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<b>Ref :</b>	<b>214950FUL</b>	
<b>Address:</b>	<b>Railway Yard, East Churchfield Road, Acton, London, W3 7LL</b>	
<b>Ward:</b>	<b>East Acton</b>	
<b>Proposal:</b>	<b>Construction of a five storey building to accommodate 24 self-contained residential units and provision of associated parking space, cycle storage and refuse storage</b>	
<b>Drawing numbers:</b>	<b>As set out in Condition 2</b>	
<b>Type of Application:</b>	<b>Major Large Scale - Dwellings</b>	
<b>Application Received:</b>	<b>26.07.2021</b>	<b>Revised: 06.10.2021</b>

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**Report by: Sean Moulton**

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

### **EXECUTIVE SUMMARY**

The proposal is to create a five-storey residential development comprising 24 self-contained flats, an internal access road, two disabled car parking spaces, cycle parking and refuse storage. The building is located in the southern part of the application site and is proposed to contain 24 flats (15 x one-bedroom flats, 4 x two-bedroom flats and 5 x three-bedroom flats). The entrance to the flats would be located on the western side of the building at ground floor level, and lift access would be provided to all floors.

The site has a previous permission, which was presented at Planning Committee in 2013 (PP/2013/1074), which has subsequently been varied by 171850VAR dated 17.11.2017, 193202VAR dated 03.03.2020 and 212633NMA dated 12.05.2021, confirming the footprint, bulk and mass being consistent with the extant permission. It is noted that the previous consents have been implemented.

546 objections have been received through the planning process including from Ark Soane Academy regarding this development, with the greatest number of objections being regarding the principle of development (including its height, bulk and mass), impact to the school and park, housing mix, affordable housing and impact on local infrastructure.

The amended unit mix is a logical response to the building, given its location adjacent to Acton Central Overground Station and proximity to local public transport links and parks. The number of one-bedroom units has increased from 4 to 15, whilst the number of three-bedroom units has fallen slightly from 6 to 5. The affordable housing offering has been increased by £10,000 compared to the extant permission, offering £285,000, despite the number of occupants to the site declining by 1 from 71 to 70. All units are dual-aspect, and all have private amenity space.

The design refinements have sought to improve the overall massing, materiality and presentation of the building as viewed from Acton Park and surrounding sites. The proposed building would incorporate a more logical, coherent layout and massing and utilise a more

neutral colour palette with green walls, in order to allow the colour of the existing landscaping within Acton Park to resonate.

Vehicle and pedestrian access to the site is provided from Churchfield Road East, in a similar position to the existing crossover. Two off-street disabled parking spaces would be provided within the site, and no vehicle parking would be provided for the future occupiers of the site. Cycling parking would be provided within a covered, secure compound near to the boundary with the railway. Refuse would be collected from Churchfield Road East, as per the previously approved application (193202VAR).

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 application is to be approved with conditions and a Section 106 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>
Off-site affordable housing contribution with corresponding late stage review	£285,000
Active Ealing towards indoor and outdoor sport	£34,000
Education Provision	£29,500
Healthcare Provision	£13,258
CCTV and associated infrastructure	£10,000
Post-Construction Energy Equipment	£7,625
Carbon Offsetting	£4,908
Air Quality	£2,400
<b>Total Contributions</b>	<b>£386,691</b>

- Restriction of parking permits within the Controlled Parking Zone
- 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 located on the south side of East Churchfield Road between Acton Central Station and Acton Park. The site has an area of 1130m<sup>2</sup> and is currently used as a

builder's yard for the storage of materials and vehicles. The buildings and westbound platform of Acton Central Station form the western boundary of the site. The site slopes down from East Churchfield Road, and the ground level of the adjoining station is some (approximately) 2.5m above the ground level of the application site; and the buildings and masonry wall along the western boundary screen much of the site from the west. The site is at approximately the same level as Acton Park.

The site is located within the Acton Town Centre and the Acton Park Conservation Area. The Acton Central Station located adjacent to the site is a locally listed building. Acton Park, immediately east of the site is designated as Metropolitan Open Land (MOL). The site is located within Flood Zone 1 (low probability of flooding) and is not located within an area susceptible to ground water flooding. Land to the north of the site on the northern side of East Churchfield Road is designated as residential land and is within a conservation area. The surrounding built form in the vicinity of the site largely comprises two and three-storey Victorian housing. An extract of the location plan is shown below in **Figure 1**, whilst **Figure 2** demonstrates the site (orange) from satellite view.

To the north, east and west of the site is principally residential. Acton Park is located along its eastern boundary, with a footpath connecting East Churchfield Road with Ark Byron Academy's playing field located approximately 20m to the south of the site whilst the main school building is located within 100m of the south of the site.



**Figure 1** Site Location of Railway Yard on East Churchfield Road



**Figure 2** Site Location of Railway Yard on East Churchfield Road (orange) from satellite view. The Acton Park Conservation Area is located to on the eastern side of the railway track and incorporates the application site.

The site is located within an area with a PTAL value of 3 (moderate) and located within the Acton Central Zone K Controlled Parking Zone (Monday-Fridays 0930-1730).

**RELEVANT PLANNING HISTORY**

212633NMA dated 12/05/2021 - Non-Material Amendment (S96a) to planning permission reference 193202VAR dated 03/03/2020 for 'Application for a Minor Material Amendment (s73) to vary condition 2 (Approved Plans), condition 3 (Approved Materials), condition 4 (Hard and Soft Landscaping) and condition 8 (Boundary Treatment) of planning permission ref: PP/2013/1074 dated 30/03/2016 (as amended by 171850VAR dated 17/11/2017) for: Construction of a five storey building comprising eighteen residential flats; internal access, parking and cycle parking and refuse storage (following demolition of brickwork walls and partitions); variation seeks modification, re-configuration and internal changes to Units 1, 2, 3, 4, 17 and the penthouse; modification to building outline; facade external modification and revision of building materials; removal of areas of external deck access; modification of front gardens/defensible space to ground floor apartment entrances; and reduction and alterations to gable. Changes seek to amend the building footprint, internal configurations and the elevations as part of Condition 2; and to alter the wording of Condition 4. Granted subject to conditions.

193202VAR dated 03/03/2020 - Minor Material Amendment (s73) to vary condition 2 (Approved Plans), condition 3 (Approved Materials), condition 4 (Hard and Soft Landscaping) and condition 8 (Boundary Treatment) of planning permission ref: PP/2013/1074 dated 30/03/2016 (as amended by 171850VAR dated 17/11/2017) . Granted with S106.

171850VAR dated 17/11/2017 - Variation of Condition 2 (Approved Plans) (s.73) of planning permission ref: 164008REC dated 30/09/2016; seeking repositioning of the building to

250mm safety/access zone for Network Rail maintenance; modification of the northern elevation to retain amenity space at ground floor level. Granted subject to conditions.

164008REC dated 30/03/2016 - Variation of Condition 14 (Lifetime homes), removal of Condition 15 (Secured By Design) and removal of Condition 18 (Code for Sustainable Homes) of planning permission PP/2013/1074 dated 30/03/2016 for Construction of a five storey building comprising eighteen residential flats; internal access, parking and cycle parking and refuse storage (following demolition of brickwork walls and partitions). Variation of condition 14 to require compliance with updated standards and removal of conditions 15 and 18 that no longer apply. Granted Conditionally on 30/09/2016.

PP/2013/1074 dated 30/03/2016. - Construction of a five-storey building comprising eighteen residential flats; internal access, parking and cycle parking and refuse storage (following demolition of brickwork walls and partitions). Granted with S106.

### **RELEVANT NEIGHBOURING SITES PLANNING HISTORY**

#### **Ark Byron Academy:**

PP/2015/4977 - Replacement 2 storey, 2 form entry Primary School (Use Class D1) (Following the demolition of 2 no. single storey depot buildings Use Class B2); Change of use of Park Lodge building from Park Rangers base (Use Class D2) to educational use (Use Class D1); Associated works including new pedestrian entrance from Acton Park, amended vehicular and pedestrian access from The Vale and landscape and boundary treatment works (Regulation 3 - Council's own development) (Departure Application) – Conditional Consent dated 06.01.2016.

164743NMA - Application of non-material amendment to planning permission PP/2015/4977 dated 06/01/2016 for 'Replacement 2 storey, 2 form entry Primary School (Use Class D1) (Following the demolition of 2 no. single storey depot buildings Use Class B2); Change of use of Park Lodge building from Park Rangers base (Use Class D2) to educational use (Use Class D1); Associated works including new pedestrian entrance from Acton Park, amended vehicular and pedestrian access from The Vale and landscape and boundary treatment works (Regulation 3 - Council's own development) (Departure Application)'. Amendments sought for reduction in width of external wall build up, reduction in depth of window reveals, relocation of doors and windows. – Approved dated 22.09.2021.

170009VAR - Application of minor material amendment to planning permission PP/2015/4977 dated 06/01/2016 for 'Replacement 2 storey, 2 form entry Primary School (Use Class D1) (Following the demolition of 2 no. single storey depot buildings Use Class B2); Change of use of Park Lodge building from Park Rangers base (Use Class D2) to educational use (Use Class D1); Associated works including new pedestrian entrance from Acton Park, amended vehicular and pedestrian access from The Vale and landscape and boundary treatment works (Regulation 3 - Council's own development) - Variations to condition 2 (approved plans) and condition 20 (energy strategy) - amendments sought to remove building link and join the Hall and Teaching blocks, alterations to elevations and associated updated landscape design; revised energy strategy – Granted with Conditions dated 10.03.2017.

As shown in the previous consents, Ark Byron Academy was not in place at the time of the original consent in 2013 (PP/2013/1074).

#### **Other Neighbouring Properties**

It is noted that there are no recent planning consents at Acton Central Railway Station, Workshop in Acton Central Station, 2A High Street or 2 East Churchfield Road.

**THE PROPOSAL**

The proposal is to create a five-storey residential development comprising 24 self-contained flats, an internal access road, two disabled car parking spaces, cycle parking and refuse storage.

The building is located in the southern part of the application site and is proposed to contain 24 flats (15 x one-bedroom flats, 4 x two-bedroom flats and 5 x three-bedroom flats). The entrance to the flats would be located on the western side of the building at ground floor level and lift access would be provided to all floors.

The building would have a length of (all measurements are approximately) 43m, width of 12.50m and height of 16.40m. The western elevation features the access to the units and is orientated towards Acton Central in order to set back windows and doors from the railway tracks to insulate the building from the noise of the railway. Due to the significant difference in the ground level between the station and application site, only the top 7m of the building would be visible from the station. The remainder of the building would be screened from view by the existing retaining wall and masonry wall located along the westbound platform. The upper most floor is set back from the below storeys.

Windows are located to all elevations with balconies predominately located to the northern and eastern elevations. The eastern elevation features a green wall, to correlate with Acton Park and to reduce its intensity when viewed from this park.

Vehicle and pedestrian access to the site is provided from Churchfield Road East, in a similar position to the existing crossover. Two off-street disabled parking spaces would be provided within the site, and no vehicle parking would be provided for the future occupiers of the site. Cycling parking would be provided within a covered, secure compound near to the boundary with the railway. Refuse would be collected from Churchfield Road East, as per the previously approved application (193202VAR).

The scheme has been revised through the planning process to allow the southern elevation to better address Ark Soane school, increase the number of family units from 2 to 5 and decrease the number of units from 26 to 24. It is noted that no changes were made to the bulk, height or massing of the development, which remains matching to the previous consent (212633NMA). A revised air quality assessment has been received during the planning process, whilst a slight revision in servicing has been received to allow for servicing for smaller vans to be accessed within the site.

**STATUTORY CONSULTATION**

Neighbour Notification:

An advertisement was published in the Ealing Gazette and site notices displayed within the vicinity of the site on 25 August 2021 with consultation expiring on 15 September 2021. 546 representations received including Shaa Road Residents Association and Ealing Civic Society.

*Summary of Representations:*

546 objections received regarding a number of components to the scheme including:

<b>Written representation</b>	<b>Case Officers response</b>
Principal of development including residential for this location	The London Plan encourages development in sustainable locations, emphasising the use of brownfield land and close to public transport links. The development site is a brownfield site containing a former builder's

	<p>yard located adjacent to Acton Central Station. Additionally, the wider area is predominately residential. Therefore, the proposal is considered to be in accordance with the London Plan.</p> <p>It is also noted that there are previous consents on the site for a similar bulk, height and mass – thus the principal of a five-storey residential building has been established on the site.</p>
<p>Bulk, height and mass being excessive</p>	<p>The bulk, height and mass are similar to the previously approved permissions on the site; thus, this scheme is considered proportionate for the site and respectful of the urban grain. The balconies have been relocated from facing Ark Soane Primary School to facing Acton Park, to reduce overlooking towards the school whilst a green wall is proposed facing Acton Park to reduce its visual intrusiveness when viewed from the park. Therefore, the scale of the development is considered to be respectful to the wider Conservation Area and in keeping with the previous consents on the site.</p>
<p>Impact of the development on Acton Park</p>	<p>The bulk, height and mass are similar to the previously approved permissions on the site, with a green wall is proposed facing Acton Park to reduce its visual intrusiveness when viewed from the park</p>
<p>Impact of the development on Ark Soane Academy</p>	<p>The bulk, height and mass are similar to the previously approved permissions on the site, with the submitted daylight and sunlight reports demonstrating that Ark Soane Primary Academy would not be detrimentally impacted by loss of light or overshadowing; whilst the siting of the building would not lead to a sense of enclosure. The number of occupants has reduced from 71 to 70, thus reducing noise and disturbance compared to the previous permissions whilst the windows and balconies have been repositioned to not lead to a detrimental increase in overlooking to the grounds of the school.</p> <p>Additionally, air quality assessments and transport assessments have been submitted through the planning process demonstrating that the impact to the local school would be in accordance with local</p>

	<p>planning policies. Pre-commencement conditions are recommended to allow Ealing's internal departments to thoroughly review documents relating to air quality, construction and dust.</p>
<p>Impacts on highways, servicing, and parking arrangements</p>	<p>Plans have been revised through the planning process to offer on-site servicing for smaller vehicles, whilst the number of disabled parking and large vehicle servicing is in line with the previous consents. Pre-commencement conditions are recommended to allow Ealing's internal departments to thoroughly review documents relating to servicing and construction whilst parking permits are recommended to be restricted through a S106 Legal Agreement.</p>
<p>Poor housing mix</p>	<p>Ealing's Strategic Housing Market Assessment demonstrates a need for housing in the borough including family units. Plans have been revised in the planning process to increase the number of family units from 2 to 5 and reduce the total number of units from 26 to 24. This is considered to be an effective housing mix to be in line with Ealing's Strategic Housing Market Assessment and to be in accordance with London Plan policies.</p>
<p>Insufficient affordable housing</p>	<p>Following an independent assessment of the FVA and discussions with Ealing Council's Housing Team, it is considered that an offsite contribution of £285,000 would meet the requirements of affordable housing for this site and allow for sufficient delivery of one off-site affordable home. This is in excess of the independently assessed FVA and therefore considered acceptable. It is also noted that this is £10,000 greater than the extant permission, which is considered an improvement to the proposed scheme.</p>
<p>Detrimental impacts on local infrastructure</p>	<p>Contributions towards affordable housing, education, air quality and energy (among others) to ensure the development does not cause undue harm to local infrastructure are recommended with a Section 106 Legal Agreement.</p>
<p>Cumulative development within Acton</p>	<p>Each application is assessed on their own individual merit, with Ealing Council having</p>



	<p>targets for housing delivery. This site has had previous permissions for residential, with the increase of units and no change to the height and bulk of the building is considered to be in accordance the local requirements for housing delivery. To ensure each development does not have a discernible impact, information regarding transport (highways), education and air quality are submitted and Section 106 agreements sought where appropriate alongside conditions to ensure each development does not lead to detrimental harm to the amenity of existing residents.</p>
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External

External Bodies were consulted between 19 August 2021 and 1 September 2021, with a statutory expiration date of between 9 September 2021 and 22 September:

- o Acton Park Conservation Area Panel
- o Central Acton Neighbourhood Forum
- o Churchfield Community Association
- o Design Out Crime
- o Historic England
- o London Underground Infrastructure Protection
- o Network Rail Infrastructure Ltd.
- o Old Oak Neighbourhood Forum
- o Transport for London Borough Plan
- o Thames Water

It is also noted that Ark Soane Primary Academy raised an objection to the scheme, as noted in Table 2.

**Table 1: External Referral Responses**

<b>Written representation</b>	<b>Case Officers response</b>
<p><u>Acton Park Conservation Area Panel</u> No representations received</p>	<p>Noted.</p>
<p><u>Ark Soane Primary Academy</u> Objection raised regarding the school being larger than when the previous scheme was approved thus a more widespread impact, safety of pedestrians (including school children) passing the site, environmental impact during the build, road and traffic impact and number of deliveries during and after construction.</p>	<p>It is noted that the number of occupants within the development are comparable to the previously approved schemes (71-persons). Additionally, the site would have a limited number of vehicles entering and exiting the site post-construction due to only two accessible parking bays being within the site and servicing conducted via the street, as per the previous approvals. A demolition method statement and construction management plan are recommended as a pre-commencement condition, with consultation from Ealing Council’s Pollution Technical and Transport Services team, to ensure the development does not cause undue harm to the amenity</p>

	of nearby occupiers including the school during construction.
<u>Central Acton Neighbourhood Forum</u> No representations received.	Noted.
<u>Churchfield Community Association</u> Objection raised due to lack of in-site servicing, impact to neighbouring trees, too many one-bedroom flats and impact on sunlight to Acton Central Station.	Plans have been revised through the planning process to offer some in-site servicing for smaller vehicles. It is noted that the previous approval on site (193202VAR) has on-street servicing and the number of occupants are similar, thus is considered in keeping with the previous approval and would not be detrimental to the highway network. No trees are lost as part of the proposal with tree protection measures conditioned to ensure the amenity of trees is not lost or harmed. Plans have been provided through the planning process to increase the number of family units and reduce the number of one-bedroom units, overcoming the concerns raised by the Churchfield Community Association. Given the orientation of the site and separation distance between the proposed building and Acton Central Station, it is not considered to lead to a harmful loss of sunlight to Acton Central Station.
<u>Design Out Crime</u> Requests a Designing Out Crime condition	Noted.
<u>Historic England</u> Wish to make no comments	Noted.
<u>London Underground Infrastructure Protection</u> No representations received.	Noted.
<u>Network Rail Infrastructure Limited</u> The scheme seems to be a risk to the local level crossing and we may have to object to the proposals. Also they can see that the site is under construction regarding the 2017 consent but do not have a copy of the representation made for that application. If they did comment, this would conclude their response and possibly mitigate an objection	No response was received in the previous application; however, it is noted that the development is a similar siting, mass and bulk to the approved. A condition reading, "No part of the development shall not physically impact on existing London Underground or Network Rail transport infrastructure or the ability to maintain it" has been recommended to protect local rail infrastructure.
<u>Old Oak Neighbourhood Forum</u> No representations received.	Noted.
<u>Transport for London Borough Planner</u> Requests conditions regarding cycle parking, delivery & servicing and London Underground.	These are noted and recommended as appropriate.
<u>Thames Water</u> Requests 2 conditions.	Noted and recommended as appropriate.

Internal Consultees:

Ten (10) internal departments were consulted between 19 August 2021 and 2 September 2021:

**Table 2: Internal Referral Responses**

<b>Consultee</b>	<b>Comments</b>
Active Ealing	<p>Recommends that £34,000 be secured through a Section 106 Legal Agreement regarding indicative demand on indoor and outdoor facilities.</p> <p>A contribution of £34k has been secured within the Heads of Terms.</p>
CCTV Systems Manager	<p>Requests Section 106 funds for upgraded CCTV. £25K should assist with the upgrade and ducting infrastructure needed.</p> <p>A contribution of £10k is secured within the Heads of Terms and is considered proportionate for the scale of development.</p>
Energy Officer	<p>Requests £12,533 to be secured through a Section 106 Legal Agreement towards carbon offsetting and post-construction energy equipment and 3 conditions regarding sustainable design, energy and CO2 and post construction-energy equipment monitoring.</p> <p>Contributions and conditions have been recommended as appropriate.</p>
Flood Risk Officer	<p>No representations received. It is noted that the site is within a flood zone with a low probability of flooding.</p>
Head of Housing	<p>Financial contribution of £285,000 and corresponding late-stage review has been accepted. The housing team make no objections to the housing mix.</p> <p>Comments noted.</p>
Regeneration	<p>No representations received.</p>
Landscape and Tree Officer	<p>Ealing Council's Tree Officer acknowledged that the site does not contain any trees and tree protection measures may be conditioned.</p> <p>Comments noted and conditions recommended where appropriate.</p>
Pollution Technical	<p>Recommends conditions regarding construction management plan, contaminated land, noise and sound insulation.</p> <p>Comments noted and conditions recommended.</p>
Transport Services	<p>No objection to the revised scheme, as servicing is an improvement to the consented scheme and disabled parking in line with previous application as approved.</p> <p>Comments noted</p>
Waste and Street Services	<p>No representations received. It is noted that the proposal meets the guidance stated within the London Plan and Ealing Council's Refuse SPG.</p>

**REASONED JUSTIFICATION PLANNING CONSIDERATIONS**

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.

**Extant Permission**

As noted earlier in the Report, extant permission PP/2013/1074 dated 30/03/2016 (as amended by 171850VAR dated 17/11/2017, 193202VAR dated 03/03/2020 and 212633NMA dated 12/05/2021) was granted permission with the description reading: ‘Construction of a five-storey building comprising eighteen residential flats; internal access, parking and cycle parking and refuse storage (following demolition of brickwork walls and partitions)’.

It is noted that the current permission is for a similar positioning, height, bulk and mass to the extant permission, with the difference being regarding the number of units, unit mix, increase in local infrastructure contributions and increase in green infrastructure including green walls, along with not removing any trees in the neighbouring Acton Park. These matters are addressed within the planning assessment part of the report. These are demonstrated in the below figures:

**Figure 3:** Consented Site Plan (212633NMA). The red line indicates the changes to the footprint between 212633NMA and 193202VAR:

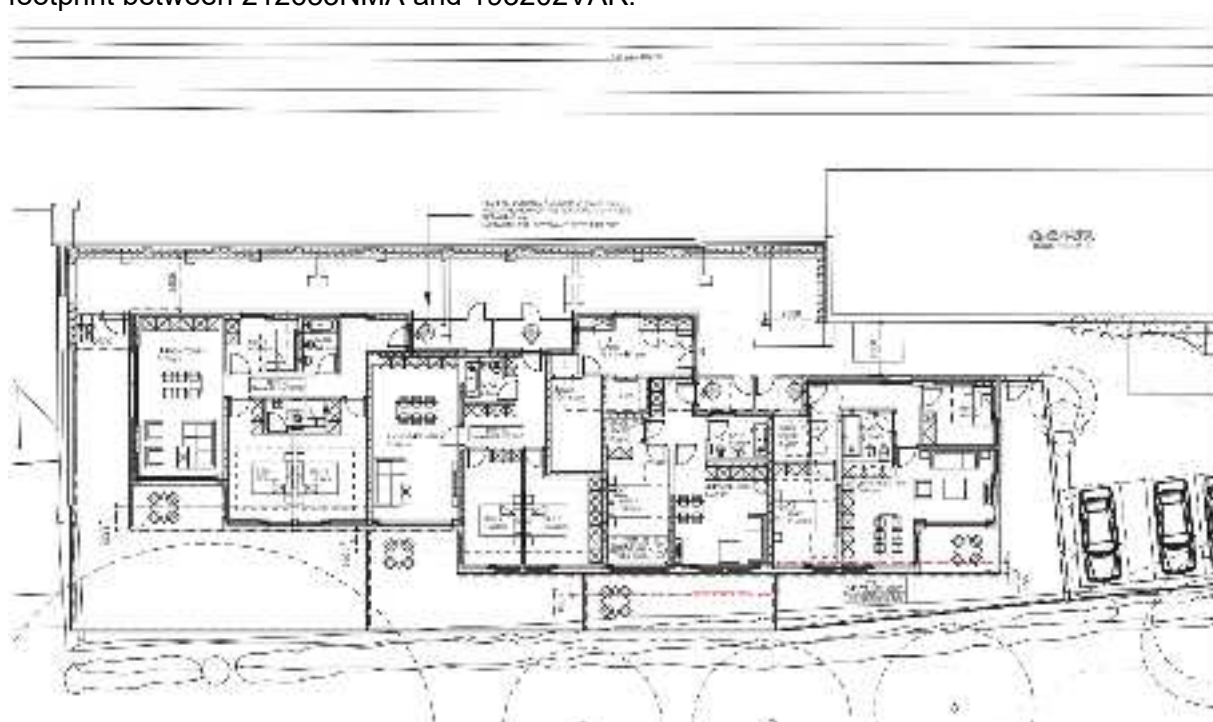


Figure 4: Proposed Site Plan:



Figure 5: Consented vs Proposed Park Side Elevation



Figure 6: Consented vs Proposed Section 106 Contributions:

Financial Contribution Heading	Consented Contributions	Proposed Contributions
Off-site affordable housing*	£275,000	£285,000
Active Ealing owards indoor and outdoor sport	£0	£34,000
Education Provision	£22,130	£29,500
Healthcare Provision	£0	£13,258
CCTV and associated infrastructure	£0	£10,000
Post-Construction Energy Equipment	£0	£7,625
Carbon Offsetting	£0	£4,908
Air Quality	£0	£2,400
Maintenance of Trees	£50,000	£0
<b>Total Contributions</b>	<b>£347,130</b>	<b>£386,691</b>

\*Proposed affordable housing includes a corresponding late-stage review which the consented scheme did not include. This is supported by Ealing Council’s Housing Department.

Figure 7: Consented vs Proposed Habitable Room Mix and Occupancy:

Unit Mix	Approved	Proposed	Change	Total Proposed
1-Bed, 2- Person	8	30	+22	<b>30 (+22)</b>
2-Bed, 3- Person	3	9	+6	<b>12 (-12)</b>
2-Bed, 4- Person	21	3	-18	
3-Bed, 5- Person	20	12	-8	<b>20 (-4)</b>
3-Bed, 6- Person	4	8	+5	
<b>Total</b>	<b>56</b>	<b>62</b>	<b>+6</b>	
<b>Total Number of Occupants</b>	<b>71</b>	<b>70</b>	<b>-1</b>	

Additionally, it is noted that the proposed development is to contain on-site servicing for refuse, which is considered an enhancement to the existing consent, which offered on-street servicing, whilst elements including the Construction Management Plan, Dust Management Plan and Sustainable Energy being conditioned to be discharged prior to commencement. It is also noted that one active electric car charging point and one passive electric car charging point is to be conditioned as part of the recommendation, compared to zero electric car charging points in the extant permission.

**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 application are:

- The Principle of the Development;
- Affordable Housing;
- Design and Appearance;
- Unit Mix and Affordable Housing;
- Standard of Accommodation;
- Neighbouring amenity;
- Traffic, Transport and Parking;
- Environmental Improvements, Trees and Metropolitan Open Land;
- Drainage and Flood Risk
- Energy/Sustainability;
- Crime Prevention; and
- Planning Obligations and the Mayor’s Community Infrastructure Levy.

**The Principle of the Development**

The National Planning Policy Framework supports the effective use of land when sites are well located to good transport links and where there is an existing or anticipated shortage of land for meeting identified housing needs. Paragraph 68 of the NPPF states that 'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area'.

Increasing the current housing stock is an important strategic objective for the London Borough of Ealing. Ealing Council has a ten-year housing supply target of 21,570 units in The London Plan. The London Plan seeks to increase the housing supply and optimise the potential for housing delivery on all suitable and available brownfield sites through their planning decisions, especially sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800 metres of a station.

The proposed site is located adjacent to Acton Central Station (located on the London Overground network) and within an area with a PTAL value of 3 (moderate), thus considered to be in accordance with the guidance of the London Plan, with the proposed development making an important contribution towards Ealing Council meeting its housing supply target.

Policy H1 of the London Plan 2021 refers to the need to increase housing supply to meet demand within London, with Policy H9 of the London Plan 2021 promoting the efficient use of existing stock.

The proposal to provide additional residential units would contribute towards both Borough specific and London-wide strategic housing targets in a residential location and is acceptable in principle, subject to other material considerations including: quality and layout of the proposed living accommodation; design and appearance; impact on nearby occupiers and traffic and parking considerations.

Additionally, as part of the London Borough of Ealing - Strategic Housing Market Assessment Update (2018) states, "Figure 35 shows a significant need for family sized housing to be provided as part of any market housing mix." The development would create five family sized units (3-bedroom, 5/6-person) which would contribute towards meeting the need for larger units in the London Borough of Ealing. It is noted that there were six family sized units in the previous consent, a difference of one, however, given the location near to a train station – that the housing mix is sufficient to meet the local housing delivery targets.

#### **Design and Appearance on the Conservation Area and nearby Listed Buildings**

Policy D3 of the London Plan (2021) provides that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that that as here, with regard to applications relating to land or buildings within a conservation area, 'special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area'.

The National Planning Policy Framework (2021), paragraph 202 states that: 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'. However, this needs to be considered in the context of section above and so it is not a simple balancing exercise given that special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area.

Policy HC1 of the London Plan and policy 1.1 of the Council's Adopted Development (or Core) Strategy, (Core Strategy), and policy 7C of the Council's Adopted Development Management Development Plan Document, (DPD), seek to ensure that new development conserves the significance of heritage assets. Development should be sympathetic in its materials and architectural detailing and the introduction of designs or materials that undermine the significance of heritage assets should be avoided. More broadly policies D3,

D4 & HC1 of the London Plan and policies 7.4 and 7B of the DPD collectively seek to ensure that new development is informed by and compliments its surroundings.

This policy is reinforced by policies 7.4 and 7B of the Ealing Development Management Development Plan 2013 which state that developments should complement their street sequence, building pattern, scale, materials and detailing and should have high quality architecture.

Policy H9 of the London Plan (2021) indicates development proposals should take into account local context, design and transport capacity as well as social infrastructure to optimise housing output for different types of location.

The design of the scheme utilises a well-articulated development with a recessed upper floor with the entire principal eastern façade divided into distinct bays. The development would have a strong vertical and horizontal rhythm emphasised by balconies, balustrades, windows and stepped bays. The penthouse apartments on the top floor level would incorporate a setback and utilise contrasting materials which would differentiate the rooftop level from the main body of the building. This would ensure that a subservient roof top structure that would assist in reducing the apparent bulk and mass of the building. This is similar in design to the extant permission, with the materials and location of the balconies considered to fit the form of the surrounding Conservation Area.

The scheme maintains its recessed top floor to reduce the perceived mass and form of the building. Additionally, a green wall has been added to the eastern elevation (facing Acton Park), which reduces its visual impact from the park. The siting of the building some 40m back from East Churchfield Road would mean that it would have little impact on the grain of the streetscene. The proposed Biohm brickwork finish to the building would act as a plinth at ground level and allow the timber to blend to the park whilst not harming the historic fabric of the neighbouring Locally Listed Building of Acton Central Station.

It is considered that the building would be of an appropriate footprint, design and height. The development would provide a suitable transition in height and scale from the elevated Acton Station to the adjacent Acton Park. It is considered that the five-storey scale of the development would not have an adverse visual impact upon the adjacent park or on the conservation area and nearby listed building. Generally, the interplay between the windows, balconies and other surfaces in the development would provide a suitable level of articulation to minimise the perception of mass.

Furthermore, the principal materials and finishes of brickwork, tiles and balustrades are considered to provide sufficient scope for a well-designed and interesting building. Vertical design elements have been incorporated into the design which, assist in breaking up the mass of the building. It is recommended that a condition be attached to any grant of planning permission to require the submission of material samples for approval prior to the commencement of the development to ensure that the building is constructed in appropriate materials which would add to the character and appearance of the area.

The scale and massing of the proposed building has been designed to take account of the proximity of the site to the locally listed Central Acton Station, the location of the site within the conservation area and the visibility of the site from Acton Park. A Heritage Impact Assessment (prepared by John Lowe Heritage) has been submitted with the application. It is noted that the existing site in its current use as a builders yard has a negative impact on the Conservation Area. It is considered that the high-quality design of the building, its set back from the locally listed building and its setback of 40m from East Churchfield Road would ensure that the character of the conservation area would not be compromised but would be enhanced the character of the conservation area. The use of timber and natural materials



throughout the development would complement the materials used elsewhere in the Acton Park Conservation Area, whilst the green walls would allow the development to complementary to the adjacent Acton Park.

The proposals are considered to enhance the character and setting of the local area and are therefore considered to be acceptable and would cause less than substantial harm to the setting of the nearby locally listed building and surrounding Conservation Area, thus conforming to local and regional planning policies.

**Affordable Housing and Unit Mix**

London Plan policies H4 and H5 requires London Councils to seek the maximum reasonable amount of affordable housing when negotiating on individual and private residential and mixed-use schemes. Policy 1.2 (a) of Ealing's Development Strategy 2026 DPD seeks to ensure that at least 50 percent of the housing developed in the borough up to 2026 will be affordable housing, as defined in the London Plan, to achieve mixed communities with a range of housing types across the borough to meet need.

Under London Plan policies H4, H5, H6 and H7, Development Strategy policy 1.2(a), and policy 3A of the Ealing DM DPD 50 percent of housing provision should be affordable and that there should be a split of 60 percent affordable rent and 40 percent intermediate housing. Policy H6 of the London Plan states there should be a split of 30 percent low-cost rented homes (London Affordable Rent or Social Rent), 30 percent intermediate products (London Living Rent or London Shared Ownership) and 40 percent determined by the borough as low-cost rented homes or intermediate products based on identified need.

With this application, a greater proportion of one-bed dwellings would be provided, with a matching number of three-bed dwellings. 79% of the units would be one or two-bedroom units, a slight increase of the previous approval of 72%, however the proportion remains similar with the previous approval. It is noted that given the location of the site adjacent to Acton Central Overground Station, that the housing mix is appropriate whilst five family units are maintained with this application, addressing the requirements of London Borough of Ealing - Strategic Housing Market Assessment Update (2018). As such, Ealing Council's housing and planning officers consider the revised housing mix to be acceptable.

**Table 4 – Consented (212533NMA) and Proposed (214950FUL) Unit Mix**

Unit Mix	Approved	Proposed	Change	Total Proposed
1-Bed, 2- Person	4	15	+11	<b>15 (+11)</b>
2-Bed, 3- Person	1	3	+2	<b>4 (-4)</b>
2-Bed, 4- Person	7	1	-6	
3-Bed, 5- Person	5	3	-2	<b>5 (-1)</b>
3-Bed, 6- Person	1	2	+1	
<b>Total</b>	<b>18</b>	<b>24</b>	<b>+6</b>	

**Table 5 – Consented (212533NMA) and Proposed (214950FUL) Habitable Room Mix**

Unit Mix	Approved	Proposed	Change	Total Proposed
1-Bed, 2-Person	8	30	+22	<b>30 (+22)</b>
2-Bed, 3-Person	3	9	+6	
2-Bed, 4-Person	21	3	-18	<b>20 (-4)</b>
3-Bed, 5-Person	20	12	-8	
3-Bed, 6-Person	4	8	+4	
<b>Total</b>	<b>56</b>	<b>62</b>	<b>+6</b>	

As with the approved scheme, the revised proposal would not meet the 50 percent strategic target set by the London Plan and Ealing local policy. To address this shortfall a financial viability assessment was submitted in support of the current application. Following an independent assessment of the FVA and discussions with Ealing Council's Housing Team, it is considered that an offsite contribution of £285,000 would meet the requirements of affordable housing for this site and allow for sufficient delivery of one off-site affordable home. This is in excess of the independently assessed FVA and therefore considered acceptable. It is also noted that this is £10,000 greater than the extant permission, which is considered an improvement to the proposed scheme, despite the number of occupants declining by 1 to 70.

Additionally, the proposed floorspace is comparable to the extant permission and represent an improvement in terms of overall layout. **Table 6** details a comparison between the floorspace breakdown of the consented scheme against the current proposal, which demonstrates that while the percentage of floor space for one-bedroom dwellings has increased, the reduction in floor space for three-bedroom dwellings has marginally decreased with the vast amount of the difference being the reallocation of two-bedroom units to one-bedroom units.

**Table 6 – Floorspace Analysis Consented vs Proposed**

	Consented (sqm)		Proposed (sqm)	
1-Bed, 2-Person	216.5	14.08%	750	49.44%
<b>TOTAL 1-Bed</b>	<b>216.5</b>	<b>14.08%</b>	<b>750</b>	<b>49.44%</b>
2-Bed, 3-Person	81	5.27%	204	13.45%
2-Bed, 4-Person	607	39.48%	78	5.14%
<b>TOTAL 2-Bed</b>	<b>688</b>	<b>44.75%</b>	<b>282</b>	<b>18.59%</b>
3-Bed, 5-Person	512	33.40%	279	18.39%
3-Bed, 6-Person	121	7.77%	206	15.78%

<b>TOTAL 3-Bed</b>	<b>633</b>	<b>41.17%</b>	<b>485</b>	<b>34.17%</b>
<b>TOTAL</b>	<b>1,537.5</b>	<b>100%</b>	<b>1,517</b>	<b>100%</b>

Based on the above it is clear that the additional floorspace has allowed for the creation of six additional dwellings whilst reducing the number of family sized (three-bedroom) units by one, from six to five. Additionally, whilst the average floorspace per unit reduces in the proposed scheme compared to the previous consent (as illustrated in **Table 7** below).

**Table 7 – Average Floorspace per Unit (Consented vs Proposed)**

	<b>Consented (sqm)</b>	<b>Proposed (sqm)</b>
1-Bed, 2-Person	54.13sqm	50.00sqm
2-Bed, 3-Person	81.00sqm	68.00sqm
2-Bed, 4-Person	86.71sqm	78.00sqm
3-Bed, 5-Person	105.50sqm	93.00sqm
3-Bed, 6-Person	121.00sqm	103.00sqm

**Table 7** illustrates that the average unit size has decreased in the proposed scheme compared to the consented. However, it is noted that all 24 units meet the requirements of the Technical Housing Standards and Table 3.1 of the London Plan (2021) and are still considered to provide acceptable living conditions for future occupiers. The layout of the scheme is considered an improvement due to more family units having private gardens compared to the extant (with more family units having balconies) and with the proposed scheme maximising the number of dual and triple aspect units.

On balance, the proposal continues to offer homes for 70 persons, increases the number of units and habitable rooms whilst allowing for a greater number of units to meet Ealing’s requirements for housing delivery. In this circumstance, this proposal represents an improved affordable housing offering (increase of £10,000 with the same number of occupants) and it would not result in a disproportionate decrease in average unit size. As such, the proposal is considered to be acceptable. A standard late-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.

London Plan (2021) policy D3 and Ealing DPD policy 3.5 require that housing developments should be of the highest quality internally and externally.

Table 3.1 of London Plan (2021) and the 'Technical Housing Standards - nationally described space standard' (March 2015) stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected for the proposed units. The proposal involves the creation of 24 residential units and the table below sets out the range of floor areas provided per unit, which show the proposed spatial standards and the expected sizes that should be met:

**Table 8 – Proposed Unit Sizes**

Unit Number	Dwelling Type	Requirement (sqm)	Proposed Floor Area (sqm)	Complies?
1	3B6P	95sqm	98sqm	Yes
2	3B5P	86sqm	98sqm	Yes
4	3B5P	86sqm	92sqm	Yes
5	1B2P	50sqm	50sqm	Yes
6	1B2P	50sqm	50sqm	Yes
7	1B2P	50sqm	50sqm	Yes
8	1B2P	50sqm	50sqm	Yes
9	1B2P	50sqm	50sqm	Yes
10	2B3P	61sqm	68sqm	Yes
11	1B2P	50sqm	50sqm	Yes
12	1B2P	50sqm	50sqm	Yes
13	1B2P	50sqm	50sqm	Yes
14	1B2P	50sqm	50sqm	Yes
15	1B2P	50sqm	50sqm	Yes
16	2B3P	61sqm	68sqm	Yes
17	1B2P	50sqm	50sqm	Yes
18	1B2P	50sqm	50sqm	Yes
19	1B2P	50sqm	50sqm	Yes
20	1B2P	50sqm	50sqm	Yes
21	1B2P	50sqm	50sqm	Yes
22	2B3P	61sqm	68sqm	Yes
23	2B4P	70sqm	78sqm	Yes
24	3B6P	95sqm	108sqm	Yes
26	3B5P	86sqm	89sqm	Yes

London Plan (2021) Table 3.1 Minimum Space Standards

The proposed residential flats and houses would comply with nationally described space standards for internal floor areas and floor to ceiling heights. In addition, the proposed residences would be provided with acceptable levels of sunlight, daylight and outlook; and have been designed to maximise the number of dual aspect dwellings with all units being at least dual aspect. Overall, each of the proposed dwellings has a well-designed layout that would enable a good standard of internal living accommodation and is considered acceptable.

All residential units meet the requirements of Building Regulation M4(2) whilst the proposed development provides 10% wheelchair accessible units (M4(3) compliant) in accordance with London Plan (2021) policy with all units being accessible to M4(2) regulations. Both parking spaces would have accessible bays, as confirmed in the submitted Transport Statement. The overall environment proposed by the development will be wheelchair accessible and the design has minimised topographical changes that cannot be negotiated by wheelchair.

The proposed development is in an area where air quality and noise are key considerations. Assessments have been undertaken to ensure that these factors would not be harmful to the future occupiers of the development and the Council's Regulatory services have fully assessed the submitted information. The design has also responded to these issues incorporating mitigation measures to help ensure an adequate and healthy environment for future residents, including being set away from the railway tracks.

Regarding noise a Noise Impact Assessment which assesses the noise and vibration effects of the development on existing and proposed receptors was submitted with the application. Mitigation measures are proposed and secured by condition to ensure that the new receptors are suitably protected from environmental noise and vibration.

The proposals are acceptable in term of environmental factors and planning conditions are proposed to mitigate any harmful impacts. The proposals accord with policy D3 and D6 of the London Plan.

In terms of private amenity space, Table 7D.2 under Policy 7D of the adopted Ealing Development Management DPD (2013) requires all new residential development to have good quality private outdoor space, in accordance with the minimum required figures. The policy requires a minimum of 5.00 square metres per 1 - 2-person unit and an additional square metre for each additional occupant. Given that the proposed balconies would range from 5.00 square metres to 16.00 square metres for three bedrooms, with the three ground-floor units having private gardens between 50.00sqm and 74.00sqm. Across the site, 100% of the units have access to private balconies or private gardens, with the 3 family-sized units on the ground floor benefiting from a private garden, located closest to the boundary with Acton Park – which is considered an improvement to the previous schemes regarding access to open space for families, as the previous scheme only had one family unit on the ground floor. Whilst no communal amenity space is provided, it is noted that the site is adjacent to Acton Park, with Section 106 contributions requested for improvements to park infrastructure. The proposed flats would therefore have an acceptable private outdoor space in accordance with Policy 7D of the Ealing Development Management DPD (2013).

Considering the above considerations, the proposed living environment is considered adequate in terms of size, design and orientation. The proposal would therefore meet the objectives of sections 6 and 7 of the National Planning Policy Framework, policies D3 and D6 of the London Plan (2021) and 7D of the adopted Development Management Development Plan Document (2013).

### **Neighbouring Amenity**

Residential development is required to show regard for the form, function and structure of an area and seek to make a positive contribution to its surroundings London Plan - Policy D6; Development Management DPD - Policies 7B & 7.4). Additionally, the design of proposed residential developments is also expected to be cognizant of the impacts that it may generate so as to avoid reducing the level of amenity available to both the site itself and its surroundings (Development Management DPD - Policy 7A).

Policy 7B of the Ealing Development Management Development Plan 2013 provides that new development must achieve a high standard of amenity for users and for adjacent users by ensuring good levels of daylight and sunlight, good levels of privacy, coherent development of the site, positive visual impact and legibility and accessibility.

The site benefits from a relatively isolated location adjacent to a public park and Acton Central Station. The nearest residential property would be located 40m from the site and as such the development is unlikely to impact adjoining properties in regard to loss of privacy, over-dominance or shadowing. It is also noted that all windows at the neighbouring residential buildings comply with BRE Guidance relating to Vertical Sky Component, Non-Skyline and Sunlight – thus the proposed scheme is considered acceptable regarding neighbouring, residential amenity.

The applicant has submitted a Daylight / Sunlight Assessment (Delva Patman Redlar dated 20 July 2021) which demonstrates that while there would be a slight reduction in both daylight and sunlight at a number of windows near to Acton Central Railway Station, the

reduction would be small such that it would be imperceptible, and the impact would be negligible. It is also noted that this building does not house residential, thus would not be detrimental to the living conditions of residents surrounding the site.

Regarding Ark Byron Academy, the Daylight / Sunlight Assessment demonstrates the development would not lead to detrimental harm to the amenity of users of the school, whilst plans have been amended through the planning process to reduce the windows on the southern elevation to prevent overlooking to the school, with screening to the east elevation balconies to achieve this further.

Additionally, concern has been raised that the development would impact on local education, transport and health infrastructure in the area. It is considered that a development of this scale would not give rise to significant impacts on education, healthcare or other infrastructure within the area. As such, it is considered that the proposal is acceptable with respect to local infrastructure subject to a Section 106 Legal Agreements and the associated contributions.

### **Traffic, Transport and Parking**

Policy T4 of the London Plan 2021 states that development proposals should ensure that development should not adversely affect safety on the transport network. Policy T6 provides that an appropriate balance should be struck between promoting new development and preventing excessive car parking and that in locations with high public transport accessibility, car-free developments should be promoted.

The development has been designed as a low car-housing scheme and provides two disabled parking spaces within the site, with a condition recommended to ensure the disabled parking spaces have either an active or passive electric car charging point included.

It is considered that the development site, being located within Acton Town Centre, in proximity to Acton Central station and other services and parking controls exist along the surrounding roads would be appropriate for a car free development in accordance with policy T6 of the London Plan. Furthermore, to address the shortfall of on-site car parking a section 106 agreement is attached to the recommendation to prevent the future occupiers of the development from obtaining parking permits in the adjacent Acton Central Controlled Parking Zone.

While it is acknowledged that the development is in close proximity to a level crossing and a concern has been raised from local residents that the development would give rise to safety issues in this location, the proposed development is a car free scheme with only two on-site car parking spaces proposed. Therefore, the proposal would not generate significant traffic in this location and would not give rise to safety impacts at the level crossing. Additionally, servicing for smaller vehicles would be located within the site and for larger vehicles from on Churchfield Road East, as per the previously approved scheme, to reduce the number of movements within the site and at the junction close to the level crossing and to not adversely affect safety on the transport network in accordance with Policy T4 of the London Plan.

Policy T5 of the London Plan provides that developments should provide secure, integrated and accessible cycle parking facilities in line with the minimum standards set out within the London Plan. The proposed development provides for a total of 44 long-stay and 5 short-stay cycle parking spaces which exceeds the recommended number within the London Plan 2021. A planning condition is proposed seeking further details of the design of the external cycle stands to ensure that the stands are secure and would not detract from the appearance of development.

The siting of the refuse near to the access of the site is considered an appropriate location regarding distance from the development and from the refuse collection site and is located within a secure compound. Therefore, the proposal is considered in accordance with Policies SI7 and SI8 of the London Plan (2021) and Ealing Council's SPG on Refuse and Recycling.

Therefore, the proposed development is considered to be acceptable with respect to traffic, parking and servicing and conforms to local planning policies and is considered an enhancement compared to the previous consent due to on site servicing and ensuring the cycle parking conforms to Transport for London standards.

**Environmental Improvements, Trees and Metropolitan Open Land**

The proposed development would be positioned adjacent to Acton Park which is designated as Metropolitan Open Land (MOL). The Ealing Development Management Development Plan provides that development should not compromise the visual openness or heritage value of open and green spaces.

While the development would be positioned adjacent to this Metropolitan Open Land, the proposal would be setback at a sufficient distance from the park to ensure that the visual openness or heritage value of the open space would not be compromised. This is clear from imagery taken from Acton Park ,showing a high level of vegetation close to the boundary of Acton Park, ensuring the scheme is obliquely visible, with the proposed green walls allowing the development to complement Acton Park and the Metropolitan Open. **Figure 8** contains a site photo taken from Acton Park, indicating the amount of vegetation. While an objection has been received regarding the impact the development would have on views of Acton Park, it is not considered that the proposal would give rise to adverse impacts in this regard given that views from neighbouring streets are already obstructed by Acton Central Station. Therefore, it is not considered that this view would be obstructed to an unacceptable degree and would remain in line with the previously consented scheme.



Site View from Acton Park

**Figure 8:** Site photo of the application site taken from Acton Park.

It is noted that no trees on the site and that there are a number of trees that run along the boundary in Acton Park that are under Ealing Council's ownership. The proposed scheme

proposes to prune six trees but does not propose to fell any trees. This is considered acceptable and would not lead to a loss of amenity for the wider area.

It is therefore, considered that the proposal would not compromise the visual openness or heritage values of Acton Park and would be in accordance with local planning policies.

Additionally, the increased planting on site and net biodiversity gain, in addition to the green roofs and green walls, allows the development to have an Urban Greening Factor of 0.4, which exceeds the London Plan requirements, which is seen as an enhancement compared to the consented scheme due to the previous scheme not featuring green roofs and walls nor requiring to meet the London Plan's Urban Greening Factor targets.

Furthermore, the scheme is air quality neutral at minimum and contains the proposed measures including significant mature planting, climbing plants and living walls. This is considered to be an enhancement to the previous scheme whilst allowing the development to complement the neighbouring Acton Park and wider region, in accordance with local environmental planning policies.

**Drainage and Flood Risk**

Policy LV 5.12 (Flood Risk Management) under the Ealing Development Management Document DPD (2013) states how all forms of development must ensure that every vulnerability to surface water, sewer and ground water flooding is fully assessed. It is noted that all neighbouring trees are to be retained and given it's within an area of low probability of flooding and following consultation with Thames Water, informatives have been placed on the recommendation.

**Energy/Sustainability**

The provision of sustainable development is a key principle within the National Planning Policy Framework (2021), which requires the planning process to support the transition to a low carbon future.

A Sustainability Statement (energy) prepared by KLH Sustainability in July 2021 (rev-2) has been submitted and reviewed by Ealing's Energy Officer. The Council is extremely supportive of the proposed energy strategy.

The Energy Strategy has been assessed against the draft SAP10 benchmark and follows the standard energy hierarchy of "Lean, Clean, Green", and is in line with London Plan policy SI2 & SI3, and Ealing DPD policy 5.2.

An Overheating/Cooling analysis with proposed mitigation measures has been carried out. The size and type of development is not suitable for CHP and the Council confirms that there is no available "Clean" district heat network (DHN). The development is all electric with no gas infrastructure on-site.

The application proposes a communal site-wide (air-to-water) Air Source Heat Pump LTHW (55/25°) distribution loop with individual dwelling heat exchangers provide underfloor heating and domestic hot water. The loop will be driven by four heat pump collectors. Also proposed is a PV array with a capacity of 36 kWp.

Currently, the overall site-wide CO<sub>2</sub> emissions will be cut by at least 86.75%, with 11.41% carbon reduction through "Lean" efficiency measures, 26.41% "Clean" reduction through the use of Air Source Heat Pumps, and 48.93% through "Green" renewable energy (PV) measures.

There is a shortfall of 52 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 £4,908. 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 £27,896.

If after three years of in-situ monitoring the renewable/low-carbon energy systems do not deliver, within a reasonable margin of error, the carbon reductions predicted in the Energy Strategy then the Developer will need to pay an additional Carbon Offset contribution to mitigate any shortfall.

The new London Plan (policy SI2) introduces a fourth step to the existing (be Lean, Clean, Green) energy hierarchy of “be Seen”. In addition to the GLA 'be Seen' reporting requirements Ealing Council requires the physical monitoring and performance analysis of the renewable/low-carbon energy equipment and associated systems. Ealing already implements this “be Seen” requirement through its 2013 DPD policy 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.

In line with this Ealing Council will require the monitoring of the PV array and the communal Air Source Heat Pump loop to identify its performance efficiency. Monitoring the heat pumps 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/Emergence.

The energy monitoring devices to be supplied by Ealing/Emergence through the S106 contribution (subject to final confirmation) are:

- PV (GPRS) smart meters x1.
- ASHP (loop heat meter) datalogger x1.
- ASHP electric parasitic load (GPRS) smart meter(s) x4.  
*If there are more than x4 ASHP collectors then the Developer must provide 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) x6.

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 required (above the x1 identified).

Overall, the proposals are considered to comply with the relevant London Plan and Ealing policies relating to low carbon technologies, and would result in a sustainable development with appropriate energy and CO2 savings. Conditions and s106 legal agreement have been included requiring compliance with these policies.

### **Crime Prevention**

London Plan Policy D3 (Optimising site capacity through the design-led approach) 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 proposed development would have a clear and legible access along the perimeter of the building, with high levels of visibility from upper floor windows towards the entrance of the

sites, whilst balconies and the western accessway allow for natural surveillance of the site. The proposed development would therefore provide a safe and secured environment for future occupiers of the site. Whilst there are no concerns with reference to accessibility and legibility, a planning condition has been recommended requiring compliance with Secure by Design Standards and external lighting. This condition was not placed on the previous consent and would allow the development to conform to Policy D3 of the London Plan (2021).

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

A number of objectors to the proposals cited the lack of infrastructure currently available to local residents, and exacerbation of the lack of services following the development, as a reason why the proposals should be refused.

In accordance with policy DF1 of the London Plan and Policies 6.1, 6.2, 6.3 and 6.4 of Ealing's adopted development Strategy, appropriate mitigation measures and financial contributions are being sought through legal agreement as detailed in the recommendation section of this report. It is considered that the measures and contributions are necessary to mitigate impacts of the development, particularly on local infrastructure such as schools, roads and public transport.

A total financial contribution of £386,691 has been secured as set out in detail in the recommendation section of this report.

In accordance with the Community Infrastructure Levy (CIL) regulations as amended this development is liable to pay CIL at a level of £60 per square metre (subject to indexation) of new development. The market housing of the development would be CIL liable.

The development involves the construction of 24 residential units and would provide a total 1,517 square metres of residential floor space. The floor area subject to the CIL charge will be dependent on the finalised floor area.

#### **Conclusion**

Whilst it is noted that there is considerable local opposition, it is noted that the site has been subject to a previous planning consent, which has been amended several times. The current application expresses a desire to implement a permission for the site, which would develop a brownfield site within the London Borough of Ealing and would make a positive contribution to Council's 10-year housing targets. The affordable housing offering is also considered to be acceptable and would allow for an off-site contribution towards an affordable home. The housing mix proposed is also considered to be acceptable.

As the assessment above has demonstrated, the proposed development presents a design that is consistent with the extant permission whilst featuring improvements including green walls to present as subordinate and complementary to the neighbouring Acton Park. The heights, scale and massing are consistent with the consented scheme 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. Whilst local opposition expresses a discontent to the height, mass and design, it is considered that the proposed development complements the park, school and wider region better than the extant consents and would be an appropriate development for the site.

On balance, the development involving creation of 24 units including 5 family-sized, three-bedroom unit, the offsite provision of affordable housing units (an improvement to the financial viability assessment review) and through securing a Section 106 Legal Agreement to restrict parking permits and contribution towards local infrastructure is considered to be acceptable in this location and in accordance with the above assessment, it is considered

that the proposal is consistent with the policies of the London Plan (2021), the Ealing Development (Core) Strategy (2012), Ealing Development Management Development Plan (2013) and it is considered there are no justifiable reasons to refuse this application. Subject to the conditions, the application is therefore recommended for approval subject to Section 106 Legal Agreement.

**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. 214950FUL)**

Time Limit

1 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).

Drawing Numbers

2 The development hereby approved shall be carried out in accordance with the drawing titles: BL-LP-DR-A-0001-P1 Site Location Plan; BL-SL-DR-A-001-P1 Site Layout Plan; BL-EL-DR-A-200-P2 Elevations; BL-FF-DR-A-101-P2 First/Second Floor Plan; BL-GF-DR-A-100-P2 Ground Floor Plan; BL-TF-DR-A-103-P2 Third/Fourth Floor Plan; BL-RP-DR-A\_105-P1 Roof Plan.

Supporting Documentation

21521/A2\_AIA\_Rev A BS5847:2012 Tree Survey, Arboricultural Implications Assessment & Method Statement prepared by Indigo Surveys dated October 2021; 2210080-EWP-ZZ-00-ZD-C-1000 P3 Proposed Below Ground Drawings; 2210080-EWP-ZZ-XX-TN-0001 Technical Noted prepared by Elliott Wood dated 12 November 2021; P10/12189B/10/1 Air Quality Assessment prepared by Air Quality Consultants dated November 2021; Amendments Document P1 prepared by GS8 dated October 2021; Archaeological Assessment prepared by Abrams Archaeology Ltd dated 12 July 2021; Construction Management and Logistics Plan Rev 02 prepared by GS8 Construction dated 25 September 2021; Cover Letter prepared by DP9 Ltd dated 23 July 2021; Daylight and Sunlight Report prepared by Delva Patman Redler dated 20 July 2021; Design & Access Statement P1 prepared by GS8 dated July 2021; Ecological Landscape Proposal prepared by London Glades dated 13 July 2021; External Lighting Statement prepared by Integration Consultancy Limited dated October 2021; Heritage Statement V.2 prepared by Jon Lowe Heritage dated July 2021 (Updated October 2021); Layout Plan Hardscape DWG2 dated 24 November 2021; Noise Exposure Assessment 16729-NEA-01-Rev B prepared by 21 July 2021; Noise Impact Assessment 16729-NIA-01 Rev A prepared by Clement Acoustics dated July 2021; Planning Statement prepared by DP9 Ltd dated July 2021; Preliminary Ecological Appraisal Report 21521/E1 prepared by Indigo Surveys dated 21 July 2021; N02-NB-Transport Note (211122) Servicing Arrangements prepared by Caneparo Associates Limited dated November 2021; Statement of Community Involvement prepared by Sec Newgate dated October 2021 (updated); Sustainable Drainage Strategy P3 prepared by Elliott Wood dated 12 November 2021; Sustainability Statement Addendum prepared by KLH Sustainability; Sustainable Drainage Strategy Rev P2 prepared by Elliott Wood dated 1 October 2021; Transport Statement prepared by Caneparo Associates Limited dated September 2021; Waste Management Plan prepared by Caneparo Associates Limited dated September 2021.

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

Demolition Method Statement and Construction Management Plan

3 Prior to the commencement of development, a detailed Demolition Method Statement, Construction Management Plan and Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan must refer to the following matters:

- a. Removal of any earth from the site.
- b. Site clearance, demolition, excavation and construction methods.

- c. Site management and access.
- d. Signage for construction traffic, pedestrians and other users of the site.
- e. Prevention of mud and debris being deposited.
- f. Vehicle and machinery specification.
- g. Details of all Non-Road Mobile Machinery (NRMM) to be used on site.
- h. Turning manoeuvres and routing of vehicles.
- i. Estimated number and frequency of vehicle deliveries.
- j. Parking of construction vehicles.
- k. Compliance with noise limits and vibration mitigation measures.
- l. Procedures for on-site contractors to deal with complaints from local residents, liaison with local residents and notifications to interested parties.
- m. Mitigation of air pollution and dust emissions during site clearance, demolition, excavation and construction works.
- n. Waste management, hazardous material storage and removal.
- o. Noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014)
- p. Lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by Institution of Lighting Professionals)
- q. Hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Monday-Fridays and 0800-1300hrs Saturdays.
- r. Public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works.

Reason: To protect the amenity of occupants and neighbouring properties in accordance with policy 7A and policy 7B of Ealing's Development Management DPD (2013), policies D14, T4 and SI1 of the London Plan (2021), policy 1.1 (j) of the Ealing Development (Core) Strategy (2012) and National Planning Policy Framework (2021).

#### Materials

4 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. The samples and details shall include all window treatments, privacy screens, balcony structures and balustrading treatment, and any other materials to be used. 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); policies D3 and D4 of the London Plan (2021); and the National Planning Policy Framework (2021).

#### Hard and Soft Landscaping

5 Notwithstanding any information submitted, prior to the occupation of the development full details of hard and soft landscaping works (including a phased programme of works); and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

The approved works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants, which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

Reason: To ensure that the development is landscaped in the interests of the visual character and appearance of the area, to ensure appropriately landscaped amenity space

and public realm, in accordance with policies D4 and D8 of the London Plan (2021), and policies 7.4 and 7B of the Ealing Development Management DPD (2013).

Tree Protection

6 No trees, shrubs or hedges within the site or within the adjacent Acton Park which are shown to be retained on the plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the Local Planning Authority, unless specified in the 21521/A2\_AIA BS5837:2012 Tree Survey, Arboricultural Implications & Method Statement prepared by Indigo Surveys dated July 2021. Any shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with shrubs or hedge plants or similar species capable of achieving a comparable size unless the Local Planning Authority gives written consent to any variation. Any trees removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced in accordance with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure protection of trees, shrubs and hedges growing within the site which are of amenity value to the area in accordance with policies 3.5, 5.10 and 7.4 of the Ealing Development Management Development Plan (2013), policies 1.1 and 1.2 of the adopted Local Development Framework (Core Strategy 2012) and policy G7 of the London Plan (2021).

Cycle Parking

7 Prior to the first occupation of the development, details shall be submitted to and approved by the Local Planning Authority in writing, in consultation with Transport for London, to demonstrate the provision of at least 43 long stay cycle parking spaces and at least 5 short stay cycle parking spaces carried out to the specifications and adopted standards of the London Plan, London Cycling Design Standards and the Local Planning Authority. The approved details shall be brought into use prior to first 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.

Delivery and Servicing Plan

8 A delivery and servicing plan shall be submitted to and approved in writing by the Local Planning Authority, prior to first occupation of any part of the development hereby approved. The plan shall cover the following:

- o Vehicle tracking - Swept paths drawings for a refuse lorry vehicle, 10-metre rigid vehicle and also a fire appliance vehicle;
- o Deliveries and collections (both commercial and residential); including how deliveries will be scheduled to avoid several lorries arriving at the site simultaneously;
- o Servicing trips (including maintenance); and measures to reduce the number of freight trips to the site (freight consolidation);
- o Details of the location and management of the parcel room for the receipt and collection of deliveries for the residential properties
- o Cleaning and waste removal; including arrangements for refuse collection;
- o Monitoring and review of operations.

The delivery and servicing plan shall be implemented on first occupation of any part of the development hereby approved and the site shall be managed in accordance with the approved plan for the life of the development.

Reason: To ensure that the development can be adequately serviced in the interests of pedestrian and highway safety, in accordance with policies T3 and T4 of the London Plan (2021) and Local Variation policy 6.13 of the Development Management DPD 2013.

#### Car and Cycle Parking Management Strategy

9 Prior to the first occupation of the development, a Site Wide Car and Cycle Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Transport for London. The Site Wide Car and Cycle Parking Management Strategy shall include the following details:

- a) The proposed distribution, accumulation of and arrangements for the management of:
  - i) Visitor car parking
  - ii) Residential car parking
  - iii) Motorcycle spaces
  - iv) Wheelchair users parking
- b) Measures for preventing parking in undesignated places throughout the site
- c) The provision of active Electric Vehicle Charging Points (EVCP) for a minimum of 20% of the residential car parking spaces and an additional 80% passive provision of the residential car parking spaces within the development as set out in the London Plan (2021);

The car parking shall be provided and managed in accordance with the approved strategy for the life of the development.

Reason: To ensure inclusive, safe and adequate parking is provided and retained in conjunction with the development in the interests of the general amenities of the locality, the flow of traffic and conditions of pedestrian and general highway safety within the site and on neighbouring highways, a sustainable development and where appropriate constrain local highway impact in accordance with policies T4, T5 and T6 of the London Plan (2021); policies 1.1(e), 1.1(f) 1.1(g) and 1.1(h) of Ealing's adopted Development (or Core) Strategy 2012.

#### Site Investigation

10 Prior to the commencement of any works on site (other than demolition and site clearance), 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 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 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.

#### Remediation Scheme

11 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 SD1 of the London Plan 2021 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

#### Remediation Scheme

12 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 SD1 of the London Plan 2021 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

#### Piling Method Statement

13 Development shall not commence (excluding demolition and site cleaning) shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling shall be carried out, including measures to minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority and the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works would be in close proximity to underground water and sewerage utility infrastructure, which needs to be safeguarded in accordance with policies SI5, SI12 and SI13 of the adopted London Plan (2021).

#### Refuse and Recycling

14 The refuse and recycling shown on the approved drawings shall be provided prior to the first occupation of any dwelling and retained thereafter.

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 policy 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 adopted Development Management DPD (2013); and (interim) SPG 4: Refuse and Recycling Facilities.

#### Sound Insulation and Glazing

15 The sound insulation of the building envelope including glazing specifications shall be implemented in accordance with the Noise Exposure Assessment Report by Clement Acoustics ref. 16729-NEA-01-RevB dated 21 July 2021 and with noise limits specified in BS8233:2014. If compliance requires the windows to be closed, then acoustically attenuated



mechanical ventilation and cooling shall be installed as necessary (with air intake from the cleanest aspect of the building and low self-noise). Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces to achieve criteria specified in BS8233:2014. The above 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 D6 of The London Plan (2021), Ealing SPG10 and the National Planning Policy Framework (2021).

#### Sound Insulation Value

16 Prior to commencement of relevant 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/areas, namely, kitchen/living/dining/bathroom adjoining bedrooms of separate dwellings. 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 Policies 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), Standard 30 of the Housing SPG the National Planning Policy Framework (2021).

#### External Sound Level

17 The individual and combined external sound level emitted from plant, machinery or equipment at the development site shall be lower than the lowest existing background sound level by at least 10dBA, as measured at/ calculated to the nearest and most affected noise sensitive premises at the development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014, with all machinery operating together at maximum capacity.

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).

#### Mounted Ducting

18 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), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021).

#### Air Quality and Dust Management Plan

19 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.

Reason: To safeguard the amenities for future occupiers of the development in accordance with policies D13 and SI1 of the London Plan (2021), policies 1.1(j) & 1.2(f) of the Ealing Development (or Core) Strategy (2012) and with policy 7.3 of the Ealing Development Management Development Plan Document (2013).

Filtered Fresh Air Ventilation System

20 Prior to the commencement of relevant works, 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: In the interests of air quality and 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), policies D14 and SI1 of The London Plan (2021), Ealing SPG10 and the National Planning Policy Framework (2021).

All Non-Road Mobile Machinery

21 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/>.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by dust, 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 D13 of the London Plan (2021), the National Planning Policy Framework (2021) and chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG).

Microwave Masts, Antennae and Satellite Dishes

22 No microwave masts, antennae or satellite dishes or any other plant or equipment shall be installed on any of the buildings within the development unless otherwise approved in writing by the Local Planning Authority under this condition prior to installation.

Reason: To safeguard the character and appearance of the buildings and the area as a whole, in accordance with policy 1.1(h) of the Ealing Development (or Core) Strategy (2012), Local Variation policies 3.5 and 7.4 and policies 7B of the Development Management Development Plan Document (2013).

Passenger Lifts

23 The passenger lifts located within the communal cores serving the approved apartment blocks 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 GG3, D5, D6 and D7 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).

Accessible and Adaptable Dwellings

24 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 D5, D6 and D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development Strategy 2026 DPD (2012).

Wheelchair User Dwellings

25 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 D5, D6 and D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development Strategy 2026 DPD (2012).

CO2 Emissions

26 a) Prior to commencement of relevant works 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 CO2 emissions against SAP10 standards of at least 86.75% (equating to 11.27 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 approved Sustainability Statement (energy) prepared by KLH Sustainability in July 2021 (rev-2) including:

- i. Lean, passive design measures to achieve an annual reduction of at least 11.41% equating to at least 1.48 tonnes in regulated carbon dioxide (CO2) emissions over BR Part L 2013.
- ii. Clean, energy generation systems including the incorporation of Air Source Heat Pump(s) to achieve an annual reduction of at least 26.41%, equating to 3.43 tonnes, in regulated carbon dioxide (CO2) emissions over Part L 2013.

- iii. Green, renewable energy photovoltaic array with a capacity of at least 36 kWp to achieve an annual reduction of at least 48.93%, equating to 6.36 tonnes, in regulated carbon dioxide (CO<sub>2</sub>) emissions over Part L 2013.
- iv. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (COP) of the heat pump(s) including the heat generation and the combined parasitic loads of the heat pump distribution loop.
- b) The development shall incorporate the overheating and cooling measures in line with the relevant CIBSE guidance and detailed in the Sustainability Statement (energy) prepared by KLH Sustainability in July 2021 (rev-2).
- c) 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.
- d) 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.
- e) 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.
- 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 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.

#### Post-Construction Energy Equipment Monitoring

27 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 practical 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.

#### Sustainability Measures

28 Prior to completion the sustainability measures detailed in the Sustainability Statement prepared by KLH Sustainability in July 2021 (rev-2) 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.

#### Secure by Design

29 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 D11 of the London Plan (2021).

#### Fire Statement

30 Prior to the commencement of the superstructure works, a Fire Statement shall be submitted for approval, which shall include details of:

- a) appropriate features which reduce the risk to life in the event of a fire;
- b) appropriate way to minimise the risk of fire spread;
- c) provide suitable and convenient means of escape for all building users;
- d) a robust strategy for evacuation;
- e) suitable access and equipment for firefighting which is appropriate for the size; and use of the development.

In addition, the statement shall provide details of how the development proposal will function in terms of:

- i) the building's construction: methods, products and materials used, the means of escape for all building users: stair cores, escape for building users who are disabled or require level access, and the associated management plan approach
- ii) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, iii) any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
- iv) how provision will be made within the site to enable fire appliances to gain access to the building.

Reason: In the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire safety, in accordance with policy D12 of the London Plan (2021).

Railway Infrastructure

31 No part of the development shall not physically impact on existing London Underground or Network Rail transport infrastructure or the ability to maintain it.

Reason: To ensure that the development does not impact on existing London Underground or Network Rail transport infrastructure, in accordance with London Plan 2021 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

Electric Car Charging

32 Prior to occupation of the use hereby approved, one car parking space should be provided with Active Electrical Charging Points (EVCP) and the remaining one car parking space should be provided with Passive Electrical Charging Points. The car parking shall be provided and managed for the life of the development.

Reason: To provide adequate facilities for drivers of electric cars, in accordance with Policy T6 of the London Plan 2021 and Ealing Development (Core) Strategy policy 1.1(h).

**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)

- Policy SD1 Opportunity Areas
- Policy GG1 Building Strong and Inclusive Communities
- Policy D3 Optimizing Site Capacity Through the Design-Led Approach
- Policy D4 Delivering Good Design
- Policy D5 Inclusive Design
- Policy D6 Housing Quality and Standards
- Policy D7 Accessible Housing
- Policy D11 Safety, Security and Resilience in an Emergency
- Policy D12 Fire Safety
- Policy D14 Noise
- Policy H1 Increasing Housing Supply

Policy H2	Small Sites
Policy H4	Delivering Affordable Housing
Policy H6	Affordable Housing Tenure
Policy H7	Monitoring of Affordable Housing
Policy H9	Ensuring the Best Use of Stock
Policy S4	Play and Informal Recreation
Policy HC1	Heritage, Conservation and Growth
Policy HC3	Strategic and Local Views
Policy G5	Urban Greening
Policy G7	Trees and Woodlands
Policy S11	Improving Air Quality
Policy S15	Water Infrastructure
Policy S18	Waste Capacity and Net Waste Self-Sufficiency
Policy S112	Flood Risk Management
Policy S113	Sustainable Drainage
Policy T4	Assessing and Mitigating Transport Impacts
Policy T5	Cycling
Policy T6	Car Parking
Policy T6.1	Residential Parking
Policy DF1	Delivery of the Plan and Planning Obligations

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)
- 2.1 Development in the Uxbridge Road / Crossrail corridor (a), (b), (c), (d), (e)
- 5.5 Promoting parks, local green space and addressing deficiency (b) and (c)
- 5.6 Outdoor sports and active recreation
- 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

- 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 7C: Heritage

Policy 7D: Open space

Interim Supplementary Planning Guidance/Documents

SPG 3 Air quality

SPG 4 Refuse and recycling facilities

SPG 9 Trees and development guidelines

SPG 10 Noise and vibration

Other Material Considerations

Acton Park Conservation Area Character Appraisal

Acton Park Conservation Area Management Plan

BRE Site layout planning for daylight and sunlight (2011)

Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006)

BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites- Part 1: Noise

DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Environment Agency guidance 'Verification of Remediation of Land Contamination', Report: SC030114/R1'.

Housing - Supplementary Planning Guidance

Homes for Londoners' Affordable Housing SPG

Ealing Council Site Specific Allocations DPD

In reaching the decision to grant permission, specific consideration was given to the impact of the proposed development on the amenities of neighbouring properties and the character of the area as a whole. Consideration was also given to highways, and the provision of adequate living conditions for occupiers. 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 application.

- 2 Construction and demolition works, audible beyond the boundary of the site shall only be carried on between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Bank Holidays.
- 3 Prior to the commencement of any site works and as works progress, all sensitive properties surrounding the development shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed.
- 4 No bonfires shall be lit on site.
- 5 Calculation of building envelope insulation - Interim SPG10 advises:
  - a) A precise sound insulation calculation under the method given at BS EN12354-3: 2000, for the various building envelopes, including the use of the worst case one hour data (octave band linear noise spectra from 63 Hz - 4k Hz) by night and day, to arrive at the minimum sound reductions necessary to meet the SPG10 internal data.
  - b) Approved laboratory sound insulation test certificates for the chosen windows, including frames and seals and also for ventilators, in accordance with BS EN ISO 140-3: 1995 & BS EN ISO 10140-2:2010, to verify the minimum sound reductions calculated.
  - c) The SPG10 internal and external criteria to be achieved.

Aircraft noise affecting the site is at a contour level of worst mode one day equal to LAeq,16hr 60 dB and LAeq,1hr 67dB by 2016. In calculating the insulation required the LLeq,1hr aircraft noise spectrum, shown at SPG10, shall be used, along with the spectrum for any other dominant noise sources. Under SPG10, the predicted LLeq,1hr aircraft noise exposure for the site at 2016 has to be used and combined with any other noise exposures. The spectra to be used are as follows:

Octave band centre frequency Hz      dB Linear - Leq,1hr



	60 dB contour	57 dB contour	
63	73	70	
125	72	69	
250	69	66	
500	67	64	
1000	62	59	
2000	57	54	
4000	45	42	
Total LAeq,1hr for spectrum 16 - 8K Hz	67	64	

- 6 This permission does not grant consent for the display of external advertisements at this site which are subject to the Town & Country Planning Control of Advertisements (England) Regulations 2007, and which may need to obtain a separate advertisement consent from the local planning authority under those regulations.
- 7 Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted for the approval of the relevant Health and Safety Enforcement Officer.
- 8 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Recent legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near to agreement is required, You can contact Thames Water on 0845 850 2777 or for more information please visit our website.

- 9 Land contamination:
  - a) Reference should be made at all stages to appropriate current guidance and codes of practice this would include:
    - i. Model Procedures for the Management of Land Contamination, CLR 11, Environment Agency, 2004
    - ii. Updated technical background to the CLEA model, Science Report: SC050021/SR3, Environment Agency, 2009
    - iii. LQM/CIEH Generic Assessment criteria for Human Health Risk Assessment (2nd Edition), 2009
    - iv. BS10175:2011 Investigation of potentially contaminated sites - Code of Practice
    - v. Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; Environment Agency, 2001

- vi. Verification of Remediation of Land Contamination', Report: SC030114/R1, Environment Agency, 2010
  - vii. Planning Policy Statement 23: Planning and Pollution Control;
  - viii. PPS23 Annex 2: Development on Land Affected By Contamination;
  - ix. Guidance for the safe development of housing on land affected by contamination, NHBC & Environment Agency, 2008
- o Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
  - o All raw data should be provided in a form that can be easily audited and assessed by the council. (e.g. trial pit logs and complete laboratory analysis reports)
  - o on-site monitoring for ground gases with any relevant laboratory gas analysis;
  - o Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made must be included. (e.g. the reasons for the choice of sampling locations and depths).
- b. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval.
- 10 The applicant is advised that external lighting scheme should be designed to reduce light pollution to nearby residents, and road users and where applicable the recommendations of the following guidance should be met:
- o ILP Guidance Notes for the reduction of Obtrusive Lighting 2011.
  - o Institution of Lighting Professionals Technical Report PLG05, Brightness of Illuminated advertisements, 2015.
  - o CIE Technical Report- Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations - CIE 150: 2003.
  - o Statutory Nuisance from Insects and Artificial Light by Department of Environment Food. Guidance on sections 101, 102 and 103 of the Clean Neighbourhoods and Environment Act 2005, Defra
- 11 The applicant is hereby advised to remove all site notices on or near the site that were displayed in pursuant to the application.
- 12 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.
- 13 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.
- 14 No waste materials should be burnt on site of the development hereby approved.
- 15 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.

- 16 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](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
- 17 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.