

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA160920-4394

9 October 2020

Dear [REDACTED]

Thank you for your request for information which the Greater London Authority (GLA) received on 16 September 2020. Your request has been dealt with under the Environmental Information Regulations (EIR) 2004.

Our response to your request is as follows:

1. *The name of the organisation commissioned by the GLA to review the financial viability reports by James Brown and Lambert Smith Hampton and a copy of their report to you*

The GLA's in-house viability team reviewed these reports and their comments are included in the attached document, which have been sent to the Council and the applicant and are also now publicly available on the on the planning register. (planning application reference: 201695/FUL) via this link:

https://www.ealing.gov.uk/info/201155/planning_and_building_control/2030/search_for_a_planning_application/1

2. *What actions were taken by the Mayor/mayoral team to discuss this regional and London significant development with other boroughs and call for sites and/or partial funding. What is the "region"? How long has the Mayor been seeking a regionally significant leisure complex with a 50m pool?*

The Mayor's Stage 1 report acknowledges that the existing leisure centre facility is of a regional (ie greater than local) significance given its size, spatial catchment and the presence of a 50-metre swimming pool, of which there are only 4 in London. This would also be the case with the proposed new leisure centre which is of a larger size.

There was no discussion with other borough when assessing this specific development proposal or reaching this conclusion regarding the facility's regional significance.

3. *Whether consideration was given to the fact that the Council are selling a planning permission to raise money., and if it was what the outcome was under planning law.*

Consideration was given to the fact that the Council is the freehold landowner of the site and that the development proposal is a joint venture between Ealing Council, the Council's wholly

owned subsidiary housing company Broadway Living and the developer Eco World and that facilitating residential development is intended to cross-subsidise in part the costs of constructing a new leisure centre, as set out in the Mayor's Stage 1 report.

4. *Are you aware that the Council has received a land offer but has failed to make it available to the public. Do you know what the land offer is.*

The GLA are not aware of any offer in respect of this land.

5. *A statement on the validity/credibility of each element of construction having the same value.*

The GLA's response in respect of the viability of this scheme has been provided, as set out above.

6. *A statement on why it is acceptable to the Mayor for the search for sites to be restricted to those in LBE ownership and within LBE. Given this limited selection process please explain why Gurnell is a "site of last resort".*

Please refer to paragraph 39 of the Mayor's initial Stage 1 consultation response which addresses this specific point

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely


Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>

GREATER**LONDON**AUTHORITY

Good Growth

██████████
Ealing Council
Development Management
Perceval House
14 Uxbridge Rd, Ealing
London W5 2HL

Our ref: GLA/4287/01
Your ref: Ref: 201695/FUL
Date: 14 September 2020

Dear ██████████

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008
Gurnell Leisure Centre, Ruislip Road East
Local Planning Authority reference: 201695/FUL

I refer to the copy of the above planning application, which was received from you on 3 June 2020. On 14 September 2020 the Mayor considered a report on this proposal, reference GLA/4287/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the application does not comply with the London Plan and Intend to Publish London Plan for the reasons set out in paragraph 99 of the above-mentioned report; but that the possible remedies set out in that report could address these deficiencies.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged; or direct the Council under Article 6 to refuse the application; or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send the Mayor a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is Fred Raphael, e-mail FredRaphael@tfl.gov.uk

Yours sincerely

A handwritten signature in black ink, reading "John Finlayson" with a long horizontal flourish extending to the right.

John Finlayson
Head of Development Management

cc Dr Onkar Sahota, London Assembly Constituency Member
Andrew Boff, Chair of London Assembly Planning Committee
National Planning Casework Unit, MHCLG
Lucinda Turner, TfL
[REDACTED], Eco World
[REDACTED], Barton Wilmore

14 September 2020

Gurnell Leisure Centre, Ruislip Road East

in the London Borough of Ealing

planning application no. 201695/FUL

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of the existing leisure centre and the mixed use redevelopment of the site to construct a replacement leisure centre with associated car and coach parking, together with landscape works to public open space; and facilitating residential development (599 residential units), retail floorspace, play space, cycle and car parking, refuse storage, access and servicing.

The applicant

The applicant is **Be:Here Ealing Ltd** and the architect is **3DReid**

Strategic issues summary

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 mass and 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 (paragraphs 21 to 46).

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 (paragraphs 47 to 60).

Urban design and heritage: The design, layout, height, density and residential quality is acceptable and the application would not harm heritage assets (paragraphs 61 to 82).

Climate change: Further information is required in relation to energy, flood risk, drainage and urban greening (paragraphs 83 to 89)

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 (paragraph 90 to 95).

Recommendation

That Ealing Council be advised that the application does not comply with the London Plan and the Mayor's Intend to Publish London Plan, for the reasons set out in paragraph 99; however, the possible remedies set out in this report could address these deficiencies.

Context

1 On 3 June 2020, the Mayor of London received documents from Ealing Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan and the Mayor's Intend to Publish London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's consideration in deciding what decision to make.

2 The application is referable under Categories 1A, 1B, 1C and 3D of the Schedule to the 2008 Order:

- *Category 1A: "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats."*
- *Category 1B(c): "Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings - outside Central London and with a total floorspace of more than 15,000 square metres."*
- *Category 1C: "Development which comprises or includes the erection of a building of...more than 30 metres high and is outside the City of London."*
- *Category 3D: "Development (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building."*

3 Once Ealing Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; to take over the application for determination himself; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website, www.london.gov.uk.

Site description

5 The 13.2 hectare site is located in the Brent River Park within designated Metropolitan Open Land (MOL). The site comprises the two-storey Gurnell Leisure Centre and its associated surface car park, with open parkland and playing fields to the north-east and north-west. The open space includes a number of sporting and recreational facilities including a children's adventure playground, a skate park, BMX track, playing fields used for football and cricket and areas of open grassland and tree belts. This expansive area of open and undeveloped land is approximately 10.5 hectares in size and is dissected by the River Brent which meanders through the centre of the site. The site is bounded by Ruislip Road East to the south; Stockdove Way to the north; and Argyle Road and Peal Gardens to the east. The western boundary of the site is defined by a north-south pedestrian/cycle route, tree line and an elevated railway line. To the north, the site boundary excludes the adjacent allotment and Ealing Mencap facility on Stockdove Road. An aerial photograph of the site and surrounding context is shown below in Figure 1.

6 Gurnell Leisure Centre is owned by Ealing Council and is one of only four indoor 50 metre swimming pools in London. The existing pool has six lanes with a movable divider to split the pool in two. The leisure centre also includes a recreation/fun pool, spectator seating, a gym and exercise studios, changing rooms, staff facilities and a small retail unit. This part of the Brent Valley includes a number of other recreational and sporting facilities, including the nearby Perivale Athletics Track. Collectively, these sporting facilities perform a function which is of considerable significance within the west London sub-region. Having been in operation for over 38 years, the leisure centre building is now in need of extensive repair and modernisation and in 2015 Ealing Council Cabinet made the decision to demolish and redevelop the site to enable the construction of a new modern and enhanced leisure centre. The leisure centre was recently closed due to the impact of COVID-19 and on 6 August, Ealing Council's Cabinet made the decision to not re-open the facility due to the estimated financial implications associated with re-opening the facility.

7 The entire application site falls within designed as MOL as set out in Ealing Council's adopted Proposals Map (2013). The undeveloped areas of the site which comprises open space is also designated as public open space. Land to the north and running parallel to of the River Brent is designated as a Site of Borough Importance (Grade 1) for nature Conservation. The site is also in Flood Zone 2, 3A and 3B. The closest town centre is Greenford which is 1.5 kilometres from the site to the west. The site is not within a conservation area and there are no listed buildings within or in the close vicinity of the site. The Cuckoo Estate Conservation Area is to the south west on the other side of the elevated railway line.

Figure 1 – application site boundary and surrounding context



8 In terms of the surrounding context, Peal Gardens immediately to the east comprises two and three-storey residential properties. An isolated pair of unlisted Victorian semi-detached properties are found to the south-west of the Leisure Centre on Ruislip Road East. There is a more varied context to the south which comprises a mix of two-storey semi-detached and terraced houses as well as the Gurnell Grove Estate which includes a mix of linear blocks ranging in height from 3, 4 and 5 storeys, with three 11-storey towers. The residential context to the north of the site comprises two and three-storey suburban houses.

9 Areas of the site which include existing buildings and hardstanding adjacent to Ruislip Road East have a Public Transport Access Level (PTAL) of 3, on a scale of 0 to 6b, where 6b represents the highest level of connectivity to the public transport network. The remainder of the site which is open space is within PTAL 2. Five bus services are available on Ruislip Road East (E2, E5, E7, E9, E10), with the Route 297 also available from bus stops on Argyle Road. The closest stations to the site are Castle Bar Park station and South Greenford Station are within a 20-minute walk to the south and north respectively and provide access to National Rail services towards London Paddington and West Ealing station, which will serve the Elizabeth Line. However, these stations are only served by two trains per hour. Perivale and Greenford London Underground Stations are both over 2 kilometres to the north and provide access to the Central Line.

10 The existing site is served by two access points on Ruislip Road East, of which, the eastern access serves the visitor car park and the western site access provides staff car parking and servicing. The surface car park is to the east of the leisure centre and includes 175 car parking spaces, 4 coach parking spaces and 15 cycle parking spaces. The main entrance is at first floor level and access via steps and ramps from Ruislip Road East. The nearest part of the Transport for London Road Network (TLRN) is A40 (Western Avenue), approximately 800 metres to the north of the site access.

Case history

11 The development proposals have been subject to extensive joint pre-application discussions with GLA and Ealing Council officers during 2017, 2018 and 2019. An initial GLA pre-application advice note was issued on 23 March 2018. This supported the principle of an enhanced indoor and outdoor sporting facilities on the site and accepted the need for a new leisure centre. However, in view of the site's MOL designation, GLA officers confirmed that the applicant must demonstrate that very special circumstances exist which outweigh the harm caused to the openness of the MOL and any other harm. The applicant was also required to demonstrate that:

- there are not suitable alternative sites that would be preferential in planning policy terms;
- the scale of inappropriate development on MOL is the absolute minimum necessary to facilitate the provision of the new leisure centre;
- the impact on MOL has been minimised as much as possible through a well-considered design approach which would avoid encroachment into 'greenfield' MOL and focus additional enabling development on previously developed parts of the site adjacent to Ruislip Road East;
- the scheme would not result in any unacceptable deficiency in local open space and would deliver significant enhancements to the quality, use and enjoyment of the MOL; and
- the scheme provides a significant affordable housing offer as part of a wider package of public benefits to support the applicant's case for very special circumstances.

12 Following further design refinements and pre-application meetings between the applicant and Ealing Council and GLA officers, a further GLA pre-application report was issued on 15 February 2019. This noted that the applicant had sought to minimise harm to the MOL, in line with the GLA's initial pre-application advice and was now proposing a comprehensive scheme of enhancements to the quality, use and enjoyment of the MOL, which was supported. However, the applicant's 0% affordable housing offer was seen to undermine the overall public benefits associated with the scheme and the applicant's case for very special circumstances. The applicant was therefore advised that this would need to be robustly demonstrated within the applicant's financial viability assessment and the applicant was also urged to fully explore the potential for on-site affordable housing to be delivered via grant funding. A number of other issues were also raised in relation to urban design, residential quality, inclusive access, transport, climate change and playing pitch provision.

Details of the proposal

13 The application seeks full (detailed) planning permission for the demolition of the existing leisure centre and the redevelopment of the site to construct a mixed use scheme comprising:

- a new 12,955 sq.m. leisure centre;
- 599 residential units across a total of six blocks ranging in height from 6 to 17-storeys, of which two blocks (Blocks A and B) would be situated above the new leisure centre;
- 480 sqm of flexible commercial retail floorspace in Class A1//A3 use split across two small units in Blocks C and F;
- a basement level car park, with 175 visitor car parking spaces for the leisure centre and a separate resident car park with 168 spaces, as well as cycle parking;
- improvements to open space, recreational and outdoor sports and play space facilities including:
 - a replacement children's adventure playground;
 - a replacement skate park;
 - a replacement BMX track;
 - landscaping, tree planting and biodiversity enhancements;
 - sustainable urban drainage (SuDs) improvements and the re-contouring and re-landscaping of the open space; and
 - pedestrian and cycle network improvement including a new pedestrian footbridge over the River Brent.

14 The new leisure centre would include:

- a 10 lane 50 metre swimming pool with moveable dividers
- a 25 metre fun / leisure pool
- spectator seating / viewing areas for events (200 seat capacity)
- wet and dry changing facilities
- a health suite with sauna and steam room
- a 100 station gym with three fitness studios for exercise classes
- children's soft play area and party rooms
- cafe (89 sq.m)

15 The applicant Be:Here Ealing Ltd is a joint venture between the Ealing Council, the Council's wholly owned subsidiary housing company Broadway Living, and the developer Eco World. The design and layout of the proposed scheme is set out below:

Figure 2 – proposed development

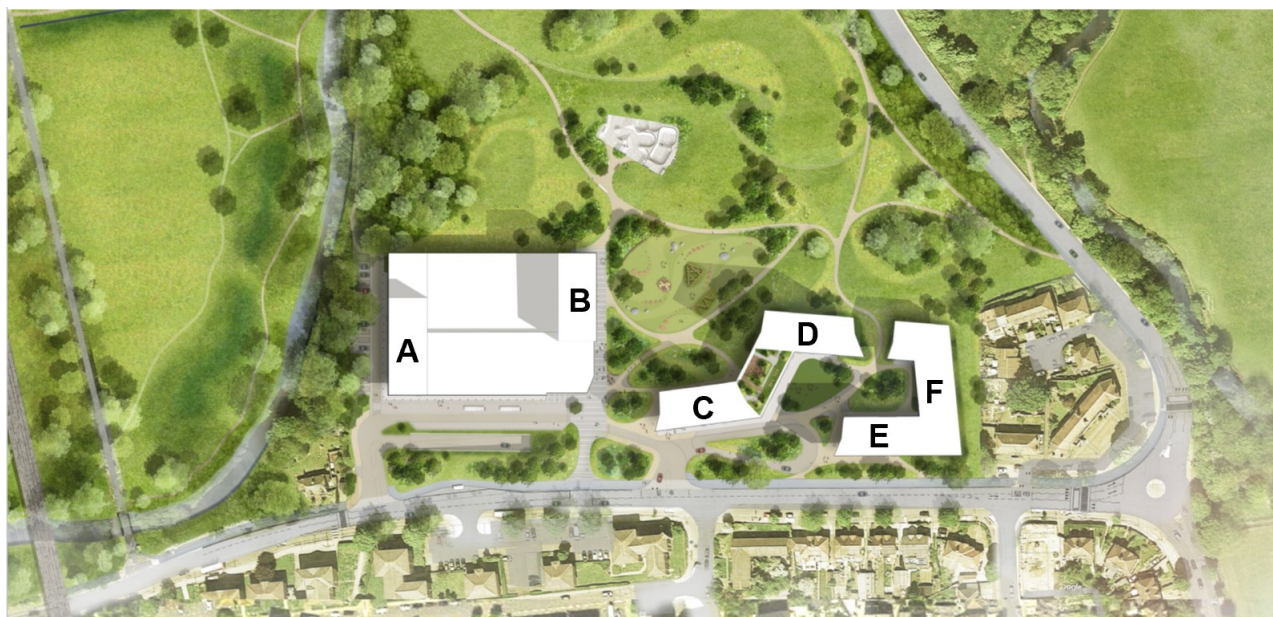


Table 1 – height and tenure of blocks

Block	Height (storeys)	Height in metres	Residential units	Housing tenure
Block A	15	47 metres	98	London Affordable Rent
Block B	15	47 metres	98	Shared ownership
Block C	13	41 metres	104	Private sale
Block D	17	53 metres	158	Private sale
Block E	10	31 metres	87	Private sale
Block F	6	19 metres	54	Private sale

16 In terms of the layout and design of the scheme, the new leisure centre would be provided on the site of the existing facility, with the building rotated to align with Ruislip Road East. The new facility would be arranged over three levels, with pools and changing facilities on the ground floor, a gym and fitness studios on levels one and two overlooking Ruislip Road East. Two 15-storey residential blocks (A & B) would be sited above the leisure centre on the eastern and western flank of the building. A basement car park would be provided which would be accessed via a ramp in front of the leisure centre building. Coach parking facilities would also be provided along this frontage.

17 An open courtyard block would be constructed on the existing car park, with buildings ranging in height from 17, 13, 10 and 6-storeys (Blocks C,D, E and F). Commercial and residential amenity floorspace and cycle parking and refuse facilities would be provided at ground floor level within these blocks with market sale units above. The open courtyard design would allow for public access through into the park via a landscaped courtyard. A new civic square would be formed in the central space between the two main development parcels which would be fronted by cafe and leisure uses and would provide the main gateway entrance into the MOL to the north. The new playground would be overlooked by Blocks B, C and D, with the skate park provided approximately 50 metres from the nearest residential blocks. The replacement BMX track is shown in the submitted plans in the north-west corner of the site accessed from Stockdove Way. This is the subject of a separate planning application (LPA ref: 201541FUL) which is not referable to the Mayor.

Strategic planning issues and relevant policies and guidance

18 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Ealing Development (Core) Strategy (2012); Development Sites DPD (2013); Development Management DPD (2013); Adopted Policies Map (2013); Planning for Schools DPD (2016); Joint West London Waste Plan (2015); and the 2016 London Plan (Consolidated with Alterations since 2011).

19 The following are also relevant material considerations:

- The National Planning Policy Framework (2019)
- National Planning Practice Guidance
- The Mayor's Intend to Publish London Plan (December 2019)
- The Secretary of State's 13 March 2020 Directions issued under Section 337 of the Greater London Authority Act 1999 (as amended) to the extent that these are relevant to this particular application they have been taken into account by the Mayor as a material consideration when considering this report and the officer's recommendation.
- The Mayor's Affordable Housing & Viability SPG;
- Ealing Council's Sports Facility Strategy 2012-2021
- Ealing Council's Playing Pitch Strategy (2017 to 2031)

20 The relevant issues and corresponding strategic policies and guidance are as follows:

- | | |
|--|---|
| • Principle of development | <i>London Plan; Intend to Publish London Plan; Social Infrastructure SPG;</i> |
| • Metropolitan Open Land | <i>London Plan; Intend to Publish London Plan; All London Green Grid SPG;</i> |
| • Housing, affordable housing and play space | <i>London Plan; the Intend to Publish London Plan; London Plan; Affordable Housing & Viability SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG; the London Housing Strategy;</i> |
| • Urban design and heritage | <i>London Plan; the Intend to Publish London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG;</i> |
| • Inclusive access | <i>London Plan; the Intend to Publish London Plan: Accessible London: Achieving an Inclusive Environment SPG;</i> |
| • Climate change | <i>London Plan; the Intend to Publish London Plan; Sustainable Design and Construction SPG; London Environment Strategy;</i> |
| • Transport | <i>London Plan; the Intend to Publish London Plan; the Mayor's Transport Strategy;</i> |

Principle of development

Metropolitan Open Land

21 The site lies wholly within land designated as Metropolitan Open Land (MOL). London Plan Policy 7.17 and Policy G3 of the Mayor's Intend to Publish London Plan strongly resist the inappropriate development of MOL - which is afforded the same protection as Green Belt. Accordingly, the relevant planning policy requirements and principles set out in Chapter 13 of the National Planning Policy Framework (NPPF) on proposals affecting the Green Belt applies to this application on MOL.

22 The London Plan and the Mayor's Intend to Publish London Plan set out the following criteria for boroughs to use when deciding which areas should be designated as MOL (of which, at least one criterion should be met):

- land which contributes to the physical structure of London by being clearly distinguishable from the built-up area
- land includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London
- land contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value
- land which forms part of a strategic corridor, node or a link in the network of green infrastructure and meets one of the above criteria.

23 As set out in the NPPF in relation to the Green Belt, inappropriate development is, by definition, harmful to MOL and should not be approved except in very special circumstances. Substantial weight must be given to any harm to MOL when making planning decisions. Very special circumstances will not exist unless the harm to MOL by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

24 The construction of new buildings within MOL is considered inappropriate development requiring very special circumstances apart from a limited number of specific forms of development set

out within the NPPF exceptions which comprise appropriate development in MOL. Of potential relevance to this application are the following exceptions:

(b) the provision of appropriate facilities for outdoor sport and outdoor recreation, providing these facilities are connected to the existing use of land and preserve the openness, whilst also not conflicting with the purposes of including land within the Green Belt/MOL;

(d) the replacement of a building, providing the new building is the same use and not materially larger than the one it replaces; and

(g) limited infilling or the partial or complete redevelopment of previously developed land, providing this would not have a greater impact on the openness compared to the existing development; or not cause substantial harm to openness where affordable housing is proposed which would meet an identified need.

25 Previously developed land is defined in the NPPF glossary as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The scope of what can be considered previously developed land excludes parks.

The extent of inappropriate development in MOL

26 The replacement facilities for outdoor sport and recreation constitute appropriate development within MOL, falling under the NPPF exception (b). This includes the new/ replacement skate park, BMX track, children's adventure playground and other associated public realm, pedestrian and cycle improvements and landscaping. However, all of the proposed buildings would comprise inappropriate development in MOL, taking into account the size, scale, use and spatial and visual impact, compared to the existing situation, as set out in more detail below. As such, judged as a whole, the application comprises inappropriate development within MOL which is a departure from the Development Plan and should only be approved where the harm to MOL, and any other harm, is clearly outweighed by other material considerations.

Assessment of harm to the openness of the MOL arising from inappropriate development

27 The National Planning Practice Guidance (NPPG) states that assessing the impact on openness is a matter of planning judgement based on the specific circumstances of a particular application. Drawing on case law, the NPPG also confirms that openness is capable of having both spatial and visual aspects and it may be relevant to assess both components¹.

The existing situation

28 Currently, the footprint of the existing leisure centre building covers a significant area of MOL (3,919 sq.m.) to the west of the site, with open and undeveloped parkland to the north, east and west. The existing leisure centre building is set back from Ruislip Road East and aligned at a 45-degree angle with the road. As a result, the rear corner of the leisure centre juts out at an angle into the open space to the north. The building is split over two levels, with an undulating and relatively heavy-set roofline which contains plant. The height of the existing building is broadly equivalent to a four-storey residential building and its elevations are made up of dark glass and concrete cladding. Hardstanding associated with existing car park covers 10,296 sq.m. of the site, which when combined with the building itself mean that a total of 14,215 sq.m. of the site can be described as previously developed land.

29 As an indoor leisure facility, both the existing leisure centre building and the associated car park and hardstanding constitutes inappropriate harmful development within MOL. The harm caused by the existing leisure centre and car park is therefore the baseline scenario for planning

¹ MHCLG, NPPG, Paragraph: 001 Reference ID: 64-001-20190722

assessment purposes when considering the residual harm to the MOL which would be caused by the proposed development.

30 The existing visual context and appearance of the site as a whole is relatively open and green, excluding the notable presence of the leisure centre building and hardstanding to the south. Whilst the building and surface car park are to some extent screened by mature trees and hedges, this screening is significantly reduced during the winter months. The wider landscape setting of the site, and this section of MOL more generally, is characterised by east-west openness a visual permeability, which follows the Brent Valley Park and the meandering course of the River Brent, as illustrated in Figure 1 above. Alongside Peel Gardens, Gurnell Leisure Centre building is the only building within this stretch of MOL to the north of Ruislip Road East.

The proposed development

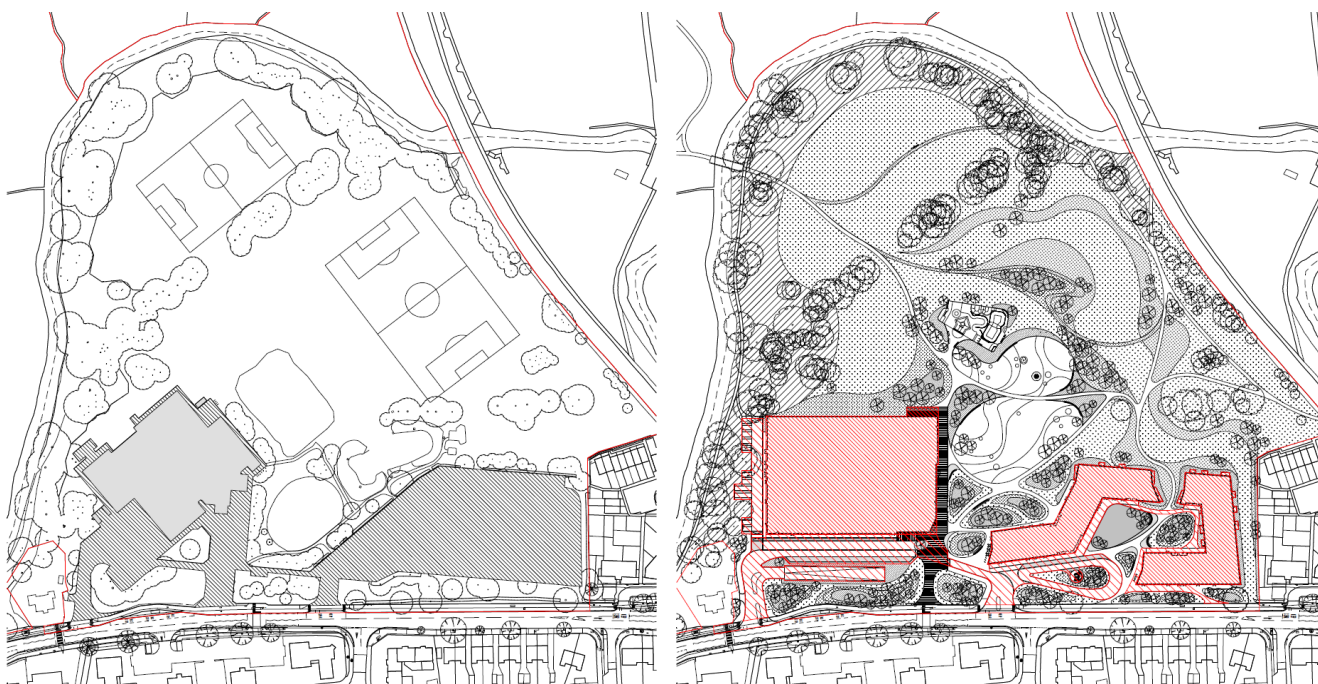
31 The existing and proposed building footprint and the total quantum of previously developed land (both buildings and hard-standing) within the site is set out below for comparative purposes, alongside the height of the existing and proposed buildings. Figure 3 shows the spatial coverage of buildings and hardstanding in the existing and proposed scenario. There are further areas of hard standing are present within the site in the form of the skatepark, playground and BMX track; however, these are all outdoor recreational and sporting facilities within the park and considered to be appropriate forms of development within MOL, so are not classified as previously developed land and are therefore not included in these calculations.

Table 2 – existing and proposed built form and

	Existing	Proposed	Net change
Building footprint (sq.m.) GEA	3,919	9,549	+ 5,630
Previously developed land* (sq.m.) GEA	14,215	14,292	+ 77
Building heights storeys	2-storey	6, 10, 13, 15, 17	

** previously developed land includes both the building footprint and areas of hard-standing*

Figure 3 – existing and proposed building footprint and hard-standing



Spatial impact

32 In terms of spatial impact, the proposed development would more than double the existing quantum of building footprint on the site, resulting in 5,630 sq.m. of additional land within MOL which would be covered by buildings. However, the proposed buildings would be restricted to the previously developed parts of the site which already contain harmful inappropriate development, with Blocks C to F constructed broadly within the spatial extent of the existing car park and Blocks A and B sited above the new leisure centre. Whilst Block C would protrude slightly beyond the area of land covered by the existing car park and onto land which is currently open space and occupied by the existing playground, this is a minor protrusion and is equivalent to the triangular area of land which would be returned to open space as a result of the leisure centre building being redeveloped and rotated to lie parallel to Ruislip Road East. As such, although the total building footprint on site would more than double, there would be a moderate 77 sq.m. net reduction in the open 'greenfield' MOL (which is not currently previously developed land).

33 Harm would be caused to openness of the MOL as a result of the construction of buildings within the MOL where there are not currently any buildings, and generally due to the increase in the overall building footprint across the site. However, the harm caused has been minimised by generally avoiding the encroachment of buildings onto open / 'greenfield' areas of MOL within the site and focusing the facilitating residential development on previously developed parts of the site closest to Ruislip Road East, in line with the GLA's pre-application advice. In this respect, GLA officers note that the applicant has fundamentally revised the initial proposals for the scheme which were presented to GLA officers in 2018 which involved linear finger blocks protruding significantly beyond the existing car park and into the 'greenfield' open space. The proposed scheme therefore represents an improvement and responds positively to the pre-application advice provided by GLA officers, which is welcomed. The current scheme is considered to be significantly less harmful compared to the applicant's initial proposals in terms of the impact on openness and the current approach would continue to preserve a coherent expanse of open and green space to north which is broadly aligned with the current extent of the previously developed land and undeveloped green areas within the site and a key feature of the existing site circumstances, as set out above.

Visual impact

34 The height of the proposed buildings is set out in Table 1 and 2 and represents a substantial change in the height, massing and visual characteristics of the existing site, as demonstrated by the applicant's Visual Impact Assessment and Design and Access Statement. A number of mature trees would also be removed to enable the site's redevelopment, albeit these would be replaced as part of the proposed landscaping scheme. Whilst the removal of the existing leisure centre building, which is unattractive and dated would be beneficial in terms of visual impact, the height, scale and massing of the proposed buildings would reduce visual permeability within and across the previously developed parts of the MOL. This would cause harm to openness. However, by restricting the buildings to the previously developed southern section of the site, the scheme would maintain the existing visual openness and green characteristics of the open and undeveloped parkland to the north. This area of open space would also be subject to landscape and biodiversity improvements, so whilst the immediate context and setting of the open /greenfield MOL would be altered, the visual openness of these open and greenfield areas would be preserved and its landscape and recreational character would be enhanced. The layout of the scheme would retain views through to the MOL beyond to the north between Blocks B and C.

Conclusion – harm to MOL

35 In summary, whilst the layout and design of the proposal has sought to minimise the harm to MOL by restricting the buildings to previously developed parts of the site, the quantum of additional buildings and their height and massing would cause harm to the MOL and this harm must therefore be clearly outweighed by very special circumstances.

Very special circumstances

36 The applicant's case for very special circumstances justifying the harm to MOL and other harm caused can be broadly summarised as follows:

- a) **The need to demolish and redevelop the existing leisure centre** – now nearly 40 years old, the existing leisure centre is at the end of its operational life and is in need of comprehensive refurbishment and modernisation, which would necessitate significant investment. The facility is understood to have been operating at a loss in terms of revenue, and expenditure. Having considered the options available, the Council has concluded that the cost of renovating the existing building is prohibitive when set against the alternative option of demolition and redevelopment, without providing the benefits associated with a new modern leisure centre with enhanced indoor sport facilities. In 2015, Ealing Council Cabinet made the decision to demolish and redevelop the facility, which they considered to be the most appropriate option available.
- b) **The requirement for facilitating residential development to part fund the cost of constructing a new leisure centre given the significant funding gap** – the Council's independent cost assessment concludes that the leisure centre facility would cost £28.89 million with the associated basement costing a further £26 million. As such, the total cost of the leisure centre related elements in the application exceed £50 million. Ealing Council has agreed to contribute £12.5 million in grant funding towards the capital costs, which leaves a substantial funding shortfall. The Council has stated that further funding through borrowing is not possible in the context of ongoing savings which the Council needs to find in the current period and its statutory obligation to ensure a balanced budget across all services. In line with GLA pre-application advice, the Council has explored the potential for Sport England grant funding; however, Sport England has confirmed that no funding is available.
- c) **The lack of alternative sites** – the applicant has undertaken a detailed alternative sites assessment working closely with Ealing Council to ascertain whether there are more suitable alternative site within Ealing which would could accommodate the leisure centre and facilitating residential development. The conclusion of this assessment is that there are no other sites or combination of sites within Ealing that are available and more suitable to deliver a new leisure centre and the required quantum of facilitating residential development. The applicant is therefore of the view that the Gurnell Leisure Centre site represents a genuine site of last resort on which the proposal can be accommodated in its entirety with fewer potential adverse impacts compared to the alternative suitable, available alternative sites within the borough.
- d) **The quantum of inappropriate development has been limited to the minimum necessary** taking into account the required specification and cost of the new leisure centre and the funding shortfall.
- e) **Demand for indoor sporting facilities** – Gurnell leisure centre is one of only four locations in London which provide a 50-metre swimming pool and is currently home to the largest swimming club in the country with over 1,700 members. The leisure centre therefore provides a locally and regionally significant facility for which there is a substantial demand which is forecast to increase, as evidenced in the Council's Indoor Sports Strategy (2012-21). There were 693,000 visits to the leisure centre during 2016, including 3,741 children enrolled on the swim school scheme making it the largest scheme in London.
- f) **The benefits associated with an enhanced indoor sport facility** – which would be significantly enhanced with its capacity increased capacity from 6 lanes to 10 lanes and inclusive access improved. A much larger gym, health and fitness centre would be provided, alongside other supporting ancillary uses as set out above. This seeks to maintain existing levels of participation in swimming and encourage additional participation both locally and regionally, with the associated benefits in terms of physical and mental health and wellbeing.

- g) **The provision of a more modern, energy efficient and accessible building** – to replace what the existing leisure centre built in 1981 which falls short of modern standards and cannot be retrofitted and adapted without substantial cost.
- h) **Improved outdoor recreational, sporting and play space facilities and enhanced use of the MOL** – associated with the reconfiguration and enhancement of play space, pedestrian and cycle access, including a new pedestrian bridge over the River Brent, together with other landscaping and re-contouring works to maximise the recreational use and enjoyment of the park and provide ecological / biodiversity and surface water drainage enhancements, ensure the like for like replacement of the existing skate park and BMX track and thereby enhance the usability and quality of the MOL throughout the year and improved access to and overlooking of the MOL.
- i) **Housing and affordable housing delivery** – the provision of 599 homes (including 196 affordable homes) which are required as facilitating development but would also contribute towards meeting housing targets and need for overall and affordable housing. It should be noted that the FVA shows that no affordable housing is viable on the scheme. However, the Council has agreed to convert private units in Blocks A and B to London Affordable Rent and shared ownership using GLA affordable housing grant.

Assessment of the applicant's case for very special circumstance

37 The need to redevelop the existing leisure centre building is accepted given its current age and condition and the significant costs associated with its refurbishment and modernisation and the cash flow issues set out above. Similarly, the benefits associating with maintaining and strengthening the important sub-regional role served by the facility in terms of meeting current and future demand for swimming is recognised. Reprovision of the leisure centre is therefore clearly the key driver for the development proposals and the overarching objective to replace and enhance indoor sporting facilities and social infrastructure is supported, in accordance with London Plan Policy 3.19 and Policy S5 of the Mayor's Intend to Publish London Plan. The proposals also form part of the Council's strategy to establish Gurnell as a wider sports hub, as set out in Policy 5.6 of Ealing's Core Strategy. There are therefore significant public benefits associated with the provision of an enhanced replacement leisure centre which must be given appropriate weight.

38 The requirement for the replacement leisure centre to be partly cross-subsidised by a residential development is accepted in this particular instance, given the substantial cost of constructing a new leisure centre. This has been set out in detail in the applicant's cost assessment by Wilmott Dixon which has been scrutinised by the Council's independent cost consultants Core 5 who estimate that the costs are likely to be significantly higher than is set out in the applicant's appraisal, as set out in more detail below. As a result, even with the Council's contribution of £12.5 million towards the cost of re-providing the leisure centre, there is clearly a substantial funding shortfall on the project and, without the facilitating development, the project cannot be financed and would therefore not be deliverable.

39 In line with GLA pre-application advice, the Council and applicant have undertaken a rigorous assessment of alternative sites across the borough which could be preferable from a planning policy / development constraints perspective. A total of 543 individual sites owned by Ealing Council were subject to a four-stage sequential site assessment and sieving exercise to identify other potentially suitable, appropriate or available sites and compared to Gurnell. This assessment included the review of potential sites capable of accommodating a 0.55 hectare leisure centre comprising a 10 lane 50-metre swimming pool, as required by the Council's brief and also considers the potential for smaller 'donor' sites capable of contributing towards the requirement for facilitating residential units. The decision to limit the scope of this site assessment to Council owned sites is appropriate in this instance, given the need for sites to be available and deliverable but also noting the funding shortfall, which would preclude the option to purchase additional sites. Overall, GLA officers consider that the alternative site assessment satisfactorily demonstrates that

there are not any available and more suitable sites (or combination of sites) within the borough which could accommodate the proposed development.

40 The applicant's justification for the scale of inappropriate facilitating residential development within the MOL is set out in detail in the submitted FVA. This includes a base case scenario (without grant) and a with grant scenario, which includes the £12.5 million Ealing Council grant funding and £12.544 million GLA grant. In addition to this, a number of other scenarios to establish what quantum of development would be required to facilitate the viable redevelopment of the leisure centre, including testing both 0% affordable housing and 50% affordable housing scenarios. The FVA conclusions of the applicant's FVA and the Council's independent assessment are summarised below:

- According to the applicant's FVA, the base case scenario (without grant) generates a negative residual profit of - £3.68 million. The Council's independent assessors Lambert Smith Hampton (LSH) have concluded this residential profit level would be even lower at - £27.91 million due primarily to increased overall development costs.
- The 'with grant scenario' generates a positive residual profit of + £26.41 million. However, this represents only 11.69% profit on costs which is not considered financially viable in commercial terms. The Council's independent assessors Lambert Smith Hampton (LSH) conclude that this would be much lower at + £5.124 million (2% profit on costs), which likewise is not considered viable.
- In summary, the other scenarios tested in the applicant's FVA and Council's independent assessment show that:
 - even assuming 0% affordable housing and taking into account LB Ealing Council's £12.5 million grant funding contribution, a broadly similar scale of facilitating residential development would be needed to ensure the delivery of the replacement leisure centre.
 - A scheme comprising 50% affordable housing would require a significantly increased quantum of inappropriate residential development on MOL so is not considered appropriate.

41 As set out in more detail below, the applicant's FVA and construction costs assessment has been independently reviewed by the Council's advisors and GLA officers and the overall conclusions are considered appropriate and suggest that the proposed scheme cannot be viably delivered without a significant quantum of facilitating residential development.

42 The wider public benefits associated with the scheme in terms of providing improved indoor sporting facilities and outdoor sport and recreational facilities in terms of quality and accessibility require further discussion in terms of public access, phasing and delivery and how these elements would be secured via planning condition / obligation should the Council resolve to grant planning permission.

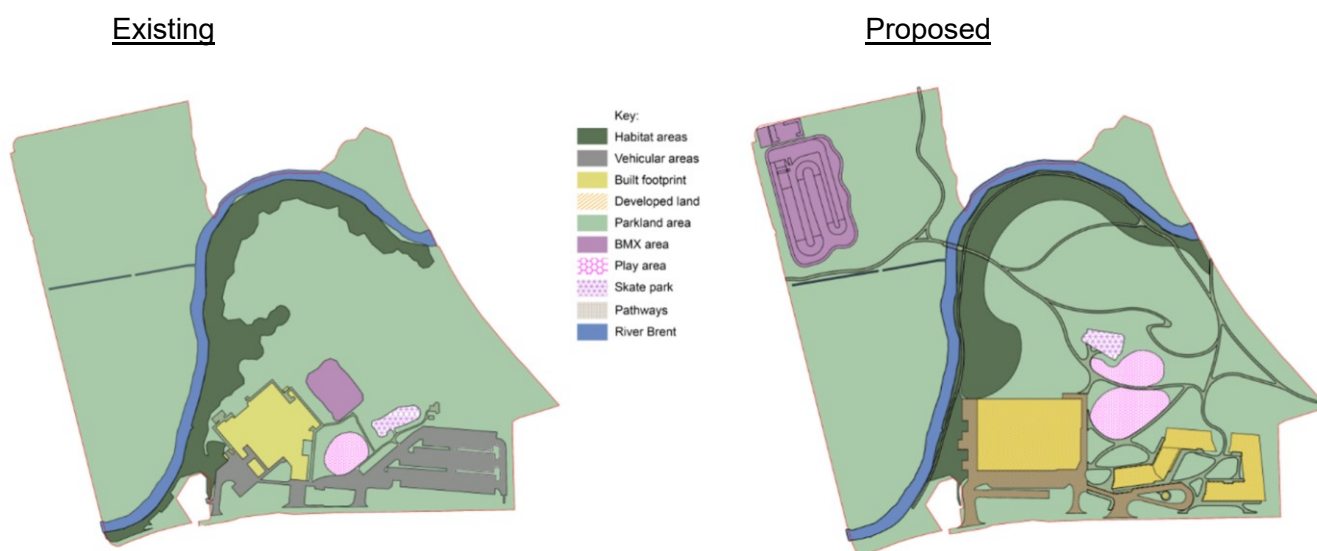
Open space, sport and recreation facilities

43 Indoor and outdoor sport and recreational facilities on the site, including the leisure centre, playing pitches, skate park, BMX track and adventure playground, as well as the open space are covered by London Plan Policies 3.6, 3.16, 3.18, 7.18 and Policies S1, S4, S5 and G4, which seeks to protect, retain and enhance social infrastructure, open space and sporting and playground facilities such as this. Excluding the leisure centre building and associated hard-standing and car park, the open space is designated as public open space in the Council's Adopted Policies Map (2013), which would not be reduced or built on as a result of the proposed development. There would in fact be a 1,488 sq.m. net increase in the overall quantum of publicly accessible space, compared to the existing situation, which is supported. In line with the GLA's pre-application advice, the applicant has widened the scope of the original site boundary so as to cover the entire MOL and the submitted

scheme proposes a comprehensive package of enhancements to the MOL parkland and open space, which is supported, including:

- landscaping, habitat/biodiversity and sustainable drainage improvements;
- pedestrian and cycle access, a new footbridge over the River Brent and all weather level access routes through the parkland to the north-west and north-east, as shown below;
- an enlarged, replacement adventure playground; and
- replacement BMX track and stake park, with the BMX track.

44 In addition to this, the indoor sporting facility and 50-metre pool would be replaced and enhanced through the provision of a modern, more accessible and energy efficient building and an increase in the number of lanes from 6 to 10, with an enhanced indoor gym, fitness rooms and a soft play centre. As recognised above, the overall approach seeks to develop Gurnell as a sporting and leisure hub within the borough, drawing on its existing assets and proximity to Perivale athletics track and location within the Brent Valley Park and, in accordance with the Council's Core Strategy and indoor sports facilities strategy. The approach accords with the requirements of London Plan Policies 3.16, S4, 7.18 and Policies S1, S4 and G4 by securing the reprovision and enhancement of the existing open space, social, indoor and outdoor sporting infrastructure and playground facilities. The phasing and delivery of replacement outdoor sport and recreational facilities and access and landscaping improvements should be secured appropriately by condition or obligation.



45 In relation to playing pitches, there would be a net loss of existing playing pitches on site which are currently used for football, which the Council's Playing Pitch Strategy confirms are of poor quality due to drainage issues and are being relocated to Perivale Park 400 metres to the north-west, with enhanced playing pitch capacity being provided within the borough at Gunnersbury Park and William Perkin School. This has been appropriately planned as part of the Council's Playing Pitch Strategy which demonstrates that there would be sufficient capacity to meet demand for outdoor playing pitches. As such, the application does not conflict with London Plan Policy 3.18 and Policy S5 of the Mayor's Intend to Publish London Plan.

Conclusion – principle of development

46 Whilst the harm to the openness of the 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 are therefore required which must 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.

Housing and affordable housing

Affordable housing, viability and tenure mix

47 London Plan Policies 3.11 and 3.12 and Policy H4 of the Mayor's Intend to Publish London Plan seek to maximise the delivery of affordable housing, with the Mayor setting a strategic target for 50% of all new homes to be affordable. Policy H5 of the Mayor's Intend to Publish London Plan identifies a minimum threshold of 35% affordable housing (by habitable room), with a threshold of 50% applied to public sector owned sites and industrial sites where there is a net loss of industrial capacity. This application would be subject to the 50% threshold, as it is Council owned public sector land.

48 In terms of tenure split, Policy H7 of the Intend to Publish London Plan sets out the Mayor's preference for at least 30% low cost rent (social rent or London Affordable Rent) and 30% as intermediate housing products, with the remaining 40% to be determined by the Council. Ealing's Development Management Policy 3A seeks to negotiate 50% affordable housing with a 60:40 tenure split between social rent / affordable rent accommodation and intermediate housing provision.

49 The application proposes 599 residential units, including 98 London Affordable Rent units, 98 Intermediate shared ownership units and 403 market sale units. This represents 34% affordable housing by habitable room (33% by unit), with a 55:45 tenure mix between London Affordable Rent and intermediate shared ownership housing provision proposed by habitable room (50:50 by unit). This is a significant improvement on the applicant's affordable housing offer at pre-application stage which was 0% due to the scheme costs and viability and has been achieved by the provision of GLA grant (£12.544 million) which has enabled Ealing Council to purchase Blocks A and B and convert what were initial proposed as private sale units to London Affordable Rent (LAR) and intermediate London Shared Ownership (LSO) tenure.

50 Details of the applicant's FVA are set out above. In summary, this shows the FVA shows that the proposed scheme is not viable in the base case scenario (without public subsidy) generating a negative residual land value. The with grant scenario (which includes Ealing Council's £12.5 million grant contribution and the GLA's £12.544 million grant also fails to achieve the target rate of return in terms of profit on costs. Further details of profit on gross development value (GDV) should be provided.

51 The applicant's Financial Viability Appraisal (FVA) has been scrutinised by the Council's independent advisors Lambert Smith Hampton, who have applied the Council's higher independent cost assessment (£189.69 million), which is higher than the applicant's estimate (£175.89 million.) Consequently, the Council's independent advisors conclude that the scheme is likely to be less viable than is assumed in the applicant's FVA.

52 In terms of the Benchmark Land Value (BLV) assumptions applied, no land value has been assumed for the existing site, given that the leisure centre is operating at a loss and requires extensive refurbishment. This approach to BLV is accepted in this particular instance. However, this is subject to the S106 agreement including obligations to ensure that the replacement publicly owned and accessible facility is secured in perpetuity.

53 GLA officers have scrutinised the applicant's FVA and the Council's independent assessment and can confirm that the scheme is likely to be providing the maximum viable level of affordable housing and that affordable housing is not viable without grant. As set out above, a number of scenarios have been tested in the FVA including a hypothetical larger scheme to see if more affordable housing could be provided, in line with 50% affordable housing threshold for the

site. However, this demonstrates that the scheme would need to be substantially larger to achieve this (with additional grant also required). This would not be appropriate given the site's MOL status and the need to ensure. Notwithstanding this, there are some issues which require further discussion and clarification, including further explanation as to why the Council's cost consultant's report concludes such higher construction costs compared to the applicant's assessment by Willmott Dixon. In addition, GLA officers note that the scheme includes a large basement. This contributes significantly to the costs and, theoretically, if this was reduced in size it may be possible to reduce the quantum of residential development required. However, GLA officers are aware that the basement includes part of the leisure centre and swimming pool and the like for like replacement of visitor car parking, which would need to be provided. Notwithstanding this, GLA officers would welcome further discussion with the applicant and Council to determine what alternative options were considered to reduce the scheme costs associated with the basement, taking into account the range of viability and MOL constraints on the site, given that the overall scheme costs are driving the scale of inappropriate development.

54 Early and late stage viability reviews would be required in accordance with the Viability Tested Route should permission be granted. These should accord with the guidance and formulas set out in the Mayor's Affordable Housing and Viability Supplementary Planning Guidance and the GLA's standard template S106 clauses which have been sent to the Council and applicant alongside this report. Should the Council resolve to approve planning permission, further discussion would be required to agree the details of the viability inputs for inclusion in the Section 106 agreement review mechanism and the approach to phasing and securing affordable housing and indoor and outdoor sporting and recreational facilities. Both the applicant's FVA and the Council's independent assessment have been published by the Council, which is supported in accordance with the transparency provisions set out in the Affordable & Viability SPG (paragraphs 1.18-1.25).

Housing tenures and affordability

55 The Mayor's preferred affordable housing tenures includes social rent/London Affordable Rent; London Living Rent and London Shared Ownership in relation to which affordability criteria is set out in the Intend to Publish London Plan. London Affordable Rent units should be secured at the Mayor's published benchmarks which are updated annually². Potential service charges on LAR units should also be fully considered and subject to appropriate caps to ensure the overall affordability of the proposed low cost rent units for eligible households. Shared ownership units should be available to households on a range of incomes below the maximum income threshold set out in the draft London Plan (£90,000 a year) and annual housing costs (including service charges, rent and any interest payment) should be no greater than 40% of net household income. These provisions should be secured via S106 agreement.

Housing choice

56 London Plan Policy 3.8 and Policies H10 and H13 of the intend to publish London Plan state that residential developments should normally provide a mix of housing sizes and types to meet housing demand and address the needs of different groups. The need to address the varied housing requirements of older people is also recognised, as well as the need to encourage downsizing and the potential this has to help free up family sized housing within the existing housing stock.

Table 3 – proposed housing mix by tenure

	London Affordable Rent	Shared ownership	Market sale	Total	%
Studio	0	17	16	33	6%

² Mayor of London, 2016, Affordable Homes Programme 2016-21 Funding Guide <https://www.london.gov.uk/what-we-do/housing-and-land/homes-londoners-affordable-homes-programme-2016-21>

1-bedroom	34	33	196	263	44%
2-bedroom	52	48	166	266	44%
3-bedroom	12	0	25	37	6%
Total units	98	98	403	599	100%

57 The applicant's proposed housing mix is set out above in Table 3 and is weighted towards one and two-bedroom units (88%). In total, 33 studio units are proposed in market sale and shared ownership tenures, which comprise 6% of the total residential units proposed across all tenures. The scheme also comprises a mix of one, two and three-bedroom London Affordable Rent units (LAR) unit, the majority being two-bedroom units. The housing mix is acceptable, taking into account the site location, PTAL, and the form and density of the proposals and does not raise any strategic planning concerns.

Children's play space

58 Policy 3.6 of the London Plan states that development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Policy S4 of the Intend to Publish London Plan states residential developments should incorporate high quality, accessible play provision for all ages, of at least 10 sq.m per child. Play space provision should normally be provided on-site; however, off-site provision may be acceptable where it can be demonstrated that this addresses the needs of the development and can be provided nearby within an accessible and safe walking distances, and in these circumstances contributions to off-site provision should be secured by Section 106 agreement. Play space provision should be available to all housing tenures within immediately adjacent blocks and courtyards to promote social inclusion.

59 The GLA's play space calculator (2019), has been used to assess play space provision within the applicant's planning submission, which generates a requirement for approximately 2,000 sq.m. of play space provision based on an Outer London PTAL 3 site such as this. In addition to this, the existing children's playground on site is 1,190 sq.m, which is being replaced as part of the proposed development. The new adventure playground proposed would measure 3,633 and would therefore significantly exceed the required quantum of play space, taking into account both the need generated by the scheme and the requirement to replace the existing playground. Additional informal doorstep play space would be provided within the landscaped courtyard between Blocks C and D. In total, 2,446 sq.m. of net additional play space is proposed.

60 The design of the playground is supported and would form a central focal point within the proposed development as well as a key gateway through to the MOL parkland to the north and a destination in its own right, being fronted by cafe, soft play facilities proposed on the western elevation of the leisure centre and overlooked by residential blocks on either side. Being centrally located within the scheme and publicly accessible, the play space would be available to all tenures and help foster social interaction in line with the above objectives. The approach to play space is therefore strongly supported and accords with the strategic planning policies and guidance set out above.

Urban design

Design, layout, public realm and landscaping

61 London Plan Policies 7.1 to 7.5, together with Policies D1-D3, D8 of the Mayor's Intend to Publish London Plan and the Housing SPG (2016) apply to the design and layout of development and set out a range of urban design principles requiring the provision of a high quality public realm; convenient, welcoming and legible movement routes; emphasising the importance of designing out crime by, in particular, maximising the provision of active frontages and minimising inactive frontages and by optimising the permeability of sites.

62 Overall, the application responds positively to these objectives and the pre-application advice provided by GLA officers. The proposed new leisure centre and the adjacent open courtyard block form an strong relationship with and help to increase activation and overlooking along Ruislip Road East, whilst also maintaining physical and visual permeability through to the MOL beyond. A new civic square would be created between these two blocks which would provide access to the main step-free entrance to the leisure centre and would feature an attractive mix of durable hard landscaping with additional soft landscaping in large raised planters. Activation of this space would be provided in the form of ground floor commercial and community units flanking the western side of the leisure centre, including a cafe and soft play facility, and ground floor commercial and residential amenity uses proposed in Blocks C and D to the west of this space, with residential units at higher levels to provide overlooking the public realm and playground.

63 The open courtyard arrangement proposed for Blocks C to F is supported as this ensures the provision of a continuous pedestrian route through to the MOL via a landscaped courtyard which would be well-activated by ground floor commercial and communal residential uses and private residential units. Public access through this courtyard for pedestrians should be secured via planning obligation. The proposed landscape, biodiversity and access improvements to the parkland to the north are also strongly supported, particularly the proposed footbridge over the River Brent and the provision of two new pedestrian and cycle routes linking the Ruislip Road East and the civic square to Perivale and South Greenford.

64 There are a number of areas of dead frontage associated with changing facilities, plant, cycle parking and refuse and recycling storage facilities at ground floor level within the scheme, particularly on the building facades facing the east and western boundary of the site but also facing Ruislip Road East. The potential to minimise these areas has been explored with the applicant as part of design workshops and it is accepted that in most instances, these cannot be significantly reduced due to the development constraints associated with the swimming pool and the absence of a basement serving Blocks E and F. The applicant has generally provided these less active uses in the most preferable locations to avoid these areas negatively impacting the quality of more important areas of the public realm, which is welcomed. Where these are unavoidable, dead frontages should be fully mitigated the provision of a landscaping strip and/or the selection of appropriate and high quality facing materials, especially where these face Ruislip Road East, details of which should be secured by condition. Overall, the design, layout and landscaping of the proposed scheme is supported and would be of a high standard, taking into account the opportunities and constraints on the site.

Figure 4 – ground floor design and layout



Residential quality

65 London Plan Policy 3.5 and Policy D4 of the Mayor's Intend to Publish London Plan seek to ensure housing of a good standard in design and set out minimum standards for private internal space, private outdoor space and floor to ceiling heights which apply to all tenures of self-contained residential accommodation, with further standards and guidance set out in the Mayor's Housing SPG (2016). As set out in the Housing SPG, private outdoor space should normally be provided to serve upper floor flats in the form of balconies, unless there are exceptional circumstances which demonstrate that site constraints mean that balconies cannot be provided. Where is the case, the required quantum of space should be provided within the dwelling as mitigation / compensation. Single aspect units should normally be avoided and only provided where these units would constitute a more appropriate design solution in terms of optimising the capacity of a particular site whilst ensuring good design. Potential issues associated with single aspect units in terms of passive ventilation, privacy, daylight, overheating and noise should also be adequately addressed and single aspect units that are north facing, contain three or more bedrooms, or are exposed to significant adverse noise impacts should normally be avoided. The 2016 Housing SPG also sets out benchmark unit per core per floor ratios.

66 All of the proposed residential units would meet or exceed the minimum internal space standards and floor to ceiling height. In line with the GLA's pre-application advice, private amenity space has been provided for all of the ground floor units within the scheme, which is welcomed and now ensures that all of the proposed residential units now have private external amenity space in the form of balconies or terraces.

67 In total, 40% of the residential units would be dual aspect and 60% single aspect. The majority of single aspect units are east or west facing; however, 14% would be single aspect north facing. All of the single aspect units are in Blocks C, D, E and F which are in open market sale tenure. The majority of these face onto the Brent River Park and would therefore benefit from an attractive and very open and interrupted outlook. Furthermore, many of these units would be elevated to ensure appropriate levels of daylight. Having assessed the applicant's daylight, sunlight and overshadowing report, GLA officers consider the internal daylight levels achieved to be appropriate, with 93% of the habitable rooms tested would comply with the recommended BRE guideline for average daylight factor (ADF) and where rooms do not meet this benchmark, this is generally due to protruding balconies which provide essential outdoor private amenity for residents within the scheme. This is acceptable. Furthermore, GLA officers also note that the number of single aspect units, including those which are north facing has increased following the amendments of the scheme to provide a perimeter courtyard block as opposed to the applicant's original proposal, which comprised linear finger blocks arranged on a north-south axis. Whilst this approach performed better in terms of avoiding north-facing single aspect units, it was not acceptable from an MOL perspective. As such, the proportion of single aspect units, and those which are north facing is, on balance, acceptable in this particular instance, noting the site circumstances and constraints and the requirement for higher density facilitating residential development.

68 Whilst the majority of the proposed blocks generally comply with the recommended benchmark for units per core per floor (8 units) set out in the 2016 Housing SPG, Blocks D and E which are in market sale tenure exceed this benchmark between levels 1 and 5 of the scheme, rising to 14 and 11 units per core respectively on these floors, but then reduce to 9 per core at higher levels. This issue was subject to detailed discussion during pre-application meetings and GLA officers are satisfied with the design rationale provided in this particular instance, taking into account the ground floor constraints within this block and given that appropriate levels of on-site management would be provided, and subject to this being appropriately secured. The residential quality of the proposed scheme is therefore considered acceptable.

Residential density and design review

69 London Plan Policy 3.4 seeks to optimise housing density, with Policies D1 to D4 of the Mayor's Intend to Publish London Plan placing greater emphasis on a design-led approach to ensure development makes the best use of land, with consideration given to site context, public

transport, walking and cycling accessibility and the capacity of surrounding infrastructure. Policy D4 states that development proposals which are referable to the Mayor should be subject to additional design scrutiny and review where they are of a density exceeding 350 dwellings per hectare; or include a tall building (more than 30m in height).

70 GLA officers consider the site is suitable for a higher density residential-led mixed use scheme in view of the overall site size, location, PTAL and surrounding context, and noting the requirement for substantial facilitating residential development in this particular instance. The requirement for additional design scrutiny is triggered as the scheme would have a density of 422 dwellings per hectare based on the net developable area and includes a number of tall buildings. Whilst an independent design review has not been undertaken, the applicant has undertaken an extensive and iterative process of design review and options appraisal with GLA and Ealing Council planning and design officers, which has resulted in substantial revisions to the layout, massing and design of the scheme over a two year period, taking into account the planning policy requirement to minimise harm to the MOL as set out above, but also noting the overarching requirements set out above in relation to residential quality and urban design. As such, GLA officers consider that the scheme has been subject to a rigorous process of design scrutiny and a further formal design review is not required in this particular instance. Overall, GLA officers consider that the housing capacity has been appropriately optimised in this instance through a design-led approach and consider the residential density to be acceptable in this particular instance.

Architectural and materials quality

71 The residential blocks would be primarily clad in brick, which is strongly supported, with five different types and colours and shades of brick material proposed ranging from grey, beige, red, light brown to paler white tones and further differentiation of the colour and tone of materials provided at ground and first floor level through the use of metal panel cladding. The window and balcony arrangement on Blocks C, D and E would be differentiated and offset to provide articulation and visual interest on the longer elevations of linear blocks facing onto Ruislip Road East and the open space to the north. In contrast, a more formal and visually consistent architectural approach is proposed on the narrower ends of blocks, which would help to emphasise their slender and more vertical proportions. A slightly angled and edged appearance is proposed to the design of Blocks C, D and E which would provide a distinctive and sharper architectural appearance, whereas a more formal, rectilinear appearance is proposed on Blocks A and B. The design of the leisure centre incorporates sufficient levels of detail and articulation through the repeated use of double height glazed openings and solar shading, which would combine attractively at night time to provide a lantern effect, helping to animate and significantly enhance the townscape character of Ruislip Road East. Overall, the architectural appearance and materiality of the proposed buildings is supported and would ensure the provision of a varied and visually distinctive and cohesive scheme.

Heritage impact

72 London Plan Policy 7.8. and Policy HC1 of the Mayor's Intend to Publish London Plan state that development should conserve heritage assets and avoid harm. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*". In relation to conservation areas, special attention should be paid to the desirability of preserving or enhancing the character of conservation areas when making planning decisions.

73 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a proposed development will lead to 'substantial harm' to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that

the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

74 The site is not within a conservation area and there are no listed buildings within or in the close vicinity of the site. The Cuckoo Estate Conservation Area is to the south west and comprises a large inter-war era Council housing estate laid out according to Garden City principles, which predominantly includes terraced and semi-detached two-storey residential homes arranged within a series of linear and curvilinear streets, within a generously landscaped streetscape context. The conservation area is bounded by the railway line to the east, the boundary of which on Copley Close comprises a steep sided, well-landscaped embankment. Consequently, there is very limited visibility between the northern section of the conservation area, which is closest to the application site, and the proposed development. As such, taking into account the applicant's Visual Impact Assessment and Heritage Statement, GLA officers consider that the application would not harm any designated heritage assets.

Height, massing and tall buildings

75 London Plan Policy 7.7 and Policy D9 of the Mayor's Intend to Publish London Plan state that tall buildings should be part of a plan-led and design-led approach, incorporating the highest standard of architecture and materials and should contribute to improving the legibility and permeability of an area, with active ground floor uses provided to ensure such buildings form an appropriate relationship with the surrounding public realm. Tall buildings should not have an unacceptably harmful impact on their surroundings in terms of their visual, functional, environmental and cumulative impacts, including wind, overshadowing, glare, strategic and local views and heritage assets.

76 As set out in Table 1, a number of tall buildings are proposed ranging in height from 10 to 17 storeys (31 to 47 metres AOD). The site is not within a specifically identified area where the Council has stated that tall buildings are can be considered appropriate, so is a departure from the Local Plan in this respect and, accordingly, the height of the proposed development requires justification, taking into account the Policy 7.7 / D9 criteria set out above and Ealing's Development Management Policy 7.7 which requires outstanding quality of design and seeks to ensure such buildings make a positive and appropriate contribution to the local context and broader area.

77 The visual impact of the proposals has been appropriately assessed as part of the applicant's Townscape and Visual Impact Assessment and Heritage Statement, with supporting assessments undertaken in relation to daylight, sunlight and overshadowing, wind and microclimate, with matters in relation to function impact and architectural and design quality covered in the applicant's Design and Access Statement.

78 The massing proposed has been appropriately refined within these spatial / footprint constraints to ensure the heights are stepped down towards Peel Gardens whilst also ensuring the height and appearance of the five taller buildings is appropriately differentiated and staggered to ensure that the scheme has an acceptable visual and townscape impact in short, medium and long distance townscape views and would strengthen the legibility of the area. As summarised above, the architectural and materials quality of the proposed tall buildings are supported and achieve an appropriately high standard of design quality. GLA officers also consider that the provision of active frontages at ground floor level has been maximised, taking into account the particular development constraints. Furthermore, the proposals would not harm heritage assets.

79 The impacts in relation to wind microclimate are considered acceptable, subject to the proposed mitigation measures proposed being secured. Although there would inevitably be some daylight, sunlight and overshadowing impacts, taking into account the existing site circumstances and the quantum of development proposed, the overall residual daylight and sunlight impact is considered acceptable and does not raise any strategic planning concerns.

80 Whilst the sensitive MOL status and open landscape context of the site means that the height and scale of the proposals would clearly constitute a step-change compared to the existing baseline situation, the surrounding urban context to the south is more varied and contains a mix of two, three, four, five storey buildings and 11-storey towers. Furthermore, it is also acknowledged that the MOL status of the site and the requirement to restrict the development footprint to the previously developed parts of the site, as well as the scheme's overall viability shortfall, means that, in this particular instance, there is a trade-off between the requirement to deliver a new leisure centre, the need to avoid buildings extending beyond the previously developed parts of the site and the consequential height and massing of the scheme. Overall, taking into account the cumulative visual, environmental and functional impacts set out above, and the need to minimise harm to MOL openness, GLA officers consider that the height of the development is acceptable and does not raise any strategic planning concerns.

Fire safety

81 In line with Policy D12 of the Mayor's Intend to Publish London Plan, a fire statement has been prepared by a third party suitably qualified assessor and submitted as part of the planning application. This details how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety and suppression features and means of access for fire service personnel.

Inclusive design

82 London Plan Policy 7.2 and Policy D5 of the Mayor's Intend to Publish London Plan seek to ensure that new development achieves the highest standards of accessible and inclusive design. Appropriate conditions are required to ensure that detailed elements of the proposed scheme accord with the inclusive design principles set out in the above policies. Policy 3.8 of the London Plan and Policy D5 of the Mayor's Intend to Publish London Plan require that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. The scheme would comply with these requirements. Should the Council resolve to grant planning permission, compliance with Policy 3.8 and Policy D5 of the Mayor's Intend to Publish London Plan should be secured by condition. Inclusive and step-free access is also proposed throughout the leisure and commercial elements of the scheme and the surrounding public realm, which is strongly supported.

Climate Change

83 The applicant's energy strategy proposes a 44% reduction in carbon dioxide emissions on the residential element, of which, 4% would be achieved through energy efficiency measures. A 40% reduction in carbon dioxide emissions is proposed on the non-residential element of the scheme, of which 1.4% would be achieved via energy efficiency measures. Whilst the overall CO₂ saving proposed exceeds the minimum on-site reduction, the scheme falls short of achieving the minimum on-site savings via energy efficiency measures as set out in the Mayor's Intend to Publish London Plan. The site specific reasons for this are unclear, which requires further explanation and justification from the applicant. The potential for overheating has been appropriately modelled taking into account climate change, and the residential accommodation passes the relevant assessment criteria.

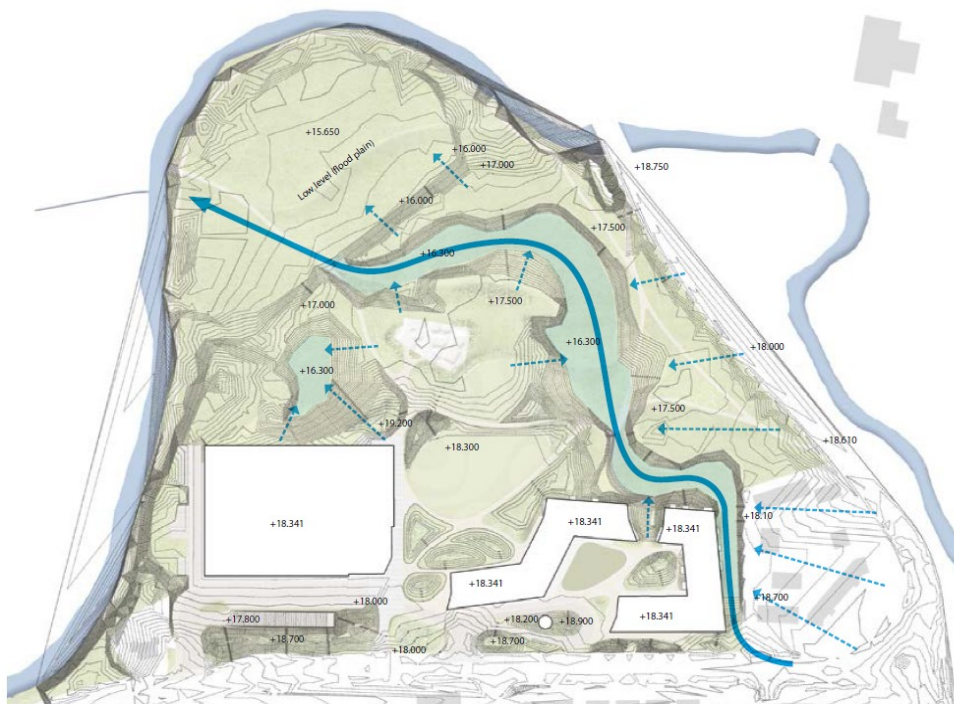
84 Heating and hot water for the the leisure centre, commercial elements and all five residential blocks, would be provided by a single energy centre with a combination of Air Source Heat Pumps and low NO_x gas fired boilers proposed. This is supported and moves away from the CHP-led system initially proposed by the applicant at pre-application stage, which is welcomed. The scheme would be designed to ensure it is capable of connection to a future district heat network in the vicinity of the site should one come forwards. No photovoltaic solar panels are proposed which should be maximised. Financial contributions towards achieving zero carbon standard on the residential element should be secured via S106 agreement.

Flood risk and sustainable urban drainage

85 The site is located within Flood Zones 2, 3A and 3B, with the leisure building in Flood Zone 2 and the car park in Flood Zone 3A. The River Brent and functional flood plain to the north falls within Flood Zone 3B. This area, and the car park have medium to high risk of surface water flooding according to the Environment Agency. The topography of the site varies with land to the north of the River Brent approximately 4 metres lower than the level of the leisure centre, car park and adjacent playing fields. Given the risk of flooding from the River Brent during storm events, the finished floor levels of the leisure and residential development would be raised at least 300mm above the level of a potential flood levels, assuming a 1 in 100-year storm event and taking into account climate change. The detailed design approach in relation to flood risk mitigation and safety, including details of the proposed flood warning and evacuation plan should be agreed in writing with the Environment Agency and secured by pre-commencement condition.

86 The proposed new buildings and access routes will displace a volume of flood water within the flood plain which needs to be compensated for to ensure there is no residual increased risk of flooding off-site within the surrounding area. A strategy to mitigate this risk is proposed by the applicant through re-landscaping and re-contouring of the landform to create a naturalised flood diversion channel which would meander through the centre of the site in the direction shown below, which broadly follows the flow of surface and flood water across the existing site. This would allow surface water to collect and be attenuated within a series of swales and ponds which would become habitat areas and allow water to gradually discharge into the River Brent and a steady rate to avoid the risk of flooding off-site. This approach has been developed and refined through hydraulic modelling and topographical studies and is embedded in the proposed landscape strategy.

Figure 5 – proposed level changes and flood mitigation strategy



87 The Environment Agency (EA) has objected to the application, given the absence of an acceptable Flood Risk Assessment and supporting flood model and GLA officers understand that discussions between the applicant, Council and Environment Agency are ongoing. An update on these discussions should be provided prior to Stage 2. Should the Council resolve to approve planning permission, written clarification should be provided to confirm that the flood risk management strategy and modelling approach Environment Agency has been agreed with the Environment Agency, alongside the applicant's flood risk mitigation measures and evacuation plan. These would need to be appropriately secured, in accordance with London Plan Policy 5.12 and Policy SI.12 of the Intend to Publish London Plan.

88 The drainage strategy for the site has been designed to ensure no flooding would occur at ground level during a 1 in 100 year storm event, taking into account climate change. As shown below, the site-wide drainage strategy incorporates the formation of an attenuation pond to the north of the leisure centre and a drainage channel and swale to the north of Blocks C to E. In addition to this, a drain-deck is proposed on the cover of the basement car park as well as other above ground SuDs measure such as green roofs, soft landscaping, permeable paving. As such, GLA officers consider that the use of above ground sustainable drainage systems (SuDS) has been maximised, taking into account the site constraints, and, on balance, the scheme accords with the drainage hierarchy in the London Plan and Intend to Publish London Plan. Notwithstanding this, the applicant should set out why a greenfield rate of run-off cannot be achieved.

Urban greening

89 The applicant has undertaken an Urban Greening Factor (UGF) assessment of the currently proposed scheme, which shows that the scheme would achieve a score of 0.67. This exceeds the 0.4 target set out in Policy G5 of the Mayor's Intend to Publish London Plan. Further information should be provided in relation to the applicant's UGF assessment, including an annotated plan to enable GLA officers to verify the calculations and areas included in the assessment.

Transport

Car parking and cycle parking

90 The application proposes to re-provide all of the existing 175 car parking spaces which serve the leisure centre for visitors and staff, including designated disabled persons car parking spaces. In addition to this, a further 168 car parking spaces are proposed for the residential element of the scheme, including 19 designated disabled persons car parking spaces. This complies with the maximum residential car parking standards in the Mayor's Intend to Publish London Plan and would also meet the requirement for disabled persons car parking, with this equivalent to 3% of the residential units from the outset and passive provision available via conversion of general car parking spaces should there be demand in the future. The scheme proposes 20% active and 20% passive electric vehicle charging points for the leisure use, which is acceptable. For the residential car parking, at least 20% of spaces should have active electric charging provision, with passive provision for the remaining spaces is required for the residential element, as required by Policy T6.1 of the Mayor's Intend to Publish London Plan.

91 In terms of cycle parking, the proposal includes 1,030 long-stay and 17 short-stay for the residential element. The non-residential element would be served by 9 long-stay and 124 short-stay cycle parking spaces (including 3 long-stay and 10 short-stay spaces for the cafe). The quantum of cycle parking proposed accords with the minimum quantitative standards in the Mayor's Intend to Publish London Plan. Cycle parking should be designed and laid out in accordance the guidance contained in chapter 8 of the London Cycling Design Standards. A Parking Management Plan detailing the arrangements for all parking (car, cycle and coach) on-site, including provisions for managing, monitoring, enforcement and review, should be secured by condition.

Active Travel, Healthy Streets and Vision Zero

92 The applicant has not followed the current guidance for assessment active travel in the area. TfL now requires an ATZ assessment. Notwithstanding this, the routes assessed by the PERS and CLoS are qualifying ATZ routes. It is noted that surfaces and crossings along assessed routes are satisfactory. Poor lighting has been identified at some locations along the assessed pedestrian and cycle routes, which should be improved and secured via financial contributions.

93 Pedestrian and cycle access are afforded via dedicated paths from Ruislip Road East. The existing vehicle access points are retained but modified to accommodate a one-way traffic

operation for large vehicles with entry via the western access and exit from the eastern access point. Entry and exit for the basement car park would be via the western vehicle access point. The basis for modifying the access points is understood; however, there is a concern that the proposed widening of the existing vehicle access points will increase the potential for vehicle-pedestrian conflict. The applicant should demonstrate how this concern would be alleviated by undertaking a Stage 1 Road Safety Audit to demonstrate accordance with the Mayor's Vision Zero ambition. The proposed highway works on Ruislip Road East should also be secured via legal agreement.

Trip generation and transport impacts

94 Bus trip rates arising from the development are expected to be higher than forecasted in the applicant's Transport Assessment (TA) given that residents will be using buses to access the nearby tube and rail services at stations as stated in the applicant's TA. Most of the forecasted rail trips are therefore expected to start and end with a bus journey. The applicant is therefore required to re-run the bus impact assessment to reflect to enable officers to determine what level of mitigation is required. The additional rail trips are modest and will create no significant impacts on the station and rail services. The traffic impact assessment identifies capacity issues on Ruislip Road East, Argyle Road (southbound arm), which currently experiences congestion but will be worsened by the development, albeit it slightly. Improvements to this roundabout are therefore likely to be required to address the capacity issues which would require financial contributions.

Delivery and servicing, construction and travel plan

95 A Delivery and Service Plan should be secured by condition and include consideration of management of home deliveries. A Construction Logistics Plan (CLP) will need to be secured by condition. Given the other development in the area, the CLP will need to include co-ordination arrangements to ensure management of cumulative impacts. The submitted Travel Plan is acceptable and the final Travel Plan and all agreed measures should be secured, enforced, monitored and reviewed through the Section 106 agreement.

Local planning authority's position

96 Ealing Council planning officers are reviewing the scheme and expect to take the application to Planning Committee later this year. At the time of writing, approximately 1,650 objections have been received by the Council, including from MP James Murray and Assembly Member Sian Berry. An online petition entitled 'Save Gurnell' at has received over 4,200 signatures. There have also been a number of direct representations to the Mayor at this point in time. Full details of the public consultation responses received will be set out to the Mayor at Stage 2.

Legal considerations

97 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged or direct the Council under Article 6 of the Order to refuse the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

98 There are no financial considerations at this stage.

Conclusion

99 The London Plan and the Mayor's Intend to Publish London Plan policies on MOL, indoor and outdoor sport, leisure and recreational facilities, public open space, playing pitches, housing and affordable housing, play space, urban design, residential density, residential quality, heritage, tall buildings, inclusive design, climate change, energy, flood risk, sustainable urban drainage, urban greening and transport are relevant to this application. At this stage the proposals do not comply with the London Plan and the Mayor's Intend to Publish London Plan, as set out below:

- **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.
- **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.
- **Urban design and heritage:** The design, layout, height, density and residential quality is acceptable and the application would not harm heritage assets.
- **Environment and climate change:** Further information is required in relation to energy, flood risk, drainage and urban greening.
- **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.

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Response to financial viability information

GLA Case Number:	4287
Scheme Address:	Gurnell Leisure Centre
Applicant:	Be Here Ealing Ltd (in JV with EcoWorld)
Local Planning Authority:	LB Ealing
Date:	7 September 2020
Prepared by:	

1. Introduction

1.1 This document represents the position of the Greater London Authority's Viability Team in relation to the following viability submissions made in relation to the planning application on this site:

- FVA prepared by James Brown dated April 2020.
- Review prepared by Lambert Smith Hampton (LSH) on behalf of the Local Planning Authority ("LPA"), dated 20 August 2020.

1.2 This document is not a Financial Viability Assessment ("FVA"), nor is it a formal review. It is intended to provide advice to the Mayor and will also be provided to the LPA and the applicant.

1.3 This document sets out the extent to which the viability assessments submitted comply with the Mayor's Affordable Housing and Viability Supplementary Planning Guidance ("AH&VSPG") and National Planning Practice Guidance ("PPG") and provides comments on the inputs adopted in the FVA document(s).

1.4 This document covers the following (where appropriate):

- Proposed development and affordable housing.
- Site and context.
- Form and methodology of the FVA and Review.
- Viability inputs
- Gross Development Value.
- Development Costs.
- Benchmark Land Value.
- Appraisal results and analysis.
- Overall comment and recommended next steps.
- Photographs and plans.

2. Proposed Development and Affordable Housing

- 2.1 The proposed scheme comprises a new leisure centre, basement car park, 599 residential units arranged over six blocks with heights up to 17 stories and two commercial properties.
- 2.2 This new flagship leisure facility will include two swimming pools, spectator seating, wet and dry changing facilities, a health suite, café, children's play area, back offices, a modern 100+ station gym, studios and associated plant space.
- 2.3 The total GIA including a basement of 12,400m² is 70,218m².

The floor areas (excluding the basement) are shown in the table below

Land Use	Area m ²	Area ft ²
Residential	36,785 NIA	395,950 NIA
Leisure Centre	7,896 GIA	84,992 GIA
Commercial	480 GIA	5,167 GIA

- 2.4 There are 160 residential car spaces and 175 spaces for the leisure centre in the basement and 8 surface spaces

Affordable housing

- 2.5 The proposed breakdown of the residential units is as follows
- London Affordable Rent 98 units
 - Shared Ownership 98 units
 - Market (for sale) 403 units
- 2.6 The LAR is located in Block A, the shared ownership are in Block B (both adjoining the leisure centre) and the market housing is in Blocks C-F (see plan in appendix)
- 2.7 The affordable housing provision equates to c33% by unit or approximately 34% by habitable room.
- 2.8 James Brown's FVA explains that the scheme is being brought forward by Be Here Ealing Ltd (a wholly owned by the Council) who have entered into a JV with EcoWorld.
- The JV envisages that the freehold will be retained by LBE with the developer bringing forward the residential element of the scheme.
 - The affordable housing will be purchased by LBE or a third party
 - The basement costs will be split between the parties.
- 2.9 LSH explain that 'despite LBE's desire to see a new facility built, it is only able to contribute £12.5million, which is significantly below the cost of providing a replacement facility. Therefore, as part of the Cabinet resolution, it was decided that the only way that

LBE can generate the level of funding required, is through allowing a redevelopment of part of the site for private residential use.'

3. Site and Context

- 3.1 The site extends to 13.2 hectares in total and is located in the Brent River Park within Metropolitan Open Land (MOL).
- 3.2 The site is bounded by Ruislip Road East to the south; Stockdove Way to the north; and Argyle Road and Peal Gardens to the east. The western boundary of the site is defined by a north-south pedestrian/cycle route and tree line which runs alongside the elevated railway.
- 3.3 Perivale London Underground Station (Central Line) is 1.8 kilometres to the north of the site. Castle Bar Park station and South Greenford Station are within a shorter 10 to 20 minutes walk to the south and north respectively and provide services into Paddington.
- 3.4 The site comprises the Gurnell Leisure Centre and surface car park, an adventure playground, BMX track, skate park, grass playing fields and adjacent parkland. The existing leisure centre is the main public sport and leisure facility in the London Borough of Ealing and one of few indoor 50m pools in the UK
- 3.5 James Brown confirms at paragraph 4.1 that the leisure centre is at the end of its economic life and no longer fit for purpose.
- 3.6 He explains that the site is subject to numerous constraints as the MOL designation means that;
 - The built footprint of proposed scheme should not significantly exceed the existing meaning that a basement is required to accommodate parking and plant.
 - There is pressure on building height as the existing building footprint cannot be significantly expanded

4. Form and Methodology of the FVA and Review

- 4.1 James Brown's assessment, prepared on behalf of the applicant, uses a fixed land cost to arrive at a residual profit which is considered against a target rate of return.
- 4.2 A number of different scenarios have been tested as set out in Section 7 below.
- 4.3 LSHs assessment, prepared on behalf of the LPA, has also tested these scenarios on a similar basis.

5. Viability Inputs

Gross Development Value

Residential: Market Tenure

- 5.1 James Brown has looked at evidence from two schemes in arriving at his average sales value of £667.81
- 5.2 LSH have considered other from a range of other schemes and have adopted a marginally lower value of £656 psf.
- 5.3 Both assessments are within a reasonable range based on the evidence provided.

Car Parking

- 5.4 Parking spaces have been valued by James Brown at £2.2m for 110 spaces or £20k per space. This approach has also been adopted by LSH and appears reasonable.

Residential: Affordable

- 5.5 Savills have valued the affordable housing in Blocks A and B at £60m which accounts for £9.8m of GLA grant funding. James Brown has used this figure to assume values of £271 for the LAR (£410 psf with grant) and £510 for the shared ownership.
- 5.6 LSH have adopted lower figures for both tenure of £252psf for the LAR and £474 for the shared ownership.
- 5.7 Although Savills values are at the higher end of the values the GLA would expect to see, their assumptions are not unreasonable and LSH have not provided a detailed analysis to support their assumptions.

Commercial Values

- 5.8 James Brown has assumed a nil value for the new leisure centre and this has also been adopted by LSH on the basis that it will be run on a 'not for profit' basis.
- 5.9 This is a reasonable assumption but the GLA would expect to see the leisure centre secured on this basis in the s106 and clawback provisions put in place should the building be leased or sold on a commercial basis.
- 5.10 The commercial space has been valued on the basis of a rental value of £14 psf capitalised at 6.5% with 6 months rent free. These assumptions have been adopted by LSH and are considered reasonable.

Ground Rents

- 5.11 James Brown has not included any value for potential ground rent income.

- 5.12 LSH have also followed this route but pointed out that could provide income for a developer.
- 5.13 Although the Government has indicated that they may bring forward legislation to restrict ground rents within residential leases, at the current time there is nothing to prevent these being charged and many developers continue to do so. This would provide additional income to the scheme of c£5-6,000 per unit.

Grant Funding

- 5.14 James Brown assumed GLA grant funding of £9.8m assumed plus funding of £12.5m from Ealing for the new leisure centre.
- 5.15 LSH have also assumed a further £2.744m of GLA funding in respect of the shared ownership units. Confirmation should be sought on whether this can be provided.

Development Costs

Construction costs

- 5.16 James Brown has relied on a Cost Plan prepared by Gardiner and Theobald for the private blocks and Willmott Dixon for the affordable housing and the leisure centre.
- 5.17 Indicates a total build cost of £175.89m which equates to £232.71psf overall on the total scheme GIA. He has added a contingency of 5%.
- 5.18 The build cost of the private blocks has been assessed by G&T at £79.7m which equates to £225 psf (£2,421 m2)
- 5.19 The build cost of the basement, leisure centre and affordable has been assessed by Willmott Dixon at £96.17m - £2,575m2.
- 5.20 The Cost Plan has been reviewed by Core 5 on behalf of the LPA who consider the costs are under-estimated and arrive at a total figure of £189.69m.
- 5.21 The Core 5 analysis shows that the cost of providing the leisure centre is c£43m including half of the basement costs. The cost of the leisure centre is not clear from the G&T cost plan.
- 5.22 The costs adopted by LSH on a rate per ft2 for the private residential are at the highest end of what we would expect to see and Core 5 acknowledge that Gardiner and Theobald's cost estimate may be achievable.
- 5.23 On the Leisure Centre/affordable blocks the cost differential comes from the mechanical and electrical works but also the prelims and OHP (total of c14% compared with 20%). Willmott Dixon have extensive experience of building leisure centres and so their costs, provided on behalf of the applicant should be reliable.

- 5.24 Overall therefore, James Brown's assumptions on build cost are considered to be within a reasonable range.

Purchaser's costs

- 5.25 These appear not to have been included by James Brown but would be nominal /not incurred if Council propose retaining the commercial elements

Profit

- 5.26 James Brown has assumed that an acceptable profit would be 17% on costs for the proposed scheme although this increases to 20% where scenarios are tested that include all market residential.
- 5.27 It is not totally clear what profit levels LSH would consider appropriate as they say they have adopted James Brown's position and then also refer to 17.5%.
- 5.28 The GLA's standard assumptions on a scheme of this nature would be 17.5% on GDV for the market and a blend of 4% on the affordable (assuming a nominal profit on the LAR as it seems that these will be acquired by the borough and so there is no sales risk.) This is broadly in line with both assessor's assumptions although will vary depending on the quantum and mix of residential accommodation.

Professional fees

- 5.29 Professional fees of 10% on build costs have been adopted by James Brown and LSH and this is considered reasonable.
- 5.30 'Site acquisition fees' have been included by both assessor but it not clear what these represent and this should be explained.

Finance

- 5.31 A finance rate of 7% has been adopted by James Brown whereas LSH adopt a lower rate of 6% has been adopted by LSH.
- 5.32 Consideration should be given to whether these costs could be reduced through access to finance at public sector borrowing rates through the Council.

Community Infrastructure Levy and Financial Section 106 Planning Obligations

- 5.33 James Brown has assumed an allowance of £7.5m with respect to CIL payments and s106. These amounts should be checked and verified by the LPA.
- 5.34 LSH advise that the s016 may be some £250k lower

Programme

	Starts	
Demolition and enabling	August 2020	24 months
Leisure Centre and Café Blocks A and B	October 2021	24 months
Blocks C& D	March 2021	27 months
Blocks E &F	February 2024	24 months
Overall programme		5.5 years

6. Benchmark Land Value

- 6.1 James Brown has assessed the Benchmark Land Value (“BLV”) as Nil on the basis that the existing leisure does not generate an income and further is at the end of its economic life.
- 6.2 This has been accepted by LSH and is considered a reasonable position.

7. Appraisal Results and Analysis

- 7.1 Both assessors have carried out a base appraisal which is taken to be the current scheme but excluding GLA grant or the funding from LBE. This base scenario is tested in order to demonstrate that the scheme provides the maximum reasonable amount of affordable housing
- 7.2 Both assessors conclude that this base appraisal generates a profit deficit – James Brown has a deficit of £3.68m whereas LSH are higher at £27.91m.
- 7.3 The main differences come from the build costs but LSH also have a lower GDV due to marginally lower market values and lower affordable values.
- 7.4 These appraisals show that without public subsidy the scheme cannot provide additional affordable housing and re-provide the leisure centre.
- 7.5 The first scenario to be tested - Scenario 1 in the table below - includes both affordable housing grant from the GLA and grant from LBE. With this additional income the viability of the scheme improves and both assessors report a profit – James Brown of c£26m and LSH c£5m.
- 7.6 James Brown’s profit requirement of 17% on cost would seem to indicate a deficit of c£11m against a profit requirement of c£37m whereas LSH’s is considerably more as their costs are higher.
- 7.7 The GLA’s standard assumptions on a scheme of this nature would be 17.5% on GDV for the market and a blend of 4% on the affordable (assuming a nominal profit on the LAR as it seems that these will be acquired by the borough and so there is no sales risk.) On this basis and adopting James Brown’s values an appropriate profit would be c£33m which

still indicates a deficit. It can therefore be confirmed that the scheme is providing the maximum reasonable amount of affordable housing.

- 7.8 The deficit could be reduced or overcome by including ground rents and assuming that finance costs could be reduced through some element of public sector borrowing.
- 7.9 Any reduction in the size of the scheme through removing market residential housing is likely to increase the deficit and if LSH's assumption are used the scheme would quickly revert to providing a negative profit.
- 7.10 The other scenarios test the impact of different residential tenure mixes and profit assumptions on the quantum of residential development required to support the rebuilding of the leisure centre. This is relevant as the impact on the development of MOL needs to be weighed up against the other benefits provided.
- 7.11 The scenarios tested are set out in the table below. James Brown's output are taken from his FVA rather than LSH's results summary table on Page 30 which seems to have different figures.

Scenario	Assumptions	James Brown	LSH
1	Current scheme 395,590 ft ² residential NIA with GLA/LBE grant	Profit output is £26.41m. 11.69% on cost	Profit output is £5.12m
2	Tests quantum of development required to drive a reasonable commercial profit based upon 50% affordable housing (GLA and LBE Grant income)	Requires 837 units or NIA of 553,417ft ² (additional 40%) Assumed profit requirement is 17% on costs which equates to £47m.	Requires 909,822ft ² residential floor space (additional 130%) Assumed profit requirement is £75.02m or 16.92% on cost. (much higher than James Brown as higher build costs and much bigger scheme)
3	As Scenario 2 but with 0% affordable housing provision (LBE grant only)	Requires 661 units or NIA of 437,037 (additional 10%) Assumed profit requirement is increased to 20% on costs or £51m	Requires 539,604ft ² residential floor space (additional 36%) Assumed profit requirement is £52.28m or 16.42% on cost.

Scenario	Assumptions	James Brown	LSH
4	Tests the quantum of development required to drive profit sum shown in Scenario 1 based upon a 50% affordable housing provision	Requires 655 units or 432,695 ft ² (additional 9%) Provides a profit of £26.4M Finance costs much lower at £6.8M Additional units support more affordable housing	Requires 453,902ft ² residential floor space (additional 15%) Assumed profit requirement is slightly lower than the output of Scenario 1 at £2.61m
5	As Scenario 4but with 0% affordable housing provision	Requires 504 units (661 ft ² average size) or 333,333 ft NIA (Reduction of 16%) Profit of £26.4m	Requires 315,299ft ² residential floor space (reduction of 20%) Assumed profit requirement is slightly lower than the output of Scenario 1 at £3.07m

- 7.12 As the two assessors have a significantly different position in terms of construction costs it is difficult to compare the two outcomes of their appraisals. LSH's higher costs drive up the profit requirements which can be misleading so the following comments are restricted to James Brown's assessment.
- 7.13 In Scenarios 2 and 3, the increased quantum generates a proportionally higher profit and so more and more residential accommodation is required to meet the required profit percentage. The profit expectations are significantly above that assumed by the applicant in the application scheme of £26m.
- 7.14 The profit expectations are also driven in Scenarios 4 and 5 by the profit output from Scenario 1. An increase of 9% residential accommodation is required to provide a profit of £26m assuming 50% affordable housing. If all the residential becomes market, then the quantum could reduce by 16%. Although the profit would then reduce to c11% on GDV this may be acceptable.

8. Overall Comments and Recommended Next Steps

- 8.1 The testing shows that the proposed scheme includes the maximum reasonable quantum of affordable housing and requires grant to support delivery.
- 8.2 It also shows that assuming the proposed tenure mix, 599 residential units are required for the scheme to provide a reasonable profit on the residential element of the scheme and so enable delivery.

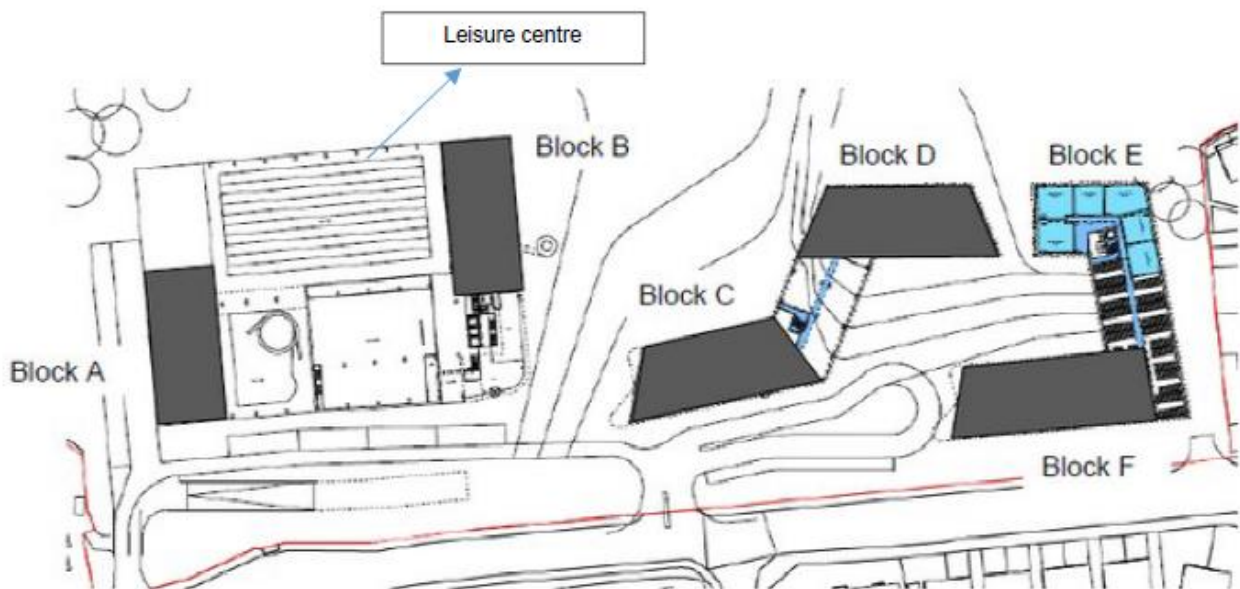
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- 8.3 The only realistic option tested for reducing the quantum of residential on this site would seem to be a market only scheme of c500 units . Assuming the applicant's inputs on costs and values, even this produces a profit below standard market assumptions.
- 8.4 Overall the testing demonstrates that residential development and public subsidy at the levels assumed are required to enable the delivery of the new leisure centre on this site.
- 8.5 Increasing the percentage of affordable housing within the scheme would mean that a larger quantum of residential accommodation would be required to maintain the same viability position. 50% affordable housing requires an additional 9% residential development assuming the same profit sum.
- 8.6 The scheme includes a large basement car park that contributes significantly to the costs. If this was reduced in size it may be possible to reduce the quantum of residential development and achieve the same profit out-turns. However, it is understood that it may difficult to reduce the basement significantly as it contains part of the swimming pool/leisure centre uses and the parking would need to be provided elsewhere if not removed entirely.
- 8.7 The Leisure Centre should be secured in perpetuity as a not for profit community facility with appropriate clawback provisions should that change.
- 8.8 The s106 agreement should include provision for both early and late stage reviews.

Appendix 1 Photographs/ Plans

Site



Proposed layout



CGI of proposed scheme



