Ref :	**214710FUL**
Address:	**93 Bollo Lane, Chiswick, London, W4 5LU**
Ward:	**Southfield**
Proposal:	**Redevelopment to provide a mixed use scheme comprising a building upto eleven storeys with basement for 96 self contained residential units ; 1618sqm light industrial floorspace (Use Class E(g); associated landscaping, access and cycle parking (Following the demolition of existing buildings)**
Drawing numbers:	**L00 (Existing Location Plan); L01 (Proposed Location Plan); S00 (Existing Site Plan); S01 rev B (Proposed Site Plan); GAB rev B (Proposed Basement Floor Plan); GALG rev B (Proposed Lower Ground Floor Plan); GA00 rev B (Proposed Ground Floor Plan); GA02 rev B (Proposed Typical Floor Plan); GA07 rev B (Proposed 7th Floor Plan); GA08 rev B (Proposed 8th Floor Plan); GA09 rev B (Proposed 9th Floor Plan); GA10 rev B (Proposed 10th Floor Plan); GARF rev B (Proposed Roof Plan); GS01-1 (Proposed Section 01-1); GS01-2 (Proposed Section 01-2); GS02-1 (Proposed Section 02-1); GS02-2 (Proposed Section 02-2); GS03 (Proposed Section 03); GS04 (Proposed Section 04); GS11 (Proposed Section 11); GS12 (Proposed Section 12); GE01-1 (Proposed Elevation 01-1); GE01-2 (Proposed Elevation 01-2); GE02-1 (Proposed Elevation 02-1); GE02-2 (Proposed Elevation 02-2); GE03 (Proposed Elevation 03); GE04 (Proposed Elevation 04); GE11 (Proposed Elevation 11); GE12 (Proposed Elevation 12); GA00 rev 1 (General Landscape Plan Roof Terraces); GA01 rev 1 (General Landscape Plan Ground Floor); GS00 rev 1 (General Sections 1); GS01 (General Sections 2); GS02 (General Sections 3); GS03 rev 1 (General Sections 4); DT00 (General Landscape Details); SP00 rev 1 (Tree and Specimen Shrub Plan Roof Terraces); SP01 (Tree and Specimen Shrub Plan Ground Floor)**
Supporting Documents:	**Planning Statement (prepared by Iceni Projects); Design and Access Statement (prepared by Alistaire Downie Studios); Heritage and Townscape Visual Impact Assessment (prepared by Iceni Projects); Commercial Report (prepared by AND); Daylight Sunlight Assessment (prepared by Avison Young); Flood Risk Assessment (prepared by Logika); Landscaping (prepared by MRG Studio); Transport Statement (prepared by Iceni Projects); Construction Logistics Plan (prepared by Iceni Projects); Framework Travel Plan (prepared by Iceni Projects); Delivery and Servicing Plan (prepared by Iceni Projects); Preliminary Ecological Appraisal (prepared by Greengage); Arboricultural Plans (prepared by Crown Trees); Arboricultural Method Statement and Tree Protection Plan (prepared by Crown Trees); Tree Report (prepared by Crown Trees); Tree Schedule (prepared by Crown Trees); Statement of Community Engagement (prepared by Iceni Projects); Energy Report (prepared by Greengage); Biodiversity Impact Report**

(prepared by Greengage); Overheating Assessment, (prepared by Greengage); Whole Life Carbon Assessment (prepared by Greengage); Circular Economy Report (prepared by Greengage); BREEAM Pre-Assessment (prepared by Greengage); Sustainability Report (prepared by Greengage); Air Quality Assessment (prepared by AQ Consultants); Noise Assessment (prepared by Cass Allen); Community Infrastructure Assessment (prepared by Iceni Projects); Phase 1 Contaminated Land Assessment (prepared by EAME); Fire Statement

Type of Application: **Major**

Application Received: **12/07/2021**

Report by: Joel Holland Turner

Recommendation: Grant Permission, subject to conditions and legal agreement

Executive Summary:

The proposed development constitutes a co-located industrial and residential development that would be constructed following demolition of the existing buildings. The site is unconventional both through its shape and the fact that it is located between two level crossings on Bollo Lane. The site is located within a Locally Significant Industrial Site (LSIS) and the development is therefore relying on the provisions of Policy E7 of the London Plan, which seek to encourage developments to increase their industrial capacity and allow for their co-location with residential uses, subject to the Agent of Change principles. It is not considered that the proposal to introduce residential uses on the site would compromise the functionality and operation of the LSIS, given its island-like location and its distance from nuisance-generating activities within the South Acton Industrial Estate.

The principle to co-locate residential uses on the site is acceptable in principle as not only would the development result in a net increase in the amount of employment space, but it would also make a good contribution to meeting Council's 10-year housing targets. The development makes a very good offer for Affordable Housing, with 38% being provided. The tenure split is also considered to be very positive with a rate of 74.5/25.5, skewed heavily in favour of London Affordable Rent, providing a good provision toward genuinely affordable homes within the Borough. All of the 3-bedroom units within the development (6) would be within the LAR tenure, therefore also providing genuinely affordable family homes to residents.

The design of the development is also considered to be high quality, with a clear distinction made between the industrial and residential elements of the proposal. The architectural approach taken has sought to provide design references to Acton Town and Chiswick Park Railway stations, recognising its geographical location between them and the sites own context being surrounded by existing railways. The development would also improve the sites relationship within the street, where currently the existing building makes a poor contribution to the street scene. The materiality and architectural style would improve on the existing building and provide better activity at street level and the balconies would provide better eyes-on-the-street objectives.

It is noted that one of the most common concerns through the consultation process, was the impact of the proposal, in relation to its height and bulk, on surrounding residents. It is noted that the greatest

impact would be experienced by residents on Weston Road. The Daylight/Sunlight study has been scrutinised by Council Officers and it is noted that the reduction in daylight may be noticeable in accordance with BRE Guidance, however it is not considered that this reduction would be detrimental to living conditions. Where non-compliance is experienced outside of the BRE Guidance, this is based off high baseline levels of the existing building and any meaningful development of this site would present similar outcomes. It is also noted that BRE Guidance is simply advisory and existing factors must be taken into consideration, along with the fact that this guidance is designed to be flexible and should not be applied in a mechanicalistic way. With regard to overlooking, the development will have a significant enough separation distance from nearby residential properties to avoid privacy or overlooking impacts.

The quality of the accommodation proposed is compliant with London Plan and Ealing Council policy with respect to minimum internal spaces and private amenity areas. The development provides a coherent landscaping and communal amenity space strategy that would provide future residents with good opportunities to relaxation and recreation.

The GLA and Council Officers had initially highlighted issues with the delivery and servicing strategy, loading bays and cycle parking. However, through amendments to these parts of the development, including making the proposed loading bay on Bollo Lane at grade with the footpath to allow for shared use, it is considered that these matters are resolved and will not place undue harm on pedestrian and highway safety, subject to conditions.

The proposal also presents a highly sustainable development, with a significant reduction to site-wide emissions beyond Part L of the Building Regulations. Conditions have been recommended with respect to noise, air quality, contaminated land and crime prevention.

Based off the assessment of the proposal undertaken, it is considered that the proposed development accords with the objectives of all relevant planning policy and it is recommended that the application be approved, subject to conditions and legal agreement.

Recommendation:

That the committee **GRANT** planning permission subject to the satisfactory completion of legal agreements under section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the items set out below:

Heads of Terms

The proposed contributions to be secured through a S106 Agreement are set out below.

Financial Contribution Heading	Proposed Contributions
Education Infrastructure	£180,000
Healthcare provision	£130,000
Transport and Public Realm	£130,000
Bus Service Improvements (TfL)	£78,000
Amenity Space	£44,000
Children's Play Space	£22,460
Allotment Garden Improvements	£11,283
Active Ealing (Sports Infrastructure)	£60,000
Apprentice and Local Labour Scheme	£25,000
Air Quality	£25,780

Carbon Dioxide Offsetting	£116,586
Post Construction Energy Monitoring	£9,967
Total Contributions	**£831,706**

- Affordable housing provision of 38%, with a tenure split of 74.5 / 25.5 in favour of LAR over Shared Ownership
- An early-stage Affordable Housing Viability Review mechanism to be triggered if an agreed level of progress on implementation has not been made within two years of any planning permission.
- Free car club membership for 3 years for all residents
- A s273 agreement to provide the loading bay and footpath improvements on Bollo Lane
- All disabled parking bays shall be fitted with electric vehicle charging infrastructure
- Restriction of parking permits within the Controlled Parking Zone
- Implementation for a travel plan
- All contributions indexed linked
- Payment of the council's reasonable legal and professional costs in preparing the s106 agreement

AND

That the grant of planning permission be subject to the following conditions:

Conditions/Reasons and Informatives: refer to Annexe 1

Site Description:

The application site is a somewhat irregular triangular shaped plot, with an area of approximately 2,083sqm and a frontage to Bollo Lane of 32.7 metres. The site is currently used as a supercar showroom, that offers repairs, bodywork, display and events related to these types of vehicles. The site is located toward the southern edge of the South Acton Industrial Estate and is designated as within a Locally Significant Industrial Site (LSIS). In terms of other restrictive planning designations, the area is also located within an area of Local and District Park Deficiency.

Figure 01: Site Location

The site is an island site that is surrounded by two railway lines to the northwest and southeast. It is a transitional site between the more industrial areas of the South Acton Industrial Estate to the north and residential areas of Chiswick/Acton Green to the south. On the opposite side of Bollo Lane to the southwest, a 14-storey building, commonly known as the Pocket Living development, is situated. Therefore, despite the designation of the site as within LSIS, it is surrounded by a variety of uses.

Examples of the type of emerging development within the vicinity of the site is the TfL scheme, which was approved by the January 2021 Planning Committee. Council granted approval for a mixed-use hybrid scheme (planning permission and outline planning permission) on the stretch of land between the railway corridor and Bollo Lane. This is a phased development with Phases 1 & 2 granted planning permission (subject to legal agreement), which was for 550sqm of B1(a)(b)(c) uses, 125sqm of flexible Class A uses and 200 affordable and market dwellings in a block up to 25 storeys. Phases 3 & 4 was granted outline planning permission for 1800sqm of B1(a)(b)(c) uses, 175sqm of flexible Class A uses and 700 affordable and market residential units in 8 blocks, between 8 storeys and 18 storeys in height.

Most recently, planning permission was granted (subject to legal agreement) for a mixed-use scheme at 2-10 Roslin Road & 29-39 Stirling Road (204553FUL) for collectively 149 residential units and 2,421sqm of flexible employment space (Class E(g)). The building at Roslin Road was approved to be 15 storeys in height and the building at Stirling Road being part 2, part 8 and part 11 storey. Council is also currently considering developments at 3-15 Stirling Road (214991FUL) and 1 Stirling Road/1-9 Colville Road & 67-81 Colville Road (214611FUL).

The Proposal

The proposed development involves the demolition of the existing building and the construction of a mixed-use scheme. Key elements of the proposal are as follows:

- 96 self-contained residential units
- 1618sqm light industrial floorspace (Use Class E(g)
- Associated landscaping, access and cycle parking

Figure 02: Site Photo

Consultation:

Public Consultation – Summary

Neighbour Notification	In accordance with the requirements of Ealing Council's Statement of Community Involvement (2015) and the Town and Country Planning (Development Management Procedure) Order 2015, the application was advertised by the way of site notice on 18/08/2021 with the consultation period expiry on 08/09/2021.

	Thirty-eight (38) objections were received during the statutory consultation period. A summary of the points of objection to the proposed development is provided below: - Loss of daylight and sunlight - Loss of privacy - Inadequate provision for loading at the front of the property, increasing traffic and leading to accidents - Inadequate infrastructure/amenities to support the new developments - Local people were not sufficiently consulted by any measure - Too high for the area - Development is based around developer greed - Parking is an existing issue which cannot handle more - Demand for this type of development is low - Massing is too great for this location - The site is between two level crossings, which is used by London Overground trains. It will also be used by the West London Orbital Railway. This would mean that there be a minimum of 8 closures per hour. Development should therefore not go ahead until a Network Rail timetable analysis and engineering study has been released - Will cause overshadowing of back gardens on Weston Road - Would cause additional pollution - The area is becoming overdeveloped when considering the future TfL developments - Impact on house prices - Totally inconsistent with Council's zero carbon pledge - Little to useable amenity space - Balconies would be unusable due to railway noise - Concern about the development and the structural integrity of nearby homes - Safety issues with pedestrian and vehicle strikes with barriers at railway crossings - Concern regarding construction in terms of dust and noise - Proposal disregards the impact of Weston Road residents Officer Response: Many of the responses will be addressed within the main Assessment section of this report. However, there were some points raised above that were concerns that were more common than others. A number of residents raised concerns regarding the consultation period, some advising that there was not enough time provided, others stating that it occurred during school holidays and others stating that they saw the site notices and others saying that they didn't. Council has statutory obligations to undertake consultation over a minimum 3-week period, which has occurred in this instance. Council cannot control when this occurs and cannot unnecessarily delay consultation periods based on times of the year. Council also has no control over when applicant's submit applications. Council has undertaken consultation in accordance with statutory obligations and given that 38 representations were received by residents, it is considered that the

	consultation period has adequately advertised the proposed development to local residents. Council would, as with all applications, accept consultation responses beyond the date specified (prior to the determination of an application). The applicants were also advised by Council Officers prior to submission to undertake their own consultation process with neighbouring residents. The applicant's actions are outlined within their Statement of Community Involvement. Height was also mentioned as an issue, with some residents stating that the proposal would be 15 storeys, others 14 storeys and 11 storeys. The development has a maximum height of 11 storeys at Bollo Lane, but progressively decreases in height as the development moves to the rear of the plot. The height proposed is considered to be consistent with both existing and emerging development within the area. Matters relating to daylight, sunlight, overlooking and privacy will be addressed within the main Assessment section of this report. As will all other issues that have been raised.
Councillor Responses	Cllr Gary Malcolm - Too many one-bedroom flats and not enough family units, which is what is needed - There is very little outdoor space - Density is too high, affecting mental wellbeing - Height of the building will cause loss of privacy with the number of balconies proposed being overbearing on existing low-level housing - Height is out-of-character for the area - Overdevelopment without any real addition to local facilities <u>Officer Response:</u> The housing mix proposed is considered to be appropriate and consistent with other developments. The proposal provides for more 2- and 3-bedroom units than 1-bedroom units and 1-bedroom units are a common form of housing, particularly for first home buyers. The proposal maximises the use of roof spaces for communal amenity space and all proposed flats would provide for their own private amenity space. Further details are provided within the Landscaping section of this report. The height and massing of the development is discussed within the Design section of the report and is overall considered to be consistent with the prevailing and emerging form of development. Matters relating to privacy and residential amenity, particularly to residents on Weston Road is discussed within the Report. The applicant will be required to contribute to local amenities through the recommended s106 obligations.

Ealing Civic Society	- Concerns relating to the commercial space have been addressed by revisions to the proposal - Site is not suitable for residential development - Location between two railway lines would result in the proposal having limited accessibility - Quantum of development for a small space would lead to an overwhelming sense of overcrowding - Close proximity to railway lines would deliver poor residential amenity - Lack of children's play space for older children (5-11 years) - Suggestion of contribution toward off-site play space for older children would be undeliverable due to lack of space <u>Officer Response:</u> The matters relating to the suitability of the site for residential uses and its location within railway corridors is discussed within the report. The amenity of residents is also discussed and will be addressed through planning condition. The development would provide for compliant internal spaces and private amenity spaces, with good access to communal amenity spaces throughout the development.
External Consultation	
Greater London Authority (GLA)	**Land use principles:** The application does not fully comply with London Plan Policy E7 because the site's redevelopment is not being progressed as part of a plan-led process of LSIS intensification and co-location. Notwithstanding this, GLA officers consider that the proposed co-location scheme (which would provide a net increase in light industrial floorspace targeted at micro and small and medium sized enterprises) could, on balance, meet the criteria set out in Part D of London Plan Policy E7 and could therefore be supported, in this particular instance. However, the concerns regarding site access, delivery and servicing and road safety should be fully addressed **Housing and affordable housing**: 38% affordable housing is proposed (by habitable room), with a 74:26 tenure split between London Affordable Rent and intermediate shared ownership.This complies with the Fast Track Route criteria, subject to the proposed light industrial floorspace being robustly secured. Housing affordability should be clarified and secured. Play space provision should also be secured, with the shortfall in on-site play space provision mitigated through a financial contribution towards improved play space facilities **Urban design, heritage and tall buildings:** The site is not within a location specifically identified as suitable for tall buildings, so the application is contrary to Part B of London Plan Policy D9. However, the overall layout, design and massing is supported, taking into account the existing and emerging surrounding context. The architectural quality and materiality of the scheme is supported. The application would not

	harm heritage assets or give rise to any unacceptable visual, environmental or cumulative impacts. Therefore, the qualitative criteria in Part C of Policy D9 could be met and tall buildings could be supported in this case. However, this is subject to the functional impacts associated with deliveries and servicing being addressed and resolved. **Transport:** A contribution of £78,000 towards bus service improvements is required. Concerns regarding the delivery and servicing arrangements must be addressed. Policy compliant cycle parking is required, and the quality of cycle parking should be improved to comply with the London Cycle Design Standards (LCDS) guidance. Further work is required to demonstrate how the development delivers Healthy Streets improvements **Climate change and environmental issues:** The energy, urban greening and drainage strategies are supported. Noise mitigation measures should be secured.
London Borough of Hounslow	This Authority does not wish to raise any objection to the proposed developments; however, the following information should be prepared and shared with officers at LB Hounslow before determination of the application: <u>Heritage matters</u> The Authority is generally satisfied that there would not be a harmful impact on heritage assets across the London Borough of Hounslow, particularly in light of the recently consented development along Bollo Lane on Transport for London land, which if built, will largely screen the proposed blocks from the most sensitive heritage assets in the vicinity such as Gunnersbury Park / Mansions and the riverside. However, officers note the recent proliferation of large-scale standalone planning applications along this section of Bollo Lane, and it would be helpful to know if there is a Masterplan or Local Plan policy designation for this area (the South Acton Trading Estate and its surrounds) to inform the likely pattern of change in the area in coming years and help to guide any future representations from LB Hounslow. This is particularly important in the context of heights: there are a number of sensitive conservation areas and other heritage assets in LB Hounslow within view of this area, and the trading estate appears to be set for significant change in the coming years; it therefore seems probable that LB Ealing has a policy document to guide this change and it would be useful if this could be shared with LB Hounslow. <u>Transport matters</u> The Council's Transport team have been consulted as part of this submission, and have issued the following comments and observations:

	Construction routes should be directed away from Chiswick High Road as far as possible. *We would have expected a survey of the routes to be provided to identify any barriers to active travel in the vicinity of the site, including the route to CHR and Gunnersbury Station. Notwithstanding this omission, as we are securing a contribution to enhancing the pedestrian crossing facility outside Gunnersbury Station through the Bollo Lane scheme, a proportional contribution should be sought from this proposal also.*
Metropolitan Police (Secure By Design)	I have met with the architects and planning agent with regards to Secured By Design, and they display an aspiration to achieve an SBD accreditation. I have given them specific advice in line with the Homes Guide 2019, and further specific advice can be given to the architects and developers directly and throughout the development. I see no reason why this proposed development would not achieve a Secured By Design Accreditation. Should the development be granted planning permission, I request that the wording of the condition is, or similar to: **"The development must achieve Secured by Design accreditation prior to occupation"** This will incorporate all aspects of doors, windows, lighting, postal strategy and advice on CCTV rather than specifying them individually within the conditions.
NHS Property (Healthcare)	Recommended contribution toward healthcare provision.
TfL (Safeguarding London Underground)	Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. Therefore, we request that the grant of planning permission be subject to conditions to secure the following: Detailed design and method statements (in consultation with London Underground) will be submitted to and approved in writing by the local planning authority which: - Provide foundation and piling details for all structures prior to commencement of works - Provide details on the use of tall plant/tower crane- Risk Assessment and Method Statement for siting, erection and lifting arrangements should be submitted for approval by LU Engineers - Accommodate ground movement arising from the construction thereof- provide Ground Movement Assessment/Impact Assessment and

	- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels. The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied. **Reason:** To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012. We also ask that the following informative is added: The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting *This response is made as Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.*
Thames Water	Waste Comments Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing

	trade.effluent@thameswater.co.uk . Application forms should be completed on line via **www.thameswater.co.uk**. Please refer to the Wholsesale; Business customers; Groundwater discharges section. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: “A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 020 3577 9483 or by emailing **trade.effluent@thameswater.co.uk** . Application forms should be completed on line via **www.thameswater.co.uk**. Please refer to the Wholsesale; Business customers; Groundwater discharges section. The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. “The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide ‘working near our assets’ to ensure your workings are in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other **structures.https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes**. Should you require further information please contact Thames Water. Email: **developer.services@thameswater.co.uk** Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We’ll need to check that your development doesn’t limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. **https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes**. Water Comments On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have

	any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. **https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes**. Should you require further information please contact Thames Water. Email:developer.services@thameswater.co.uk
Network Rail	**Item 1. Issues** - Encroachment on the boundary fence, interference with sensitive equipment, space for inspection and maintenance of the railway infrastructure. **Item 2. Issues** - Stability of railway infrastructure and potential impact on the services. **Item 3. Issues** - Potential buried services crossing under the railway tracks. Some of the services may be owned by Network Rail or Statutory Utilities that may have entered into a contract with Network Rail. **Item 4. Issues** - Proximity of the development to the Network Rail infrastructure and boundary fence and adequate space for future maintenance of the development. **Item 5. Issues** - Collapse of lifting equipment adjacent to the boundary fence/line. **Item 6. Issues** - Collapse of temporary structure near the railway boundary and infrastructure. **Item 7. Issues** - Piling adjacent to the railway infrastructure if any. Issues with ground movement affecting the track geometry and surrounding ground and structure stability. **Item 8. Issues** - Trespasses and unauthorised access through an insecure or damaged boundary fence. **Item 9. Issues** - Interference with the Train Drivers' vision from artificial lighting and human factor effects from glare. **Item 10. Issues** - Errant vehicle onto the railway land.

	Item 11. Issues - Potential impact on the adjacent railway infrastructure from the construction activities. **Item 12. Issues** - Structural stability and movement of Network Rail Assets. **Item 13. Issues** - Invasive or crawling plants near the railway. **Item 14. Issues** - Interference with the new access road for the development. **Item 15. Issues** - Effects due to electromagnetic compatibility on the users and the development located within proximity of a high voltage overhead electrification lines if there is a imported risk from the development. Any Outside Party projects that will be within 20m and/or any transmitter within 100m of the operational railway will be required to undertake an Electromagnetic Compatibility assessment to be carried out in accordance with Network Rail standards 'NR/L1/RSE/30040 & 'NR/L1/RSE/30041' and NR/L2/TEL/30066' **Item 16. Issues** - Environmental pollution (Dust, noise etc.) on operational railway. **Item 17. Issues** - Objects (for example: Balls) throwing on operational railway from playground. **Item 17. Level Crossing proximity** Network Rail strongly recommends the developer contacts the Asset Protection Team on AngliaASPROLandClearances@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/ Officer Response: An Informative has been recommended in line with Network Rail's response.
Internal Consultation	
Pollution-Technical (Noise)	The proposal includes commercial units on ground and lower ground floors, roof terraces, a basement plant room and a gym on the 10th floor adjoining and above bedrooms. The proposed habitable room arrangement places bedrooms below, above and adjoining different kinds of uses which is likely to cause adverse living conditions due to sleep disturbance. The site lies on a busy road and is wedged between railway lines on both sides. A report by Cass Allen RP01-21172-R1, latest date 8 June 2021, provides information that a noise survey was carried out on 16 April 2021 and the impact of noise was modelled. Vibration of only one railway line was measured.

	On 16 April some relaxation of Covid19 restrictions had begun, however, schools were still on Easter holidays. Therefore, general road and rail traffic would have been reduced compared to 'normal' during full operation of businesses and schools. For such a site, affected by road and rail traffic as well as commercial/industrial sources, we would expect, as best practice, details of measurements over at least 48hours to 7 days during full opening of schools and businesses, not during any school or public holidays or any Covid related restrictions, to obtain a reliable picture of worst noise conditions. Furthermore, details of airborne and structure borne rail vibration at all potentially adverse positions on the site and of potentially reflected and re-radiated noise should be provided. 1 Transport/commercial/industrial/cultural noise sources 2 Separation of noise sensitive rooms from different uses in adjoining dwellings 3 Separation of commercial and communal uses and facilities from dwellings 4 Ground and airborne building vibration from railways, road traffic, industrial/commercial uses 5 External noise from machinery, equipment, extract/ventilation ducting, mechanical installations 6 Anti- vibration mounts and silencing of machinery etc. 7 Gym - Separation from dwellings 8 Extraction and Odour Control system for non-domestic kitchens (if 9 Floodlights, Security lights and Decorative External Lighting 10 Demolition Method Statement and Construction Management Plan INFORMATIVES for Demolition and Construction, Installation, Refurbishment etc: 1 Permitted hours for building work 2 Notification to neighbours of demolition/ building works 3 Dust 4 Dark smoke and nuisance 5 Noise and Vibration from demolition, construction, piling, concrete crushing, drilling, excavating, etc.

Pollution-Technical (Air Quality)	I would class the development as 'Medium' to 'High' risk site for dust impact for the construction phase, the site will be required to install Air quality monitors prior to any activities onsite. Further, they will be required to contact Pollution technical team to agree on position of the monitors, limits to be set etc.. Please note that the following conditions are recommended, please set out condition 2 as standalone condition 1. Prior to the commencement of the development, details shall be submitted to and approved by the Local Planning Authority, for the installation in the dwellings of a filtered fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter in the external air. The details to be submitted shall include the arrangements for continuously maintaining the operational efficiency of the system. The ventilation system as approved shall be completed prior to occupation and shall be retained permanently thereafter. 2. Before the development is commenced, (including demolition and site clearance) an Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment shall be produced in accordance with current guidance The Control of Dust and Emissions during Construction and Demolition, SPG, GLA, July 2014, for the existing site and the proposed development. A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works on the site. 3. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at **https://nrmm.london/**. s106 funding for Air quality is also requested for the development Residential units = 96 *£100 =£9,600 Non-residential space= 1618m2*£10 =£16180 Total = **£25,780**
Pollution-Technical (Contaminated Land)	I have reviewed the EAME desk study report (Ref. 021-1836 Rev01 June 21). In general, I am in agreement with the conclusions - that the removal of the majority of the made ground to form the lower ground floor and for the

	basement will mitigate most risk. However, if the suspected tank / or other source has leaked and impacted the ground below the formation levels this could be an issue re vapour migration inot the basement and I feel this linkage was perhaps ignored. I agree that a site investigation is required to provide information on the natural of the underlying made and natural ground for disposal purposes and to ensure no risk is posed by historical land uses / leakages etc. The following conditions are requested. Site Investigation Remediation Scheme Verification Report
Active Ealing (Sports Infrastructure	From a sport and active recreation perspective, I can't see any dedicated space for outdoor or indoor sport and/or physical activity within the development (let me know if I've missed something) so a contribution towards projects to improve both the indoor and outdoor sports facility infrastructure in the local area would seem more appropriate than suggesting any onsite sports facilities be provided. An approximate indication of the potential demand the occupiers of the new residential development will generate for existing and future sports facilities can be generated using Sport England's Sports Facility Calculator model; based on **96** new units and an average of **2.4** people in each unit, a calculation can be made based on **230** additional residents living in the new units (these indicative figures can be changed if necessary). A contribution toward sporting infrastructure has been recommended.
Transport Services	To secure an approved travel plan by way of a S106 agreement and contribute £3,000 for monitoring of the submitted travel plan, A section 106 agreement denying parking permits to any new controlled parking zone near or in the proposed housing estate, Explore the possibility of providing car club bays on application site. These car club bays should be accessible by the public. Provide free 3-year car club membership to all the residents of the development, The applicant should provide a drawing showing all the cycle parking spaces. Financial contributions towards accident remedial schemes, review and introduce controlled parking zones, and improve pedestrian and cycle infrastructure near the vicinity of the development, The construction and demolition method statements need to be improved, A service and parking management plan is required,

	There are existing crossovers to the existing site. The applicant may have to re-instate the existing crossover and construct new crossovers. In addition, there might be some changes required for some parking places on Bollo Bridge Road to get the visibility for proposed access arrangements. Any works on the existing adopted highway will require a Highways S278 agreement. Therefore, the applicant should sign section 278 agreement to carry out the work out the work near the development. A prior approval is required for this proposed service lay-by on Bollo Lane. This lay-by should be integrated with adjacent footways.
Waste and Street services	No response
Economic Development Officer	No response
Education Services	Using the Council's published model for calculating child yield produces a projected child yield of 7.92 Primary and 5.66 Secondary age range pupils which equates to a contribution of £194,198.56.
Landscape Architect (Leisure and Parks)	Private amenity space and dedicated children's play spaces. Amenity Space: The proposals are well designed, and the landscape scheme well laid out creating a useable mix of spaces for all residents. For a development of this size a total of 1440 m2 private amenity space will be required. The Development will provide 1110m2 of private/communal amenity space in the form of: 630m2 of useable roof space All units will also have a balcony This means the development is slightly short of amenity provision for the units provided by 330m2 so a small section 106 payment will be required. Children's Play and Teen Play: For a development of this size a total of 329.7m2 of dedicated play space would be required. The application is including 180m2 onsite for ages 0-4. This means a section 106 contribution will be required for improvements to local facilities. Allotment Space: Ealing policy in the DPD document page 22 states that 1.7m2 of allotment space is required per person. This means a total of 322.36m2 is required within this development. As none has been provided a section 106 contribution will be required. Section 106 requirements: Due to a lack of / play space/Allotment space a section 106 contribution should be requested if planning intend to recommend the scheme for approval. The contribution should be used for improvements to Acton Green Common and South Acton Park. As a guide we would recommend the following amount:

	Amenity space contribution: £44000 Play space contribution: £22460 Allotment space contribution: £11283 Total section 106 contribution: £77743 In our opinion the following details should be conditioned: - Details of Hard and Soft Landscaping Scheme - Details of Boundary Treatment - Details of a Landscape Management Plan for a minimum period of 5 years from the implementation of final planting - Details of the green and brown roof construction and specification, together with a maintenance schedule - Details of sustainable urban drainage systems to be implemented on site. -
Energy Consultant	The Energy Strategy has been assessed against the draft SAP10 benchmark and follows the standard energy hierarchy of "Lean, Clean, Green", and is in line with London Plan policy SI2 & SI3, and Ealing DPD policy 5.2. An Overheating/Cooling analysis with proposed mitigation measures has been carried out. The size and type of development is not suitable for CHP and the Council confirms that there is no available "Clean" district heat network (DHN). The development is all electric with no gas infrastructure on-site. The application proposes a communal site-wide LTHW (ambient) (air-to-water) Air Source Heat Pump distribution loop to provide underfloor heating and DHW. The flow/return temperatures will be 45/40^{o} – which is low enough for the heat pumps to operate with low-carbon efficiency. The DHW will be raised to 50/55^{o} in a dwelling water cylinder (initially fed by the ASHP loop but with a back-up immersion). There is no room for PV, and this is one of the rare occasions that the Council concurs with this. Currently, the overall site-wide CO_2 emissions will be cut by (approx) 60%, with 12% carbon reduction through "Lean" efficiency measures, and 48% through "Green" renewable energy measures. There is a shortfall of 1,227 tonnes CO_2 (over 30 years) in the zero-carbon that will be mitigated through an "offset" S106 payment at £95 per tonne to the Council of £116,586. *This figure may be amended prior to the completion of the Legal Agreement.* The Council's Carbon Offset price was set at £95 p/tonne on 1st April 2020. For information, the carbon offset amount saved through the Clean/Green energy equipment is £140,505 If after three years of in-situ monitoring the renewable/low-carbon energy systems do not deliver the carbon reductions predicted in the approved Energy Strategy then the Developer will need to pay an additional Carbon Offset contribution to mitigate any shortfall. The new London Plan (policy SI2) introduces a fourth step to the existing (be Lean, Clean, Green) energy hierarchy of "be Seen". In addition to the

	GLA 'be Seen' reporting requirements Ealing Council requires the physical monitoring and performance analysis of the renewable/low-carbon energy equipment and associated systems. Ealing already implements this “be Seen” requirement through its 2013 DPD policy *E*5.2.3. The monitoring is carried out by the Council’s chosen provider (Energence Ltd) using the Automated Energy Monitoring Platform (AEMP). A S106 payment should be sought for the implementation of the energy monitoring policy. In line with this Ealing Council will require the monitoring of the communal Air Source Heat Pump loop to evaluate its performance efficiency (SCOP). Monitoring the heat pump loop will involve metering the heat output and the combined parasitic loads. Suitable monitoring devices must be fitted by the Applicant to achieve this. Ealing Council will supply some of the monitoring equipment (through a S106 contribution) and the Developer will need to source the remainder in consultation with Ealing/Energence. The energy monitoring devices to be supplied by Ealing/Energence through the S106 contribution (subject to final confirmation) are: - ASHP (loop heat meter) datalogger x1. - ASHP collector electric parasitic load (GPRS) smart meters x8. *If there are more than x8 ASHP collectors then the Developer must provide the correct parasitic load (GPRS) smart meters for each additional collector. If collectors are wired into a single (or several combined) supplies then the Council will reimburse the Developer for the unused meters.* - SIM card and data processing (4 years) x9. The energy monitoring devices to be sourced by the Applicant are: - ASHP loop heat meter (M-Bus connect) x1. - *Any additional ASHP collector parasitic load meters (above the x8 identified).*

Relevant Planning Policies:

The policies relevant to this application are listed in the informative section of the recommendation toward the end of this report.

Reasoned Justification:

Main Issues

The main issues in assessing this proposal are the principle of residential redevelopment of an existing employment site, the quantum and density of development, the design and impact on the character and appearance of the area, the scale and height of the proposed buildings and their relationship with surrounding properties, the impact on amenity of adjacent uses, the quality of internal living environment for residents, the transport impact of the development, sustainability and energy aspects. Other issues to be considered include housing mix and affordable housing, crime prevention, accessibility, refuse and recycling storage, drainage and the Community Infrastructure Levy.

Principle of Development

The existing building on the site consists of primarily a part-two storey, part single storey industrial building that accommodates an existing occupant called “Scuderia” which has its focus on the service repair and maintenance of supercars, as well as offering bodywork to these vehicles, storage and event space. The existing building is setback from the front building line, with vehicular parking to the front. The building itself is well maintained, however, offers little architectural interest. The sites designation as within a Locally Significant Industrial Site (LSIS) offers the opportunity to maximise and intensify the site beyond its existing use, in line with the objectives of Policy E7 of the London Plan.

The applicant has utilised the pre-application process with Council and earlier versions of this proposal presented a significant number of issues that required attention. The submitted application is a result of the applicant taking into consideration the Council’s initial concerns. It is noted that the application site has some significant limitations and restrictions. These include the triangular shape of the plot and its positioning between two level crossings.

The principle of the proposal is seeking to utilise provisions of the London Plan, which seek to unlock the potential of LSIS sites through intensification, co-location and substitution. This process has been utilised in many locations along Bollo Lane, which have been more focussed toward the South Acton Industrial Estate to the northwest. Under Policy E7 of the London Plan, the principle of the co-location of residential and industrial uses should result in no net loss of industrial capacity on the site and follow a “plan-led process of SIL or LSIS intensification and consolidation…or as part of co-ordinated master planning process in collaboration with the GLA and relevant Borough, and not through ad-hoc planning applications”.

It is acknowledged that the proposal has not followed a master planned process, however it is considered that in this instance, the application site is an isolated site and therefore no meaningful master planning of the site is possible. The GLA has recognised the non-compliance with this part of the policy, however noted that “GLA officers consider that the proposed development does generally accord with the other requirements set out in Part D of London Plan Policy E7” and that “do not consider that in this case the introduction of residential accommodation as part of a mixed-use co-location proposal comprising light industrial use at ground floor level would compromise the ongoing functionality and operation of the adjacent LSIS to the north”. As such, the site presents an opportunity to realise the potential of this site, to provide an increased industrial floor space and provide additional housing, which includes a good offering of affordable housing.

The existing building provides for approximately 1,100sqm of floorspace within the Class B2 use class. The proposal would re-provide and increase the amount of industrial floor space over two floors and create 1,618sqm, resulting in a net uplift of 518sqm or 47% based on the existing floor area. The intensification of the existing industrial uses on a site designated within LSIS is supported fully by Policy E7.

The applicant engaged the services of a Commercial Consultant to guide the design of the proposed industrial spaces, which is based on demand for such spaces within West London. The commercial spaces are centred around a central arcade that is a shared space for deliveries and pedestrians. The central arcade has a straight line to increase the visibility of the commercial uses from the street. The spaces are designed to promote as much flexibility and adaptability as possible in their configurations, to cater for demand from SMEs and start-ups, through to larger occupants within Class E(g). The arrangement of commercial units also gives the opportunity for a greater number of occupants and different business uses in comparison to the existing scheme.

Overall, the design of the commercial units represents an increase based on the existing situation and provides a good offering that would intensify the use of this LSIS site.

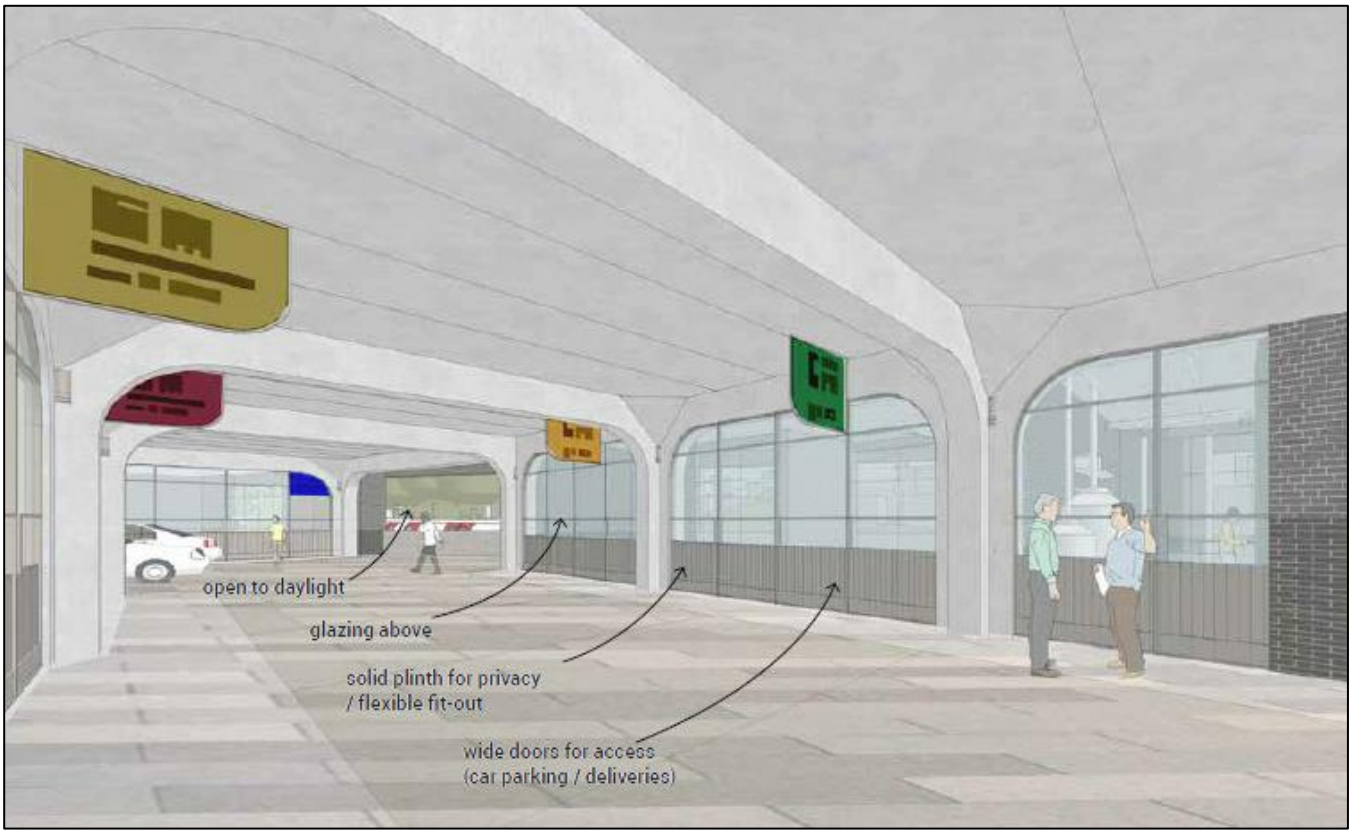

Figure 03: Conceptual Drawing for Central Industrial Arcade

The proposal also provides the opportunity to provide additional housing opportunity within the Borough. Council has a defined strategic 10-year target to provide for 21,570 homes and this site presents the opportunity to co-locate new housing with industrial uses, in a well-connected urban and brownfield site. The proposal would provide for residential accommodation that has good layouts, access to good quality amenity spaces within the development and the development overall would provide a good level of affordable housing to provide genuinely affordable homes to Ealing residents. Overall, the principle of development is supported by both the GLA and Council Officers.

Agent of Change

The London Plan introduces the Agent of Change principles within Policy D13, and compliance with this policy is required by Policy E7 for the co-location and intensification of industrial sites. The principles of the Agent of Change are that the responsibility for mitigating impacts from existing noise and other nuisance generating activities is placed on the new noise sensitive development.

In the context of this application and the surrounding area, the responsibility of mitigating impacts of noise and nuisance is on the new residential uses proposed as part of this application rather than existing industrial uses within the LSIS. This is as LSIS areas play an important and essential role within London's economy and new residential uses within the LSIS should be designed to ensure that existing uses can remain viable and continue to grow without unreasonable restrictions being placed upon them.

Although the site is located within an LSIS, it is very much an island-site that is bounded to the northwest and southeast by railway lines and to the southwest by Bollo Lane. On the opposite side of

Bollo Lane is the Pocket Living development (100 Bollo Lane), which is a 14-storey building that is predominantly residential units and Class B1 floorspace (164866FUL).

In taking into consideration the context of the application site, the character is predominantly residential to the southwest and southeast. The only industrial uses that could be impacted by the introduction of residential would be those north of the railway line and those centred around Greenock Road. Council Officers and the GLA both acknowledge that given the separation distance from established industrial uses within the LSIS, as well as the fact that these industrial uses turn their back on the proposed development, then noise and nuisance generating activities from these nearby industrial sites would not be compromised by the introduction of residential uses.

Mix of Residential Units

As indicated in the table below, the proposed development would provide for a healthy mix of housing-types with a mix of 1-, 2- and 3-bedroom units.

Quantum of Proposed Residential Provision		
Housing Type	**Quantum**	**Percentage**
1-bedroom	43	45%
2-bedroom	47	49%
3-bedroom	6	6%

Table 1 – No. of Units by Size

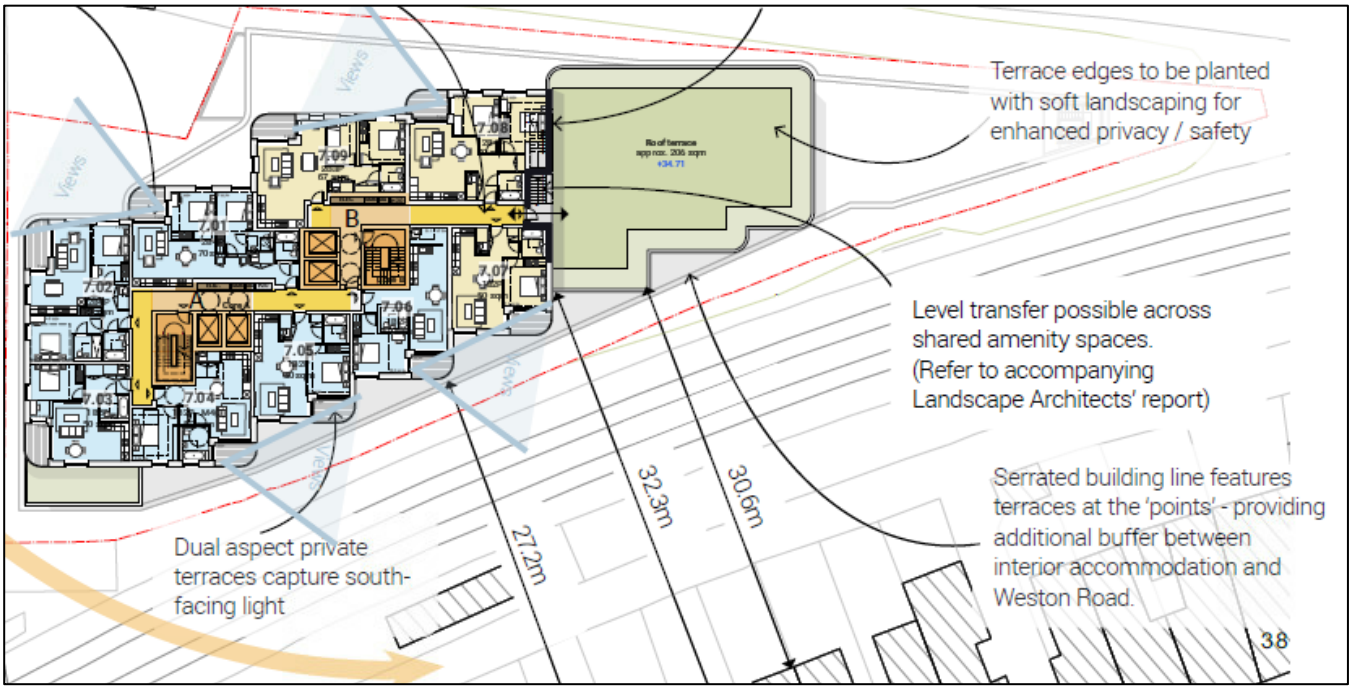

Figure 04: Example Residential Layout

Affordable Housing

In relation to affordable housing, Council and London Plan objectives are to maximise the delivery of affordable housing, which is guided by Policies H4 and H5 of the London Plan (2021). Policy H5 sets a minimum threshold of 35%, which is calculated by habitable room. On sites that result in a net loss of industrial capacity, a higher threshold of 50% is identified. Whilst the GLA have raised concerns with the

delivery and servicing arrangements and accordingly the full re-provision of industrial space, Council Officers are of the view that the proposed development results in no net loss of industrial floor space and therefore the fast-track route of 35% by habitable room can be followed. The delivery and servicing arrangements have been resolved, which will be detailed within the Transport section of this report.

In this instance, the proposal provides for Affordable Housing at 38% by Habitable Room, which exceeds the minimum requirement for the fast-track route. By unit number and floor space, this equates to approximately 34%

In accordance with Policy 3A of the Ealing Development Management DPD, Ealing Council's preferred tenure split for AH is 60:40 in favour of London Affordable Rent over Intermediate products. The proposal provides LAR homes in excess of this requirement making a good contribution to genuinely affordable homes within the Borough.

Tenure	Habitable Room	Residential Unit
London Affordable Rent	74.5%	69.7%
Shared Ownership (Intermediate)	25.5%	30.3%

In terms of the types of configurations for Affordable Housing that are being offered, the below table illustrates the housing mix (by unit) by tenure proposed.

Flat Type	London Affordable Rent	Shared Ownership	Total
1-bedroom	8 units	5 units	**13**
2-bedroom	9 units	5 units	**14**
3-bedroom	6 units		**6**
Total	**23**	**10**	**33**

As outlined above, the proposed development presents a very good affordable housing offering that would make an excellent contribution to providing genuinely affordable homes to Ealing residents. The affordable housing offering is supported by both Council and GLA Officers.

Design, Character and Scale

Section 12 of the NPPF, London Plan Policies D1, D3 and D4 of the London Plan (2021) and Ealing Local Variation Policy 7.4 and Policy 7B of the Ealing Development Management DPD (2013) require new buildings to complement their street sequence, building pattern, scale, materials and detailing and to have high quality architecture. New buildings should also conform to the height, scale and proportions of existing forms of development within the immediate area, in order to define a sense of place.

The NPPF demands that development shall achieve well designed spaces and encourages early engagement with Council's to develop designs that respond positively to the local area to create "high quality, beautiful and sustainable buildings". Similarly, Policy D4 of the London Plan states that developments should be given scrutiny at an early stage. The applicant has also sought advice from the GLA through their pre-application process prior to submission.

In terms of both the overall height and massing of the development, this is considered be consistent with both the prevailing and emerging character of the area. The application site lies opposite the Pocket Living Scheme at 100 Bollo Lane and its overall height would step down from the height of this adjacent building to 11 storeys facing Bollo Lane. The bulk of the height is focussed toward Bollo Lane, with the height gradually stepping down through the site toward the rear.

The front façade uses materiality and architectural design to create a clear distinction between the industrial and residential uses of the building. The industrial component has a greater floor to ceiling height than the residential uses above and the industrial level is frames by a darker brick banding that wraps around the façade. The industrial level has a slightly more forward projection to Bollo Lane, reinforcing the industrial prominence and the development's position within this industrial area.

Figure 05: Development as Viewed from Bollo Lane

The development also includes a central arcade that will be a shared space between pedestrians and vehicles and invite an element of curiosity, with rear industrial units having some exposure to the public realm. The vehicular access will allow for delivery by smaller vehicles direct to the front of each industrial unit.

As the façade increases in height, articulation and variation is created through inconsistent building lines, architectural banding features, changes in materiality and colour and both perpendicular and curved edges. This gives the building a high-quality appearance on a site that occupies a prominent position within the street scene. The design approach is coherently explained within the submission documents. The design takes reference from Acton Town and Chiswick Park Underground Stations, to which the application site is located geographically between. The design elements that were common between the two stations were curved tower elements, with strong horizontal and vertical elements including banding and brick columns. These features have been implemented through the design of the building, with curved balconies and edges, vertical columns and horizontal banding creating an unconventional building

that gives reference to the architectural elements and historic development of this part of the Borough. Its references to railway architecture also play on its positioning between two railway lines.

Figure 06: Side Elevation view from Weston Road

The darker brick tones clearly delineate the industrial and residential uses from each other, and the residential floors above use different brick tones that are complementary. The creative use of different roof heights as communal amenity spaces increases the degree of urban greening within the area and softens its overall appearance.

Impact on Heritage

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for managing designated heritage assets in planning decisions. In relation to conservation areas, a local planning authority must pay special attention to "the desirability of preserving or enhancing the character or appearance of that area".

Government guidance on how to carry out those duties is found in the National Planning Policy Framework (NPPF). At the heart of the framework is a presumption in favour of 'sustainable development' of which protecting and enhancing the historic environment in a manner appropriate to its significance is established as an environmental objective.

Section 16 of the NPPF sets out how the historic environment should be conserved and enhanced and makes it clear at Para 193 that when considering the impact of a proposed development on a heritage asset, local planning authorities should give 'great weight' to preserving the asset's significance, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy HC1 of the London Plan (2021), states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Policy 7C of the Ealing Development Management DPD also states that development within of affecting the setting Conservation Areas should

retain and enhance characteristic features and avoid undermining the significance of the Conservation Area. In addition, as stated within Policy 7.7 of the DPD, tall buildings can have a greater impact on their surroundings and the Borough, including the heritage context and local heritage assets and must be held to higher standards.

Whilst the development would constitute a tall building, its existing and emerging context would ensure that the development would not be a prominent feature in wider views from Designated Heritage Assets, Listed Buildings and World Heritage Sites. The Townscape and Visual Impact Assessment submitted with the application shows that whilst the development would be visible from areas such as the Acton Green Conservation Area, however it would be set amongst taller buildings, such as the TfL scheme and the Pocket Living Scheme. In assessing other cumulative views from assets such as Chiswick House, Gunnersbury Park, Kew Gardens and the Strand on the Green Conservation Area (LB Hounslow), it is considered that the development would constitute less than substantial harm.

In accordance with Chapter 16, Part 202 of the NPPF (2021), it states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, any harm should be weighed against the public benefits of the proposal including, where appropriate securing its optimum viable use. It is considered that the public benefits of the proposal are clear in the provision of better-quality employment space on the site, as well as the contribution that the development would make to Ealing's housing targets and the overall affordable housing provision that would be provided. It is also considered that the proposal would improve the character and appearance of the local area, through the improved pedestrian experience, which is currently poor and unwelcoming.

Impacts on Neighbouring Properties

Policy 7B of the Ealing Development Management DPD seeks to ensure that new residential development does not materially harm the living conditions of neighbouring properties. Policy D6 of the London Plan (2021) also requires that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

Council Officers acknowledge the concern from local residents, with a common concern being raised through the consultation period being the impact of the proposal on the living conditions of properties on Weston Road, particularly with regard to daylight/sunlight, overlooking and privacy concerns to rear garden spaces and internal spaces. The most appropriate assessment for determining the impact of a development on neighbouring properties is BRE Guidance. For the impact on existing properties, the main method is through the VSC (Vertical Sky Component) followed by a measurement of DD (Daylight Distribution).

Daylight and Sunlight

VSC is a measurement at the mid-point on the external face of the window serving the room being assessed. The most relevant windows to assess are those to rooms that require daylight, which include living rooms, bedrooms and kitchens. In terms of the VSC assessment, guidelines state that "if VSC is greater than 27%, then enough skylight should still be reaching the window of the existing building". A further distinction is made that if the VSC with the new development in place, is both less than 27% AND less than 0.8 times its former value, then the occupants of the existing building will notice a reduction in the amount of skylight".

As VSC does not take account of the size of the window, DD (NSL) is used as a method to assess impact on daylight to a room. The DD measurement has limitations, though, as it is only more reliable than VSC when the actual room uses, layouts and dimensions are known. As such, only an indicative assessment

was undertaken in this regard based on best available assumptions. Therefore, DD cannot be used as a sole method and should be viewed in conjunction with VSC calculations.

The properties facing the application site on Weston Road (nos. 42-74) were tested and 138 windows were identified. Of these 138 windows, 55 fully met the default BRE Guidance referred to above (representing 40% of total windows). Of the remaining windows, which did not meet the default criteria, the change is daylight was expressed as between 20-40%, or 0.6 - 0.8 its former value. Therefore, based on this criterion, the loss of daylight would be noticed by some residents, however it would not be considered to be detrimental to living conditions.

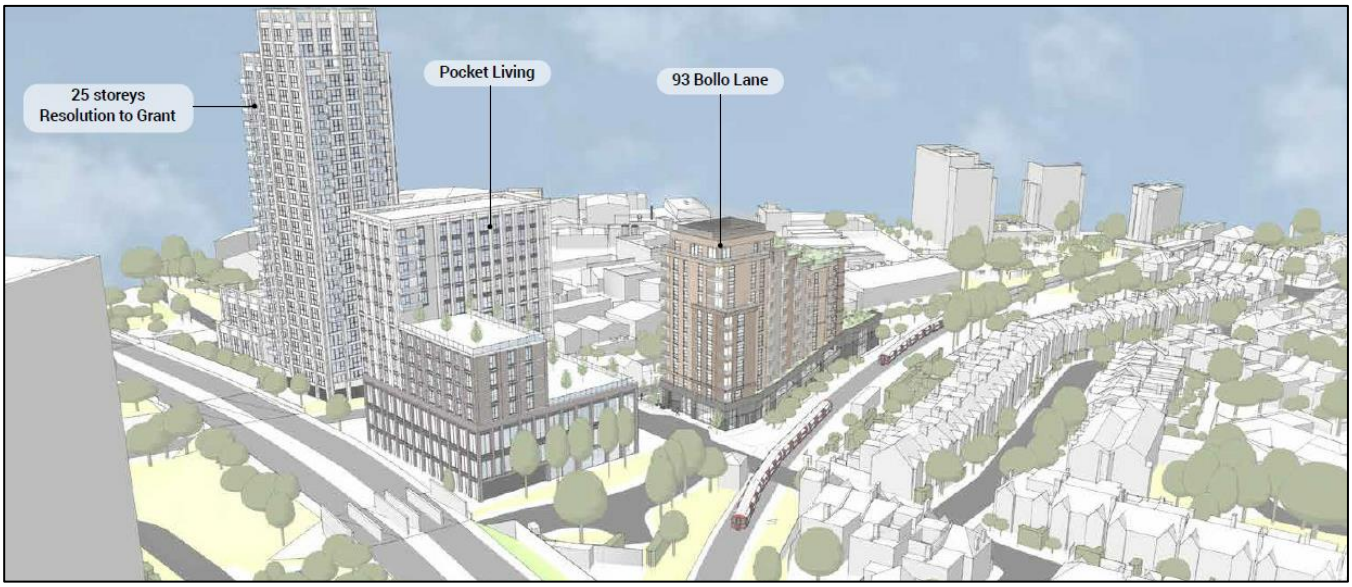

Figure 07: Proposal in relation to Surrounding Properties

BRE Guidance makes additional note that default BRE Guidance should not be applied in a mechanicalistic way and should allow for flexibility. This is true for situations such as this, whereby the unique situation exists that the area is a highly developed urban area, however the site conditions of the existing building are low in scale. Therefore, the baseline values to which the reduction would be calculated are typically higher than would normally be considered in a dense urban environment. Any reduction in daylight to be more commensurate with an urban environment will result in larger than normal reduction levels. A number of rooms facing the application site are actually also served by two windows and as such, viewing individual windows in isolation would have less of an impact on occupants where the room is served by multiple sources of light.

The second measurement of Daylight Distribution (NSL) showed that of the 84 assumed rooms tested, 34 were fully compliant with the default BRE recommendations (approximately 40%), and of those that do not, the change to the baseline NSL is between 20% and 68%, with the average being 40%. The NSL results are therefore not dissimilar to the VSC calculations. The same considerations must be given with this measurement, in that the baseline figure to which these measurements are calculated from, is high for an urban environment and the reductions received would reduce levels of daylight to what would ordinarily be experienced for an urban area.

The measurement for direct sunlight is APSH, which is based around the long-term average of the total number of hours during the year in which direct sunlight reaches the unobstructed ground, allowing for average levels of cloudiness. In this instance, most of the windows facing the application site on Weston Avenue are facing in a north-westerly direction and as BRE guidelines state, APSH should only be tested where there is a living room that has a window facing within 90 degrees of due south. This does not apply

to the rear elevations of Weston Road properties and most properties would receive any direct sunlight to living areas from the front of their properties. The proposal is therefore unlikely to impact sunlight to the internal living areas of these properties.

BRE Guidance also takes into account sunlight to garden spaces, with the default requirement being that half of the garden spaces should receive at least 2 hours of direct sunlight on the 21st of March. The equinox is selected as the most appropriate date as it would represent an average of annual conditions. Assessments undertaken show that the proposal would comfortably meet this default guidance, with even better results in a supplementary assessment taken on 21st of June.

Assessments were also taken on 100 Bollo Lane (Pocket Living) and the proposal is most likely to have its greatest impact on the elevation facing the application site. Of the 122 windows assessed at 100 Bollo Lane, 109 of these met the BRE criteria. This is 89% full compliance with BRE criteria, which is considered to be very high for an urban area. The Report makes note that this building has balconies facing Bollo Lane which obstruct the light to the windows behind the balcony and no design changes to the proposal could minimise this. In any case, the 13 windows that do not meet the VSC criteria would only be marginally outside the 20% criteria (0.8x its former value) where changes to daylight may become noticeable and as such, marginal deviations from these criteria does not present a significant issue.

Based off the above, it is not considered that the proposal would lead to detrimental living conditions for surrounding residents, in terms of daylight and sunlight. Whilst there are instances where residents would notice a difference in daylight to internal living spaces, this needs to be seen in the context of the existing situation where affected windows have a high baseline and therefore any reduction to levels commensurate with urban environments, will have a greater change in daylight distribution. Council needs to take an on balanced approach to these assessments and the criteria mentioned within BRE Guidance needs to be approached in a flexible and non-mechanicalistic way and should only be used as advisory and balanced with existing site constraints. Internal living areas will retain a good amount of daylight post-development and any other meaningful development of the site would not result in drastically different outcomes.

This is consistent with the advice of the Mayor's Housing SPG, which states that "an appropriate degree of flexibility needs to be applied when using BRE Guidelines" and "should take into account local circumstances, the need to optimise housing capacity and scope for the character and form of an area to change over time".

Overlooking and Privacy

Council Officers acknowledge the impact of creating balconies on the south-eastern face of the building and residents within Weston Road's concerns regarding impacts on privacy and overlooking of living areas and garden spaces. However, it is considered in this instance that there is adequate separation distance between properties on Weston Road and the application site itself.

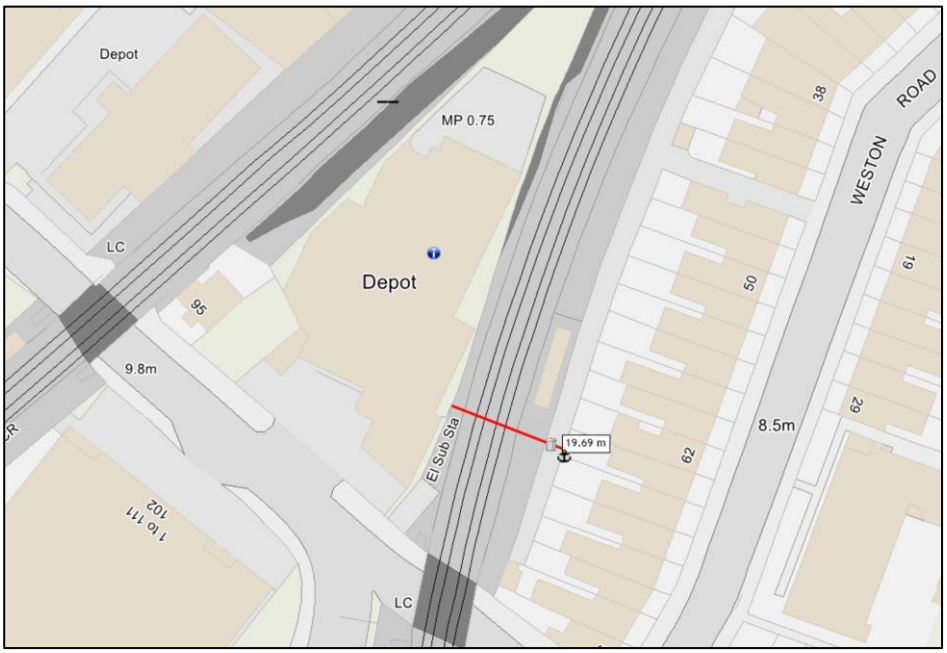

Figure 08: Separation Distance between plots

The railway corridor that separates the application site from the closest properties on Weston Road provides a significant buffer between the plots. The separation distance from the boundaries is approximately 20 metres, however in reality the balconies proposed are set back from the boundary with the railway corridor and the rear facing windows of existing properties are also setback from their rear boundary lines.

Thus, the separation between boundaries created by the rail corridor equates to a minimum of 20 metres, whereas the separation between the buildings is greater at approximately 26-27 metres. As per Standard 28 of the Mayor's Housing SPG, "design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces". The explanatory guidance for Standard 28 states that 18-21 metres is generally considered to be an acceptable yardstick between habitable rooms and balconies, to which this proposal would comply.

Quality of Residential Accommodation

Policy D6 of the London Plan outlines minimum internal space standards for new residential development. These standards are based on the number of bedrooms within a proposed residential unit as well as its occupancy, which is based on whether a bedroom is classed as single or double based on the Technical Housing Standards. The proposed development provides a wide variety of accommodation, and a significant number of units and therefore the assessment is provided within a summarised form below.

Configuration	Number of Units	Required	Proposed	Complies
1b2p	43	50sqm	50-54sqm	Yes
2b3p	28	61sqm	65-73sqm	Yes
2b4p	19	70sqm	70-74sqm	Yes
3b5p	6	86sqm	86sqm	Yes

As the table demonstrates, the proposed residential accommodation would all meet, and in some cases exceed, the minimum residential space standards of the London Plan. In addition, all of the homes

proposed would be dual aspect, providing for the inherent benefits of sunlight and daylight distribution through the flat and natural ventilation. The Daylight/Sunlight study report supports this and concludes that all of the proposed flats would achieve high ADF levels, given its context within an urban environment.

As such, the internal living spaces are considered to be acceptable and would provide high quality living conditions for future residents.

Policy 7D of the Ealing Development Management DPD seeks to ensure that new residential development provide for private amenity space. For developments such as the one proposed, the most common form of private amenity space is in the form of a balcony that should be provided at a minimum rate of 5sqm per 1-2 person flat, with 1sqm for each additional occupant. All of the proposed flats would have a balcony that would be compliant with Policy 7D.

Communal Amenity Space, Landscaping and Children's Play Space

Council's Landscape Architect has reviewed the scheme and is generally supportive of the proposal presented. The overall landscaping and communal space strategy seeks to maximise the use of the roof spaces within the scheme. The differing number of storeys through the development provides the opportunity for the development to provide landscaping areas that have their own distinct character and purpose. Each of these areas would be accessible for all residents via external walkways that would provide a connection, and also allow access internally, ensuring that mobility issues and equitable access would be accounted for.

Some areas will provide more substantial hard surfacing areas to allow for outdoor exercise, that would be positioned adjacent to an indoor gym that is also proposed as part of the development. Other areas would be surrounded by dense and rich vegetation, allowing for sensory spaces for catch-ups or general recreation. Areas are also proposed that would have opportunities for residents to grow food on the rooftop. The indicative landscape and amenity space proposals presented are of a standard that would encourage year-round use and is strongly supported.

Figure 09: Landscaping Strategy

Based off Council Policy 7D, communal amenity space should be provided at a rate of 15sqm (which encompasses private amenity space provision). Where the full requirement isn't provided, the shortfall can be addressed through a s106 contribution. On this basis, although the proposal presents a good quality landscaping and amenity space strategy, it does fall short by 330sqm (630sqm of communal amenity space is provided in addition to private balconies). On this basis, the Landscape Architect has recommended a s106 contribution for this shortfall for £44,000. These funds would be to improve or expand existing recreation areas and parks within the area.

The proposal also does not include any allotment space, and as such, a s106 contribution of £11,283 has been recommended.

In terms of Children's Play Space, this would be provided predominantly on the Level 1 terrace to the rear of the site, with a smaller space provided to the Level 7 terrace. Based on the GLA's population yield calculator, the total child yield through the site would be 37.2, generating a children's play space requirement of 372sqm. Based on this calculator, the table below also illustrates the split based on age for children's play space.

Age Group	Percentage (%)
Ages 0-4	47.5%
Ages 5-11	33.8%
Ages 12-15	12.3%
Ages 16 and 17	6.4%

The development would provide 180sqm, which would fall short of the minimum requirement. However, it should be noted that all of the children's play space are proposed to be for 0- to 4-year-olds and therefore would meet the requirement for this age group, however, would provide no play space for 5–11-year-olds and 12-15-year-olds. Therefore, whilst the amount of space can be adequately addressed through the s106 contribution of £22,460, the condition has been amended from the Landscape Architects recommendation for the applicant to investigate ways to increase the diversity of play equipment to cater for the older age groups.

Transport & Highways

Policy T5 of the London Plan (2021) seeks to ensure that adequate space is provided for cycle parking to encourage a modal shift to more sustainable forms of transportation. The Policy includes an increase on the former Policy 6.13 of the London Plan (2016) with a minimum requirement of 1 space per 1 person unit, 1.5 spaces per 1b2p unit and 2 spaces for all others. This generates a minimum requirement of 171 spaces. The applicant had initially provided only 152 cycles within the lower ground floor, however amended plans have been provided to increase the amount of cycle parking spaces at lower ground floor, which has been received.

TfL has rightly had concerns about the form of the cycle parking proposed in that there was potential non-compliance with the London Cycle Design Standards (LCDS). These standards require, amongst other things that 20% of Sheffield stands suitable for all users and all types of cycles should be provided. It is noted that the cycle provision relies significantly on two-tier cycle parking which can prove prohibitive for users with physical difficulties. The applicant advised that site constraints do not allow for this to be provided and 8% of spaces would be provided for larger bicycles and for those with physical difficulties. It was also noted that given the cycle parking spaces would be within a two-tier arrangement, then 50% of the spaces would be at ground floor level to be used. This appeared to be an acceptable response to TfL who recommended a condition requiring the detailed drawings of cycle parking to be submitted that show full compliance with LCDS.

Concern was also raised regarding the cycle storage to service the industrial component of the development. This concern primarily was due to the proximity of cycle parking spaces to the 'turntable', however the TfL officer was advised that no turntable is proposed and arrival times for employees were to be at different times to delivery vans using the area. There is also expected to be a low number of vehicle movements through the central arcade and therefore risk of conflict between delivery vehicles and cyclists was considered to be negligible. This matter was resolved based on this justification.

Concerns were also raised regarding the proposed loading bay on Bollo Lane and the proposal to acquire a portion of the footpath to accommodate this. The closure of the level crossings to allow trains to pass was advised by TfL to cause disruption to pedestrian, cycle and vehicular flows. Though TfL did acknowledge the constraints of the site and the unique circumstances that have driven the design outcome presented. Council Officers advised the applicant to consider providing the loading bay at the same grade as the footpath, with a clear demarcation within the footpath to show its use as a loading bay. This would allow the loading area to be used by pedestrians when it is not in use and not eat into the width of the footpath that could disrupt pedestrian and cyclist flows along Bollo Lane. This was also agreed by the TfL Officer to be an acceptable option, which the applicant has amended their plans to reflect.

TfL has also requested that Council consider conditions on the management of the loading bay and these provisions to be included within the legal agreement. These requests have been reflected in the conditions and s106 recommendation.

Concern was also raised by TfL on the number of disabled parking spaces proposed within the scheme. Policy T6.1 of the London Plan requires that for 3% of dwellings, one disabled parking space shall be provided from the outset. Based on the quantum of units proposed, this would equate to 3 spaces, which have been provided. The additional part to this policy is that it should be able to be demonstrated how additional spaces, at a rate of 7% of total units, could be provided per dwelling unit should demand require. This would equate to an additional 7 spaces. The applicant made note that based on the site constraints, that the 7% of spaces could not be reasonably accommodated on Bollo Lane or within the site. The site's proximity to public transport and local amenities would also provide some justification for dispensation to the 7% requirement in this instance, subject to agreement by the Local Planning Authority. This was put to Council's Transport Officer who agreed with TfL's assessment.

It is also noted that given the proximity of the application site to the Network Rail corridor, the development may have implications for Network Rail infrastructure. Accordingly, Network Rail were consulted, with the full response provided above within the Consultation section of this report. Network Rail did not specifically object to the proposal, but a number of issues were raised with potential mitigation measures mentioned. Accordingly, Network Rail have strongly advised that the applicant develop their construction plans in conjunction with Network Rail and an Informative has been recommended, as per Network Rail's request, which takes into consideration all of Network Rail's requirements. Compliance with this informative would ensure that no significant impact would be placed on Network Rail operations or infrastructure.

It is considered that subject to the conditions and Informatives recommended, that the development would provide a sustainable form of development that would not impact public or highway safety.

Environmental Pollution (Noise, Air Quality and Contaminated Land)

London Plan policies D14 and SI 1, Ealing Development (or Core) Strategy policies 1.1 (e) and (j); Ealing Development Management policies LV5.21 and 7A are relevant with regard to noise, air quality and contaminated land issues.

Council's Pollution-Technical Officers have reviewed the submitted details, with responses provided by specialist officers in the areas of noise/vibration, air quality and contaminated land. With regard to Noise and Vibration, the Officer has recommended a number of conditions, which include a re-assessment of the acoustic environment to determine the required sound insulation for the proposed residential accommodation. The clear issue identified by the Officer with the Environmental Noise Report was that it was heavily focussed on assumptions, with no confirmation of the actual noise environment that will be experienced by future residents.

The report was also undertaken during a period of pandemic related restrictions on movement and activity and as such, would not have given an accurate representation of worst-case scenario. Other points raised by the Officer related to the railway noise and vibration being undertaken at one of the railways lines (passenger line) and these calculations have been used as an assumption for the other railway line (freight line). Noise assessments that form external insulation design cannot be based on assumptions and freight lines are typically higher generators of noise and vibration than passenger lines.

A number of other assumptions are made within the report with respect to commercial/industrial noise sources and road noise, with common comments within the Noise Report being further measurements are required during the design phase to assist in the detailed design of the façades. Accordingly, it is considered appropriate that Council include conditions to this effect, to ensure that external noise sources and the acoustic environment are appropriately captured before commencement of construction to ensure that the internal living environments of the proposed homes would be satisfactory and external noise would be effectively mitigated. The conditions will also require post-completion noise assessments to ensure that the as constructed dwellings meet the noise criteria as identified within the condition.

Council's Air Quality Officer has raised concerns with the number of developments in this area and the potential cumulative impacts during the construction phase on localised air quality. The Officer was advised that although these concerns are acknowledged, permissions are granted for a three-year period and it is difficult to model air quality impacts on a cumulative basis without the knowledge of when other developments on other sites will proceed to construction. This was accepted by the Officer but noted that the applicant will be required to install air quality monitors, in locations agreed to by the Council's Pollution-Technical Team, details of which will be provided as part of a recommended condition for an Air Quality and Dust Management Plan, with mitigation measures based on the findings of this report to be provided. Conditions have also been recommended with respect to Filtered Fresh Air Ventilation capable of mitigating elevated concentrations of nitrogen oxides and particular matter. A financial contribution toward air quality mitigation has also been recommended.

In terms of the detail provided in relation to Contaminated Land, the Contaminated Land Officer has reviewed the submitted report and agreed with the conclusions. The removal of the majority of made ground to accommodate the lower ground floor will mitigate most of the risk of contaminated land to benefit of the health of residents. The Officer agrees that a Site Investigation is required to provide further information on the nature of the underlying and made ground is required which has also been recommended by condition, along with a Remediation Scheme and Verification Report.

Energy/Sustainability

The provision of sustainable development is a key principle of the National Planning Policy Framework (2021), which requires the planning process to support the transition to a low carbon future. Ealing Council declared a climate emergency in April 2019 and adopted the Climate and Ecological Emergency Strategy in January 2021, which states that "the council will also use its planning powers to shape the quality of the development of new buildings and infrastructure in a way which

minimises its impact on climate change and increases its resilience to it".

Policy SI 2 of the London Plan, which relates to minimising greenhouse gas emissions, states that major development proposals should include a detailed Energy Strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy, which is be lean, be clean, be green and be seen.

Council's Energy Consultant has reviewed the submitted Energy Strategy and is very supportive of the details presented. The Energy Strategy has followed the standard hierarchy of "Lean, Clean and Green", which is in line with the requirements of both Policies SI 2 and SI 3 of the London Plan (2021) and Policy LV5.2 of the Ealing Development Management DPD. The applicant has advised that there is no room within the development to provide for PV arrays and in this instance, the Energy Consultant agrees with this conclusion.

In any case, the development will achieve an overall site-wide cut beyond Part L of the current building regulations of at least 60%, with 12% of carbon reduction achieved through "lean" efficiency measures and 48% through "green" renewable energy measures. Over a period of 30 years, this results in a shortfall of 1,227 tonnes which is mitigated through a s106 payment of for carbon offsetting, which is calculated at £95 per tonne. The total contribution would therefore be £116,586.

In terms of meeting the "be seen" element of the hierarchy, Ealing Council requires the physical monitoring and performance analysis of the renewable/low carbon energy equipment, and the applicant is expected to contribute to monitoring through a s106 payment, which has been included in this recommendation.

Based off the assessment of Council's Energy Consultant, the development would constitute a sustainable form of development, on an existing brownfield site close to existing public transport infrastructure and should be supported. It is also noted that the energy strategy is supported by the GLA.

Crime Prevention

London Plan Policy 7.3 (Designing out Crime) requires any form of development to provide safe, secure and appropriately accessible environments that aim to reduce criminal behaviour. Routes of access and communal spaces should be legible and well maintained and there should be a clear distinction between private, semi-public and public spaces, with natural surveillance of public spaces and their access.

The Metropolitan Police's Designing Out Crime Officer has reviewed the scheme and made note that they have discussed the proposal with the applicant, who have expressed the desire for the development to achieve SBD (Secure by Design) Accreditation. Accordingly, the Officer has recommended a condition requiring this to be achieved. This is a common type of condition for developments such as this and accordingly is considered to be reasonable, relevant and in accordance with the objectives of the NPPF.

Refuse & Recycling Storage

Refuse and recycling requirements for new development are assessed in accordance with Council's Waste Management Guidelines. It should be noted that for the commercial waste storage areas, the closest definition that would relate to offices which should provide capacity of 50L per employee. At this stage, the types of occupants and number of employees is undetermined, however the Commercial Strategy gives an indication of the potential number of employees across the development. Residential

waste storage is therefore calculated in accordance with the formula provided within Council's Waste Management guidelines and the commercial capacity is based on worst case scenario of no. of employees.

Based off the formula provided by the Waste Management Guidelines for new residential development, the development would be required to provide for 18,380L. The proposal would provide for 26,180L, well in excess of the minimum requirement which is a positive outcome. The residential bin store area would be located in the lower basement, and a goods lift would be provided that would bring the bins to the street level for collection.

This would be the same for the commercial refuse storage arrangement, with a total of 17,940L provided that would be lifted to street level via the goods lift from the lower basement. This is considered to be an acceptable arrangement and is of a significant enough capacity to be able to service the proposed industrial units.

Mayor's Community Infrastructure Levy (CIL)

In accordance with the Community Infrastructure Levy (CIL) regulations the commercial and market housing elements of the development would be liable to pay CIL at £60 per square metre (rate as of 2020 and subject to indexation).

Taking into consideration credits received from the existing use, the total charge for the proposed development would be £402,715.

This amount will need to be confirmed by Council's CIL Collection Officer.

Conclusion

Based off the assessment and consultation responses provided above, the proposal represents a co-located development providing increased and better-quality industrial space on a site designated within a Locally Significant Industrial Site, providing greater opportunity for new businesses and having a positive effect on the local economy and jobs within the area. The proposal also provides for the full optimisation of the site by providing increased housing in a well-located urban environment, that provides a wide range of housing. The Affordable Housing provision of 38% by Habitable Room is considered a positive contribution to the residents of Ealing, with the tenure split being skewed heavily in favour of genuinely affordable homes within the London Affordable Rent tenure.

Subject to appropriate conditions, the development will provide for good quality living conditions for future residents. Residents will have access to good quality private and communal amenity spaces that make full utilisation of roof spaces within the development. The concerns of surrounding residents has been noted with regard to loss of light and impacts on privacy and overlooking, however the technical assessments have been scrutinised by Council Officers and it is considered that the impact on light will be commensurate with an urban environment and not lead to a detrimental harm to the living conditions. In addition, the separation distance between the application site and nearby residents would ensure that there would be no meaningful harm to the privacy of surrounding residents and would not lead to an unacceptable degree of overlooking.

Considerations relating to transportation, delivery and servicing and public and highway safety have been given and appropriate amendments secured to secure additional cycle parking for residents and the delivery, servicing and loading arrangements would not lead to impacts on pedestrian, cyclist, and vehicle flow on Bollo Lane. Appropriate conditions have been secured in this regard. Appropriate arrangements have also been given to refuse and recycling storage, as well as their collection.

The development is also considered to be a sustainable form of development, with the energy strategy being supported by both Council's Energy Consultant and GLA Officers. The proposal would result in a 60% carbon reduction beyond Part L of the current building regulations that has followed the 'lean, clean, green' hierarchy. Appropriate contributions and obligations have been requested through the recommendation to mitigate some impacts and make contributions towards local services and amenities.

Overall, the development represents a sustainable form of development, that optimises the site by increasing industrial space and providing new dwellings that contribute toward Council's housing targets, with a good affordable housing offer. The impact on existing infrastructure and residents is considered to be minimal and it is not considered that there is valid concern that would justify refusal of the application. The application is accordingly recommended for approval, subject to conditions and s106 agreement.

Human Rights Act:

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Public Sector Equality Duty

1. In making your decision you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

3. The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 which is only one factor that needs to be considered and may be balanced against other relevant factors.

4. It is considered that the recommendation to grant planning permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Fire Safety

Large schemes may require several different consents before they can be built. For example, Building Control approval needs to be obtained to certify that developments and alterations meet building regulations. Highways consent will be required for alterations to roads and footpaths; and various licenses may be required for public houses, restaurants and elements of the scheme that constitute 'house in multi-occupation'.

The planning system allows assessment of several interrelated aspects of development when planning applications are submitted to the Council. The proposed materials to be used may be approved under a planning permission based on the details submitted as part of the planning application, or they may be subject to a condition that requires such details to be submitted and approved prior to the commencement of the development. Whichever the case, planning officers' appraisal of materials is focused on the visual impact of such materials in relation to the design of the overall scheme itself, the character of the local area or indeed on the amenities of residents.

The technical aspects of the materials to be used in any development, in relation to fire safety, are considered under the Building Act (1984) and specifically the Building Regulations (2010). These require minimum standards for any development, although the standards will vary between residential and commercial uses, and in relation to new build and change of use/conversions. The regulations cover a range of areas including structure and fire safety.
Any person or organisation carrying out development can appoint either the Council's Building Control Service or a Private Approved Inspector to act as the Building Control Body (BCB), to ensure that the requirements of the Building Regulations are met. The BCB would carry an examination of drawings for the proposed works, and carry out site inspection during the work to ensure that the works are carried out correctly. On completion of work the BCB will issue a Completion Certificate to confirm that the works comply with the requirements of the Building Regulations. In relation to fire safety in high rise residential developments, some of the key measures include protected escape stairways, smoke detection within flats, emergency lighting to commons areas, cavity barriers/fire stopping and the use of sprinklers and wet/dry risers where appropriate.

ANNEXE 1

Conditions/Reasons:

1. Statutory Timeframes
The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In order to comply with the provisions of the Town and Country Planning Act 1990 (as amended).

2. Approved Plans and Documents
The development hereby approved shall be carried out in accordance with drawing title numbers: **L00** (Existing Location Plan); L01 (Proposed Location Plan); S00 (Existing Site Plan); S01 rev B (Proposed Site Plan); GAB rev B (Proposed Basement Floor Plan); GALG rev B (Proposed Lower Ground Floor Plan); GA00 rev B (Proposed Ground Floor Plan); GA02 rev B (Proposed Typical Floor Plan); GA07 rev B (Proposed 7th Floor Plan); GA08 rev B (Proposed 8th Floor Plan); GA09 rev B (Proposed 9th Floor Plan); GA10 rev B (Proposed 10th Floor Plan); GARF rev B (Proposed Roof Plan); GS01-1 (Proposed Section 01-1); GS01-2 (Proposed Section 01-2); GS02-1 (Proposed Section 02-1); GS02-2 (Proposed Section 02-2); GS03 (Proposed Section 03); GS04 (Proposed Section 04); GS11 (Proposed Section 11); GS12 (Proposed Section 12); GE01-1 (Proposed Elevation 01-1); GE01-2 (Proposed Elevation 01-2); GE02-1 (Proposed Elevation 02-1); GE02-2 (Proposed Elevation 02-2); GE03 (Proposed Elevation 03); GE04 (Proposed Elevation 04); GE11 (Proposed Elevation 11); GE12 (Proposed Elevation 12); GA00 rev 1 (General Landscape Plan Roof Terraces); GA01 rev 1 (General Landscape Plan Ground Floor); GS00 rev 1 (General Sections 1); GS01 (General Sections 2); GS02 (General Sections 3); GS03 rev 1 (General Sections 4); DT00 (General Landscape Details); SP00 rev 1 (Tree and Specimen Shrub Plan Roof Terraces); SP01 (Tree and Specimen Shrub Plan Ground Floor)

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

3. Details of Materials - Building
Details of the materials and finishes to be used for all external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the local planning authority before any part of the super structure is commenced and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The development shall be implemented only in accordance with these approved details.

Reason: To ensure that the materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policies D1 and D4 of the London Plan (2021) and the National Planning Policy Framework (2018).

4. Restriction to class E(g) only
Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995 as amended, or any future amendments, the industrial workspace hereby permitted shall be used only for purposes within Use Class E(g) of the Town & Country Planning (Use Classes) Order 1987 as amended, and for no other purpose, without the prior written permission of the local planning authority. The industrial workspace must be completed in full prior to the occupation of the proposed residential flats.

Reason: To safeguard the industrial uses on the site in accordance with Policy 1.2(b) of the Ealing Development (Core) Strategy 2012 and Policy E7 of the London Plan (2021)

CONTAMINATED LAND

5. Site Investigation

Prior to the commencement of any works on site (other than demolition - NOTE the building contains asbestos and this must be removed correctly as per regulations prior to demolition and site clearance), and based on an approved conceptual site model (contained within EAME phase 1 report 021-1836) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site, including locating the suspected underground tank and investigating impact, and any previously inaccessible ground. The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors updated. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The findings of the site investigation and proposed remedial options shall be submitted to the Local planning authority for approval in writing prior to any remedial works commencing and any development works commencing.

Reason: To ensure the land contamination issues are addressed in accordance with policy1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

6. Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation works.

Reason: To ensure the land contamination issues are addressed in accordance with policy1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

7. Verification Report

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority before occupation of the development. The verification report submitted shall be in accordance with the latest Environment Agency guidance and industry best practice.

Reason: To ensure the land contamination issues are addressed in accordance with policy1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

NOISE AND VIBRATION

8. Noise Assessment

A. Prior to the commencement of the hereby approved development (excluding initial site clearance demolition and ground works), a noise assessment shall be submitted to the Council for approval in writing, of external noise levels from transport and industrial/ commercial/ cultural sources, having

regard to the assessment standards of the Council's SPG10, including reflected and re-radiated noise from rail movements. Details shall include the sound insulation of the building envelope, including glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise) Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces. Details shall confirm that noise limits specified in BS8233:2014 will not be exceeded.

B. Prior to the first occupation of the hereby approved development, a post completion sound assessment shall be carried out to confirm compliance with the noise criteria set out in Part A of this condition and details, including any mitigation measures, be submitted for the Council's approval before the premises are occupied. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with policies D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD

9. Separation of noise sensitive rooms from different uses in adjoining dwellings
Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of an enhanced sound insulation value of at least 5dB above the maximum Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings/areas, namely, kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwelling. The assessment and mitigation measures shall have regard to standards of the Council's SPG10, and noise limits specified in BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Standard 30 of the Housing SPG and Policy D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

10. Separation of commercial and communal uses and facilities from dwellings
Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of at least 10/15/20dB above the Building Regulations value for residential use, as necessary, of the floor/ceiling/walls separating the non-residential uses (eg. commercial/community premises, plant rooms/locations, gym, car parking/ lifts/ communal main entrances/staircase, bin/cycle storage etc.) from dwellings. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR25 Leq 5mins (octaves) or NR20 Leq 5mins (1/3 octaves) inside a bedroom and NR30 Leq 5mins (octaves) or NR25 Leq 5mins (1/3 octaves) inside a living room. Details of mitigation measures shall include the installation method, materials of separating structures and the resulting sound insulation value and internal sound/rating level. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Standard 30 of the Housing SPG and Policy D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

11. Ground and airborne building vibration from railways, road traffic, industrial/commercial uses
Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of building vibration levels generated by the adjacent railway and effective mitigation measures where necessary. The criteria to be met and the assessment method shall be as specified in BS 6472:2008. Details shall demonstrate that building vibration will meet a level that has low or no

probability of adverse comment. No part of the development shall be occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by ground- or airborne vibration, in accordance with Policy D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

12. External noise from machinery, equipment, extract/ventilation ducting, mechanical installations
Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of the external rating noise level emitted from plant/machinery/equipment/ducting/air in- and outlets/mechanical installations, together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level LAeq emitted will be lower than the lowest existing background sound level LA90 by 10dBA at the most noise sensitive receiver locations at the development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014, with all plant/equipment operating together at maximum capacity. A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), Policy D14 of the London Plan (2021), the National Planning Policy Framework (2021)

13. Anti- vibration mounts and silencing of machinery etc.
Prior to use, machinery, plant or equipment/ extraction/ ventilation system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), Policy D14 of the London Plan (2021), the National Planning Policy Framework (2021)

14. Gym - Separation from dwellings
Prior to construction/ commencement of the development as a gym, an acoustic report shall be submitted to the Council for approval in writing, detailing the following:
- the sound insulation performance of the floor, ceiling and walls separating the gym from adjoining commercial and/or residential premises or parts of the development;
- anti-vibration fittings and/or other mitigation measures required for the isolation of exercise equipment, loudspeakers and floors for use by weights, machines and other impacts, eg. jumping, skipping etc;
- details to demonstrate that noise from the use of the gym including music, group exercise, activities and use of equipment does not exceed
- NR25 Lmax(fast) from structure borne / impact noise
- NR20 Leq,5min from general airborne activity noise (including music)

within adjoining or nearby premises. The assessment and mitigation measures shall be based on standards of the Council's SPG10. Approved details shall be implemented prior to use of the gym and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and vibration, in accordance with Policy D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

15. Floodlights, Security lights and Decorative External Lighting
Prior to commencement of the development, details of external artificial lighting shall be submitted to the Council for approval in writing. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations for Environmental Zone 3 of the Institution of Lighting Professionals in the 'Guidance Note 01/20 For The Reduction Of Obtrusive Light'. Details should also be submitted for approval of measures to minimise the use/hours of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation/use of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of residents in accordance with Policy D4 of The London Plan and Policy 7A of Ealing's Development Management DPD.

16. Demolition Method Statement and Construction Management Plan
Prior to commencement of the development, a demolition method statement/ construction management plan shall be submitted to the Council for approval in writing. **Details** shall include control measures for:-
- noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014),
- dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition),
- lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals),
- delivery locations,
- hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Mondays to Fridays and 0800 -1300 Saturdays (except no work on public holidays),
- neighbour liaison, notifications to interested parties and
- public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site, in accordance with Policy 7A of the Ealing Development Management Development Plan Document (2013), Policy D14 of the London Plan (2021), the National Planning Policy Framework (2021)

AIR QUALITY

17. Filtered Fresh Air Ventilation
Prior to the commencement of the development, details shall be submitted to and approved by the Local Planning Authority, for the installation in the dwellings of a filtered fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter in the external air. The details to be submitted shall include the arrangements for continuously maintaining the operational efficiency of the system. The ventilation system as approved shall be completed prior to occupation and shall be retained permanently thereafter.

18. Air Quality and Dust Management Plan
Before the development is commenced, (including demolition and site clearance) an Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment shall be produced in accordance with current guidance The Control of Dust and Emissions during Construction and Demolition, SPG, GLA, July 2014, for the existing site and the proposed development. A scheme

for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works on the site.

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

ENERGY AND SUSTAINABILITY

20. Energy and CO_2
a) Prior to construction completion and occupation, the permitted development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO_2 emissions against SAP10 standards of at least 60% (equating to 61.5 tonnes of CO_2 per year) beyond Building Regulations Part L 2013. These CO_2 savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by Greengage in June 2021 (issue/version 1):
    i. Lean, passive design measures to achieve an annual reduction of at least 11.25% equating to at least 9.7 tonnes in regulated carbon dioxide (CO_2) emissions over BR Part L 2013 for the residential development, and at least 15.43%, equating to at least 2.5 tonnes, over Part L 2013 for the non-residential space.
    ii. Green, renewable energy equipment including the incorporation of Air Source Heat Pumps to achieve an annual reduction of at least 48.14%, equating to 49.3 tonnes, in regulated carbon dioxide (CO_2) emissions over Part L 2013.
    iii. Seen, heat and electric meters installed to monitor carbon efficiency (COP) of the heat pumps including the heat generation and the combined parasitic loads of the heat pumps.
b) Prior to commencement of construction, details of the specifications including manufacturers performance data sheets, design, and layout of the proposed low and zero-carbon (LZC) energy equipment, and the associated monitoring devices required to identify their efficiency (SCOP), shall be submitted to, and approved in writing, by the Council. The development shall be implemented only in accordance with the approved details.
c) Prior to the installation of the renewable/low-carbon energy equipment technical details of the equipment shall be submitted to the Council for approval. The details shall include the exact number of heat pump collectors, the type of heat pumps, the heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile. The name and contact details of the heat pump installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.
d) On completion of the installation of the heat pumps copies of all relevant commissioning documentation shall be submitted to the Council.
e) Within three months of the occupation/first use of the development the relevant Energy Performance Certificate (EPC) and detailed SAP Worksheets showing clearly the TER and

DER, and/or the Display Energy Certificates (DEC's), accompanying Advisory Reports and detailed BRUKL modelling output reports showing clearly the TER and BER from the 'as built stage' following completion of the development, shall be submitted to, and approved by, the Local Authority in order to confirm compliance with the energy efficiency measures detailed in the approved Energy Strategy. The development shall be carried out strictly in accordance with the approved details.

Reason: In the interest of addressing climate change and to secure environmentally sustainable development in accordance with policies SI2 and SI3 of the London Plan (2021), and the relevant guidance notes in the GLA Energy Assessment Guidance 2020, policies LV5.2 and 7A of Ealing's Development Management DPD 2013, and policies 1.1(k) and 1.2(f) of Ealing's Development (Core) Strategy 2012.

21. Overheating and Cooling

The development shall incorporate the overheating and cooling measures in line with the relevant CIBSE guidance and detailed in the Dynamic Overheating Assessment submitted by Greengage in June 2021 (issue/version 1).

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy SI 4 of the London Plan (2021); Ealing's Development (Core) Strategy, and Development Management DPD.

22. Post-construction energy equipment monitoring

In order to implement Ealing Council DPD policy 5.2.3 (post-construction energy equipment monitoring), and key parts of London Plan policy SI2 ("be Seen"), the developer shall:

a) Enter into a legal agreement with the Council to secure a S106 financial contribution for the post-construction monitoring of the renewable/low carbon technologies to be incorporated into the development and/or the energy use of the development as per energy and CO_2 Condition(s).
b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency (COP) of any renewable/low-carbon energy equipment shall be installed. The monitored data shall be automatically submitted to the Council at daily intervals for a period of four years from occupation and full operation of the energy equipment. The installation of the monitoring devices and the submission and format of the data shall be carried out in accordance with the Council's approved specifications as indicated in the Automated Energy Monitoring Platform (AEMP) information document. The developer must contact the Council's chosen AEMP supplier (Energence Ltd) on commencement of construction to facilitate the monitoring process.
c) Upon final completion of the development and prior to occupation, the developer must submit to the Council proof of a contractual arrangement with a certified contractor that provides for the ongoing, commissioning, maintenance, and repair of the renewable/low-carbon energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational.

Reason: To monitor the effectiveness and continued operation of the renewable/low carbon energy equipment in order to confirm compliance with energy policies and establish an in-situ evidence base on the performance of such equipment in accordance with London Plan (2021) policy SI2 ("Be Seen" stage of the energy hierarchy), Ealing's Development (Core) Strategy 2026 (3rd April 2012) and Development Management DPD policy 5.2, E5.2.3, and Policy 2.5.36 (Best Practice) of the Mayor's Sustainable Design & Construction SPG.

23. Post-construction energy use monitoring ("be Seen")

In order to demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and all in all respects comply with the energy monitoring requirements set out in points a, b and c below. In the case of non-compliance the legal Owner shall upon written notice from the Local Planning Authority immediately take all steps reasonably required to remedy non-compliance.

a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.
b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. In consultation with the Council's chosen Automated Energy Monitoring Platform provider the owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.
c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.

Reason: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan.

In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner should use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'be seen' spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority. The measures approved by the Local Planning Authority should be implemented by the legal Owner as soon as reasonably practicable.

24. Non-Residential BREEAM energy/CO_2 accreditation

a) The non-residential element of the development shall be registered with Building Research Establishment (BRE) and achieve BREEAM Rating Very Good with a score of at least 58.54% (based on the latest BREEAM NC Technical guidance).

b) Within 3 months of each non-residential element of the development, Interim BREEAM NC Assessment and related Certification verified by the BRE shall be submitted to the Local Planning Authority for written approval.
c) Within 3 months from the date of first occupation of each non-residential element of the development, BREEAM 'Post Construction Stage' Assessment and related Certification verified by the BRE should be submitted to the Local Planning Authority for written approval confirming the BREEAM standard and measures have been implemented.
d) Following any approval of a 'Post Construction Stage' assessment and certificate of the development, the approved measures and technologies to achieve the BREEAM Very Good or higher standard shall be retained in working order in perpetuity.

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with policies Si2 and Si3 of the London Plan (2021), and the relevant guidance notes in the GLA Energy Assessment Guidance 2020, policies LV5.2 and 7A of Ealing's Development Management DPD 2013, and policies 1.1(k) and 1.2(f) of Ealing's Development (Core) Strategy 2012, policies LV5.2 and 7A of the Ealing Development Management DPD 2013, and Policies 1.1(k) and 1.2(f) of the Ealing Development (Core) Strategy 2012.

25. Whole Life-Cycle Carbon Assessment

Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new owner, if applicable), the legal owner(s) of the development should submit the post-construction Whole Life-Cycle Carbon (WLC) Assessment to the GLA at: ZeroCarbonPlanning@london.gov.uk. The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI 2 (F) of the London Plan.

TRANSPORT

26. Delivery and Servicing Plan

A Delivery and Servicing Plan (DSP) for the development detailing servicing arrangements, times and frequency and operational details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The DSP should clearly identify how the on-street loading bay will be managed to prevent conflicts with pedestrians, cyclists and motorists. The on-street delivery bay shall only be used by vehicles that cannot access the internal central arcade and details shall be provided on how this will be practically achieved. A full safety audit of the proposed on-street loading bay and access road through the development shall be provided in consultation with TfL.

The DSP shall also provide details on markings and signage within the central courtyard to prevent conflicts between pedestrians and vehicles.

The servicing of the development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of a planning application.

Reason: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on adjoining uses and highway safety and the free flow of traffic in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012 and policy T3 and T4 of the London Plan (2021).

27. Cycle Parking
Notwithstanding the submitted documents, details shall be submitted prior to the first occupation of the development to demonstrate how the cycle parking as shown on the approved plans will be implemented according to the specifications and adopted standards of the London Plan, the London Cycle Design Standards, and the Local Planning Authority.

The approved details shall be brought into first use prior to occupation and retained permanently.

Reason: To ensure adequate cycle parking is provided within the development in pursuance of the objectives of sustainability and encouraging the use of modes of transport other than private motor vehicles in accordance with policy T5 of the London Plan (2021), policies 1.1(k) and (g) of Ealing's adopted Development (or Core) Strategy (2012), and Ealing's Sustainable Transport for New Development SPG.

28. Travel Plan
A Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use for the residential and industrial uses of both buildings. The detailed Travel Plan shall be prepared in accordance with Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation. The development shall be carried out in accordance with the approved Travel Plan.

Reason: To promote sustainable modes of transport, and to ensure that the development does not exacerbate congestion on the local road network, in accordance with policies 1.1 (f) (g) of the Ealing Development Strategy 2026 (2012); policies T1, T3, T4, T5 and T6 of the London Plan (2021) and Ealing's Sustainable Transport for New Development SPG.

29. Opening of Doors
Doors to all buildings should be fixed to ensure that they do not open onto the public highway, except for doors for the purposes of fire escape and access to electricity stores.

Reason: To protect pedestrian safety in accordance with policies T1, T3 and T4 and of the London Plan 2021.

INFRASTRUCTURE

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

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide ‘working near our assets’ to ensure your workings will be in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures.

https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes**.** Should you require further information please contact Thames Water. Email:developer.services@thameswater.co.uk

LANDSCAPING

31. Details of Children's Play Areas, Landscaping, Boundary Treatments, Green Roof and Surface Drainage

Prior to first occupation or use of the proposed development hereby approved, the following details shall be submitted to and approved in writing by the local planning authority. The development shall be implemented only as approved and retained thereafter.

- Details of children's play area including safety surfacing and equipment. The applicant shall investigate opportunities to increase children's play space to a wider range of age groups
- Details of hard and soft landscaping scheme, including landscape design.
- Details of boundary treatments.
- Details of a Landscape Management Plan for a minimum period of 5 years from the implementation of final planting (specify only for applications with significant public aspect, important habitat qualities & opportunities or communal spaces in larger residential developments).
- Details of the green roof construction and specification, together with a maintenance schedule.
- Details of sustainable urban drainage systems to be implemented on site.

Reason: To ensure that there is suitable provision for landscaping, play facilities and drainage within the site in accordance with policies 1.1 (e), 2.1 (c) of the Ealing Core Strategy (2012), policies LV 3.5 and 7D of the Ealing Development Management Development Plan Document (2013), policies D6, S4 and G5 of the the London Plan (2021), SPG on Chidren's Play and Recreation, and the National Planning Policy Framework (2021).

OTHER

32. Secure by Design
The design of the building shall comply with the aims and objectives of the Secured By Design standards before the first occupation of the development, and shall be permanently retained.

Reason: To ensure that the development incorporates crime prevention measures to help prevent crime and disorder in accordance with policies 1.1 (h) of the Ealing Development (Core) Strategy (2012), policy LV 7.3 of the Ealing Development Management Development Plan Document (2013) and Policy D10 of the London Plan 2021.

33. Former Adaptable wheelchair housing
10% of the approved residential dwellings shall be designed and constructed to meet Approved Document M (Volume 1: Dwellings), Part M4(3) (Wheelchair user dwellings) of Building Regulations 2015, or other such relevant technical standards in use at the time of the construction of the development.

Reason: To ensure the provision of wheelchair housing in a timely fashion that would address the current unmet housing need; produce a sustainable mix of accommodation; and provide an appropriate choice and housing opportunity for wheelchair users and their families, in accordance with the objectives of Policy D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

34. Refuse Storage
Each of the refuse and recycling storage facilities hereby approved for the residential development shall be implemented and operational before the first occupation of the relevant residential section they would serve, and permanently retained thereafter.

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy SI8 of the London Plan (2021) and the National Planning Policy Framework (2021).

35. Passenger Lifts
All passenger lifts serving the residential units hereby approved shall be fully installed and operational prior to the first occupation of the relevant core of development served by a passenger lift.

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), Policy D7 of the London Plan (2021) and the National Planning Policy Framework (2021).

36. No masts/satellite dishes or external equipment
No microwave masts, antennae or satellite dishes or any other plant or equipment shall be installed on any elevation of the buildings hereby permitted without the prior written permission of the Local Planning Authority obtained through the submission of a planning application.

Reason: To safeguard the appearance of the buildings and the locality in the interests of visual amenity policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4, 7B and 7C of the Ealing Development Management Development Plan Document (2013), policies D1 and D4 of the London Plan (2021).

INFORMATIVES

INFORMATIVES

1. The decision to grant planning permission has been taken having regard to the policies and proposals in National Planning Policy Guidance, the London Plan (2021) the adopted Ealing Development (Core) Strategy (2012) and the Ealing Development Management Development Plan Document (2013) and to all relevant material considerations including Supplementary Planning Guidance:

National Planning Policy Framework (2021)

London Plan (2021)

GG1 Building strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG4 Delivering the homes Londoners need
GG5 Growing a good economy
GG6 Increasing efficiency and resilience
D1 London's form, character and capacity for growth

D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D9 Tall buildings
D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of Change
D14 Noise
H1 Increasing housing supply
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H7 Monitoring of affordable housing
H10 Housing size mix
S4 Play and informal recreation
E6 Locally Significant Industrial Sites
E7 Industrial intensification, co-location and substitution
E8 Sector growth opportunities and clusters
HC1 Heritage conservation and growth
HC5 Supporting London's culture and creative industries
G1 Green infrastructure
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 12 Flood risk management
SI 13 Sustainable drainage
T1 Strategic approach to transport
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.5 Non-residential disabled persons parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning
DF1 Delivery of the Plan and Planning Obligations

Supplementary Planning Guidance /Documents

Accessible London: achieving an inclusive environment
Mayor's Sustainable Design and Construction SPD April 2014
The Mayor's transport strategy

The Mayor's energy strategy and Mayor's revised Energy Statement Guidance April 2014
The London housing strategy
The London design guide (interim edition) (2010)
Draft shaping neighbourhoods: Children and young people's play and informal recreation (2012)
Planning for equality and diversity in London
Housing - Supplementary Planning Guidance (2012)
Housing SPG (March 2016)
Energy Planning (March 2016)
Children and Young People's Play and Informal Recreation SPG (September 2012)
Crossrail Funding: Use of Planning Obligations and the Mayoral Community Infrastructure Levy SPG (March 2016)
Affordable Housing & Viability- Supplementary Planning Guidance (2017)

Ealing's Development (Core) Strategy 2026 (2012)

1.1 Spatial Vision for Ealing 2026 (a), (b), (c), (d), (e), (f), (g), (h), (j) and (k)
1.2 Delivery of the Vision for Ealing (a), (c), (d), (e), (f), (g), (h), (k) and (m)
5.5 Promoting parks, local green space and addressing deficiency (b) and (c)
6.1 Physical infrastructure
6.2 Social infrastructure
6.4 Planning Obligations and Legal Agreements

Ealing's Development Management Development Plan Document (2013)

Ealing local variation to London Plan policy 3.4: Optimising housing potential
Ealing local variation to London Plan policy 3.5: Quality and design of housing development
Policy 3A: Affordable Housing
Policy 4A: Employment Uses
Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions
Ealing local variation to London Plan policy 5.10: Urban greening
Ealing local variation to London Plan policy 5.11: Green roofs and development site environs
Ealing local variation to London Plan policy 5.12: Flood risk management
Ealing local variation to London Plan policy 5.21: Contaminated land
Ealing local variation to London Plan policy 6.13: Parking
Policy 7A : Operational amenity
Ealing local variation to London Plan policy 7.3 : Designing out crime
Ealing local variation to London Plan policy 7.4 Local character
Policy 7B : Design amenity
Policy 7D : Open space

Adopted Supplementary Planning Documents

Sustainable Transport for New Development

Interim Supplementary Planning Guidance/Documents
SPG 3 Air quality
SPG 4 Refuse and recycling facilities (draft)
SPG 10 Noise and vibration

2. Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on

Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

3. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of persons responsible for the site works should be signposted at the site and made available for enquiries and complaints for the entire duration of the works. Updates of work should be provided regularly to affected neighbours. Any complaints should be properly addressed as quickly as possible.

4. Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition.

5. No waste materials should be burnt on site of the development hereby approved.

6. Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of BS 5228-1 and -2:2009+A1:2014 Codes of practice for noise and vibration control on construction and open sites.

7. The following items are brought to the applicants attention in relation to activities on the site and their impact on the operations, assets and functions of Network Rail

- To ensure the stability of Network Rail infrastructure, existing railway infrastructure, including the embankment shall not be loaded with additional surcharge from the proposed development unless prior consent is given by Network Rail
- The developer shall undertake a detailed Services Survey to identify the position and types of services in the vicinity of the railway and application site. Any services shall be brought to the attention of the Senior Asset Protection Engineer at Network Rail.
- The developer shall ensure that the construction, operation and maintenance shall be carried out in a way that does not adversely affect the operation of the railway
- Operation of mobile cranes and tower cranes shall comply with CPA Good Practice Guide ‘Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail
- Operation of the Piling Rig shall comply with Network Rail Standard NR-L3-INI-CP0063
- Collapse radius of the cranes should not fall within 4m from the railway boundary unless possession and isolation on NR lines have been arranged or agreed with Network Rail.
- Temporary structures constructed adjacent to railway boundary fence shall be erected in a manner that at no time will any item fall within 3m of the live OHLE, running rail and other assets and suitable protection must be installed
- Any piling work near or adjacent the railway shall not cause an operational hazard to Network Rail infrastructure. The developer shall avoid an impact/driven piling scheme and no vibro-compaction/displacement piling plant shall be used
- The developer shall provide and maintain at their own expense a substantial trespass proof fence alongside the existing boundary fence to a minimum height of 1.8 metres. Network Rail’s fencing and walls must not be removed
- The developer shall obtain Network Rail’s Asset Protection Engineer’s approval of their detailed proposals regarding lighting

- The construction methodology that impacts Network Rail services, assets and infrastructure shall be accepted by Network Rail prior to commencement
- Invasive species, such as Japanese Knotweed, shall be identified and treated in accordance with the current code of practice and regulations
- The developer shall undertake a full Electro Magnetic Interference (EMC) risk assessment in conjunction with Network Rail

8. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing **trade.effluent@thameswater.co.uk** . Application forms should be completed on line via **www.thameswater.co.uk**. Please refer to the Wholsesale; Business customers; Groundwater discharges section.

9. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other **structures.https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes**. Should you require further information please contact Thames Water. Email: **developer.services@thameswater.co.uk** Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

10. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.