities within. This would combine with the landscaping to create a positive environment. The landscaping would include the car parking area, and new (and better) footway onto Ealing Road. This is encouraged by policy 7.5 of the London Plan, but it is not amenity space. The area created in front of the residential lobby to core A, the steps down to the canal, and the area in front of proposed canal side unit does have more of an amenity value. The relationship between the canal towpath and the newly created unit has the potential to be an attractive space for existing and proposed residents, and visitors to the area. The set back from the canal accords with the advice to accompany the site allocation, and the details of the landscaping would ensure that there are no obstructions for walkers.
42. To the rear the development would be within 10m of the site boundary, which is contrary to the guidance within SPG17. The purpose of this guidance is to ensure that the development of one site does not prejudice the development of another. The layout of the existing building is of relevance. Also, to strictly impose this restriction would render much of the site undevelopable, and given that the capacity of the site of 55 appears based on a previous planning permission which also did not accord with the 10m setback then there are material considerations which suggest why it should be relaxed in this instance. Finally, the text to accompany the site allocation is clear that the commercial units elsewhere on Rosemont Road are not intended to be redeveloped for residential use.
43. Metal and fibre cement panels are proposed, with bronze coloured panels to the balconies which would provide interest. The overall appearance would be light, which would make it appear less imposing. However, common to other large developments details and samples of them would be required by a condition to ensure that the end result is a development with the best possible appearance.
44. Overall, the building's design and appearance is considered acceptable. It would be a substantial building but the focus of it on the main road junction, and the light materials are considered to mitigate the height.

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

45. Policy 3.5 of the London Plan seeks high quality residential units. Based on a PTAL of 4 and 5, the density matrix within the London Plan suggests that 200-700 habitable rooms per hectare is appropriate. However, the development would have a density of 1,215 habitable rooms per hectare. The GLA consider this to be appropriate, noting the high design and residential quality, and the changing nature of the location with other density schemes having been approved nearby. The GLA consider this to have been successful, although some objections suggest not. Nevertheless, being near to a station and bus routes it is considered a location where density can be increased.
46. The units themselves are considered to be high quality, and the amendments made would improve the quality of the units given that they are to ensure compliance with housing association requirements. 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 so. It is noted that there are up to 16 units on the largest floors, across 2 cores. The guidance within the GLA's Housing

Supplementary Planning Guidance is for no more than 8 units to access a single core. The proposal would feature 9 units accessing one and 7 accessing another. Whilst this is not strictly in accordance with the guidance it is not considered so far away as to be problematic. 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.

47. An assessment has been provided which assessed the levels of daylight and sunlight that each flat would receive, and the slight increase in height of the building logically improves this in a very minor way. This is based on Average Daylight Factor (ADF) which is an acknowledged measure of daylight. A common measure of sunlight is No-Sky Line (NSL), which is used to establish where within a proposed room the sky will be visible. The assessment concludes that 56% of the habitable rooms would receive adequate levels of daylight when considering ADF but that this increases to 85% when considering NSL. Whilst it is always hoped that this would be 100%, it is recognised that this is not always achievable within urban areas where there are inevitably obstructions. Given that someone could also choose whether or not to live in the flat there is a contrast to be made with assessing daylight and sunlight for *future* residents as opposed to *existing* residents who don't have the same level of control (and this is assessed below under *Neighbouring Amenity*). Therefore, overall there is no objection made to the internal daylight and sunlight.
48. Private balconies are a feature of the development. There are some areas where overlooking between units may be possible, and from the communal amenity areas into flats. However, they are minor and could be mitigated through design of partitions or landscaping, and this would be required through the condition asking for details of the materials. There would be a number of communal amenity spaces on roof tops, and it is understood why the design option assessment selected this approach as a means to maximise this. Although the overall amount of open space equates to 18.4sqm instead of the 20sqm which the Council seeks, this is not far below this, especially considering that it is a highly dense scheme. A generous area of playspace is also proposed, which is based on the GLA's requirement for 10sqm for each child.
49. The applicant has indicated that the units would accord with Building Regulations requirement M4(2) 'Accessible and adaptable dwellings', and that 10% would meet M4(3), which is designed to be wheelchair accessible, or easily adaptable. A condition would be imposed to require that this is done. Comments below on transportation are also relevant to the wheelchair units.

50. The mix of units is:

	NUMBERS				PERCENTAGE			
	1 bed	2 bed	3 bed	Total	1 bed	2 bed	3 bed	Total
<b>Affordable rent</b>	13	8	11	<b>32</b>	41%	25%	34%	<b>100%</b>
<b>Intermediate</b>	55	118	21	<b>194</b>	28%	61%	11%	<b>100%</b>
<b>Private</b>	15	10	0	<b>25</b>	60%	40%	0%	<b>100%</b>
<b>TOTAL</b>	<b>83</b>	<b>136</b>	<b>32</b>	<b>251</b>	<b>33%</b>	<b>54%</b>	<b>13%</b>	<b>100%</b>

51. Only 13% of the units would be family sized, with the others being 1 and 2 bedrooms. Policy CP2 seeks 25% to be family sized units (with 3 bedrooms or more). The Alperon Masterplan contains a different mix:

	PERCENTAGE			
	1	2	3	Total
<b>Affordable rent</b>	15%	45%	40%	100%
<b>Intermediate</b>	45%	45%	10%	100%
<b>Private</b>	45%	45%	10%	100%

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

53. Related to amenity space, as well as the entrances to the building, is the microclimate around it which would be influenced by the specific design of the development. This is another measure of quality for residential developments. The ES includes an assessment of this, based on wind tunnel testing, and the Lawson Criteria. Further commentary has been provided by the applicant in light of the increase in height. This is used to categorise the impacts for different activities in different spaces at different times of the year. For example, the conditions required to comfortably walk briskly along a public highway in winter are very different to sitting out on a terrace in summer. Categories of suitability are 'sitting', 'standing/entrance', 'leisure walking', 'business walking' and 'car park/roadway'. It is tested at many points in and around the site. A comparison with the existing situation is not meaningful for future residents as by definition they do not live on site now to experience the existing wind conditions. However, this is relevant for the assessment on the wider area which is discussed in the *Neighbouring Amenity* section below. The assessment indicates that the impacts on future residents of the site would be acceptable. In winter, around the site where residents would enter the building most points are suitable for 'standing/entrance', with a small number which are 'leisure walking'. Above, some of the terraces would have 'leisure walking' conditions, but others would be suitable for 'standing/entrance', although the winter is when they would logically be less used anyway. In summer, the position improves with the environment around entrances to the building being suitable for 'standing/entrance', with some points being suitable for 'sitting' (not that this would occur in practice). Above this, the terrace at 19<sup>th</sup> floor has been classified as being suitable for leisure walking, which is disappointing. However, the other points are suitable for standing or sitting. When considering strong gusts of wind it is shown that the instances would be infrequent and not expected to cause significant nuisance. This inclusion of landscaping can offer further assistance to this, and the recommendation includes a condition requesting further details of this. When considering the cumulative impact of other nearby developments, including 1C Carlyon Road, 2 Atlip Road, and 255 Ealing Road, the results are little changed, and there would be some distance to these sites. Overall, the impact is considered acceptable.
54. The applicant has provided a noise impact assessment, which has been reviewed by the Council's Environmental Health Officer. This included measurements of the existing background noise levels as a baseline on which to assess the suitability of the site for residential usage. Noise from road traffic and the railway line was identified, and the proposal would introduce commercial uses which would generate noise. In particular, break-out noise from the supermarket needs to be considered, and there is inevitably plant and machinery required for commercial units. Mitigation measures focus on the separating floor between the supermarket and the residential units. The Environmental Health Officer has endorsed the methodology used, but has suggested conditions to ensure that the internal noise environment is appropriate. These conditions would ensure that the mitigation is included within the final design of the building (including sound insulation), and that noise restrictions are placed on the plant and machinery.
55. In addition to noise, ventilation and extraction equipment can also result in odour. With potential for an A3 or A4 element, and the large A1 unit likely to have some food preparation on site this needs to be considered. To address this, a condition could be imposed to require further details in the event that there are commercial kitchens. This is a usual approach, and has been agreed with the Environmental Health Officer.
56. A separate assessment into air quality has been submitted, reflecting that the site is within an Air Quality Management Area. There is potential exposure from traffic on Ealing Road. There is not considered to be any uses nearby which would generate significant amounts of dust, with the surrounding area being predominately residential with commercial activities which sit reasonably well alongside them. Modelling has taken place, which suggested that there would be some exposure to poor air quality at a number of points at second and third floor levels. Above this it would meet the required standard. Mitigation measures are therefore recommended. This includes mechanical ventilation with an inlet at or above fourth floor level, or Nitrogen Oxide absorption filters to reduce pollutant concentrations. The Environmental Health Officer agrees with these conclusions and has suggested conditions to address these points.
57. Overall, the quality of the accommodation is considered to be high. The units would be well laid out with good outlook, and would not be subjected to unacceptable environmental impacts with the conditions which are suggested by Environmental Health.

#### ***Affordable housing, tenure and viability assessment***

58. London Plan Policy 3.12 requires boroughs seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of

new homes delivered in the borough should be affordable. Brent's DMP15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It also notes that 70% of new affordable housing provision should be social/affordable rented housing and 30% should be intermediate housing in order to meet local housing needs in Brent. London Plan Policy 3.11 sets a ratio of 60% social/affordable rented housing and 40% intermediate housing for new affordable housing across London.

59. The Minavil House proposals initially included 180 affordable residential units, representing 71% affordable housing by unit. 45 affordable rent and 135 intermediate housing units were proposed, representing a tenure ratio of 25:75 – essentially reversing the local and regional affordable housing tenure policy ratio. The GLA were however very supportive of the overall high level of affordable housing, in excess of the 50% target for affordable housing.
60. The applicant submitted a Financial Viability Assessment (FVA) undertaken by Colliers. The Council appointed BNP Paribas to independently assess this FVA. BNP Paribas' draft report demonstrated the FVA had erroneously overstated scheme finance costs by over £8m. BNP Paribas also disputed Colliers Market Value approach to benchmarking the land value at £3.5m and made a series of amendments to other financial variables. BNP Paribas concluded the scheme had the potential to viably deliver a more policy compliant mix of affordable housing, with a higher proportion of affordable rented housing more accessible to local households, incomes and needs. In response the applicant submitted new evidence which indicated that the FVA assumed construction costs were significantly understated. Simultaneously the applicant increased the amount of affordable housing to 229 units, that is 91% affordable housing, now with 32 affordable rent and 194 intermediate units, representing a 15:85 tenure ratio weighted even more heavily towards intermediate housing. Additional independent Quantity Surveyor review of the revised construction costs was undertaken which confirmed the reasonableness of the revised cost submittal. Officers instructed BNP Paribas to undertake a series of sensitivity analysis including policy compliant schemes and exploring the introduction of housing grant in line with the latest Mayoral Affordable Housing and Viability SPG. It assumed that the affordable rent was at 60% of the market rate (inclusive of service charges). It also factored in the affordable workspace. BNP Paribas analysis concludes that the proposed scheme is not viable against the £1.7m Existing Use Value of the site, and that a viable scheme with a policy compliant tenure mix would deliver no more affordable rented housing than the proposed scheme. BNP Paribas final summary analysis dated 6 February 2017 has been posted on the Council website.
61. Officers take the view that the viability of delivering the proposed scheme is constrained by a number of factors. In particular the cost : value ratio of delivering such a tall and dense scheme in an area of relatively modest residential sales values compromises the ability of the scheme to viably deliver significant affordable housing obligations. Officers are aware that the applicant has lined up Genesis Housing Group to deliver the scheme, and it is essentially this special purchase which would allow the proposals to come forward – with Genesis Housing Group using Re-Cycled Grant Funding (RCGF) to support the scheme viability and deliver a large number of shared ownership units. Officers have met Genesis Housing Group and asked they explore options to increase the proportion of affordable rented housing on the scheme, however Genesis state that it is not viable to do so without levels of grant subsidy in excess of those available from the Mayor.
62. Presuming the proposals are considered acceptable on all other grounds, Officers take the view that the affordable housing proposals on the scheme should be supported. Notwithstanding the failure to comply with local and regional affordable housing tenure policy, the wider context is of delivering a key housing site in the Alperton area which has been allocated for development since 2011. Given the departure from policy and very large number of shared ownership units, it is recommended Genesis Housing Group be a party to the s106 agreement in order to ensure the scheme is deliverable. An appropriate Shared Ownership Nominations Agreement should also require a ring-fenced marketing period for the shared ownership units to local people, and that priority be given for applications from local people after that ring-fenced period expires, in order that the scheme endeavour to best meet local housing needs.

### ***Neighbouring amenity***

63. The impact on neighbours is also a significant consideration, and policy DMP1 seeks to ensure that this is acceptable. The buildings to the east are commercial and so are not as sensitive to noise as residential uses, the nearest of which are to the south on the other side of the canal, and to the north on the other side of the railway.
64. The ES includes a chapter assessing the impact of the proposal on the daylight, sunlight and overshadowing received by neighbouring buildings. This has been supplemented in light of the slight

increase in height. This identifies a number of properties which were included in the assessment: Alperton House and 300 Ealing Road to the south west, the Boat public house to the south, 360 Ealing Road to the south east, and 243 and 245 Ealing Road to the east. All windows were assessed in terms of daylight. For sunlight, only those which face the site and are within 90 degrees of due south are considered.

65. As noted above the impact on daylight to existing properties is different to levels proposed within the development itself. Vertical Sky Component (VSC) is a measure of daylight. The criteria to consider are whether the resulting levels of daylight are less than 27%, and if not whether the level remains above 80% of the existing level. The results show that there are windows where the impact would be adverse and major, but these were commercial space in 300 Ealing Road where the expectation of daylight is less. Within Alperton House and the Boat public house there are also non-residential windows, but the loss of daylight is within the acknowledged parameters of VSC. Four out of 31 windows within 360 Ealing Road would fail to meet the VSC criteria. However, this would be very marginal and the level of light remaining would be very close to 80% of what it is now. Within 243 Ealing Road four windows would also not meet the VSC criteria. Each is at the first floor level. The results show that all 4 would fall below 27% and would have ratios of less than 80% of their existing values: 65%, 66%, 67%, and 69%. No windows within 245 Ealing Road would be adversely affected. The increase in height which have been considered necessary logically increases the impact, but the Statement of Conformity includes revised calculations. The difference between the originally proposed development and the revised development is small: the impact on some of the windows referred to above is unchanged, with the others being slightly worse, but not so much as to change the overall conclusion.
66. Sunlight is expressed as a percentage of Annual Probable Sunlight Hours (APSH). The assessment shows that 14 windows would experience a reduction in sunlight, but in each case this is considered marginal. This includes 4 windows within 300 Ealing Road, one each within Alperton House and the Boat public house, 7 within 360 Ealing Road and one within 243 Ealing Road. The increase in height would have no difference on this conclusion.
67. Overshadowing concerns existing amenity spaces, and involves calculating the effects of these spaces being in permanent shadow on 21 March (the spring equinox), when at least half of the space should receive at least 2 hours of sunlight. The assessment identifies 8 amenity spaces. One is within 360 Ealing Road, and there is a common garden between 243 and 245 Ealing Road. The canal is identified, as are 3 areas further from the site. In each instance the impact would be negligible, and would not in reality be noticeable. The most severe impact is that one of the spaces would receive 96% of the light that it did previously, which is considered very minor. The increase in height does not change this conclusion.
68. Therefore, overall the impact of the proposal on daylight, sunlight and overshadowing is considered acceptable. There are instances where reductions would be felt (and they would be noticeable in some cases). However, the overall number of discrepancies is considered to be relatively minor considering the scale of the development. When considering any cumulative impacts it is accepted that other development sites (such as 255 Ealing Road and 1C Carlyon Road) are some distance away from the site. It is not considered realistic that any impacts from this site would combine with impacts from others to the detriment of existing residents.
69. Privacy and overlooking can occur where windows or amenity areas are introduced within 20m of existing windows to habitable rooms. The site is bounded by a road and a canal, and when assessing privacy it is relevant if it is across a public thoroughfare where people can walk anyway. Notwithstanding this the distance to the properties identified above is in excess of 20m at all points. The other nearby buildings are non-residential, including those on Rosemont Road and the Alperton Bus Garage, and so do not have the same expectation of privacy. Although a sense of enclosure is a different consideration it is to a degree a function of the distance from the proposed development, which is some way from neighbouring properties. It is noted that objections have cited the loss of views from existing residential units. However, it is not possible to protect a specific view. This is distinct from the consideration of outlook from nearby properties. This would certainly be altered for those flats which face towards the site. However, it is not considered that this is to the extent that an occupier would feel enclosed, and the view across the canal would still remain.
70. Vibration is unlikely to occur from the completed development. It is possible that HGVs making deliveries could cause some vibration, but this would be localised to Rosemont Road and would not be frequent enough as to cause prolonged nuisance. There is potential for vibration during the construction period. Some of this is inevitable, and by definition would be temporary. However, the requirement for a

Construction Management Plan would ensure that this is managed as much as is possible.

71. The impact on air quality has been considered above in terms of future occupants. Existing nearby occupants are not expected to be impacted on in a significant way by the proposal, which would not have inherently detrimental impacts on air quality in the way an industrial use may have. Nevertheless it is suggested that a condition is imposed to ensure that the development is air quality neutral.
72. Obtrusive light has been highlighted as an objection to the development, and the Canal and River Trust are concerned that spill from the development will affect the water. The applicant has submitted a lighting assessment, but this is mostly concerned with the car parking areas, and this part of the site is on the northern side of the site near to commercial uses rather than residential uses, hence there is less vulnerability to nuisance being caused. It is not anticipated that obtrusive light would be produced by most of the development, as most of the lighting would be internal to the residential flats and commercial uses. However, there is potential for light spill from the café unit on to the canal. There is also potential for lighting from the communal amenity areas, which in reality is likely to be more acute for future residents than existing ones given the proximity. Therefore, a condition is suggested requesting details of this to ensure that light does not cause nuisance to residential windows and the canal.
73. There is an overlap between the comments above on noise and odour as it could affect both future occupiers of the development and neighbouring properties. The condition requiring details of ventilation and extraction equipment proposed *within* the development would assist surrounding properties almost as much as it would future residents. The same is true of the condition suggested to require that plant and equipment proposed does not exceed certain noise levels. Residential uses are generally more susceptible to noise than generating it. More than one objection from the industrial units is concerned that the introduction of residential flats would in the long term result in restrictions on activities which can take place there, with some units being occupied by uses requiring precision. There is certainly no desire to compromise the future of this LSIS, and the Council is keen that it continues to operate. Residential uses and B1 (including B1c, which is light industry) should be able to operate side by side, and the incorporation of suitable sound insulation should ensure that this is the case. Returning to the text to accompany the site allocation it has long been the intention for this to be the case in principle, and the Council has granted planning permission in the past for residential on the site (albeit that it was not implemented). Therefore, this broad relationship is not objected to. A specific concern has been raised about the impact of deliveries at the rear of the site, and this would primarily relate to the large retail unit. The applicant has indicated that deliveries would be outside of opening hours, which would also suggest that nearby units are also less likely to be operating. Large vehicles are currently able to access Rosemont Road without restriction, and there is a car repair business on site currently which would generate some noise and vibration now.
74. Building on the assessment of the microclimate within the development the ES also considers the impact on the surrounding area, and has been supplemented in light of the increase in height. The Canal and River Trust have raised a concern about the wind conditions experienced by the canal, and an objection also cites this. The assessment follows the same methodology and principles outlined above. An analysis of the existing situation created by the existing buildings shows that in winter most points are suitable for standing, with some to the side and rear of site being suitable for sitting. The canal has a couple of points which would be slightly windier and suitable for 'leisure walking' but this is appropriate, and the resulting impact is not expected to cause problems for boats navigating this section of the canal. In summer, the situation is considered to be improved, with most locations being suitable for sitting. Landscaping would provide some further support to this. Therefore, the conclusion is that the impact on public thoroughfares, including the canal, would be acceptable. These spaces could still be used in an appropriate way without nuisance caused by wind.
75. Security has been a concern raised by occupiers of the industrial estate. The location of the delivery bay and some car parking to the rear would allow for some access associated with the A1 unit. Beyond this there is currently an area of hardstanding which is used for car parking, which would be replaced by a plant room and a substation. In the process this would create a pathway alongside 6 Rosemont Road. This is shown to be gated, which is supported. It is understood that this would be a shared space between the site and 6 Rosemont Road. With this in place it is not considered that security would be compromised, and the condition on landscaping requires the applicant to provide details of boundary treatments. The principle of having residential units overlooking the industrial estate has the potential to increase security. There would be surveillance of the area throughout the week, and at weekends when the industrial estate is inevitably quieter. It is understood that the area of scrub adjacent to the canal towpath has been used by drug users and been subject to fly tipping in the past. The development would remove this, and make it far less likely that it would return, which is a positive aspect of the proposal.

### **Construction and demolition**

76. The EIA includes a section on construction and demolition impacts, and it is inevitable that there would be a degree of disruption caused during the construction of a proposal of this size. The revisions made by the applicant would not change the impacts, given that the demolition process would be unaffected and the construction would not be materially affected. Policy DMP1 seeks for the amenity of neighbours to be protected. The entire process is forecast to last for 36 months, of which 3 months would be site preparation, enabling works and demolition. The applicant has indicated that they intend to prepare a Demolition Method Statement (DMS), which includes a Construction and Environmental Management Plan (CEMP). The applicant has included details of the measures they would take to demolition and construction to reduce the impacts. They have advised on waste management, plant and equipment, and hours of work, air quality, noise and dust. These issues would help to address construction impacts as they affect neighbouring properties and the transport network. Essentially, the document is a good template for a CEMP or DMS, and it is expected that the impacts would be mitigated as far as possible. This would be the subject of a condition.
77. An important element of this responds to the comments from the Canal and Rivers Trust about the need to ensure that there is no run off into the canal of contaminants. There is an inherent link to parallel measures to address land contamination, but the importance of responding to this is recognised and it will need to form part of this and/or the conditions suggested to address land contamination (see below).

### **Highways and transportation**

78. It is important to ensure that any development has an appropriate impact on the highways network. Policy 6.3 of the London Plan requires that this is considered. As noted above the site has a PTAL of 4 and 5, with the part of the site nearest to the station being 5 and the rest of the site being 4. The proposal includes 35 surface level spaces, of which 5 would be disabled, which would be accessed from Rosemont Road. The intention is for the non-disabled spaces to be for the use of the foodstore, with the disabled spaces being for residents within the development. Within this the specific allowance for a retail unit of less than 2,000sqm is 27, whereas the proposal would allocate 28 spaces. However, this is considered marginal, and the overall level of car parking is well below the maximum standard suggested for a development of this size and type *overall*, and so is considered to be an acceptable level.
79. Policy DMP12 concerns parking. The proposed number of disabled spaces allocated for residential use (2) is well below the number of wheelchair units within the development (25). Whilst this could be increased within the site it is unlikely to reach 25. The applicant has highlighted a scheme in Bristol which is essentially a car sharing scheme for disabled users and provided some detail on how it would operate. The GLA are supportive of innovative solutions and so further details are requested through the section 106 legal agreement.
80. The low level of parking on site implies that there could be overspill parking if not managed, and this has been raised as a concern by local residents. The site currently lies outside of the Ealing Road Controlled Parking Zone (CPZ), which operates between 8am and 9pm daily. However, it would be possible to extend the boundary of the CPZ south to Bridgewater Road to include the site, and this would involve relocating signage and extending the Traffic Orders. This could be done within a relatively short period of time. By then removing the ability to prevent residents from applying for on-street parking permits the impact on existing street parking bays would be acceptable.
81. However, there is an area to the south along Bridgewater Road to Carlyon Road which is not currently within a CPZ so future residents of the development could theoretically park there instead. However, it is possible to further extend a CPZ to include these streets. There is inevitably a cost involved and it is appropriate that this falls on the applicant. The cost is estimated as £500 per flat which, in combination with other developments, is considered sufficient to extend the CPZ and to ensure that existing local residents to have free permits for a period of 5 years (based on the average cost). This equates to £125,500, with a further £25,500 sought for public consultation and physical implementation and this would be secured through a section 106 legal agreement.
82. A Car Parking Management Plan has been submitted as part of the planning application. This details a number of options, based around how to manage the use of the spaces. This includes employing a parking warden or using a parking enforcement company to manage the car park. This is welcomed and a condition is suggested requiring that it is implemented.
83. Transport for London and the Council have suggested that 20% of the car parking spaces are equipped with electric charging points, although the applicant considers 10% to be adequate on the basis that they

would serve visitors to the retail space rather than residents. Discussion has taken place on this point, and the applicant has noted that visitors to the supermarket are unlikely to be there long enough to fully charge their electric vehicles. Rather than the commonly used charging equipment it is proposed to use 2 high capacity chargers for visitors. They can charge a vehicle more quickly. These would be supplemented by the commonly used chargers for the car club and for one of the disabled residential parking bays. There would be 2 passive charging points as well. This is considered to be an acceptable compromise based on the uses on the site.

84. Secure bicycle parking is required for each flat in accordance with policy 6.9 of the London Plan, and one space per 125sqm of the commercial spaces within the development, with a further one space per 20 seats for the café. This suggests a requirement for 276 spaces. The proposal includes 420 spaces (so exceeding the standard), and a condition would seek further details and to ensure that they are available to residents in perpetuity. In addition, 54 publicly accessible spaces are shown around the front of the building for visitors, with 10 secure spaces for the commercial uses. Overall, this is considered positive.
85. Servicing is a key issue, especially for the foodstore which would be serviced by full-size articulated lorries. The office space would have lower requirements, and an 8m lorry would be adequate. The café is likely to be serviced by a transit sized van. Refuse collection, and the need for vehicles to be able to access the refuse stores is a further factor. A shared loading bay is shown to the rear of the building, and this would measure 11m by 7m. Beyond this are the rear access corridors to the commercial units and the residential bin stores. The bay is not long enough to accommodate a full size (16.5m) articulated lorry, and so part of the lorry would extend beyond this in front of 2-3 of the parking spaces. However, the applicant has stated that deliveries would be twice a day, and outside of the opening hours. Vehicles would also need to reverse into the bay from the car park entrance, a distance of approximately 30m which is beyond the recommended distance of 12m for refuse vehicles. There is a record of an accident involving a pedestrian in the past on Rosemont Road, but this specific area would serve only the 12 parking spaces, and is straight without obstructions. As long as a trained banksman supervises the manoeuvre then the safety concerns can be managed. This would form part of the Delivery and Servicing Plan which is approved by condition. This would also further detail how deliveries will be scheduled so that one lorry at a time requires access. Detail on this has already been provided, and it is proposed that there is a centrally controlled booking system run by the site manager to coordinate the 9-10 anticipated average deliveries per day.
86. Three sides of the building would be accessible for emergency vehicles. It is proposed to widen the junction of Ealing Road and Rosemont Road to aid the movement of HGVs, and this should be supplemented by a speed table. Pedestrian access is also proposed to be improved with the footway along Ealing Road and Rosemont Road to be widened. Steps would provide access for pedestrians between the Ealing Road / Bridgewater Road junction and the canal, and this is supported. All redundant crossovers will need to be removed and some resurfacing of the existing footway will be required and this would be secured through a legal agreement.
87. The Transport Assessment examined the likely impact on traffic generated by the development on the local road network. As there is only limited parking for the residential or office elements of the development then the assessment assumes that there will be very little vehicular traffic generated. This is agreed with, but only on the basis of mitigation including the extension of the CPZ and removal of parking permits for future occupiers. The café would generate limited trips.
88. It is the foodstore which would generate the most significant amount of traffic. The Transport Assessment estimates that the arrivals / departures would be 20 / 6 during the weekday am peak (8am – 9am), 46 / 56 during the pm peak (5pm – 6pm), and 77 / 60 during the Saturday peak hour (1pm – 2pm). Most of these would be expected to arrive and depart from the south. The predicted increase in peak hour traffic would be less than 5% of existing flows, which is not considered significant. However, the increase to the south would be significant. There are proposals to alter the Ealing Road / Bridgewater Road junction, which have been updated from what was approved as part of the 2010 planning permission. This would deliver some small improvements to flow on Ealing Road, but also deliver a controlled pedestrian crossing facility on the north arm of Ealing Road. This is particularly important as the junction currently has a high accident rate. The three most serious incidents have involved cyclists and motorcyclists, and whilst the changes to the junction will not remove all risk, it is expected to make it safer. These measures are necessary to mitigate the increase in the number of trips to the south of the site and would need to be secured through legal agreement. The developer would be obligated to fund the works, and to meet TfL's requirements for on-going signal maintenance. It is anticipated that the costs involved would be in the order of £200,000. With this in place the overall impact is considered acceptable.

89. There would also be an impact on public transport. This has been modelled to be 50 bus trips in the weekday morning peak (8am – 9am), 61 in the weekday evening peak (5pm – 6pm), and 125 in the Saturday afternoon peak (1pm – 2pm). Whilst this increase is not considered significant given the number of buses in the area *overall*, the applicant's analysis has not assessed *individual* bus routes, and the impact could be felt more on some than others. TfL has highlighted the 224 bus route as needing enhancement in terms of frequency and capacity. This is agreed with as a general principle for the Alperton Masterplan and would contribute to improved public transport accessibility along Mount Pleasant. It is acknowledged that the proximity of this site to Alperton Station and the existing bus routes on Ealing Road and Bridgewater Road suggests that the number of persons seeking to use the 224 would be more limited, especially when compared to development sites to the east. However, it would provide better access to Stonebridge Park Station and the Bakerloo and Overground lines running through it. The applicant has agreed to a contribution, which is welcomed.
90. Rail and tube trips are estimated to be 21 in the weekday morning peak (8am – 9am), 20 in the weekday evening peak (5pm – 6pm), and 55 in the Saturday afternoon peak (1pm – 2pm). This is the equivalent of only 2 passengers per train in peak times.
91. Walking and cycling trips would also logically increase, but the road and footway improvements noted above would assist with this.
92. Travel plans have been submitted for the uses proposed for the site. However, there are some criticisms made of them, with some detail and measures lacking. This includes no consideration of interest free loans for season tickets and bicycle purchases, or a financial commitment for the establishment of a Car Club. There is also a lack of coordination between the plans for each use. Therefore, further submissions are suggested through a condition to address these deficiencies.
93. Finally, as noted above the scale of the construction and the period of time it would take to construct indicate that a CEMP would be required in order to mitigate these impacts. This would be secured through a condition.
94. Overall, with mitigation measures which would be secured through a mixture of conditions and legal agreement the proposal is considered acceptable in transportation terms.

#### ***Trees, landscaping and public realm***

95. There are no trees which are subject to a Tree Protection Order which would be affected by the proposal. The proposal would result in the loss of 4 individual trees and 3 groups of trees, and the applicant has submitted an Arboricultural Impact Assessment. The 4 individual trees have been classified as grade C. This indicates that they are of low quality and value (with grade A being high quality and value, and grade B being moderate quality and value). The groups of trees are classified as 'U' indicating that it is unrealistic for them to be retained as living trees in the context of the current land use for longer than 10 years. Overall, this is accepted. There is the opportunity to provide some trees as part of the ground floor landscaping, which would mitigate the loss of the existing trees.
96. The Canal and River Trust has noted a silver birch on the existing towpath. The applicant has indicated that this is to be retained, which is supported, and the landscaping has been designed with this intention. There would be hoarding around the site during construction which would provide protection for the tree and towpath generally. There has been the suggestion that the applicant should contribute towards upgrading of the towpath, including equipment to allow boats to moor there. It does need to be acknowledged that the development would contribute a café unit, which is expected to be a valuable addition to this section of the canal. However, the remainder of the path is outside of the applicant's ownership, and so it has not been requested in this instance.
97. As noted above there are examples of landscaping within the development: there would be communal amenity and playspace areas, and external hard and soft landscaping around the entrances to the commercial units and the café unit fronting on to the canal. It is important that this is high quality and conditions would be required to ensure that the details achieve this, and so accord with policy 7.21 of the London Plan.

#### ***Environmental impact, sustainability and energy***

98. Chapter 5 of the London Plan includes policies requiring that developments are constructed to minimise their carbon emissions. This is based on the energy hierarchy: 'Be lean', 'Be clean', 'Be green'. This can be summarised as firstly reducing the carbon within the building's structure so that less energy is used. Secondly, considering whether there are methods to increase energy efficiency, and this is done through

Combined Heat and Power (CHP) and connection to District Wide Heating Networks (DWHN). Finally, renewable energy should be incorporated into the design of the building.

99. The applicant has submitted an Energy / Sustainability Statement. The GLA commented on this, and initially requested additional information and clarification on a number of points which has now been provided.
100. At the 'Be lean' stage the GLA sought clarification on the materials and what their thermal properties would be, which was provided. This lowered the carbon emissions improvement but only marginally. The demand for cooling is proposed to be minimised through Mechanical Ventilation Heat Recovery (MVHR) units, openable windows and internal blinds. The comments earlier on air quality to some of the residential flats on lower floors are relevant to this. This has been tested against weather scenarios, including extreme events going forward. It shows that the majority of kitchen/living room spaces do not meet the guidance, and so would require some comfort cooling. The measures for the commercial elements are considered appropriate, and would ensure that comfortable temperatures would be achievable. The applicant was also requested to provide updated figures for compliance with Part L of the building regulations. The GLA has sought some clarification from the applicant as to whether some of the measures they propose under the 'Be green' stage should actually fall within the 'Be lean' stage. It is understood that this is currently being finalised, but that in itself is not considered a block on the progress of the application as the GLA will primarily look at this as part of their Stage 2 report.
101. At the 'Be clean' stage, the applicant has explored whether there are any existing or planned district wide heating networks nearby which the development could connect to. Unfortunately this is not the case, but the applicant has committed that the commercial elements could connect if one is established in the future. A communal Combined Heat and Power Plant (CHP) is proposed, and this would be within the Energy Centre shown at lower ground floor level. This would meet the energy demands of domestic units, and this is supported. It is not currently being proposed for the commercial uses, but the GLA is in discussions with the applicant on the feasibility of this.
102. The final stage is 'Be green', and the applicant is proposing Air Source Heat Pumps (ASHP), which would meet the conditioning demands of the commercial spaces. The GLA is supportive of this. Overall, the carbon emission savings would be in the order of 159 tonnes per year, which would represent a saving of 31% against the 2013 building regulations. This would accord with policy 5.2, and is considered acceptable. Despite the points of clarification this conclusion is considered robust, and the potential extension of the CHP to include the commercial areas implies that the carbon emission saving would end up being higher.
103. The applicant has also submitted information to confirm that a level of 'Excellent' can be achieved for the commercial elements of the proposal. This would ensure further measures are incorporated to make the development more sustainable. This is supported.
104. The London Plan also has a target for water use. Policy 5.15 requires developments to minimise the use of mains water by incorporating water saving measures and achieve a consumption target of 105 litres (or less) per head per day. A condition would be imposed to ensure that this is achieved.

### ***Ecology and biodiversity***

105. The railway line is designated as a wildlife corridor and the canal is a priority habitat. The applicant has submitted an Ecological Assessment, which includes the site itself but not the canal. Whilst the overwhelming majority of the site is built upon there is a small area of scrub adjacent to the canal with some trees. The assessment identifies that all plant species on the site are common and widespread and so do not merit protection, and there are no invasive species such as Japanese knotweed.
106. The Assessment of the trees did not find evidence of any features which could be used by roosting bats, and such features would include cracks, holes, or lifted bark. The buildings themselves are considered to offer low suitability for roosting bats. The materials (brick, corrugated metal and asbestos) have lower potential, with no holes, cracks or gaps noted from the internal survey. It is also considered to offer a low quality foraging habitat. The assessment notes that there is scope for the proposed development to enhance the environment for bats with the incorporation of bat boxes. A condition is suggested seeking further details of this.
107. Although no specific evidence of nests was identified within the area of scrub and trees it is considered that it has potential to provide a nesting habitat, and so it should be cleared outside of nesting season (generally March to the end of August). In addition to bat boxes, nesting boxes should also be

provided and this is also included within the conditions. No evidence was found of Badger setts, but the presence of hedgehogs cannot be ruled out.

108. The Assessment identifies that the site is unlikely to support foraging or breeding invertebrate species or reptiles. The replacement landscaping could be designed to include plants which are more attractive to some of these creatures. The lack of ponds or lakes on the site or nearby suggests that Great Crested Newts are also unlikely to be present.
109. Although the presence of protected species appears limited, the Assessment does identify precautionary measures to be taken. In addition to clearing the scrub outside of bird nesting season, there should be a soft demolition of the internal and external roof spaces to establish whether there is any evidence of bats or not.

#### ***Contaminated land***

110. The applicant has submitted a land contamination assessment, which is appropriate given that the historic uses of the site could have deposited contaminants into the soil, and the site investigations did identify chemicals. The report identifies a number of recommendations, including a risk assessment and soil and groundwater testing. The Environmental Health officer has reviewed the information and requested conditions requiring a further site investigation following demolition, and a verification report to show that remediation has been carried out. This is particularly important given the relationship with the canal. The Canal and River Trust has identified a risk of contaminated water entering the canal. To discharge the conditions the applicant will need to address this specific point. With these conditions the proposal is considered acceptable.

#### ***Flood risk***

111. The applicant has submitted a Flood Risk Assessment (FRA), and this advises that the site is within Flood Zone 1, which means that there is a low risk of fluvial flooding, and this has been confirmed by the Council's own flood risk officer. This indicates that the site is suitable for 'vulnerable' uses, which includes residential (although this would be above ground floor anyway). The FRA considers that there is a low risk of flooding from the canal, and this is agreed with given the level difference. The site is not in an area which has been subject to groundwater flooding in the past.
112. Aside from this it is necessary to consider surface water flooding. As noted above there is an overlap between this and land contamination issues. The site currently has almost complete coverage with impermeable materials (ie. It is made up of buildings and hardstanding). The FRA proposes a runoff rate of a reduction of at least 50% in surface water. This would be achieved by being stored within a green roof measuring 66 cubic metres, and further storage between permeable paving and grassed areas. Residual surface water would then be discharged into the Grand Union Canal. Separate consent would be required for this, but one has been granted in the past on this site.
113. A condition is suggested requiring details of Sustainable Urban Drainage (SUDs) measures which could be incorporated in to the design. This is particularly focused on the landscaping and has the potential to further reduce the opportunities for surface water flooding.

#### ***Community Infrastructure Levy / Planning obligations***

114. The GLA and the Brent Council have Community Infrastructure Levies (CIL) in place, which the development would be liable for. The GLA is a flat rate of £35 per sqm of floorspace. The Brent CIL has different amounts for different uses, including £200 per sqm for residential floorspace, and £40 for retail, restaurant/café, and office. However, social rented housing is not liable.
115. Objections note that some of the nearby health facilities and schools are overstretched. The purpose of CIL is to ensure that developers contribute proportionately to the upgrading of facilities where they create the need. The levy could ensure that the impact is mitigated.
116. A number of planning obligations have been referred to above. In addition, the applicant would pay the Council's legal and other professional fees in preparing and completing the section 106 agreement, and monitoring and enforcing its performance. The applicant would also join and adhere to the Considerate Contractors scheme, and there is a link to the *demolition and construction* section above. Finally, the publicly accessible areas within the site, principally the footway leading to the canal and the area in front of the café unit would need to be made available and maintained by the applicant.

#### ***Other issues***

117. Over and above the accessibility to and within the residential units which is discussed above, it is also

necessary for the commercial units to be accessible. Those proposed would have level access and meet the requirements of part M of the Building Regulations.

118. Details of waste and recycling are referred to above, specifically in relation to vehicular access to the storage areas. Residential storage is at lower ground floor level, with a further larger area at ground floor. There are also specific smaller areas identified. This is considered broadly adequate, and a condition would request specific details to be provided in due course.
119. The applicant has submitted an archaeological assessment. Consultation with Historic England's *Greater London Archaeological Advisory Service* (GLAAS) has confirmed that this is not within a site of archaeological importance. An assessment has been submitted as part of the planning application regardless. Overall, the conclusion is that the proposal would not impact on any heritage or archaeological features (whether statutory or non-statutory).
120. There is a draft Supplementary Planning Document on Basements (November 2016). This is in its early stages of development, and whilst it is a material consideration limited weight is attached to it until the results of the consultation period have been assessed. Notwithstanding this, much of the content is aimed at basements beneath residential properties, rather than the lower ground floor proposed. It is considered that the issues discussed in the document (such as amenity and design) are covered elsewhere in this assessment.
121. Objections note that the value of nearby properties will be lowered by the development, and that there is also a lack of information on the developer. Neither of these are considered material to the determination of this planning application. Property prices cannot be taken into consideration when making a decision. If planning permission is granted then it would run with the land rather than the particular applicant, and whoever built the development would be obligated to accord with the conditions and planning obligations to construct exactly what is shown on the drawings.

#### **Cumulative impacts**

122. The ES provides an analysis of the cumulative impact of the proposal. Such impacts can occur within the proposed development itself, where individual impacts combine to have a greater impact (type 1). They can also occur where the combined effect of several developments can create significant impacts, whereas individually they are acceptable (type 2), and these have been considered above for wind and microclimate, daylight and sunlight, and townscape and visual analysis.
123. In terms of type 1 the ES advises that the only opportunity for impacts to combine is for future on-site users in terms of wind and microclimate and townscape and visual. However, none of these impacts has been identified as being anything more than minor adverse, and as noted above they can decide whether or not they live there anyway.
124. Overall, it is concluded that the cumulative impacts would be acceptable.

#### **Conclusion**

125. The site is allocated for a mixed use development, and is an important part of the Alperton Growth Area given its prominent location. The proposal would result in the loss of existing office space, but this is considered to be poor quality, and the site allocation envisages a residential led scheme with some replacement office space provided. The retail foodstore is outside of a town centre, and so is going against the advice within CP16 and the sequential approach to town centre development. However, there are considered to be material considerations to indicate that it is acceptable in this instance. The resulting mixed use development, incorporating a substantial amount of residential floorspace alongside employment uses is considered acceptable.
126. The building would be substantial, and would be the tallest in the area and on a prominent site. There would be townscape and visual impacts, but the ES concludes that they would not be detrimental. It would be highly visible in near views, and a number from much further away. However, the context within Alperton is changing, with there being tall buildings nearby. The specific materials will be crucial to its success, but a condition can require details of this.
127. It is acknowledged that the affordable housing offer is skewed towards intermediate housing, but the overall level is very high, and it has been demonstrated that this is the maximum that can reasonably be provided before the development ceases to be viable.
128. The residential accommodation proposed would be high quality, with the units being well sized with

good outlook and amenity space (private and communal). There would be impacts on neighbours (as identified within the ES [as supplemented]), including the loss of light to some windows, although they are relatively few in number. There would also be some wind impacts. Demolition and construction impacts (which are relevant to the effect on neighbouring properties and the highway network) are also identified within the ES. Some impacts are inevitable for a development of the size proposed, although with mitigation measures being secured they can be managed.

129. Following on from this, there would be an impact on the highway and transportation. The creation of a CPZ and the removal of residents' ability to obtain parking permits is crucial to ensuring the impact of a development of this size being acceptable. There are some highways improvements which would make a positive impact. The impact on London Underground bus routes is considered acceptable.

130. The applicant has demonstrated that, with the imposition of conditions and section 106 obligations, the proposal accords with policies on environmental sustainability, and would have an acceptable impact on existing trees, ecology, and flood risk. Contaminated land has been considered and found to be acceptable, also subject to conditions. The proposed landscaping represents a real positive of the scheme that can also enhance biodiversity.

131. Overall, it is concluded that the development is acceptable, and that if there is a resolution to grant planning permission that it be sent to the GLA for their stage 2 consideration and response.

## CIL DETAILS

This application is liable to pay **£6,596,034.82\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): 1747 sq. m.

Total amount of floorspace on completion (G): 25723 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	22561		21028.7499 902811	£200.00	£35.15	£5,369,841.52	£943,749.65
Businesses and offices	0	1747	-1747	£0.00	£0.00	£0.00	£0.00
General business use	616		574.163822 260234	£40.00	£35.15	£29,323.37	£25,767.91
Restaurants and cafes	606		564.842980 989776	£40.00	£35.15	£28,847.34	£25,349.60
Shops	1940		1808.24320 646892	£40.00	£35.00	£92,349.56	£80,805.87

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	286	
<b>Total chargeable amount</b>	<b>£5,520,361.79</b>	<b>£1,075,673.03</b>

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

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

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

development that may benefit from relief, such as Affordable Housing.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### DECISION NOTICE – APPROVAL

Application No: 16/2629

To: Jonathan Manns  
Colliers International  
50 George Street  
London  
W1U 7GA

I refer to your application dated 17/06/2016 proposing the following:

Demolition of existing two storey commercial buildings and erection of a mixed used development ranging from ten to twenty six storeys in height, comprising 251 residential flats (83 x 1bed, 136 x 2bed and 32 x 3bed), 1,942 sqm retail foodstore (Use class A1) on the ground floor, 622sqm of office space (Use Class B1) on the first floor, 634sqm retail floorspace for flexible use as cafe, bar or restaurant (Use class A1, A4 or A3) at lower ground floor and ground floor level; together with associated vehicular access, car and cycle parking spaces, bin stores, plant room, landscaping and private and communal amenity space.

and accompanied by plans or documents listed here:

See condition 2  
at Minavil House, Rosemont Road, Wembley, HA0 4PZ

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: 15/05/2017

Signature:

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

**Alice Lester**

Head of Planning, Transport and Licensing

#### Notes

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The 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):

11196-A-P-001  
11196-A-P-002  
11196-A-P-003  
11196-A-P-004  
11196-A-E-040  
11196-A-E-041  
11196-A-P-100 G  
11196-A-P-101 I  
11196-A-P-102 D  
11196-A-P-103 G  
11196-A-P-104 G  
11196-A-P-105 G  
11196-A-P-106 G  
11196-A-P-107 H  
11196-A-P-108 G  
11196-A-P-109 G  
11196-A-P-110 H  
11196-A-P-111 G  
11196-A-P-112 G  
11196-A-P-113 H  
11196-A-P-114 F  
11196-A-P-115 F  
11196-A-P-116 D  
11196-A-S-120 C  
11196-A-S-121 D  
11196-A-S-122 D  
11196-A-S-123 C  
11196-A-S-124 E  
11196-A-S-125 E  
11196-A-E-140 E  
11196-A-E-141 D  
11196-A-E-142 D  
11196-A-E-143 D  
11196-A-E-144 E  
11196-A-E-145 E  
11196-A-P-201 E  
11196-A-P-202 F  
11196-A-P-203 E

11196-A-P-204 F  
11196-A-P-205 G  
11196-A-P-206 E  
11196-A-P-207 E  
11196-A-P-208 E  
11196-A-P-209 E  
11196-A-P-210 E  
11196-A-P-211 E  
11196-A-P-212 E  
11196-A-P-213 F  
11196-A-P-214 F  
11196-A-P-215 E  
11196-A-P-216 E  
11196-A-P-217 E  
11196-A-P-218 F  
11196-A-P-220 E  
11196-A-P-221 F  
11196-A-P-222 G  
11196-A-P-223 F  
11196-A-P-224 G  
11196-A-P-225 F  
11196-A-P-226 E  
11196-A-P-227 E  
11196-A-P-228 F  
11196-A-P-229 F  
11196-A-P-230 D  
11196-A-P-231 F  
11196-A-P-232 E  
11196-A-P-233 E  
11196-A-P-234 F  
11196-A-P-235 E  
11196-A-P-236 F  
11196-A-P-237 E  
11196-A-P-238 F  
11196-A-P-239 F  
11196-A-P-240 E

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

- 3 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.

Reason: To ensure that the residential units are high quality and offer acceptable amenity standards for existing and future residents.

- 4 The insulation shall be designed so that noise from the commercial premises shall be at least 10 dB(A) below the measured background noise level at the nearest noise sensitive premises.

Reason: To ensure that the residential units are high quality and offer acceptable amenity standards for future residents.

- 5 Prior to the occupation of the residential units hereby approved the private and communal amenity space shown on the drawings hereby approved shall be provided in accordance with the approved details and made available. It shall be retained as such for the lifetime of the Development.

Reason: To ensure that the residential units are high quality and offer acceptable amenity standards for future residents.

- 6 Prior to the occupation of any part of the development, the delivery bay and temporary refuse area shall be laid out and provided in accordance with approved drawing 11196-A-P-101 I, and maintained as such thereafter.

Reason: To ensure that the impact of the development on the highways network is appropriate.

- 7 The Car Parking Management Plan hereby approved shall be implemented in full on first occupation and adhered to for the lifetime of the development.

Reason: To ensure that the car park is managed appropriately to avoid disruption to the operation of the foodstore and residents on the site.

- 8 The net sales floor area of the retail foodstore (A1) shall be no more than 1,078sqm unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of promoting the vitality and viability of the Ealing Road district centre.

- 9 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

- 10 Prior to the first occupation of any part of the development the measures outlined to achieve a carbon saving of 31% above the baseline of Part L of the building regulations 2013 shall be installed and operational, and remain as such for the lifetime of the development.

Reason: To ensure a sustainable development

- 11 A Construction and Demolition Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any construction works on site (including demolition). This shall outline measures that will be taken to control dust, noise and other environmental impacts of the development. The approved Plan shall be fully implemented thereafter in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To limit the detrimental effects of noise and disturbance from demolition / construction works on adjoining sites and nearby residential occupiers.

- 12 Mitigation measures described in the approved Air Quality Impact Assessment by Syntegra (September 16 – Ref: 14-819) shall be implemented in full.

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

- 13 Prior to the commencement of development a scheme an Air Quality Neutral Assessment (including the CHP plant hereby approved) shall be submitted to and approved in writing by the Local Planning Authority. The report must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and submitted to the Local Planning Authority for approval. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The approved measures shall thereafter be implemented in full.

Reason: To ensure that the development would not result in a detrimental impact on local air quality.

- 14 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the

principles of BS 10175:2011. A report shall be submitted and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full.

Reason: To ensure the safe development and secure occupancy of the site, and to prevent harm to the adjacent canal

- 15 Details of the height, type, position, angle and spread of any external lighting shall be submitted to and approved in writing by the Local planning authority prior to the development hereby permitted being brought into use. The external lighting shall be erected and maintained in accordance with the approved details to minimise light spillage and glare outside the designated area.

Reason: To protect the amenity of existing and future residents

- 16 Details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of external ducting, must be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved equipment shall be installed prior to the commencement of the A3 or A4 use and shall thereafter be operated at all times during the operating hours of the A3 or A4 use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

- 17 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures;
- provide details on the use of tall plant and scaffolding;
- accommodate the location of the existing London Underground structures;
- accommodate ground movement arising from the construction thereof;
- and mitigate the effects of noise, dust and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure.

- 18 Within 3 months of commencement of development, a site wide children's play space plan shall be submitted and approved in writing by the Local Planning Authority. Such details shall include:

- (i) the location of the play area and/or equipment
- (ii) details of the equipment / measures to meet the minimum standards for play

The equipment / measures shall be installed prior to the occupation of the residential units and retained for the lifetime of the Development.

Reason: To ensure there is sufficient provision of areas and equipment for children's play.

- 19 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the hard and soft landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority within 3 months of commencement of development. Such a scheme shall include:-

- (a) all planting and trees including location, species, size, density and number incorporating native species;
- (b) details of the layouts of the publicly accessible spaces;
- (d) details of the provision of artificial bird and bat boxes;
- (e) areas of all hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users;
- (f) the location of, details of materials and finishes of, all street furniture, drainage and external cycle stands;
- (g) proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height;
- (i) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping;
- (j) details of materials, lighting, tactile paving, handrails and wayfinding signs;
- (k) details of all tree planting pits (including surfacing);
- (l) details of how the landscaping in front of the 'café' unit at ground floor level would relate to the canal towpath.

The approved details shall be completed in full accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

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

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

- 20 The car parking layout at ground floor shall be laid out and made available prior to the occupation of any part of the development hereby approved. The spaces shall be retained as such for the lifetime of the Development.

Reason: To ensure that the impact of the development on the highways network is appropriate.

- 21 Within 3 months of commencement of development, full details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate a minimum of 6 spaces (of which 2 shall be high capacity chargers), and details of the location and the equipment. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 22 Within 3 months of commencement of development, full details of the cycle spaces shown on drawings 11196-A-P-110 H and 11196-A-P-101 I shall be submitted to and approved in writing by the Local Planning Authority. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 23 Prior to the commencement of the development hereby permitted a structural survey of the waterway wall should be undertaken, and full details of this and any proposed repairs shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and Rivers Trust. The waterway wall works shall be carried out in accordance with the approved details.

Reason: To ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the canal, prior to any proposed works taking place on site

which might impact on the waterway wall.

- 24 Prior to the commencement of the development hereby permitted, full details of the proposed surface water drainage, including any SUDs measures and discharge rates, shall be submitted to and agreed in writing by the Local Planning Authority, and implemented in accordance with the approved details unless otherwise agreed in writing.

Reason: To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure.

- 25 Prior to the commencement of development hereby approved, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the Local Planning Authority in consultation with the Canal and Rivers Trust. The risk assessment shall also include details of a monitoring strategy for the canal wall during the demolition and construction process. The works shall be carried out in accordance with the approved Statement.

Reason: To ensure the proposed works adjacent to the water do not have any adverse impact on the safety of waterway users and the integrity of the canal, prior to any works taking place.

- 26 The refuse areas shown on the drawings hereby approved shall be provided and made available prior to the occupation of the residential units. They shall be maintained as such thereafter.

Reason: To ensure that the residential units are high quality and that the development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 27 Prior to commencement of the development (excluding demolition) details of all exterior materials including samples and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (i) building envelope materials e.g. bricks, render, cladding;
- (ii) windows, doors and glazing systems including colour samples; and
- (iii) balconies and screens

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

Reason: To ensure the appearance of the development is high quality, and that there is not overlooking between the residential units hereby approved.

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

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

- 29 A communal television aerial and satellite dish system shall be provided, 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.

- 30 The Deliveries and Servicing Management Plan setting out delivery arrangements (including supervision by a trained banksman), shall be fully implemented upon first occupation of the A1 unit, and maintained thereafter.

Reason: In the interests of providing sufficient servicing facilities on site, and ensuring that the relationship with the highways network and neighbouring properties is acceptable.

- 31 Prior to first occupation of the relevant part of the development hereby approved, a Travel Plan for the residential and commercial uses shall be submitted to and approved in writing by the Local Planning Authority. Following approval the measures outlined shall be implemented in full for the lifetime of the development.

Reason: In the interests of providing sufficient servicing facilities on site, and ensuring that the relationship with the highways network is acceptable.

- 32 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

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

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

- 34 A Flood Emergency Plan, covering place of refuge, flood evacuation and safe/escape routes, shall be submitted and approved by the Local Planning Authority prior to occupation of the development and shall be complied with.

Reason: To ensure the safety of the occupiers and users of the development against the risk of flooding.

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

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

- 36 Mitigation measures described in the approved Ecological Report prepared by Syntegra dated June 2016 shall be implemented in full.

Reason: To ensure that the proposal does not adversely impact on ecological habitats.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred

to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.

- 3 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods; use of tall plant and scaffolding.
- 4 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

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)."

#### *Water Comments*

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

- 5 The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>).

The applicant/developer is advised that any encroachment or access onto the canal towpath requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Jonathan Young ([jonathan.young@canalrivertrust.org.uk](mailto:jonathan.young@canalrivertrust.org.uk)) regarding the required access agreement.

- 6 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 Chris Heather, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5353