



Notice of Meeting:  
**Planning  
Committee**

**Meeting Location:** Council Chamber, Town Hall, New Broadway, Ealing, W5 2BY

**Date and Time:** Wednesday, 17 November 2021 at 19:00

**Contact for Enquiries:** **Address:**  
Democratic Services,  
Perceval House, 14 Uxbridge Road,  
Ealing, London, W5 2HL

**Telephone:** 020 8825 5291

**Email:** [democraticservices@ealing.gov.uk](mailto:democraticservices@ealing.gov.uk)

**Chief Executive:** Paul Najsarek

**Committee Membership will be drawn from the following pool:**

Councillor Ray Wall (Chair), Councillor Tariq Mahmood (Vice-Chair), Councillor Shahbaz Ahmed (Member), Councillor Praveen Anand (Member), Councillor Jon Ball (Member), Councillor Julian Bell (Member), Councillor Louise Brett (Member), Councillor Linda Burke (Member), Councillor Gary Busuttil (Member), Councillor Paul Conlan (Member), Councillor Fabio Conti (Member), Councillor Joanna Dabrowska (Member), Councillor Karanvir Dhadwal (Member), Councillor Julian Gallant (Member), Councillor Seema Kumar (Member), Councillor Dee Martin (Member), Councillor David Millican (Member), Councillor Swaran Padda (Member), Councillor Miriam Rice (Member), Councillor Kamaldeep Sahota (Member), Councillor Gregory Stafford (Member), Councillor Andrew Steed (Member), Councillor Chris Summers (Member), Councillor Nigel Sumner (Member), Councillor Simon Woodroffe (Member), Councillor Anthony Young (Member),

# AGENDA

*Open to Public and Press*

## **PUBLIC ATTENDANCE AT THE MEETING**

This meeting will take place in the Council Chamber, Ealing Town Hall. The meeting will be webcast live on the Council's YouTube channel. We encourage the public to watch remotely to reduce the risk of the spread of COVID. However, if a member of the public wishes to attend in person, please notify us in advance by emailing [democraticservices@ealing.gov.uk](mailto:democraticservices@ealing.gov.uk) or by phoning 0208 825 5291.

[Please use this link to view the meeting](#)

### **MEMBERSHIP:**

Cllr Ray Wall (Chair), Cllr Tariq Mahmood (Vice-Chair),

Cllr Shahbaz Ahmed, Cllr Praveen Anand,

Cllr Jon Ball, Cllr Fabio Conti,

Cllr Dee Martin, Cllr David Millican,

Cllr Swaran Padda, Cllr Miriam Rice,

Cllr Kamaldeep Sahota, Cllr Chris Summers,

Cllr Simon Woodroffe.

## **1 Apologies for Absence and Substitutions**

To note any apologies for absence and substitutions.

**2 Urgent Matters**

To consider any urgent matters that the Chair has agreed should be considered at the meeting.

**3 Declarations of Interest**

To note any declarations of interest made by members.

**4 Matters to be Considered in Private**

To determine whether items contain information that is exempt from disclosure by virtue of Part 1 of Schedule 12A of the Local Government Act 1972.

**5 Minutes**

To approve as a correct record the minutes of the meeting held on 20 October 2021.

**Published Draft Planning Committee Minutes - 20 October 2021** 9 - 24

**6 Site Visit Attendance**

To share site visit details and note site visit attendance.

**7 1 Stirling Road, 1-9 Colville Road and 67-81 Stirling Road, Acton** 25 - 26

**1 Stirling Road, 1-9 Colville Road and 67-81 Stirling Road, Acton - Report** 27 - 84

**8 93 Bollo Lane, Chiswick** 85 - 86

**93 Bollo Lane, Chiswick - Report** 87 - 142

**9 3-15 Stirling Road, Acton** 143 - 144

	<b>3-15 Stirling Road, Acton - Report</b>	<b>145 - 194</b>
<b>10</b>	<b>Land and Buildings to the rear of the Red Lion Public House &amp; 94 High Street, Southall</b>	<b>195 - 196</b>
	<b>Land and Buildings to the rear of the Red Lion Public House &amp; 94 High Street, Southall - Report</b>	<b>197 - 242</b>
<b>11</b>	<b>Date of Next Meeting</b>	

The next meeting will be held on Wednesday 15  
December 2021.

**Published:** Tuesday, 09 November 2021



Paul Najsarek  
Chief Executive, London Borough of Ealing

# Welcome to the Planning Committee

## What does the Planning Committee do?

- Decides approximately 5% of applications made for planning permission within the borough (a senior Planning Officer decides the rest).
- Decides applications for listed building consent.
- Decides applications for conservation consent.
- Approves enforcement action against work carried out without prior permission.
- Is responsible for carrying out the Council's conservation policies within the borough.

## Agenda

All Committee reports are available via the Council's Internet site:

[http://ealing.cmis.uk.com/ealing/Committees/tabid/62/ctl/ViewCMIS\\_CommitteeDetails/mid/381/id/15/Default.aspx](http://ealing.cmis.uk.com/ealing/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/15/Default.aspx)

## Who is present at the meeting?

Elected Councillors make up the membership of the Committee. They decide whether applications should be allowed or refused. Also present are Ealing Council Officers, namely: a Senior Planning Officer; a Legal Adviser; a Democratic Services Officer; and any other Officers as necessary (e.g., Environmental Health Officer, Transport Officer, etc.).

## Public Speaking

Public Speakers will have registered with the Council in accordance with the agreed protocol and are permitted a maximum of three minutes each, apart from when an interpreter is used. If an interpreter is used, the submission will be limited to six minutes. One speaker may be heard in objection and one speaker may be heard on behalf of the applicant, for any application on the Agenda. Where members of the public have registered to speak in advance of the meeting, these applications will be taken first. Although other members of the public are not permitted to speak, they are welcome to sit, listen and observe the meeting.

## Site Visits

Site Visits are generally held the Saturday morning before the Committee meeting. However, site visits can also be made at a later date arising from a decision of the Committee.

## **Decisions**

The Committee can take decisions which include:

- planning permission is granted (allowed) with or without conditions attached;
- approval subject to a legal agreement being signed;
- refusal, i.e., planning permission is not granted; or
- referral (deferred), e.g., for further reports or a site visit.

If an application is not clearly gaining consensus from the Committee, then a vote will be taken by means of a show of hands and a simple majority will win. If there is no majority, then the Chair will vote a second time.

## **Record of Decisions**

The minutes from tonight's meeting will be available ten working days after the meeting. These will be available from the Committee Section and, also on the Council's website (<https://www.ealing.gov.uk>). The Planning Department will also send decision letters to the applicants.

Thank you for attending this meeting of the planning committee. If you have any comments on how you feel this meeting could be better organised or improved, please send these to the Head of Democratic Services, Perceval House, Ealing Council, 14-16 Uxbridge Road, Ealing W5 2HL. Alternatively email [DemocraticServices@ealing.gov.uk](mailto:DemocraticServices@ealing.gov.uk).







## Minutes of the Meeting of the Planning Committee

**Date:** Wednesday, 20 October 2021

**Time:** 19:00

**Venue:** Victoria Hall, Ealing Town Hall, New Broadway, Ealing, London, W5 2BY

### **Attendees:**

**Councillor Praveen Anand, Councillor Julian Bell, Councillor Louise Brett, Councillor Gary Busuttil, Councillor Paul Conlan, Councillor Fabio Conti, Councillor Karanvir Dhadwal, Councillor Tariq Mahmood, Councillor Dee Martin, Councillor Kamaldeep Sahota, Councillor Ray Wall, Councillor Anthony Young**

### **1 Apologies for Absence and Substitutions**

Apologies were received from:

Councillor Jon Ball with Councillor Busuttil as his substitute.

Councillor Chris Summers with Councillor Praveen Anand as his substitute.

Councillor Nigel Sumner with Councillor Anthony Young as his substitute.

Cllr Shahbaz Ahmed with no substitute.

### **2 Urgent Matters**

There were none.

### **3 Declarations of Interest**

Councillor Young declared that he had had a briefing with the Ward Councillor for the International House application.

Councillor Bell declared an interest with respect to agenda item 10, 1 Pitshanger Lane, by virtue of the fact that the company in which he worked for, BCG, had advised the applicants. Councillor Bell confirmed that he had not assisted in any way but would nonetheless remove himself from the meeting and not take part whilst that item was considered by the Committee.

Councillor Martin declared that in her capacity as a Ward Councillor, she had engaged in discussion with the developers for the White Hart application. Councillor Martin also declared that she was aware of the Northolt Grange Community Centre application.

#### **4 Matters to be Considered in Private**

There were none.

#### **5 Minutes**

The Committee considered the minutes of the meeting held on Tuesday 14 September 2021.

#### **RESOLVED:**

That the minutes of the previous meeting were agreed as a true and accurate record of proceedings.

#### **6 Site Visit Attendance**

The following Councillors had attended site visits:

Councillor Ray Wall (Chair), Councillor Tariq Mahmood (Vice-Chair), Councillor Praveen Anand, Councillor Julian Bell, Councillor Gary Busuttil, Councillor Paul Conlan, Councillor Fabio Conti, Councillor Dee Martin, Councillor Kamaldeep Sahota and Councillor Anthony Young.

#### **7 The Green, Southall, UB2**

Gregory Gray, Principal Planning Officer, introduced the report and explained that, in 2017 Cabinet had considered a Report concerning the future of The Green car park and had resolved to invite and evaluate competitive tenders for a joint venture partner for its redevelopment and the delivery of new homes in the Borough. Pursuant to this, in 2018 Cabinet had resolved to select Peabody Developments as the preferred development partner. The 'applicant' was the London Borough of Ealing and Peabody Developments Ltd ('Peabody'). Peabody had taken responsibility for the preparation and submission of the application documentation.

It was further explained that the application was for the demolition and mixed-use phased redevelopment to provide 3 urban blocks comprising 564 residential units (Use Class C3), 2922.8 sqm of flexible commercial, non-residential institutional/local community and employment floorspace (Use Classes E, F1 and F2), private and public car parking, servicing bays, public realm and associated landscaping, play and amenity space, plant and refuse areas and access arrangements.

The Committee was informed that the majority of the site was located within the King Street Neighbourhood Centre. The application site was approximately 2ha, primarily comprising the Featherstone Terrace Car Park owned by the Council, and privately owned industrial and banqueting facilities

in Dilloway Yard and behind The Green. A small part, a coach park, was designated LSIS but contained no employment floorspace.

It was explained that, in accordance with development plan objectives, the application offered significant potential for regeneration development uplift and the proposed uses fitted well with local and strategic policies and were strongly supported by the Development Plan. The proposals provided a successful mix of integrated, managed town centre uses including a net uplift in the employment capacity of the site and 564 units of housing at a policy compliant tenure mix.

The Development Plan had emphasised the importance of any new building responding to the setting of adjacent Conservation Areas and other statutory heritage assets, in this case Southall Manor as the closest heritage asset as well as the locally listed St Anselm's Church and sub-station. The proposed development took those as its points of reference and responded appropriately in respect of massing and layout.

The opportunity to secure high design quality, materiality and outstanding quality for the towers, were vital to achieving a successful outcome. Careful account had been taken of the impacts of the development in terms of bulk, mass, scale, design quality and external appearance of the new buildings, in particular the incorporation of tall buildings and the ability of the scheme to satisfy those criteria whilst securing the qualities identified by the Design Review Panel, that was appropriate to its setting. The applicant had produced a reasoned analysis to show why less tall buildings would not provide the same or similar benefits, without harming those or other assets, including whether transferring the height to other blocks may have been likely to have a more harmful impact on other assets. Regard was also had to whether the scale gave rise to significant harmful or adverse impact on the character of the area, and residential amenity.

Having given careful consideration to all the material planning considerations, the proposed development was considered to be a sustainable development in accordance with the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide, Greater London Authority and the London Borough of Ealing's development plans. It was therefore recommended by Officers that planning permission be granted with conditions and subject to completion of a Section 106 agreement, a referral to the Secretary of State and a Stage II referral to the Mayor of London.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on amendments to the recommendation, External Consultees, Internal Consultees, further written representations and amendments to the Conditions.

Nick Sutton, on behalf of three landowners of part of the site who objected to the development, made a representation to the Committee which included the following key points:

- The Peabody Group had offered to provide 50% affordable housing but had done so without knowing how much they would have to pay for part of the land on the site.

- If The Peabody Group needed to pay more than they were currently offering for the land, their ability to deliver 50% affordable housing would be severely compromised.
- The 50% offer was simply a headline figure in order to secure permission and it would be inevitably reduced as negotiations took place in respect of land values. Members should place little or no weight on the amount of affordable housing being offered.

Simon Barry, on behalf of the applicant, spoke in favour of the application. The representation made the following key points:

- The Peabody Group were responsible for over 67,000 homes and 155,000 residents, including 16,000 care and support customers. It was recognised that their role as a social landlord went beyond the bricks and mortar of their developments. The Peabody Group created homes and new communities for its residents that intertwined and complemented the existing community.
- The Peabody Group had consulted extensively with the local community and looked forward to continuing to work with the local people and businesses to actively contribute to a wide range of areas including, public realm design, public art and community and commercial uses.
- The proposal would deliver various benefits to Southall including 564 new homes, 50% of which would be affordable and approximately 90 new jobs across a variety of class uses.

The Committee asked questions and debated the proposal. In response to some of the questions and points raised, Officers confirmed that:

- The Committee could request for a condition for the requirement of the provision of electric car parking charging points to be 20% for both private and public parking. There were no obvious design restrictions with regard to the layout of the site that wouldn't provide for charging points to be included.
- There would be 60 car parking spaces provided for the residents and there would be 90 public car parking spaces as part of the scheme. Those figures were based on the capacity of the site and its relative proximity to crossrail and bus transport facilities and were not mathematically based but were reasonable, plausible and acceptable in the context of the site.
- With regard to car parking space allocation, it would be on a first come first served basis. Disabled car parking spaces would all be reserved and set aside for those persons who were disabled, and they would also be allocated on a first come first served basis within each of the phases.
- The car parking spaces would be leased because that was the requirement of the London Plan. If a person were to sell their property or move out then their space would then become available for somebody else. There would be no maintenance charge for the parking spaces and therefore no additional cost to any tenant whether they be rental, shared ownership or market units.
- There had not been a response to the Council's consultation request from the NHS with respect to the Section 106 NHS contribution. As indicated in the briefing note, the decision to allocate £90,000 was proportionate in the Council's opinion.
- The Council's Leisure Department had requested a Section 106 contribution towards the improvement of play space and amenity space

elsewhere in the area which were listed in the recommendation. This was due to the shortfall of play space and amenity space within the scheme.

- Residents would be able to access waste bins within the development which would be located within core areas within the blocks.

The Committee then proceeded to vote on the Application.

### **RESOLVED:**

That for the reasons set out in the committee report, planning permission for the application REF **215058FULR3** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent.
2. Satisfactory completion of a Section 106 Legal Agreement.
3. Referral to the Secretary of State
4. Stage II referral to the Mayor of London.
5. A condition be included to ensure that 20% electric vehicle car parking charging points be provided for both the private and public parking within the scheme.
6. Delegation be given to the relevant Officer to explore and discuss with the NHS the proposed Section 106 contribution and whether it was felt to be proportionate. Negotiation and agreement would need to be in consultation with the Chair.

## **10 1 Pitshanger Lane, Ealing, W5 1RH**

Harini Boteju, Planning Officer, introduced the report and explained that the existing site contained a two-storey care home known as Kent Lodge. It was located in a corner plot of approximately 0.25 hectares on the junction of Pitshanger Lane and Kent Gardens. The building had no architectural merit, was no longer fit for purpose as a care home nor economically viable to upgrade and had been decanted. The site was not within a conservation area nor did it contain a listed building.

It was explained that the proposal was for the demolition of the existing care home, a new building which would provide sixty new residential units within a landscaped setting. The proposed new building would comprise a range of heights from two storey up to eight storeys with an external finish of light colour brick and projecting balconies. The height would graduate towards the junction of Kent Gardens and Pitshanger Lane with an articulated façade comprising a stepped footprint and set-back to upper storeys. The tallest elements of the building would be concentrated towards the junction. Existing street trees to the corner of the site would be retained and further soft landscaping would be planted.

It was further explained that the proposed sixty new homes would include six wheelchair accessible homes, which would be created with their own private amenity space and access to a landscaped communal central courtyard with a children's play area. A range of units would be provided, 39 of which would have two or more bedrooms which would accommodate families. In line with the London Housing SPG, 35% affordable housing would be provided by habitable room. This equated to 19 units, with a London Affordable

Rent/shared ownership split of 62/38, with strong support for the mix of larger family homes to be provided.

The building had been designed to be mindful of impacts to light, outlook, privacy and overlooking, particularly to nos. 3 Pitshanger Lane and no. 22 Kent Gardens. Whilst it was accepted that the tall building would alter the views from the nearest neighbouring properties, these impacts would not be significant. A sunlight/daylight study had indicated where there would be impacts to neighbouring properties, but that the scale of impact would be minimal and daylight to habitable rooms would remain good in relation to BRE standards. It was considered unlikely that the proposal would have a significant impact to the character and appearance of the locality.

Weighing up all the material considerations, the proposed development was considered to comply with policies D3, D5, D6, D7, D9, H1, H2, H4 H12 and the good growth objectives GG2 and GG4 in terms of change of use, housing provision and design of the building. In relation to sustainability, the proposal would comply with policies T5, T6, T7, G1, G5, G7, G8, SI1, SI3, SI4 and SI13 secured by conditions. It was therefore recommended by Officers that full planning permission be granted with conditions and subject to completion of a Section 106 agreement.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on further written representations that had been received, amendments to conditions and corrections to the report.

Deborah Edwards, on behalf of Pitshanger Community Association (PCA), an objector to the development, made a representation to the Committee which included the following key points:

- The overbearing nature of the development on 22 Kent Gardens and 3 Pitshanger Lane would affect the light, privacy and way of life for the residents, an important planning issue. Some 550 objectors, the majority of whom live in the immediate area, consider that the development would be out of character with the area.
- The London Plan stated that buildings like that proposed should be near transport hubs, this area isn't. There was considerable strain on public transport already and the addition of 60 extra residences would exacerbate this.
- The London Plan stated that tall buildings were those not less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. It also stated that those buildings should only be developed in locations identified as suitable by local Councils. The proposed building was tall and Pitshanger Lane was not one of Ealing's designated areas. The PCA request the Committee to reject this application.

Kieran Rushe, on behalf of the applicant, spoke in favour of the application. The representation made the following key points:

- The existing building on the site was at the end of its economic life and did not meet modern day requirements. The proposal had sought to

deliver a sustainable building and would deliver towards a zero carbon target.

- 60 new homes would be provided as part of the proposal, 35% would be affordable and 62% would be for affordable rent. The affordable units were based on the family sized rented accommodation that Ealing desperately needed, which would include seven 3 or 4 bedroom family homes at London Affordable Rent. This was strongly supported by Council Housing Officers.
- The proposed building would be u-shaped and would step up from two stories to eight stories at its highest point.

James Murray MP, made a representation to the Committee which included the following key points:

- The proposed development would be wrong for the location and would be contrary to planning policy. There were three key policy tests in the new London Plan, adopted in March 2021, which the proposal had failed to meet. Policy H1, Policy D3 (D)(1) and Policy D9.
- The location had not been identified as appropriate for tall buildings, and it seemed very unlikely that it would be the case in future. Its context was defined by the two/three-storey shopping parade on Pitshanger Lane and homes or blocks typically up to a maximum of three/four storeys nearby.
- The applicants were made aware of my concerns when we had met in December 2020, particularly about the building's height and design. Although the applicants had since removed the top frame in the corner of the building, the height and design of the proposal was essentially unchanged. The planning committee should reject this application. Alternative plans could be made to work on the site if the applicant were to listen more closely to local residents and follow more closely the relevant planning policy.

The Committee asked questions and debated the proposal. In response to some of the questions and points raised, Officers confirmed that:

- A Controlled Parking Zone (CPZ) went south of Pitshanger Lane, down Castlebar Hill, Kent Gardens, south of Scotch Common and down Kent Avenue.
- There would be a Section 106 contribution for reassessment of the CPZ
- There was a terrace to the side of 3 Pitshanger Lane onto which there was an external staircase. There was also a fire escape.
- The site was not designated for tall buildings however it presented an open vista which could support a tall building.
- The Council were only just embarking on their Local Plan review. Policies set out in the London Plan which was newly adopted plan had specified that when considering tall buildings, the Borough needed to allocate and designate areas specifically for them.
- The majority of the proposal was on lower levels, smaller elements of the proposal were classified as taller. The height would graduate towards the junction of Kent Gardens and Pitshanger Lane. The layout for the site was considered logical.
- Considerable pre-application discussions which the local community were part of had resulted in amendments to the scheme.

The Committee then proceeded to vote on the Application.

**RESOLVED:**

That for the reasons set out in the committee report, planning permission for the application REF **212893FUL** be **GRANTED** subject to:

1. Satisfactory completion of a Section 106 Legal Agreement.
2. Successful resolution of Planning Conditions of Consent.

*\*Councillor Julian Bell removed himself from the meeting whilst this application was considered and voted on by the committee.*

**11 Orion Park, Northfield Avenue, West Ealing, W13 9SJ**

Sean Moulton, Planning Officer, introduced the report and explained that this application proposed minor material amendments (MMA) to planning permission 171721FUL which was granted permission in February 2018 for the phased construction of buildings comprising residential units, flexible retail space, office space, landscaping, access and servicing, car parking and associated works following demolition of existing buildings.

It was explained that development had commenced on site, as noted in the previous approval, 204703CPE dated 17 November 2020 for demolition works pertaining to the construction of four buildings ranging in height from two to six storeys comprising 76 residential units, flexible retail space, office space, landscaping, access and servicing, car parking and associated works as the development of the proposal permitted under planning permission 171721FUL.

The changes as part of the proposed variation were:

- An increase of 19 units from 76 to 95 across blocks A, B, C and D;
- 100% affordable housing provision for the entire development an increase from 31.6%;
- An increase in the number of 3-bed units from 18 to 24;
- Alterations to unit mix. Primarily through an increase of one, two and three bed units, and a reduction of studio units;
- An amendment to building footprints to accord with 2.50m-3.00m London Underground Limited easement;
- An increase to the height of Block A by 5.88m, Block B by 0.90m and Block D by 7.03m;
- A reduction in the height of Block C by 1.60m;
- Relocation of rooftop plant rooms to the ground floor;
- Incorporation of roof terraces on lower infill elements set further back from properties to the north and set back further from the building line;
- Creation of an entrance square within the development;
- An increase in floorspace of retail at ground floor from 273sqm to 496.2sqm;
- A reduction in floorspace of office at lower ground and ground floor from 944sqm to 519.6sqm;
- Removal of the pedestrian colonnade into the site;
- An increase in the cycle parking provision from 140 to 196 spaces;



- An increase to the car parking provision from 25 to 26 spaces, Incorporation of a loading bay for commercial floorspace; and
- Inclusion of air source heat pumps.

It was considered that the proposed amendments did not erode the quality of the previously approved scheme or result in additional impacts to neighbours. The amended scheme would achieve a number of significant planning benefits which weighed strongly in its favour, including:

- The delivery of a further 19 additional homes in Northfield, which made an important contribution towards the pressing housing need in the Borough where demand was far exceeding supply.
- The delivery of a 100% affordable housing scheme, which represented a 68.4% increase. A total of 95 affordable homes were to be provided making an important contribution towards Ealing's 'Strategic Priority 1' in their Housing and Homelessness Strategy 2014-19 and the Council's desire for the provision of 2,500 'Genuinely affordable homes' over the four years from 2018/19 onwards;
- The delivery of six additional three-bedroom, family-sized units, which would make an important contribution towards meeting the needs of the borough, as specified within the Strategic Housing Market Assessment (2018);
- A variety of accommodation types and sizes which met or exceed London Plan standards, and met the needs of future residents of Ealing;
- The creation of a sustainable community in this important and highly accessible location;
- A regeneration scheme which complemented the surrounding built environment, through its positive visual impact within the site and in relation to the surrounding area, given the proposed layout and scale of the buildings and the high quality of the proposed architecture and materials.

It was therefore recommended by Officers that full planning permission be granted with conditions and subject to completion of a Section 106 agreement.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on some amendments to the Conditions and some additional notes.

Carol Atkinson, on behalf of Ealing Fields Residents Association, an objector to the development, made a representation to the Committee which included the following key points:

- Ealing Fields Residents Association accepted the need for more housing in the area but had major concerns about the impact on residents and strongly objected to the proposed amendments. There were concerns that the development would not be gated which gave rise to security concerns, there were known issues with street drinkers and drug dealing in the location and an open development would provide an opportunity for people to gain access and operate unseen.
- Block A fronting Northfield Avenue was out of keeping with the surrounding area. It would have been preferable to see a design that respected the Art Deco character of Northfield tube station, and the

Derwent Yard flats. The increased size of block A would have a major effect on Derwent Yard with loss of light to several of the flats.

- Blocks B and C had moved slightly further away from the houses on Belsize Avenue. The outcome of that had resulted in increased height which would impact residents in terms of over shadowing and overlooking. Block D at the rear of Mayo Court would be considerably taller, which would have a detrimental impact on the elderly residents.

Justin Kenworthy, on behalf of the applicant, spoke in favour of the application. The representation made the following key points:

- The proposed amendments had offered to deliver more benefits to the borough which included 100% affordable housing, more genuinely affordable homes which included an increase in London Affordable Rent homes from 19% to 30%. Ealing Council's Housing Team would be given nomination rights for them.
- The development would be more sustainable and would use less energy and produce less co2 and consume less water and future occupiers would benefit from better quality homes. The development would also deliver more benefits to neighbouring properties including no balconies or accessible roof terraces facing towards Belsize Avenue and moving the rooftop amenity space further away from Belsize Avenue and Derwent Yard and adding privacy screening in place. It would deliver more daylight and a better outlook for the rear gardens of Jefferson Close and Mayo Court.
- The development would also deliver additional Section 106 contributions. £148,000 would be added to the £457,000 already secured and would help improve local education, health care, transport, infrastructure and air quality monitoring as well as carbon offsetting.

Councillor Millican, a local Ward Councillor, made a representation to the Committee which included the following key points:

- On behalf of local residents, I strongly object to this application. Cramming in 19 more flats and adding two stories in height was certainly not a minor material amendment. The development would have a huge impact on those living nearby in Mayo Court and Belsize Avenue. Block D would be more than seven meters taller and would be considerably close to Mayo Court than the previously approved scheme.
- It was concerning and very disappointing that the appearance of the blockade from Northfield Avenue had no regard to the art deco of Northfield Station. The two extra storeys on Block A would also make the scheme far too dominant on Northfield Avenue.
- The report had acknowledged that the scheme would have an impact on local residents' lives. The report had stated that the outlook from the first-floor windows from 1 to 47, which was the entire length of the road, would unavoidably change and there would be a material impact on the residents, however the proposed gain and the separation distance were consistent with the surrounding urban grain therefore while the outlook from the first floor windows would now be part of the proposal this was not considered unreasonable and would be acceptable.

The Committee asked questions and debated the proposal. In response to some of the questions and points raised, Officers confirmed that:

- A gated community had not been considered for the site as it was felt that it could be quite inclusive and also exclusive of the community. The proposal could provide community benefits in terms of open space and access to the retail units and would also enable anyone to come in and out which encouraged more surveillance and provided much more community benefit in terms of mixing of local people and new development users.
- There would be privacy screens along the elevation that faced Belsize Avenue which would reduce overlooking into those properties as well as being set further back into the site.
- As part of standard conditions, noise monitoring would be reviewed by the Council's Pollution Technical team prior to occupation.
- With respect to wheelchair accessible units, there would be a minimum of 10% required as part of the conditions in place.

The Committee then proceeded to vote on the Application.

### **RESOLVED:**

That for the reasons set out in the committee report, planning permission for the application REF **213744VAR** be **GRANTED** subject to:

1. Satisfactory completion of a Section 106 Legal Agreement.
2. Successful resolution of Planning Conditions of Consent.

### **8&9 The White Hart, Ruislip Road, Northolt, UB5 5AX**

John Robertson, Planning Officer, introduced the report and explained that this application sought planning permission and listed building consent for redevelopment of part of the site to provide a part 4, part 5, part 7 and part 8 storey hotel building with flexible commercial use at ground level. At the same time, the existing Grade II listed public house building would be retained and restored. The current scheme was the result of pre-application discussion with Council and Greater London Authority planning officers as well as public consultation with local residents.

The Committee was informed that the key elements of the proposed development were:

- retention of the listed public house;
- a 103-bedroom hotel with a hotel restaurant open to the public;
- function space;
- a flexible retail/commercial unit at ground floor level;
- 5 long stay and 3 short stay cycle parking spaces;
- 22 car parking spaces.

It was explained that, at up to eight storeys, the proposed hotel would be significantly higher than its immediate surroundings and was not in an area designated for tall buildings. However, the greater height would provide greater legibility in an area without local landmarks and dominated by transport routes and the White Hart Roundabout. By providing a height increase towards the roundabout, the taller building would also provide a

bookend to the adjoining 3 storey commercial parade along Church Road. A reasonable case had been made for a tall building to be acceptable on this site in line with London Plan Policy D9.

It was further explained that the existing public house building was Grade II listed and the proposal would preserve the main historic elements of it. The proposals involved demolition of ancillary modern additions to the pub which did not have any historic or architectural significance, restoring the building, and reinstating missing features. The historic entrance fronting the roundabout would remain, but the pub would also face onto the proposed open courtyard / public square to the north. The general internal layout of the pub would remain largely unchanged, and a sensitive extension would provide a community function room. The proposals would bring the pub back into use, so continuing the historic use of the building as a pub, which was part of its historic significance. The proposed alterations to the pub were not considered to harm the building and would preserve and enhance its historic significance.

The Committee was informed that impacts on the setting of the listed public house also needed to be considered. The proposals would significantly improve what was currently an unattractive and isolated setting. While the proposed hotel buildings would produce a significant change to the setting, the taller hotel building would be largely set back from the pub, which would retain its prominence within the site.

The Committee was further informed that where a development proposal led to less than substantial harm to the significance of a designated heritage asset, the harm needed to be weighed against the public benefits of the proposal including, securing its optimum viable use. On balance, the proposed development, along with the heritage, community and economic benefits associated with it, were considered to outweigh any harm to the pub's setting from the tall hotel buildings.

It was considered that the proposed development was consistent with the aims of the relevant policies of the adopted the Ealing Core Strategy (2012), The London Plan (2021), Relevant Supplementary Planning Guidance, the National Planning Policy Framework (2021), and the Ealing Development Management Development Plan Document (2013). It was therefore recommended by officers that planning permission and listed building consent be granted with conditions and subject to completion of a Section 106 agreement, a Section 278 agreement and a Community Infrastructure Levy payment to the Greater London Authority (GLA).

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on some amendments to the Conditions.

Councillor Mahfouz, a local Ward Councillor, spoke in support of the application and highlighted the following key points:

- Residents in Northolt wanted more local amenities in the area, a restaurant and pub within walking distance, more local job opportunities, something done about traffic issues in the area and a good development at the White Hart Pub site. The proposal offered all of those things.

- The applicant had engaged positively and regularly with local residents and Councillors to ensure that their views were taken into account whilst working on the proposal.
- This planning application was long overdue and long awaited. I urge the Committee to support this application so that local residents can finally have this center-piece building at the heart of Northolt West End.

The Committee proceeded to vote on the Application.

**UNANIMOUSLY RESOLVED:**

That for the reasons set out in the committee report, planning permission and listed building consent for the application REF **201617FUL & 201618LBC** be **GRANTED** subject to:

1. Satisfactory completion of a Section 106 Legal Agreement.
2. A Section 278 Agreement.
3. Successful resolution of Planning Conditions of Consent.
4. A Community Infrastructure Levy payment to the Greater London Authority (GLA).

**12 International House, 7 High Street, Ealing, W5 5DB**

Smruti Patel, Planning Officer, introduced the report and explained that this planning application was for the creation of a 5th floor to be used as office space, Use Class E(g)(i), internal courtyard extensions to the second, third and fourth floors and demolition and replacement of the reception and enhancements to the entrance.

It was explained that the internal courtyard extensions and replacement reception would not be visible from the highway. The proposed fifth-floor would involve demolition of the existing steep pitched roof in favour of a flat roof design and the enhancements to the entrance would involve alterations to the shopfront and the installation of arches and suspended planters.

It was further explained that the redevelopment for intensification of offices in the Town Centre was supported by both local and regional policy. The provision of additional office space would materially improve the provision of a critical mass of offices in the Town Centre. It was therefore considered that site's redevelopment was supportable. The site was considered acceptable for the proposed level of office redevelopment use given its Town Centre location and good transport links.

With respect to the impact upon heritage assets, the proposal was considered to have result in no harm to the listed buildings within the vicinity including Christ the Saviour Parish Church which was Grade II\* Listed. However, it was considered to result in less than substantial harm upon the Ealing Town Centre Conservation Area.

The Committee was informed that the proposal would provide clear public benefits which included more office space within the town centre, the

creation of over 1,500 permanent jobs and 260 construction jobs, optimisation of an underutilised and dilapidated site, reduction in the carbon emissions of the existing floorspace by 75%, creation of high-quality office accommodation within the town centre, revitalisation of Ealing Town Centre and improvements to the highway network by Section 106 contributions.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on some amendments to the Conditions.

The Committee proceeded to vote on the Application.

### **UNANIMOUSLY RESOLVED:**

That for the reasons set out in the committee report, planning permission for the application REF **214524FUL** be **GRANTED** subject to:

1. Satisfactory completion of a Section 106 Legal Agreement.
2. Successful resolution of Planning Conditions of Consent.

### **13 Northolt Grange Community Centre, Rushdene Crescent, Northolt, UB5 6NF**

The Committee considered a report that had been submitted by Wade Banks, Planning Officer.

The Committee was aware that the application site was located at the Northolt Grange Community Centre and St Raphael's Roman Catholic Primary School. The site was boarded by Rushdene Crescent to the east and Hartfield Avenue to the south. The school site was composed by primarily single-storey buildings that hosted a primary school, nursery and a community centre. The site was composed also by a series of facilities including several landscaped play areas, a large playing field, an obstacle course with a trim trail and grass, an artificial turf play area and a Multi-Use Games Area (MUGA) called "The Cage" to the north-east of the site. Access to the site was both off Rushdene Crescent to the east and Hartfield Avenue to the south.

It was reported that the application sought to provide school facilities on a consolidated school site. It was also to facilitate the separation of the school from the eastern plot, which was to be the subject of a future planning application. The application had been submitted as a hybrid application, incorporating both a full planning application and an outline planning application, with all matters reserved.

It was further reported that the full planning permission was for the demolition of the existing community centre, school building, MUGA, and other associated structures, and development of a new hardstanding play area and path. The full planning permission would therefore cover the proposed demolition works, the installation of 1,100sqm of new hardstanding playground and the installation of a new pedestrian path. The outline planning permission was for the proposed temporary classrooms and an extended

parking area for the school staff, with all matters reserved for future consideration.

The report highlighted that it had been acknowledged that the proposal would result in the loss of social infrastructure. However, the existing community centre had been closed for four years and the site was not located in an area of defined need as identified in the borough's social infrastructure needs assessment, policy S1 of the London Plan. The site was vacated in 2017 and had been identified as a potential site for residential uses since 2018 which had suggested that the proposed development was in line with requirements of policy. The potential re-provision of community facilities would be included within the forthcoming residential development at the site and so it was considered that the principle of development was acceptable.

The proposal was consistent with the aims of the relevant adopted policies and documents of the Local Development Plan, relevant Supplementary Planning Guidance and the National Planning Policy Framework. It was therefore recommended that both full planning permission and outline planning permission be granted with conditions.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on some amendments and an addition to the Conditions and some further notes with respect to a CUA.

The Committee proceeded to vote on the Application.

#### **UNANIMOUSLY RESOLVED:**

That for the reasons set out in the committee report, Full and Outline planning permission for the application REF **213792HYBRID** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent.

#### **14 Date of Next Meeting**

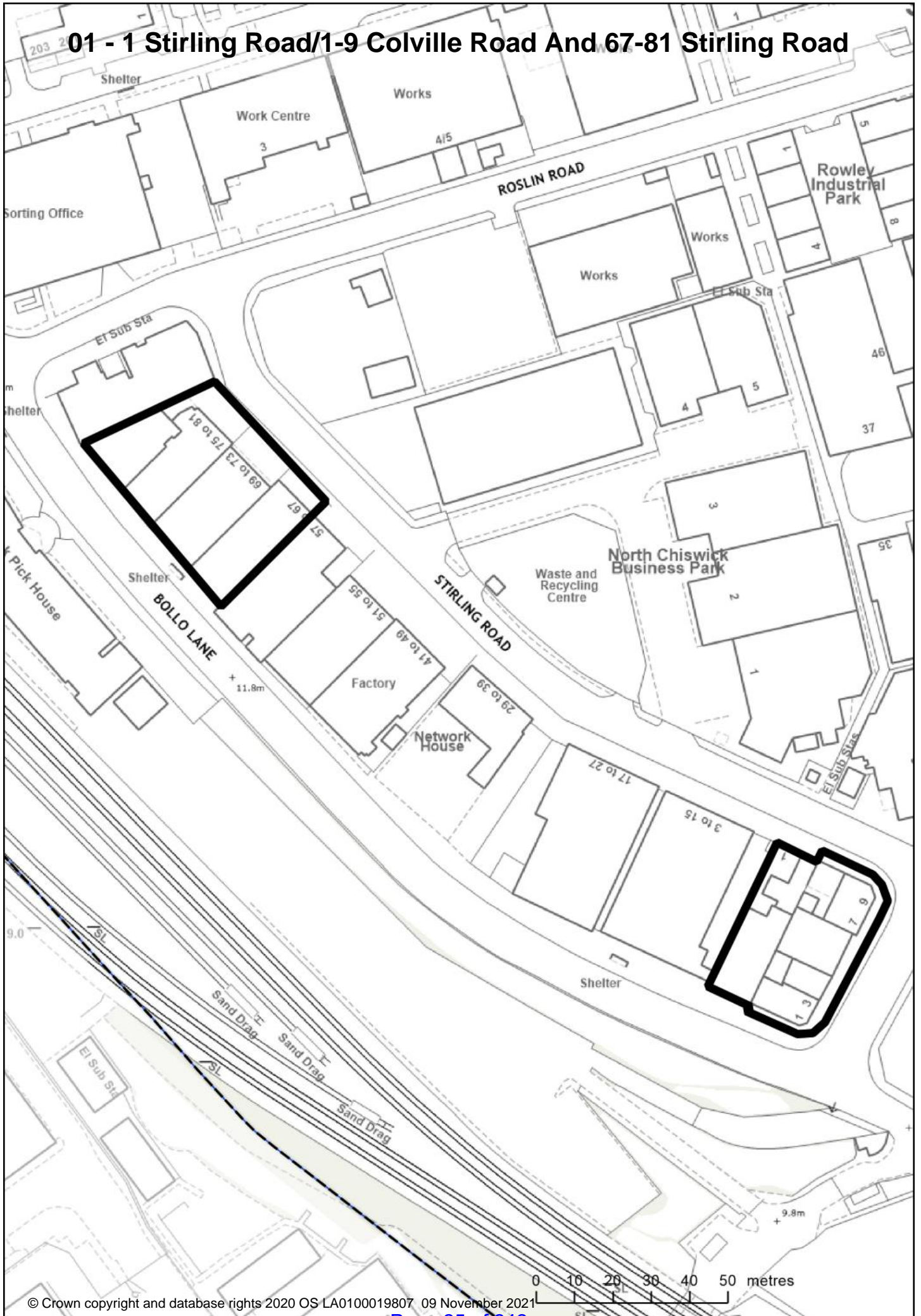
It was noted that the next scheduled meeting would be held on Wednesday 17 November 2021.

The meeting of the Committee concluded at 9:45pm.





# 01 - 1 Stirling Road/1-9 Colville Road And 67-81 Stirling Road





Ref : 214611FUL

Address: 1 Stirling Road/1-9 Colville Road and 67-81 Stirling Road  
Acton, W3 8DJ

Ward: South Acton

Proposal: Demolition of existing buildings and construction of a mixed use development comprising commercial floorspace (Use Class E(g)) and 237 residential units (Use Class C3) within two buildings, comprising 19 and 11 storeys, landscaping, and associated ancillary and enabling works.

Drawing numbers: Existing  
 BOL002-HBA-ZZ-ZZ-DR-A-0000 rev P2 (Existing Site Location Plan); BOL002-HBA-AB-00-DR-A-0001 rev P1 (Block Plan 1-9 Colville Road); BOL002-HBA-AB-RF-DR-A-0002 rev P1 (Roof Plan 1-9 Colville Road); BOL002-HBA-JK-ZZ-DR-A-0003 rev P2 (Block Plan 67-91 Stirling Road); BOL002-HBA-JK-RF-DR-A-0004 rev P1 (Roof Plan 67-91 Stirling Road); BOL002-HBA-ZZ-ZZ-DR-A-0010 rev P1 (Existing Elevations 1-9 Colville Road); BOL002-HBA-JK-ZZ-DR-A-0020 rev P2 (Existing Elevations 67-91 Stirling Road); BOL002-HBA-0030 rev P1 (Existing Section – Bollo Lane Urban Block)

Block AB (Proposed)

BOL002-HBA-AB-00-DR-A-0100 rev P2 (Proposed Ground Floor Plan); BOL002-HBA-AB-01-DR-A-0101 rev P1 (Proposed Level 01 Plan); BOL002-HBA-AB-02-DR-A-0102 rev P1 (Proposed Level 02 Plan); BOL002-HBA-AB-03-A-0103 rev P2 (Proposed Level 03 Plan); BOL002-HBA-AB-ZZ-DR-A-0104 rev P2 (Proposed Level 04-06 Plan); BOL002-HBA-AB-07-DR-A-0105 rev P2 (Proposed Level 07 Plan); BOL002-HBA-AB-ZZ-DR-A-0106 rev P2 (Level 08-09 Plan); BOL002-HBA-AB-ZZ-DR-A-0107 rev P2 (Proposed Level 10-16 Plan); BOL002-HBA-AB-ZZ-DR-A-0108 rev P2 (Proposed Level 17-18 Plan); BOL002-HBA-AB-19-DR-A-0109 rev P2 (Proposed Roof Plan); BOL002-HBA-AB-RF-DR-A-0110 rev P2 (Proposed Parapet Plan); BOL002-HBA-AB-ZZ-DR-A-0200 rev P1 (Proposed SE Elevation); BOL002-HBA-AB-ZZ-DR-A-0201 rev P1 (Proposed SW Elevation); BOL002-HBA-AB-ZZ-DR-A-0202 rev P1 (Proposed NE Elevation); BOL002-HBA-AB-ZZ-DR-A-0203 rev P1 (Proposed NW Elevation); BOL002-HBA-AB-ZZ-DR-A-0204 rev P1 (Proposed Sections BB & CC); BOL002-HBA-AB-ZZ-DR-A-0300 rev P1 (Proposed Section AA); BOL002-HBA-AB-ZZ-A-0400 rev P1 (Proposed Bay Study);

Block JK (Proposed)

BOL002-HBA-JK-00-DR-A-0150 rev P2 (Proposed Ground Floor Plan); BOL002-HBA-JK-01-DR-A-0151 rev P2 (Proposed Level 01 Floor Plan); BOL002-HBA-JK-02-DR-A-0152 rev P1 (Proposed Level 02 Floor Plan); BOL002-HBA-JK-ZZ-DR-A-0153 rev P2 (Proposed Level 03 Floor Plan); BOL002-HBA-JK-04-DR-A-0160 (Proposed

Level 04 Floor Plan) BOL002-HBA-JK-05-DR-A-0154 rev P1 (Proposed Level 05 Floor Plan); BOL002-HBA-JK-ZZ-DR-A-0155 rev P1 (Proposed Typical Level 06-07 Floor Plan); BOL002-HBA-JK-08-DR-A-0156 rev P1 (Proposed Level 08 Floor Plan); BOL002-HBA-JK-ZZ-DR-A-0157 rev P1 (Proposed Typical Level 09-10 Floor Plan); BOL002-HBA-JK-RF-DR-A-0158 rev P1 (Proposed Roof Plan); BOL002-HBA-JK-ZZ-DR-A-0159 rev P1 (Proposed Parapet Plan); BOL002-HBA-JK-DR-A-0250 rev P1 (Proposed South West Elevation); BOL002-HBA-JK-ZZ-DR-A-0251 rev P1 (Proposed North East Elevation); BOL002-HBA-JK-ZZ-DR-A-0252 ev P1 (Proposed North West Elevation); BOL002-HBA-JK-ZZ-DR-A-0253 rev P1 (Proposed South East Elevation); BOL002-HBA-JK-ZZ-DR-A-0254 rev P1 (Proposed North West Courtyard Elevation); BOL002-HBA-JK-ZZ-DR-A-0300 rev P1 (Proposed Section AA); BOL002-HBA-JK-ZZ-DR-A-0450 rev P1 (Bay Study A); BOL002-HBA-JK-ZZ-DR-A-0451 rev P1 (Bay Study B)

**Supporting Documents:** Planning Statement, (prepared by DP9); Design and Access Statement, including Landscape Strategy (prepared by Hawkins\Brown Architects and Outerspace Landscape Architects); (Built) Heritage, Townscape and Visual Impact Assessment (prepared by Montagu Evans); Energy and Sustainability Assessment (prepared by Applied Energy); Overheating Assessment (prepared by Applied Energy); Transport Assessment (prepared by RPS); Framework Travel Plan (prepared by RPS); Construction Logistics Plan (prepared by RPS); Delivery & Servicing Plan (prepared by RPS); Archaeological Desk Based Assessment (prepared by Oxford Archaeology); Noise Assessment (prepared by IDOM); Phase 1 Environmental Assessment (Desk Study) (prepared by IDOM); Drainage Strategy (prepared by IDOM); Air Quality Assessment (prepared by IDOM); Agent of Change Assessment (prepared by IDOM); Daylight and Sunlight Assessment (prepared by EB7); Statement of Community Involvement (prepared by London Communications Agency); Commercial Strategy (prepared by AND); Wind Microclimate Assessment (prepared by RWDI); Circular Economy Statement (prepared by Hoare Lea); Fire Strategy (prepared by Design Fire Consultants); Circular Economy Statement (prepared by Greengage); Whole Life Carbon Assessment (prepared by Greengage); Preliminary Ecological Assessment (prepared by Greengage); and Biodiversity Impact Assessment (prepared by Greengage)

**Type of Application:** Major  
**Application Received:** 06/07/2021

---

**Report by:** Joel Holland Turner  
**Recommendation:** Grant Permission, subject to conditions and Legal Agreement

### Executive Summary:

The proposed development constitutes a co-located industrial/residential scheme within a designated Locally Significant Industrial Site (LSIS), commonly known as the South Acton Industrial Estate. It forms part of an emerging character in the area, which includes residential, industrial and commercial development along Bollo Lane, in close proximity to the Acton Town Underground Station and South Acton Overground Station.

The application site consists of two separate, unconnected sites within an urban block that is bounded by Bollo Lane, Roslin Road, Sterling Road and Colville Road. The existing character of the area is predominantly low scale industrial buildings that do not contribute positively to the visual amenity of the area, although are consistent with the area's designation as an industrial site.

The proposal would demolish all the existing buildings and would result in no net loss of industrial space, with the existing space to be integrated within the proposed buildings. There is actually a small uplift in industrial space of 30sqm. The proposed industrial space would accommodate the maximum degree of flexibility possible with a wide variety of configurations, more open plans and greater floor to ceiling heights than the existing buildings. The Commercial Strategy provided in support of the application makes note of the demand for such spaces within the area that could accommodate a variety of uses to accommodate SMEs, including creative, music and film spaces, craft food and drink production, gallery space, maker spaces and hybrid combinations of these. The Commercial Strategy is supported by Council Officers and has also received support from WLB (West London Business).

The proposal also includes co-location, with the introduction of residential flats to the site. Accordingly, it is considered appropriate that the Agent of Change principles shall be followed, which has occurred in this instance. The Agent of Change assessment has identified sources of noise, vibration, dust, light and odour within the vicinity of the site, with relevant Technical Assessments provided to ensure that any existing sources of nuisance can be effectively designed out to ensure that the introduction of residential uses would not compromise the continued function of the LSIS, and future occupants would enjoy a high standard of amenity. Appropriate conditions have been recommended in accordance with Pollution-Technical Officer advice.

It is noted that the design of the buildings, particularly the Colville Road site, would introduce significant bulk, scale and massing to the area based on current circumstances. However, it is considered that the overall height, massing and scale are consistent with the emerging character of the area, taking account of existing approvals near to the site and within the surrounding area. The taller building would act as an opposing book end to this urban block, to the building already approved at 2-10 Roslin Road and its design approach utilises a high degree of articulation and variance in materiality in the overall façade design to ensure that it would make a positive contribution to the streetscape and the wider urban context. Similarly, the proposed building at 67-81 Stirling Road would have a different architectural narrative that uses strong industrial elements to reinforce the character of the area. Both buildings would introduce active frontages to the street, where they don't currently exist, and the overall design approach taken is consistent with the indicative master plan that has been used as part of other development approvals and current applications.

The principle of providing housing on the site is welcomed, given its brownfield nature and its proximity to high frequency public transport infrastructure. The 237 units proposed would alone contribute 1% to Council's 10-year housing targets as required by the London Plan. The proposal would also provide Affordable Housing at a rate of 38%, with a tenure split of 55/45 in favour of London Affordable Rent. Thus, the proposal will also make a sizeable contribution to providing Genuinely Affordable Housing to Ealing Residents. The proposal also provides a good housing mix, with several family units also proposed.

The proposal would also provide excellent amenity spaces for residents, with roof top spaces maximised to provide good quality communal spaces across both buildings. The Energy Strategy is also strongly supported by Council’s Energy Consultant with an overall site-wide cut beyond Part L of the current building regulations of at least 57.3%. The relevant carbon offsetting contribution has been recommended and the energy measures have followed the GLA hierarchy.

Overall, the proposal represents a sustainable form of development, that would provide for better quality industrial spaces and an increase in housing, with a good affordable housing offering. The proposed development, whilst a significant increase in height, bulk and massing, represents a coherent architectural narrative that would be consistent with the emerging character of the area and would improve the visual amenity of the area. Council Officers recommend the approval of the application, subject to conditions contained within Annexe 1 and the financial contributions and obligations outlined within the Heads of Terms of the 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.

<b>Financial Contribution Heading</b>	<b>Proposed Contributions</b>
Education Infrastructure	£400,000
Healthcare provision	£292,200
Transport and Public Realm	£291,000
Disabled Parking Bays (3)	£9,000
Bus Service Improvements (TfL)	TBC
Amenity Space	£667
Allotment Garden Improvements	£27,087
Active Ealing (Sports Infrastructure)	£111,000
Apprentice and Local Labour Scheme	£55,000
Air Quality	£64,640
Carbon Dioxide Offsetting	£320,369
Post Construction Energy Monitoring	£12,982
<b>Total Contributions</b>	<b>£1,583,945 (+TBC)</b>

- Affordable housing provision of 38%, with a tenure split of 55/45 (Habitable Room) 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 s278 agreement to provide the disabled parking bays on the street as shown on the approved plans. All disabled parking bays shall be equipped with electric vehicle charging infrastructure. The s278 agreement shall also include the widening of the footpath on Colville Road
- Restriction of parking permits within the Controlled Parking Zone

- Implementation of a travel plan
- All contributions indexed linked
- Payment of the council’s reasonable legal and professional costs in preparing the s106 agreement

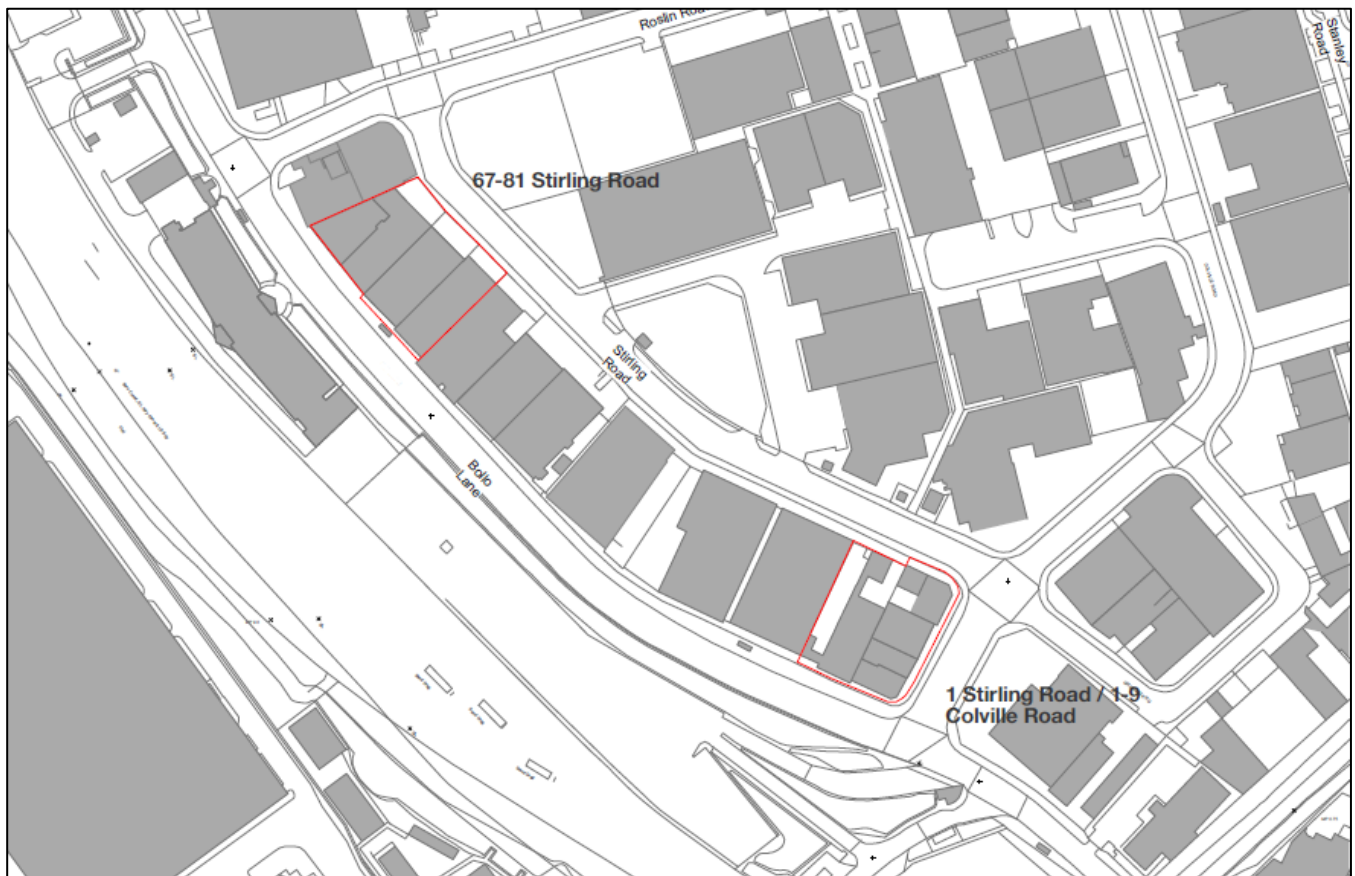
**AND**

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

**Conditions/Reasons and Informatives: refer to Annexe 1**

**Site Description:**

The site is formed by two separate, unattached plots that are within an industrial block, that is bounded by Bollo Lane, Roslin Road, Stirling Road and Colville Road. The first site is a corner plot which has frontages to Bollo Lane, Colville Road and Stirling Road and is described as 1-9 Colville Road and 1 Stirling Road. It has an area of approximately 1,180sqm and a collective street frontage of 97 metres.



**Figure 01: Site Location Plan**

The site is located within the South Acton Industrial Estate and is designated as a Locally Significant Industrial Site (LSIS). The site is also within an area of Local and District Park Deficiency. The site also has an archaeological interest area designation and is not located within any designated Opportunity Areas or Development Sites.



**Figure 02: 1-9 Colville Road**

The second site has frontages to both Stirling Road and Bollo Lane and is described as 67-81 Stirling Road. This site is also within the same established industrial area and is designated as a Locally Significant Industrial Site (LSIS) and also has an Archaeological Interest Area designation and is also located within an area of Local Park Deficiency. This site has an area of approximately 1,340sqm, with a frontage to Stirling Road of 29 metres and a frontage to Bollo Lane of approximately 40 metres.



**Figure 03: 67-81 Stirling Road (from Bollo Lane)**

The surrounding area is predominantly consisting of industrial uses, owing to the designation of the South Acton Industrial Estate as a Locally Significant Industrial Site. However, it should be noted that



there is an emerging mixed-use character within the area, with a number of proposals recently granted permission by Council, which will result in taller buildings and co-located uses.

At 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, 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 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.

**The Proposal**

The proposed development involves the demolition of all existing buildings. The description of development includes the following:

Construction of a mixed-use development comprising commercial floorspace (Use Class E(g)) and 237 residential units (Use Class C3) collectively across the two buildings.



**Figure 04: Proposal for 67-81 Stirling Road**

The buildings would be 19 and 11 storeys and would include landscaping and associated ancillary and enabling works.



Figure 05: Proposal for 1-9 Colville Road/1 Stirling Road

**Consultation:**

**Pre-application**

Design Review Panel

The panel sees the potential of the scheme to make a positive contribution to the area, however improvement of quality is needed. The design team encourages the emerging masterplan developed for the urban block. The master plan should consider the neighbouring residential areas, how they should relate to the emerging mixed-use developments and co-located uses and how they contribute to the area.

The public realm needs to be of outstanding character and ensure that residents have access to high-quality spaces while the surroundings continue to evolve. The relationship between the commercial units and the courtyard in plots J&K with Bollo Lane is welcomed. However, there is a risk that some industrial uses and the proposed capacity for commercial use should reflect existing and potential demand within the targeted sectors. The impact on the public realm of the servicing for the commercial units on Sterling Road should be carefully considered.

More details to achieve high-quality public realm and amenity areas are required. Further thought is needed in relation to sustainable urban drainage and surface water management, as well as the capacity for increasing biodiversity on the rooftop gardens and a good management strategy.

The panel feels that plots J&K has a good massing and height, whilst plots A&B are overdeveloped. The building heights of the main A&B block and whether it requires a gateway function require further justification. The heights should reflect the relationship of the building with the surroundings and the massing requires further justification: a standalone lower main block could improve the quality of the courtyard and flats. The density should be in accordance with the GLA matrix.

The scheme’s architectural expression and materials are largely successful, and the panel welcomes the distinct character developed for the two buildings. The proposed homes and commercial spaces are exceptional but careful consideration should be given to single aspect units and overheating issues.

There should be a more explicit rationale behind the distribution of workspaces within the building at plots J&K. The panel suggests relocating some of these commercial units to the plots at A&B, in order to reduce the pressure on plots J&K and to allow for a larger courtyard.

A robust energy strategy, acoustic and sustainability assessments should be provided.

Officer Response: The applicant has presented amendments to their scheme, which will be discussed more thoroughly within the Design section of this report. The justification for the commercial spaces has been addressed within the Commercial Strategy submitted with the application. The single aspect units facing into the rear courtyard of Plot AB have been addressed through the submission documents, showing that these flats would take a narrower arrangement, allowing for greater daylight distribution into these spaces and good outlook down the emerging central courtyards on neighbouring sites.

The applicant has also submitted an Energy Strategy that has been considered to be good by Council’s Energy Consultant.

<p>Neighbour Notification</p>	<p>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 28/07/2021 with the consultation period expiry on 18/08/2021.</p> <p>One objection to the proposed development was received during the statutory consultation period, with another objection received outside the consultation period, with each given equal weight. A summary of the points of objection raised is provided below:</p> <ul style="list-style-type: none"> <li>- Neighbouring properties have not been sufficiently aware of the proposal to have time to comment.</li> <li>- The principal objections are caused by the excessive height.</li> <li>- Height is out of character of the area.</li> <li>- Height causes loss of light.</li> <li>- Height causes overlooking to neighbouring properties.</li> <li>- Height enables excessive number of units on small plot.</li> <li>- Thus, it's over development - there's no change in local facilities, including transport, to support this.</li> </ul> <p><u>Officer Response:</u> The points raised are noted and primarily related to the height, design and the impact on adjoining properties. These will be addressed within the relevant sections of the report below.</p>
<p>Ealing Civic Society</p>	<p>A representation was received from the Ealing Civic Society, which is characterised as neutral, with the points raised summarised below.</p> <ul style="list-style-type: none"> <li>- Ealing Civic Society considers an Environmental Impact Assessment (EIA) to be essential for this development. In this location, the proposed height and number of residential units, together with the density and massing that would result, would have a very significant impact on all aspects of the local environment including earlier phases of the Sherwood Close development and allotments immediately opposite the site.</li> </ul> <p><u>Officer Response:</u> A request for a Screening Opinion was received and assessed by Council under the EIA Regulations prior to the submission of this application. The conclusion of this assessment was although the proposal would fall within the provisions of Schedule 2 Development, the proposed development will not be likely to have significant effects on the environment as interpreted by the EIA Regulations 2017. The proposal would thereby not constitute EIA development requiring an Environmental Impact Statement.</p> <p>The impacts on the Sherwood Close development and the allotments can reasonably be assessed as part of a planning application. However, it is not clear what the comments relating to Sherwood Close are, as this development is located within West Ealing, whereas the proposed development is located in Acton. The allotment gardens are located some 160m away from the application site.</p>

<p>West London Business</p>	<p>West London Business (WLB) submitted a letter in support of the proposed development stating that the proposed development would offer workspaces that would support small business, a substantial contribution toward housing supply and a commitment to low/zero carbon living and WLB are fully supportive of the proposed development.</p> <p><u>Officer Response:</u> Noted and the commercial strategy is addressed within the Principle of Development section of this report.</p>
<p><b>External Consultation</b></p>	
<p>Greater London Authority (GLA)</p>	<p>The GLA were consulted as part of Stage 1 with a summary of the strategic issues being identified as follows:</p> <p><u>Land Use Principles:</u> The proposals have not been brought forward as part of a co-ordinated plan led process to warrant its release from LSIS contrary to Policy E7 of the London Plan. However, the proposals could be supported if the industrial capacity of the site is satisfactorily retained. This is predicated on the servicing arrangements being fit for purpose for industrial use. The interface between the residential and industrial uses also needs to be further addressed. The development cannot be supported in land use terms unless these issues are overcome to the satisfaction of GLA and TfL officers.</p> <p><u>Affordable Housing:</u> An affordable housing offer has been made of 38%. As the development would result in the loss of industrial capacity, the Viability Tested Route would need to be followed. However, should the issues raised in respect of the industrial replacement be addressed, the scheme could follow the Fast-Track Route.</p> <p><u>Transport:</u> The Active Travel Zone assessment needs further work, and in keeping with Healthy Streets and Vision Zero objectives, appropriate improvements/contributions should be secured. Concerns regarding the proposed servicing arrangements and disabled parking are raised. Additional improvements to active travel routes should be identified and secured. The cycle parking should be improved to comply with LCDS guidance. A contribution of £253,500 towards bus service improvements is required. Other issues on residential amenity, play space, urban design, inclusive access and sustainable development also require resolution prior to the Mayor’s Decision-Making stage.</p> <p><u>Officer Response:</u> The GLAs initial concerns with respect land use principles was in respect to the fact that the GLA considered that one of the smaller commercial units on Block AB would be located a distance away from the proposed loading bay on Stirling Road. Given the separation distance between the loading bay and this unit, the GLA initially considered that the use would not be truly industrial, leading to a net loss of industrial space. This is despite the fact the floor area proposed would be constitute a full reprovision.</p>

	<p>In accordance with Policy H4(5), where development in industrial areas do result in a net loss of industrial capacity, AH at a rate of 50% would be required. Following these comments, the applicant provided a response to the GLA on this matter</p>
<p>Transport for London (TfL)</p>	<p>The following key issues have been identified:</p> <p>Further detail/improvements are required regarding the assessment of and contributions towards Healthy Streets and Vision Zero.</p> <p>Concerns are raised in terms of servicing arrangements and cycle parking compliance.</p> <p>Review of the proposed disabled parking provision to confirm adequate to meet demands alongside meeting Vision Zero objectives.</p> <p>Additional improvements to active travel routes should be identified and secured along with those already proposed for footways and public realm adjacent to the site.</p> <p>A contribution towards bus service improvements is requested.</p>
<p>London Borough of Hounslow</p>	<p><u>Heritage matters</u></p> <p>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, the design of the largest of the two blocks (on the corner of Colville Road/Stirling Road/Bollo Lane) is, at present, somewhat uninspired and the frontage onto Bollo Lane is particularly blank, causing a very moderate degree of additional harm to the Strand-on-the-Green Conservation Area. Whilst this harm is not significant enough to raise objections to, this aspect should be addressed through detailed discussions with the applicant.</p> <p>Additionally, 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.</p>

	<p><u>Transport matters</u></p> <p>The Council's Transport team have been consulted as part of this submission, and have issued the following comments and observations:</p> <p><i>The outline Construction Logistics Plan in the Transport Assessment shows the construction routes being directed to the north, thereby avoiding Chiswick High Road. This is welcomed.</i></p> <p><i>An Active Travel Zone map was included in the Transport Assessment but it does not appear that an ATZ survey of the routes was undertaken. 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.</i></p>
<p>Crossrail Safeguarding (TfL)</p>	<p>Thank you for your letter dated 23 July 2021 requesting the views of the Crossrail on the above application. I confirm that the application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction.</p>
<p>London Underground Safeguarding (TfL)</p>	<p>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 railway infrastructure.</p> <p>Therefore we request that the grant of planning permission be subject to conditions to secure the following:</p> <p>The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> <li>• provide Risk Assessment and Method Statement for Demolition, Piling, superstructure, Tower cranes/Mobile cranes, Scaffolding, etc</li> <li>• provide Lifting plans for all tall plants</li> <li>• accommodate the location of the existing London Underground structures- Logistic plans for material and deliveries to site during construction (impact on access to LU Frank Pick House)</li> <li>• information and drawings on substructure(GA)</li> <li>• accommodate ground movement arising from the construction thereof - Ground Movement Assessment for demolition and loading, to assess impact on adjacent buildings</li> <li>• mitigate the effects of noise and vibration arising from the adjoining operations within the structures - Environmental plans; Dust, noise &amp; vibration mitigations</li> </ul>

<p>Heathrow Airport Safeguarding</p>	<p>We have now assessed the application below against safeguarding criteria and can confirm that we have no safeguarding objections. However, we would like to make the following observation:</p> <p><u>Construction Aviation Warning Lights</u>                  Although it is not anticipated that the use of a crane at this site will impact Heathrow’s Obstacle Limitation Surfaces, Instrument Flight Procedures or radar. We would like to advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.  <a href="https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&amp;mode=detail&amp;id=5705">https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&amp;mode=detail&amp;id=5705</a></p>
<p>Metropolitan Police (Secure by Design)</p>	<p>Should the development be granted planning permission, I request that the wording of the condition is, or similar to:</p> <p>“The development must achieve Secured by Design accreditation prior to occupation”</p> <p>This will incorporate all aspects of doors, windows, lighting, postal strategy and advice on CCTV rather than specifying them individually within the conditions.</p>
<p>Historic England</p>	<p>Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.</p>
<p>Highways England</p>	<p>No development shall take place until a detailed Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority and Highways England. If the detailed Construction Traffic Management Plan demonstrates that there is the potential for a severe impact on the SRN, further assessments may be required.                  Reason: To mitigate any adverse impact from the development on the M4. To ensure that the M4 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.</p> <p>Informative                  A Full Travel Plan shall be implemented in accordance with measures that promote sustainable travel and ensures the development is maintained as ‘car-free’ to ensure that there is a negligible impact on the TfL and Highways England road networks in accordance with s10 of the Highways Act 1980.</p>
<p>NHS Property (Healthcare)</p>	<p>Request contribution to be secured within the s106 agreement</p>
<p>Thames Water</p>	<p>Informatives have been recommended with regard to waste and water comments.</p>



Internal Consultation	
<p>Pollution-Technical (Noise)</p>	<p>A new manned noise survey was undertaken on Monday and Tuesday 22 and 23 March 2021, collecting noise samples for day and night times, report issued 01/06/2021.</p> <p>It should be noted that Monday and Tuesday tend to be the quietest days of the week due to people taking extended weekends. Mid- to end of week seem to show increased activity.</p> <p>A long-term measurement is said to have given only 10 hours of data.</p> <p>These noise measurements were carried out during lockdown conditions. The new report suggests that there is a small noise reduction from 30% less road traffic during the monitoring exercise. However, we require representative pre-Covid19 noise data. Data presented is long and convoluted and a new noise assessment is required. Regarding proposed room arrangements, despite previous advice given, plans indicate again that most bedrooms are to adjoin communal circulation space or other uses in separate flats, shared amenity spaces and plant rooms. The proposed layout will require enhanced sound insulation to prevent adverse living conditions due to sleep disturbance.</p> <p>I recommend the following conditions and informatives:</p> <ol style="list-style-type: none"> <li>1 Transport and/or commercial/industrial/cultural noise sources</li> <li>2 Separation of noise sensitive rooms in neighbouring flats</li> <li>3 Separation of commercial and communal uses and facilities from dwellings</li> <li>4 External noise from machinery, equipment, extract/ventilation ducting, mechanical installations</li> <li>5 Anti- vibration mounts and silencing of machinery etc.</li> <li>6 Site and Servicing Management Plan</li> <li>7 Demolition Method Statement and Construction <u>Management Plan</u></li> </ol> <p><u>INFORMATIVES for Demolition and Construction, Installation, Refurbishment etc.:</u></p> <ol style="list-style-type: none"> <li>1 Permitted hours for building work</li> <li>2 Notification to neighbours of demolition/ building works</li> <li>3 Dust</li> <li>4 Dark smoke and nuisance</li> <li>5 Noise and Vibration from demolition, construction, piling, concrete crushing, drilling, excavating, etc.</li> </ol>

<p>Pollution-Technical (Air Quality)</p>	<p>Please see the following conditions recommended for the site:</p> <p>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.</p> <p>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 <a href="https://nrmm.london/">https://nrmm.london/</a>.</p> <p>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.</p> <p>Please also note that s106 funding for Air quality will be requested from the development:                  237 residential units * £100 = £23700                  4094 m<sup>2</sup> commercial space * £10m<sup>2</sup> = £40940  <b>Total = £64, 640</b></p>
<p>Pollution-Technical (Contaminated Land)</p>	<p>The submitted preliminary desk study (Ref. IDOM DS21849-21-221) recommends further site investigation. Based on the information available this is agreed with.</p> <p>Following conditions are recommended:</p> <p><u>Site Investigation</u></p> <p><u>Remediation Scheme</u></p> <p><u>Verification Report</u></p>

<p>Active Ealing (Sports Development Manager)</p>	<p>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 <b>237</b> new units and an average of <b>2.4</b> people in each unit, a calculation can be made based on <b>569</b> additional residents living in the new units (these indicative figures can be changed if necessary).</p> <p>A contribution has been recommended toward sporting infrastructure through the s106 agreement.</p>
<p>Transport Services</p>	<p>Recommended relevant s106 contributions and obligations. Conditions also included in line with GLA advice.</p> <p>Revised loading arrangements for Colville Road building are acceptable, having been moved further away from the junction with Colville Road and Sterling Road.</p> <p>Recommend remove Disabled Parking Bays on the opposite side of Sterling Road and seek a financial contribution of £3000 per bay.</p>
<p>Waste and Street services</p>	<p>No response.</p>
<p>Education Services</p>	<p>Requested contribution toward education provision.</p>
<p>Landscape Architect (Leisure and Parks)</p>	<p><b>Amenity Space:</b> For a development of this size a total of 3555 m2 private amenity space will be required.</p> <p>The Development will provide 3550m2 of private/communal amenity space in the form of external amenity space, private balconies and internal amenity space</p> <p>The internal amenity space has not been counted towards the overall provision because the guidance is clear that this should only be used in exceptional circumstances. In practice if deemed acceptable, this should only be used to offset any shortfall in the ‘Private Open Space’ component of the requirement, and not the supplementary provision required through local policy.</p> <p>This means the development provides a good amount of amenity space and only short of amenity provision by 5m2 and so only a small 106 payment would be required if the scheme gets approval.</p> <p><b>Children’s Play and Teen Play:</b> For a development of this size a total of 837.7m2 of dedicated play space would be required.</p> <p>The application includes a total of: 642m2 of play space. This means a section 106 contribution will be required for improvements to local facilities.</p>

**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 773.91m2 is required within this development. As none has been provided a section 106 contribution will be required.

**Section 106 requirements:**

Due to a significant lack of / play and 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 South Park, Mill Hill Park (Avenue Road Park) and Bollo Brook Park. As a guide we would recommend the following amount:

Amenity space contribution: £ 667  
 Play space contribution: £29353  
 Allotment space contribution: £27087  
 Total section 106 contribution: £ 57106

**In our opinion the following details should be conditioned:**

- Details of children’s play areas including safety surfacing and equipment
- 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

Officer Response: Following issuance of this consultation response, the Council Officer, in conjunction with the Landscape Architect, reviewed the children’s play space requirement in line with the GLA’s Child Yield Calculator. It was evident that the minimum requirement for play space was incorrectly calculated, and the applicant had provided the exact provision as required by planning policy.

The s106 contribution recommended for shortfalls in children’s play space is therefore not required and has not been recommended.

**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:**

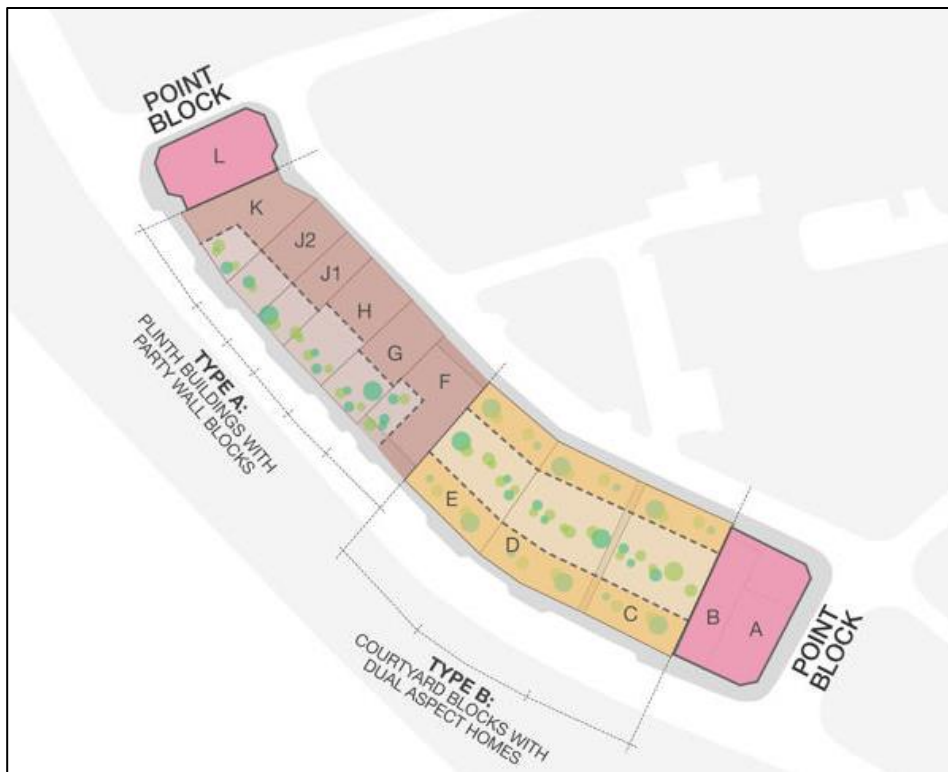
**Main Issues**

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 uses within the site consist of primarily industrial but also other commercial type uses. The application site consists of two separate and unconnected sites within an industrial urban block that is designated as within a Locally Significant Industrial Site (LSIS). The first site has the address of 1 Stirling Road/1-9 Colville Road and is referred to as Plots A&B, as this is the designation given by the applicant as part of their overall masterplan, which was considered under previous applications on the urban block, such as 192130FUL and 204553FUL. The other site is at 67-81 Stirling Road and is referred to on the aforementioned masterplan as Plots J&K. The image below illustrates the masterplan, however, it should be noted that this masterplan serves no strategic function and is indicative only.



**Figure 05: Indicative Master Plan**

This scheme presents a co-located residential and industrial/commercial scheme within the LSIS, which is a similar type of application that previously granted on other sites within this urban block, that are referenced above. It is noted that Policy E7 of the London Plan (2021) requires that such types of development should follow a “plan-led process of SIL or LSIS intensification and consolidation...or as part of co-ordinated masterplanning process, in collaboration with the GLA, and the relevant Borough, and not through ad-hoc planning applications. This measure hasn’t been followed in its entirety as part of previous planning applications, given the complex ownership structure of this urban block. The GLA has accepted, under previous applications and the current application, the process that has been followed. Whilst this masterplan is indicative and plays no strategic role, it does give a strong

development framework for the area and has been followed as part of this application and a separate application that is also currently being considered by Council (214991FUL – Block C).

Whilst the London Plan generally supports intensification of industrial sites, as well as their co-location with other uses, the GLA initially raised strategic concern with regard to the full reprovision of industrial space on the application sites. The GLA considered that one of the proposed commercial/industrial units within Block AB was orientated toward Bollo Lane and was located a significant distance from the proposed loading/servicing area on Sterling Road. The consideration was that an industrial unit could not be classed as such, where servicing and delivery arrangements were not within reasonable distance and accordingly considered not fit-for-purpose.

As part of their submission, the applicant has provided a Commercial Strategy which outlines the rationale and demand for the intended uses of the non-residential space within both buildings. This is a process that has been followed on alternate sites. It should be noted that whilst the GLA did initially consider that there was a net loss of industrial capacity on the sites, it should be acknowledged that the non-residential floorspace in comparison to the existing situation has increased from 4,064sqm to 4,094sqm, an uplift of 30sqm. However, it was considered by the GLA that these matters could be remedied through a revised design or further justification. The applicant advised the GLA that servicing on Bollo Lane, or Colville Road would not be appropriate, and that Stirling Road currently functions as a servicing and delivery area for existing industrial premises. The proposal would continue this arrangement.



**Figure 06: Commercial Courtyard 67-81 Stirling Road**

In terms of the one commercial unit proposed that is of concern to the GLA, this commercial unit would be positioned toward the corner of Bollo Lane and Colville Road. It is considered that the size of this unit at 423sqm would not warrant a significant number of deliveries or servicing movements that would render this unit not-fit-for-purpose for industrial-type activities. In addition to this, this industrial unit would be

located 50sqm from the loading bay on Stirling Road which is not considered to be unreasonable. The applicant’s Transport Statement notes that across both buildings, daily deliveries would equate to 22 movements for the residential and non-residential components, which can be reasonably accommodated within the loading bays proposed. The revised statement from the GLA is that should the local planning and highway authority be satisfied with the approach of providing all servicing to Sterling Road, then this would be acceptable to TfL.

In terms of the Commercial Strategy previously referenced, it is considered that the commercial offering meets the requirements of Policy E7 of the London Plan which states that “development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c, B2 and B8” which also includes making provision for the introduction of small units, as is proposed as part of this scheme. The proposed Class E(g) use encompasses the former B1c use and are considered to be both consistent with the site’s designation as within LSIS and compatible with residential uses. The Commercial Strategy submitted provides an evidence-based assessment of demand and need for such space within Ealing and in a wider context, West London. The assessment outlines the emerging demand for spaces that are flexible, with a minimum floor-to-ceiling height of 4 metres that are able to accommodate occupants such as artists studios, design and maker spaces, craft food and drink production, TV and music production, co-working spaces, start-up and other SME business and hybrid office/maker/gallery space. The proposed offering would provide more modern premises than the existing buildings and accordingly make the area more attractive for occupants than the existing situation.



**Figure 07: 1-9 Colville Road**

Whilst these don’t necessarily fall within the traditional definition and idea of industrial spaces, they fit within an emerging market that would be consistent with the objectives of LSIS areas within the London Plan. It is therefore considered that the proposal would constitute no net loss of industrial space across the two sites and create industrial accommodation that would be flexible and able to accommodate a wide range of occupants, that is supported by Council Officers. As it is of the opinion of Officers that the  
Page 21 of 57

proposal constitutes full re-provision of industrial space, the proposal would be eligible for the fast-track route for Affordable Housing at 35% in accordance with Policy H4 of the London Plan (2021).

The proposal would also include the creation of 237 units across the two sites, which will make a positive contribution to Council's housing targets. In accordance with Policy H1 of the London Plan, Ealing has a 10-year housing target of 21,570 homes, to which the proposed development would contribute 1%. The development also provides for a good amount of genuinely affordable homes to the residents of Ealing, in a location centrally located between Acton Town Underground Station and South Acton Overground Station. The GLA and Council Officers are wholly supportive of the additional housing, as well as the genuinely affordable homes that the proposed development would bring to the Borough and locality.

### **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.

To this effect, nuisance generating activities within the LSIS include, but are not limited to, noise, vibration, dust, odour and lighting, around which the applicant's Agent of Change assessment is framed. Given the two sites being considered as part of this application are unconnected and significantly distanced from one another, they each are each surrounded by different industrial uses that possess their own constraints to the introduction of residential uses.

Within the surroundings of Plot AB, constraints include to the north-east with a commercial building occupied by Ocado, as well as a hand car wash facility. To the east of the site is an industrial premises known as Lawsons Timber and Building Facilities. In the vicinity of Plot JK is an Ealing Council Environmental Services open-air storage area, to the northeast of the site. There is also a newly constructed storage unit facility, occupied by Magenta Self Storage to the south-east. Bollo Lane is to the southwest of the site, on the opposite side of which the emerging TfL Holdings scheme will be located.

In terms of noise, the applicant has presented a Environmental Noise Assessment, which will be addressed in full within a subsequent section of this report. The only significant noise and vibration identified were transport related, including overhead aircraft noise, traffic movements along Bollo Lane and Stirling Road and frequently passing trains on the nearby Underground network. In accordance with the principles of Agent of Change and Policy D13, the applicant has proposed mitigation measures, which has been assessed by Council's Pollution-Technical Team, with appropriate conditions relating to mitigation measures being recommended.

The Agent of Change report identifies that there are no significant dust generating uses within the vicinity of the site, with the exception of the Waste Transfer Station (Acton Re-Use and Recycling Centre), operated by Ealing Council on the opposite side of Stirling Road. However, it should be noted that this transfer station is for household waste only and does not welcome trade waste. Therefore, dust generated by this use is minimal and nevertheless, on both buildings, the residential uses begin at second floor, providing a buffer between street level and the residential uses proposed. It is not considered that



the proposal would be unreasonably impacted by dust, which was also an accepted conclusion as part of the developments at 29-39 Stirling Road and 2-10 Roslin Road (204553FUL).

Similarly, to dust, the only use that presents the potential for odour is the Waste Transfer Station, however the site accepts mainly household items, with no food waste accepted. The only potential for odour generation is garden waste, however this is likely to be minimal and Council Officers have visited the site and not identified any particular odour impacts that would cause harm to future residential uses. Nevertheless, it should be noted that waste is not stored for long periods at this facility, with waste removed when collection bins are full. There is also a significant distance between the application site and this facility, and the buffer provided by the residential uses beginning at second floor level would ensure that odour impacts can be fully mitigated. Further details will be discussed within a subsequent section of this report on Air Quality and appropriate conditions have been recommended.

In terms of lighting, it is not considered that there are any significant lighting impacts, apart from existing street lighting that would impact the proposed residential uses. It can therefore be concluded that the proposal can effectively mitigate the impact of surrounding industrial uses to ensure that the residential amenity of future residents will be protected and would not put unreasonable restrictions on existing industrial uses, that would compromise their functionality and continued use post-development. The GLA has acknowledged the applicant’s submission of an Agent of Change Assessment and broadly supports its conclusions, however states that “given that residential uses would be directly above industrial units, it is expected that appropriate noise and vibration mitigation is designed into the scheme to ensure that any noisy activities would not adversely affect the amenity of the residential units above”. These matters have been assessed by Council Officers, with a full assessment provided within subsequent sections of this report and appropriate conditions recommended.

**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.

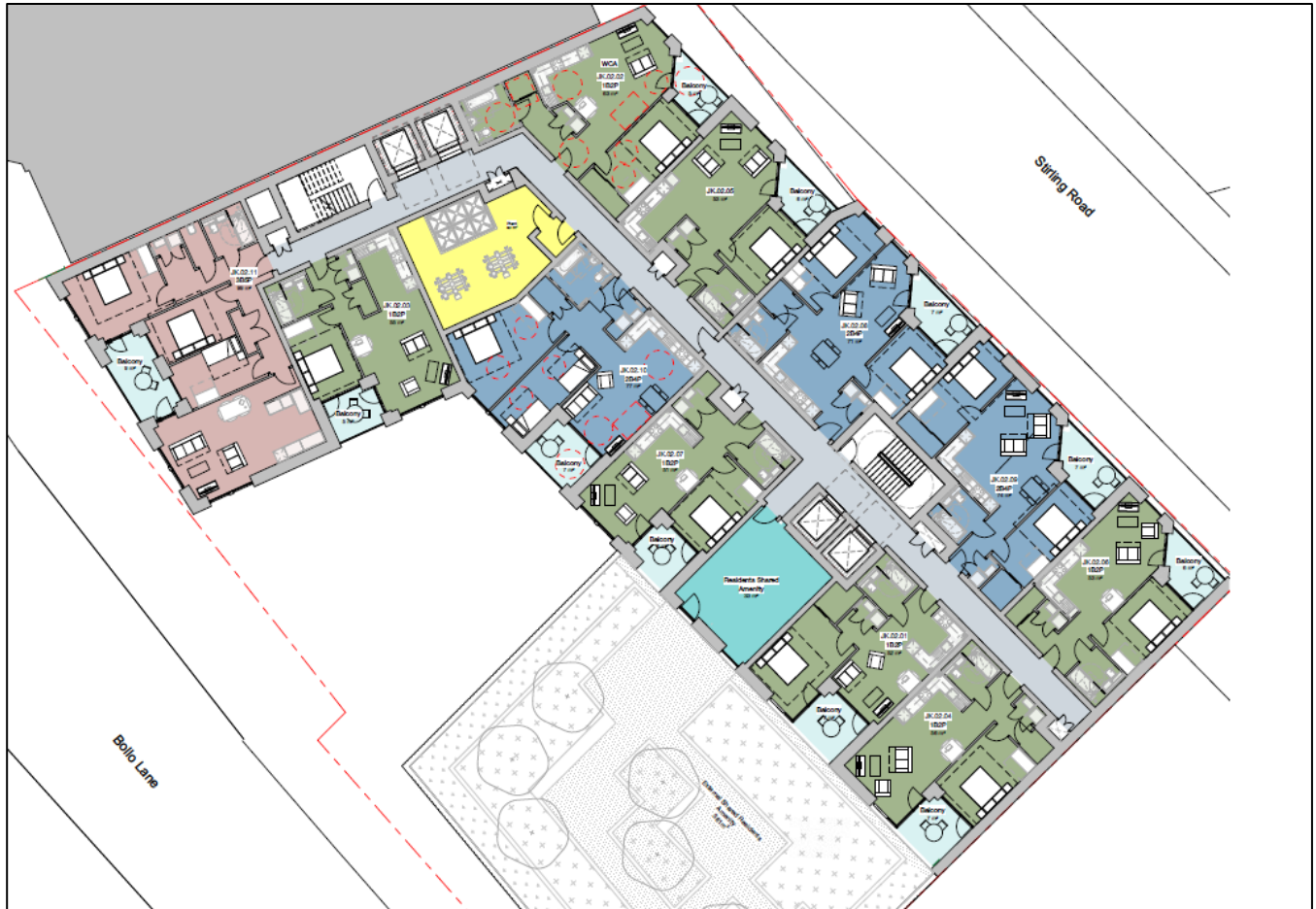
<b>Quantum of Proposed Residential Provision</b>					
<b>Housing Type</b>	<b>Stirling Road/1-9 Colville Road (Block AB)</b>	<b>67-81 Stirling Road (Block JK)</b>	<b>Total</b>	<b>Percentage</b>	
<b>Studio</b>	3	0	<b>3</b>	<b>1.2%</b>	
<b>1-bedroom</b>	79	44	<b>123</b>	<b>51.9%</b>	
<b>2-bedroom</b>	65	31	<b>96</b>	<b>40.6%</b>	
<b>3-bedroom</b>	3	12	<b>15</b>	<b>6.3%</b>	
<b>Total</b>	<b>150</b>	<b>87</b>	<b>237</b>	<b>100%</b>	

**Table 1 – No. of Units by Size**

**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 re-provision of industrial floorspace, 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 proposal would involve an affordable housing provision of 38% by habitable room, which exceeds the minimum Affordable Housing threshold. In this instance, all of the proposed affordable housing would be located within the Plot JK building (67-81 Stirling Road), with all private market housing being located in the Plot AB building (1-9 Colville Road, 1 Stirling Road). This therefore means that by ratio, there would be 150 units within Plot AB and 87 units within Plot JK.



**Figure 09: Second Floor Plan, 67-81 Stirling Road**

The mix of the Affordable Housing would provide for a range of occupiers, with 50% of the Affordable Housing being 1 bedroom, 36% being 2 bedroom and 14% being 3 bedrooms. Council’s objective for Affordable Housing tenure is in favour of LAR tenure over Intermediate products at a rate of 60/40. In this instance the tenure split would equate to 55/45 LAR to Intermediate products. Whilst this is not strictly compliant with Council tenure split objectives, it is still a good affordable housing offering that would deliver genuinely affordable homes for residents.

The applicant also notes that the proposal is providing for AH in excess of the fast-track route requirement and were the applicant to reduce AH to 35% in accordance with policy, the 60/40 tenure split could be achieved. Thus, the additional housing provision over the 35% has skewed the ratio calculation toward Intermediate products. It is therefore considered more appropriate to secure the additional affordable housing over 35% which offsets the small non-compliance with tenure split objectives. The tenure split with housing mix is illustrated within the table below.

<b>Flat Type</b>	<b>London Affordable Rent (Unit)</b>	<b>London Affordable Rent (HR)</b>	<b>Shared Ownership (Unit)</b>	<b>Shared Ownership (HR)</b>
1b2p	21	42	23	46
2b4p	20	60	11	33
3b5p	6	24	6	24
<b>Total</b>	<b>47</b>	<b>126</b>	<b>40</b>	<b>103</b>
<b>Ratio</b>		<b>55%</b>		<b>45%</b>

**Table 2: Affordable Housing Split by Tenure**

In terms of the Affordable Housing provision being located within a separate building to the private market housing, this is considered to be acceptable in this instance. Both buildings are considered to be of a high-quality design and there is no discernible difference between the quality of the finishes of both buildings. In addition, the building which will contain Affordable Housing will have access to a greater amount of communal amenity space over and above the private market housing building. The Affordable Housing is also located geographically closer to Acton Town Underground Station, which will benefit the affordable residents in terms of their accessibility to public transport.

The affordable housing provision is therefore considered to be a good offer and Council Officers are supportive of the AH proposals.

**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 through the use of Design Review Panels (DRPs), which has occurred in this instance. The applicant has also sought advice from the GLA through their pre-application process prior to submission.

The DRP met on the 5<sup>th</sup> of March 2021 and were broadly supportive of the proposal and recognised the challenges of development within this area. Comments were provided on the emerging masterplan presented, public realm, landscaping, density, height and massing, architecture, layout and sustainability. The DRP did feel that some further refinement and justification would be required and did note that Plots AB did feel slightly overdeveloped but welcomed the architectural expression and distinction in architectural form between the two buildings.

Further justification was required on the building height and massing of Blocks AB as to whether this site forms a gateway function and its relationship with the existing and emerging context of the area. The Panel questioned whether Blocks AB would be better served as a standalone building to more successfully allow better daylight into the central courtyards running through the urban block, part of the emerging pattern of development. On plots JK, the Panel considered that the development was successful in its massing and stepped height approach that integrates positively into the urban context and creates a human scale.

The applicant has accordingly considered these comments prior to submission of their application. This has resulted in adjustments to the massing of Plot AB. This has created a greater distinction in height on the elevation fronting Colville Road, with a portion of this elevation dropped, with the taller element creating a more slimline appearance to the junction of Bollo Lane/Colville Road and reducing its massing toward the corner of Colville Road/Stirling Road. The building proposed at Block AB is itself to provide a high-quality building visually that uses a high degree of visual interest and articulation that will possess its own distinct character. The Colville Road façade presents a grid format that is formed by precast frames that contrast with ribbed precast panels that have a defined horizontal and vertical alignment. Inset balconies will continue the coherent pattern within the façade, which will also include the contrast of darker coloured metal framework around windows, doors, and the balconies.



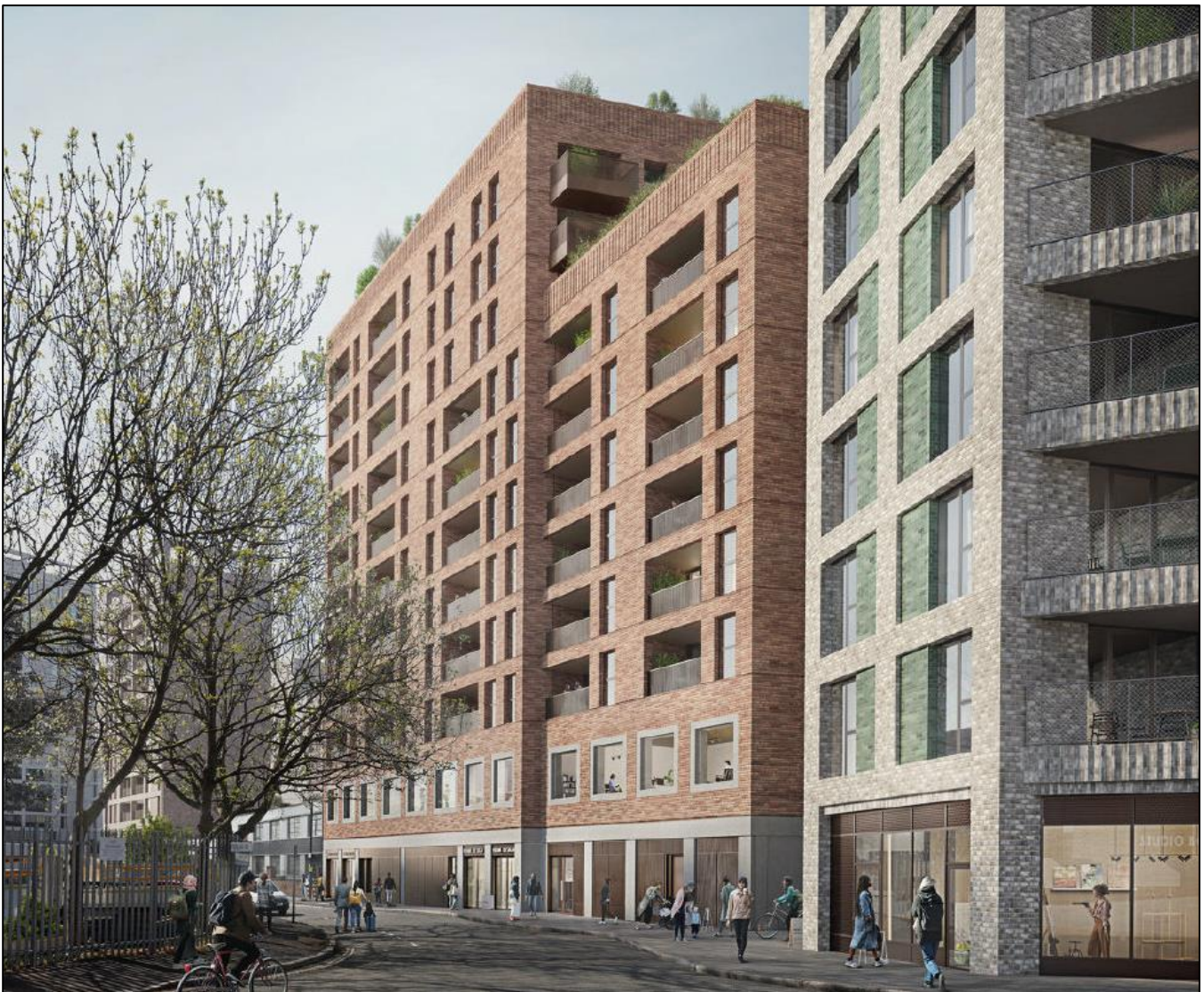
**Figure 10: Emerging Development Context with Proposed Development in Pink**

It is noted that this building presents a significant increase in height and massing to the area based on the existing conditions of the surrounding area. However, the overall concept of this building needs to be viewed through the emerging context of the area, which is undergoing an evolutionary change. The building height of up to 19 storeys, would fall generally in line with that of the TfL scheme. The Plot AB building’s positioning in relation to the approved TfL scheme is that directly to the south, the masterplan will allow for a building of up to 18 storeys in height (described as Plot 2F on the hybrid planning approval for the TfL scheme). To the southeast of the site, Plot 3A of this scheme will see a 25-storey building constructed here.

Policy LV7.7 of the Ealing Development Management DPD defines a tall building as “those that are substantially taller than their neighbours and/or which significantly change the skyline”. Whilst the proposal for Block AB would be classified as a tall building within the context of the existing situation, when considering the emerging character of the area, the proposal for a height of 19 storeys would be considered as part of the prevailing and emerging character of the area.

It should be noted that the overall design principles of the building AB are to provide a bookend to the developing urban block that is bounded by Bollo Lane, Stirling Road, Roslin Road and Colville Road. This building would be located at the opposing end of this block to the 15-storey scheme at the other end that was approved as part of planning application 204553FUL.

The other building proposed as part of this application on Plots JK has an overall form and design that is consistent with the overall masterplan developed by the applicant. This building would provide visual relief on the Bollo Lane side, with the highest element being placed to the Stirling Road frontage of the development. The development would again provide a high degree of visual interest in its design, with the materiality used being high quality, with good amount of articulation and variation within the façade. The material palette is distinctively different to that of the approved building at 2-10 Roslin Road neighbouring the site. The building also contains a different architectural approach within its own façade to distinguish between the industrial and residential uses of the site. The ground and first floor levels provide for more open fenestration whereas the residential component follows a more traditional approach with inset balconies and metal framed windows. The clear distinction between the two uses through its design ensures that the proposal represents an industrial-focussed scheme that is consistent with the prevailing character of the site and the surrounding area.



**Figure 11: 67-81 Stirling Road (viewed from Sterling Road)**

One of the most unique features of the scheme is the inset courtyard from the Bollo Lane side, which creates a welcoming environment and provides an element of visual relief within the street scene. A feature of this space is the suspended walkway at first floor level, which has the dual function of defining the space and providing an external connection point between industrial spaces at first floor level. The

overall design approach of this, with its metallic structure and earthy colouring provides reference to the industrial character of the area. The courtyard provides for a communal space for the employment and residential uses, however the industrial and residential areas to the building are clearly defined within the space.

Rooftop spaces are maximised throughout the development with residential communal amenity areas providing options for outdoor recreation as well as contributing the urban greening of the area. The GLA, in their Stage 1 response, have been supportive of the overall height, scale and massing of the proposed developments and the design approach taken.

### **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.



**Figure 12: View from Gunnersbury Park**

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 height of the development, up to 19 storeys, will change the skyline in its existing context and would be visible from wider areas that would encompass heritage assets, the proposal must be seen within its emerging context with significant height on adjoining sites being either consented or proposed. To this end, the applicant's Heritage, Townscape and Visual Impact Assessment has focussed on the emerging context of the area. The assessment provided is comprehensive and based on the assessment provided, which reviewed the immediate areas, as well as heritage assets such as Kew Gardens, Gunnersbury Park as well as Conservation Areas within the London Boroughs of Ealing and Hounslow. The details provided clearly demonstrate that the proposal would represent 'less than substantial harm' to existing heritage assets. The GLA and the LB Hounslow are in agreeance on this aspect of the proposal.

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.

In the current situation, both developments are not surrounded in their immediate context by any residential development, where the living conditions of any existing residents would be unduly impacted. However, it is noted that as this application is being considered as part of the emerging context of the area, Council Officers have advised developers to consider their schemes with other development proposals in this area.

To this end, the proposal for Blocks AB would adjoin a development proposal that is also currently under consideration by Council. This adjoining site is described as 3-15 Stirling Road, with the application reference of 214991FUL, and is referred to on the masterplan above as Plot C. This adjoining development is formed by a two-storey podium with two higher wings, one to Bollo Lane and the other to Stirling Road. With the implementation of Block AB at 19 storeys, Council Officers originally raised concerns with respect to the impact that the height of this building could have on daylight and sunlight to this adjoining development, as well as the central courtyard that is proposed as part of this development.

The report provided includes an assessment of the development against BRE (Building Research Establishment) guidance, which includes different measurements, including Vertical Sky Component (VSC), No-Sky-Line (NSL) and Average Daylight Factor (ADF). It is noted that the two applicants of these adjoining schemes have proactively worked collaboratively prior to submission of their respective applications, to ensure that impacts relating to daylight and sunlight can be minimised.

As the assessment provided notes, VSC and NSL are primarily used to assess impacts on existing residential properties as their calculations are based on an acceptable reduction based on existing values. This is not the case in this instance. The ADF measurement is considered to be the most relevant in this case as this assessment. Based on BRE Guidance, the ADF levels should be 1% for bedrooms, 1.5% ADF for living/dining rooms, 2% for kitchens, 2% for studios and 1.5% for studies. Based on the indicative layout provided to the applicant of this neighbouring development, there is demonstrated compliance with ADF guidance. The assessment was taken at the lowest residential level of this development, based on implementation of this proposal, a living/kitchen dining area would achieve an ADF of 1.9% and a bedroom 1.5%, both exceeding their minimum requirements. It is reasonable to conclude that residential levels above this would also comply with ADF guidance.

Another consideration within this scheme is the proposed communal amenity area on this neighbouring development, which will be located above the two-storey podium and centrally located between the two wings of the proposal. Overshadowing diagrams were presented, which show on the 21 March, that the communal amenity space between the two wings at 3-15 Stirling Road would have limited areas that see at least 2 hours of sunlight. It should however be noted that as the transient shading assessment shows, the lack of sunlight within this space would be primarily due to the proposed building on this adjoining site, rather than the development that is the subject of this application. The diagrams show that the primary cause of shadowing of this space that is the cause of the proposed development is the measurements at 8am and 9am, with shadowing at all other times of the day caused primarily by the sites own proposed development. It should also be noted that overshadowing of this space at 8am and 9am would occur regardless of the height of the development at Plots AB and there overshadowing should not be attributed to the height of the proposed development.

This adjoining scheme at 3-15 Stirling Road also utilises their roof spaces, for sustainability measures, as well as further landscaped areas that would be accessible to residents of this adjoining development. The overshadowing study demonstrates full compliance with BRE guidance relating to seeing at least 2 hours of sunlight on 21 March. Other communal amenity areas would therefore provide somewhat of a substitute for the podium communal space on this adjoining development.

Other considerations are the impact that the proposal at Plots JK would have on the consented scheme at 2-10 Roslin Road. It should be noted that the developer of both schemes is the same and accordingly, the two developments have been designed in order to not impact one another. Nevertheless, given the orientation and design of the proposal at Plots JK, the proposal would not impact the living conditions of future residents at 2-10 Roslin Road.

The Daylight and Sunlight Assessment also took account of other developments within the vicinity including Austen Court and Hopkins Court, which are part of the Acton Gardens development, as well as Innovation House, which has a collection of studios fronting Bollo Lane (approved under the prior approval process), which in the context of the masterplan above, is referred to as Plot D. It should be noted that the proposed buildings are located a significant distance away from these properties and nevertheless, the assessment provided broadly demonstrates compliance with BRE Guidance, including VSC and NSL. Whilst there are small areas of non-compliance for windows to Innovation House, these are typically to bathrooms and stairwells, with the studios within this development primarily facing into a centralised courtyard and onto Bollo Lane. In any case BRE Guidance is largely aspirational and should



not be applied in a mechanicalistic way, with full compliance being near impossible to achieve. Based off the assessment above it is considered that the proposed buildings would not unreasonably impact the living conditions of existing and future developments within the area and would therefore not unreasonably harm the living conditions or existing and future residents.

**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 amount of units and therefore the assessment is provided within a summarised form below.

**1 Stirling Road/1-9 Colville Road**

<b>Configuration</b>	<b>No. of Units</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies?</b>
1b1p	3	39sqm	40-45sqm	Yes
1b2p	79	50sqm	50-58sqm	Yes
2b3p	14	61sqm	64-66sqm	Yes
2b4p	51	70sqm	71-78sqm	Yes
3b5p	3	86sqm	94sqm	Yes

**67-81 Stirling Road**

<b>Configuration</b>	<b>No. of Units</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies?</b>
1b2p	44	50sqm	51-63sqm	Yes
2b4p	31	70sqm	70-77sqm	Yes
3b5p	12	86sqm	86-99sqm	Yes

**Table 3: Assessment against Minimum Internal Standards**

As demonstrated by the table above, the proposed residential accommodation would meet or exceed the minimum standards outlined within Policy D6 of the London Plan, which are also contained within the Mayor’s Housing SPG. The internal living space would therefore comply with minimum standards.

In terms of the quality of the internal living spaces proposed, there is a mix of housing styles with different orientations and layouts. It is noted that within the Plot AB development there are a number of units that have a predominantly north-eastern orientation. These are positioned to the Stirling Road/Colville Road part of the building. They are not in themselves considered in their traditional sense to be single aspect as glazing around the balconies would face in different directions at a perpendicular angle, the orientation within 45 degrees of due north has previously raised some concerns from Council Officers.

To respond to Council’s concerns, the design has been submitted that maximises the glazing around the northeast facing balconies to allow for the greatest protrusion of light into the living spaces proposed. Another key consideration with these particular flats would be that the northeast elevation has its aspect primarily over the surrounding industrial area, which may lead to a poor quality of outlook from these flats. The applicant’s Design and Access Statement included viewpoints from these flats over this industrial area and given that residential units within the building do not commence until the second floor, even at its lowest point, these northeast facing units would benefit from longer range views that would rise above the adjacent industrial area.

**Private Amenity Space**

In accordance with Policy 7D of the Ealing Development Management DPD, new residential development shall make provision for private amenity space. In developments such as the proposed, it is most common for private amenity space to be provided in the form of a balcony. The policy requires that the size of the balcony should be 5sqm per 1 and 2-person unit, with an additional 1sqm per additional occupant. It should be noted that within the proposed development, each unit would be provided with its own balcony. In terms of the compliance with the aforementioned space standards, this is demonstrated within the table below.

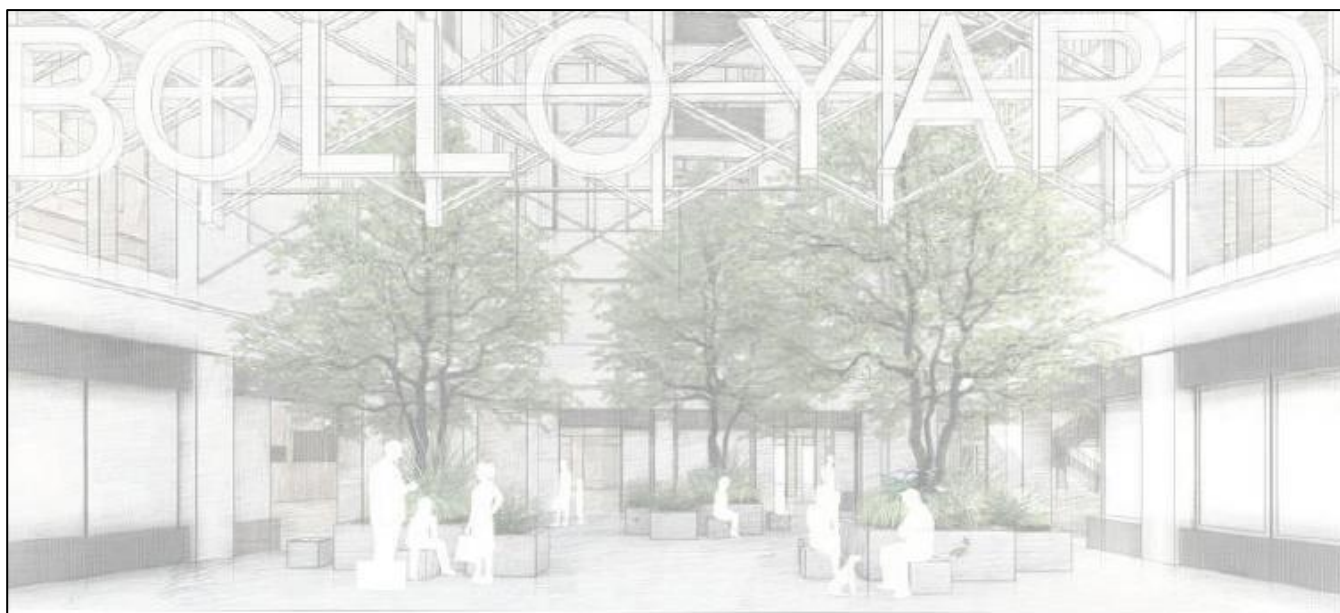
<b>Configuration</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies?</b>
1b1p	5sqm	5-6sqm	Yes
1b2p	5sqm	5-7sqm	Yes
2b3p	6sqm	6-7sqm	Yes
2b4p	7sqm	7sqm	Yes
3b5p	8sqm	8-10sqm	Yes

**Table 4: Assessment against Private Amenity Standards**

As the above table demonstrates, the proposal would provide for compliant private amenity spaces in accordance with minimum requirements.

**Communal Amenity Space, Landscaping and Children’s Play Space**

Both buildings within the proposal seeks where possible to maximise rooftop areas to provide for communal amenity spaces, sustainability measures and children’s play space. The Plot AB development include a resident garden area from the proposed communal workspace area at second floor level, an external rooftop garden area at seventh floor which is accessed from a resident’s lounge, a rooftop garden at the 17<sup>th</sup> floor and another on the 19<sup>th</sup> floor.



**Figure 13: Commercial Indicative Landscaping for 67-81 Stirling Road**

For plot JK, residential amenity will be provided at second floor level with a large garden provided that would be accessed from a shared internal amenity area, that could be used for workspaces or a resident lounge. Another large external rooftop garden would be provided on the eighth floor and another rooftop

garden at the eleventh floor. This development would also include a communal courtyard at ground floor level that would be accessible to the residential and commercial elements of the development, as well as the general public. On top of this, each individual flat would be provided with their own private balcony space, which would comply with Policy 7D of the Ealing Development Management DPD.

The table below illustrates the communal amenity space for residents that would be attributed to each of the buildings.

<b>Block</b>	<b>External Garden Space</b>	<b>Internal Amenity Space</b>	<b>Total</b>
AB (1-9 Colville Road)	773sqm	95sqm	868sqm
JK (67-81 Stirling Road)	1,194sqm	33sqm	1,227sqm
	1,967sqm	128sqm	<b>2,095sqm</b>

**Table 5: Communal Amenity Standards**

Based on Policy 7D of the Ealing Development Management DPD, amenity space provision should be provided at a rate of 15sqm per flat. Based on a development consisting of 237 flats, the minimum total amenity space provision should be 3,555sqm. Combining the private amenity space with the communal space areas, the development would provide for 3,550sqm, falling 5sqm short of the requirement. This 5sqm will be made up for through s106 contribution, which has been recommended.

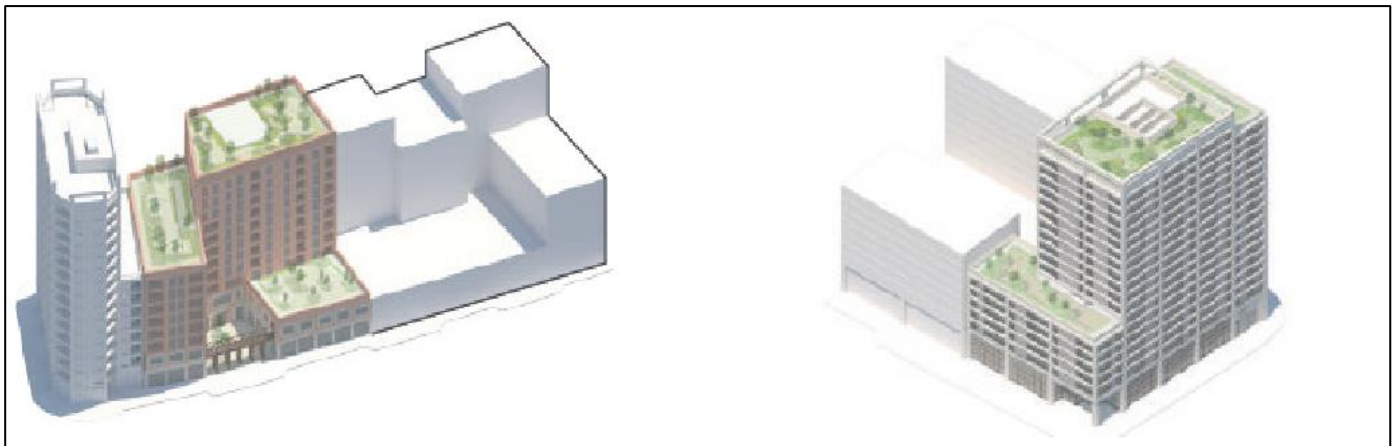


**Figure 14: Roof Garden Concept for 67-81 Stirling Road**

The overall landscaping strategy of the development includes hard and soft elements that connect residents to nature and additionally contribute to the overall urban greening of the area. Places to sit and observe will be commonplace throughout the proposed amenity spaces to encourage interaction and socialisation. The amenity space areas would integrate children’s play spaces that would be age appropriate to the development and vegetation would be provided in dense format and incorporate areas

for food production. Overall, Council’s Landscape Architect is satisfied that the proposed scheme presents an attractive offering for future residents and has accordingly requested conditions that relate to details of hard and soft landscaping, boundary treatments, landscape management and maintenance, green roofs and SUDS.

Integrated within the landscaping and amenity spaces would be children’s play space. The child yield for a particular development is generated by the GLA Child Yield Calculator, which takes into account the size of units proposed, affordable housing tenure split and its geographical location. In accordance with the calculator, the child yield for this development would be 64.2 children. In accordance with Policy 7D of the Ealing Development Management DPD and Policy S4 of the London Plan (2021), children’s play space is required to be provided at a rate of 10sqm per child, generating a total requirement of 642sqm. This exact amount would be provided through the development.



**Figure 15: Rooftop Communal Amenity Areas**

The child age split generated by the calculator is provided below in percentage terms:

<b>Age Group</b>	<b>Percentage (%)</b>
0-4 years	49.5
5-11 years	34.3
12-15 years	10.6
16-17 years	5.6

**Table 6: Child Play Space Split**

The Landscape Architect has requested details of the children’s play space to be provided which have been recommended as a condition. A consideration of the discharge of this condition in the future, the developer will need to demonstrate how the proposed children’s play space proposed would meet the needs of the likely child yield split demonstrated above.

**Transport & Highways**

Policy T5 of the London Plan seeks to ensure that new development provide for adequate cycle parking to encourage a modal shift to more sustainable forms of transportation. Cycle parking for residential uses shall be provided at a rate of 1 space per 1 person flat, 1.5 spaces per 1b2p flat and 2 spaces for all other flats. Based on this requirement, an assessment of the quantum of cycle parking spaces proposed is provided within the table below.

<b>Building</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies</b>
Plot AB	258	262	Yes
Plot JK	152	153	Yes
<b>Total</b>	<b>410</b>	<b>415</b>	<b>Yes</b>

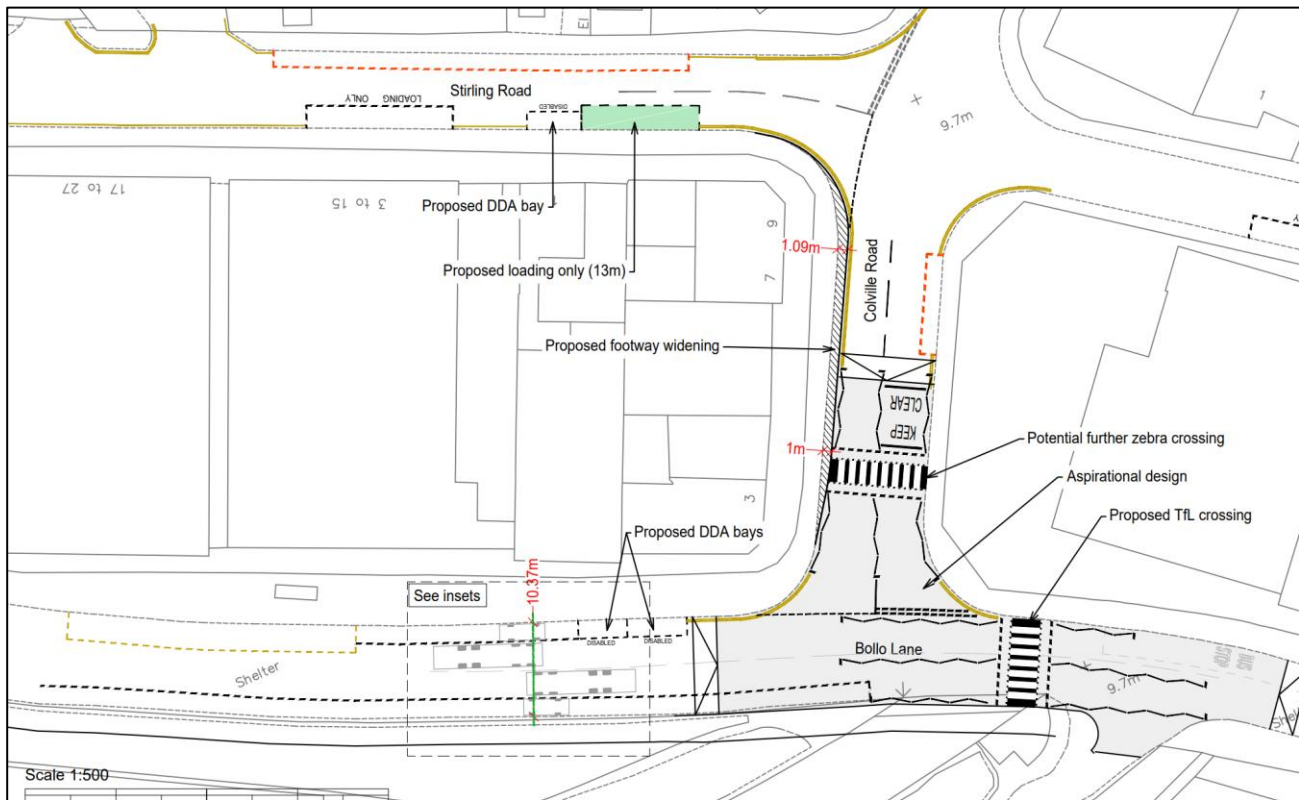
**Table 7: Cycle Parking Standards**

Council Officers and TfL agree that the quantum of cycle parking spaces for the residential component would be acceptable. However, concern has been raised as to how the proposed cycle parking would meet London Cycle Design Standards (LCDS). Therefore, detailed drawings will be required from the applicant as to how these standards will be met, including minimum aisle and corridor widths, spacing between the stands and the number of doors that must be navigated. Subject to the successful discharge of this condition, the long-term cycle parking arrangements for the residential use would be acceptable.

A further 50 spaces would be proposed for short term use and for the commercial uses within the development and their locations and quantum are acceptable.

A key initial concern of TfL was that the delivery and servicing arrangements, which proposed a loading bay on Sterling Road, close to the junction of Colville Road. The GLA’s initial concerns related to the distance from the loading bay to commercial/industrial units that face Bollo Lane. Without close proximity to the loading bay, the GLA considered that this would not equate to full reprovision of the industrial space due to poor servicing arrangements. Council Officer’s view on this was that as the Commercial Strategy showed the typical uses that may acquire this space would not need intensive delivery arrangements and would still allow for industrial type uses to occupy the space, that this arrangement was acceptable. Council Officers also considered that the distance between the loading bay and these spaces was overstated, and the loading bay would be in close proximity. Thus, the delivery and servicing arrangements are considered acceptable in principle, subject to a condition requiring the submission of a Deliveries and Servicing Plan.

Council’s concerns with the loading bay were its proximity to the Colville Road/Sterling Road junction. As such, amended plans have been received to move the loading bay further along Sterling Road, providing greater space away from the junction. The GLA advised that a co-ordinated approach to deliveries and servicing with the adjacent proposal at 3-15 Stirling Road. However, Council considered that this would be difficult, as each site should be capable of serving itself and as the two proposals form part of two applications. Therefore, if one proposal did not proceed, then any co-ordinated arrangement would be lost.



**Figure 16: Revised Loading/Parking Strategy**

Policy T6 of the London Plan also requires that disabled parking be provided at a rate of 3% the total number of units from the outset, with provision made for an additional 7%. As the proposal represents a car free development with no off-street spaces. It is not possible to propose these spaces off-street and the applicant is intending to use the carriageway, with disabled parking spaces to be secured through the s278 agreement.

Based off the no. of units proposed, the development would be required to provide 7 disabled parking spaces. The applicant initially proposed 10 spaces, which would have been provided from the outset. However, because of the loading bay being shifted further down Sterling Road, the acceptability of disabled parking spaces that were initially proposed on the outside of Plot AB on the opposite side of Sterling Road would have been unacceptable, as no safe means of crossing the road would have been provided. The applicant was also to take up existing pay and display parking within the street, which may have contributed to increased parking stress in the area. As such, the applicant removed the 3 spaces they were initially proposing in this location and agreed to a s106 agreement of £3000 per space. All spaces, in accordance with policy will need to provide for electric vehicle charging infrastructure as part of the legal agreement.

The development will otherwise be car free and future residents will be restricted from obtaining a parking permit through the s106 agreement.

The GLA also raised concerns with regard to Active Travel Arrangements. In this instance, the applicant has committed to Transport financial contributions that have calculated based off contributions to specific projects within the area that will seek to improve connectivity for pedestrians, cyclists and public transport users and will help contribute to the Vision Zero objectives.

Another element of the proposal is to create a wider footpath on Colville Road. This will aid in increasing the size of the public realm and reinforcing the role of the application site as a gateway site into the industrial space. It will also improve the safety of pedestrians and contribute to improving the public realm to a standard that is more commensurate with the more intensive industrial and residential uses proposed. This element of the proposal is supported by Council Officers.

### **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 relation to noise and vibration, the Officer Response notes that the Environmental Noise Assessment states that noise sources in the area were focussed primarily on road traffic noise from HGV, buses, car and motorbike movements. Passing pedestrians, trains, overhead aircraft, as well as the movement of vehicles associated with the nearby recycling centre were also noted as a source of noise. No major noise impacts were associated with any intensive industrial activities in the surrounding area.

The Officer has noted that noise assessments were undertaken on a Monday and Tuesday, which tend to be quieter parts of the week and may not present an accurate picture of the acoustic environment as a worst-case scenario. The timing and results of the environmental noise assessment also suggest to the Officer that results were taken in a lockdown environment with restrictions on movement, which may not give an accurate depiction of the surrounding area. Other noise assessments taken in the near vicinity mention other noise sources that have not appeared within this assessment.

The Officer notes that also the layout of the proposed residential accommodation show residential areas that adjoin communal circulation spaces, rooms with noise generating uses within other flats, shared amenity spaces or plant rooms and accordingly enhanced sound insulation will be required to mitigate any noise transference through walls.

The Officer has therefore recommended a significant number of conditions in relation to noise and vibration, which include the resubmission of a noise assessment with appropriate sound insulation values to be presented that ensure that the future residential accommodation would meet national standards. This condition also includes an in-built method of ensuring compliance with national standards, requiring the applicant to undertake post installation noise testing to ensure that the findings of the noise assessment are complied with. The key point with this condition is that any adverse impacts relating to noise and vibration can be designed out and can be assessed by Council Officers through the discharge of conditions as to whether the details submitted are acceptable. Conditions have also been recommended in relation to the sound insulation required internally within the building, particularly the separation between commercial and residential uses, as well as communal spaces and residential uses.

Council's Contaminated Land Officer has also reviewed the scheme who has advised that the conclusions of the report are agreed. These conclusions include a desktop study of contamination risks for the site, which has existing industrial uses, and which have the potential to cause harm to human health. The Report recommends a Phase II intrusive study be undertaken, which would include a chemical analysis of soil and groundwater and hazardous gas monitoring. A pre-demolition asbestos survey shall also be undertaken. To this end, the Officer has recommended conditions relating to the submission of the Phase II study, a remediation scheme and a verification report following completion of the necessary works.

Council's Pollution-Technical Officer relating to Air Quality has noted the submission of the Air Quality Assessment and has reviewed these accordingly. Whilst overall the submission is acceptable, it is deficient in certain areas that the officer has pointed out. Whilst the report states that the impact to human health is low within the development, the report fails to take account of the cumulative impacts of forthcoming development in area, including but not limited to the TfL scheme on the opposite side of Bollo Lane. The report fails to quantify emissions that will be generated as a result of the construction phase of this scheme, including highly polluting HGV vehicles. This needs to be quantified as this will form the type of mitigation measures that are proposed.

The applicant will therefore be required to provide a comprehensive Air Quality and Dust Management Plan, which the officer has recommended as a condition and has been agreed by the applicant. The applicant will also be required to install AQ monitors with the location and trigger levels approved by Council's Pollution-Technical Team. Monitoring will also be required prior to any works to determine the baseline concentrations to which all future measurements will be measured from. In addition to this, a s106 contribution has been recommended for air quality monitoring and mitigation.

The details of a fresh air ventilation system throughout the development have also been requested by condition and the system proposed will need to be capable of mitigating elevated concentrations of nitrogen oxides and particulate matter in the external area.

### **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 on 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 proposed strategy and is broadly supportive. The hierarchy has been followed with measures identified within the categories of lean, clean and green.

The non-residential element of the proposal would achieve a BREEAM score of very good, between 59.3% and 59.7%. The residential element of the development would achieve an overall site-wide cut beyond Part L of the current building regulations of at least 57.3%, which will be achieved through lean efficiency measures (12.06%) and green renewable energy measures (45.23%). This exceeds the minimum requirement under Policy SI 2 of 35%. The shortfall of 3,372 tonnes of CO2 emissions (over a period of 30 years) will be mitigated through a s106 payment of £320,369 (calculated at £95 per tonne), which has been included within the recommendation.

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 the recommendation. In this instance, Council, through its external provider, will be monitoring the PV arrays and two communal ASHP loops.



The Energy Strategy submitted by the applicant is therefore considered acceptable to Council Officers and the proposal would represent a sustainable form of development, in a highly connected brownfield site within the Borough.

### **Crime Prevention**

The NPPF (2021) states that “Planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion” and “Planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

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**

In accordance with Council’s Waste Management Guidelines, the table below outlines the minimum requirements for each of the buildings. 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.

	<b>Residential</b>	<b>Commercial</b>	<b>Total</b>
<b>Plots AB (Colville Road Proposal)</b>	26,600L	5,475L	32,075L
<b>Plots JK (Stirling Road Proposal)</b>	16,810L	5,475L	22,285L

**Table 8: Total Requirements for Waste Storage**

Plots AB will have a resident’s bin store providing 24 x 1100L bins, providing a capacity of 26,400L. This is just shy of the minimum requirement, however the shortfall is not considered to be significant and is acceptable. Plots JK would have 16 x 1100L bins, providing a capacity of 17,600L exceeding the minimum requirement.

Commercial bin storage would be provided within both buildings

### **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 £825,013.

However, this is an indicative figure, and the final calculation will be provided by Council's CIL Collections Officer.

### **Conclusion**

As the assessment above has demonstrated, the proposed development presents a design that is consistent within the emerging pattern of development in the area. The heights, scale and massing are consistent with this emerging pattern and the overall architectural narrative presented shows a design that will make a positive contribution to the character, appearance and visual amenity of the area.

The proposal will result in no net loss of industrial capacity on this LSIS site, and the housing provision proposed would make a positive contribution to Council's 10-year housing targets. The affordable housing offering is also considered to be good, making the development eligible for the fast-track route and providing a good share of genuinely affordable housing that would contribute to meeting the demands of Ealing residents. The housing mix proposed is also considered to be acceptable.

The introduction of residential uses into an established industrial area has been considered against the Agent of Change principles and it is considered that, subject to conditions, that the residential uses would not compromise the continued function of the LSIS and would ensure that future residents have good quality living conditions.

The development would represent a sustainable development, that would utilise an existing brownfield site close to public transport infrastructure, would be car free and would decrease site-wide carbon emissions by just shy of 60% in comparison to Part L of Building Regulations.

Overall, the development is considered acceptable to Council Officers, subject to conditions and s106 agreement, and it is accordingly recommended that the application be approved.

### **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:

**Existing**

BOL002-HBA-ZZ-ZZ-DR-A-0000 rev P2 (Existing Site Location Plan); BOL002-HBA-AB-00-DR-A-0001 rev P1 (Block Plan 1-9 Colville Road); BOL002-HBA-AB-RF-DR-A-0002 rev P1 (Roof Plan 1-9 Colville Road); BOL002-HBA-JK-ZZ-DR-A-0003 rev P2 (Block Plan 67-91 Stirling Road); BOL002-HBA-JK-RF-DR-A-0004 rev P1 (Roof Plan 67-91 Stirling Road); BOL002-HBA-ZZ-ZZ-DR-A-0010 rev P1 (Existing Elevations 1-9 Colville Road); BOL002-HBA-JK-ZZ-DR-A-0020 rev P2 (Existing Elevations 67-91 Stirling Road); BOL002-HBA-0030 rev P1 (Existing Section – Bollo Lane Urban Block)

**Block AB (Proposed)**

BOL002-HBA-AB-00-DR-A-0100 rev P2 (Proposed Ground Floor Plan); BOL002-HBA-AB-01-DR-A-0101 rev P1 (Proposed Level 01 Plan); BOL002-HBA-AB-02-DR-A-0102 rev P1 (Proposed Level 02 Plan); BOL002-HBA-AB-03-A-0103 rev P2 (Proposed Level 03 Plan); BOL002-HBA-AB-ZZ-DR-A-0104 rev P2 (Proposed Level 04-06 Plan); BOL002-HBA-AB-07-DR-A-0105 rev P2 (Proposed Level 07 Plan); BOL002-HBA-AB-ZZ-DR-A-0106 rev P2 (Level 08-09 Plan); BOL002-HBA-AB-ZZ-DR-A-0107 rev P2 (Proposed Level 10-16 Plan); BOL002-HBA-AB-ZZ-DR-A-0108 rev P2 (Proposed Level 17-18 Plan); BOL002-HBA-AB-19-DR-A-0109 rev P2 (Proposed Roof Plan); BOL002-HBA-AB-RF-DR-A-0110 rev P2 (Proposed Parapet Plan); BOL002-HBA-AB-ZZ-DR-A-0200 rev P1 (Proposed SE Elevation); BOL002-HBA-AB-ZZ-DR-A-0201 rev P1 (Proposed SW Elevation); BOL002-HBA-AB-ZZ-DR-A-0202 rev P1 (Proposed NE Elevation); BOL002-HBA-AB-ZZ-DR-A-0203 rev P1 (Proposed NW Elevation); BOL002-HBA-AB-ZZ-DR-A-0204 rev P1 (Proposed Sections BB & CC); BOL002-HBA-AB-ZZ-DR-A-0300 rev P1 (Proposed Section AA); BOL002-HBA-AB-ZZ-A-0400 rev P1 (Proposed Bay Study);

**Block JK (Proposed)**

BOL002-HBA-JK-00-DR-A-0150 rev P2 (Proposed Ground Floor Plan); BOL002-HBA-JK-01-DR-A-0151 rev P2 (Proposed Level 01 Floor Plan); BOL002-HBA-JK-02-DR-A-0152 rev P1 (Proposed Level 02 Floor Plan); BOL002-HBA-JK-ZZ-DR-A-0153 rev P2 (Proposed Level 03 Floor Plan); BOL002-HBA-JK-04-DR-A-0160 (Proposed Level 04 Floor Plan) BOL002-HBA-JK-05-DR-A-0154 rev P1 (Proposed Level 05 Floor Plan); BOL002-HBA-JK-ZZ-DR-A-0155 rev P1 (Proposed Typical Level 06-07 Floor Plan); BOL002-HBA-JK-08-DR-A-0156 rev P1 (Proposed Level 08 Floor Plan); BOL002-HBA-JK-ZZ-DR-A-0157 rev P1 (Proposed Typical Level 09-10 Floor Plan); BOL002-HBA-JK-RF-DR-A-0158 rev P1 (Proposed Roof Plan); BOL002-HBA-JK-ZZ-DR-A-0159 rev P1 (Proposed Parapet Plan); BOL002-HBA-JK-DR-A-0250 rev P1 (Proposed South West Elevation); BOL002-HBA-JK-ZZ-DR-A-0251 rev P1 (Proposed North East Elevation); BOL002-HBA-JK-ZZ-DR-A-0252 ev P1 (Proposed North West Elevation); BOL002-HBA-JK-ZZ-DR-A-0253 rev P1 (Proposed South East Elevation); BOL002-HBA-JK-ZZ-DR-A-0254 rev P1 (Proposed North West Courtyard Elevation); BOL002-HBA-JK-ZZ-DR-A-0300 rev P1 (Proposed Section AA); BOL002-HBA-JK-ZZ-DR-A-0450 rev P1 (Bay Study A); BOL002-HBA-JK-ZZ-DR-A-0451 rev P1 (Bay Study B)

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 type 3 asbestos surveys must be carried out and site clearance), and based on an approved conceptual site model (contained within IDOM preliminary risk assessment / desk study report IDOM DS21849-21-221) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site 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 up dated. 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 policy 1.1 (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 policy 1.1 (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 policy 1.1 (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.

## ENVIRONMENTAL HEALTH – NOISE

### 8. Transport and/or commercial/industrial/cultural noise sources

Prior to commencement of the development, a noise assessment of the sound insulation required for the building envelopes shall be submitted for approval by the Council in writing, clearly and concisely demonstrating compliance with the noise limits specified in BS8233:2014, also having regard to the assessment standard of SPG10. Details shall include the 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). A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria. Details of the post installation test shall be submitted for the Council's approval before the premises are occupied and additional steps shall be taken as necessary to minimise noise. Details of best practicable mitigation measures shall also be submitted for external amenity spaces to achieve these criteria. 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 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of The London Plan (2021), Ealing SPG10 and the National Planning Policy Framework (2019).

### 9. Separation of noise sensitive rooms in neighbouring flats

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, eg. kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwelling. The assessment and mitigation measures shall be based on standards of the Council's SPG10 and the criteria of 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).

**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, as necessary, above the Building Regulations value for residential use, of the floor/ceiling/walls separating the non-residential uses from dwellings (eg. commercial, industrial, community uses/ plant rooms/locations, car parking/ lifts/ communal spaces and main entrances/staircase, bin/cycle storage etc.) . 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)

**11. External noise from machinery, equipment, extract/ventilation ducting, mechanical installations**

Prior to installation, 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 Policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies and D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'

**12. 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) and Interim guidance SPG 10 'Noise and Vibration'

**13. Demolition Method Statement and Construction Management Plan**

Prior to commencement of the development hereby approved, 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 Policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14, T1, T3 and T4 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'

### AIR QUALITY

#### 14. Filtered Fresh Air Ventilation System

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.

Reason: To minimise exposure to existing poor air quality, and provide a suitable internal living environment for future occupiers, in accordance with policy SI 1 of the London Plan 2021, policy 1.1(j) of the Ealing Development Strategy 2026 DPD (2012); and policy 7A of the Ealing Development Management DPD (2013).

#### 15. 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/>.

#### 16. Air Quality and Dust Management Plan (AQDMP)

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.



**TRANSPORT**

**17. 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 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.

**18. 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.

**19. 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 ensure that, as far as possible, that space is continually available for deliveries. No deliveries or servicing shall occur within the proposed disabled bays or on Bollo Lane.

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).

**20. 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.

**ENERGY AND SUSTAINABILITY**

21. Energy and CO<sub>2</sub>

- 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<sub>2</sub> emissions against SAP10 standards of at least 57.3% (equating to 150,822 tonnes of CO<sub>2</sub> per year) beyond Building Regulations Part L 2013. These CO<sub>2</sub> savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the Energy Statement prepared by Applied Energy in June 2021 including:
  - i. Lean, passive design measures to achieve an annual reduction of at least 12.55% equating to at least 27.462 tonnes in regulated carbon dioxide (CO<sub>2</sub>) emissions over BR Part L 2013 for the residential development, and at least 9.67%, equating to at least 4.294 tonnes, over Part L 2013 for the non-residential space.
  - ii. Green, renewable energy equipment including the incorporation of two photovoltaic arrays with a combined total capacity of at least 27.6 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 45.23%, equating to 119,066 tonnes, in regulated carbon dioxide (CO<sub>2</sub>) emissions over Part L 2013.
  - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (COP) of the heat pumps including the heat generation and the combined parasitic loads of the heat pumps.
- b) Within 6 months 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 performance/efficiency (COP) 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 construction completion, details of 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 heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact number of PV arrays, the kWp capacity of each array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the LZC 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 LZC equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- e) All boilers to serve the energy requirements of the development detailed in the approved energy strategy should be specified with NO<sub>x</sub> emissions (g/m<sup>2</sup>) that are compliant with or better than the ultra-low NO<sub>x</sub> (g/m<sup>2</sup>) benchmarks as set out at Appendix 5 of the Mayor’s Sustainable Design and Construction SPG.
- f) 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.

### 22. Overheating and Cooling

The development shall incorporate the overheating and cooling measures in line with the relevant CIBSE TM49 and/or TM52 guidance and detailed in the Overheating Assessment submitted by Applied Energy in June 2021.

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy 5.9 of the London Plan; Ealing's Development (Core) Strategy, and Development Management DPD.

### 23. 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<sub>2</sub> 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.

**24. 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) Prior to commencement of the development, 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.

**25. Non-Residential BREEAM energy/CO2 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 59.3% (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.

### 26. 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](mailto: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.

## INFRASTRUCTURE

### 27. Foul Water

No development shall be occupied until confirmation has been provided that either, capacity exists off site to serve the development or a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or all wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).

### 28. Surface Water

No development shall be occupied until confirmation has been provided that either capacity exists off site to serve the development or a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or all wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://thameswater.co.uk/preplanning)

### 29. Water Network

No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://thameswater.co.uk/preplanning).

### 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](mailto:developer.services@thameswater.co.uk)

### 31. London Underground Safeguarding

The following details shall be submitted to the Local Planning Authority, in consultation with London Underground, prior to the commencement of construction.

- Risk Assessment and Method Statement for Demolition, Piling, superstructure, Tower cranes/Mobile cranes, Scaffolding, etc
- Lifting plans for all tall plants
- Accommodate the location of the existing London Underground structures- Logistic plans for material and deliveries to site during construction (impact on access to LU Frank Pick House)
- Information and drawings on substructure(GA)

- Accommodate ground movement arising from the construction thereof - Ground Movement Assessment for demolition and loading, to assess impact on adjacent buildings
- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures - Environmental plans, Dust, noise & vibration mitigations

Reason: To ensure that London Underground infrastructure is sufficiently protected during construction.

### LANDSCAPING

#### 32. 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.
- 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 Children's Play and Recreation, and the National Planning Policy Framework (2021).

### OTHER

#### 33. 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.

#### 34. 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.

### 35. 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).

### 36. 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).

### 37. 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

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

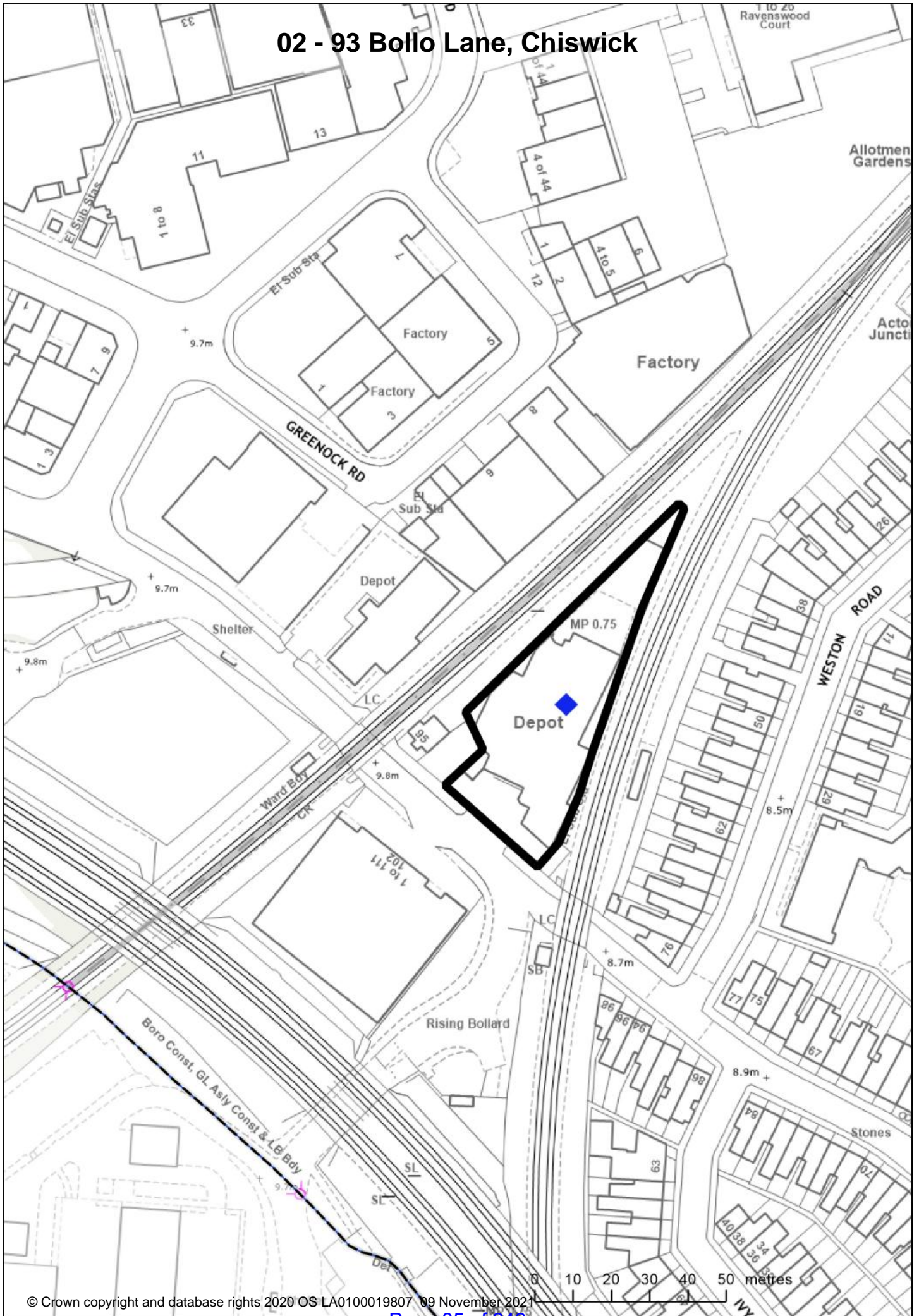
2. Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on

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. Although it is not anticipated that the use of a crane at this site will impact Heathrow's Obstacle Limitation Surfaces, Instrument Flight Procedures or radar. We would like to advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.  
<https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=5705>



# 02 - 93 Bollo Lane, Chiswick





**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 7<sup>th</sup> Floor Plan); GA08 rev B (Proposed 8<sup>th</sup> Floor Plan); GA09 rev B (Proposed 9<sup>th</sup> Floor Plan); GA10 rev B (Proposed 10<sup>th</sup> 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 Icen Projects); Design and Access Statement (prepared by Alistaire Downie Studios); Heritage and Townscape Visual Impact Assessment (prepared by Icen 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 Icen Projects); Construction Logistics Plan (prepared by Icen Projects); Framework Travel Plan (prepared by Icen Projects); Delivery and Servicing Plan (prepared by Icen 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 Icen 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 Icen 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.

<b>Financial Contribution Heading</b>	<b>Proposed Contributions</b>
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

## Planning Committee

## Schedule Item 02

Carbon Dioxide Offsetting	£116,586
Post Construction Energy Monitoring	£9,967
<b>Total Contributions</b>	<b>£831,706</b>

- 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

	<p>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).</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>Councillor Responses</p>	<p>Cllr Gary Malcolm</p> <ul style="list-style-type: none"> <li>- Too many one-bedroom flats and not enough family units, which is what is needed</li> <li>- There is very little outdoor space</li> <li>- Density is too high, affecting mental wellbeing</li> <li>- Height of the building will cause loss of privacy with the number of balconies proposed being overbearing on existing low-level housing</li> <li>- Height is out-of-character for the area</li> <li>- Overdevelopment without any real addition to local facilities</li> </ul> <p><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.</p> <p>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.</p> <p>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.</p> <p>Matters relating to privacy and residential amenity, particularly to residents on Weston Road is discussed within the Report.</p> <p>The applicant will be required to contribute to local amenities through the recommended s106 obligations.</p>

<p>Ealing Civic Society</p>	<ul style="list-style-type: none"> <li>- Concerns relating to the commercial space have been addressed by revisions to the proposal</li> <li>- Site is not suitable for residential development</li> <li>- Location between two railway lines would result in the proposal having limited accessibility</li> <li>- Quantum of development for a small space would lead to an overwhelming sense of overcrowding</li> <li>- Close proximity to railway lines would deliver poor residential amenity</li> <li>- Lack of children’s play space for older children (5-11 years)</li> <li>- Suggestion of contribution toward off-site play space for older children would be undeliverable due to lack of space</li> </ul> <p><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.</p> <p>The development would provide for compliant internal spaces and private amenity spaces, with good access to communal amenity spaces throughout the development.</p>
<p><b>External Consultation</b></p>	
<p>Greater London Authority (GLA)</p>	<p><b>Land use principles:</b> 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.</p> <p>However, the concerns regarding site access, delivery and servicing and road safety should be fully addressed</p> <p><b>Housing and affordable housing:</b> 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</p> <p><b>Urban design, heritage and tall buildings:</b> 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</p>

	<p>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.</p> <p><b>Transport:</b> 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</p> <p><b>Climate change and environmental issues:</b> The energy, urban greening and drainage strategies are supported. Noise mitigation measures should be secured.</p>
<p>London Borough of Hounslow</p>	<p>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:</p> <p><u>Heritage matters</u></p> <p>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.</p> <p>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.</p> <p><u>Transport matters</u></p> <p>The Council's Transport team have been consulted as part of this submission, and have issued the following comments and observations:</p>



	<p><i>Construction routes should be directed away from Chiswick High Road as far as possible.</i></p> <p><i>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.</i></p>
<p>Metropolitan Police (Secure By Design)</p>	<p>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.</p> <p>Should the development be granted planning permission, I request that the wording of the condition is, or similar to:</p> <p><b>“The development must achieve Secured by Design accreditation prior to occupation”</b></p> <p>This will incorporate all aspects of doors, windows, lighting, postal strategy and advice on CCTV rather than specifying them individually within the conditions.</p>
<p>NHS Property (Healthcare)</p>	<p>Recommended contribution toward healthcare provision.</p>
<p>TfL (Safeguarding London Underground)</p>	<p>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.</p> <p>Therefore, we request that the grant of planning permission be subject to conditions to secure the following:</p> <p>Detailed design and method statements (in consultation with London Underground) will be submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> <li>- Provide foundation and piling details for all structures prior to commencement of works</li> <li>- 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</li> <li>- Accommodate ground movement arising from the construction thereof- provide Ground Movement Assessment/Impact Assessment and</li> </ul>

	<ul style="list-style-type: none"> <li>- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.</li> </ul> <p>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.</p> <p><b>Reason:</b> 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.</p> <p>We also ask that the following informative is added:</p> <p>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</p> <p><i>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.</i></p>
<p>Thames Water</p>	<p><b>Waste Comments</b></p> <p>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.</p> <p>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.</p> <p>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</p>

**trade.effluent@thameswater.co.uk** . Application forms should be completed on line via **www.thameswater.co.uk**. Please refer to the Wholesale; 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 Wholesale; 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

	<p>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.</p> <p>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. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email:developer.services@thameswater.co.uk</p>
<p>Network Rail</p>	<p><b>Item 1. Issues</b> - Encroachment on the boundary fence, interference with sensitive equipment, space for inspection and maintenance of the railway infrastructure.</p> <p><b>Item 2. Issues</b> - Stability of railway infrastructure and potential impact on the services.</p> <p><b>Item 3. Issues</b> - 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.</p> <p><b>Item 4. Issues</b> - Proximity of the development to the Network Rail infrastructure and boundary fence and adequate space for future maintenance of the development.</p> <p><b>Item 5. Issues</b> - Collapse of lifting equipment adjacent to the boundary fence/line.</p> <p><b>Item 6. Issues</b> - Collapse of temporary structure near the railway boundary and infrastructure.</p> <p><b>Item 7. Issues</b> - Piling adjacent to the railway infrastructure if any. Issues with ground movement affecting the track geometry and surrounding ground and structure stability.</p> <p><b>Item 8. Issues</b> - Trespasses and unauthorised access through an insecure or damaged boundary fence.</p> <p><b>Item 9. Issues</b> - Interference with the Train Drivers' vision from artificial lighting and human factor effects from glare.</p> <p><b>Item 10. Issues</b> - Errant vehicle onto the railway land.</p>

	<p><b>Item 11. Issues</b> - Potential impact on the adjacent railway infrastructure from the construction activities.</p> <p><b>Item 12. Issues</b> - Structural stability and movement of Network Rail Assets.</p> <p><b>Item 13. Issues</b> - Invasive or crawling plants near the railway.</p> <p><b>Item 14. Issues</b> - Interference with the new access road for the development.</p> <p><b>Item 15. Issues</b> - 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 &amp; 'NR/L1/RSE/30041' and NR/L2/TEL/30066'</p> <p><b>Item 16. Issues</b> - Environmental pollution (Dust, noise etc.) on operational railway.</p> <p><b>Item 17. Issues</b> - Objects (for example: Balls) throwing on operational railway from playground.</p> <p><b>Item 17. Level Crossing proximity</b></p> <p>Network Rail strongly recommends the developer contacts the Asset Protection Team on <a href="mailto:AngliaASPROLandClearances@networkrail.co.uk">AngliaASPROLandClearances@networkrail.co.uk</a> 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 <a href="https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/">https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/</a></p> <p><u>Officer Response:</u> An Informative has been recommended in line with Network Rail's response.</p>
<p><b>Internal Consultation</b></p>	
<p>Pollution-Technical (Noise)</p>	<p>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.</p> <p>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.</p> <p>The site lies on a busy road and is wedged between railway lines on both sides.</p> <p>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.</p> <p>Vibration of only one railway line was measured.</p>

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.

<p>Pollution-Technical (Air Quality)</p>	<p>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..</p> <p>Please note that the following conditions are recommended, please set out condition 2 as standalone condition</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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 <a href="https://nrmm.london/">https://nrmm.london/</a>.</li> </ol> <p>s106 funding for Air quality is also requested for the development  Residential units = 96 *£100 =£9,600  <u>Non-residential space= 1618m2*£10 =£16180</u>  <b>Total = £25,780</b></p>
<p>Pollution-Technical (Contaminated Land)</p>	<p>I have reviewed the EAME desk study report (Ref. 021-1836 Rev01 June 21).</p> <p>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</p>

	<p>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.</p> <p>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.</p> <p>The following conditions are requested.</p> <p>Site Investigation Remediation Scheme Verification Report</p>
<p>Active Ealing (Sports Infrastructure</p>	<p>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.</p> <p>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 <b>96</b> new units and an average of <b>2.4</b> people in each unit, a calculation can be made based on <b>230</b> additional residents living in the new units (these indicative figures can be changed if necessary).</p> <p>A contribution toward sporting infrastructure has been recommended.</p>
<p>Transport Services</p>	<p>To secure an approved travel plan by way of a S106 agreement and contribute £3,000 for monitoring of the submitted travel plan,</p> <p>A section 106 agreement denying parking permits to any new controlled parking zone near or in the proposed housing estate,</p> <p>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,</p> <p>The applicant should provide a drawing showing all the cycle parking spaces.</p> <p>Financial contributions towards accident remedial schemes, review and introduce controlled parking zones, and improve pedestrian and cycle infrastructure near the vicinity of the development,</p> <p>The construction and demolition method statements need to be improved,</p> <p>A service and parking management plan is required,</p>



	<p>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.</p> <p>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.</p> <p>A prior approval is required for this proposed service lay-by on Bollo Lane. This lay-by should be integrated with adjacent footways.</p>
<p>Waste and Street services</p>	<p>No response</p>
<p>Economic Development Officer</p>	<p>No response</p>
<p>Education Services</p>	<p>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.</p>
<p>Landscape Architect (Leisure and Parks)</p>	<p>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.</p> <p>For a development of this size a total of 1440 m2 private amenity space will be required.</p> <p>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</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>The contribution should be used for improvements to Acton Green Common and South Acton Park. As a guide we would recommend the following amount:</p>

	<p>Amenity space contribution: £44000                  Play space contribution: £22460                  Allotment space contribution: £11283                  Total section 106 contribution: £77743</p> <p>In our opinion the following details should be conditioned:</p> <ul style="list-style-type: none"> <li>- Details of Hard and Soft Landscaping Scheme</li> <li>- Details of Boundary Treatment</li> <li>- Details of a Landscape Management Plan for a minimum period of 5 years from the implementation of final planting</li> <li>- Details of the green and brown roof construction and specification, together with a maintenance schedule</li> <li>- Details of sustainable urban drainage systems to be implemented on site.</li> <li>-</li> </ul>
<p>Energy Consultant</p>	<p>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 &amp; SI3, and Ealing DPD policy 5.2.</p> <p>An Overheating/Cooling analysis with proposed mitigation measures has been carried out.</p> <p>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).</p> <p>The development is all electric with no gas infrastructure on-site.</p> <p>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° – which is low enough for the heat pumps to operate with low-carbon efficiency. The DHW will be raised to 50/55° in a dwelling water cylinder (initially fed by the ASHP loop but with a back-up immersion).</p> <p>There is no room for PV, and this is one of the rare occasions that the Council concurs with this.</p> <p>Currently, the overall site-wide CO<sub>2</sub> emissions will be cut by (approx) 60%, with 12% carbon reduction through “Lean” efficiency measures, and 48% through “Green” renewable energy measures.</p> <p>There is a shortfall of 1,227 tonnes CO<sub>2</sub> (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. <i>This figure may be amended prior to the completion of the Legal Agreement.</i> The Council’s Carbon Offset price was set at £95 p/tonne on 1<sup>st</sup> April 2020. For information, the carbon offset amount saved through the Clean/Green energy equipment is £140,505</p> <p>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.</p> <p>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</p>

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 E5.2.3. 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  
 Page **23** of **55**

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).

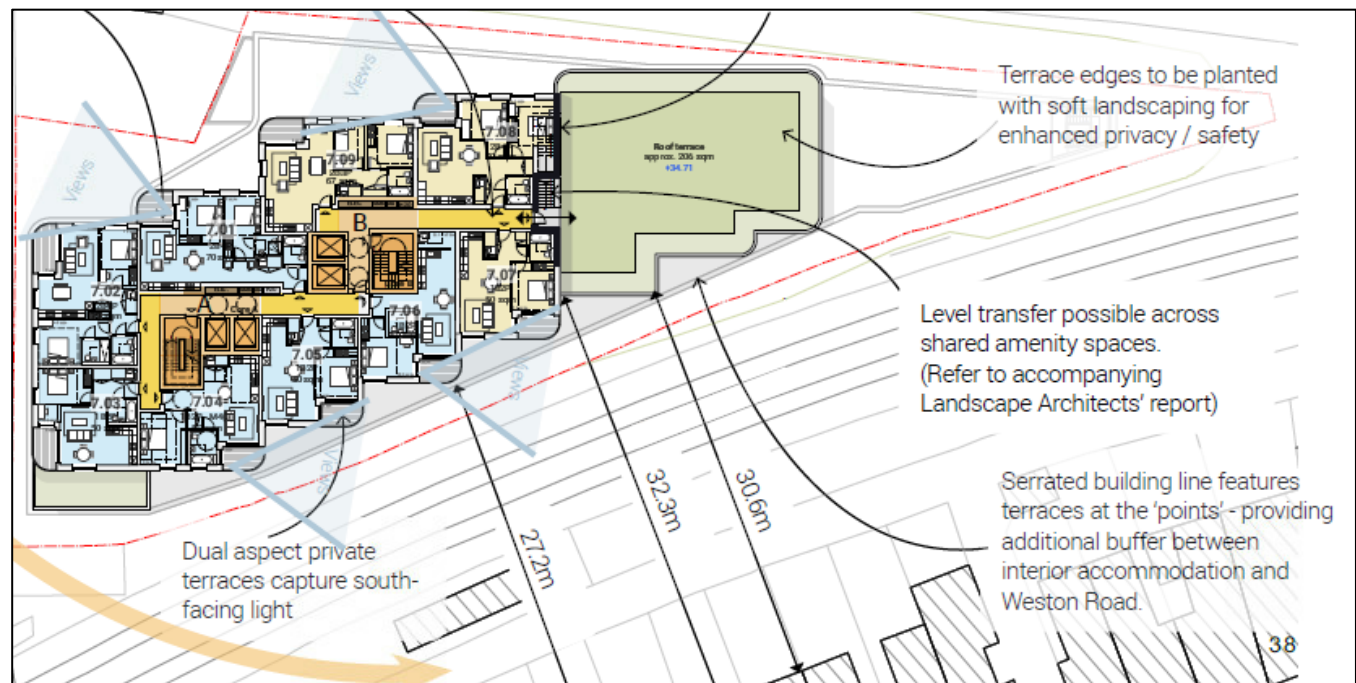
In taking into consideration the context of the application site, the character is predominantly residential to the southwest and southeast. The only industrial uses that could be impacted by the introduction of residential would be those north of the railway line and those centred around Greenock Road. 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.

<b>Quantum of Proposed Residential Provision</b>		
<b>Housing Type</b>	<b>Quantum</b>	<b>Percentage</b>
<b>1-bedroom</b>	43	45%
<b>2-bedroom</b>	47	49%
<b>3-bedroom</b>	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	<b>13</b>
2-bedroom	9 units	5 units	<b>14</b>
3-bedroom	6 units		<b>6</b>
<b>Total</b>	<b>23</b>	<b>10</b>	<b>33</b>

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 framed 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

Page **27** of **55**

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).

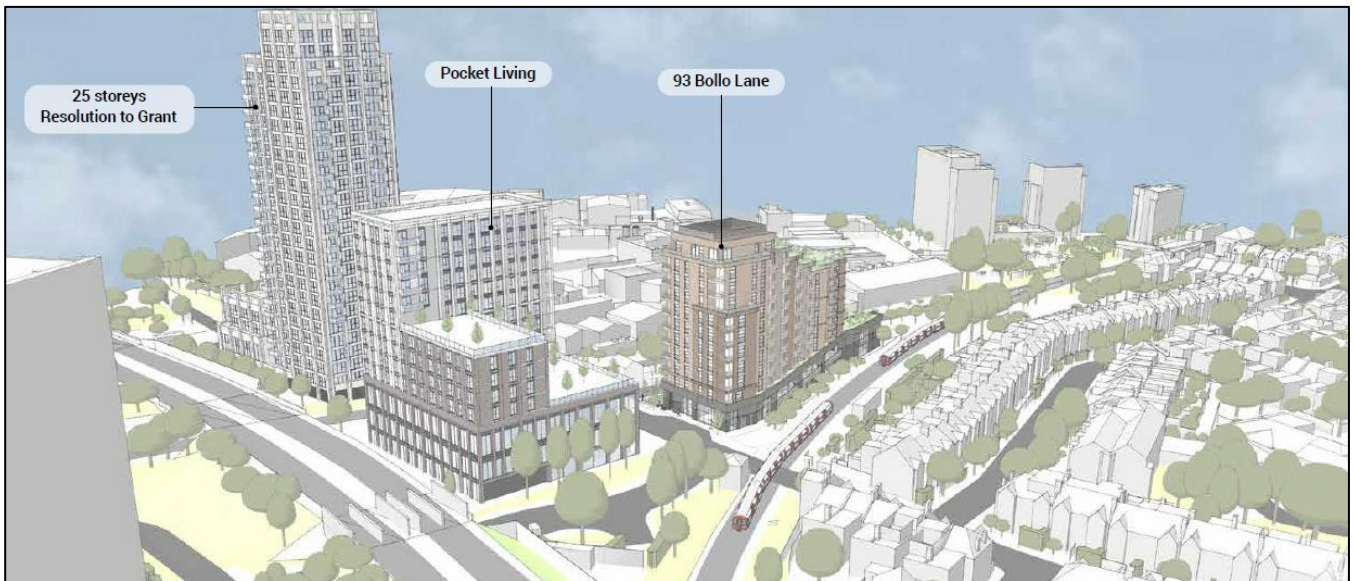
### **Daylight and Sunlight**

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 in 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 21<sup>st</sup> 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 21<sup>st</sup> of June.

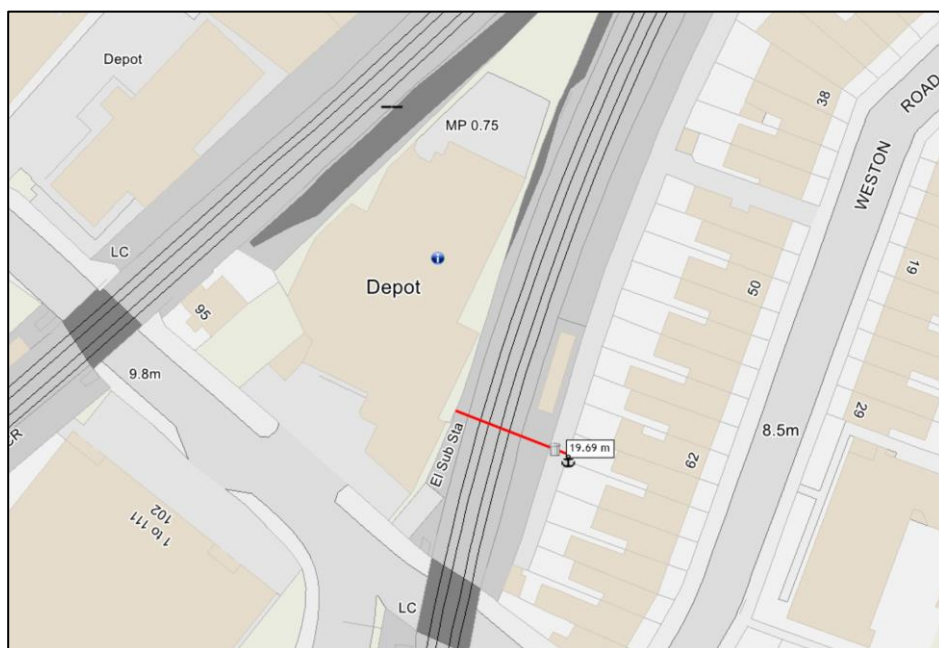
Assessments were also taken on 100 Bollo Lane (Pocket Living) and the proposal is most likely to have its greatest impact on the elevation facing the application site. Of the 122 windows assessed at 100 Bollo Lane, 109 of these met the BRE criteria. This is 89% full compliance with BRE criteria, which 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 7<sup>th</sup> Floor Plan); GA08 rev B (Proposed 8<sup>th</sup> Floor Plan); GA09 rev B (Proposed 9<sup>th</sup> Floor Plan); GA10 rev B (Proposed 10<sup>th</sup> 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<sub>2</sub>

- 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<sub>2</sub> emissions against SAP10 standards of at least 60% (equating to 61.5 tonnes of CO<sub>2</sub> per year) beyond Building Regulations Part L 2013. These CO<sub>2</sub> 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<sub>2</sub>) 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<sub>2</sub>) 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<sub>2</sub> 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<sub>2</sub> 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](mailto: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 Children'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

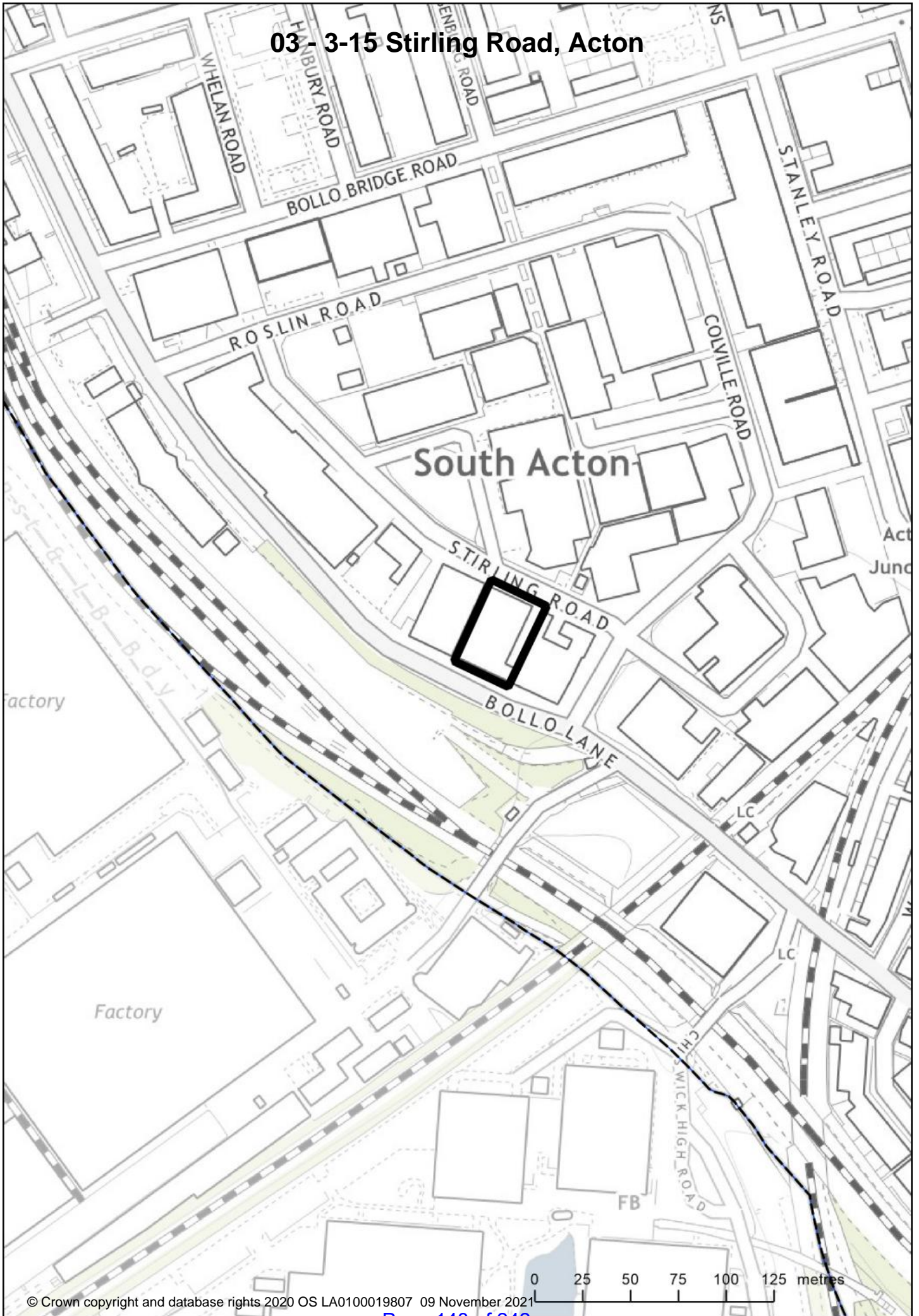
Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; 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](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](mailto: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.



03 - 3-15 Stirling Road, Acton



South Acton

0 25 50 75 100 125 metres





**Ref :** 214991FUL

**Address:** 3-15 Stirling Road, Acton, London, W3 8DJ

**Ward:** South Acton

**Proposal:** Construction of an industrial-led mixed used development comprising circa 2,000 sqm (GIA) commercial floorspace (Use Class E(g) / B2 / B8) at ground and first floor and 88no. residential units (Class C3) on upper floors within 2no. blocks (up to 10 and 14 storeys) with associated basement; landscaping; parking and servicing; cycle and refuse storage (Following demolition of existing building)

**Drawing numbers:** DVP-SRE\_HTA-A-DR\_0001 (Site Location Plan); DVP-SRE\_HTA-A-DR\_0002 (Existing Site Plan); DVP-SRE\_HTA-A-DR\_0003 (Proposed Site Plan); DVP-SRE\_HTA-A-DR\_0010 (Existing Ground Floor Plan); DVP-SRE\_HTA-A-DR\_0011 (Existing First Floor Plan); DVP-SRE\_HTA-A-DR\_AP0B (Proposed Basement Plan); DVP-SRE\_HTA-A-DR\_AP00\_P01 (Proposed Ground Floor Plan); DVP-SRE\_HTA-A-DR\_AP01 (Proposed First Floor Plan); DVP-SRE\_HTA-A-DR\_AP02\_P01 (Proposed Second Floor Plan); DVP-SRE\_HTA-A-DR\_AP03\_P01-(Proposed Third-Seventh & Ninth Floor Plan); DVP-SRE\_HTA-A-DR\_AP08\_P01 (Proposed Eighth Floor Plan); DVP-SRE\_HTA-A-DR\_AP10 (Proposed Tenth-Thirteenth Floor Plan); DVP-SRE\_HTA-A-DR\_APRF (Proposed Roof Plan); DVP-SRE\_HTA-A-DR\_250 (Proposed Bollo Lane Elevation); DVP-SRE\_HTA-A-DR\_251 (Proposed Stirling Road Elevation); DVP-SRE\_HTA-A-DR\_252 (Proposed Eastern Boundary Elevation); DVP-SRE\_HTA-A-DR\_253 (Proposed Western Boundary Elevation); DVP-SRE\_HTA-A-DR\_254 (Proposed Southern Building Courtyard Elevation); DVP-SRE\_HTA-A-DR\_255 (Proposed Northern Building Courtyard Elevation); DVP-SRE\_HTA-A-DR\_260 (Proposed Sections); DVP-SRE\_HTA-A-DR\_900 (Illustrative Landscape Plan); DVP-SRE\_HTA-A-DR\_2900 (General Arrangement Plan); DVP-SRE\_HTA-A-DR\_2901 (Levels Strategy Plan); DVP-SRE\_HTA-A-DR\_2902 (Planting Strategy Plan)

**Supporting Documents:** Agent of Change Assessment (IDOM, July 2021); Air Quality Assessment (IDOM, July 2021); Circular Economy Statement (HTA July 2021); Design and Access Statement (HTA, July 2021); Daylight, Sunlight and Overshadowing Assessment (HTA, July 2021); Drainage Strategy (Whitby Wood, July 2021); Schedule of Accommodation; Economic and Industrial Assessment (Iceni, July 2021); Energy and Sustainability Statement (HTA, July 2021); Environmental Noise Assessment, IDOM, July 2021); Concept Fire Strategy and Fire Statement; Framework Travel Plan (TPP, July 2021); Outline Construction Logistics Plan (TPP, July 2021); Planning Statement (Newsteer, July 2021); Statement of Community Involvement (The Terrapin Group, July 2021); Transport Assessment (TPP, July 2021); Whole Life Carbon

**Assessment (HTA, July 2021); Geotechnical and Geo-Environmental Desk Study (Whitby Wood, July 2021)**

**Type of Application:** Major

**Application Received:** 19/07/2021

---

---

**Report by: Joel Holland Turner**

**Recommendation: Grant Permission, subject to conditions and Legal Agreement**

**Executive Summary:**

The application seeks to demolish the existing buildings on the site and construct a building that would co-locate industrial uses with residential uses on a site designated within LSIS. The introduction of residential uses to this site is considered to be acceptable in principle by Policy E7 of the London Plan and the applicant has followed the Agent of Change process, which demonstrates, subject to conditions, that the proposed residential uses would not compromise the continued functionality of the LSIS, and future residents would be provided good quality living conditions.

The commercial space has been developed as the focus of the scheme, with a strong street presence to both Bollo Lane and Sterling Road. The commercial spaces have been designed to have open floor plans to allow for the greatest amount of flexibility and the increased floor-to-ceiling heights will also improve its useability, to accommodate a number of different industrial-type activities. Not only would the development result in no net loss of industrial floorspace, but the proposal would also result in an uplift of 57%, with an increase from 1,112sqm to 1,954sqm. The servicing and delivery arrangements for the industrial space would be from Sterling Road and the type of uses that could accommodate this space have been identified as bicycle repair shops, recording studios, art storage and auction, furniture repair and retail, plumbers, and welders.

The design of the building is considered to be high quality, with a coherent development approach that applies a distinction between types of uses. There is strong horizontal and vertical alignment within the scheme, with a high degree of variation and articulation to promote visual interest. The existing buildings have a poor relationship with both Bollo Lane, and Sterling Road, and the new building would introduce active frontages that will improve the visual amenity of the area. It would also provide integration with the emerging development occurring within the area.

The proposed residential units would provide compliant internal and private amenity areas that would provide good quality living conditions for future residents. The communal amenity spaces have been formed with the site constraints in mind and have utilised roof top spaces to provide communal amenity. A good affordable housing offering has been made, with 35% AH by habitable room, with a tenure split in favour of LAR (London Affordable Rent) at 61.5% to 38.5%.

The design has taken into consideration its impact on the proposed development at 1-9 Colville Road/1 Stirling Road, to ensure that both developments mutually would not compromise each other. The communal amenity space proposed between the two residential wings is acknowledged to not provide a high degree of sunlight, however the landscaping strategy has taken account of these constraints, with areas of light being provided as decking for communal gathering, with shaded areas being provided as children's play space.

The development does not raise any specific concerns with relation to transport, pedestrian or highway safety. The development would rely on deliveries and servicing on Sterling Road and disabled parking spaces would be provided within the street. The proposal also involves the relocation of the bus stop closer to the carriageway on Bollo Lane, which TfL has no in principle objection to. The relocation of this bus stop will require separate approval from TfL.

The development also proposes a good energy strategy, with the development resulting in side-wide carbon reductions of 56.51% beyond Part L of the Building Regulations. The site also proposes a compliant amount of cycle parking and would be car-free, which will encourage residents and workers to shift to more sustainable forms of transportation, including Acton Town Underground Station, which is within walking distance of the application site.

Overall, the development presents a sustainable form of development that would intensify the industrial capacity of this LSIS site, as well as contributing to Council's housing targets and making a good affordable housing offering. Council Officers recommend the approval of the application, 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.

<b>Financial Contribution Heading</b>	<b>Proposed Contributions</b>
Education Infrastructure	£160,000
Healthcare provision	£110,000
Transport and Public Realm	£120,000
Bus Service Improvements (TfL)	£123,500
Children's Play Space	£28,808
Allotment Garden Improvements	£10,741
Active Ealing (Sports Infrastructure)	£50,000
Apprentice and Local Labour Scheme	£20,000
Air Quality	£28,800
Carbon Dioxide Offsetting	£132,787
Post Construction Energy Monitoring	£9,764
<b>Total Contributions</b>	<b>£794,400</b>

- Affordable housing provision of 35% by HR, with a tenure split of 61.5% to 38.5% (LAR/SO)
- Free car club membership for 3 years for all residents
- Restriction of parking permits
- Enter into a s278 agreement to provide 5 disabled parking spaces within the carriageway, with each disabled space being fitted with electric vehicle charging infrastructure. All costs shall be borne by the developer
- Implementation for a travel plan
- All contributions indexed linked

## **Planning Committee**

## **Schedule Item 03**

- 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 regular shaped plot, with an area of 1,291sqm and long frontages to both Stirling Road and Bollo Lane in Acton. The site is located within the South Acton Industrial Estate and is designated as a Locally Significant Industrial Site (LSIS). In terms of other restrictive planning designations, the site is also within an area with Local and District Park Deficiency and within an Archaeological Interest Area. The site does not form part of any designated Opportunity Areas or Development Sites.



**Figure 01: Site Location**

The surrounding area is predominantly consisting of industrial uses, which is owing to the site's designation as an LSIS. There are residential areas nearby to the application site, including the Acton Gardens development, which is predominantly north of the application site, as well as residential areas that exist on the southern side of the railway. Whilst the character is currently predominantly industrial, its emerging character of the immediate vicinity is that of co-located light industrial/employment uses with residential accommodation on floors above.

Examples of this type of emerging development 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.



**Figure 02: Site Photo (viewed from Sterling Road)**



**Figure 03: Site Photo (viewed from Bollo Lane)**

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.

**The Proposal**

The proposal involves the demolition of existing buildings and the construction of a part 2-storey, part 10-storey, part 14-storey building, with the 10-storey element facing Bollo Lane, the 14-storey element facing Sterling Road and a two storey base through the site.



**Figure 04: Aerial View of Proposal**

The first two levels would be occupied by approximately 2,000sqm of commercial employment space with the classes Class E(g)/B2 and B8. The two higher elements would accommodate 88 residential flats collectively.

The development would also comprise a basement, with landscaping and communal amenity areas, cycle parking, refuse storage and loading bay and parking within the street.

**Consultation:**

**Preapplication**

Design Review Panel	In general, the Design Review Panel supports the overall design approach of the scheme, the initial areas of further design consideration noted were,
---------------------	---

microclimates and the way that the design, especially facades and material quality reflect this, this includes the shaded children’s play area. This linked to sunlight and daylight which needs to be a key informant of the design especially given the adopted masterplan requirements and restrictions. The façades and materials are generally well articulated but should respond to the different microclimate conditions and the individual character and hierarchy of the two streets. The proposed painted sign on the flank wall is welcomed and has the potential to become a landmark in the area and there is a possibility explore the potential for combining the refuse stores of both blocks on the ground floor to allow for a greater active frontage.

Clarification of the commercial uses on the ground floors and the relationship to the rest of the building, the new surrounding developments, and the public realm. The proposed uses will require engagement with the local council and community to define realistic light industrial uses for this area.

The efforts to integrate the main amenity space with the adjacent building are welcomed, but the design should refine the boundary treatments between private and shared areas. The rooftop terrace in the affordable block is a positive move, and the panel welcomes the decision to locate this on the affordable block, with access available to all residents.

Establish clear sustainability targets need to be defined and incorporate them early in the design process. This includes opportunities to reduce embodied carbon especially in the façade, structure, and podium. The width of the columns, for example, could be revisited, which could also help increase the sunlight provision of the apartments.

There is a need to demonstrate the impact of proposed density on the existing public realm, including consideration of aspects such as night-time security and the relationship between the entrances and the street.

Officer Response: Council Officers are also supportive of the overall design approach of the development. The application is supported by a Commercial Strategy, which effectively outlines demand for spaces and the layout of the industrial space is considered to be acceptable to maximise the flexibility of the space for a wide variety of occupants. This would also allow for the subdivision of the space into smaller units should demand require.

The balconies overlooking the street, as well as the more open frontages to the industrial space will improve the amenity of the area. The applicant has agreed with the Metropolitan Police to achieve Secure by Design Accreditation.

**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
------------------------	---



	<p>(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.</p> <p>One neutral representation was provided from a representative of the adjoining landowner (Innovation House). The key points raised within this representation are outlined below.</p> <ul style="list-style-type: none"> <li>- Client has no current plans to develop his property, I note that No. 3-15 has been designed with the possible redevelopment of No. 17-27 in mind. I have reviewed the applicant’s Daylight and Sunlight Assessment in connection with the application for No. 3-15.</li> <li>- The assessment of the light levels within the development has been undertaken based on the existing site context without allowing for the neighbouring developments</li> <li>- The applicant should remove windows and balconies in positions close to the boundary</li> <li>- Daylight/Sunlight Assessment should be updated to demonstrate that future occupants of no. 3-15 Stirling Road would maintain adequate light notwithstanding cumulative impacts.</li> </ul> <p><u>Officer Response:</u> It is not clear whether the representation being received is referring to the existing situation of Innovation House or any potential future development. The Report references an assessment of the studio flats that exist at Innovation House and any future development of the neighbouring site will need to take account of any existing development or extant planning permissions in place at the time.</p> <p>Notwithstanding this, the adjoining site is considered within the context of the indicative masterplan for this block and it is not considered that the proposed development would compromise any future developability of this site.</p>
<p><b>External Consultation</b></p>	
<p>Thames Water</p>	<p>On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends 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.</p> <p><u>Officer Response:</u> The full response from Thames Water included recommended conditions, which have been provided in full within the conditions section of this report under ‘Infrastructure’.</p>

<p>London Borough of Hounslow</p>	<p>Having considered the proposals, the London Borough of Hounslow has no objection to the application.</p>
<p>Greater London Authority (GLA)</p>	<p><u>Land Use Principles:</u> 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 proposals (which would provide a net increase in light industrial floorspace) could, on balance, meet the criteria set out in Part D of London Plan Policy E7 and could therefore be supported. However, the concerns regarding site access, delivery and servicing and road safety should be addressed.</p> <p><u>Housing and affordable housing:</u> 35% affordable housing is proposed (by habitable room), with a 61.5:38.5 tenure split between London Affordable Rent and intermediate shared ownership. This complies with the Fast Track Route criteria, subject to the appropriate light industrial floorspace being secured. The housing affordability should be clarified and secured. Play space provision should also be secured, with the shortfall in play space provision on-site mitigated through a financial contribution towards improved play space facilities</p> <p><u>Urban design, heritage and tall buildings:</u> The site is not within a location which is specifically identified as suitable for tall buildings, so the application is contrary to Part B of Policy D9. However, the overall layout, design and massing is supported (with some improvements to the alignment of the buildings), taking into account the existing and emerging surrounding context. The architectural quality and materiality of the scheme is generally supported. The application should demonstrate that no harm heritage assets or give rise to any unacceptable visual, environmental or cumulative impacts, in addition to any functional issues associated with deliveries and servicing being addressed and resolved.</p> <p><u>Transport:</u> Financial contributions are required for transport improvements. Concerns regarding the delivery and servicing arrangements should be addressed, including submitting a delivery and servicing plan. Further work is required to improve the Active Travel plan and how the development delivers Healthy Streets improvements.</p> <p><u>Sustainability and Environmental Issues:</u> Additional information is required to ensure energy, circular economy, whole life carbon, urban greening, biodiversity, drainage, air quality strategies are acceptable. Noise mitigation measures should be secured.</p>
<p>Healthcare Property) (NHS</p>	<p>Requested contribution to be secured through a s106 agreement</p>
<p><b>Internal Consultation</b></p>	
<p>Pollution-Technical (Noise)</p>	<p>The site is at a busy road junction and exposed to existing industrial noise sources as well as road and rail noise, including at upper overlooking floors.</p> <p>Plant is proposed in the basement as well as on various floors.</p>

I recommend the following conditions and informatives:

**1 Transport and/or commercial/industrial/cultural noise sources**

Prior to commencement of the development, a noise assessment of the sound insulation required for the building envelopes shall be submitted for approval by the Council in writing, clearly and concisely demonstrating compliance with the noise limits specified in BS8233:2014, also having regard to the assessment standard of SPG10. Details shall include the 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). A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria. Details of the post installation test shall be submitted for the Council’s approval before the premises are occupied and additional steps shall be taken as necessary to minimise noise. Details of best practicable mitigation measures shall also be submitted for external amenity spaces to achieve these criteria. 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 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policy 7.15 of The London Plan (2015), Ealing SPG10 and the National Planning Policy Framework (2019).

**2 Separation of noise sensitive rooms in neighbouring flats**

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, eg. kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwelling. The assessment and mitigation measures shall be based on standards of the Council’s SPG10 and the criteria of 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 Policies ... Standard 30 of the Housing SPG and Policy 7.15 of the London Plan

**3 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, as necessary, above the Building Regulations value for residential use, of the floor/ceiling/walls separating the non-residential uses from dwellings (eg. commercial, industrial, community uses/ plant rooms/locations, car parking/ lifts/ communal spaces and main entrances/staircase, bin/cycle storage etc.) . 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 Policies ... Standard 30 of the Housing SPG and Policy 7.15 of the London Plan

**4 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 Policies ... 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies and 7.15 of the London Plan (2016), the National Planning Policy Framework (2019) and Interim guidance SPG 10 'Noise and Vibration'

**5 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), policies and 7.15 of the London Plan (2016), the National Planning Policy Framework (2019) and Interim guidance SPG 10 'Noise and Vibration'

**6 Site and Servicing Management Plan**

Prior to commencement /use of the development, a Servicing Management Plan shall be submitted to the Council for approval in writing. Details shall include management of communal amenity area use, times and frequency of commercial/industrial activities, location of loading bays, deliveries and collections, vehicle movements and silent reversing and loading/unloading methods, etc. The assessment shall be based on standards of the Council's SPG10. 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/ surrounding premises is not adversely affected by noise, fumes, etc. in accordance with Policies ...

**7 Demolition Method Statement and Construction Management Plan**

Prior to commencement of the development hereby approved, 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 Policies ...

Please consult Sneha with regard to control of emissions from non-road mobile machinery.

**INFORMATIVES for Demolition and Construction, Installation, Refurbishment etc:**

**1 Permitted hours for building work**

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.

	<p><b>2 Notification to neighbours of demolition/ building works</b>                  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.</p> <p><b>3 Dust</b>                  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.</p> <p><b>4 Dark smoke and nuisance</b>                  No waste materials should be burnt on site of the development hereby approved.</p> <p><b>5 Noise and Vibration from demolition, construction, piling, concrete crushing, drilling, excavating, etc.</b>                  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.</p>
<p>Pollution-Technical (Air Quality)</p>	<p>Whilst, the AQ assessment did consider cumulative effects of other developments in the area this wasn't really quantified.</p> <p>I would class it 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..</p> <p>Please note that the following conditions are recommended, please set out condition 2 as standalone condition</p> <ol style="list-style-type: none"> <li>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.</li> </ol>

	<p>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.</p> <p>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 <a href="https://nrmm.london/">https://nrmm.london/</a>.</p> <p>s106 funding for Air quality is also requested for the development  Residential units = 88 *£100 =£8,800  <u>Non-residential space= 2000m<sup>2</sup>*£10 =£20,000</u>  Total = £28,800</p>
<p>Pollution-Technical (Contaminated Land)</p>	<p>I have reviewed the submitted desk study - (Ref. P450688-REP-002) and am in general agreement with the findings based on the information available.  A site investigation is recommended, and this is agreed with.</p> <p>The following conditions are requested - the first has some site specific text in bold.</p> <p>DC_CON ENVH10 Site Investigation</p> <p>Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model <b>(contained within the approved desk study phase 1 report (Ref. Whitby Wood P450688-REP-002) a site investigation</b> (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site 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 up dated. 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.</p>

	<p>Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy 5.21 of the London Plan 2015 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.</p> <p>DC_CON ENVH11 Remediation Scheme</p> <p>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.</p> <p>Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy 5.21 of the London Plan 2015 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.</p> <p>DC_CON ENVH12 Verification Report</p> <p>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.</p> <p>Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy 5.21 of the London Plan 2015 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.</p>
<p>Transport Services</p>	<p>Contributions toward local projects to improve connectivity requested, in line with GLA Comments</p>
<p>Waste and Street services</p>	<p>No response.</p>
<p>Economic Development Officer</p>	<p>No response</p>
<p>Education Services</p>	<p>Contributions have been recommended to secure finance for educational provision.</p>



<p>Energy Consultant</p>	<p>Energy &amp; Sustainability Statement prepared by HTA Design in July 2021 (v2).</p> <p>The Council is very supportive of the proposed energy strategy.</p> <p>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 &amp; SI3, and Ealing DPD policy 5.2.</p> <p>An Overheating/Cooling analysis with proposed mitigation measures has been carried out.</p> <p>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).</p> <p>The development is all electric with no gas infrastructure on-site.</p> <p>The application proposes a communal site-wide low-temperature (LTHW 52/47°) (air-to-water) Air Source Heat Pump distribution loop with dwelling heat exchangers. The HIUs will feed underfloor or panel radiators at 50/40°, and DHW (up to 60°) will be provided by dwelling immersion tanks. The commercial units will have VRF (air conditioning) heating/cooling, with DHW from direct electric or immersion tanks.</p> <p>Also proposed is a small PV array on the west wing roof with a capacity of 5.1.</p> <p>Currently, the overall site-wide CO<sub>2</sub> emissions will be cut by at least 56.51%, with 12.66% carbon reduction through “Lean” efficiency measures, and 43.85% through “Green” renewable energy measures.</p> <p>There is a shortfall of 1,398 tonnes CO<sub>2</sub> (over 30 years) in the zero-carbon that will be mitigated through an “offset” S106 payment at £95 per tonne to the Council of £132,787. <i>This figure may be amended prior to the completion of the Legal Agreement.</i> . The Council’s Carbon Offset price was set at £95 p/tonne on 1<sup>st</sup> April 2020. For information, the carbon offset amount saved through the Clean/Green energy equipment is £133,890.</p> <p>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.</p> <p>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 E5.2.3. The monitoring is carried out by the Council’s chosen provider (Emergence Ltd) using the Automated Energy Monitoring Platform (AEMP). A S106 payment shall be sought for the implementation of the energy monitoring policy.</p> <p><i>In line with this Ealing Council will require the monitoring of the PV array and the communal Air Source Heat Pump loop to identify their performance efficiency. Monitoring the heat pumps will involve metering the heat output and the combined parasitic loads. Suitable monitoring</i></p>
--------------------------	--

	<p>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.</p> <p>The energy monitoring devices to be supplied by <u>Ealing/Energence</u> through the S106 contribution (subject to final confirmation) are:</p> <p>PV (GPRS) smart meters x1.          ASHP loop heat meter (M-Bus connect) x1.          ASHP (loop heat meter) datalogger x1.          ASHP electric parasitic load (GPRS) smart meters x4.</p> <p><i>If there are more than x4 ASHP collectors then the Developer must provide suitable parasitic load 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.</i></p> <p>SIM card and data processing (4 years) x 6.</p>
<p>Landscape Architect (Leisure and Parks)</p>	<p>Children’s Play and Teen Play: For a development of this size a total of 374.1m2 of dedicated play space would be required. The application includes a total of: 182sqm “formal” and 290sqm informal. Although only the formal part has been included in the calculation as an area of play needs to be dedicated as per the Mayors SPG.</p> <p>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 306.88m2 is required within this development. As none has been provided a section 106 contribution will be required. Section 106 requirements: Due to a significant lack of / play and allotment space a section 106 contribution should be requested if planning intend to recommend the scheme for approval.</p> <p>The contribution should be used for improvements to South Acton, Southfields. As a guide we would recommend the following amount: Play space contribution: £28808          Allotment space contribution: £10741          Total section 106 contribution: £ 39549</p>
<p>Active Ealing</p>	<p>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 <b>88</b> new units and an average of <b>2.4</b> people in each unit, a calculation can be made based on <b>211</b> additional residents living in the new units (these indicative figures can be changed if necessary).          A s106 obligation towards sporting infrastructure provision has been recommended.</p>

**Relevant Planning Policies:**

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

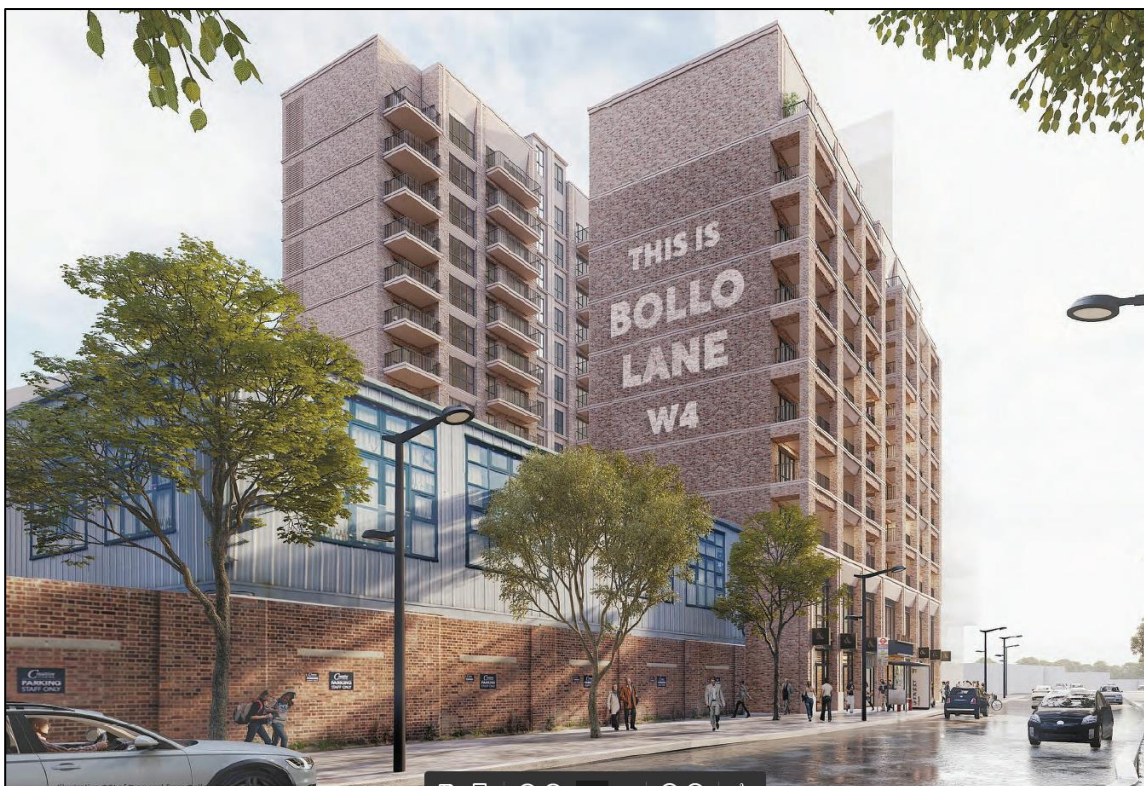
**Reasoned Justification:**

**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 is predominantly single storey, with a two-storey element that fronts Stirling Road. The existing building appears to be occupied by a business called “Science Projects”, which provides services for educational exhibitions. The current building turns its back on Bollo Lane, with sole access to the building provided from Sterling Road. The existing building is setback from the Bollo Lane frontage, and this setback provides for informal and ad-hoc vehicular parking. Whilst the existing site provides for useable industrial space, the opportunity exists to provide additional space for the site that is more fit-for-purpose for similar industrial-type uses, thereby intensifying the use of this brownfield industrial site.



**Figure 05: Development Viewed from Bollo Lane**

Initial presentations of a proposal for the application site consisted of a single-storey industrial space, with residential above, that met the minimum requirements of no loss of industrial space within LSIS locations. The applicant was advised to reconsider this element of the proposal to dramatically increase the industrial floorspace to be consistent with the emerging character of this urban block. This proposal therefore provides for two storeys of industrial space, increasing the amount of floorspace from 1,112sqm to 1,954sqm, an uplift of 842sqm or 57% based on the existing floor area. This is a welcome addition to the scheme, which places industrial uses as the focus of this proposed development within a Locally Significant Industrial Site.

It is therefore considered that the proposal be wholly compliant with the provisions of Policy E7 of the London Plan that seek to ensure that development proposals are proactive and encourage the intensification of business uses within Classes B1c (now E(g)), B2 and B8, as well as encourage the introduction of small units and multi-storey schemes. It should be noted within their Stage I response, that the GLA are concerned with the delivery and servicing strategy proposed by the applicant.

The GLA has also advised that the proposal does not comply with the provisions of Policy E7 that require development for co-location of uses in industrial areas follow a “plan-led or co-ordinated master planning process of intensification and consolidation” within the LSIS. The development considered as part of this application has followed a master planning exercise that was considered by Council as part of previous planning applications on 29-39 Stirling Road/2-10 Roslin Road (192130FUL and 204553FUL). This indicative masterplan has also been referenced within planning application 214611FUL (1 Stirling Road/1-9 Colville Road and 67-81 Stirling Road). The key issue here is that the indicative masterplan presented has no statutory function and does not form part of the local Development Plan. The GLA Officers have however taken a balanced assessment of the proposal, noted the indicative master plan, and stated that subject to issues around deliveries and servicing being resolved, then the application could be supported by the GLA in accordance with Policy E7.



**Figure 06: Commercial Frontage to Bollo Lane**

The Economic and Industrial Assessment document provided with the application, notes that the existing building and its use has the capacity to provide employment up to 22 jobs. The analysis provides an insight into employment spaces and jobs within the Borough. It concludes that since 2011, Ealing has seen growth in jobs in the sectors of food product manufacturing, office administration and professional services and retail. Despite a loss of jobs in the wholesale and trade sector, this still remains a key performer in Ealing’s economy.

An analysis of the local area, backed up with data, shows that the most in demand uses being for plumbers, MOT garages or welding spaces between 1,000sqft and 5,000sqft (approximately 93sqm to 464sqm), given the site’s proximity to the local resident population. However, an analysis of existing

uses shows bicycle repair shops, recording studios, art storage and auction, furniture repair and retail wholesale, which illustrates the type of uses in demand in the area. The analysis shows that based on an assessment of existing planning consents, there is an impending loss of 42,206sqm of employment floorspace within the Borough and the proposal to increase the industrial floorspace would be a counter to this trend, given the increase in floorspace that this proposal would involve.

The overall provision of the commercial floorspace affords the development the flexibility to accommodate a wide range of uses, whether these be within smaller units or as a larger floorplate. This flexibility to provide for a range of uses and occupiers is also supported by the minimum 4.5 metre floor to ceiling heights and its proximity to existing public transport infrastructure ensures that future occupants can access the site sustainably.



**Figure 07: Interior Concept for the Proposed Industrial Space**

In addition to the increase in industrial floorspace and accordingly the employment capacity of the site, the proposal would include its co-location with new residential development. This is supported in principle, by Policy E7 of the London Plan, provided that existing and emerging industrial and related activities within the LSIS are not compromised in terms of their continued operation and functionality where residential is proposed. To this end, a full Agent of Change assessment has been provided which will be separately addressed, along with arrangements relating to the layout of the spaces, design, noise and vibration, air quality and delivery and servicing. As will be outlined within the report, it is not considered that the proposal would cause undue harm to the continued operation of activities within the LSIS.

The proposal would accordingly provide for increased housing supply on a well-connected brownfield site, which is considered to be sustainable and would improve the visual amenity of the area. Council has an obligation to increase housing supply in accordance with Policy H1, with a 10-year target of 21,570 homes. Residents would benefit from well-designed flats and communal areas and the proposal would provide a good affordable housing offering that would provide genuinely affordable homes to Ealing residents. Based on the above and subject to the assessment outlined within this report, it is considered that the principle of development is acceptable in its entirety.

**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.

To this effect, the applicant's Agent of Change assessment outlines that nuisance caused by existing industrial activities would be categorised within either noise, vibration, dust, odour and lighting. Recognition of these factors is necessary to determine what mitigation measures would be required within the residential part of the development to ensure that unnecessary limitations would not be places on existing industrial activities and the quality of life of new residents would be satisfactory.

The impacts relating to noise nuisance were identified as being predominantly transport related, including the surrounding road network, passing trains and overhead aircraft. The report also identifies that noise producing extractor fans at the Ocado Warehouse were present opposite the site, however, were not audible within the site. Intermittent noise was also identified from the hand car wash near to the site. The results of the noise assessment are contained within the Environmental Noise Assessment, with appropriate mitigation measures recommended. A full assessment, including the Council Pollution-Technical Officer comments are contained within a subsequent section of this report.

No existing sources of vibration were identified within the LSIS site itself, with the only impacts identified being from the surrounding road network, in particular Stirling Road and Bollo Lane.

As with other applications in the vicinity of the application site, the Agent of Change assessment has only noted the Waste Transfer facility as a source of dust. However as has been noted and concluded as part of this assessment and other assessments, this facility only handles household waste, is surrounded by a brick wall and the residential uses proposed within the development commence at second floor, providing a reasonable buffer between any dust impacts and proposed residential uses.

The Waste Transfer station has also been identified as a source of odour, however the only household items permitted at the station include glass, cans, cardboard, paper, textiles, shoes, plastics, metal, garden waste, engine oil, books, small electrical items and carpet. No food waste is permitted here. The only source of odour is said to be garden waste, however, as has been noted and accepted by Council on previous occasions, waste skips are removed once full, minimising any long-term exposure. However, it should be noted that this has only been identified as a risk, which is considered to be low, as both the applicant and Council Officers have not identified any sources of odour during separate visits to the application site.

The only source of lighting, aside from street lighting on the surrounding road network, was identified to be the Council depot, however this area was not lit by any flood lighting or security lighting that could impact future residents.

Based on the Agent of Change assessment above and the subsequent Environmental Noise Assessment, it is not considered that the introduction of residential uses to the site would compromise the continued function and operation of the LSIS, and new residential occupants would be afforded a satisfactory level of living conditions.

**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.

<b>Housing Type</b>	<b>Quantum</b>	<b>Percentage</b>
<b>1-bedroom</b>	45	51%
<b>2-bedroom</b>	31	35%
<b>3-bedroom</b>	12	14%

**Table 1 – No. of Units by Size**

**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 re-provision of industrial floorspace, 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.

Of the proposed affordable housing units, 26 of the proposed 88 homes would be classed as affordable. On the basis of units this represents a AH provision of 29%. However, as per Policy H5 of the London Plan “the percentage of affordable housing should be measured in habitable rooms” to ensure that the affordable housing offering delivers a range of sizes of affordable homes. To this end, the proposal would equate to exactly 35% affordable housing by habitable rooms. It is therefore considered that as Council Officers consider the proposal would not result in a net loss of industrial floor space, then the proposal would be eligible for the fast-track route of 35% Affordable Housing.

In terms of the tenure split proposed, the proposal makes a very good contribution toward providing genuinely affordable homes within the Borough, as illustrated by the table below.

<b>Tenure</b>	<b>Percentage (%)</b>
London Affordable Rent	61.5%
Intermediate (Shared Ownership)	38.5%

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.

It is noted that there would be separation within the building of the affordable and private sale units, with the affordable block contained within the wing facing Sterling Road and the private sale units being contained within the wing facing Bollo Lane. There are also private sale units within the block containing Affordable Units and therefore a level of integration, and no clear distinction, is provided. It should be noted though that within the building, any resident would be able to make use of either entrance to the building (from Bollo Lane or Sterling Road) and accordingly, there would be equitable

access for all residents. The design and materiality of the building makes no clear distinction between housing tenure. Communal spaces would also have communal access regardless of the type of housing and, in fact, the affordable units would have closer access to the rooftop communal gardens in comparison to the private sale housing in the southern block.

It should also be noted that the affordable housing offer provides for a good mix of housing. There are to be 12 x 3-bedroom units within the building, with 7 of these flats dedicated as affordable housing within the LAR tenure. The proposal would therefore provide much needed genuinely affordable family housing to Ealing residents. Overall, the housing mix provided for Affordable Housing is considered to be good, with a mix of 1-, 2- and 3-bedroom units.

### **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 through the use of Design Review Panels (DRPs), which has occurred in this instance. The applicant has also sought advice from the GLA through their pre-application process prior to submission.

The Design Review Panel on this application met on 1 June 2021 which followed on from pre-application discussions with Council Officers. The panel was generally supportive of the design approach taken by the applicant's and the overall articulation of the massing was considered to be successful. It acknowledged that the scheme was quite dense in terms of the lack of greenspace in the area, however also acknowledged the limitations of the site and the prevailing masterplan. It considered that the maximise use of roof spaces for private and shared amenity spaces somewhat addresses this issue. The Panel also referred to the high-quality design of the façade, which blends industrial characteristics with brick and responds positively with the emerging TfL scheme. Consideration was recommended to be given to ensure the design of the building responds better to the hierarchies of the street.

The GLA, within their Stage 1 response were supportive of the overall design approach taken with the scheme, in terms of its layout, design, massing, architectural quality and materiality.

Preapplication discussions were held with Council Officers and initially, the proposal presented a single-storey podium of industrial space, with residential above. The applicants were initially advised of the unacceptability of this as, although it would provide no net-loss of industrial space on the site, a single-storey podium would have been at odds with the emerging character of the development of this urban block. The revised proposal presented, which is consistent with the approach of this scheme, a two-storey podium, resulting in a significant increase in commercial space within the scheme in comparison to the existing building.

The differential between the commercial and residential uses within the façade are clearly identified with a different architectural approach. The role of the industrial frontages is emphasised, which is important given the site's LSIS designation, through the open glazing, decorative metalwork and



chamfered stone lintels which frame the large openings proposed at ground floor and first floor. The residential uses above take on a more subordinate and standard design, with clear horizontal and vertical alignment created through the balconies and the pattern of fenestration. Articulation is created by the balconies that come forward, leaving a central vertical line, setback into the building, that runs up the façade. The overall design approach taken ensures that the building would present a significant improvement to the visual amenity of the area in comparison to the existing situation.

The overall massing of the development is formed out of two clear wings, one facing Bollo Lane and the other Stirling Road. This is generally consistent with the indicative masterplan that has been formulated for this urban block. This is also consistent approach with an existing approval on 29-39 Stirling Road. The two wings rise above the two-storey podium, creating a space between both rising elements. The proposal intends to use this space as communal amenity space, with an indicative design presented as part of this application, which has been reviewed by Council's Landscape Architect.

The height of the two wings would be different with the lower part to face Bollo Lane. The height to this wing would be 10 storeys, with the higher part facing Sterling Road at 14 storeys. The applicant has developed their scheme in conjunction with the architects for the adjacent sites, with the proposed building connecting to the lower shoulder levels of the adjacent sites. Overall, the heights of the building are considered to be highly consistent with the emerging context, whereby tall buildings have been either approved or proposed at similar heights on nearby sites. On both wings, the top storey has been setback from the predominant front building line, further reducing its impact on the public realm and ensuring that there is an architecturally clearly defined base, middle and top.

Overall, the design presented achieves the objectives of an increase in commercial space, increase in housing stock and good affordable housing offering and at the same time, presents a building that would be a positive introduction to the character, appearance, and visual amenity of the area.

### **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.

Based on the existing situation, at a height of up to 14 storeys, the proposal would constitute a tall building in accordance with Policy LV7.7 as it would be higher than the predominantly low-rise industrial area. However, within its emerging context, the height and massing proposed would be generally consistent with the emerging built form on Bollo Lane, where larger development is either proposed or approved. There are no heritage assets within the immediate vicinity of the application site, however given its height, it is important to consider the impact that the proposal would have on Conservation Areas, Listed Buildings and World Heritage Sites, from which the proposed development may be visible.

These would include Conservation Areas within Acton, as well as within the neighbouring London Borough of Hounslow, Gunnersbury Park and Kew Gardens. However, it is clear that the development would be justifiably screened from view from neighbouring development, which include development on neighbouring sites and the larger TfL scheme on the opposing side of Bollo Lane.

In accordance with Chapter 16, Part 202 of the NPPF (2021) 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.

The applicant was requested by Council Officers to ensure that the development would not compromise the developability of neighbouring sites, including 1-9 Colville Road, which adjoins the site to the southeast and is currently under consideration for development under ref: 214611FUL. Both of these applications have concluded that ADF (Average Daylight Factor) as the most appropriate assessment for daylight and sunlight. Based on BRE Guidance, the ADF levels should be 1% for bedrooms, 1.5% ADF for living/dining rooms and 2% for kitchens.

The ADF assessment undertaken shows that there would be a higher level of compliance on this adjoining proposed development on upper levels than lower levels, which is to be expected. On floors 2 to 5 of the neighbouring proposed development, 17 of the 22 windows tested (77%) would meet BRE requirements. On floors 6-8, 18 of 22 (82%) would meet BRE guidance and on levels 9-10, 11 out of 12 windows tested would meet minimum BRE guidance. All other windows on floors above this would achieve 100% compliance. It should be noted that BRE guidance should not be applied in an mechanicalistic way, and it is extremely difficult to achieve 100% compliance, particularly in urban environments such as this. Therefore, the level of compliance achieved is considered to be good and will lead to good living conditions on the future development of this neighbouring site. It should be also noted that where there is non-compliance, in most cases this is to a small degree and considered to be marginal.

To the northwest of the site lies 17-27 Stirling Road, which is commonly referred to as Innovation House. To the rear of this site toward Bollo Lane, a number of studio units have been built, which will adjoin this site. The approval of this was under the prior approval process (174187PRDIS), which was for the lawful conversion from Class B8 to residential units (Class C3). The arrangement of these units is predominantly located around a central courtyard within the site; however, it is noted that there are five smaller windows within the flank elevation that look over the application site. Although, it must be acknowledged that the approved plans for this application do not show any windows approved here, facing into the application site.

The proposed development would completely obstruct these existing windows, however as noted, the primary source of light to these studio flats is from the central courtyard. It is also reasonable to expect that this site may come forward for development within the coming years as this adjoining site does form part of the indicative masterplan for this urban block.

Based off the above, the Daylight/Sunlight Assessment presented is considered satisfactory and future occupants of adjacent developments would have satisfactory access to daylight post-development.

**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.

<b>Configuration</b>	<b>No. of Units</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies?</b>
1b1p	8	37sqm	37sqm	Yes
1b2p	37	50sqm	50-58sqm	Yes
2b3p	11	61sqm	61sqm	Yes
2b4p	20	70sqm	75-80.5sqm	Yes
3b5p	12	86sqm	98sqm	Yes

Therefore, all proposed units would meet or exceed minimum London Plan standards as demonstrated within the table above. It should also be noted that all of the proposed flats would be dual aspect flats, ensuring that all flats benefit from the inherent benefits of natural light and ventilation. The way that dual aspect flats are achieved is unconventional and relates to the way in that each flat is accessed. In many cases, flats in both wings would be accessed via an external elevated walkway that would be shared between two flats at a maximum.

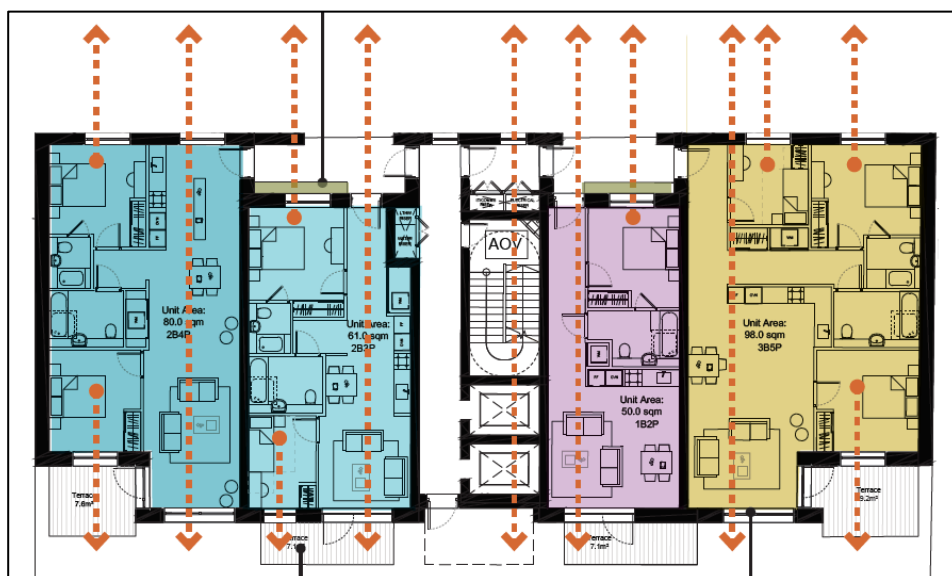


Figure 08: Typical Floor Layout (Northern Block)

Council Officers were initially concerned of the privacy impacts that this may have, with a window of one flat facing onto a communal external walkway. However, defensible space has been built into the scheme around affected windows and the communal access areas would only ever be accessed by two flats. The likelihood of significant privacy impacts is accordingly minimal, and the benefits brought by all flats being dual aspect would outweigh all other impacts in this regard.

It should be noted that the space between the two wings, and accordingly between windows, would vary but would predominantly be a minimum of 17.5 metres. A separation distance of this amount would ensure that there would be no significant impact relating to overlooking or privacy.

Overall, the proposed scheme provides for good quality residential accommodation that meets or exceeds minimum standards and is therefore considered to be acceptable.

**Private Amenity Space**

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. The below table will demonstrate compliance with this criterion.

Configuration	No. of Units	Requirement	Proposed	Complies?
1b1p	8	5sqm	5-6.9sqm	Yes
1b2p	37	5sqm	6.8-7.8sqm	Yes
2b3p	11	6sqm	7.1sqm	Yes
2b4p	20	7sqm	13.7sqm	Yes
3b5p	12	8sqm	9.2sqm	Yes

Therefore, all flats would be afforded an adequate amount of private amenity space in accordance with Policy 7D.

**Communal Amenity Space, Landscaping and Children’s Play Space**

The development aims to maximise the rooftop spaces, including the space created over the podium, between the two residential wings. The rooftop of the wing facing Sterling Road has also been utilised as an opportunity to increase the communal space within the development. Overall, the provision provided exceeds the minimum requirement, providing communal and private amenity space that is in excess of requirements. The private amenity space provided, with the communal amenity space provides for 1,503sqm of space, exceeding the minimum requirement of 1,320sqm. No contribution towards off-site provision has therefore been requested.

It is noted that the Daylight and Sunlight Study shows significant shadowing of the central courtyard amenity space. No meaningful design changes could be implemented to increase the sunlight into this space and accordingly the Landscape Strategy responds to this. The elements that would receive direct sunlight at times would be the two north eastern corners of the central podium, where morning and afternoon seating areas would be provided. The other areas of the site would be dedicated as children’s play space. These areas would provide more shade tolerant vegetation and overall, the landscaping strategy is reflective of the constraints that exist within the site.



**Figure 09: Landscaping and Children’s Play Space Proposals**

The northern block (facing Sterling Road) would also have a rooftop communal amenity space that would provide more space for residents and would receive full sunlight. The overall landscaping strategy and amenity space provision is considered acceptable.

The children's play space provided will be focussed toward the 0–4-year age group. Whilst the proposal would fulfil the requirements for this age group, no children's play space would be provided for other age groups. The GLA population yield calculator puts the child yield as shown within the following table:

<b>Age Group</b>	<b>Percentage (%)</b>
Ages 0-4	45.8%
Ages 5-11	33.6%
Ages 12-15	13.4%
Ages 16-17	7.2%

As the above table demonstrates, the child yield is skewed in favour of Ages 0-4, which the children's play space provision proposed caters for. The Landscape Architect has requested a s106 contribution for the shortfall in children's play space of £28,808, which would be used to improving South Acton Park and Southfields.

Contributions toward improving allotment space have also been secured through the s106 recommendations, in line with the requirements of Policy 7D of the Ealing Development Management DPD.

### **Transport & Highways**

Policy T5 of the London Plan outlines minimum standards for cycle parking provision in new developments. The residential provision should provide 1 space per 1 person flat, 1.5 spaces for 1b2p flats and 2 spaces for all other flats. Based on this calculation and the housing mix proposed, the proposed residential accommodation would require the cycle parking provision for the residential component of the development to equate to 150 spaces. The proposal would provide for 92 spaces within the basement and 68 bikes on the first floor providing for a total of 160 spaces, exceeding the minimum requirement. Both bike storage areas would be located in close proximity to elevators which can accommodate the size of bikes and would accordingly be easily accessible to the ground floor.

The GLA are supportive of the quantum of spaces proposed, for the residential bicycle spaces, as well as the commercial bicycle parking spaces. The commercial spaces would be located within their own storage area that would be accessible from the commercial lobby. TfL, however, advises that further information is required regarding the corridor and aisle widths, suitability of spaces for large bicycles and adapted bicycles, in accordance with London Cycle Design Standards. This has been recommended by way of condition.

With regard to deliveries and servicing, the development will utilise an existing loading bay that benefits the existing building on Sterling Road. Council and TfL Officer however raised concerns with the applicant with regard to the statement within their Transport Assessment that disabled parking bays could be used for loading and servicing on Bollo Lane. This was not accepted by Council Officers and TfL, due to it being contrary to Policies T4 and T6.1 of the London Plan.

The trip generation data provided by the applicant and based off TRICS data showed that the expected deliveries per day for a development such as this would equate to up to 8 per day for the residential element and 10 per day for the commercial). The length of the loading bay is 10 metres and many of the deliveries would be made within vans rather than large HGVs, that could also fit within the space provided.

TfL also suggested that the applicant should investigate ways of creating a servicing/loading arrangement with the adjacent proposed development at 1 Sterling Road/1-9 Colville Road

(214611FUL). However, this is not considered to be a feasible option as the two applications are being assessed independently and must have their own arrangements in place for deliveries and servicing, particularly if one of the developments did not proceed.

In any case, the proposed loading area is considered to be adequate capacity to accommodate the intended deliveries and servicing of the proposed development on its own. A Delivery and Servicing Plan will be required by way of condition, where details will be provided on how the proposed loading arrangements will be conducted. The Delivery and Servicing Plan must illustrate how delivery vehicles will be deterred from using the proposed disabled parking bays.

The proposal is considered to be a car free development, which is appropriate given the site's PTAL Score, its high-density arrangement and its proximity to public transport nodes. Parking permits for future residents shall be restricted through the s106 agreement to avoid parking stress in the area and encourage more sustainable forms of transportation. The developer will also be required to provide free car memberships to all residents for a period of 3 years. These measures will avoid excessive parking and private vehicle movements as a result of the proposed development.

Policy T6.1 requires that disabled parking spaces should be provided at a rate of 3% of the total number of units from the outset. An additional requirement is that it should be demonstrated how a further 7% of dwellings can be provided with disabled car parking. The first requirement would be 2.64 (rounded up to 3), and the second requirement would be for it to be demonstrated how an additional 6 spaces could be provided. No off-street area is available to accommodate disabled parking and therefore all disabled parking spaces are proposed to be accommodated within the street. This will need to be undertaken through a s278 agreement, with all costs to be met by the applicant. In accordance with this policy, the applicant is providing 5 disabled spaces, with no feasible option to provide more. However, the Council could implement further disabled parking spaces within the street should demand necessitate. As required by the Policy, all disabled parking spaces must be fitted with electric vehicle charging infrastructure, the costs of which will need to be borne by the developer.

The proposal also involves the relocation of the bus stop at the front of the site to be closer to the kerbside. This is welcomed as it would open up the footpath better to pedestrians. TfL have no in principle objection to this, and the applicant will first need to apply to TfL to undertake this work, with all costs associated to be paid by the developer.

The GLA have advised that the ATZ (Active Travel Zone) assessment requires additional work and better needs to identify how Vision Zero objectives would be met and better identify active travel routes. Council's Transport Officer has secured agreement to s106 financial contributions toward existing and planned projects within the area, to improve the public realm and encourage active travel to nearby amenities and public transport.

Based off the assessment above, the application raises no specific highway or pedestrian safety concerns, and the transport arrangements are considered acceptable subject to s106 obligations and conditions.

### **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 reviewed the submitted Environmental Noise assessment and acknowledged the constraints of the site, including the fact that the site is at a busy road junction, exposed to existing industrial noise sources, as well as road and rail noise. As with other applications in the area, the Officer has recommended by conditions relating to sound insulation that will mitigate the impacts of the external acoustic environment on the proposed residential accommodation. The Noise and Vibration Officer generally accepts the observations and methodology that was given to the calculations provided, given potentially reduced noise levels due to partial COVID-19 restrictions at the time of the assessment.

The overall conclusion of the officer was that the applicant had presented an acceptable Environmental Noise Assessment and accepted the conclusions of the acoustic consultant that a 'closed window' solution would need to be provided for the majority of units, together with suitable ventilation and an overheating strategy that accommodates windows being closed for the majority of the time. The conclusions of the report also state that upgraded acoustic glazing will be required for bedrooms on the southwest, northwest and northeast of the southern block. Whilst this was accepted, the Officer noted that the details of the proposed sound insulation of the building envelope were not provided. This has accordingly been recommended by condition.

Standard conditions have also been recommended relating to the sound insulation between the residential units and communal and commercial areas, as well as sound insulation between sensitive rooms on neighbouring flats. A full list of conditions is provided within the recommendation.

Council's Air Quality Officer has also reviewed the submitted details and as with other developments in the area, there is the concern that the amount of development occurring in the area, and the resultant long-term construction, that emissions from construction activities and increased HGV movements may lead to localised poor air quality. Whilst the applicant acknowledged the cumulative effects of other nearby developments within their Air Quality Assessment, this was not particularly quantified as part of the details submitted.

The Officer considers this development to medium to high risk within the construction phase and as such, the development would be required to install air quality monitors to the site during construction and the positioning and number of these will need to be agreed with Council's Pollution-Technical Team. This would be agreed as part of the recommended condition for an Air Quality and Dust Management Plan. Also recommended as conditions is the requirement for the submission of details relating to a Filtered Fresh Air Ventilation system to mitigate elevation concentrations of nitrogen oxides and particulate matter, as well as a condition relating to the use of non-road mobile machinery.

The Contaminated Land Officer has reviewed the submitted Contaminated Land study and agrees with the findings of the report. The report recommends a full site investigation of previously inaccessible ground levels, which the officer agrees with. Accordingly, conditions relating to a site investigation, remediation scheme and verification report have been recommended.

### **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 on 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 proposed strategy and is very supportive. The hierarchy has been followed with measures identified within the categories of lean, clean and green.

The development would achieve an overall site-wide cut beyond Part L of the current building regulations of at least 56.51%, which will be achieved through lean efficiency measures (12.66%) and green renewable energy measures (43.85%). The shortfall on the basis of zero-carbon would be 1,398 tonnes over 30 years and this would be mitigated against through a s106 payment of £132,787 (which is calculated based on £95 per tonne).

The development would use an Air Source Heat Pump (ASHP) distribution loop and will also utilise part of the roof space for PV panels on the western wing of the development.

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. In this instance, Council, through its external provider, will be monitoring the PV arrays and communal ASHP loops.

The Energy Strategy submitted by the applicant is therefore considered acceptable to Council Officers and the proposal would represent a sustainable form of development, in a highly connected brownfield site within the Borough.

### **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.

The Officer has made note of one concern with the proposal being the alleyway between the application site and the existing building on the adjacent site (it is assumed that the Officer is referring to Innovation House). There is a gate at both ends, however the Officer considers that the gate to Bollo Lane is too low and utilises barbed wire to the top, which may suggest an existing crime issue. The Officer recommends 2m high gates on this alleyway. This is considered to be a matter that can be addressed as part of the SBD process, which has been recommended by condition.

### **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 on the formula provided by the Waste Management Guidelines, the minimum refuse storage capacity would equate to 16,940L. The proposal would provide refuse storage for the residential uses within two separate bin stores, with a total capacity of 16 x 1,100L eurobins (17,600L). This would meet the minimum capacity requirement and would be both conveniently located for residents and to their respective collection points on Bollo Lane and Sterling Road.

Refuse storage for the commercial/industrial side of the building is also proposed and appropriately located, with 6 x 1,100L eurobins provided (6,600L), which is adequate capacity based on all available information.

### **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 £378,143.

However, this is an indicative figure, and the final calculation will be provided by Council's CIL Collections Officer.

### **Conclusion**

This development application presents a form of development that maximises the opportunity to provide flexible industrial and employment space, with a net increase to the existing situation. The development also provides an opportunity to increase housing supply in a well-connected, urban location that would, subject to conditions, not compromise the functionality of the LSIS and would provide a good standard of amenity to future residents. The affordable housing offering also includes a proposal for genuinely affordable homes that complies with London Plan policy, with respect to utilising the fast-track route, and Ealing Council policy with respect to tenure split.

Although the proposal has not followed the master plan process, as required by Policy E7, the application follows the indicative masterplan, which has been referenced on other applications with this urban block, and the GLA is accepting of the process taken, given extant planning permissions in the area.

The commercial uses are the focus of the scheme, with an impressive frontage to both Stirling Road and Bollo Lane, that gives these uses prominence within the street scene. The height, massing and scale of the building proposed is consistent with the emerging pattern of development occurring on Bollo Lane, would improve the visual amenity of the area and would not cause harm to any heritage assets.

The internal residential accommodation would meet all relevant standards and provide all dual aspect dwellings that would provide for good quality living conditions. All residential units would have their own

balcony and the communal amenity spaces proposed would provide good opportunity for outdoor recreation and children's play space.

The proposal represents a sustainable form of development that makes appropriate provisions for transport to and from the site and would not cause harm to pedestrian or highway safety. Overall, the development is considered to be acceptable by Council Officers and it is recommended that the application be approved, subject to conditions and legal 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:**

**GENERAL**

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:

DVP-SRE\_HTA-A-DR\_0001 (Site Location Plan); DVP-SRE\_HTA-A-DR\_0002 (Existing Site Plan); DVP-SRE\_HTA-A-DR\_0003 (Proposed Site Plan); DVP-SRE\_HTA-A-DR\_0010 (Existing Ground Floor Plan); DVP-SRE\_HTA-A-DR\_0011 (Existing First Floor Plan); DVP-SRE\_HTA-A-DR\_AP0B (Proposed Basement Plan); DVP-SRE\_HTA-A-DR\_AP00\_P01 (Proposed Ground Floor Plan); DVP-SRE\_HTA-A-DR\_AP01 (Proposed First Floor Plan); DVP-SRE\_HTA-A-DR\_AP02\_P01 (Proposed Second Floor Plan); DVP-SRE\_HTA-A-DR\_AP03\_P01-(Proposed Third-Seventh & Ninth Floor Plan); DVP-SRE\_HTA-A-DR\_AP08\_P01 (Proposed Eighth Floor Plan); DVP-SRE\_HTA-A-DR\_AP10 (Proposed Tenth-Thirteenth Floor Plan); DVP-SRE\_HTA-A-DR\_APRF (Proposed Roof Plan); DVP-SRE\_HTA-A-DR\_250 (Proposed Bollo Lane Elevation); DVP-SRE\_HTA-A-DR\_251 (Proposed Stirling Road Elevation); DVP-SRE\_HTA-A-DR\_252 (Proposed Eastern Boundary Elevation); DVP-SRE\_HTA-A-DR\_253 (Proposed Western Boundary Elevation); DVP-SRE\_HTA-A-DR\_254 (Proposed Southern Building Courtyard Elevation); DVP-SRE\_HTA-A-DR\_255 (Proposed Northern Building Courtyard Elevation); DVP-SRE\_HTA-A-DR\_260 (Proposed Sections); DVP-SRE\_HTA-A-DR\_900 (Illustrative Landscape Plan); DVP-SRE\_HTA-A-DR\_2900 (General Arrangement Plan); DVP-SRE\_HTA-A-DR\_2901 (Levels Strategy Plan); DVP-SRE\_HTA-A-DR\_2902 (Planting Strategy Plan)

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 7.4 and 7.6 of the London Plan (2016) and the National Planning Policy Framework (2018).

### 4. Restriction to class E(g)/B2 and B8 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)/B2 and B8 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 retail uses on the site in accordance with Policy 1.2(b) of the Ealing Development (Core) Strategy 2012.

## CONTAMINATED LAND

### 5. Site Investigation

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within the approved desk study phase 1 report (Ref. Whitby Wood P450688-REP-002) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site 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 up dated. 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 policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy 5.21 of the London Plan 2015 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 policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy 5.21 of the London Plan 2015 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 policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy 5.21 of the London Plan 2015 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

### **ENVIRONMENTAL HEALTH – NOISE**

#### 8. Transport and/or commercial/industrial/cultural noise sources

Prior to commencement of the development, details shall be submitted for approval by the Council in writing, of the sound insulation for the building envelope, including the 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), in accordance with the noise assessment by IDOM ref. ENA-22298-21-247, dated July 2021 and with the noise limits specified in BS8233:2014, also having regard to the assessment standard of SPG10. Details of best practicable mitigation measures shall also be submitted for external amenity spaces to achieve these criteria. 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 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of The London Plan (2015), Ealing SPG10 and the National Planning Policy Framework (2021).

#### 9. Separation of noise sensitive rooms in neighbouring flats

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, eg. kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwelling. The assessment and mitigation measures shall be based on standards of the Council's SPG10 and the criteria of 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).

### 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, as necessary, above the Building Regulations value for residential use, of the floor/ceiling/walls separating the non-residential uses from dwellings (eg. commercial, industrial, community uses/ plant rooms/locations, car parking/ lifts/ communal spaces and main entrances/staircase, bin/cycle storage etc.) . 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).

### 11. 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), policies and D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'

### 12. 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 Policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies and D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'

### 13. Demolition Method Statement and Construction Management Plan

Prior to commencement of the development hereby approved, 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 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies and D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'

### AIR QUALITY

#### 14. Filtered Fresh Air Ventilation System

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.

#### 15. 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.

#### 16. 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/>.

### TRANSPORT

#### 17. 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.

**18. 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 ensure that, as far as possible, that space is continually available for deliveries. No deliveries or servicing shall occur within the proposed disabled bays or on Bollo Lane.

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).

**19. 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 Policy T4 and of the London Plan (2021).

**ENERGY AND SUSTAINABILITY**

**20. Energy and CO<sub>2</sub>**

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<sub>2</sub> emissions against SAP10 standards of at least 56.51% (equating to 60.54 tonnes of CO<sub>2</sub> per year) beyond Building Regulations Part L 2013. These CO<sub>2</sub> savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy & Sustainability Statement prepared by HTA Design in July 2021 (v2) including:

- i. Lean, passive design measures to achieve an annual reduction of at least 9.62% equating to at least 8.43 tonnes in regulated carbon dioxide (CO<sub>2</sub>) emissions over BR Part L 2013 for the residential development, and at least 26.21%, equating to at least 5.14 tonnes, over Part L 2013 for the non-residential space.
- ii. Green, renewable energy equipment including the incorporation of a photovoltaic (PV) array with a capacity of at least 5.1 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 43.85%, equating to 46.98 tonnes, in regulated carbon dioxide (CO<sub>2</sub>) emissions over Part L 2013.

- iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (COP) of the heat pumps including the heat generation and the combined parasitic loads of the heat pumps.
  - a) 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 performance/efficiency (COP), shall be submitted to, and approved in writing, by the Council. The development shall be implemented only in accordance with the approved details.
  - b) 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 heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact kWp capacity of the PV array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the LZC installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.
  - c) On completion of the installation of the LZC equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
  - d) 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 Energy & Sustainability Statement prepared by HTA Design in July 2021 (v2).

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy 5.9 of the London Plan; 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<sub>2</sub> 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. Sustainable Design and Construction

Prior to completion the sustainability measures detailed in the approved Energy & Sustainability Statement prepared by HTA Design in July 2021 (v2) shall be implemented and maintained. The measures shall meet the requirements of local and regional planning policies and be in line with the Mayor's Sustainable Design and Construction SPG. The development shall be constructed in line with the approved energy and sustainability measures.

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), 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 and Mayor's Sustainable Design and Construction SPG.

### 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.

## INFRASTRUCTURE

**26. 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 sewerage 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 sewerage utility infrastructure and underground water utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground 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. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto: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

**OTHER**

**27. 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), Policy 7.3 of the London Plan (2015) and Policy D10 of the Draft London Plan.

**28. 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 policies: 3.5, 3.8 and 3.9 of the London Plan (2016); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

**29. 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 5.16 of the London Plan (2016) and the National Planning Policy Framework (2018).

### 30. 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), policies 3.8 and 7.2 of The London Plan (2016), and the National Planning Policy Framework (2018).

### 31. 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 7.4, 7.6 and 7.8 of the London Plan (2016), section 7 and 12 of the National Planning Policy Framework (2018).

## 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

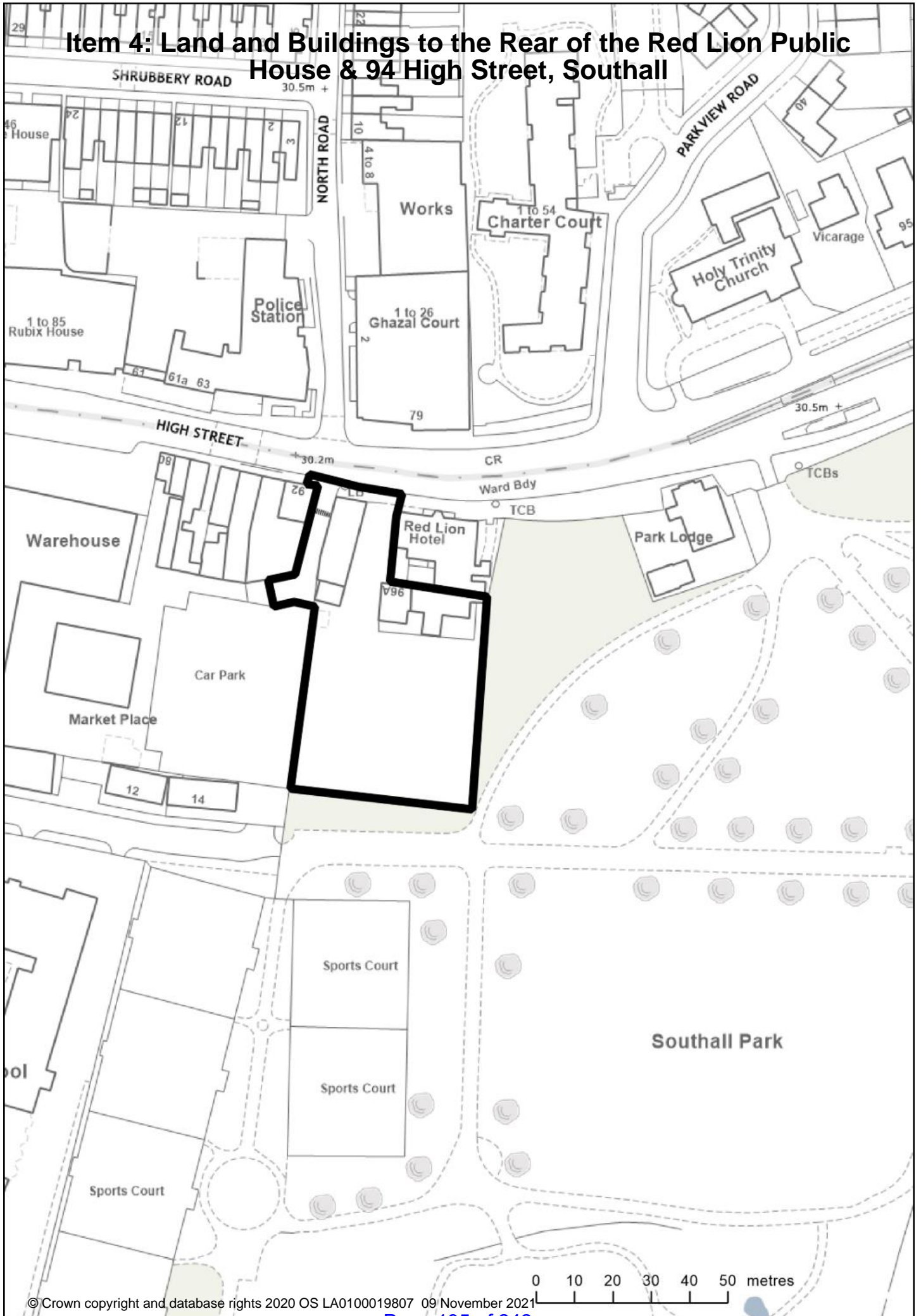
SPG 4 Refuse and recycling facilities (draft)

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. 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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section
8. The proposed development is located within 15m of Thames Waters underground assets, 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](mailto:developer.services@thameswater.co.uk)

# Item 4: Land and Buildings to the Rear of the Red Lion Public House & 94 High Street, Southall





---

<b>Ref :</b>	213386VAR	
<b>Address:</b>	Land And Buildings To The Rear Of The Red Lion Public House And 94 High Street Southall UB1 3DN	
<b>Ward:</b>	Southall Broadway	
<b>Proposal:</b>	<b>Application for a Minor Material Amendment (S73a) to vary condition 2 (Approved Drawings) of planning permission ref: 192888FUL dated 05/03/2021 for: Redevelopment of the site to provide 149 residential units and 1x ground floor flexible retail/professional services/café or restaurant unit (A1/A2/A3 use classes) accommodated within three residential buildings ranging in height from four to fifteen storeys (inclusive of plant), with associated landscaping and blue badge parking (following demolition of buildings and structures on site). Amendments comprise of the following: design refinements to massing and façade design; reduction in size of the commercial unit by 37sqm.; amendment to mix of residential units to reduce the number of studios and two-bedroom units and increase the number of one bedroom and three bedroom units; reduction in height of Block B by 1 habitable floor and increase the height of Block C by 2 habitable floors; building entrances located within Block B + C accessed from central courtyard; cycle storage in blocks B + C relocated adjacent to main building entrances; cycle storage for blocks B + C relocated within the buildings.</b>	
<b>Drawing numbers:</b>	As set out in Condition 2	
<b>Type of Application:</b>	Minor Material Amendent (Section 73a)	
<b>Application Received:</b>	29/04/2021	<b>Revised:</b>

---

**Report by:** Rohan Graham

**Recommendation:** That the Planning Committee GRANT approval of the minor material amendment subject to the completion of a Deed of Variation and amended Conditions of Consent and Informatives contained within Appendix A.

### **EXECUTIVE SUMMARY**

This application was presented to Councils July Planning Committee meeting (held on the 21<sup>st</sup> July 2021) and then the September Planning Committee meeting (held on 14<sup>th</sup> September 2021).

The application was deferred from consideration in July in order for clarification to be provided on the total number of habitable rooms across the development and the proportion of those that are proposed to be affordable housing. Prior to the September meeting, one (1) additional Shared Ownership dwelling was provided.

The application was subsequently deferred from consideration in September with further clarification sought as to how the proposal provides an improved affordable housing offering.

The application has been amended since the September Planning Committee in the following manner:

- Increase of 31sqm floorspace and two (2) additional habitable rooms;
- Altered tenure mix in the following manner:
  - o Affordable Rent: One (1) additional 3-bed unit. One (1) less 1-bedroom unit.
  - o Shared Ownership: Three (3) additional 3-bed units. Three (3) fewer 1-bedroom units.
  - o Private Housing: Reduction of 145sqm floorspace and six (6) habitable rooms.
- Minor alterations to storage space, maintenance equipment and corridor widths.

These aspects are discussed further below.

### Executive Summary

The proposal comprises a Section 73 'Minor Material Amendment' application for amendments to the scheme previously approved under reference 192888FUL. The previous application comprised a detailed proposal for the redevelopment of the site to provide 149 residential dwellings and one (1) ground floor flexible retail/professional services/café or restaurant unit with associated landscaping and car parking.

The previous application was presented to the Planning Committee on the 19<sup>th</sup> February 2020. Following referral to the Mayor and the completion of the Section 106 agreement, the planning permission was issued on the 2<sup>nd</sup> March 2021.

The proposals subject of this Section 73 application includes amendments to the previously agreed scheme comprising of:

- Design refinements to massing and façade design.
- Reduction in size of the commercial unit by 37sqm.
- Amendment to mix of residential units to reduce the number of studios and two-bedroom units and increase the number of one bedroom and three-bedroom units.
- Reduction in height of Block B by 1 habitable floor and increase the height of Block C by 2 habitable floors.
- Building entrances relocated within Block B + C accessed from central courtyard.
- Cycle storage in blocks B + C relocated adjacent to main building entrances.
- Cycle storage for blocks B + C located within the buildings.

The design refinements have sought to improve the overall massing, materiality and presentation of the building as viewed from Southall Park, the street scene and surrounding sites. The two taller buildings would incorporate a more logical, coherent layout and massing and utilise a more neutral colour palette, in order to allow the colour of the existing landscaping within Southall Park to resonate.

The commercial unit has been retained, albeit with a reduced size of 63sqm. Despite this reduction it is considered to retain a viable commercial unit that would help re-establish the building line on the High Street and provide an active frontage which will enhance the streetscape.

The amended unit mix is a logical response to a slightly altered building footprint. The revised affordable housing mix is a direct result of this response. The affordable housing provision has been assessed against a variety of different measures (relative to the previous approval) and it has been determined that the proposal represents an improvement in the affordable housing offering in the following manner:

- Total affordable housing dwellings (increase from 40 up to 41 dwellings);
- Percentage of habitable rooms (increase from 35.0% up to 36.8%);
- Total floorspace (an increase from 2,417sqm up to 2,617sqm)
- Proportion of affordable floorspace (an increased from 28.6% up to 28.9% of total floorspace would be affordable);

- Total number of persons (an increase from 114 persons up to 121 persons within the affordable housing);
- Total number of bedrooms remains exactly the same (74 affordable bedrooms)

Therefore, the affordable housing offering is considered to remain equivalent to, or an improvement upon, the offering approved under planning permission 192888FUL.

Alterations to the cycle storage and building entrances would enhance the amenity space and functionality of the communal open space surrounding the development.

All other aspects of the development would remain consistent with the extant approval and are not matters for consideration within this application.

This Section 73 application has been considered against the relevant criteria set out within the London Borough of Ealing’s Protocol for minor material amendments following a Grant of planning permission (2011).

On balance the proposal would accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations, which would warrant a refusal of the application. It is therefore recommended that Reserved Matters be Approved with Conditions.

**SUPPORTING DOCUMENTS**

This application was submitted on 29<sup>th</sup> April 2021 and supported by a full set of Architectural Drawings and other supporting documents including the following:

- Signed and dated planning application form.
- Proposed planning application drawings as set out above plus a series of bay studies submitted for illustrative purposes.
- Planning Statement Addendum.
- Design Changes Statement.
- Daylight & Sunlight Assessment Addendum.
- Wind Microclimate Report Addendum.
- Energy Assessment and GLA Carbon Emission Reporting Spreadsheet.

This was subsequently amended on a number of occasions, most recently revised Architectural Drawings were lodged on the 8<sup>th</sup> November 2021.

**RECOMMENDATION**

That the Planning Committee GRANT approval of the minor material amendment subject to a Deed of Variation setting out the following Heads of Terms and the following Conditions of Consent and Informatives contained within Appendix A.

**Heads of Terms**

The proposed financial contributions to be secured within the Deed of Variation remain the same as those secured by the original s106 agreement as set out as follows (except were amended in **BOLD**).

<b>Contribution Heading</b>	<b>Proposed Contributions</b>
Education infrastructure	£275,600
Transport infrastructure	£250,000

- Road safety schemes on the High Street and Uxbridge Road £176k	
- Traffic calming measures on residential roads north of the development £20k	
- Cycle infrastructure improvements £20k	
- CPZ consultation and implementation if required £10k	
- Disabled parking bays £24k	
Parks and open space	£248,815
Healthcare provision	£229,308
Carbon offsetting contribution	£164,870
Employment and skills contribution	£20,000
Renewable energy monitoring contribution	£6,132
Travel plan monitoring	£3,000
<b>Total Contributions</b>	<b>£1,197,725 (£7,700 p/unit)</b>

- **Affordable Housing provision of 36.8% of habitable rooms; 24% of affordable homes to be London Affordable Rent, 76% Shared Ownership;**
- Restriction of Parking Permits - all the units shall be precluded from obtaining a parking permit and visitor parking vouchers to park within the surrounding CPZs;
- Reinstatement of redundant crossover at developer’s cost
- The developer is required to produce a Local Employment & Training plan, to be developed with the support of LB Ealing Employment & Skills Officer, which will set out commitments for both the construction phase of the development and end user opportunities;
- Provision for re-allocation of contributions within the overall amount agreed to allow flexibility regarding final costs, to ensure that impacts of the development are properly met;
- All contributions to be index linked;
- Payment of the Council’s reasonable Legal and other professional costs in preparing and completing the agreement.

The Deed of Variation would seek to update the S106 to incorporate those aspects that have been amended above (as shown in **BOLD**).

**SITE DESCRIPTION**

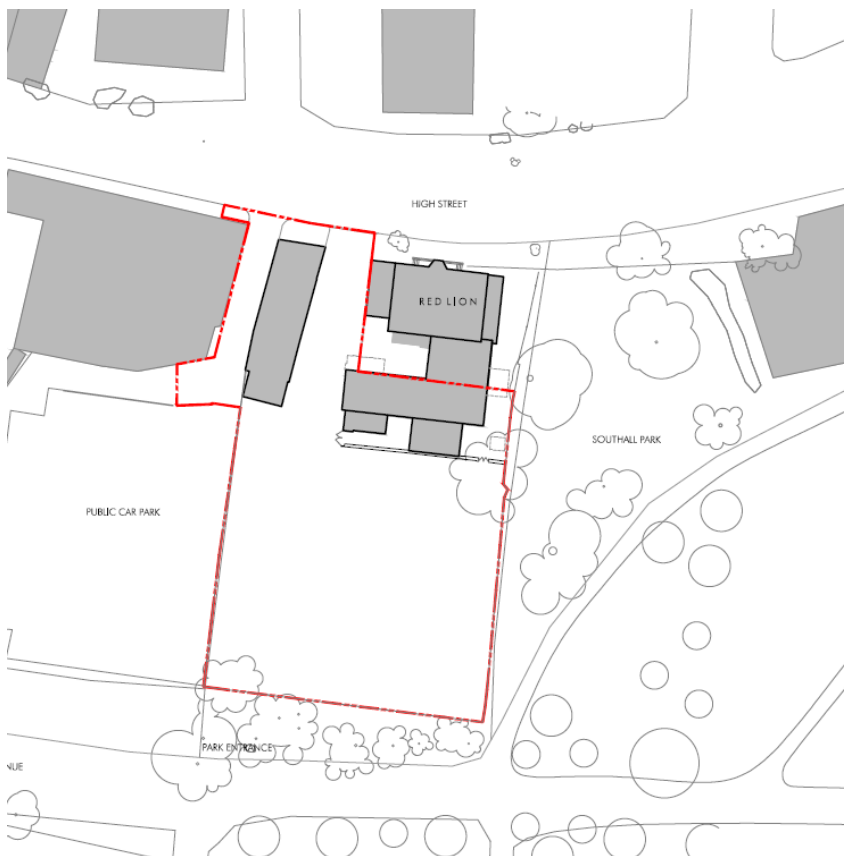
The site is 0.29 hectare and primarily is a car park covered in hardstanding. A single storey shop (94 High Street) occupies the north-west corner of the site, with a frontage onto Southall High Street. Outbuildings to the rear of the listed Red Lion public house are also within the application site boundaries. Albeit the principal elements of this Grade II listed building are outside the site boundaries.

The site is within the Southall Opportunity Area and Southall Town Centre, on its eastern edge. Significantly the site forms part of the ‘SOU1 – Southall Market’ development site which is allocated for intensified development. Southall Park adjoins the site to the east, with sports courts to the south, and a public car park to the west. The nearest residential properties are residences on Boyd



Avenue to the south-west of the site, and upper floor flats on the High Street to the north-west of the site.

Vehicular access to the site is from two entrances from the High Street. However, it is proposed to close the entrance adjacent to the Red Lion pub to accommodate a four-storey building. The public transport accessibility level (PTAL) of the site is 4 (ranging from 0 'poor' to 6b 'excellent' connectivity). There are bus stops within a short walking distance of the site that is served by four daytime routes to various local and west London destinations. Southall national rail station is located approximately 960m south-west of the site with regular services to London Paddington. The Elizabeth Line will also serve this station once opened. An extract of the location plan is shown below in **Figure 1**.



**Figure 1** Site Location to the rear of the Red Lion public house and 94 High Street, Southall

**RELEVANT PLANNING HISTORY**

The subject site was granted Planning Permission for redevelopment into 149 residential units and 1 ground floor retail/professional services/café or restaurant unit as per application 192888FUL.

The full planning history of the site is detailed below.

**Table 1 – Planning History**

Reference no	Date	Details	Status
192888FUL	05/03/2021	Redevelopment of the site to provide 149 residential units and 1x ground floor flexible retail/professional services/cafe or restaurant unit (A1/A2/A3 use classes) accommodated within three residential buildings ranging in height from four to fifteen storeys	Grant with S106 Conditions

		(inclusive of plant), with associated landscaping and blue badge parking (following demolition of buildings and structures on site)	
192889LBC	03/03/2021	Demolition of single storey outbuildings adjoining the rear of the Red Lion public house; demolition of single storey building to the west of the Red Lion public house (Application for Listed Building Consent)	Grant with Conditions

**THE PROPOSAL**

The application is for a minor material amendment to planning permission 192888FUL. The amendments being sought by this application to the original approved development include:

- Design refinements to massing and façade design.
- Reduction in size of the commercial unit by 37sqm.
- Amendment to mix of residential units to reduce the number of studios and two-bedroom units and increase the number of one bedroom and three-bedroom units.
- Reduction in height of Block B by 1 habitable floor and increase the height of Block C by 2 habitable floors.
- Building entrances relocated within Block B + C accessed from central courtyard.
- Cycle storage in blocks B + C relocated adjacent to main building entrances.
- Cycle storage for blocks B + C located within the buildings.

The proposed buildings would be refined from the originally approved scheme. Block A would remain a four (4) storey building whilst Block C would be increased in height from 12 habitable storeys up to 14 habitable storeys (with the top floor being stepped back to half of the floorplate) whilst Building B would be decreased from 14 habitable storeys down to 14 storeys (with the top floor being stepped back).

The amended proposal emphasises the horizontality of the scheme whilst providing a clear and ordered elevation. There would be clearer sightlines and amenity space in between Blocks B and C. Face brickwork and metal, projecting balconies are to remain the predominant materials.

The commercial units fronting the High Street has been retained albeit with a slightly reduced floor area of 63sqm (reduction of 37sqm).

The revised scheme retains three main blocks with the same number of residential dwellings proposed (149). However, this takes the form of a slightly revised mix of units, including less studios and two-bedroom units and more one-bedroom and three-bedroom dwellings.

The entrances for Buildings B and C would be accessible from the central courtyard. Cycle storage locations would be relocated adjacent to the main building entrances for Buildings B and C. The cycle storage for Building A would remain within the same location.

All other aspects of the development remain as previously approved.

**STATUTORY CONSULTATION**

**Neighbour Notification:**

The application has been advertised as a major planning application, affecting an area of wider interest. Site notices displayed on 17/06/2021 (expired on 01/07/2021). It was published in the Ealing Gazette on the 26<sup>th</sup> May 2021. Southall Broadway Councillors were notified of the application on the 20<sup>th</sup> May 2021.

No written representations have been received.

External

Letters sent on 20/05/2021 (expired on 03/06/2021) to:

- Historic England
- Historic England Arch. Advisor (GLAAS)
- Greater London Authority
- Transport for London (TFL)
- Crossrail Limited
- Designing Out Crime
- Metropolitan Policing Service
- Environment Agency
- Highways England Company Ltd
- Thames Water Utilities Ltd
- NHS Property Services
- Ealing Civic Society
- London Fire and Emergency Planning Authority
- National Grid Plant Protection

Five (5) written representations were received. These are outlined below.

**Table 2: External Referral Responses**

Written representation	Case Officers response
<p><u>Greater London Authority</u></p> <ul style="list-style-type: none"> <li>- The proposals constitute minor amendments to the building layout, height and architectural design which do not fundamentally alter the nature of the development.</li> <li>- The revised unit mix should be agreed with the council, in line with local demand.</li> <li>- The quantum of affordable housing remains the same as the consented scheme, comprising 35% by habitable room. Due to the revised unit mix, the proposed tenure split of affordable homes would be slightly amended from 29% London Affordable Rent and 71% shared ownership, to 28% London Affordable Rent and 71% shared ownership. Given the approved quantum of affordable homes would be maintained, the minor amendment to the tenure mix is not of strategic concern.</li> <li>- Accordingly, I have assessed the details of the application and, given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues.</li> </ul> <p>Therefore, under article 5(2) of the above</p>	<p>Noted.</p>

<p>Order the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA.</p>	
<p><u>Highways England</u>                  We previously responded to the full planning application (192888FUL) on 20 August 2019. We stated that, due to the minimal traffic impact arising from the development, the impact would be negligible on the SRN and therefore, Highways England offered no objection to the proposal.                  The proposed minor material amendments would not alter this conclusion and we therefore have no objection to the new proposal.</p>	<p>Noted.</p>
<p><u>Crossrail</u>                  I confirm that the application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction.                   The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited does not wish to make any comment on the application as submitted.</p>	<p>Noted.</p>
<p><u>Historic England</u>                  On the basis of the information available to date, we do not wish to offer any comments.</p>	<p>Noted</p>
<p><u>TfL</u>                  The site of the proposal is on A4020 High Street, which forms part of the Strategic Road Network (SRN).                  Having reviewed the case documents, TfL have the following comments to make:</p> <ul style="list-style-type: none"> <li>- It is welcomed that long-stay cycle storage has been relocated to more convenient and secure locations.</li> <li>- It is noted that the final approval of cycle parking details are subject to the discharge of Condition 19 of 192888FUL. Details of short-stay and commercial cycle parking must be submitted and all cycle parking must be designed and laid out in accordance with the London Cycle Design Standards (LCDS), providing at least 5% wider bays for non-standard cycles.</li> <li>- The revised proposal for refuse access / collection would require an additional reversing manoeuvre along the access to the adjacent public car park.</li> </ul>	

<p>However, the final approval of details, within a Delivery and Servicing Management Plan, are subject to the discharge of Condition 18 of 192888FUL. Access arrangements for delivery / servicing vehicles should be coordinated with the approved adjacent development.</p> <p>Given the above, TfL have no objection to the application.</p>	
--	--

Internal Consultees:

Two (2) internal referral responses were received. These are outlined below.

**Table 3: Internal Referral Responses**

<b>Consultee</b>	<b>Comments</b>
Pollution Technical	<p>It appears that the proposed room arrangement and stacking remains unsuitable in several areas where bedrooms are located adjoining, below or above other types of uses. This kind of arrangement is very likely to cause adverse living conditions due to sleep disturbance, unless enhanced sound insulation is provided.</p> <p>Under the circumstances, I do not propose any new conditions. The conditions that I have previously included in my response to application ref. 192888FUL remain valid.</p>
CCTV Systems Manager	<p>Request Section 106 funds for upgraded CCTV. £30K should assist with the upgrade and ducting infrastructure needed.</p>
Housing	<p>Councils need is for family sized accommodation, so we don't want one beds in place of two beds. We are keeping the same number of 3 beds for affordable rent so that is positive.</p> <p>So, we are losing the larger units and gaining one beds which does not help as much as the previous consented scheme towards the housing bed sizes we require to meet the housing needs of those on the councils waiting list.</p> <p>With respect to the shared ownership units, we are now getting 0 x 3 beds and more 1 beds. We would not object to changing the 3 bed shared ownership units to rented units.</p> <p>We would ask, if it is not already in the s106 that the shared ownership units are not all offered at the top end of the income range, but should instead be pitched closer to the local average income levels.</p>

**Officers Response:**

The responses raised above will be taken into consideration within the planning assessment. It is noted that a contribution towards CCTV infrastructure was not sought within the initial application and no amendment to this application would otherwise justify the introduction of a £30k contribution towards this infrastructure.

**REASONED JUSTIFICATION PLANNING CONSIDERATIONS**

This Section sets out the background in terms of the extant permission, the policy situation and other factors before turning to assessment of the criteria whether the application can be considered a Minor Material Amendment (MMA) under s73.

Having assessed the application, the GLA concluded that as it proposes minor amendments to the building layout, height and architectural design, and given the approved quantum of affordable homes would be maintained, the proposals constitute a minor amendment to the approved scheme. Additionally, it was determined that the amendments do not give rise to any new strategic planning issues and the Mayor does not wish to be consulted further. Therefore, the application rests with LBE to determine.

**Extant Permission**

As noted earlier in the Report, extant permission 192888FUL was granted on the 2<sup>nd</sup> March 2021. This planning permission was described as *'The redevelopment of the site to provide 149 residential units and 1x ground floor flexible retail/professional services/café or restaurant unit (A1/A2/A3 use classes) accommodated within three residential buildings ranging in height from four to fifteen storeys (inclusive of plant), with associated landscaping and blue badge parking (following demolition of buildings and structures on site) (Application for Planning Permission).'*

A Listed Building Consent (192889LBC) was granted concurrently.

This is a material planning consideration to the present proposals. It represents not only the 'fallback' position but also provides the requisite context by which to enable assessment of the differences with the present s73 scheme, particularly in relation to comparing the different impacts where any arise. These are addressed later in this report.

**Planning Assessment:**

Development proposals are assessed in terms of their potential impact on the local and wider environment, on the amenities of the occupiers of surrounding development, taking into account the relevant development plan policies for the area and all other material planning considerations.

The key determining issues in considering this Section 73 application are:

- Consideration of S.73 against Assessment Criteria;
- The Principle of the Development;
- Residential Density;
- Design and Appearance;
- Impact on the Heritage Listed Red Lion Public House;
- Unit Mix and Affordable Housing;
- Standard of Accommodation;
- Neighbouring amenity;
- Traffic, Transport and Parking;
- Energy/Sustainability; and
- Planning obligations and the Mayor's Community Infrastructure Levy.

**Consideration of S73 against Assessment Criteria**

Section 73 of the Town and Country Planning Act 1990 allows a developer to apply to remove or vary a condition attached to a permission, and the Local Planning Authority can only consider the question of the conditions requested to be varied. S73 applications (also known as applications for Minor Material Amendments) are subject to assessment against the development plan, any material planning considerations and the normal consultation requirements of a standard application.

This exercise has been carried out in the preceding paragraphs of this Report and it is shown that the amendments proposed comply with the development and national policy guidance.

A decision to grant permission under s73 creates a 'new' planning permission which offers an alternative to the earlier permission. In so doing, it does not invalidate the earlier permission but rather, if the developer relies on the new s73 permission (i.e. the amended condition(s) is/are complied with rather than those imposed on the earlier permission) then the earlier permission expires without being implemented.

The following addresses each of the criteria relevant to the assessment of whether a development satisfies the MMA requirements set out in the LBE Protocol for minor material amendments following a Grant of planning permission (2011).

Is the proposed change material/significant in terms of its scale (magnitude, degree etc) in relation to the original approval?

The amended proposal seeks a development of the same total number of dwellings within three buildings of a similar scale to originally approved. The changes to height seeks to transfer height from Block B onto Block C. Therefore, the massing and magnitude of development remains materially the same as the original approval.

The GLA reinforced this position within their response that the proposal constituted '*minor amendments to the building layout, height and architectural design which do not fundamentally alter the nature of the development*'.

Does the proposed change modify any use the development originally approved?

The application retains the same uses as previously approved.

Would the proposed change result in a materially detrimental impact either visually or in terms of amenity?

The application site would effectively transfer height from the top of Block B onto Block C. In this regard, the proposed massing of buildings on the site would remain similar to that previously approved.

Would the interests of any third party or body who participated in or were informed of the original application be disadvantaged in any way?

The application was notified and advertised as set out above. No objections were received from nearby residents.

As such, residents and the community have been appropriately notified of the application and have not been disadvantaged in anyway.

Would the amendment be contrary to any relevant development plan policy?

As set out within the planning assessment below, it is considered the application complies with the relevant parts of the London Plan as well as Ealing's Core Strategy and Development Sites DPD.

Is the proposed change contrary to a restrictive condition on the original approval?

The proposal is not contrary to any restrictions on the extant permission nor the accompanying legal agreement.

Would there be significant increases in site coverage, height of building or site levels?

The site coverage and site levels would remain similar to the previously approved scheme. As discussed above, the height of the buildings would effectively transfer height from the top of Block B onto Block C.

As such, there is not considered to be significant increases to site coverage, height of buildings or site levels.

Would there be additional and/or repositioned windows/doors/openings that will have an impact on neighbouring properties?

The blocks have been designed to avoid any overlooking between the re-designed buildings. Having regard to the sites location (adjacent to Southall Park) and the redeveloping nature of the surrounding sites, the building is not considered likely to have an impact on neighbouring properties.

Would there be any change to the external materials which would adversely affect the character or appearance of the development or erode the quality of what was originally approved?

The proposal seeks to alter the external materiality to improve the appearance of the development. This has been further assessed within the 'Design and Appearance' section below.

Would the amendments reverse design improvements secured during the processing of the original application?

No design improvements are reversed. The proposed scheme (as amended) has been designed with improvements to the originally approved scheme.

Would there be increased impact on existing trees or any proposed landscaping scheme?

No existing trees are affected. A high-quality landscaping plan for the scheme is retained.

Would there be any alteration to the application site boundary (red line)?

There are no changes to the red line site boundary.

Conclusion on s73 Criteria

The above assessment shows that whilst there are different impacts from additional building heights and external alterations and changes to the entrances and cycle storage, none are so materially significant or harmful as to indicate that the application cannot reasonably be held to comply with the requirements as an MMA development.

**The Principle of the Development**

Section 6 of the National Planning Policy Framework ('delivering a wide choice of high-quality homes') encourages the identification of suitable locations and developable sites or broad locations for growth, in terms of housing. It also states that the priority should be previously developed land and vacant buildings. Furthermore, it acknowledges that local authorities should resist inappropriate development of residential gardens where development would cause harm to the local area.

Policy GG4 of the London Plan (2021) recognises the importance of housing delivery with a key aim to ensure that more homes are delivered. Specifically, this plan identified (at 4.1.1) that there is a need for 66,000 additional homes per year including 21,570 within Ealing across the next 10 years.

This strategic demand for housing is recognised locally by policies 1.1(a) and 4.1(a) of the Ealing Development (Core) Strategy (2012) which seeks the provision of 14,000 additional homes within the borough by 2026 - at least 3,000 of these to be specifically located within the A40 Corridor (25 percent of the borough's net gain in housing). The application site is located within a primarily suburban setting surrounded by established residential land uses.

The site is located within Southall Town Centre, the Southall Opportunity Area and forms approximately a quarter of the land area comprising one of Southall's ten site allocations designated as key for significant development potential (ref. SOU1 Southall Market, Ealing Development Sites DPD).



The proposed development would make effective use of this vacant brownfield site, optimising regeneration potential that would deliver mixed-tenure housing to bridge the gap between identified housing need and supply within the Borough. It would also provide commercial floor space within the Southall Town Centre. This is consistent with the above policies. Therefore, the principle of additional housing in this location is considered acceptable, subject to compliance with the aims and objectives of wider policy considerations.

### **Residential Density**

Policy D6 of the London Plan (2021) states that proposals “must make the most efficient use of land and be developed at the optimum density”. This policy further adds that “the optimum density of a development should result from a design-led approach to determine the capacity of the site”.

The proposal would provide 149 residential dwellings which is in accordance with the total approved on site as per application 192888FUL. Therefore, the proposed density has previously been established as being acceptable for this site.

### **Design and Appearance**

Policy D3 of the London Plan 2021 indicates housing developments should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policies 7.4 and 7B of the Ealing Development Management Development Plan 2013 state that developments should complement their street sequence, building pattern, scale, materials and detailing and should have high quality architecture.

The previous proposal was acceptable in terms of design and appearance for the following reasons:

- The scale and massing are considered to be acceptable on an infill site of this nature within a town centre location and designated a development site;
- The siting, scale and form of the buildings have been sensitively designed to optimise the housing potential of the site while seeking to minimise the appearance of bulk and mitigate potential harms to residential amenity;
- The architecture, staggered heights and materials of the development work well to create varied building forms with good vertical and horizontal articulation;
- it is not of a scale that would detract from the openness or adversely affect the amenity values of Southall Park; and
- Overall, the proposed development would integrate well within the existing and emerging townscape.

The revised proposal has sought a similar design rationale to the previously approved scheme in that the arrangement of the form, scale and massing of the buildings has been developed to respond logically, and more visually sympathetically to the adjacent listed building and public views from Southall Park.

In this regard, in the same manner to the existing approval, the proposed four-storey building (Block A) would adjoin the High Street adjacent to the Grade II listed Red Lion public house. The taller blocks B and C would be sited to the rear of the Red Lion forming a backdrop. Public and private open space would be incorporated around the outside of these two taller buildings.

This is illustrated with the approved and proposed Site Plans shown in **Figure 2** below.



Figure 2 Approved Site Plan



**Figure 3** Proposed Site Plan

The site layout would allow for 500sqm of communal open space for residents in the middle of the site. This space would be provided with clear sightlines between Southall Park to the south and east. Additionally, a north-south pedestrian link will be available along the western boundary, providing easy access between the High Street towards Southall Park and Southall Station.



: Massing Model - Consented Scheme



: Massing Model - Revised Proposal

**Figure 4** Approved (top) and Proposed (Bottom) Massing Images

The form and massing of the two taller buildings have been provided a clearer and more ordered elevation. They are designed as a pair and, through the use of common materiality and detailing, they would present in a coherent manner.

The revised buildings have adopted more horizontal language, through the provision of wider balconies and large picture windows. The materiality has embraced a calm and neutral response that would allow the palette of the existing landscape to resonate. These design changes are considered to result in an improved design outcome for the buildings on site.

**Figures 5, 6 and 7** below provide an illustration of the approved and revised schemes.



Figure 5 Approved (Right) and Proposed (Left) Elevations for Building C



Figure 6 Previously Approved Scheme (Indicative Views)



**Figure 7** Proposed view from Southall Park

Overall, the proposed amendments to the built form and design, in terms of the massing, materiality and presentation of the building, is considered to represent an enhancement to the original approval. The layout and massing allows for a more logical, coherent built form whilst the lighter coloured brickwork, precast concrete and metal balconies would allow for a high-quality design and the adoption of a calm and neutral backdrop to Southall Park.

As such, the revised proposal would be of a high-quality and standard and would present visually in a manner that is consistent with the existing and emerging character of the area.

**Impact on the Heritage Listed Red Lion Public House**

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for managing heritage assets in planning decisions. For listed buildings, all planning decisions should “have

special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation and the more important the asset, the greater the weight should be. Heritage significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

The application site is located within a wider heritage context comprising the Himalaya Palace theatre (Grade II\*) and Grove House (Grade II) which are each located just over 300m from the site to the west and north of the site respectively. There are also three locally listed buildings nearby – The Odeon Building, the Three Horseshoes public house and Southall Town Hall. Given the location of these buildings in relation to the scheme, it is considered that the proposal would not harm the significance of these heritage assets.

The consented planning application was supported by a heritage assessment which considered the impact of the proposals on neighbouring heritage assets. It concluded that the high-quality design and considered layout of the proposals would markedly improve the appearance of the Site, whilst having minimal impact on the surrounding historic environment. The amended scheme follows the same principles as the consented scheme so is not considered to have any greater heritage impact.

Overall, the development would cause ‘less than substantial harm’ to the significance of the Grade II listed Red Lion public house. As determined by the original approval, this ‘less than substantial’ harm would be outweighed by the public benefits of intensifying residential use on a designated development site that would deliver policy compliant levels of affordable housing.

**Unit Mix and Affordable Housing**

The unit mix and affordable housing provision would be slightly altered through the amended scheme. A greater proportion of one-bed and three-bed dwellings would be provided. 85% of the units would be one or two-bedroom units (excluding studios), in line with the previous approval. As such, Council’s housing and planning officers consider the revised housing mix to be acceptable.

The onsite affordable housing offer is 41 units (out of 149) which would equate to **27.5% (by units)** and **36.8% (by habitable rooms)** without public subsidy. This would be comprised of:

- 10 x ‘London Affordable Rent’ units; and
- 31 x ‘Shared Ownership’ units.

This would provide an affordable housing tenure split of **24% affordable rented** and **76% intermediate provision** (as measured by unit numbers). These flats would be comprised of the following unit sizes in the following proposed buildings shown in **Table 4** below.

**Table 4 – Proposed Unit Mix and Affordable Housing Mix**

Unit Mix	Approved	Proposed	Change	Habitable Rooms (Total)	Location	Total Units
<b>Overall</b>						
Studio	11	2	-11	424	Across the development	149
1-Bed	65	79	+16			
2-Bed	63	51	-12			
3-Bed	10	17	+7			
<b>Affordable Unit Mix</b>						
Studio	0	0	0	156 (36.8%)	Blocks A & B	41
1-Bed	14	16	+2			
2-Bed	18	17	-1			
3-Bed	8	8	0			

Affordable Rented						
Studio	0	0	0	0	Blocks A & B	10
1-Bed	2	3	+1	9		
2-Bed	4	2	-2	8		
3-Bed	4	5	+1	25		
Shared Ownership						
Studio	0	0	0	0	Blocks A & B	31
1-Bed	12	13	+1	39		
2-Bed	14	15	+1	60		
3-Bed	4	3	-1	15		

Like the approved scheme, the revised proposal would not meet the 50 percent strategic target set by the London Plan and Ealing local policy. It would also fall short of Ealing’s requirement for a 60:40 tenure split between social rented and intermediate products. To address this shortfall a financial viability assessment was submitted in support of the original application and its findings were deemed acceptable.

The revised proposal has resulted in a slightly altered unit mix, habitable room provision (for shared ownership dwellings) and, subsequently, resulted in a revision to the affordable housing mix. Habitable rooms would be lost within the reduced studio and two-bedroom dwellings. Affordable habitable rooms would primarily be lost through the removal of one, 2-bed shared ownership dwelling whilst they would be added through additional 1-bedroom dwellings.

It is noted that the GLA did not raise any objections to the amended tenure split, noting that ‘the minor amendment to the tenure mix is not of strategic concern’.

Since the lodgement of the application (and subsequent deferrals at the July & September Planning Committee meetings), the affordable housing offering has been altered and increased. Specifically, the following changes have been made:

- One (1) additional shared ownership dwelling has been added to the proposal bringing the affordable housing offering up to 41 dwellings in total.
- Revision to the mix of affordable dwellings including:
  - One additional large (3-bed) affordable rental unit in place of a small (1-bed) affordable rental unit;
  - Three (3) additional large (3-bed) shared ownership dwellings in place of three (3) smaller (1-bed) shared ownership dwellings.
- Private housing has been reduced with 209sqm less overall floorspace (209sqm) and six (6) fewer habitable rooms.

Each affordable unit has been provided with a greater proportion of habitable rooms per dwelling

- 1-bed: 3 habitable rooms (2 habitable rooms in private)
- 2-bed: 4 habitable rooms (3 habitable rooms in private)
- 3-bed: 5 habitable rooms (4 habitable rooms in private)

This approach, of providing a greater proportion of habitable rooms for affordable housing dwellings, has been attributed to the preference for Registered Providers for dwellings where there is a separate food preparation area. It is consistent with the approach to habitable rooms that was previously accepted in the approval of planning permission 192888FUL.

**Figure 8** below provides the key numerical figures for habitable rooms across the development and clearly illustrates the proportion of habitable rooms to be provided as affordable housing (36.8%). The revised Drawing 2259-GHA-ZZ-ZZ-SA-A-(01)0100 provides a complete breakdown of all dwellings and tenure typology.



Affordable							Private			
	Affordable Rent			Shared Ownership			Private Sale			
	HR Per Unit	No. Units	Habitable Rooms	HR Per Unit	No. Units	Habitable Rooms	HR Per Unit	No. Units	Habitable Rooms	
1b 1p	-						1b 1p	2	2	4
1b 2p	3	3	9	3	13	39	1b 2p	2	63	126
2-bed	4	2	8	4	15	60	2-bed	3	34	102
3-bed	5	5	25	5	3	15	3-bed	4	9	36
<b>TOTALS</b>		<b>10</b>	<b>42</b>		<b>31</b>	<b>114</b>	<b>TOTALS</b>		<b>108</b>	<b>268</b>
			<b>9.9%</b>			<b>26.9%</b>				<b>63.2%</b>

Figure 8 Habitable Room Calculation Sheet

Through the provision of 156 affordable habitable rooms, the proposal provides in excess of 35% of habitable rooms as affordable (as agreed under the S106 legal agreement).

The proposed affordable housing offering is considered to represent an improvement in terms of overall floorspace and the proportion of floorspace dedicated to affordable housing. Table 5 details a comparison between the floorspace breakdown of the consented scheme against the current proposal. The uplift, shown at the bottom of Table 5, provides a breakdown of the additional 615sqm of proposed floorspace.

Table 5 – Floorspace Analysis

	Consented (sqm)		Proposed (sqm)	
<b>Affordable Rent</b>	651	7.7%	695	7.7%
<b>Intermediate</b>	1,766	20.9%	1,922	21.2%
<b>Total Affordable</b>	<b>2,417</b>	<b>28.6%</b>	<b>2,617</b>	<b>28.9%</b>
<b>Private</b>	6,025	71.4%	6,440	71.1%
<b>TOTAL</b>	<b>8,442</b>	<b>100%</b>	<b>9,057</b>	<b>100%</b>
<b>ADDITIONAL FLOORSPACE (UPLIFT FROM CONSENTED SCHEME)</b>				
<b>Affordable Rent</b>			44sqm	7.2%
<b>Intermediate</b>			156sqm	25.4%
<b>Private</b>			415sqm	67.4%
<b>TOTAL</b>			<b>615sqm</b>	

Based on the above it is clear that the additional floorspace has not sought to create additional dwellings or a disproportionate uplift in private housing. Rather, the 615sqm of additional floorspace is split amongst the tenures in a similar manner to that previously accepted under planning permission 192888FUL. There would not be a disproportionate increase in private floorspace, rather the proportion of floorspace dedicated to affordable housing would increase under this amended scheme.

The additional floorspace can be attributed to the larger than average units proposed. Table 6, below, illustrates how the average size of units has increased across each type of tenure.

Table 6 – Average Floorspace per Unit (Consented vs Proposed)

	Consented (sqm)	Proposed (sqm)
Affordable Rent	65.1sqm	69.5sqm
Intermediate	58.9sqm	62sqm
Private	55.3sqm	59.6sqm
<b>TOTAL</b>	<b>56.7sqm</b>	<b>60.8sqm</b>

**Table 6** illustrates that the average unit size has increased by an equivalent amount across each tenure. The 4.1sqm average increase to the size of dwellings is illustrative of where the additional floorspace has been provided. Furthermore, it is clear that the affordable housing units remain, on average, larger than the private units.

Given the above, the assessment has sought to assess the affordable housing offering having regard to a range of measures. Based on the comparative analysis (between the consented and proposed schemes) detailed above and as shown in **Table 7** below, it is clear that the proposal represents an improvement in the affordable housing offering in the following manner:

- Total affordable housing dwellings (increase from 40 dwellings up to 41 dwellings);
- Percentage of habitable rooms (increase from 35.0% up to 36.8%);
- Total floorspace (an increase from 2,417sqm up to 2,617sqm)
- Proportion of affordable floorspace (an increased from 28.6% up to 28.9% of total floorspace would be affordable);
- Total number of persons (an increase from 114 persons up to 121 persons within the affordable housing);
- Total number of bedrooms remains exactly the same (74 affordable bedrooms)

Additionally, the total proportion of floorspace dedicated to private housing would fall from 71.4% (as approved) down to 71.1% of total floorspace.

This analysis is clearly illustrated within **Table 7** below.

**Table 7 – Comparative Analysis of Consented v Proposed**

	Consented	Proposed
<b>Total Units</b>	149	149
<b>Total Habitable Rooms</b>	411	424
<b>Total Floorspace</b>	8,442sqm	9,057sqm
<b>Affordable Units</b>	40	41
<b>Habitable Rooms (Affordable)</b>	144	156
<b>Habitable Room %</b>	35.0%	36.8%
<b>Total Affordable Floorspace</b>	2,417sqm (28.6%)	2,617sqm (28.9%)
<b>Affordable (by bedrooms)</b>	74 bedrooms	74 bedrooms
<b>Persons (Per Dwelling in Affordable Units)</b>	114	121

As such, by every measure in which affordable housing can be assessed, this proposal remains equivalent to, or an improvement beyond, the previously approved scheme. The proposal does not form a disproportionate increase to the private floorspace within the uplift proposed under this scheme. Rather, the proportion of floorspace dedicated to affordable housing would increase.

On balance, the proposal continues to offer in excess of **35 percent (36.8%)** affordable housing (based on habitable rooms) comprised of a slightly altered mix of **24% of affordable homes to be London Affordable Rent, 76% Shared Ownership**. Noting that the affordable habitable rooms have been split in a different manner to the private rooms, this assessment has also reviewed the affordable housing provision in terms of floorspace, bedroom numbers and total persons.

In this circumstance, this proposal represents an improved affordable housing offering and it would not result in a disproportionate uplift in private housing. As such, the proposal is considered to be

acceptable. A standard early-stage review mechanism would be secured with any grant of planning permission.

### **Standard of Accommodation**

Policies D2, D3, D4, D6 and D7 of the London Plan (2021), Policies 3.5 and 7B of the adopted Ealing Development Management DPD; Policy SOU5 of the adopted Ealing Development Sites DPD and the NPPF comprise the relevant development plan policies to assess the quality of the proposed residential accommodation.

#### **Internal Living Accommodation**

The proposed residential flats would comply with nationally described space standards for internal floor areas and floor to ceiling heights, with all units providing a level of internal floor space that would meet London Plan requirements. In addition, the proposed residences would be provided with good outlook, and have been designed to maximise dual aspect where practicable.

The revised scheme has improved upon the internal layout of many apartments, with a greater allowance for open plan living.

Overall, each of the proposed dwellings has a well-designed layout that would enable a good standard of internal living accommodation.

#### **Outdoor Amenity Space**

The London Housing Supplementary Planning Guidance Standard 4.10.1 and policy 7D of the Ealing Development Management Development Plan requires a minimum of 5sqm of private outdoor space to be provided for 1 to 2-person dwellings and an extra 1sqm should be provided for each additional occupant. Additionally, Policy 7D of the DM DPD further clarifies that in addition to the minimum baseline for private amenity for flats, communal provision should be made to accommodate the need for recreation and landscaping.

All but two of the proposed flats would be provided with directly accessible private amenity areas (balconies and terraces). This is a reduction from the seven (7) that lacked private amenity space within the approved scheme.

Approximately 500 square metres of communal garden would be provided at ground level, which includes an area for children's play space. Additionally, 126sqm of internal communal amenity space is proposed. This forms a slight increase upon the amenity space previously provided under planning permission 192888FUL.

However, the amount of provision would still be short of local plan requirements which require 2,235sqm of communal garden with 451sqm allocated to children's play space. To address these shortfalls financial contributions would be secured to improve the leisure and recreational facilities at the directly adjoining Southall Park.

The details of the children's play space, play equipment, landscaping and boundary treatment would be secured by planning condition.

A wind microclimate report has been submitted with the application. This demonstrates that the wind conditions as a result of the proposal are expected to be safe and comfortable for all users. All main entrances and thoroughfares would be suitable for leisurely strolling. However, there would be one localised area of thoroughfare where conditions may be a bit windier in winter but tolerable for pedestrian use.

Therefore, the proposed outdoor amenity space represents an improvement upon the approved scheme. Additionally, future residents would continue to benefit from the amenity space offered within the immediately adjacent Southall Park. Lastly, financial contributions would remain in place to address the shortfall of communal space.

### **Neighbouring Amenity**

The amenity impacts associated with a development of a similar bulk and massing were previously deemed acceptable as per planning permission 192888FUL. Nevertheless, a full amenity assessment is provided below.

The residential properties most likely to be affected by the proposal, given proximity, are the upper floor High Street flats to the north-west of the site, and the residences on Boyd Avenue to the south-west of the site.

#### *Privacy and Overlooking*

Concerning privacy matters the standard BRE guideline for directly facing windows is for at least 18 metres separation distance. The development would have windows and balconies that would face these properties at an oblique angle. However, the distance between these properties and the scheme would be approximately 26m (Boyd Avenue) and 31m (High Street) at the closest oblique-angled points. Therefore, there would not be any undue loss of privacy to any habitable rooms or private amenity areas of neighbouring properties. It is also noted that the closest properties on Boyd Avenue do not have any rear gardens, so these would not be affected by the proposal.

Additionally, it is noted that the two taller buildings (Blocks B and C) have been designed with inset windows and angled balconies to avoid overlooking in between the two sites.

#### *Loss of Outlook*

The site is currently occupied by a car park with some single-storey outbuildings and structures adjacent to the High Street. It is therefore recognised that outlook from the rear elevations of residences on Boyd Avenue, and from flats on the High Street would unavoidably change.

As noted above, these properties are located a fair separation distance from the site and at an oblique angle from the scheme. The scheme has been designed to appropriately distribute and vary the mass across the site to minimise any appearance of excessive bulk from various views. Given the location of the site within a major town centre, and its designation for intensive development, the change in outlook from surrounding properties is not unreasonable nor is it considered harmful.

### **Daylight, Sunlight and Overshadowing**

The application is also supported by a daylight, sunlight and overshadowing report. For clarity the properties that were surveyed are:

- 79 High Street
- 80-92 High Street
- Land to the South of 80-92 High Street (Local Authority Site)
- 88 High Street
- 86 High Street
- 84 High Street
- 82 High Street
- 7-14 Boyd Avenue

The windows on the Red Lion hotel were not tested as this is a commercial property for temporary visitor accommodation rather than a residential use. This approach is accepted.

### *Daylight Impacts*

The application is supported by a daylight/sunlight assessment which forms an addendum to the assessment which was submitted with the application for the consented scheme. The assessment considers the impact of the amended scheme on existing neighbouring residential properties and consented schemes including the adjacent site at 80-92 High Street.

This report concluded that the windows in the existing surrounding neighbouring properties experience either improvements or reductions of VSC of less than 1% when compared to the previously consented scheme. With regards to 80-92 High Street, fewer rooms are impacted by the revised proposal, and those that are experience only very minor non-material alterations.

### *Sunlight Impacts*

All neighbouring windows that face within 90 degrees of due south were tested. All passed the relevant sunlight test, meaning the development will have an acceptable impact on the sunlight enjoyed by neighbouring properties.

### *Overshadowing Impacts*

There would not be any harmful overshadowing impacts on any neighbouring gardens given the separation distances. The adjoining Southall Park would also be adequately sunlit throughout the year.

### *Wind Microclimate Assessment*

An updated Wind Microclimate Report has been submitted which advises that a high-level wind microclimate assessment has been carried out which considers the cumulative impacts of both schemes. This states that

- Following the introduction of the proposed development wind conditions are expected to meet the criteria for pedestrian safety.
- Where minor exceedances of the comfort criteria do exist, these are typical for a development of this nature.
- Mitigation measures will be developed as part of the detailed design of the scheme and are expected to alleviate all exceedances of the wind comfort criteria.
- Following the introduction of the proposed development, wind conditions within the surrounding area are expected to remain suitable for at least leisurely strolling throughout the year on thoroughfares and for comfortable pedestrian ingress / egress at entrances.
- Cumulative effects between the proposed development and 80-92 High Street are expected to occur but on balance, given the exacerbation for southerly winds and additional shelter for westerly winds, the microclimate is expected to be materially the same as for the proposed development in existing surrounds.

Condition 25 (details of wind climate mitigation measures) has been included which needs to consider mitigation measures that address the impact of any adjacent development.

## **Traffic, Transport and Parking**

The impacts of development proposals on transport capacity and the transport network are required to be fully assessed to ensure there is sufficient capacity to allow for the travel generated by proposed developments and there would be no detrimental impacts to highway safety (Policy T4 of the London Plan (2021)). Policy T6 of the London Plan (2021) states that 'car-free development should be the starting point for all development proposals that are well connected by public transport, with development elsewhere design to provide the minimum necessary parking'.

### Access

The site currently has two accesses from the High Street – one that forms part of the extended highway (North Road) which is shared with the adjacent public carpark, and an entrance adjoining the Red Lion public house. This latter entrance would be closed with the development making use of the existing shared access. The reinstatement of the redundant crossover would be done so at the developer's expense.

The principle of this point of access has previously been deemed acceptable.

A condition has been included requiring the detailed submission of landscaping and resurfacing works for the access/public realm and site circulation. This would include design details of traffic calming measures, raised platforms for wheelchair access and adequate signage. This condition also specifies that these details would need to be co-ordinated with any approved development on the adjacent site, to ensure cohesion across the wider designated development site.

A financial contribution has been secured for highway safety works which would include any necessary kerbside realignment at the shared entrance (High Street/North Road junction).

A notable public benefit of the scheme would be the introduction of a north/south pedestrian access route from the High Street to Boyd Avenue via Southall Park. This would be open to the public and provide greater enhanced accessibility from north of the site to Southall train station.

### Parking

The development would be car-free, except for six blue badge parking spaces. The London Plan requires at least four blue badge parking bays to be provided from the outset of the development. Financial contributions would be secured to provide any additional on-street bays as the need arises.

The bays would have policy compliant levels of active and passive electric vehicle charging points, which is secured by condition. Residents would be restricted from obtaining parking permits, and a financial contribution would be secured to consult upon and extend the surrounding controlled parking zones if needed.

This car-free development is compliant with London Plan standards, which seeks car-free development as the starting point for development in places that are well-connected by public transport, such as Southall Town Centre.

Transport for London (TfL) has reviewed the proposal and is satisfied that, subject to these mitigation measures, the proposed number and type of parking bays would not result in undue impacts on surrounding streets.

### Other Matters

No changes are proposed to the quantum of cycle storage. The proposal includes a policy compliant number (262) of cycle parking spaces. This would remain compliant with Condition 19 of the existing consent. The relocated cycle storage within Buildings CB & C would be in a more suitable location with improved security and less impact on the outdoor landscaping.

### Energy/Sustainability

The provision of sustainable development is a key principle of the National Planning Policy Framework which requires the planning process to support the transition to a low carbon future.

Policies G1, SI1, SI2, and SI3 of the London Plan (2021), Policy 5.2 of the adopted Ealing Development Management DPD; Policy SOU5 of the adopted Ealing Development Sites DPD and the NPPF are the key policies to assess the energy and sustainability requirements for the development of this scheme.

The application is supported by a revised Energy Strategy which has been prepared in accordance with the London Plan 2021 and the Sustainable, Design and Construction SPG. The scheme complies with the 2013 Building Regulations Part L and the minimum energy efficiency targets in the following documents have been followed:

- New build (Part L1A) – The actual building CO2 emissions rate (DER) is no greater than the notional building CO2 target emissions rate.
- New build (Part L2A) – The actual building CO2 emissions rate (BER) is no greater than the notional building CO2 target emissions rate.

The Energy Strategy states that the overall site-wide CO2 emissions will be cut by at least 60.4% beyond Building Regulations through energy efficiency measures and maximised of renewable technologies (Air Source Heat Pumps and PV panels).

Conditions have been included requiring compliance with these measures, and financial contributions would be secured for energy monitoring and to offset residual carbon emissions.

### **S106 Planning Obligations and the Mayor's Community Infrastructure Levy**

Consistent with the extant permission, the scheme would be mitigated by financial and non-financial clauses that have previously been agreed via a S106. A Deed of Variation would be required to the original Section 106 to tie it in and reflect the change of tenure to the affordable unit mix.

### **Conclusion**

The criteria applicable to a minor material amendment application under Section 73 of the Town and Country Planning Act 1990 are satisfied having regard to the extant permission as a material planning consideration.

The revised scheme proposes a high quality residential and retail/commercial mixed-use regeneration of this site whilst achieving strategic and local regeneration and spatial objectives for the site and wider area. It represents an improvement to the existing scheme in terms of the design and appearance, landscaping, communal open space, cycle storage

No objections were received from external authorities, internal officers or members of the public.

Therefore, for all the reasons outlined within this report, it is recommended that planning permission be **Granted with conditions subject to prior completion of a Deed of Variation**.

### **Human Rights Act:**

In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Ealing to act in a manner, which is incompatible with the European Convention on Human Rights.

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.

### **APPENDIX A CONDITIONS AND INFORMATIVES**

#### **Conditions for Recommendation (A) Planning Permission (ref. 192888FUL)**

##### 1. Time Limit

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

Reason: In order to ensure that this allocated site is brought forward for development as soon as practicable and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

##### 2. Approved Plans

The development hereby approved shall be carried out in accordance with drawing title number(s):

Site Location Plan - PL\_00\_001

2259-GHA-ZZ-00-DR-A-(10)0102 – PL2 (dated 04/10/2021) - Site Plan – Proposed

2259-GHA-ZZ-00-DR-A-(10)0103 - PL1 (dated 23/04/2021) - Roof Plan - Proposed

2259-GHA-ZZ-ZZ-DR-A-(10)0200 – PL2 (dated 04/10/2021) – Proposed Site Elevations – North and South



2259-GHA-ZZ-ZZ-DR-A-(10)0201 – PL2 (dated 04/10/2021) – Proposed Site Elevations – East and West  
 2259-GHA-ZZ-ZZ-DR-A-(10)0202 - PL1 (dated 23/04/2021) – Proposed Site Sections  
 2259-GHA-A-ZZ-DR-A-(20)1100 – PL2 (dated 05/11/2021) – Proposed Plans - Block A  
 2259-GHA-A-ZZ-DR-A-(20)1200 - PL1 (dated 23/04/2021) – Proposed Elevations - Block A  
 2259-GHA-A-ZZ-DR-A-(20)1300 – PL2 (dated 05/11/2021) – Proposed Sections – Block A  
 2259-GHA-B-ZZ-DR-A-(20)2100 – PL3 (dated 04/10/2021) – Proposed Plans - Block B (1of7)  
 2259-GHA-B-ZZ-DR-A-(20)2101 - PL3 (dated 04/10/2021) - Proposed Plans - Block B (2of7)  
 2259-GHA-B-ZZ-DR-A-(20)2102 - PL3 (dated 04/10/2021) - Proposed Plans - Block B (3of7)  
 2259-GHA-B-ZZ-DR-A-(20)2103 - PL3 (dated 04/10/2021) - Proposed Plans - Block B (4of7)  
 2259-GHA-B-ZZ-DR-A-(20)2104 - PL3 (dated 04/10/2021) - Proposed Plans - Block B (5of7)  
 2259-GHA-B-ZZ-DR-A-(20)2105 – PL4 (dated 05/11/2021) - Proposed Plans - Block B (6of7)  
 2259-GHA-B-ZZ-DR-A-(20)2106 - PL3 (dated 04/10/2021) - Proposed Plans - Block B (7of7)  
 2259-GHA-B-ZZ-DR-A-(20)2200 – PL2 (dated 04/10/2021) - Proposed Elevations - Block B - North + South  
 2259-GHA-B-ZZ-DR-A-(20)2201 – PL2 (dated 04/10/2021) - Proposed Elevations - Block B - East + West  
 2259-GHA-B-ZZ-DR-A-(20)2300 – PL4 (dated 05/11/2021) – Proposed Sections – Block B  
 2259-GHA-C-ZZ-DR-A-(20)3100 - PL2 (dated 27/08/2021) – Proposed Plans - Block C (1of4)  
 2259-GHA-C-ZZ-DR-A-(20)3101 - PL2 (dated 27/08/2021) - Proposed Plans - Block C (2of4)  
 2259-GHA-C-ZZ-DR-A-(20)3102 - PL2 (dated 27/08/2021) - Proposed Plans - Block C (3of4)  
 2259-GHA-C-ZZ-DR-A-(20)3103 – PL3 (dated 05/11/2021) - Proposed Plans - Block C (4of4)  
 2259-GHA-C-ZZ-DR-A-(20)3200 - PL1 (dated 23/04/2021) - Proposed Elevations - Block C - North + South  
 2259-GHA-C-ZZ-DR-A-(20)3201 - PL1 (dated 23/04/2021) - Proposed Elevations - Block C - East + West  
 2259-GHA-C-ZZ-DR-A-(20)3300 - PL2 (dated 27/08/2021) – Proposed Sections – Block C  
 2259-GHA-ZZ-ZZ-DR-A-(21)0201 - PL1 (dated 23/04/2021) – Bay Study 01  
 2259-GHA-ZZ-ZZ-DR-A-(21)0202 - PL1 (dated 23/04/2021) – Bay Study 02  
 2259-GHA-ZZ-ZZ-DR-A-(21)0203 - PL1 (dated 23/04/2021) – Bay Study 03  
 2259-GHA-ZZ-ZZ-DR-A-(21)0204- PL1 (dated 23/04/2021) – Bay Study 04  
 2259-GHA-ZZ-ZZ-DR-A-(21)0205 - PL1 (dated 23/04/2021) – Bay Study 05  
 2259-GHA-ZZ-ZZ-DR-A-(21)0206 - PL1 (dated 23/04/2021) – Bay Study 06  
 2259-GHA-ZZ-ZZ-DR-A-(21)0207 - PL1 (dated 23/04/2021) – Bay Study 07  
 2259-GHA-A-ZZ-DR-A-(21)0208 - PL1 (dated 23/04/2021) - Bay Study 08  
 2259-A-RP-210423-DAS-RB – PL1 (dated 23/04/2021) – Design Changes Statement  
 2259-GHA-ZZ-ZZ-SA-A-(01)0100 – PL4 (dated 05/11/2021) – Unit Schedule

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

### 3. Archaeological Scheme of Investigation

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest, a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To ensure the sensitive management and preservation of the historic environment in accordance with policy HC1 of the London Plan (2021), policy 7C of the Ealing Development Management DPD (2012) and section 16 of the National Planning Policy Framework (2019).

4. Demolition Method Statement and Management Plan

Prior to the commencement of demolition, a detailed site demolition method statement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The submission shall specifically consider a joint approach with the construction of any approved development on the adjoining site to minimise highways and amenity impacts of this busy location. The submitted details shall include the following:

- a) The number of on-site construction workers and details of the transport options and parking facilities for them;
- b) details of working hours;
- c) anticipated route, number, frequency and size of vehicles entering/exiting the site per day;
- d) delivery times and booking system (which is to be staggered to avoid morning and afternoon school-run peak periods);
- e) route and location of site access for construction traffic and associated signage;
- f) management of consolidated or re-timed trips;
- g) details of noise and vibration mitigation measures and monitoring arrangements for noise and vibration by suitably qualified noise specialists. Noise and vibration mitigation measures must accord with the Mayor's 'Best Practice Guidance';
- h) details of site security, temporary lighting and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) secure, off-street loading and drop-off facilities;
- j) wheel washing provisions;
- k) vehicle manoeuvring and turning, including swept path diagrams to demonstrate how construction vehicles will access the site and be able to turn into and emerge from the site in forward gear and including details of any temporary vehicle access points;
- l) details as to the location(s) for storage of materials, plant and construction debris and contractors' welfare facilities and offices;
- m) procedures for on-site contractors to deal with complaints from members of the public;
- n) measures to consult cyclists, disabled people and the local schools with regard to delivery times and necessary diversions;
- o) details of all pedestrian and cyclist diversions;
- p) a commitment to be part of Considerate Constructors Scheme; and
- q) confirmation of use of TfL's Freight Operator Recognition Scheme (FORS) or similar.
- r) The submission of evidence of the condition of the highway prior to-demolition and a commitment to make good any damages caused during demolition.
- s) Details of parking restrictions which may need to be implemented during demolition work.
- t) An Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment produced in accordance with current guidance 'The Control of Dust and Emissions during Construction and Demolition SPG', GLA, July 2014.
- u) Details of all Non-Road Mobile Machinery (NRMM) to be used on the development site. All NRMM shall meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not

available. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. All NRMM shall be regularly serviced and service logs kept on site for inspection. Records shall be kept on site which details the emissions standard of all equipment.

Prior to the commencement of any demolition work, all sensitive properties surrounding the site shall be notified in writing of the nature and duration of the works to be undertaken, and the name and address of a responsible person to whom enquiries / complaints should be directed. These details shall also be displayed at regular intervals around the site construction compound.

The development shall be carried out strictly in accordance with the details so approved. Any areas to be used for the storage of building materials or other site activities outside of the relevant phase of the development shall be returned to the original condition immediately following the practical completion of the works.

Such details shall be implemented, and phasing agreed in writing, prior to the commencement of works on site and thereafter retained for the duration of the works.

Reason: To protect the amenity of local residents and to ensure adequate highway and site safety in accordance with policies SI1, SI7, T4, T6 and T7 of the London Plan (2021); the National Planning Policy Framework (2019); Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006); and BS 5228-1:2009 - Code of practice for noise and vibration control on construction & open sites-Part 1: Noise.

#### 5. Construction Method Statement and Management Plan

Prior to the commencement of development, a detailed site construction method statement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The submission shall specifically consider a joint approach with the construction of any approved development on the adjoining site to minimise highways and amenity impacts of this busy location. The submitted details shall include the following:

- a) The number of on-site construction workers and details of the transport options and parking facilities for them;
- b) details of construction hours;
- c) anticipated route, number, frequency and size of construction vehicles entering/exiting the site per day;
- d) delivery times and booking system (which is to be staggered to avoid morning and afternoon school-run peak periods);
- e) route and location of site access for construction traffic and associated signage;
- f) management of consolidated or re-timed trips;
- g) details of noise and vibration mitigation measures and monitoring arrangements for noise and vibration by suitably qualified noise specialists. Noise and vibration mitigation measures must accord with the Mayor's 'Best Practice Guidance';
- h) details of site security, temporary lighting and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) secure, off-street loading and drop-off facilities;
- j) wheel washing provisions;
- k) vehicle manoeuvring and turning, including swept path diagrams to demonstrate how construction vehicles will access the site and be able to turn into and emerge from the site in forward gear and including details of any temporary vehicle access points;
- l) details as to the location(s) for storage of building materials, plant and construction debris and contractors' welfare facilities and offices;
- m) procedures for on-site contractors to deal with complaints from members of the public;

- n) measures to consult cyclists, disabled people and the local schools with regard to delivery times and necessary diversions;
- o) details of all pedestrian and cyclist diversions;
- p) a commitment to be part of Considerate Constructors Scheme; and
- q) confirmation of use of TfL's Freight Operator Recognition Scheme (FORS) or similar.
- r) The submission of evidence of the condition of the highway prior to-construction and a commitment to make good any damages caused during construction.
- s) Details of parking restrictions which may need to be implemented during construction work.
- t) An Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment produced in accordance with current guidance 'The Control of Dust and Emissions during Construction and Demolition SPG', GLA, July 2014.
- u) Details of all Non-Road Mobile Machinery (NRMM) to be used on the development site. All NRMM shall meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not available. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. All NRMM shall be regularly serviced and service logs kept on site for inspection. Records shall be kept on site which details the emissions standard of all equipment.

Prior to the commencement of any construction work, all sensitive properties surrounding the site shall be notified in writing of the nature and duration of the works to be undertaken, and the name and address of a responsible person to whom enquiries / complaints should be directed. These details shall also be displayed at regular intervals around the site construction compound.

The development shall be carried out strictly in accordance with the details so approved. Any areas to be used for the storage of building materials or other site activities outside of the relevant phase of the development shall be returned to the original condition immediately following the practical completion of the development.

Such details shall be implemented, and phasing agreed in writing, prior to the commencement of works on site and thereafter retained for the duration of the works.

Reason: To protect the amenity of local residents and to ensure adequate highway and site safety in accordance with policies SI1, SI7, T4, T6 and T7 of the London Plan (2021); the National Planning Policy Framework (2019); Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006); and BS 5228-1:2009 - Code of practice for noise and vibration control on construction & open sites-Part 1: Noise.

#### 6. Contaminated Land Remediation Scheme

Based on the recommendations made in the RPS report JER8094 particularly for soft landscape / communal areas (which it is noted are mainly situated over the foul sewer where there is a lack of data due to easement requirements), 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 policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy 5.21 of the London Plan

2016 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

7. Verification of Contaminated Land Remediation

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. 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 policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy SD1 of the London Plan (2021) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

8. Sustainable Urban Drainage Strategy - Detailed Design and Maintenance Plan

Prior to commencement of the development hereby approved a detailed surface water drainage design (including relevant specifications), and a maintenance plan, shall be submitted and approved in writing by the Local Planning Authority (in consultation with the Lead Local Flood Authority). The development shall be carried out strictly in accordance with the approved detailed drainage scheme.

Reason: To prevent flooding elsewhere by ensuring enough storage of surface flood water is provided and achieved with appropriate sustainable drainage techniques, in accordance policies 1.1 & 1.2 of the Ealing Core Strategy (2012); policy LV 5.12 of the Ealing Development Management DPD (2013); policies SI12 and SI13 of the London Plan (2021); and the National Planning Policy Framework (2012).

9. Fire Safety Statement

Prior to commencement of the superstructure works a Fire Safety Statement produced by a third party suitably qualified assessor must be submitted detailing how the development proposal would function in terms of the building's construction; means of escape; features which reduce risk to life; access for service personnel and equipment; and any future modifications would not compromise the building's fire safety measures. The development shall be implemented in accordance with the approved details.

Reason: In the interests of fire safety and to ensure the safety of all building users, and the safe and dignified emergency evacuation of all building users in accordance with policy D12 of the London Plan (2021).

10. Transport and/or Commercial/Industrial/Cultural Noise Sources

Prior to commencement of the superstructure works a noise assessment (according to the criteria of the Council's interim SPG10) shall be submitted to the Council for approval in writing, of all external noise sources such as transport and commercial/industrial/cultural uses/activities and their noise levels at residential facades.

Details shall include the sound insulation of the building envelope including glazing specifications (sound insulation including frames, seals and ventilators tested and approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated ventilation and cooling as necessary (with air intake from the cleanest aspect of the building), to achieve noise standards of BS8233:2014 and SPG10 in internal rooms and external amenity spaces (if provided). 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 future occupiers of the site, in accordance Interim Supplementary Planning Guidance SPG10, policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), and policies D3 and D4 of the London Plan (2021), and the National Planning Policy Framework (2019).

**11. Separation of Commercial and Noise Sensitive Premises**

Prior to commencement of the superstructure works, details shall be submitted to the Council for approval in writing, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from dwellings.

Details shall demonstrate that the sound insulation value is enhanced by at least 10-15dB above the Building Regulations value for residential use and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises.

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/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise, in accordance with Interim Supplementary Planning Guidance SPG10, policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), and policies D3 and D4 of the London Plan (2021), and the National Planning Policy Framework (2019).

**12. Separation of Communal Facilities/Plant etc. Noise from Dwellings**

Prior to commencement of the superstructure works, details shall be submitted to and approved in writing by the Council, of the sound levels emitted from communal/commercial facilities/areas and the sound insulation of the floor/ ceiling/ walls separating communal/commercial facilities/areas such as plant rooms, lift shafts, communal entrances/ staircases/ lift lobbies/ refuse stores etc. from dwellings.

Details shall demonstrate that the sound insulation value is enhanced by at least 10dB above the Building Regulations value for residential use and, where necessary, additional mitigation measures implemented to separate communal noise and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises.

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/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise, in accordance with Interim Supplementary Planning Guidance SPG10, policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), and policies D3 and D4 of the London Plan (2021), and the National Planning Policy Framework (2019).

**13. Separation of Noise Sensitive Rooms in Neighbouring Flats**

Prior to commencement of the superstructure works, 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, e.g. kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwellings.

Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the internal environment of the development and living conditions of occupiers of nearby properties and future occupiers of the site, in accordance with Interim Supplementary Planning Guidance SPG10, policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies D3 and D4 of the London Plan (2021), and the National Planning Policy Framework (2012).

14. External Noise from Machinery, Extract/Ventilation Ducting, Mechanical Gates, etc.

Prior to occupation of the development, details shall be submitted to the Council for approval in writing, of the external sound level emitted from plant/ machinery/ equipment and mitigation measures as appropriate, as measured at/ calculated to the nearest and/or most affected noise sensitive premises.

The measures shall ensure that the external sound level LAeq emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level LA90 by at least 5 dBA at the most noise sensitive receiver location. The assessment shall be made in accordance with BS4142:2014, with all machinery operating together at maximum capacity. Details of any noise mitigation measures shall be submitted for approval.

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 use of plant/ machinery/ equipment and thereafter be permanently retained.

Reason: To safeguard future and existing occupiers of the area against unacceptable noise and disturbance, in accordance with Interim Supplementary Planning Guidance SPG10, policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), and policies D3 and D4 of the London Plan (2021), and the National Planning Policy Framework (2019).

15. Anti-Vibration Mounts and Silencing of Machinery etc.

Prior to first 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 and surrounding premises is not adversely affected by vibration, in accordance with Interim Supplementary Planning Guidance SPG10, policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), and policies D3 and D4 of the London Plan (2021), and the National Planning Policy Framework (2019).

16. Extraction and Odour Control System for Non-Domestic Kitchens

Prior to first occupation of the relevant part of the development, details shall be submitted to the Council for approval in writing, of the installation, operation, and maintenance of any odour abatement equipment and extract system, including noise levels and the height of the extract duct with vertical discharge outlet and without cowl at least 1m above the eaves of the main building.

Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by cooking odour, in accordance with Interim Supplementary Planning Guidance SPG10, policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing

Development Management Development Plan Document (2013), and policies D3 and D4 of the London Plan (2021), and the National Planning Policy Framework (2019).

17. Materials – Details

Prior to commencement of the superstructure works details of the materials to be used for the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications as to these matters which have been given in this application. Development shall be carried out only in accordance with the approved details and permanently retained thereafter.

Reason: To ensure that the materials harmonise with the surroundings, in accordance with policies 7.4 and 7B of the Ealing Development Management DPD (2013); policy 2.10 of the Ealing Development Strategy 2026 DPD (2012); policy D4 of the London Plan (2021), and the National Planning Policy Framework (2012).

18. Deliveries and Servicing Management

Notwithstanding the submitted servicing and waste management plan, a Delivery and Servicing Management Plan shall be submitted for approval prior to first occupation of any part of the development. This plan shall include provision for on-site servicing which does not obstruct access to blue badge parking bays and which demonstrates a coordinated approach with any approved development on the adjoining site currently occupied as a public car park. The development shall be carried out in accordance with the approved Delivery and Servicing Management Plan.

Reason: In the interests of highway safety and the amenities of neighbouring and prospective occupiers in accordance with policies SI1, SI7, T4, T6 and T7 of the London Plan (2021); policy 7A of the Ealing Development Management DPD (2013); and the National Planning Policy Framework (2012).

19. Cycle Parking

Prior to the first residential occupation of the development details shall be submitted of at least 259 long stay secure and sheltered cycle parking spaces. These spaces shall include at least 6 wider bike spaces. The cycle parking details shall demonstrate compliance with the specifications and standards of the London Cycle Design Standards. All the approved cycle parking shall be bought into use prior to first occupation of the residential development 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.

20. Travel Plan

Notwithstanding the submitted Framework Travel Plan, a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority after 6 months occupation of 75% of the residential development. The Travel Plan shall provide a 5-year mode shift target as well as a robust Action Plan. The Travel Plan shall be prepared in accordance with the Transport for London Travel Plan Guidance and 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 T4, T5 and T6 of the London Plan (2021); and Ealing's Sustainable Transport for New Development SPG.

21. Vehicle Parking

The parking arrangements for 6 blue badge parking bays shown on the approved plans shall be marked out on the site prior to first occupation of the development and shall include the provision of at least one active vehicle charging points, with the remaining provided with passive charging points. These parking spaces shall be kept continuously available and shall not be used for any other purpose. No additional car parking shall be formed or made available.

Reason: To ensure that there is adequate and inclusive parking provision within the site, to encourage the use of ultra-low carbon vehicles, and to ensure that excessive parking is not provided, in accordance with policy 6.13 of the Ealing Development Management DPD (2013); policies 1.1 (f) (g) of the Ealing Development Strategy 2026 (2012); policies T4, T6, T6.1, T6.2 and T6.3 of the London Plan (2021); policy T6 of the draft London Plan; and section 9 of the National Planning Policy Framework (2019).

22. Parking Management Plan

A Parking Management Plan for residents shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. These details shall include:

- Details of how provision of disabled persons parking spaces will be made, managed and enforced to ensure that the approved disabled parking bays are retained for use by disabled residents only (whether M4(2) or M4(3) dwellings)
- Details of how existing or future residents would request a disabled parking bay, how quickly it could be created and what, if any, provision of visitor parking for disabled residents is available.
- Details of how the availability of parking spaces will be made clear to prospective residents prior to occupation to inform their housing decision, and how residents would request a parking bay.
- Other measures to manage parking demand onsite

Disabled parking bays must not be allocated to specific dwellings. Where a bay is being marked up for a specific resident, this should be done prior to occupation.

The resident parking spaces shall be leased rather than sold, and all available bays shall be open to any resident regardless of housing tenure.

The approved details shall be implemented prior to first occupation of the development and retained thereafter.

Reason: To ensure that there is adequate and inclusive parking provision within the site, to encourage the use of ultra-low carbon vehicles, and to ensure that excessive parking is not provided, in accordance with policy 6.13 of the Ealing Development Management DPD (2013); policies 1.1 (f) (g) of the Ealing Development Strategy 2026 (2012); policies T4, T6, T6.1, T6.2 and T6.3 of the London Plan (2021); policy T6 of the draft London Plan; and section 9 of the National Planning Policy Framework (2019).

23. Refuse and Recycling Storage and Collection

Notwithstanding the submitted waste management plan, details shall be submitted for approval of the storage and collection arrangements for the residential and commercial uses on site prior to first occupation of the development. The commercial and residential storage shall be kept separate and

provision shall be made for off-street collection. The approved refuse and recycling storage provision and collection arrangements shall be provided prior to the first occupation of the relevant use to which the store(s) serves and retained thereafter in accordance with Council policies.

Reason: To secure the necessary recycling and waste enclosures to support the development, and to ensure that responsible waste management practices are adhered to in the interests of the visual amenity of the area, and in accordance with policies SI7 and SI8 of the London Plan (2021); policy 1.1(e) of Ealing's adopted Development (or Core) Strategy (2012); policies 7A, LV7.4 and 7B of Ealing's Development Management DPD (2013); and (interim) SPG 4: Refuse and Recycling Facilities.

24. Hard and Soft Landscaping (including Tree Planting), Play Space and Boundary Treatments

Notwithstanding the submitted information full details of hard and soft landscaping and boundary treatments shall be submitted to and approved in writing by the local planning authority prior to first occupation. These details shall include (but not limited to):

- Full details of the proposed hard and soft landscaping works for the western side of the site that would form part of the public realm, both within the site and on highways land. These details shall ensure that the design is coordinated with any approved development on the adjoining site that is currently occupied as a public car park. These details shall include traffic calming raised platforms and any other measures, planting and soft landscaping, hardscape, furniture and any other equipment including planters. These details should be accompanied by plans, elevations, sections, a materials schedule/samples, and other relevant specifications.
- Details of hardscape, boundary treatment and furniture palette to include not just material and height but also specifications, colour schemes and how these would work with the associated building materials palette and any adjacent development
- Details of play equipment and play areas, showing a range of play items and play experience offered for the relevant age ranges, and also safety surfacing
- Details of a planting palette
- Details of a Landscape Management Plan for a minimum period of 5 years from the implementation of final planting
- Full planting schedule of tree sizes, species, number of trees and locations
- Details of the green and brown roof construction and specification, together with a maintenance schedule

The approved details of the hard landscaping, boundary treatments and play spaces shall be implemented prior to first occupation and retained thereafter. The play spaces and play equipment shall be accessible for all residents of the development and must not be segregated by tenure.

The soft landscaping details shall be laid out and planted within the first planting season following the commencement of the development or other such period as may be agreed in writing with the local planning authority. Any trees or plants which die within 5 years of planting, are removed, or become seriously damaged or diseased shall be replaced with others of the same size and species and in the same positions within the next planting season.

Reason: In the interests of visual amenity, and in ensuring suitable recreational space and external environment for residents and visitors to the site in accordance with policies G4, G5 and G6 of the London Plan (2021), policies 7B, 7.4, 7D and 5.10 the Ealing Development Management DPD (2013) and Ealing's SPG 9 - Trees and Development Guidelines.

25. Shelter for Central Communal Gardens

Prior to first occupation of the residential element of the development details shall be submitted of shelter and mitigation measures to ensure that the wind microclimate conditions of the communal gardens are suitable for long periods of sitting during the summer months. These mitigation measures should consider the microclimate impacts of any adjacent development and should ensure that the gardens are not permanently overshadowed but achieve sunlight amenity in accordance with Building Research Establishment (BRE) guidelines.

The approved measures shall be implemented prior to first occupation of the residential element of the development and retained in good order in perpetuity.

Reason: To ensure suitable recreational space and external environment for residents and visitors to the site in accordance with policies D4, D6 and G4 of the London Plan (2021), policies 7B, 7.4, 7D and 5.10 the Ealing Development Management DPD (2013).

26. Overheating and Cooling

Prior to commencement of the approved development, the details of the dynamic thermal modelling for each apartment, or an agreed percentage of the apartments, shall be undertaken using the guidance provided in CIBSE TM59 & TM52 and shall be submitted to the Local Planning Authority for written approval demonstrating that the development performs against their overheating criteria and exceed the requirements to avoid overheating. The details of any additional measures to be incorporated into the development to minimise the risk of overheating (including active cooling) shall also be submitted if the dynamic thermal modelling demonstrates that overheating would occur. The development shall thereafter be provided in accordance with the approved details.

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy 5.9 of the London Plan; Ealing's Development (Core) Strategy, and Development Management DPD

27. Energy and CO2

a) Prior to final completion 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 reduction in regulated CO2 emissions of at least 60.40% (equal to 86.04 tonnes of CO2 per year) beyond Building Regulations Part L 2013. These CO2 savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the final approved Energy Assessment prepared by Eight Associates in March 2021 including:

- i. Lean passive design measures to achieve an annual reduction of at least 12.2% equating to at least 17.28 tonnes in regulated carbon dioxide (CO2) emissions over BR Part L 2013 for residential development, and at least 32.5%, equating to at least 0.37 tonnes, over Part L 2013 for the non-residential element.
- ii. Green renewable energy equipment including the incorporation of two photovoltaic arrays with a combined total capacity of at least 40.5 kWp, and a sitewide air-to-water Air Source Heat Pump loop to achieve an annual reduction of at least 48.0%, equating to 86.04 tonnes, in regulated carbon dioxide (CO2) emissions over the Be Lean/Clean stage of the Energy Hierarchy.

b) Prior to commencement of construction details of the specifications, design and layout of the proposed low and zero-carbon (LZC) energy equipment shall be submitted to and approved in writing by the Local Planning Authority.

c) Prior to completion details of the installed LZC equipment shall be submitted to the Council for approval. The details shall include the exact Heat Pump thermal kilowatt output, heat output pipe diameter, monthly energy demand profile, and the exact number of PV arrays, the kWp capacity of

each array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the LZC installation contractor(s), and if different, the commissioning electrical contractor, should be submitted to the Council along with copies of the MCS certificates and all relevant commissioning documentation. The development shall be implemented only in accordance with the approved details.

d) 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 SI1, SI2 and SI3 of the London Plan (2021), guidance note 11 of the GLA Energy Assessment Guidance 2018, 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.

28. Post Construction Energy Equipment Monitoring

- a) The developer shall 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 as per energy and CO2 Condition(s).
- b) Upon final completion of the development and prior to occupation, suitable devices for monitoring any renewable/low-carbon energy equipment or district heat and/or electricity imported to the site shall be installed. The monitored data shall be automatically submitted to the Council at daily intervals for a period of three 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.
- c) The developer must contact the Council's chosen AEMP supplier (Energence Ltd) on commencement of construction to facilitate the monitoring process.
- d) 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 three 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 the relevant policies in the London Plan 2021 (currently SI3), 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.

29. Sustainable Design and Construction

Prior to the commencement of the development Sustainable Design and Construction strategies which includes full details of the measures that are to be incorporated into the development to achieve the requirements of the local and regional planning policies shall be submitted to and approved in writing by the local planning authority in line with the Mayor's Sustainable Design and Construction SPG. The development shall be constructed in line with the approved energy and sustainability measures.

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with policies SI1, SI2, SI4 and SI13 of the London Plan (2021), 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 and Mayor's Sustainable Design and Construction SPG.

30. Passenger Lifts

The passenger lifts located within the communal cores serving the approved apartment block shall be installed and operational prior to the first occupation of the relevant part of the apartment block to which the lift serves.

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 policies D4, D5 and D6 of the London Plan (2021); policy 1.1(h) of the Ealing Development Strategy 2026 (2012); policy 7B of the Ealing Development Management DPD (2013); and interim Ealing SPG 'Accessible Ealing' (2012).

31. Accessible Units

Ninety percent of the approved residential dwellings shall be designed and constructed to meet Approved Document M (Volume 1: Dwellings), Part M4(2)(Accessible and adaptable dwellings) of Building Regulations 2015, or other such relevant technical requirements in use at the time of the construction of the development.

Reason: To ensure that the development is adaptable, flexible, convenient and appropriate to the changing needs of the future occupiers, in accordance with policies D6 and D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development Strategy 2026 DPD (2012).

32. Wheelchair Units

Ten percent 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 policies: D6 and D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development Strategy 2026 DPD (2012).

33. No Access to Roof Areas except for Maintenance

No part of the roof tops of the development shall be used as or altered to form a balcony, roof garden, roof terrace or similar amenity area unless otherwise indicated as such on the hereby approved plans listed in Condition 2.

Reason: To protect the living conditions of occupants of nearby properties in accordance with policies 7A, 7.4, and 7.B of the Ealing Development Management DPD (2013); the Ealing Core

Strategy (2012); policies D3 and D4 of the London Plan (2021), and the National Planning Policy Framework (2021).

34. External Lighting and Security

External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes for The Reduction of Light Pollution 2011'. Lighting should be minimised, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

Reason: To safeguard the amenities of the occupiers of nearby residential properties and increase security for users of the site, in accordance with policies D3 and D4 of the London Plan (2021), policy 1.1 (j) of the Ealing Development (Core) Strategy 2026 and policies 7A and 7.3 of the Ealing Development Management Development Plan Document (2013).

35. Regulation of Hours

The hours of business use for the ground floor flexible-use commercial units (A1 or A2 or A3 Use Classes) hereby approved shall be restricted to the period [0800 - 2200hrs] Monday to Sunday.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and the prospective residential occupiers of the development in accordance with policies D3 and D4 of the London Plan (2021), policy 1.1(j) of the adopted Ealing Development (Core) Strategy (2012), policy 7A of the adopted Ealing Development Management Development Plan Document (2013) and Interim Supplementary Planning Guidance 10 'Noise and Vibration'.

36. Retail Impact and Restriction of Permitted Development Rights (commercial uses)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any subsequent order revoking and re-enacting that Order with or without modifications), the ground floor commercial unit shall not be subdivided and shall only be used for an A1 or A2 or A3 Use Class activity, and not for any other use without prior approval of the Local Planning Authority obtained by the submission of a planning application.

Reason: To ensure that the Council retains control over the quality, impacts and provision of any change of use, and to safeguard the vitality and viability of the shopping and town centre in accordance with policies E1, E2 and E9 of the London Plan (2021); policies 1.1(d), 2.7(c) of the Ealing Development Strategy 2026 (2012); and policy 4C of Ealing's Development Management DPD (2013).

**Informatives**

1. The recommendation to grant planning permission has been taken having regard to the policies and proposals in the National Planning Policy Framework (2019); the draft London Plan (2017) ; the London Plan (2016); the Ealing Development Strategy 2026 DPD (2012); the Ealing Development Management DPD (2013); and to all relevant material considerations including Supplementary Planning Guidance:

National Planning Policy Framework (2019)

- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment\*

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
- SD1 – Opportunity Areas
- SD6 – Town centres and high streets
- SD7 – Town centres: development principles and Development Plan Documents
- SD10 – Strategic and local regeneration
- 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
- S1 – Developing London’s social infrastructure
- S2 – Health and social care facilities
- S3 – Education and childcare facilities
- S4 – Play and Informal Recreation
- E11 – Skills and opportunities for all
- HC1 – Heritage conservation and growth\*
- G4 – Open Space
- G5 – Urban greening
- G6 – Biodiversity and access to nature
- G7 – Trees and woodlands
- SI1 – Improving air quality
- SI2 – Minimising greenhouse gas emissions
- SI3 – Energy infrastructure
- SI4 – Managing heat risk
- SI5 – Water infrastructure
- SI7 – Reducing waste and supporting the circular economy
- SI13 – Sustainable drainage
- T1 – Strategic approach to transport
- T2 – Healthy Streets
- T3 – Transport capacity, connectivity and safeguarding

T4 – Assessing and mitigating transport impacts  
T5 – Cycling  
T6 – Car parking  
T6.1 – Residential parking  
T6.3 – Retail parking  
T6.5 – Non-residential disabled persons parking  
T7 – Freight and servicing  
T9 – Funding transport infrastructure through planning  
DF1- Delivery of the Plan and Planning Obligations

Supplementary Planning Guidance /Documents

Accessible London: achieving an inclusive environment  
The Mayor's Transport Strategy  
London Housing Supplementary Planning Guidance 2016  
Nationally Described Space Standards 2015  
Sustainable Design & Construction  
The London Housing Strategy  
The Mayor's Supplementary Planning Guidance 'Providing for Children and Young People's Play and Informal Recreation' March 2008  
Mayor's Affordable Housing & Viability SPG (2017)

Ealing Development Strategy 2026 DPD (2012)

1.1 Spatial Vision for Ealing\*  
1.2 Delivery of the Vision for Ealing 2026\*  
2.1 Realising the Potential of the Uxbridge Road/Crossrail Corridor\*  
2.8 Revitalise Southall Town Centre\*  
3.8 Residential Neighbourhoods  
6.4 Planning Obligations and Legal Agreements

Ealing 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 Developments  
3A Affordable Housing  
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 6.13 Parking  
Policy 7A 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 7C Heritage\*  
Policy 7D Open Space  
EA Presumption in Favour of Sustainable Development

Other Material Documentation – Interim Planning Policy Guidance / Documents

Interim SPG 3: Air Quality  
Interim SPG 4: Refuse and Recycling  
Interim SPG 10: Noise and Vibration  
Sustainable Transport for New Development SPD December 2013  
Planning New Garden Space SPD

In reaching the recommendation to the grant permissions, specific consideration was given to the principle of the development, the quality of the proposed accommodation, the impact on the amenities of neighbouring properties, the impact on the listed building and on the character and visual amenity of the surrounding area as a whole, sustainability, and the potential impacts on the highway



network. The proposal is considered acceptable on these grounds, and it is not considered that there are any other material considerations in this case that would warrant a refusal of the applications.

2. The applicant is advised that the Building Regulations are legal requirements that apply to building work and are aimed at achieving minimum standards of construction to ensure the health and safety of people in or around buildings, including fire safety. Approval under the Building Regulations is a requirement and you are advised to seek the advice of the Council's Building Control Service or an Approved Inspector prior to the commencement of works. For more information on Building Regulations please refer to the following:  
[https://www.ealing.gov.uk/info/201156/building\\_control](https://www.ealing.gov.uk/info/201156/building_control)

3. The planning application is referable to the Mayor of London under the following Category of the Schedule to the Town & Country Planning (Mayor of London) Order 2008:

- *1C – Development which comprises the erection of a building that is more than 30 metres high and is outside the City of London*

4. Condition 3 - Written schemes of investigation will need to be prepared and implemented by a suitably qualified and professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

Stage 1 would comprise trial trenching with further investigation in stage 2 if necessary. More information can be found on archaeology and planning in Greater London on the Historic England and Greater London Archaeological Advice Service (GLAAS) website.

5. Permitted Hours for Building Work - Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the site boundary should not occur outside the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays nor at any other times, including Sundays and Public/Bank Holidays.

6. Notification to Neighbours of Demolition/ Building Works - All occupiers surrounding the site should be notified in writing at least 21 days prior to the commencement of any site works, of the nature and duration of works to be undertaken and subsequently be regularly updated. The name and contact details of persons responsible for the site works should be signposted at the site entrance or hoarding in case of emergency and for enquiries or complaints. Any complaints should be properly addressed as quickly as possible.

7. Dark Smoke and Nuisance - No waste materials should be burnt on site of the development.

8. Noise, Vibration and Dust from Demolition and Construction  
 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 and vibration, delivery locations 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 Code of Practice for noise and vibration control on construction and open sites.

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.

9. Management of Bat Roost/ Resting Place during Demolition

A bat roost/resting place has been identified on site. Therefore, please be strongly advised that no unlicensed work can be undertaken that would contravene The Conservation of Habitats and Species Regulations 2017 and/or the Wildlife and Countryside Act 1981, as amended.

Prior to any works being undertaken a development licence must be obtained from Natural England. The licence application process will include the submission of a method statement detailing the current status of bats on site and how the favourable conservation status of the bat population will be maintained.