

Briefing Note

ITEM 01 – Gurnell Leisure Centre, Ruislip Road East, West Ealing, W13 0AL –
201695FUL

Amended Recommendation

Page 1 to read:

Recommendation: Grant planning permission subject to conditions and the prior completion of a s106 agreement following:

- a. referral to the Secretary of State for consideration whether to call-in the application for his decision
- b. Stage 2 referral to the Mayor of London.

(Officer Note. Removal of words 'if declined' to clarify that procedurally referral to the SoS and Mayor can be carried out simultaneously).

Page 4:

Recommendation: Grant planning permission subject to conditions and the prior completion of a s106 agreement following:

- c. referral to the Secretary of State for consideration whether to call-in the application for his decision
- d. Stage 2 referral to the Mayor of London.
 - A. Non-Financial obligations:
 1. At least 196 affordable flats equating to 32.7% by units or 34.5% by habitable rooms in the form of 98 London Affordable Rent and 98 Shared Ownership intermediate units, with capped rent costs and held in perpetuity as set out in Mayor of London guidance,
 2. Affordable dwellings will be prioritised by LBE for people living and/or working in the Borough,
 3. Affordable housing review mechanism on 75% occupancy of market units up to a maximum of 50% affordable dwellings at LAR or DMR rent levels,
 4. No work to commence on the private residential component of the development (save for the construction of the shared substructure) until construction works have commenced on the new Leisure Centre.
 3. Car club provision,
 4. Participation for LB Ealing residents in an Apprentice and Placement Scheme to provide a minimum 20 apprenticeships opportunities with a minimum 10 placements offered to displaced applicants,
 5. Restoration of roads and footways damaged by construction,
 6. Restriction of Parking Permits - precluded from obtaining a parking permit and visitor parking vouchers to park within existing or future CPZs in the area
 7. Agreement under ss38 and 278 of the Highways Act in accordance with a specification to be agreed with the council,
 8. Payment of the Council's reasonable legal and other professional costs incurred preparing the s106 agreement,
 9. Financial contributions to be index-linked, with staged payments at first residential occupation and 50% occupancy,
 10. Administrative costs for monitoring the legal agreement.

B. Financial Obligations:

- a. Cost of the construction and maintenance of the Park Landscaping Plan, including flood management and other works: £1,829,403,
- b. Contribution to replacement of BMX track: £80,000
- c. Contribution to footbridge over River Brent: £100,000,
- d. Economic Development: £88,000
- e. Carbon off-set: £693,576,
- f. Post construction Energy Monitoring and Equipment cost: £19,012

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- g. NHS Property Services: £200,000 directed to health care facilities within 1 mile of the application site
- h. Air Quality monitoring: £136,006
- i. CPZ Review and Parking Stress Measures: £50,000
- j. Cycle/pedestrian crossing improvements on Ruislip Road East: £50,000
- k. Ruislip Road East resurfacing: £90,000
- l. Argyle Road accident remediation: £50,000
- m. Junction improvements: £150,000
- n. Traffic calming on residential streets: £50,000
- o. Cycle Infrastructure: £90,000
- p. Travel Plan Monitoring: £5,000
- q. Allotments Space: £70,241
- r. Street lighting and Ruislip Road East/Argyle Road roundabout improvements: £200,000
- s. Education, £800,304.92 directed to primary phase education provision at Stanhope School with a reserve of Greenford Green or other local education provision. Secondary phase education provision at Elthorne Park High School with a reserve of John Chilton School or other secondary phase education provision.
(Officer Note: To correct inadvertent omissions from the recommended obligations, LLR should say LAR, add Education and NHS responses and removal of words 'if declined' to clarify that procedurally referral to the SoS and Mayor can be carried out simultaneously).

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1. MOL harms

Should read:

- By definition harm.

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Recommendation: Grant planning permission subject to conditions and the prior completion of a s106 agreement following:

- a. referral to the **Secretary of State for consideration whether to call-in the application for his decision**
- b. **Stage 2 referral to the Mayor of London.**

(Officer Note. Removal of words 'if declined' to clarify that procedurally referral to the SoS and Mayor can be carried out simultaneously).

Report:

Pages 96 and 97:

(Officer Note: For clarity, it is acknowledged that Block F is a 'tall building' as defined in London Plan Policy D9, along with the others and needs to be assessed as such in combination with the rest of the residential development comprised in the application. The applicant has carried out an assessment of the impacts of the proposed tall buildings in accordance with the Policy D9 criteria).

Further Written Representations

Neighbour notification

A further 107 representations (bringing the total to 1893) have been received since preparation of the Report (1874 objections, 13 support, 6 neutral).

Further comments:

- Natural England (NE) consider the surveys to be out of date. They state a bat survey should be carried out prior to decision and ecological appraisal and metric has not considered full extent of ecological destruction; Historic England has asked for more geotechnical information for archaeological monitoring; TfL and Mayors Stage 1

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require more information on transport and Safety Audit, parking management bus trip generation and Urban Greening.

(Officer Note: The representation appears to arise in large part from referencing the inclusion of the relocated BMX track elsewhere on the application site where there may be other environmental issues. It is noted in the Report that the BMX track re-location does not form part of this application and is illustrative only as to no more than a potential alternative location. Relocation is the subject of a separate application and is to be determined on its individual merits. BMX relocation condition 49 likewise does not specify an location either. Accordingly, it would be wrong to conflate the two in respect of considering whether there are any environmental impacts. In the same vein given the BMX relocation did not form part of the Request, the EIA Scoping Opinion issued by the LPA is not defective for failing to consider or incorporate consideration of the effects of any alternative location and there is no basis to conclude that the decision was incorrect.

The bat survey was updated in November 2020 after a second NE consultation response was received in September (arising from, as the response states: 'a member of the public raising concerns about the destruction of a priority habitat (deciduous woodland) within a Local Site. They are also concerned about the impacts upon any protected species present, particularly as the ecological surveys can be considered out of date.' NE repeated its response, namely: 'Natural England has no comments to make on this application...(because)... the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes '

It continued: 'Natural England has not assessed this application for impacts on protected species'. This is because, in determining a planning application, it is the responsibility of the Local Planning Authority, to ensure that protected species issues are fully considered and that ecological surveys have been carried out where appropriate.'

The NE response does not state that the metric has not considered the full extent of ecological destruction as claimed but instead directs the reader to their metric, as another way of calculating impacts. The NE advice has been followed. Bat Survey, ecology and biodiversity net gain reports have been submitted and are considered satisfactory. Further, given the applicant's Bats and Ecology reports were prepared by an independent practice of Chartered Ecologists and Environmental Managers, it is not considered necessary for the Council to seek further independent advice.

Impacts on the SINC (which follows the line of the River) following the proposed removal of 700sqm (less than 1% of the total SINC area) were noted by LBE Leisure who support removal and note that the EA is requesting tree reduction along the River banks in any event to help improve its morphology and ecology. This will ultimately be beneficial to the SINC. Conditions are proposed for a river management scheme and ecological mitigation and management.

Conditions are nevertheless proposed to undertake further bat surveys as a precaution and for an ecological mitigation plan to secure measures and management including the installation of new biodiverse habitat, tree and shrub planting and installation of bird boxes and bat boxes.

TfL information on transport, Safety Audit, parking management bus trip generation were addressed and included in recommended conditions and s106 financial contributions are considered appropriate.

Historic England Archaeological Investigation requirements are addressed by condition).

Dr Nuna Staniaszek

I am writing to flag up my concern and strongly object to the proposed development at the Gurnell site in Ealing. This proposal is far too high, overbearing and totally out of keeping with the low rise housing in this area, and extremely worrying for local residents who see it, along with other proposed high rise developments, as a threat to the whole character of the borough and how we live.

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The housing proposed in this development is not what Ealing needs - small flats rather than family accommodation, with very poor amenities and lack of natural light in the small rooms, and very limited affordability despite what the developers say. In addition the communities in this development will be segregated not only through their housing but also by being excluded from "communal areas" like the roof garden and community hub which will be for private residents only. This will create "poor doors" and divisions within the community. This is simply not acceptable.

This area already suffers from high congestion and is not appropriate for a housing development of hundreds of flats that will only make the situation worse. There are also no provisions for additional services in terms of doctors, dentists, schools etc which are already oversubscribed.

The proposals also go against Ealing's own plan and do not conform to the Net Zero pledge - in which case why are they even being considered?

In addition, if you visited this site earlier this year you will have seen that it is prone to flooding and not suitable for building development. And yet Ealing Council did not consider it necessary to conduct an Environmental Impact Assessment. This site is on Metropolitan Open Land, and the development will destroy mature trees and habitats used by protected bat species.

My urgent request to you is to consider if developments like this are beneficial to Ealing and its residents - this is not the type of building or housing unit that is appropriate for Ealing needs, it only works in favour of the developers and not of the people who live in the area or indeed the people who might potentially live there. What we need is good family housing that will engender a sense of community, blend in with the existing surroundings and not cause major issues of congestion and overstretched services. There are studies that have identified the mistakes of the 60s in building tower blocks and the adverse effects they have on people, their mental health, crime and antisocial behaviour, and the problems they cause for local communities. Please do not allow these mistakes to be repeated and to introduce more problematic areas into our borough.

In addition, we must consider the changing priorities resulting from the pandemic - high rise tower blocks and loss of green environment is not what we need for a better future.

I strongly urge you to act in support the views of thousands of local residents as expressed in the consultation, and not allow these proposals to go forward on this area of Metropolitan Open Land. Please retain the character, heritage and reputation of our borough and conserve our precious local green environment.

Yours sincerely

Dr Izabella Staniaszek

(Officer Note: Planning considerations raised are addressed in the Report).

Gulshan Sangha

It is incredulous the level of redevelopment that is taking place across Ealing

Residents are impotent and are no longer represented or listened to...

You should hang your heads in shame... That as elected members you have against the wishes of your constituents you have embarked on such an aggressive level of development across the borough despite repeated objections.

You have robbed us of libraries, recycle centres, youth services, sports facilities, community services, a clean and looked after borough...

It is no longer a joy to live in this borough

G sangha

Page 71: External Consultees:

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GLA	<p>Stage 1 report and letter:</p> <p>Principle of development: The application proposes inappropriate development on MOL which is contrary to national, local and strategic policy and represents a departure from the development plan. Whilst the harm to the openness of the Metropolitan Open Land (MOL) has been minimised by restricting development to the previously developed parts of the site which already contain inappropriate development, the application would cause additional harm to openness through the increased building footprint and the visual impact of the scheme. Very special circumstances must therefore be demonstrated which clearly outweigh this harm. Whilst there could be exceptional circumstances in this specific case which could potentially constitute very special circumstances, further detailed discussion and agreement is required regarding the applicant's build costs, the phasing and means of securing the re-provision of indoor and outdoor sport and recreational facilities, landscape, biodiversity and pedestrian and cycle enhancements, as well as agreement on the flood risk strategy to ensure that the proposed public benefits are robustly secured and to fully demonstrate the applicant's case for very special circumstances in this particular instance.</p> <p>Housing and affordable housing: 34% affordable housing, comprising a 55:45 tenure mix between London Affordable Rent and London Shared Ownership units (by habitable room). The affordable housing offer has been significantly improved since pre-application stage through the use of GLA grant funding and this has been verified as the maximum viable level of affordable housing that the scheme can support taking into account the overall construction costs. Affordability levels should be secured, together with an early and late stage viability review mechanism.</p> <p>Urban design and heritage: The design, layout, height, density and residential quality is acceptable, and the application would not harm heritage assets.</p> <p>Environment and climate change: Further information is required in relation to energy, flood risk, drainage and urban greening.</p> <p>Transport: An updated bus impact assessment reflecting bus trips to nearby stations should be provided to enable TfL to determine the development's impact on the local bus network, and the level of mitigation that will be required. A Stage 1 Road Safety Audit of the proposed vehicle access points is required. A Car Park Management Plan, Electric vehicle charging provision, Travel Plan, delivery and servicing plan and construction logistics plan should be secured.</p> <p><i>(Officer Note: The matters raised are addressed in the report. A detailed UGF assessment has been submitted and assessed. Requested conditions and informative are included in the recommendation).</i></p>
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(Officer Note. GLA Stage 1 Report inadvertently omitted from the Report).

Page 98:

Impacts on Privacy, Outlook and Visual Amenity

Amend first paragraph 3rd line to read: Nos1-4 Peal Gardens (a two storey block of 4 flats) and lie to the east a minimum of 16m away.

Page 99:

Amend 2nd paragraph to read: Turning to dwellings on the south side of Ruislip Road East facing the new leisure centre and residential Blocks A, C, D and E, separation distances

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range from:

- 32m (Block E to Nos.15-31 Ruislip Road East to 52m to Block D),
- 60 to 64m to Block C and the new Leisure Centre to Pelham Place and Osprey Court.
(Officer Note: Correction of distances. The majority still more than exceed the normal 25m upper limit. The flats at 1-4 Peal Court although 16m away, have no flank windows facing the site).

Page 107

A total of 141 individual trees and two groups trees are proposed to be removed...

(Officer Note: Correction. 141 trees felled, not 158. It should be noted that 198 new trees are to be planted, increasing the existing number from 387 to 444).

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Appendix 1

Delete condition 44, Ecological Mitigation and Management Plan (EMMP), as repetition of condition 9 and renumber remainder accordingly.