



Notice of Meeting:
**Planning
Committee**

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

Date and Time: Wednesday, 16 February 2022 at 19:00

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

Telephone: 020 8825 5291

Email: democraticservices@ealing.gov.uk

Interim Chief Executive: Paul Martin

Committee Membership will be drawn from the following pool:

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

AGENDA

Open to Public and Press

PUBLIC ATTENDANCE AT THE MEETING

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

[CLICK HERE TO WATCH THE MEETING ON YOUTUBE](#)

MEMBERSHIP:

Cllr Ray Wall (Chair)

Cllr Shahbaz Ahmed, Cllr Praveen Anand

Cllr Louise Brett, Cllr Gary Busuttil

Cllr Fabio Conti, Cllr Joanna Dabrowska

Cllr Karanvir Dhadwal, Cllr Dee Martin

Cllr Swaran Padda, Cllr Kamaldeep Sahota

Cllr Chris Summers, Cllr Simon Woodroofe

1 Apologies for Absence and Substitutions

To note any apologies for absence and substitutions.

2 Urgent Matters

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

3 Declarations of Interest

To note any declarations of interest made by members.

4 Matters to be Considered in Private

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

5 Minutes

To approve as a correct record the minutes of the meeting held on Wednesday 15 December 2021.

Published Draft Planning Committee Minutes - 15 December 2021 9 - 16

6 Site Visit Attendance

To share site visit details and note site visit attendance.

7 Park View Place, Greenford Road, Greenford, UB6 0JA - Map 17 - 18

Park View Place, Greenford Road, Greenford, UB6 19 - 96

0JA - Report

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Date of Next Meeting

The next meeting will be held on Tuesday 15 March 2022.

Published: Tuesday, 08 February 2022

Paul Martin
Interim Chief Executive, London Borough of Ealing

Welcome to the Planning Committee

What does the Planning Committee do?

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

Agenda

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

http://ealing.cmis.uk.com/ealing/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/15/Default.aspx

Who is present at the meeting?

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

Public Speaking

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

Site Visits

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

Decisions

The Committee can take decisions which include:

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

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

Record of Decisions

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

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

Minutes of the Meeting of the Planning Committee

Date: Wednesday, 15 December 2021

Time: 19:00

Venue: Council Chamber, Town Hall, New Broadway, Ealing, W5 2BY

Attendees:

Councillor Shahbaz Ahmed, Councillor Jon Ball, Councillor Louise Brett, Councillor Paul Conlan, Councillor Karanvir Dhadwal, Councillor Julian Gallant, Councillor Tariq Mahmood, Councillor Miriam Rice, Councillor Gregory Stafford, Councillor Chris Summers, Councillor Simon Woodroffe

1 Apologies for Absence and Substitutions

Apologies were received from Councillor Julian Bell with no substitute.

It was noted that Councillor Linda Burke had attended the meeting virtually and although she would be able to ask questions and contribute to the debate, she would not be able to vote on any of the applications as she had not attended in person.

2 Urgent Matters

There were none.

3 Declarations of Interest

Councillor Julian Gallant declared that with respect to agenda item 8, the South Acton Estate regeneration master plan, he lived in the Mill Hill Conservation Area.

Councillor Shahbaz Ahmed declared that with respect to agenda item 7, The Transport Yard, Wood End Gardens, Northolt, he was a local Ward Councillor.

4 Matters to be Considered in Private

There were none.

5 Minutes

There were none on this occasion.

6 Site Visit Attendance

Councillor Tariq Mahmood, Councillor Jon Ball, Councillor Linda Burke and Councillor Simon Woodroofe attended site visits.

7 The Transport Yard Wood End Gardens Northolt UB5 4QH - MAP

Harini Boteju, Senior Planning Officer, introduced the report and explained that the proposed site was brownfield industrial land of approximately 0.59 hectares, located to the east of Wood End Gardens, Northolt. The site abutted the borough boundary with Harrow and was adjacent to Metropolitan Open Land (MOL) present within Ealing and Harrow.

It was explained that, in January 2021 outline planning permission, 173416OUT, was granted for 60 new homes, of which 18 homes would be affordable. The scheme comprised four blocks of 4 to 5 storey building with 71 car parking spaces and 176 cycle parking spaces. Associated landscaping, which was arranged as communal gardens, public open space, play and private amenity spaces was secured as reserved matters. The consent was supported by financial contributions of £460,184 and non-monetary contributions secured by a Section 106 Legal Agreement.

It was further explained that the application now before Members sought to expand on the extant permission, 173416OUT, in order to provide a further 89 new homes, that would amount to 149 new homes in total. To accommodate the increased housing, taller blocks of up to 9-storeys were proposed. Seventy-four car parking spaces, 280 cycle parking spaces, associated landscaping and refuse storage was also proposed. Financial contributions of £1,057,468.67 would be secured by a Section 106 Legal Agreement, and reserved matters would seek further details for landscaping. It was noted that the proposal had not been appraised by the Design Review Panel or Community Review Panel.

The Committee was informed that the proposed design of the buildings would be arranged as 3 blocks, A, B and C. Block 'A' would comprise 2 buildings each 4 storey in height, similar to the extant permission. Block B and C would have a maximum height of 8 and 9 storeys, respectively, where the top floor would be set-in, and the heights of the building would be stepped from 5 storey upwards.

The Committee was further informed that the proposed housing mix comprised of 65 one-bedroom units, 61 two-bedroom units, 20 three-bedroom units and 3 three-bedroom units. Block A would contain 24 new homes, one of which would be suitable for a wheelchair user. Block B would contain 56 new homes, 9 of which would be suitable for wheelchair users. Block C would contain 69 new homes, 5 of which would be suitable for wheelchair users. All

new homes would be provided with private amenity space; and the majority would be dual aspect. The ground floor units would have private front or rear garden areas, whilst the upper floors would have balconies that varied in size from 7sqm or greater; and the top floors would have wrap-around terraces. In line with the London Housing SPG, 35% affordable housing would be provided by habitable room. This equated to 48 units, of which 26 would be for London Affordable Rent (LAR); 16 for Shared ownership (SO); and 6 for discount market rent (DMR). The remaining 101 units would be private.

With planning conditions and obligations secured through a Section 106 Legal Agreement, the proposal was considered to comply with policies D3, D5, D6, D7, D9, H1, H2, H4 H12 and the good growth objectives GG2 and GG4 in terms of change of use, housing provision and building design. In relation to sustainability, the proposal would comply with policies T5, T6, T7, G1, G3, G5, G7, SI1, SI3, SI4 and SI13. It was therefore recommended by officers that the application be approved.

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

Graham Jenkins, an objector to the development, made a representation to the Committee which included the following key points:

- The number of flats proposed constituted over-development of a fairly small site. The proposed development was out of keeping with the rest of the neighbourhood. One of the tower blocks would rise to 9-storeys which was too high.
- The number of flats currently under construction in the London Borough of Ealing was more than enough to meet Ealing's current building targets. Did it make sense to be building even more? At Greenford Quays and the Kellogg Tower development the number of flats was enormous. The area needed more houses, not more flats.
- Please use your vote to reject this planning application. The Wood End Residents' Association and the very large number of people who have raised objections to these plans expect you to do this as the application is both unnecessary and unreasonable and if approved will affect and harm our lives for years to come.

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

- The vacant and underutilised site benefitted from an extent and implementable planning permission for 60 units. The same approved access and sighting of the three blocks were proposed in this latest scheme and the proposal sought to increase the number of units to 149 with 48 much-needed affordable housing units mixed rental and shared equity tenure being fully policy compliant.
- The design of the proposed scheme and podium deck will provide a gateway development that would enhance the visual and physical connection with the MOL in the future.

- The scheme provided a balanced mix of one, two and three-bedroom units and would be compliant with internal space standards, carbon reduction policy and amenity space provision.

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

- The London Borough of Ealing had a huge housing shortage.
- There were thousands of people on the housing waiting list in need of a home.
- Many people were given no choice but to have to stay in temporary accommodation including bed and breakfasts and hostels.

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

- There would be a single route for public access to the MOL.
- Land contamination would be dealt with by having conditions put in place and the applicant would be required to provide a series of reports to show what the contamination levels were and how they would deal with it.
- The London Plan moved more towards increasing sustainable methods of transport such as walking and cycling and so the development was not determined to require an increase in the frequency of trains and local buses.
- Construction traffic management would be controlled by a Construction Management Plan.
- The development would unlock the access to the MOL which may otherwise remain unused.
- As part of the Section 106 contributions, money would be provided to enhance the local area which would benefit the local community.
- A tall building in the area was felt to be appropriate because of its location next to a railway line. Impacts towards residential buildings would not be so significant as they were set back further away.
- Paragraph 138 of NPPF encouraged recycling of derelict land and other urban land for urban regeneration.

The Committee then proceeded to vote on the Application.

RESOLVED:

That for the reasons set out in the committee report, planning permission for the application REF **214662OUT** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent.
2. Satisfactory completion of a Section 106 Legal Agreement.
3. Satisfactory completion of a Section 278 Agreement.

9 Railway Yard East Churchfield Road Acton W3 7LL - MAP

Sean Moulton, Planning Officer, introduced the report and explained that the proposal was for a five-storey residential development comprising of 24 self-contained flats, 15 one-bedroom flats, 4 two-bedroom flats and 5 three-

bedroom flats, an internal access road, two disabled car parking spaces, cycle parking and refuse storage. 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.

It was explained that the site had a previous permission, which had been presented to Planning Committee in 2013, PP/2013/1074, which had subsequently been varied by 171850VAR dated 17 November 2017, 193202VAR dated 3 March 2020 and 212633NMA dated 12 May 2021, confirming the footprint, bulk and mass being consistent with the extant permission. It was noted that the previous consents had been implemented.

It was further explained that the amended unit mix was 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 had increased from 4 to 15, whilst the number of three-bedroom units had fallen slightly from 6 to 5. The affordable housing offering had 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 would be dual-aspect, and all would have private amenity space.

The design refinements had 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.

The Committee was informed that the proposal would accord with the relevant National, Strategic and Local Planning policies and guidance. It was therefore recommended by officers that the application be approved subject to conditions and the completion of a Section 106 Legal Agreement.

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

Sophie Amini, an objector to the development, made a representation to the Committee which included the following key points:

- The planning application had firstly been submitted in 2013 and nothing had been reviewed since then and so what was agreed then should not be applied now.
- The development would affect many local people.
- Only 272 local households were informed of the plans.

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

- Community engagement was extremely important, and we hope that this has been evidenced by the five consultation events that had been held which had included two targeted workshops at Ark Byron Academy meeting individually with over 30 stakeholders and residents extending

the determination period to allow conversations to create positive outcomes.

- During the consultation process it had become clear that all members of the local community were not aware of the existing consent that had been granted and implemented. Once this was established, we were able to focus on the far greater benefits of the current proposal versus the implemented scheme which in many ways was no longer appropriate for its setting particularly in relation to the school which was not operational at the time the planning process began.
- The proposal sought to reconfigure the consented implemented massing with only five square meters added and a reduction in total residence to deliver 24 homes for owner occupiers all meeting or exceeding policy space and amenity standards and by providing flexibility for residents such as home working areas.

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

- The proposed development would be car free except for two disabled parking spaces which would both have electric charging points in place, one would be live and the other would be ready to be connected.
- Since the extant permission there had been a change in the consultation process for planning applications. The current application would have been consulted via site notices displayed in the local area but in addition to that there had been consultation undertaken by the applicant. All comments that had been received had been considered by Planning Officers during assessment.
- An indicative Construction Management Plan had been put in place and the Council's transport team had spoken with the applicant directly regarding the level crossing and had not expressed any significant concerns.
- The number of one-bedroom units had increased from 4 to 15, whilst the number of three-bedroom units had fallen slightly from 6 to 5.

The Committee then proceeded to vote on the Application.

RESOLVED:

That for the reasons set out in the committee report, planning permission for the application REF **214950FUL** be **GRANTED** subject to:

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

8 Phases 9.3, 9.5 and 9.6 of the Remaining Area of Acton Gardens Master Plan (South Acton Estate) Acton, W3 8TQ - MAP

Tiago Jorge, Principal Planning Officer, introduced the report and explained that permission was sought to agree a reserved matters application for Plots 9.3, 9.5 and 9.6 of the South Acton Estate regeneration master plan. The Reserved Matters application proposed refurbishment of existing houses, new houses and flat development that would form the last residential

development Phases within the Enfield Road Character Area of the South Acton Estate Regeneration Scheme. Overall, the application proposed to complete the western portion of the masterplan area with the construction of new buildings varying in height from 3 to 9 storeys comprising 215 residential units including the retention and refurbishment of 8 terraced dwellings within Plot 9.3 comprising of 663 habitable rooms.

It was explained that a total of 331 habitable rooms were proposed to be provided as affordable housing with 264 as Affordable Rent and 67 as Shared Ownership. This equated to a total 49.9% provision which was itself split 80% Affordable Rent and 20% Shared Ownership on a habitable room basis. The development would be tenure blind with no distinguishable difference between the appearances of the various tenures of accommodation.

It was further explained that the proposals for Plot 9.3 comprised terraced housing while Plots 9.5 and 9.6 proposed a U-shaped, courtyard-style building. The proposed courtyard-style layouts within Plots 9.5 and 9.6 would enable active frontage to be delivered along the surrounding streets, whilst simultaneously creating courtyards which were shielded from views along the public highway, but which opened onto the neighbouring allotments. This arrangement also ensured that the maximum amount of daylight and sunlight was received by the allotment land.

The Committee was informed that the Reserved Matters proposal was considered to provide a high-quality residential development that would positively contribute to the wider-regeneration aspirations for South Acton and continue the Council's Estate Regeneration Programme. Based off the assessment of the proposal undertaken it was recommended by officers that the application be approved, subject to conditions.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. There were no further updates.

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

- A condition would be put in place with respect to boundary treatment for the allotments.
- There would be part retention of some of the allotments and there would be more allotments delivered to the west of the existing ones.
- The tenure split would be mixed throughout the scheme.
- Every time a new application was received for the site the applicant was asked to demonstrate how each phase fitted with the other phases, so the reconciliation mechanism gave a cumulative assessment of how the progress of the master plan was being implemented successfully or not.

The Committee then proceeded to vote on the Application.

UNANIMOUSLY RESOLVED:

That for the reasons set out in the committee report, planning permission for the application REF **215892REM** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent.

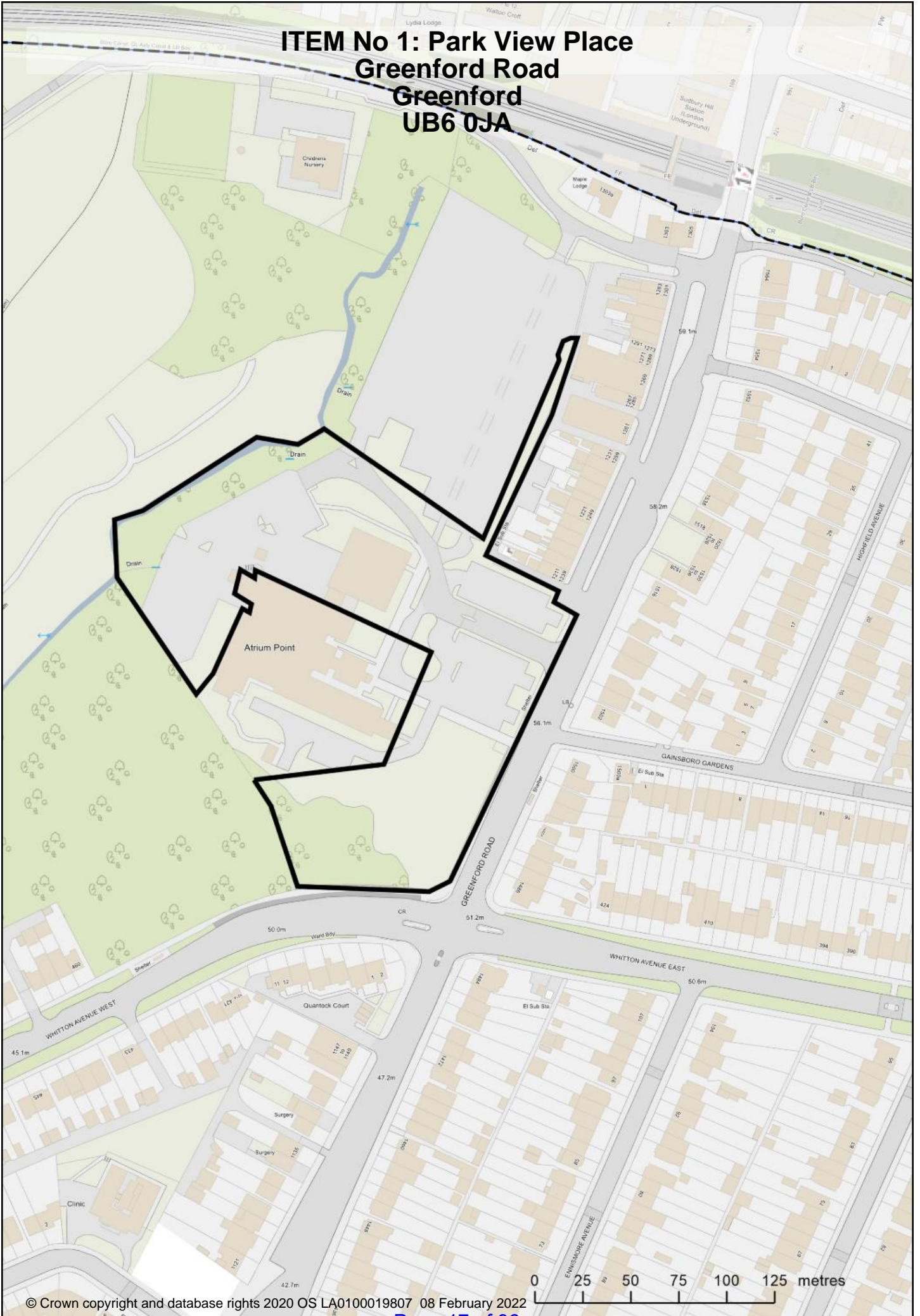
10 Date of Next Meeting

It was noted that the next Planning Committee meeting was scheduled for Wednesday 19 January 2022, however, that date was likely to be changed. Members would be informed, and the Council's website would be updated in due course.

The Chair expressed his thanks on behalf of the Committee to all of the Council's Officers for their hard work during 2021 and wished everyone a Happy Christmas.

The meeting of the Committee concluded at 9:18pm.

**ITEM No 1: Park View Place
Greenford Road
Greenford
UB6 0JA**



Ref : 213378FUL

Address: PARK VIEW PLACE, GREENFORD ROAD, GREENFORD, UB6 0JA

Ward: NORTH GREENFORD

Proposal: Application for residential-led mixed use development comprising 288 residential units located across 5 blocks ranging from 6-11 storeys with management office, cafe, community space, flexible commercial areas, ancillary car and cycle parking, landscaping, green infrastructure and private/communal amenity spaces.

Drawing numbers: PVP-SRA-B1-XX-DR-A-05210 Rev P01, PVP-SRA-B1-XX-DR-A-05260 Rev P01, PVP-SRA-B1-XX-DR-A-05262 Rev P01, PVP-SRA-B1-XX-DR-A-05601 Rev P01, PVP-SRA-B1-XX-DR-A-05603 Rev P01, PVP-SRA-B5-XX-DR-A-05250 Rev P01, PVP-SRA-B5-XX-DR-A-05285 Rev P01, PVP-SRA-B5-XX-DR-A-05286 Rev P01, PVP-SRA-B5-XX-DR-A-05287 Rev P01, PVP-SRA-B5-XX-DR-A-05288 Rev P01, PVP-SRA-B5-XX-DR-A-05615 Rev P01, PVP-SRA-B5-XX-DR-A-05616 Rev P01, PVP-SRA-B6-XX-DR-A-05220 Rev P01, PVP-SRA-B6-XX-DR-A-05265 Rev P01, PVP-SRA-B6-XX-DR-A-05266 Rev P01, PVP-SRA-B6-XX-DR-A-05267 Rev P01, PVP-SRA-B6-XX-DR-A-05602 Rev P01, PVP-SRA-B7-XX-DR-A-05270 Rev P01, PVP-SRA-B7-XX-DR-A-05271 Rev P01, PVP-SRA-B7-XX-DR-A-05272 Rev P01, PVP-SRA-B8-XX-DR-A-05280 Rev P01, PVP-SRA-B8-XX-DR-A-05281 Rev P01, PVP-SRA-B8-XX-DR-A-05282 Rev P01, PVP-SRA-ZZ-00-DR-A-05101 Rev P01, PVP-SRA-ZZ-00-DR-A-05231 Rev P01, PVP-SRA-ZZ-00L-DR-A-05100 Rev P01, PVP-SRA-ZZ-00L-DR-A-05230 Rev P01, PVP-SRA-ZZ-06-DR-A-05103 Rev P01, PVP-SRA-ZZ-07-DR-A-05104 Rev P01, PVP-SRA-ZZ-11-DR-A-05106 Rev P01, PVP-SRA-ZZ-GF-DR-A-05231 Rev P01, PVP-SRA-ZZ-XX-DR-A-05090 Rev P01, PVP-SRA-ZZ-XX-DR-A-05091 Rev P01, PVP-SRA-ZZ-XX-DR-A-05095 Rev P01, PVP-SRA-ZZ-XX-DR-A-05096 Rev P01, PVP-SRA-ZZ-XX-DR-A-05102 Rev P01, PVP-SRA-ZZ-XX-DR-A-05105 Rev P01, PVP-SRA-ZZ-XX-DR-A-05115 Rev P01, PVP-SRA-ZZ-XX-DR-A-05116 Rev P01, PVP-SRA-ZZ-XX-DR-A-05232 Rev P01, PVP-SRA-ZZ-XX-DR-A-05610 Rev P01, PVP-SRA-ZZ-XX-SH-A-05904 Rev P01,

Supporting Documents: Accommodation Schedules for Buildings B1, B5, B6, B7, B8; Air Quality Assessment Rev 3 by Hoare Lea (December 2021); Construction Logistics Plan by Odyssey (June 2018); Daylight/Sunlight Report by Joel Michaels Reynolds (March 2021); Overshadowing Assessment by Joel Michaels Reynolds (April 2021); Design and Access Statement (including landscape and open space assessment) by Sheppard Robson (April 2021); Townscape, Visual Impact and Heritage Assessment by Peter Stewart Consultancy (March 2021); Drainage Strategy by Ramboll (June 2018); Preliminary Ecological Appraisal Report by SLR

(February 2021); Energy and Strategy by Hoare Lea (February 2021); Sustainability Statement by Hoare Lea (February 2021); Whole Life-Cycle Carbon Assessment (July 2021), Flood Risk Assessment by ASK Ward (April 2021); Planning Statement by Rapleys (April 2021); Land Contamination Land Report by Argyll Environmental (February 2021); Acoustics Report by Hoare Lea (February 2021); Statement of Community Involvement by London Communications (April 2021); Transport Assessment (including Travel Plan) by Transport Planning Practice (April 2021); Residential Travel Plan) by Transport Planning Practice (April 2021); Updated Tree Constraints Plan Report and Arboricultural Implications Assessment by Bartlett Consulting Rev. 1 (October 2021); Fire Statement by Hoare Lea (March 2021); Circular Economy Statement Rev 01 by Hoare Lea (April 2021), Response on Ecology Issues by SLR Consulting Limited (December 2021), Affordable Housing Provision by Rapleys (December 2021), Responses to LB Ealing & GLA Comments by Rapleys (October and November 2021), Revised Landscape Master Plan TOWN716(03)3001 Rev P8 by Townshend Landscape Architects, Landscape and Public Realm Design Statement TOWN716(03) 2001 r05 by Townshend Landscape Architects (October 2021), Bat Tree Climbing Survey by SLR (January 2022), Biodiversity Net Gain Assessment by SLR (January 2022), Response on Ecology Issues by SLR (December 2021), Responses to LB Ealing & GLA Comments by Rapleys (October 2021)

Type of Application: Major

Application Received: 13/04/2021

Revised: 05/01/2022

Report by: John Robertson

Recommendation: Grant with conditions subject to Stage II referral to the Mayor of London, completion of a S106 agreement and S38 and S278 Agreements and subject to conditions of consent. This permission would also be subject to a Community Infrastructure Levy payment to the Greater London Authority (GLA).

Executive Summary:

This application seeks permission for mixed use, residential led redevelopment of this former office site which lies within Metropolitan Open Land (MOL) and adjoins Grove Farm Park. The current scheme is the result of pre-application discussion with officers of Ealing Council and the GLA, as well as public consultation with local residents.

This application follows approval in January 2020 for four buildings of 5-9 storeys on the adjoining northern part of the former Kellogg’s office site to provide 346 flats along with ancillary crèche or offices, cafe or shop or financial and professional services, restaurant or office and management suite, and a new pedestrian/cycle link to Grove Farm Park and play space. It should be noted that Building 1 was part of that approved scheme but is now included in this application with a different number of flats.



Aerial View of Existing Site

The current application proposes demolition of a vacant 3 storey office building on the site and redevelopment to provide 288 residential units, 426 sq m of commercial floorspace and 166 sq m of community space within five buildings of between 6 and 11 storeys. The development would contain 90 car parking spaces and 547 cycle parking spaces. Communal gardens and public realm space, including a pocket park, a central park and a woodland park, would be provided as well as landscaping, play and amenity space areas.

The revised scheme would make a substantial contribution to meeting local housing demand. Just under 36% of all residential units by habitable rooms, comprising 95 flats, would be affordable, with a tenure split by unit of 28% London Affordable Rent, 32% London Living Rent, 26% Discounted Market Rent and 14% Shared Ownership.

This application needs to be considered in the context of the Borough's housing land supply position and this set out in detail in the main report.



Site Location and Surrounding Context

The proposal is considered to meet the relevant tests for allowing built development on MOL because it would take place wholly on previously developed land, is not considered to cause substantial harm to the openness of the MOL and would deliver a significant amount of affordable housing within the London Borough of Ealing. It would also provide important public benefits to enhance the adjoining Grove Fam Park and MOL land:

- removal from the MOL of 10,800 sq m of hardstanding, 75% of the existing amount within the site;
- provision of some 9,461 sq. m of public open space within the site;
- improved public access to and through the site with a green corridor route for pedestrians and cyclists into Grove Farm Park;
- a new green frontage introduced onto Greenford Road.

Although the site was formerly occupied by office use, its development for primarily residential uses is considered acceptable on the basis that the remaining building has been vacant for a number of years, that its age and configuration would make it very difficult to re-let for an independent office use, that the building already has approval for conversion to residential use, that this is not a location likely to attract new office development, that the scheme will provide major housing and open space benefits, and a significant S106 contribution is offered for employment training and apprenticeships.

The design of the buildings has evolved through extensive negotiations with planning officers. It would respect the site’s urban context and have a positive relationship with the streetscene, neighbouring buildings, the adjoining open space and the surrounding area as a whole. The scale of the buildings

and the design approach are considered to be of good quality, and to complement other developments nearby. The development would not, as a result of its scale, bulk and massing, be harmful to visual amenity or to the local environment.



View of Proposed Development from Greenford Road

This development of 6-11 storeys can be considered as tall buildings on a site not identified in the Ealing Development Plan as appropriate for tall buildings, nor in the Central Activity Zone, an opportunity area, or a town centre. However, when considered against the London Plan Policy D9 design criteria and the Ealing Housing Design Guide on tall buildings.

These criteria include that schemes should address visual impacts of buildings from different distances. They should make a positive contribution to local townscape in terms of legibility, proportions, and materiality. The base of the building should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. There should be an appropriate transition in scale between the tall building and its surrounding context. They should also reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding whether part of a group or stand-alone. Architectural quality and materials should be of an exemplary standard and avoid harm to the significance of heritage assets. The buildings should also positively contribute to the character of the area.

In this context, the following factors support the proposal:

- the buildings would adjoin the existing 10 storey Atrium Point and previously approved buildings of up to 9 storeys immediately to the north, so that they would reinforce an established group of higher buildings and act as a local landmark beside the station and Grove Farm Park;

- the architectural quality of the buildings is considered to be of a high standard and they would make a positive contribution to the local townscape;
- the tops of the buildings are well designed and it is not considered that they would adversely affect local or strategic views;



View of Proposed Development from Greenford Road (from north)

- the base of some of the buildings, with various commercial and community uses accessible to the public, would have a direct relationship with the street;
- the proposed taller building would not harm the setting of any nearby listed building;
- there is no indication that the buildings would cause reflected glare, light pollution or other adverse environmental effects.

The development would also not have significant impacts on the amenity and living/working conditions of the great majority of adjoining occupiers due to the distances involved between the proposed buildings and existing developments in the surrounding area. Subject to further measures required by planning conditions, the proposed residential units would provide adequate environmental conditions and adequate living conditions in terms of floor space, layout and visual outlook. The proportion of single aspect units within the scheme is relatively low at 33% of the total, and none face north.

The proposed development would provide high standards in terms of sustainable design and construction including an Air Source Heat distribution loop, and solar Photo Voltaic panels on roofs, a range of energy efficiency measures, and other renewable technologies. The development would be all electric with no gas on-site. This would cut site-wide CO₂ emissions by at least 54.5%. Potential impacts with regard to air quality, noise and land contamination can be adequately dealt with by the conditions proposed.



Internal View of Proposed Development looking towards Park

Transport Services have assessed potential implications of the development for the highway network in the locality and consider it acceptable subject to conditions and financial contributions towards the review and potential extension of existing CPZs, junction improvements, traffic calming and accident remediation measures, footpath improvements, road safety and cycle infrastructure improvements. S106 contributions have been agreed for such measures. The site is located in an area of good public transport accessibility and, with the conditions and planning obligations agreed, including a restriction on resident parking permits, any potential impacts arising from the proposal will be satisfactorily mitigated.

Overall, the scheme will provide a number of planning and regeneration benefits including a large increase in the housing stock, 95 affordable units, and in the order of £4.08 million in S106 and CIL contributions towards community facilities, transport infrastructure, local area improvements, ecology and open space enhancements in the area.



Existing view (with consented Buildings 1, 2 and 4 included);



Proposed view (with consented Buildings 1, 2 and 4 included);

View of Proposed Development from Grove Farm Park

In light of the above considerations, it is considered that the proposed development is consistent with the aims of the relevant policies of the adopted the Ealing Core Strategy (2012), The London Plan (2021), Relevant Supplementary Planning Guidance, the National Planning Policy Framework (2021), and the Ealing Development Management Development Plan Document (2013). As such, it is recommended for conditional approval subject to S106 and S278 legal agreements.

Recommendation:

That the committee **GRANT** planning permission subject to Stage II referral to the Mayor of London, and the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) and section 38 and section 278 Agreements under the Highways Act 1980 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.

Contribution Heading	Proposed Contributions
Education infrastructure (Stanhope Primary School, Northolt High School)	£554,804
Healthcare provision (North Ealing Hub)	£523,388
Regeneration of local area (business support, employment creation, property activation and shared workspace, public space and greening)	£525,160
Air Quality Monitoring	£ 46,400
Carbon Dioxide Offsetting	£408,238
Renewable & Low Carbon Energy Monitoring	£ 13,597
Park and Woodland Improvements	£392,300
Badger Habitat mitigation	£ 10,000
Tree Planting Offsite	£100,000
Apprentice and Local Labour Scheme	£ 57,500

Junction improvements at A4127/Whitton Avenue and Greenford Road/Horsenden Lane North	£ 50,000
Accident remedial scheme (Greenford Road between Horsenden Lane North and Borough boundary)	£ 25,000
Traffic Calming on residential streets to improve pedestrian and cyclist safety	£ 40,000
Traffic calming on rat-running residential streets to improve pedestrian and cyclist safety.	£ 30,000
Review local parking congestion and potentially implement a new CPZ near the development	£ 15,000
Footway improvements on Greenford Road near the development	£ 20,000
Cycle infrastructure improvements adjacent to the development	£ 75,000
Bus stop improvements	£ 10,000
Travel Plan Monitoring	£ 3,000
Total Contributions	£2,899,387

- Affordable Housing provision of 95 flats (35.9% of habitable rooms), the tenure as a percentage of total affordable units being London Affordable Rent (28%), London Living Rent (32%), Shared Ownership (14%) and Discounted Market Rent (26%);
- Participation in an Apprentice and Placement Scheme, which shall provide opportunities across the development, including the construction, design and post construction management of the development. Details of the Apprentice and Placement Scheme including the number of placements details shall be agreed with the Council; this is in addition to the £57,500 contribution towards an Apprentice and Local Labour Scheme;
- Restriction of Parking Permits - all the units shall be precluded from obtaining a parking permit and visitor parking vouchers to park within surrounding Controlled Parking Zones and any future CPZs in the area;
- Explore potential to provide car club bays accessible by the public within the application site.
- Provision of free car club membership to all occupants of the development for a minimum period of 3 years;
- Additional Contribution for Carbon Dioxide Offsetting (carbon shortfall calculated at current rate of £95 per tonne of carbon for 30 years in the event that the CO2 emissions of the development, including both residential and non-residential, cannot be achieved onsite);
- Implementation of the Travel Plan with funding for cycle and road safety education training to all scheme residents;
- An early review mechanism, to be triggered if an agreed level of progress is not made within 2 years of permission being granted, with other requirements as stated for the Fast Track Route as set out in the Mayor’s Affordable Housing and Viability SPG;
- All contributions to be index linked;
- Payment of the Council’s reasonable Legal and other professional costs in preparing and completing the S106 and S278 agreements.

Highway matters to be secured through S38 and S278 Agreements are the proposed highway modifications on Greenford Road, including the relocated vehicle access and footway improvements on both sides of Greenford Road near the development;

AND

That the grant of planning permission be subject to the conditions set out in Appendix 1.

Site Description

This proposal relates to the southern part of a larger site, the former Kellogg Tower office complex in Greenford, which used to comprise the headquarters of the engineering firm Kellogg.

The application site comprises some 1.75 ha and lies on the western side of Greenford Road near its junction with Whitton Avenue West. It lies immediately south of part of the former Kellogg office site that was granted permission in 2020 for a mixed-use development of 5 blocks with 346 residential units. It also lies just north of Atrium Point, a group of 10 storey, former office buildings converted into 263 flats.

The site itself contains a large area of surface car parking, a 2-3 storey building adjacent to Atrium Point (known as Block D), a hardstanding entrance area and an open landscaped area to the south of Atrium Point. Mature trees adjoin the Greenford Road and Whitton Avenue boundaries. The surrounding area is characterised mainly by a mix of residential uses and open space, but with some retail, commercial, leisure and educational uses nearby.

To the north-east of the site lies a small parade of shops on Greenford Road, designated as a Neighbourhood Centre, with two storey residential properties lying to the east across Greenford Road. To the north is the part of the former Kellogg site with consent for 346 residential units. To the south the site wraps around Atrium Point. To the west and north-west and to the south of Atrium Point lies Grove Farm Park, a large area of public open space.

The site lies approximately 150 m south of Sudbury Hill Underground Station on the Piccadilly Line while Sudbury Hill Harrow overground station is some 280m away. The Public Transport Accessibility Level (PTAL) of the site is 4 (high). The site is not located in a Controlled Parking Zone (CPZ) but lies near an existing CPZ to the east. Single and double yellow line restrictions apply on Greenford Road near the site. The main vehicle and pedestrian entrance are on Greenford Road, in the south-eastern part of the site.

The site lies within designated Metropolitan Open Land (MOL) and in Flood Risk Zone 1, with a low risk of flooding. The adjoining Grove Farm Park is designated as Public Open Space and Community Open Space within MOL. Part of this open space is also designated as a Local Nature Reserve and Site of Importance for Nature Conservation (SINC).

Relevant Planning History

The site has had a number of recent planning decisions of relevance:

- January 2020: approval for four buildings of five to nine storeys comprising 346 residential units including 107 affordable units with ancillary crèche or office, cafe or shop or financial and professional services, restaurant or office and management suite, and associated accesses (including new direct pedestrian/cycle link to Grove Farm Park and play space), car and cycle

parking, landscaping, green infrastructure and private/communal amenity spaces (following demolition of existing building Block D (Ref: 182843FUL));



Previously Approved Scheme (January 2020)

- December 2015, prior approval for conversion from B1 office use to 263 residential units within Kellogg Tower buildings A, B and C (Ref: PAN/2015/5736); this is now Atrium Point;
- June 2016, planning permission for external alterations to residential blocks A, B and D including adding balconies, replacement fenestration, recladding and repair of brickwork (Ref:161677FUL);
- September 2016, prior approval for the conversion of Block D of Kellogg Tower to residential use to provide 7 residential units over the first to eighth floor levels (Ref: 163659PAOR);
- January 2017, planning permission for further external alterations to Block D (Ref: 163725FUL).

It is important to note that the current application site forms part of the site on which 346 flats were approved in 2020 but excludes Atrium Point and Buildings 2, 3 and 4 of the previously approved scheme. Building 1 of the approved scheme, which immediately adjoins the shops on Greenford Road, is included in the current application site and is now proposed to be lower and with fewer flats than before.

The Proposal

The application seeks permission for a residential-led mixed use development comprising 288 residential units across 5 blocks ranging from 6-11 storeys along with a management office, cafe,

community space, flexible commercial areas, ancillary car and cycle parking, landscaping, green infrastructure and private/communal amenity spaces. The key elements of the proposed development are:

- 288 dwelling units made up of 157 x 1-bed flats, 74 x 2-bedroom flats, and 57 x 3 bedroom flats;
- 426 sq m of commercial floorspace, including office space, flexible retail space, a cafe and gym;
- 166 sq m of community space
- 90 resident car parking spaces, 50 of these within a basement car park and 40 at surface level; 21 of these spaces would be disabled parking spaces;
- 506 resident/long stay cycle parking spaces, plus at least 8 residential visitor cycle spaces, 14 spaces for the flexible retail units, café and community use and 19 short stay cycle parking spaces within the public realm area;
- provision of a pocket park, a central park, a woodland park, a residential courtyard and playspace within the site with a total of 9,461 sq. m of public open space;
- 2,036 sq. m of private amenity space, and 10,389 sq. m of communal amenity space.



Site Boundary - Approved Scheme



Site Boundary – Current application

The proposed residential units would be distributed across five residential blocks as follows:

- Block 1 – 30 flats (15 x 1 bedroom, 10 x 2 bedrooms, 5 x 3 bedrooms);
- Block 5 – 77 flats (40 x 1 bedroom, 20 x 2 bedrooms, 17 x 3 bedrooms);
- Block 6 – 30 flats (10 x 1 bedroom, 10 x 2 bedrooms, 10 x 3 bedrooms);
- Block 7 – 76 flats (46 x 1 bedroom, 17 x 2 bedrooms, 13 x 3 bedrooms);

- Block 8 – 75 flats (46 x 1 bedroom, 17 x 2 bedrooms, 12 x 3 bedrooms).

In terms of affordable housing, following revisions, a total of 95 affordable units (277 habitable rooms) on-site provision is now proposed, equivalent to 35.9% of total habitable rooms on the site.

Environmental Impact Assessment

The applicants have not sought an EIA Screening Opinion to confirm that the proposed development is not one requiring an Environmental Impact Assessment. Careful consideration has been given to the location, scale and nature of the proposals, which would primarily involve a residential development and take place largely on previously developed land on a 1.75 ha site within an existing urban area and which does not contain or adjoin any heritage assets, or areas of high flood risk. The proposed scale of the development is also not significantly higher than adjoining development. No Environmental Impact Assessment was required for the Phase 1 development on the adjoining site, which involved more dwellings. It is not therefore considered that this proposal is one requiring an Environmental Impact Assessment.

Consultation:

Public Consultation – Summary

<p>Neighbour Notification</p>	<p>Consultation period 12/5/2021 – 23/6/2021. Site notices posted. A total of 95 representations were received from local residents with the main objection issues as follows:</p> <ul style="list-style-type: none"> • inappropriate development in MOL; • object to principle of more flats in area which has experienced considerable new development already and is over populated; • overdevelopment and out of keeping with character of the area; • any new housing developments should be on brownfield sites and not on MOL land, or green spaces; • buildings too high and will have an overbearing, overshadowing and overlooking effect on residential properties along Greenford Road; • 11-storey tower block will dominate Greenford Road and be out of place in this suburban area; • adverse impacts on the adjacent Local Wildlife Site; • increase in parking pressures in area; • increased traffic congestion from more flats; • increased pressure on public transport; • site access junction is dangerous and will be worsened; • increase in pollution from more traffic on already congested roads; • proportion of 3 bedroom flats is too low; • overlooking, loss of privacy and loss of visual amenity to adjoining dwellings; • increased strain from too many new tower blocks on schools, health and other local community facilities which are already over capacity; • insufficient shops at Sudbury Hill to cope with greater demand; • loss of green space; • adverse impact on wildlife - bats and badgers; • excessive loss of 166 trees on the site.
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	<i>Planning Officer comment: Given the wide range of points raised, these concerns are addressed within the main body of the report rather than individually here. Impacts on MOL are considered under Development on MOL Land; building height issues are dealt with under Scale of Buildings; ecological issues within Ecology; loss of trees under Trees; transport issues under Highways; overlooking and loss of amenity under Impacts on Residential Amenity; and strain on community facilities under Regeneration.</i>
External Consultation	
West London Business	No response
North Greenford Residents' Association	<p>Objects on the basis of:</p> <ul style="list-style-type: none"> • inappropriate development in MOL with no very special circumstances and potential harm to MOL by overdevelopment; • London Plan housing target for this ward already met so no special housing circumstances exist to override MOL; • location not specified in the local plan as suitable for tall buildings and proposed towers would dominate Greenford Road; • BRE overshadowing guidelines not met by the proposal; • 37% of adjoining windows assessed fail to meet BRE sunlight test; • will result in loss of many trees; • increased parking stress on local streets; • negative impacts of removal of woodland on ecology and Grade 1 SINC; • full environmental survey required for potential badger setts and other wildlife.
Greenford Residents Group For The Environment	No response.
Greenford North Action Group	No response.
Greenford Trading Association	No response.
Association Ealing	<p>Objects on basis of:</p> <ul style="list-style-type: none"> • the development being on MOL which is protected open space; • effect of large loss of trees on climate change; • adverse impact of mass and height of the development on surrounding area including views from Horsenden Hill; • delivering much less than 50% affordable homes; • inadequate proportion of 3 bedroom flats; • adverse impact on local wildlife.
	<ul style="list-style-type: none"> • objects to this further overdevelopment of Metropolitan Open Land with no exceptional circumstances to justify this;

Ealing Civic Society	<ul style="list-style-type: none"> • new scheme significantly increases density and footprint of buildings, whose height would have far more significant impact on the MOL than previous parking use; • proposal requires removal of a large number of healthy mature trees of significant environmental value; • objects to lack of family 2- and 3-bedroom units proposed in the scheme; • a number of single aspect units are included, which would contravene the recently published London Plan; • proposed blocks fronting Greenford Road would cause unacceptable overshadowing and loss of sunlight to 60% of windows opposite.
Thames Water Utilities	No objection on basis that surface water would not be discharged to the public network and no objection with regard to foul water sewerage network infrastructure capacity.
Affinity Water	No response.
Veolia	No response.
Network Rail	No response.
The Open Spaces Society	No response.
Heathrow Airport	No response.
Civil Aviation Authority	No response.
National Planning Casework Unit	No response.
Twentieth Century Society	No response.
Environment Agency	No objection.
NHS Estates	Require contribution of £523,388 towards a primary care facility in the North of the Borough (North Ealing Hub).
Design Out Crime	No objection but seeks planning condition so that this development must achieve Secured by Design accreditation.
London Fire and Emergency	No response.
London Wildlife Trust	No response.
The Open Spaces Society	No response.
Natural England	No response.
	Proposal will adversely impact a SINC, and adjoins a statutorily protected Local Nature Reserve and conflicts with national and local policies on nature conservation by failing to demonstrate the following information which should be required prior to determination:

<p>Surrey Wildlife Trust</p>	<ul style="list-style-type: none"> • that impacts on the SINC are unavoidable and outweigh by the needs; • how the mitigation hierarchy has been met; • that the proposals will result in measurable gains. <p>The following recommendations are made:</p> <ul style="list-style-type: none"> • a survey at appropriate time of year to ascertain impacts of development on medlar and bluebell plant species; • an invasive species management plan for Japanese Knotweed to be submitted and approved by the Local Planning Authority; • contravention of legislation on identified badger setts unlikely but recommends a pre-works inspection of the woodland before felling occurs and further actions during the construction phase to protect badgers; • developer should ensure that vegetation and site clearance are timed to avoid the bird nest season of early March to August inclusive; • prior to determination of the application, require the applicant to submit the additional bat presence/likely absence surveys indicated by the Preliminary Ecological Assessment (2021); • prior to determination, submit a lighting constraints plan to demonstrate how lighting proposals will ensure bats and other nocturnal species are adequately protected from lighting impacts in the long term; • condition requiring a full lighting strategy to be submitted for approval prior to commencement of development; • condition requiring a stag beetle enhancement plan to be submitted for approval prior to commencement of development • condition requiring the development to be implemented in accordance with a detailed landscape and ecological management plan submitted for approval prior to commencement of development; • condition requiring the development to be implemented in accordance with a Construction Environment Management Plan submitted for approval prior to commencement of development;
<p>Highways England</p>	<p>No objection.</p>
	<ul style="list-style-type: none"> • proposed improvements align with Healthy Streets approach and the Mayor’s Vision Zero ambition and are supported;

<p>Transport for London</p>	<ul style="list-style-type: none"> • proposed highway modifications on Greenford Road, including relocated vehicle access, would improve conditions for pedestrians and cyclists and should be secured by a S278 agreement • previously secured S106 contribution of £450,000 towards highway and traffic improvements should remain secured; • applicant to fund relocation of bus shelter via S106 agreement; • level of car parking complies with London Plan Policy T6; • all parking should be managed through a Car Park Management Plan to monitor and enforce parking and provide additional blue badge spaces; • residents to be denied parking permits for any future CPZ; • previous S106 contribution towards parking review and CPZ implementation should remain secured; • 20% of parking spaces with active and rest passive Electric Vehicle Charge Points and Blue Badge provision to be secured by condition; • cycle parking provision to be secured by condition and demonstrate that it also meets the LCDS requirements; • submitted Travel Plan generally acceptable but final version to be secured, enforced, monitored, and reviewed; • Delivery & Servicing Plan generally acceptable but it and Construction Management & Logistics Plan (for each phase of development) to be secured by conditions.
	<p>The GLA considered the original proposal did not comply with the London Plan but could become acceptable in strategic planning terms if areas of concern set out below were addressed.</p> <p><i>Planning Officer comment: the applicants have since addressed all of these concerns particularly those relating to affordable housing, ecology and MOL.</i></p> <ul style="list-style-type: none"> • the proposal would have a greater impact on the openness of the Green Belt/MOL than the existing development; • proposal could reasonably be considered against NPPF exceptions test (g) for development on previously developed Metropolitan Open Land if it demonstrates a policy compliant level of affordable housing; • proposed 29% affordable housing does not meet the Fast Track Route; • the proposed dwelling unit size mix should respond to local needs;

	<ul style="list-style-type: none"> development includes a high proportion of single aspect units and should investigate design solutions to further minimise these; need to demonstrate that the tall buildings have been subject to design review; tall buildings in this location do not comply with London Plan Policy D9 and detailed assessment required by Council on functional, environmental and cumulative impacts; submitted Air Quality Assessment not acceptable as no traffic data provided to support conclusion that impacts are not significant; proposed tree gain is negligible and an Arboricultural Impact Assessment should be provided prior to determination to demonstrate that the proposal would result in an improvement in the value of trees onsite; removal of woodland embankment within SINC would be significant negative impact at the borough scale without any mitigation and compensation proposed and a mitigation plan is required.
London Borough of Brent	No objection.
London Borough of Harrow	Raised concern on potential impact on setting of Grade II listed Sudbury Hill station.
Heathrow Airport	No safeguarding objections but any crane would require red static omnidirectional lights at its highest part.
Historic England Archaeology	The proposal is unlikely to have a significant effect on heritage assets of archaeological interest and no further assessment or conditions necessary.
Natural England	No comments.
Metropolitan Police	No response.
Internal Consultation:	
Regulatory Services (air pollution)	Objects to increase in parking provision adjoining an Air Quality Management Area. Requests S106 contribution towards air quality measures and conditions on fresh air ventilation, Non-Road Mobile Machinery and an Air Quality and Dust Management Plan.
Regulatory Services (noise)	No objection on noise but requires full further noise survey and various conditions on noise mitigation, odour control, Servicing Management Plan and Construction/Demolition Management Plan.
Environmental Services (Contaminated land)	No objection but require conditions on site investigation, remediation and verification.
Environmental Services (Drainage/flood risk)	No response

<p>Environmental Services (Refuse)</p>	<p>Concerns that, while lay-bys are proposed within 10m of the refuse store, collection operatives will have to cover almost double that distance whilst pulling bins from the rear of the refuse stores; the 10m maximum walking distance should include the distance whilst in the bin store, not just to the front door of the storage areas.</p>
<p>Tree Officer</p>	<p>Originally objected to loss of woodland but now accepts proposals for replacement tree planting and relocation subject to a S106 contribution for tree planting off-site.</p>
<p>Landscape</p>	<p>No comments.</p>
<p>Parks and Countryside</p>	<p>Concerns that removal of trees, stabilising of banks, new housebuilding and subsequent increase in human activity from such will have a significant and negative effect on badger population and network of setts. The proposed development and removal of trees and other vegetation will significantly reduce the ecological value of the green corridor used by badgers and other wildlife for feeding and foraging. Any fencing here should include badger gates to maintain badger access along the corridor.</p> <p>Proposed loss of three Cedars of Lebanon is a concern as these are an attractive visual feature that softens the appearance of the Kellogg Tower and of some historical interest. Appropriate mitigation is required.</p> <p>Requests full ecology survey of badger activity and recommendations provided on mitigation and compensation methods. In addition, a construction ecological management plan is required as well as a survey to determine bat activity. All the recommendations in the ecology report should be implemented.</p> <p>To compensate for loss of MOL, S106 contributions are required for improvements to Grove Farm Park including: paths and entrances; seats, bins and signage; woodland management habitat enhancement; meadow creation; planting; outdoor exercise equipment; play area improvements; play area maintenance for approximately 15 years; improve the stream habitat; mitigation offsite to loss of woodland; mitigation to badger habitat.</p>
<p>Assistant Director of Leisure</p>	<p>No response.</p>
<p>Transport Services</p>	<p>No objections but the following to be secured by condition or Legal Agreement:</p> <ul style="list-style-type: none"> • submitted travel plan needs to be improved and secured by a S106 agreement; • parking permits for residents to be denied in any new controlled parking zone near or in the proposed development, • explore potential to provide car club bays accessible by the public on application site; • free 3-year car club membership provided to residents of the scheme; • plan to be provided showing details of cycle parking spaces;

	<ul style="list-style-type: none"> • 4 parking bays to be installed with active electrical charging points and 13 bays with passive electrical charging points, • detailed demolition and construction method statement required, • Parking and Servicing Management Plan required, • S106 contributions sought towards accident remedial schemes and cycle and pedestrian infrastructure in vicinity of the development; • S38 and S278 agreement required for highway works outside the application site, with footway on Greenford Road outside the development to be constructed to LBE adoption standards if to be adopted as highway; • a plan showing internal road layout, foot path, car and service parking is required.
Highways Manager	No response.
Housing	<ul style="list-style-type: none"> • supports revised provision of 57 London Affordable Rent and London Living Rent units as a genuinely affordable housing product; • supports proportion of 3 bedroom affordable units; • Discounted Market Rent units at 21% below market rents supported; • number of 1 bedroom affordable units should be reconsidered; • shared ownership units should be targeted at lower income caps for the first 2-3 months; • requests early stage review mechanism.
Education	Require S106 contribution of £554,804 towards improvements to Stanhope Primary School or other local education provision at primary phase, and Northolt High School at secondary phase or other secondary phase provision.
Economic Growth	Requests S106 contributions towards Greenford Local Strategy delivery for: <ul style="list-style-type: none"> • enhancements to neighbourhood centre and local parade on Greenford Road, including public realm improvements and use of vacant units for community space or affordable shared workspace; • improvements to Grove Farm Park including accessibility, pedestrian and cycle connectivity and wayfinding; • reducing local trips by car, traffic calming and a low traffic neighbourhood; • improving bus and cycling facilities along Greenford Road; • providing affordable class E workspace in the scheme.
Employment/Training	Requests developer to provide a Local Employment & Training plan and: <ul style="list-style-type: none"> • contribution of £57,500 towards apprenticeship/employment placement; • 20 apprenticeships over the lifetime of the project; • local labour target and all vacancies to be advertised through Council’s job brokerage service; • schools engagement activity • end user opportunities dependant on user; • penalty of £4,000 per apprenticeship not filled.
Energy officer/ Sustainability	No objections to Energy Strategy or Sustainability approaches; requires Section 106 contribution towards carbon offsetting and low-carbon/renewable energy monitoring and various conditions to be applied.

CCTV Systems Manager	No response.
Ealing Access Officer	No response.
Ealing North	No response.
Greenford Green Councillors	No response.
North Greenford Councillors	No response.

It is also noted that the applicant carried out pre-application discussions with a number of community groups, local Councilors and residents. This included emails to the Leader of the Council, the Cabinet Member for Housing, Planning and Transformation and North Greenford ward councilors introducing the revised proposals and offering a virtual meeting. Additional engagement included 2,615 newsletters distributed to homes and businesses within the vicinity of the site on 29 January 2021. An advert which promoted the online consultation featured in two issues of the Ealing Gazette in January and February 2021. Two public virtual meetings were organised by the applicant in February 2021, to provide the local community with a further opportunity to learn more about the plans from the design and development team directly, as well as provide verbal feedback, ask questions or raise concerns.

Relevant Planning Policies:

The policies relevant to this application are listed in the informatives section in Appendix 1.

Reasoned Justification:

Main Issues

The main issues in assessing this proposal are the principle of the development within Metropolitan Open Land and on a former employment site, the quantum of development, the design and impact on the character and appearance of the area, the scale of the proposed building and its relationship with surrounding properties/overall context, the impact on amenity of adjacent uses, impacts on ecology, the quality of internal living environment for residents, the transport impact of the development, sustainability and potential operational aspects. Other issues to be considered include housing mix and affordable housing, crime prevention, accessibility, refuse and recycling storage, drainage and the Community Infrastructure Levy.

Principle of Development

Increasing the current housing stock is an important strategic objective for the London Borough of Ealing. Policy H1 of The London Plan (2021) aims to optimise the potential for housing delivery on all suitable and available brownfield sites especially in areas with PTAL levels of between 3-6 or within 800m of a station, and on industrial sites that have been identified as being suitable for co-location. This is supported by London Plan policy D3 which aims to make the best use of land by following a design led approach that optimises the capacity of sites.

Section 11 of the National Planning Policy Framework (‘Making Effective Use of Land’) encourages as much use as possible of previously developed land and vacant buildings as well as optimising the use of land to meet as much of the identified need for housing as possible. The proposed 288 residential

units would make a significant contribution to meeting housing capacity as sought by policy H1 of the London Plan.

In addition, the application site contains an employment use in the form of a 3 storey office building adjoining Atrium Point, which has been vacant for several years. Policy 4A of the Ealing Development Management DPD states that outside of SIL, LSIS and Site Allocations, redevelopment of a site for a non-employment use is only permitted where all of the following can be demonstrated:

- a. the site is not viable for re-occupation (including renewal and refurbishment).
- b. the site is not viable for redevelopment/renewal for an employment use (including small offices where appropriate).
- c. the proposal does not constrain or undermine neighbouring employment uses.

This Policy also indicates that, where retaining a building or site in employment use is not viable, mixed use development which maximises the number of jobs provided should be sought. It makes clear that a site is not considered viable for redevelopment/re-occupation where it has not been lettable at a reasonable market rent for a period of two years or more.

No evidence of marketing for office occupation has been submitted by the applicant as required by Policy 4A, nor any analysis to indicate that refurbishment of the premises or incorporating some employment use in any redevelopment would not be viable. However, the office building has been vacant since 2015. Following conversion of the other Kellogg's buildings, this site is not an obvious office location where new office development is likely to take place. It contains one older building, which was used as an ancillary part of the former office complex and contains significant plant, a large auditorium and some 2,712 sq m of offices. As a result of its age and this specific configuration and layout, it would be difficult to re-let for independent office use and appears unlikely to justify the cost of conversion or enhancement as office space.

In any event, the principle of residential development of this office building has already been accepted by the prior approval, in September 2016, for the conversion of Block D of Kellogg Tower to residential use to provide 7 residential units (Ref: 163659PAOR). Further, the 2020 permission for the Phase 1 part of the former Kellogg site accepted redevelopment of this office building, which was included within that application site, for residential use.

The applicant has also agreed to make a significant S106 contribution towards an apprenticeship and local labour scheme, which combined with the proposed new jobs and other benefits of the scheme can be considered to mitigate the loss of employment land. In these circumstances the proposal is considered acceptable in terms of Ealing Development Management DPD Policy 4A.

On balance, the proposal is acceptable in land use terms and consistent with sections 5 and 11 of the National Planning Policy Framework (2021); policies H1 and D3 of the London Plan (2021); policies 1.1 (a) (b) (e), 1.2 (b), 2.1 (a) (c), 2.10 of the adopted Ealing Core Strategy (2012), and policies 4A and 4B of the Ealing Development Management DPD (2013).

Housing Land Supply

This application needs to be considered in the context of the Borough's housing land supply position.

Paragraph 74 of the NPPF advises that 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

The Council is currently compiling the evidence needed to confirm its position regarding the level of deliverable supply, and once completed this will be documented in an update to the latest AMR (October 2021). For reasons outside the Council's control the completion of this exercise has been delayed awaiting the migration of missing pipeline data into the GLA's Planning London Datahub. The GLA's London Development Database (a 'live' system monitoring planning permissions and completions) was replaced in 2020 by the Planning London Datahub. During this transition between databases, there was a gap in coverage where neither database was operational and this prevented permission data being captured for a significant period, which has given rise to the incomplete pipeline. This incomplete pipeline poses a significant barrier to establishing future levels of deliverable supply. Typically, most of the supply identified through a five year land supply is expected to be derived from the pipeline of permissions.

Because of the non-availability of this information from the GLA, in this period of uncertainty, the Council is not able to conclusively demonstrate that it has a 5-year supply of housing land, or what level of shortfall there may be if there is one.

Whilst the possibility of a shortfall pertains, the National Planning Policy Framework 2021 (NPPF) presumption in favour of sustainable development – the so-called 'tilted balance' – is engaged. NPPF para. 11d)ii states that in these circumstances the development plan policies most important for determining the application are to be treated as out-of-date.

Therefore, in the current circumstances national policy is that planning permission should be granted for development that optimises the capacity of sustainable housing sites unless:

1. assets of particular importance, such as for example, heritage, environment, flood risk, ecology, protected countryside, provide a clear refusal reason or
2. any adverse impacts of the development would significantly and demonstrably outweigh the benefits of granting permission, when assessed against the policies in the NPPF considered as a whole.

The Committee will note the Court of Appeal judgment in *Gladman Developments Ltd v Secretary of State for Housing, Communities and Local Government (2021)* that in the plan-led Planning System the decision-maker (i.e. the Council) is entitled when determining the application to take into account and weigh other development plan policies relevant and applicable to the application, such as for example design, scale, amenity, contribution towards meeting affordable housing need, as well as the non-exhaustive list of matters noted in 1 above.

Development in Metropolitan Open Land

The site lies wholly within Metropolitan Open Land (MOL) and London Plan Policy G3 strongly resists inappropriate development of MOL and afford it the same protection as Green Belt. The NPPF also resists inappropriate development in Green Belt, which would include residential development, unless very special circumstances exist to outweigh this.

As an exception, paragraph 149 of the NPPF allows for limited infilling or the partial or complete redevelopment of previously developed land within Green Belt, whether redundant or in continuing use...which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Although this site contains a former office building, the large area of surface car parking and the tree-lined landscaping are considered to contribute to the openness of the MOL. The existing building on the site to be demolished is 3 storeys high with a built footprint of 2,120 sq m. The proposed development of five buildings between 6 and 11 storeys high, with a total building footprint of 3,675 sq m, would significantly increase the scale, height and footprint of development on the site.

It has to be recognised, however, that in approving the previous application on the northern part of the former Kellogg site, which was also MOL land, and included 4 residential blocks of up to 9 storeys, the Council accepted that the proposal met the above tests of the NPPF. It was also accepted that the package of benefits accompanying that scheme – including 107 affordable units, a new pedestrian and cycle bridge to Grove Farm Park, new public community space, a new children’s play area within Grove Farm Park and removal of substantial of hardstanding within the site - were sufficient to form the very special circumstances needed to override any harm to the MOL. Similar considerations apply to this application, as set out below.

First, the proposed development would take place largely on previously developed land, comprising a vacant office building and large areas of hardstanding formerly used for car parking.

It would also provide 95 affordable housing units, 35.9% of all habitable rooms, which would contribute toward the delivery of affordable housing within the Borough and exceed the 35% threshold of London Plan Policy H6.

Next, the extent of any harm to the openness of the MOL should not be substantial. In this context, Buildings 7 and 8 would be clearly visible from Grove Farm Park although partly screened by trees. However, they would partly replace the view of the 10 storey Atrium Point buildings, and appear of a similar height to them so that they would not significantly worsen the view from the MOL or its openness.

The GLA Stage 1 Report considers the proposed increase in buildings on site and the addition of 288 residential units and commercial floorspace would result in an increase in the number of people on site, which would harm the physical openness of the site. The development would also be clearly visible in views towards the site from within the Grove Farm Park MOL and harm the visual openness of the MOL. This is due to the scale, siting and brick colours of the proposed buildings, even though they would be seen as part of the existing Atrium Point group of buildings. It would therefore have a greater impact on the openness of the MOL than the existing development and to meet the exception (g) test of the NPPF must demonstrate that the development would provide a strong, policy compliant affordable housing offer and tenure mix.

The GLA also noted that, if the applicant could not demonstrate that the proposal would contribute to meeting an identified affordable housing need within the area of the local planning authority the development would have to be robustly justified by very special circumstances. At that time, the affordable housing provision on the application site was only 29% by habitable rooms.

However, the revised proposals would now provide 95 affordable dwellings on the application site, equivalent to 35.9% of all habitable rooms. The tenure mix of London Affordable Rent (28%), London Living Rent (32%), Shared Ownership (14%) and Discounted Market Rent (26%) would also be policy compliant.

In addition, the following elements of the proposed development can, in combination, be considered to provide benefits that would enhance the MOL land and offset any harm:

- a large reduction of hardstanding on the site;

- improved public access to and through the site, including a new entrance off Greenford Road and a green corridor providing a route for pedestrians and cyclists into Grove Farm Park;
- improved and usable landscaped public space provided to the southern part of the site;
- a new green frontage and public space introduced on to Greenford Road;
- substantial S106 contributions towards improvement of Grove Farm Park.

These factors would further limit any harm to the MOL.

On this basis the proposal will contribute significantly towards an identified affordable housing need within the London Borough of Ealing and will re-use previously developed land. While there may be some impact on the openness of MOL, there will be no substantial harm and, on balance, the proposal can be considered to meet the paragraph 149 exception (g) test of the NPPF and there is no need to demonstrate very special circumstances. Overall, the proposed development will comply with the NPPF and London Plan Policy G3.

Mix of Residential Units

London Plan Policy H10 indicates that schemes should generally consist of a range of unit sizes having regard to factors including local evidence of need, the 2017 London Strategic Housing Market Assessment, the requirement to deliver mixed and inclusive neighbourhoods and the need to deliver a range of unit types at different price points across London.

The proposed 288 residential units would have a range of sizes with mainly 1 and 2 bedroom units but with 34% comprising larger, family-sized 2 bedroom/4 person and 3 bedroom units, as shown below. This mix is considered acceptable in this location near a rail station and with a high PTAL level.

Quantum of Proposed Residential Provision	
1 bedroom / 1 person	10 (1%)
1 bedroom / 2 persons	147 (51%)
2 bedrooms / 3 persons	37 (13%)
2 bedrooms / 4 persons	37 (13%)
3 bedrooms / 4 persons	6 (1%)
3 bedrooms / 5 persons	29 (10%)
3 bedrooms / 6 persons	22 (10%)
Total	288 (100%)

Affordable Housing

Policy H4 of the London Plan (2021) sets a strategic target of 50% of all homes to be genuinely affordable. The Ealing Core Strategy sets a borough-wide strategic target of 50% affordable housing.

In addition, policy H6 of the London Plan (2021) seeks to secure 30% of the total affordable housing as low cost rented units (London Affordable Rent or Social Rent), at least 30% as intermediate (London Living Rent and London shared ownership) and the remaining 40% determined by the local planning authority as low cost rented homes or intermediate products based on identified need.

The affordable housing offer on the application site is for a total of 95 affordable units and 277 habitable rooms. This equates to 35.9% of total habitable rooms and 33% of all units proposed. The breakdown of these units by size is indicated in the Table below.

Flat Size	Affordable Units	Market Units	Total Units
1 bedroom / 1 person	0	10	10
1 bedroom / 2 persons	47	100	147
2 bedrooms / 3 persons	15	22	37
2 bedrooms / 4 persons	11	26	37
3 bedrooms / 4 persons	5	1	6
3 bedrooms / 5 persons	6	23	29
3 bedrooms / 6 persons	11	11	22
Total	95 (33%)	193 (67%)	288

Flat Size	No. of Affordable Units	No. of Affordable Habitable rooms	Affordable rooms as % of Total Rooms
1 bedroom / 1 person	0 (0%)	0	0%
1 bedroom / 2 persons	47 (50%)	94	32%
2 bedrooms / 3 persons	15 (16%)	45	44%
2 bedrooms / 4 persons	11 (11%)	33	30%
3 bedrooms / 4 persons	5 (6%)	20	80%
3 bedrooms / 5 persons	6 (16%)	30	25%
3 bedrooms / 6 persons	11 (11%)	55	55%
Total	95 (100%)	277	35.9%

The proposed tenure of these affordable units by dwelling units is set out in the Table below.

Flat Size	London Affordable Rent	London Living Rent	Shared Ownership	Discount Market Rent	Total
1B/1P	0	0	0	0	0
1B/2P	13	18	5	11	47
2B/3P	3	3	3	6	15
2B/4P	4	3	0	4	11
3B/4P	0	0	5	0	5
3B/5P	3	3	0	0	6
3B/6P	4	3	0	4	11
Total	27 (28%)	30 (32%)	13 (14%)	25 (26%)	95

A breakdown of these tenures by habitable rooms and by floorspace is also provided below.

Flat Size	London Affordable Rent	London Living Rent	Shared Ownership	Discount Market Rent	Total
Habitable Rooms	82 (29.6%)	84 (30.3%)	39 (14.1%)	72 (26%)	277
Floorspace (sq m)	2,376 (28.3%)	2,391 (28.5%)	1,046 (12.5%)	2,127 (25.4%)	

The Council's Housing section notes that the proposed 95 affordable units, with 277 habitable rooms, would equate to some 35.9% affordable provision on a habitable room basis, and qualifies for the fast-tracked route as outlined in the Mayor's Housing SPG. This affordable provision would comprise 13 x 1 bedroom, 7 x 2 bedroom, and 7 x 3 bedroom flats for London Affordable Rent, a genuinely affordable housing product. The London Affordable and London Living Rent tenures are both considered 'genuinely affordable' tenures and this tenure mix is supported. Discounted Market Rent units with rental levels 21% below market rents are supported and the shared ownership units should be targeted at lower income caps for the first 2-3 months. This will be secured via a S106 obligation.

In response to the Housing section's request, the number of one bedroom units in the affordable rented tenure has been reduced across the wider site and the number of larger units increased.

Ealing's Housing section also require an early stage review mechanism to be carried out, when an agreed level of progress on implementing the permission has not been reached after two years of the permission being granted.

The GLA Stage 1 report on the original proposal noted that the affordable housing offer equated to 29% on a habitable room basis, which did not meet the 35% threshold for Fast Track Route eligibility, and indicated the proposal would need to be considered under the Viability Tested Route. However, as noted above, following revisions, the proposed 95 affordable units would now equate to some 35.9% affordable provision on a habitable room basis and comply with the Fast Track Route. The proposed tenure mix would comply with Policy H6.

The proposed affordable housing provision is therefore considered acceptable in terms of London Plan and Ealing Core Strategy policies.

Scale of Buildings

London Plan Policy D9 indicates that tall buildings should only be developed in locations identified as suitable in development plans, and subject to various criteria. Policy 7.7 of the Ealing DPD indicates that tall buildings should normally be located on specified sites within Acton, Ealing and Southall town centres and identified development sites, and offer an outstanding quality of design.

Five buildings are proposed within the application site ranging from 6 -11 storeys as follows:

- Block 1 – 6 storeys
- Block 5 - 11 storeys with a lower section of 7 storeys
- Block 6 - 6 storeys
- Block 7 - 9 storeys with a lower section of 7 storeys
- Block 8 - 9 storeys with a lower section of 7 storeys.

The proposed development of 6-11 storeys could be considered as tall buildings and the site is not identified in the Ealing Development Plan as appropriate for tall buildings. It is also not in the Central Activity Zone, an opportunity area, an area of intensification or a town centre. However, Ealing DPD Policy 7.7 defines tall buildings as being substantially taller than their neighbours and/or which significantly change the skyline. In this context, the proposals would adjoin the existing 10 storey Atrium Point and four buildings of 5-9 storeys approved on the adjoining site. It could be argued, therefore, that the proposed development would not be substantially taller than surrounding buildings.

The GLA Stage 1 Report indicates that, as the site is not identified as appropriate for tall buildings in Ealing's Local Plan, it cannot be considered to comply with the requirements in Part B of London Plan Policy D9. However, it also notes that the proposed heights and massing respond to the existing Atrium

Point development and would optimise the potential of this site, and that the proposed density is appropriate considering local transport facilities and connectivity. In addition, several recent appeal decisions have made clear that a taller building on a site not allocated for tall buildings can be acceptable if it meets the criteria of Policy D9.

The scheme has therefore been assessed against the London Plan Policy D9 design criteria, the most relevant to this proposal being:

- a) avoid harm to the significance of heritage assets and their setting;
- b) in long-range views ensure careful design of the top of the building, contribute positively to the existing and emerging skyline and not adversely affect local or strategic views;
- c) in mid-range views from the surrounding neighbourhood make a positive contribution to the local townscape in terms of legibility, proportions and materiality;
- d) individually or as a group, to reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding;
- e) architectural quality and materials to be of an exemplary standard;
- f) the base of the building to have a direct relationship with the street, maintaining its pedestrian scale, character and vitality;
- g) not cause adverse reflected glare and minimise light pollution from internal and external lighting;
- h) noise, wind, daylight, sunlight penetration and temperature conditions around the building not to compromise enjoyment of open spaces around the building.

It also notes that proposals for tall buildings should positively contribute to the character of the area.

The tallest building (Block 5) would be located along Greenford Road in front of Atrium Point and mark the entrance to the site. The two lowest buildings (Blocks 1 and 6) would sit at the centre of the site adjacent to the public space fronting onto Greenford Road. In this context, the proposed buildings are considered below against the criteria of Policy D9:

- they would be located beside the existing 10 storey Atrium Point and the approved buildings of up to 9 storeys immediately to the north; they would reinforce an established group of higher buildings and their role as a local landmark beside the station and Grove Farm Park;
- the architectural quality of the buildings is considered to be of a high standard and they would make a positive contribution to the local townscape;
- the tops of the buildings are well designed and it is not considered that they would adversely affect local or strategic views;
- the base of some of the buildings, with various commercial and community uses accessible to the public, would have a direct relationship with the street;

- the proposed taller building would not harm the setting of the listed Sudbury Hill station building, which is over 300m away and is already viewed against a background containing the 10 storey Atrium Point and which will contain the approved 5-9 storeys buildings on the former Kellogg site;
- there is no indication that the buildings would cause reflected glare, light pollution or other adverse environmental effects.

The GLA has also raised no strategic objection to taller buildings in this location but suggested a design review was needed. In response, the applicant has set out the extensive and detailed series of design review meetings held with the Council's planning officers prior to submission, which has led to a scheme considered acceptable by officers.

The proposals have also been considered in the context of the recently published Ealing Housing Design Guidance (January 2022) which sets out various guidelines for developments including tall buildings. Many of these mirror the criteria in London Plan Policy D9. While the evolution and submission of the application pre-dated this Guidance, the proposals accord with many of the Guidance principles including that clusters of tall buildings should have varied heights to provide visual intricacy across the existing skyline. They also reflect the aim to have lower building heights towards the periphery of the cluster with the two buildings facing Grove Farm Park taking advantage of the level difference between the front and rear of the site and sitting well below the height of the existing Atrium Point, reducing the visual impact from Grove Farm Park. While the tallest building would be along Greenford Road, this is to mark the entrance to the site and it would be lower than Atrium Point behind it.

On balance, a reasonable case can be made for the proposed taller buildings to be acceptable on this site.

Design and Character

Policy D3 of the London Plan 2021 indicates housing developments should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. This is reinforced by policies 7.4 and 7B of the Ealing Development Management DPD (2013) require new buildings to consider the most important elements of the urban context in order to create a positive relationship with surrounding buildings and the public realm.

The scheme would include 3 taller buildings (B5, B7 and B8) which would be cranked (or bent) in shape, split into higher and lower elements, with chamfered corners, sculpted / pitched parapets to add relief and different tones for the different elements and different materials on corners. Recessed balconies would be used on the taller parts and projecting balconies to the lower parts to create distinctiveness.

The other two buildings (B1 and B6) would be simple linear blocks vertically divided into bays with pitched roofs. Different brick tones would be used on each bay and the chamfered corners would also have different materials. Recessed balconies would be provided on the chamfered corners and projecting balconies elsewhere to create distinctiveness.

The relocated and new design to Block 1 would form a bookend to the row of shops along Greenford Road, creating a gradual increase in height between the shops and Block 5. The two buildings facing Grove Farm Park (Blocks 7 and 8) would take advantage of the level difference between the front and

rear of the site. Their proposed 9 storeys would sit well below the height of Atrium Point. Parts of these buildings would also be 7 storeys to reduce their visual impact as seen from Grove Farm park.

Non-residential active uses would be located at the front of the site, overlooking the new public realm adjacent to the site entrance. These would include the café and management suite to be relocated from Buildings 2 and 3 in the previously approved scheme to the ground floor of Buildings 1 and 5 respectively to create an active hub at the entrance to the site. There would also be flexible retail space in the ground floor of Building 1 and a gym in the ground floor of Building 5.

The main pedestrian and vehicle access into the development would be from Greenford Road, close to the current site entrance, with a new, second pedestrian entrance from Greenford Road to the south.

The arrangement of buildings would define a public route through the site to the rear of the existing properties on Greenford Road, with new linkages between Sudbury Hill station and the northern end of the site, and a zone of green space linking Greenford Road with Grove Farm public open space to the west.

The scheme aims to provide a pedestrian focused environment by minimizing traffic speeds and maximizing the amount of space for planting. All carriageways have been designed to be low speed, with gently curving roads to slow traffic and emphasise that these spaces are pedestrian focused.

The GLA Stage 1 Report considers the proposed surface car park south of Atrium Point on an area of undeveloped MOL should be re-assessed and priority given to good quality public realm which maximises amenity open space. In response, the applicant has reduced the area of encroachment into MOL by reducing the area of the car park and proposing to cover the remainder with a landscaping product (Golpa Grass) that supports grassed areas that allow car parking on top of them. This area would now appear as grassland and maintain the openness of the MOL.

This proposal is therefore consistent in design terms with the objectives of section 12 of the National Planning Policy Framework, policy D3 of the London Plan (2021), and policy 7.B of the Ealing Development Management DPD.

Materials

The principal material for the facades of the proposed buildings would be brick. For the cranked Buildings 5, 7 and 8, a red brick is currently proposed. A light grey brick with 3 different tones is proposed for the other two buildings. Scalloped terracotta tiles would be used on the chamfered corners of Buildings.

The main path through the park, woodland park and community space would be paved in resin bound gravel. Pedestrian paths, carriageways and parking bays would have permeable paving as a part of the Sustainable Urban Drainage System.

The proposed types of materials are considered acceptable in principle. However, given that the colours of these buildings in views from MOL could be sensitive, a condition is applied to require approval of specific colours/materials. This can also consider how proposed materials would weather over time.

Townscape and Visual Impact

The proposed buildings range between 7 and 13-storeys above podium and would be seen from several viewpoints around the site. A Townscape and Visual Impact Assessment accompanies the

application to assess the impact of the proposal on the surrounding townscape. A total of 15 views from different locations around the site were assessed.

This Assessment notes that the site is not in a sensitive area in heritage terms. The nearest listed building is Sudbury Hill Station on Greenford Road (Grade II listed) some 300m to the north. The locally listed Rising Sun former Public House on Greenford Road is some 450m to the north. Both of these buildings would be a considerable distance from the development and their settings unaffected by it. Views of these buildings from the north would already have a backdrop of Atrium Point and approved 9 storey buildings on the former Kellogg site.

There are three conservation areas to the north of the railway line, all in the London Borough of Harrow, but these are between 0.6-1km away. The views from South Hill Avenue and Harrow Fields Gardens are located in such conservation areas and the proposed buildings would not appear particularly noticeable within them.

In many of the assessed views, the proposed buildings would not appear particularly noticeable alongside the existing Atrium Point buildings. This would include views from Horsenden Hill, Northala Fields, and from Greenford Road looking north,

In views from Grove Farm Park to the west, which is within Metropolitan Open Land, Buildings B7 and B8 would appear quite prominently above the existing tree. However, the 10 storey Atrium Point buildings are already prominent in this view. These two new Buildings would have a similar apparent height as Atrium Point in this view and would partly screen it. The proposed development would appear as a cohesive group of buildings in the background and not significantly worsen the view from the MOL.



Townscape Impact of Proposed Development from Greenford Road North

From Gainsboro Gardens looking west, the development would appear very prominent and much larger than Atrium Point, which it would screen. The Assessment indicates it would appear as a distinct development beyond the inter-war housing on this road, and would mark the location of the new and existing public realm. It would certainly significantly change the view from this residential road although not so much from the houses on it, which would see it at an acute angle.

It would also appear visually prominent from Whitton Avenue West to the south east, where it would be seen alongside Atrium Point, rising behind existing houses. On balance, however, its visual impact here would be acceptable.

Overall, in most views, the proposed development would be seen alongside existing and emerging buildings which are higher than much of the existing development of the area. However, for the most part, it will be seen as part of a cohesive group of taller buildings which could form a marker for this new quarter beside Grove Farm Park and Sudbury Hill station. While it will significantly alter some shorter views in the adjoining area, it is not considered unacceptable in visual terms.

Impacts on Residential Amenity

The proposed scheme needs to be assessed in terms of any impacts on the amenity of both nearby residential properties and future occupiers within the development itself, by ensuring good levels of daylight/sunlight, visual outlook and privacy, as required by Policy 7B of the Ealing Development Management Development Plan Document (2013) and London Plan Policy D6.

The closest existing residential properties are the flats above shops at 1255 – 1303 Greenford Road, the nearest windows in which would be over 40m from Building B6 to the north east. With regard to Building B1, this would be much closer to the existing flats than in the previously approved scheme but would mainly face a blank western flank wall to the existing flats. Some windows in Building B1's eastern elevation would be only some 15-16m from the nearest existing flat windows in their rear outriggers. However, the facing windows in Building B1 would mainly serve bedrooms and staircases and any views would be at an acute angle towards the existing flats. Other than the closest flat, the separation distances would all be over 20m. On balance, no unacceptable overlooking appears likely here.

With regard to the existing flats in Atrium Point, these would be at least 20m from Building B8, 20-25m from Building B8, and 22m from building B5. Some balconies on the southern elevation of Atrium Point would be 15m from balconies and windows on the north and north west elevations of Building B6, albeit at an angle. A separation distance of 18-20m between facing windows would generally be adequate to avoid unacceptable overlooking effects or impacts on light. Since the affected northern windows in Building B6 would be mainly bedrooms, and windows in the north west elevation would be set back from the balcony, this separation is considered just acceptable.

The distance between the proposed five buildings within the application site would be approximately 18m between buildings B1 and B5, between B1 and B6, between B7 and B8, and between B5 and B6. It would be 35m between buildings B6 and B7. The distance between Building B7 and the closest building in the previously approved scheme, Building B2, would be some 25m. These separation distances are considered adequate to prevent overlooking and adverse impacts on outlook. In light of these considerations, the proposal raises no concerns in terms of privacy for future residents of existing dwellings nearby.

There are no national planning policies specifically relating to daylight, sunlight or overshadowing. Policy 7.6 of the London Plan indicates that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, with regard to overshadowing. Policy 7B of LBE's Development Management DPD states: "*Good levels of daylight or sunlight are levels that are appropriate to the uses proposed for internal rooms and external spaces within the curtilage of the building. In the case of residential development, for example, dual aspect dwellings are strongly encouraged in all developments and single aspect dwellings are unlikely to be acceptable where they are north facing*".

A Daylight/Sunlight Assessment accompanies the application and assessed Nos. 1494-1510 (even) Greenford Road, Nos. 1239 and 1241 Greenford Road, Atrium Point and Building B2 of the approved Phase 1 scheme. The Vertical Sky Component (VSC) test was first applied. This measures the amount of sky visible at a specific point on the window, reflecting the amount of daylight received. If windows achieve a VSC below 27% and have existing levels of sky visibility reduced to less than 0.8 times their former value, there would be a 'noticeable' impact to daylight.

However, the VSC test does not indicate the daylight distribution within the room. This is assessed using the No-Sky Line (NSL) test, which can be applied to rooms which fail the VSC test to check that overall daylight is adequate. A 'noticeable' impact to daylight occurs when levels of NSL within rooms are reduced to less than 0.8 times their former value.

For the Atrium Point flats, only habitable rooms facing north, east or west were assessed as those facing south would not be affected by the proposed development. For 70% of the windows assessed, the VSC results met and/or exceeded BRE Guidance with the proposed development. Some areas of non-compliance were found at ground and first floor levels. However, this is indicated to be because the balcony overhangs to these flats significantly reduce light to the windows below them. In addition, using the NSL approach, 87% of habitable rooms assessed in Atrium Point would meet BRE Guidance with the proposed development in place indicating adequate daylight distribution to these rooms. In terms of sunlight, 80% of assessed windows would meet the BRE Guidance criteria.

For the flats at 1494-1510 Greenford Road, lying across Greenford Road from the proposed development, using the VSC approach, a large number of windows would experience a noticeable impact to their daylight. However, these windows were found to receive very high levels of daylight now, and the average light to all windows serving the habitable room was only slightly below the criteria. On that basis, the assessment considered the results acceptable given the dense urban context. In addition, based on the No Sky Line (NSL) test, the majority of the rooms assessed would have adequate daylight distribution. The few rooms not meeting this test were predominantly hallways.

Close to Building B1 are flats above shops at 1239 and 1241 Greenford Road. No. 1239 was assessed as having adequate daylight on the VSC and daylight distribution criteria. No. 1241 was also assessed as having adequate light except for a room at second floor level but this was believed to be bathroom.

In terms of impacts on the previously approved but unbuilt Building B2, only 43% of windows assessed using the VSC method would meet BRE Guidance. However, this level of compliance is considered good by the assessment considering there is little building on the site at present and most rooms below the target level are bedrooms, which BRE Guidance considers less important. In addition, using the NSL approach, 75% of the 100 rooms assessed would meet the BRE Guidance and the assessment considers they would still receive very high levels of daylight given their dense urban context. With regard to sunlight, 64% of the windows assessed were indicated to meet or exceed the BRE Guidance.

Overall, this assessment concluded that while some rooms may not meet the BRE Guidance targets, this is inevitable given that there is nothing on the site in the existing situation. It considers that there is good/very good compliance with the BRE Guidance and that the impacts of the proposed development on daylight to nearby dwellings would not have unacceptable impacts on the living conditions of neighbouring residents. This takes account of the guidance which indicates that the BRE targets be applied flexibly, particularly in dense urban developments such as this.

On balance, the proposals are not considered to have unacceptable impacts on the amenity of nearby properties.

Quality of Residential Accommodation

Policy D6 of the London Plan (2021) and the DCLG 'Technical Housing Standards (March 2015) set out the minimum gross internal floor space required for different sizes/occupancy levels of residential units. For the 288 residential units proposed, the table below sets out the range of floor areas provided per unit, and compares these with the minimum size requirement:

Type/Size of Units	Accommodation Sizes	Minimum Size Required
1B/ 1 person (10 units)	39.5 – 42.4 m ²	37 m ²
1B/ 2 persons (147 units)	50.1 – 63.3 m ²	50 m ²
2B/ 3 persons (37 units)	61.6 – 76.4 m ²	61 m ²
2B/ 4 persons (37 units)	70.6 – 72.0 m ²	70 m ²
3B/ 4 persons (6 units)	78.2 m ²	74 m ²
3B/ 5 persons (29 units)	87.2 – 92.5 m ²	86 m ²
3B/ 6 persons (22 units)	96.1 - 98.5 m ²	95 m ²

This shows that all the proposed residential units would meet the minimum spatial requirements in terms of floor area. Based on a sample of flats from each building, the proposed room sizes would also meet relevant standards.

London Plan Policy D6 indicates that developments should minimise the number of single aspect dwellings, and particularly avoid single aspect dwellings facing north, or those containing three or more bedrooms. It seeks residential units to provide dual aspect living accommodation that would ensure better daylight, a choice of views and natural cross ventilation for future occupiers.

A total of 194 flats would be dual aspect units, equating to over 67% of all flats. These would be distributed fairly evenly across the five buildings. There would be 34 single aspect north facing units in Buildings 7 and 8 although none would face directly north, but rather north-east or north-west. All of these would be 1 bedroom units facing Grove Farm Park and would have recessed balconies allowing for an additional door/window on the return wall to increase light levels and ventilation. Their northern orientation would also be offset by good views and no buildings blocking natural daylight.

The GLA Stage 1 Report noted that there is a high proportion of single aspect units in the proposal and design solutions should be investigated to further minimise the provision of single aspect units. In response, the applicant indicates that the layouts of the buildings have been efficiently designed to maximise dual aspect units where possible within the constraints of the site and the orientation and aspect of the remaining single aspect units was considered during the design process. Various plan forms were tested during design stages and dual aspect units were considered in this process. They further note that an average of 67% dual aspect units is very good and that increasing this proportion within the current plan form would reduce the number of units and affect viability.

On this basis, the development can be considered to comply to an acceptable degree with London Plan Policy D6 since dual aspect dwellings would provide the great majority of units, there are relatively few, north facing, single aspect units (11% of the total) and there are no single aspect units with 3 bedrooms.

Each of the Buildings would have a single core with 2 lifts, escape/access staircase and M&E risers. Buildings 1 and 6 would each provide 6 units around a core helping achieve a high proportion of dual aspect units in comparison with the other buildings. The larger Buildings 5, 7 and 8 would have 9 and 10 units around their cores on a typical floor. However, the 7th to 10th floors of Building 5 would provide 5 flats around the core, all of which would be dual aspect.

A separate internal daylight/sunlight report assessed levels in the proposed buildings. The Average Daylight Factor (ADF) approach was used, which BRE Guidance suggests using for new rooms. This measures the overall amount of daylight in a space. In housing, a minimum ADF value of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms is recommended.

The results varied by building as follows with the following proportion of assessed rooms in each building meeting or exceeding the ADF criteria: Building B1: (65%), Building B5 (84%), Building B6 (65%), Building B7 (83%), Building B8 (75%).

The rooms which fell below the BRE targets were indicated to be primarily bedrooms, which the BRE acknowledges as “less important”. A number of lounge/kitchen/diners also fell below the BRE Guidance criteria. The assessment argues that daylight to these rooms is largely restricted by the projecting balconies providing amenity space to the flats and this reflects the balance required between achieving daylight to habitable rooms and providing adequate amenity space to the flats.

Overall, the assessment considered these results excellent given the dense urban context, the constraints of surrounding tall buildings such as Atrium Point and the proximity of the approved but not yet implemented buildings in the Phase 1 development to the north. Given that the BRE Guidance advises that it should be interpreted flexibly and applied sensitively to higher density developments, there are no obvious reasons to dispute these findings.

On this basis, it is considered the proposed residential units would offer a good standard of living conditions and would therefore comply with policies 7B and 7D of Ealing’s Development Management DPD and Policy D6 of the London Plan.

Accessible Units

Policy D7 of the London Plan requires at least 10% of all new dwellings to be designed to meet Building Regulation Requirement Part M4(3) for ‘wheelchair user dwellings’ while all other dwellings should meet Building Requirement Part M4(2) ‘accessible and adaptable dwellings’.

Wheelchair adaptable homes, as required by Building Regulations Part M4(3) CAT3, would be distributed across 2 of the 5 Buildings and on all residential levels starting at level two. Of the 288 flats within the proposed development, 28 units (or 10%) would be suitable for wheelchair users comprising 23 x 1 bedroom and 5 x 2 bedroom units. The proposal would therefore comply with Policy D7.

Outdoor Amenity Space

In terms of private amenity space, London Plan (2021) Policy D6 and 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 minimum required levels. The policy requires a minimum of 5 sq m per 1 – 2 person unit and 1 sq m in addition for each additional occupant. Policy 7D also requires a minimum of 15 sq m of communal outdoor space per residential unit.

All the flats would have private amenity space in form of recessed or projecting balconies accessed via the living area. These private amenity spaces would be between 5 sq m and 14.5 sq m in area depending on the size of unit. The table below compares proposed provision with the minimum requirement by type of unit. This shows that all units would have balconies that meet or exceed the minimum requirement.

Unit Type/Size	No. of units	Minimum Required	Private Amenity Space provision
1B/ 1 person	10	5 sq m	5 sq m
1B/ 2 persons	147	5 sq m	5.1 – 8.7 sq m
2B/ 3 persons	37	6 sq m	6.1 – 9.1 sq m
2B/ 4 persons	37	7 sq m	7.1 – 7.4 sq m
3B/ 4 persons	6	7 sq m	7.1 – 9.1 sq m
3B/ 5 persons	29	8 sq m	9.1 – 14.5 sq m
3B/ 6 persons	22	9 sq m	9.1 – 14.5 sq m
Total	288		

In addition to the shared recreational areas at ground level, Buildings 5, 7 and 8 would provide a total of 928 sq m of shared roof garden areas as follows:

- Building 5 roof garden area: 292 sq m
- Building 7 roof garden area: 318 sq m
- Building 8 roof garden area: 318 sq m

Building 5 would include a shared roof garden at 7th floor level with views towards the Central Park to the north west, the Pocket Park to the north east and the Woodland Park to the south. Buildings 7 and 8 would both have a shared roof garden on the 6th floor with views across Grove Farm Park and the new landscaped area between the buildings

In addition, not including children’s playspace, there would be 8,203 sq m of publicly accessible amenity space in these areas:

- the park (2,948 sq m), an amenity space providing access to Grove Farm Park and amenity space for residents and visitors; this area would be heavily planted and include play space;
- the Pocket Park (522 sq m) – a community space at the front entrance of the site adjoining the active frontages of building B1 and forming the main pedestrian and cycle access into the scheme; it would include a rain garden, table tennis tables, cycle stands and a play trail;
- the Woodland Park (3,412 sq m) would include a play trail and play equipment, seating, a picnic area and table tennis tables, with informal paths and stepping stones winding through it; it would be fronted by active uses on the ground floor of building B5 and provide a pedestrian access to Greenford Road, at the south-eastern corner of the site;
- the residential courtyard (1,321 sq m) would be a green amenity space accessible to residents of adjacent buildings and would include lawns and picnic tables along with areas for natural play, and a nature garden.

Based on local and London Plan planning guidelines, this development of 288 flats would require 1,738 sq m of private amenity space and 4,320 sq m of communal amenity space, or 6,058 sq m in total. By comparison, 11,167 sq m of amenity space is proposed consisting of:

- private amenity space in the form of balconies (2,036 sq m);
- communal amenity space at ground level and in roof gardens (9,131 sq m).

This amount significantly exceeds the minimum requirement and, on balance, the current proposals for amenity space are considered acceptable and to meet the objectives of sections 8 and 12 of the

National Planning Policy Framework, policy D6 of the London Plan (2021) and policy 7D of the adopted Development Management Development Plan Document (2013).

Urban Greening

London Plan Policies G1 and G5 identify urban greening as a fundamental aspect of site and building design with features such as street trees, green roofs, green walls, rain gardens, wildflower meadows, woodland, and hedgerows to be considered for inclusion and opportunities for ground level urban greening to be maximised. The scheme should also seek to achieve the Urban Greening Factor target, which is based on the amount of green infrastructure delivered within the landscape and on buildings.

A target score of 0.4 is recommended for predominately residential developments. In this case, with the various parks proposed within the site, green roofs, retained and additional tree planting, enhancement of existing green areas around the site, amenity grassland, rain gardens and permeable paving, the Urban Greening Factor is indicated to be 0.54. This exceeds the London Plan target and is acceptable.

However, the GLA Stage 1 report noted that it appeared that further green roofs could be provided and sought a review of the design to maximise green roof coverage across the site, particularly since the proposed buildings are within a Site of Importance for Nature Conservation. In response, the applicant indicates that, where possible, all flat roofs across the development allow for a combination of either green and blue roofs or brown and blue roofs. In addition, the roofs of Buildings 1 and 6 are pitched at an average angle of 28 degrees, which is advised to be an extreme pitch for installation of a Green Roof and not viable. These pitched roof areas would provide rainwater run-off to be harvested for re-use on the site.

Landscaping

The January 2020 approved scheme on land immediately to the north included a pedestrian connection between the proposed development and Grove Farm park. It also provided a new link from Greenford Road and the wider area since access to the park had previously been only from the David Lloyd centre private road.

The current application would build on this with the route to Grove Farm park and the central park retained and enhanced. In addition, the new route would relocate vehicle circulation and parking away from the central park area to create a larger and continuous park space. This aims to create legible spaces for play and relaxation, improving the usability and experience of the park route and provide a new public space fronting Greenford Road. It would also provide a safe link for the wider local community to access Grove Farm Park on foot and by bicycle.

The landscape design includes specifying plant species with high wildlife value, using SUDs in place of traditional drainage systems, specifying a wide range of species to increase biodiversity and specifying landscape materials with recyclable content whenever possible.

The residential streets have been designed as visually green streets with street trees and planting beds to create year-round visual interest and to contribute to the overall biodiversity of the scheme. Sustainable Urban Drainage in the form of rain gardens are proposed on the green streets. As a part of this, rain gardens and permeable surfacing are proposed along these streets to capture surface run-off. Green/blue roofs are also proposed to create natural habitats for plants and wildlife. The Council's Landscape section has not commented on the proposals and the Parks Department has not raised any concerns on the landscape design other than on the loss of trees and woodland.

The applicant has confirmed that, as with the Phase 1 development, the landowner and developer would be responsible for long term maintenance of all the new public open spaces within the site, funded by the service charge on the proposed flats.

In light of these responses, the landscaping proposals are considered acceptable given that conditions have been applied requiring details to be submitted of the hard and soft landscaping, boundary treatment, details of children’s play areas, a Landscape Management Plan, tree planting, and sustainable urban drainage systems to be implemented on site.

Children’s Playspace

London Plan Policy S4 requires development proposals to provide play and informal recreation space based on the expected child population generated by the scheme. The Mayor’s Play and Recreation SPG and Policy S4 expect a minimum of 10 sq m per child to be provided in new developments. A development of this size and mix would require a total of 1,163 sq m of dedicated children’s play space, as indicated in the table below. The scheme would provide more than this amount of playspace within the development site distributed throughout the woodland area, the park, and the wider public realm with formal play areas as well as informal play features. This would comprise 1,258 sq m in total made up of 118 sq m in the residential courtyard, 447 sq m in the Woodland Park, 133 sq m in the Pocket Park, 463 sq m in the Park, and 97 sq m in the roof terrace of Building B7.

Age Group	Estimated No. of Children	Area Required	Area Proposed
Under 5	54	543 sq m	550 sq m
5-11	39	394 sq m	398 sq m
12+	23	226 sq m	310 sq m
	116	1,163 sq m	1,258 sq m

Play facilities would not be segregated and fenced-off but threaded throughout the public realm, including play equipment set in landscaping and open space and facilities for games and wheeled activities. Different age groups should be able to make use of the spaces through varying activities at different times of the day.

As part of a S106 Agreement for the approved scheme on the land immediately to the north, the applicant is to contribute to the construction and ongoing maintenance of an offsite children’s play area in Grove Farm.

Subject to these S106 obligations and conditions, the proposal can be considered to provide acceptable children’s playspace for the 288 flats and meet the objectives of sections 5 and 12 of the National Planning Policy Framework, policy S4 of the London Plan (2021) and 7D of the Ealing Development Management Plan Document (2013).

Highways

Policy T6.1 of the London Plan (2021) requires that new residential development should not exceed the maximum parking standards set out in Table 10.3. All residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. Policy T6 indicates that car-free development should be the starting point for all development proposals in places well-connected by public transport.

The site is not located in a Controlled Parking Zone (CPZ) but lies adjacent to two existing CPZs. A mix of single and double yellow line restrictions apply on Greenford Road near the site such that vehicles are not currently able to park on-street in the vicinity. Public transport accessibility of the site is good.

The existing vehicle entrance on Greenford Road would be relocated further to the south, to create a new public space along Greenford Road leading through to the new central park. This would be connected to Grove Farm Park to create an improved pedestrian and cycle route from Greenford Road and the wider area to the Park. Relocating the development site entrance would require moving the existing bus stop beside the site entrance by approximately 7m to the south. Vehicle access for emergency and refuse vehicles would be to the rear of the site.

The repositioned two-way vehicle access point on Greenford Road would provide the only point of entry for vehicles. A raised table would provide a level crossing for pedestrians and cyclists travelling along Greenford Road. The internal roads include adequate turning areas for vehicles.

A total of 90 new car parking spaces are proposed within the application site. These would be located in the undercroft area under proposed Blocks 7 and 8, accessed via a ramp north of Atrium Point, and at ground level within the public realm area.

Across the wider development site, including the car parking area under the previously approved Buildings 2, 3 and 4, there would then be a total of 155 car parking spaces located as follows:

- Basement car park (below Buildings 2, 3 and 4): 64 spaces
- Undercroft (below Buildings 7 and 8): 50 spaces
- Ground level to south and west of Building B5 and north of Building B1: 40 spaces

However, 100 of these spaces would be allocated to the residents of Atrium Point to replace the car parking spaces lost by the removal of the surface level car park at the rear of their building. The remaining 55 spaces would be allocated to the new residential units across the wider site including the previously approved Phase 1 development. This means that there would be a net increase of 77 parking spaces across the wider development site and would result in the ratio of car parking spaces per flat across this wider development of 561 new homes being reduced to 0.1. This would fall well below London Plan maximum parking standards of 0.75 to 1 space per flat in this location.

Of the ground level car parking spaces, 19 would be accessible spaces allocated as follows:

- New residential units (288 flats): 8 spaces
- Atrium Point: 10 spaces.
- Community space: 1 space

In addition to the 90 car parking spaces, there would be 4 lay-bys for service vehicles and 2 van spaces for operational use i.e. for maintenance and landscaping contractors and delivery vehicles. Service and delivery vehicles would utilise the main site access road directly from Greenford Road. A drop off/pick up facility is also proposed near the new crèche unit as well as loading bays. There would also be 17 motorcycle spaces located in the undercroft car parking area below Buildings 7 and 8.

Electric vehicle charging point facilities are to be provided to meet London Plan requirements with 20% of spaces to have active provision at the outset and the remaining spaces to have passive provision.

There have been a number of objections raised by residents concerning increased parking pressures in the area as a result of the development, increased traffic congestion from more flats, and increased pressure on public transport. It is also asserted that the site access junction is dangerous and will be worsened and that there will be increased pollution from more traffic on already congested roads.

Transport Services have not objected to the proposals but note that adjacent road junctions are currently congested during peak times. This development would generate more than 2,000 person trips and 600 vehicle trips per day and contribute to additional congestion. In addition, the Greenford Road link is also fully saturated, and all the adjacent residential roads are used by rat-running traffic. The proposed 288 flats are estimated to generate 600 vehicle trips per day, with some 50 additional vehicle trips during peak times, including deliveries. This will have a significant impact on the adjacent junctions which are congested during peak times.

To mitigate exacerbation of such congestion and accident levels in the area, Transport Services seek financial contributions towards junction improvements at Greenford Road/Whitton Avenue and Greenford Road / Horsenden Lane North and accident remedial schemes on Greenford Road between Horsenden Lane North and the Borough boundary. Contributions are also sought for traffic calming measures on nearby residential streets south and east of the development, for traffic calming measures to prevent rat running, for a parking review and new CPZ implementation, for footway improvements on both sides of Greenford Road near the development, to improve cycle infrastructure routes across the adjoining open space, for bus shelter/bus stop improvements and for travel plan monitoring. This would amount to £265,000 in total and has been agreed.

Significant transport related contributions were previously secured in relation to the Phase 1 development. The currently sought contributions would go towards some of the same mitigation measures but pay a larger proportion of them to reflect the increased number of dwellings. Some new measures such as footpath improvements are also sought. However, there is no double counting of contributions in relation to the Phase 1 scheme.

The GLA Stage 1 report indicates that every effort should be made so that the development feels pedestrian primary rather than vehicle dominant. In response, the applicants have confirmed that the main site entrance would have separate pedestrian and cycle access, with vehicle access limited to the front areas of the site and routes clearly defined with signage, so that vehicles would be directed to the left and right between Buildings 1, 5 and 6. The alignment of the internal roads with short sections of straight roads and bends, with additional traffic calming from speed humps on the road to the David Lloyd centre, also aims to encourage low vehicle speeds. All this is aimed at making the development feel pedestrian primary and not vehicle dominant.

In terms of cycle parking, Table T5 of the London Plan (2021) requires cycle parking at least in accordance with minimum standards set out in Table 10.2. This requires 1 space per 1 person/1 bedroom dwelling, 1.5 spaces per 2 person/1 bedroom dwelling and 2 spaces for all other dwellings. Requirements for the industrial and commercial space are based on floorspace. Overall, the proposed development would require 493 cycle spaces.

In this context, a total of 506 long stay cycle parking spaces are proposed for the flats. This provision would be in dedicated cycle stores at ground level in the case of blocks B1, B5 and B6, with each building provided with its own ground floor level bicycle store adjacent to the core. These areas would have step free access to the outside. For blocks B7 and B8, the cycle parking would be in the basement and accessible via the basement ramp that would have a separate path alongside the vehicle route for cyclists walking up the ramp. A further 8 visitor cycle spaces are also proposed.

Within the cycle storage areas, 90% of the storage space would be double stacked racks, with 10% as Sheffield-type bicycle stands. Residents would gain access to the cycle parking with a key fob access system to the entrance door, or provided with another form of suitable secure access.

A further 14 cycle parking stands for staff and short stay use by the non-residential units would be provided within the landscaped areas in the form of Sheffield stands. A total of 19 visitor cycle parking stands would also be provided within the site's landscaped areas at convenient and visible locations.

This level of provision would meet the minimum London Plan cycle parking standards and is therefore considered acceptable. However, conditions are applied requiring details of the proposed cycle storage spaces to be approved and to ensure the provision of appropriate cycle storage before occupation of the residential units.

The main pedestrian and cycle access into the site would be from Greenford Road, with secondary access points further south on Greenford Road via the new Woodland Park area. The main public pedestrian route through the site would be a winding path from the Pocket Park on Greenford Road to Grove Farm Park. This path would be a recreational route shared by both pedestrians and cyclists. Shorter stepped routes are also proposed between the switch-backs, for those not wanting to follow the longer winding route.

The roads would be treated as public realm with small unit or permeable paving. The area to the rear of the site around Building 7 and 8 would be a fully shared surface. Other roads within the site would use landscaping to separate vehicle routes from pedestrian routes to provide safe pedestrian areas.

The GLA has indicated that conditions and/or S106 obligations should secure a car parking management plan; a travel plan; electric vehicle charging points; the Delivery and Servicing Plan; and a Construction Logistics Plan, in line with TfL Guidance, for each phase of the development. It should also be demonstrated that the cycle parking also meets the LCDS requirements and that cycle parking provision should be secured by condition. The submitted Travel Plan is considered generally acceptable but the final version and all agreed measures should be secured, enforced, monitored, and reviewed. These conditions have been applied.

The GLA also supports the provision of a dedicated path for active modes to the north as well as the traffic calming features. However, it notes that the proposed highway modifications in Greenford Road, including the relocated vehicle access, should be secured through a S278 agreement and the cost of relocating the bus shelter should be borne by the applicant and secured by a S106 agreement.

With the recommended conditions and S106 obligations, the proposal would be acceptable in terms of transport and highways and consistent with section 9 of the National Planning Policy Framework (2021), and policies T5, T6 and T6.1 of The London Plan 2021.

Environmental Pollution

The site adjoins the relatively busy Greenford Road, and a railway line runs nearby to the north of the site. These factors could give rise to noise and air quality impacts for the proposed residential units. A Noise Impact Assessment submitted with the application concludes that the recommended sound reduction performances for the façades of the proposed Buildings overlooking Greenford Road should be achieved with an acoustic double-glazed window system and recommended sound reduction performances for the other façades are expected to be achievable with reasonably standard double-glazed window systems.

Regulatory Services have reviewed the submitted Noise Assessment and do not object to the proposals but require a further noise survey and request various conditions on noise mitigation, odour control, submission of a Servicing Management Plan and a Construction/Demolition Management Plan. These conditions have been applied.

With regard to air quality, the submitted Air Quality Assessment concludes that:

- the proposed development would be air quality neutral with regard to transport and buildings emissions;
- residual impacts from the construction phase are considered not be significant, subject to appropriate mitigation measures;
- the overall operational air quality impacts of the development would be insignificant and no additional mitigation is required for the operational phase.

Regulatory Services have raised concerns on the level of parking provision on the site, which is considered likely to increase emissions in proximity to an Air Quality Focus Area, and seek a reduction in proposed parking provision. If recommended approval, requests S106 contribution of £46,400 towards air quality measures and conditions on fresh air ventilation, Non-Road Mobile Machinery and an Air Quality and Dust Management Plan.

The GLA Stage 1 Report notes that traffic data has not been provided to support the conclusions on air quality impacts of the proposed development and further information on the traffic generation must be provided to support the screening of impacts to comply with London Plan Policy S11 (B), (D), and (E). In response, an updated Air Quality assessment has been submitted which includes this data.

In relation to contaminated land, Regulatory Services consider that contamination may be present at the site which, due to the proposed redevelopment to residential use, needs investigation. Conditions are applied with regard to site investigation, remediation and verification.

Ecology

While most of the application site comprises hardstanding, the southern part around the Kellogg Tower contains a large area of amenity grassland and smaller parcels of amenity grassland and ornamental planting/shrubs are scattered throughout the site. To the west of the site an embankment covered in dense scrub and woodland falls within the Grove Farm Site of Importance for Nature Conservation (SINC).

Policy G6 of the London Plan makes clear that SINCs should be protected. Where harm is unavoidable and where benefits of development clearly outweigh impacts to biodiversity, the mitigation hierarchy should be applied, namely to avoid, minimise, restore and as a last option offset impacts offsite. The NPPF (section 17) notes that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

In this context, the majority of the proposed development would be sited on the car parking and amenity areas of the former Kellogg Tower and disused office building. However, some of the ground stabilisation and construction works will occur on the wooded embankment which forms part of the Grove Farm SINC.

A number of objections by residents relate to adverse impacts on wildlife such as bats and badgers as well as loss of woodland habitat.

A Preliminary Ecological Appraisal accompanies the application. This concludes that the majority of the habitats within the development footprint are of negligible intrinsic ecological or nature conservation value. Within the rest of the site, it identifies potential nesting habitats for breeding birds, low levels of bat activity at the edge of the site, trees within the wooded area within the development footprint with potential to support roosting bats and a subsidiary badger sett. However, the wooded embankment is considered to provide habitats of high suitability to support a number of protected or notable species. Loss of this 0.15 ha area of mainly broadleaved woodland within the Grove Farm SINC to the proposed

buildings is considered to have significant permanent, negative impacts at the borough scale unless suitable mitigation and compensation can be provided.

It also notes that the proposed development footprint may have potential indirect negative impacts on the Grove Farm Local Nature Reserve (a local level impact) without appropriate mitigation and prevention measures being implemented. It recommends that a plan for ecological mitigation, compensation and enhancement should be agreed with the Local Authority and implemented through a formal Construction Ecological Management Plan.

The Council's Parks and Landscape section raised concerns that removal of trees, stabilising of banks, new housebuilding and subsequent increase in human activity will have a significant and negative effect on the badger population and network of setts within the application site. There were also concerns that the proposed extensive removal of trees and other vegetation would significantly reduce the ecological value of the green corridor used by badgers and other wildlife for feeding and foraging. The Council commissioned an independent ecological report on badger activity on the site from the Surrey Wildlife Trust. This concluded that the proposed development would adversely impact a SINC and adjoins a statutorily protected Local Nature Reserve and would conflict with national and local policies on nature conservation by failing to demonstrate the following information which should be required prior to determination:

- that the impacts on the SINC are unavoidable and are outweighed by the needs;
- how the mitigation hierarchy has been met;
- that the proposals will result in measurable gains.

With regard to badger setts, the report indicates that contravention of legislation on identified setts is unlikely but recommends a pre-works inspection of the woodland before any tree felling occurs and further actions to be undertaken during the construction phase to protect badgers. These are the subject of conditions.

The Surrey Wildlife Trust report also made a number of recommendations on further information required before determination of the application:

- a survey at appropriate time of year to ascertain impacts of development on medlar and bluebell plant species;
- the additional bat presence/likely absence surveys indicated by the Preliminary Ecological Assessment (2021);
- a lighting constraints plan to demonstrate how lighting proposals will ensure bats and other nocturnal species are adequately protected from lighting impacts in the long term.
- various conditions are also sought requiring details to be submitted for approval prior to commencement of development with regard to: a full lighting strategy; a stag beetle enhancement plan; a detailed landscape and ecological management plan, an invasive species management plan for Japanese Knotweed and a Construction Environment Management Plan;
- the developer should ensure that vegetation and site clearance are timed to avoid the bird nest season of early March to August inclusive.

In response, a Biodiversity Gain Assessment and a Bat Tree Climbing survey were subsequently submitted and the following measures proposed:

- to compensate for loss of woodland habitat from the SINC, a S106 contribution to the management of the SINC as well as enhancements in the form of tree planting etc; with details set out in an Ecological Management Plan to be subject to a condition;
- these compensation measures would result in a net gain of 0.05 biodiversity units compared with pre-development value, equivalent to a total net gain of 1.32% for area based units;
- with regard to scarce and uncommon flora, no further surveys are proposed but it is agreed that an ecologist should be present during clearance of habitat any species found translocated to suitable habitat within Grove Farm; this could be secured via an approved Ecological Management Plan subject to a condition;
- as none of the badger setts are at risk of impacts from the development proposals, no further surveys or licence applications are required but a precautionary method of works, as outlined in the Surrey Wildlife Trust report, is recommended during construction works;
- with regard to bats, a potential roost feature survey of tree 8 was carried out in early 2022 to determine presence/absence of bats and the need for any further survey; this confirmed low potential to support summer roosting bats and recommended a further tree climbing inspection prior to felling in the summer; a condition is applied to secure this;
- confirmation that any vegetation or site clearance would be undertaken outside of the nesting bird season (from March to August inclusive) or potential nesting areas inspected by an ecologist less than 48 hours prior to clearance;
- outline details of a lighting scheme are provided;
- conditions are also be accepted for submission of the following prior to commencement of development: a Stag Beetle Enhancement Plan, an Invasive Species Management Plan, a Landscape Environment Management Plan, a Construction Environment Management Plan, a lighting constraints plan and a detailed lighting assessment.

Conditions are therefore applied to require implementation of the recommendations of the submitted Ecological Appraisal and all the other measures indicated above.

Although improvements to the park were secured in the Phase 1 development, this larger overall development will require more playground space, additional park paths and mitigation. To compensate for loss of MOL, woodland and habitat and required improvements to Grove Farm Park, the applicant has agreed S106 contributions totaling £402,300, as requested by the Council's Park's department, including paths and entrances (£50,000); seats, bins and signage; woodland management habitat enhancement, meadow creation and planting (£60,000); outdoor exercise equipment and play area improvements (£92,300); play area maintenance for approximately 10 years (£25,000); improvements to the stream habitat £75,000); and mitigation offsite for the loss of woodland and badger habitat (£10,000).

On this basis, with the proposed tree planting, conditions and mitigation measures noted above, the development would result in acceptable changes and enhancement to biodiversity and ecological value of the application site. In ecological terms, the proposal would therefore accord with the NPPF, London Plan Policies G4, G5, G6 and G7 and Ealing Development Plan policies.

Trees

A number of objections by residents relate to an excessive loss of trees on the site.

The GLA Stage 1 report indicated that the removal of the woodland embankment within the SINC would result in a significant negative impact unless suitable mitigation and compensation are provided. It required the applicant to prepare a mitigation plan detailing the approach to the mitigation hierarchy in London Plan Policy G6 and sufficient with regard to the loss of woodland and indirect effects on the wider SINC. Evidence was also required that the proposal would result in a biodiversity net gain. All this was to be submitted for review prior to determination.

In addition, it noted that 98 trees would be removed, 46 trees retained, and 100 new trees planted with a net gain of two trees. Although 58 of trees to be removed are low quality, the overall number remains substantial and includes 40 trees of value. The trees to be removed are either within, or in proximity to, the Grove Hall Park SINC and should be considered for their wider contribution to the overall habitat and ecological value.

The GLA Stage 1 Report therefore required an Arboricultural Impact Assessment to demonstrate that the proposal would result in an improvement in the value of trees onsite since the original two tree net gain was considered negligible. An assessment of the value of proposed new tree planting was also sought, along with a diverse range of tree species.

In response, an Arboricultural Impact Assessment was subsequently submitted. This indicates that 122 trees would be planted or relocated in comparison with 107 trees to be removed, giving a net gain of 15 trees. It also demonstrates that the value of the new planting would be greater than the value of the trees lost.

A variety of tree species and sizes have been proposed to reflect an informal park-like character, to create seasonal interest, to increase biodiversity, to enhance air quality, control local micro-climate and pollution, and to attract people and wildlife. The varied tree heights provide different scales and the larger species will provide an early sense of maturity.

The Council's Tree officer initially objected that the proposed development would remove an area of woodland and habitat and the scope for replanting on the site is limited. The Ealing biodiversity action plan seeks to increase canopy cover by 10% and the applicant is proposing to spend a large amount on planting trees and relocating trees within the site. However, many of the trees to be relocated are of poor quality and likely to come into conflict with buildings in their new location.

It is considered that some of this money would be better spent on planting new trees and a S106 contribution of £100,000 has therefore been agreed to mitigate the loss of tree canopy cover with off-site planting given the limited area for new tree planting on the site itself. This would be used for tree planting within a 1 km radius of the development or in a park/greenspace in the borough. This, together with the developer's planned new and replacement tree planting on the site, is considered adequate mitigation.

On this basis, the tree proposals are considered acceptable given that conditions have been applied requiring details to be submitted of tree planting on site.

Energy/Sustainability

The provision of sustainable development is a key principle of the National Planning Policy Framework (2021), which requires the planning process to support the transition to a low carbon future. Policy S12

of the London Plan (2021) requires submission of an energy demand and sustainability assessment, along with the adoption of sustainable design and construction measures and demonstration of how heating and cooling systems have been selected in accordance with the Mayor's energy hierarchy. In particular, policy SI2 requires the domestic element to meet zero carbon and the non-domestic element to meet the 35% CO₂ emissions reduction target beyond Building Regulations Part L 2013. For the domestic element, a minimum 35% reduction in regulated CO₂ emissions above Building Regulations 2013 is expected to be achieved on-site. Any shortfall will be met through a S106 carbon offset contribution.

Policy SI2 in the London Plan (2021) requires development to monitor, verify and report on energy performance in operation. This policy is reflected in Ealing Council's 2013 DPD policy E5.2.3 which requires the post-construction monitoring of renewable/low-carbon energy equipment.

London Plan policy SI3 recognises that combined heat and power (CHP) may have negative effects on London's air quality and that electric air-source-heat-pumps are a better carbon reduction option than gas fired CHP. In addition, section 10.2 of the GLA (2020) Energy Assessment Guidance expects all major development proposals to maximise on-site renewable energy generation regardless of whether a 35% target has already been met.

The applicant has submitted an energy statement, setting out how the development would reduce carbon dioxide emissions. This has been reviewed by the Council's Energy & Sustainability advisor who considers the proposed energy and sustainability strategies are generally acceptable but requires conditions as well as a S106 contribution towards low-carbon/renewable energy monitoring and a S106 carbon offsetting contribution.

This size and type of development is not suitable for CHP and there is no available "Clean" district heat network (DHN). The application instead proposes a communal site-wide high temperature (air-to-water) Air Source Heat distribution loop with dwelling heat exchange units (HIU) to provide heating, cooling, and domestic hot water. The development would be all electric with no gas on-site. Also proposed are six Photo Voltaic arrays on the blocks with a combined total capacity of approximately 54 kWp.

With these measures, the overall site-wide CO₂ emissions would be cut by at least 54.5%, with a 15.7% carbon reduction through "Lean" efficiency measures, and 38.8% through "Green" renewable energy measures. This would result in a shortfall of 4,320 tonnes of CO₂ (over 30 years) in the zero-carbon target that will be mitigated through an "offset" S106 payment at £95 per tonne amounting to £408,238. If after three years of in-situ monitoring the renewable/low-carbon energy systems do not deliver the carbon reductions predicted in the approved Energy Strategy then the Developer will need to pay an additional Carbon Offset contribution to mitigate any shortfall.

An Overheating/Cooling analysis with proposed mitigation measures has been carried out. Conditions have been applied which require implementation of the recommended overheating mitigation measures, details of Post-construction energy equipment and energy use monitoring and submission of a Whole Life-Cycle Carbon Assessment.

Subject to these conditions and S106 obligations, the development would comply with national, regional and local policies in terms of sustainability.

Crime Prevention

Explanatory text for London Plan Policy D3 indicates that measures to design out crime should be integral to development proposals and be considered early in the design process. Policy D11(c) emphasises that development should include measures to design out crime.

The Metropolitan Police Design Out Crime team has assessed the proposed development and sees no reason why it could not achieve a Secured by Design Accreditation. Nevertheless, a planning condition has been requested requiring compliance with Secure by Design Standards.

Accessibility

Government technical standards from 1st October 2015 require that 90% of dwellings should meet Lifetime Homes Standards. London Plan Policy 3.8 'Housing Choice' and Policy D5 of the draft London Plan require that 90% of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% meets Building Regulation requirement M4(3) 'wheelchair user dwellings', that is, designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

In this context, 28 accessible units are proposed in Buildings 1 and 5, with 2 accessible units per floor. This equates to 10% of the total.

Refuse & Recycling Storage

Policy SI 7 of the London Plan (2021) requires the design of developments to include adequate, flexible, and easily accessible storage space and collection systems. The London Housing Supplementary Planning Guidance 2016 (standard 2.3.18) requires refuse stores to be accessible to all residents.

For the proposed 288 flats, the total refuse/recycling storage provision required would be broadly equivalent to 28,000L of refuse and 28,000L of recycling bins. By comparison, a total of 58 x 1,100 litre bins would be provided as follows: Building 1 (6 bins), Building 5 (16 bins), Building 6 (8 bins), Building 7 (14 bins) and Building 8 (14 bins). This would provide adequate capacity.

Environmental Services raised concerns that, while lay-bys are proposed within 10m of the refuse store, collection operatives would have to cover almost double that distance whilst pulling bins from the rear of the refuse stores. In response, the applicant has noted that, while there is an extended distance between the refuse store in Building 1 and the collection lay-by, there is space in the corridor to allow the refuse bins to be temporarily located there by the estate management team on collection days only. This would significantly reduce the bin dragging distance and external collection points are located adjacent to refuse stores in all other buildings to minimise drag distances.

All refuse stores would be located at ground level next to each of the residential cores with access points from both inside and outside the buildings. They would also be within 10 metres from a lay-by or location for refuse vehicles to stop.

To ensure that the proposed refuse arrangements are managed properly, a condition that requires the submission of a servicing management plan has been applied to secure coordinated servicing of the development, including refuse collection.

Drainage and Flood Risk

Policy LV 5.12 (Flood Risk Management) of the Ealing Development Management Document DPD (2013) requires all forms of development to ensure that every vulnerability to surface water, sewer and ground water flooding is fully assessed.

A Flood Risk Assessment and Drainage Strategy and Water Quality Management Report have been submitted and the Flood Risk Assessment concludes that:

- the proposed development is at no risk of fluvial or pluvial flooding;
- the existing building and neighbouring properties have never flooded;
- the proposed development will not increase the risk of flooding on or off site and there will be no loss of floodplain as a result of the development;
- there is a means of escape from the building;
- proposed surface water drainage for the new development will be designed in accordance with DEFRA guidance to reduce surface water discharge rates and lower the risk of flooding downstream.

The submitted Drainage Strategy for the site is based on restricted and attenuated surface water run-off coordinated with landscape SUDs features, and unrestricted foul flows for foul water discharge.

The proposed surface water drainage strategy includes a comprehensive SuDS scheme to improve water quality and quantity. As part of this, the surface water storage provided by the porous pavement build-up in the eastern areas would be supplemented with rain gardens and shallow, below ground, cellular attenuation storage units. Attenuation and pollution treatment of the surface water run-off would be provided by these features prior to discharging to the nearby open drain at a restricted run-off rate.

Thames Water has raised no objections to the proposals on the basis that surface water would not be discharged to the public network and no objections with regard to impacts on foul water sewerage network infrastructure capacity. The Council's Environmental Services (Flood risk/drainage) officer has not provided comments on the proposals. However, conditions are applied to require approval of detailed drainage designs for SUDs features and a drainage management plan for SUDs components.

On this basis, subject to appropriate conditions being applied, the scheme is considered acceptable in its likely impact on drainage and flooding, and so accords with the NPPF, London Plan policies S12; S13 and S17 and the Sustainable Design and Construction SPG (April 2014).

Regeneration, Employment & Training

London Plan Policy E11 requires that development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate.

In this context, as requested by the Council's Regeneration section, the developer has agreed to produce a Local Employment & Training plan, which will set out commitments for both the construction phase of the development and end user opportunities, including:

- a financial contribution towards apprenticeship/employment placement;
- 20 apprenticeships over the project's lifetime with a penalty of £4,000 per apprenticeship unfilled;
- a local labour target and all vacancies to be advertised through Council's job brokerage service;
- schools engagement activity;
- end user opportunities dependant on the user.

These commitments have been agreed and would be secured via the S106 Agreement.

There have been a number of objections raised by residents that there will be increased strain from the proposed flats on schools, health and other local community facilities which are already over capacity. It is also indicated that there are insufficient shops at Sudbury Hill to cope with greater demand.

To mitigate this, substantial S106 financial contributions have been agreed by the applicant towards improvement/expansion of local schools and health facilities. In addition, a further, very large S106 contribution has been agreed towards regeneration of the local area including business support, local employment creation and capacity building, enhancement of neighbourhood centres, provision of shared affordable workspace, and improved access to public space and greening.

Community Infrastructure Levy (CIL)

In accordance with the Community Infrastructure Levy (CIL) regulations the development would be liable to pay CIL at £60 per square metre.

The proposed development involves 288 residential units, and 28,106 sq m of residential and commercial GIA floorspace. However, a proportion of this (8,382 sq m) would be in affordable dwellings which are exempt from CIL. This means of 19,274 sq m of residential and commercial space would be subject to a charge of £60 per sq m, equating to a CIL payment in the order of £1.183M but subject to indexation. The final amount would be calculated by the CIL collections officer.

Fire Safety

Policy D12 of the London Plan requires major applications to be accompanied by a fire statement demonstrating how the development would achieve the highest standards of fire safety. A Fire Statement prepared by a suitably qualified third-party assessor has been submitted. This has been reviewed by the GLA Stage 1 Report, which indicates the information provided is in line with London Plan Policies D5 and D12 but requests a condition to secure compliance with the agreed fire statement. This condition has been applied.

Large schemes may require a number of different consents before they can be built. Building Control approval needs to be obtained to certify that developments and alterations meet building regulations. Highways consent will be required for alterations to roads and footpaths. Various licenses may be required for public houses, restaurants and elements of the scheme that constitute 'house in multi-occupation'. The planning system allows assessment of a number of interrelated aspects of development when planning applications are submitted to the Council. The proposed materials to be used may be approved under a planning permission based on the details submitted as part of the planning application or may be subject to a condition that requires such details to be submitted and approved prior to the commencement of the development. Whichever the case, planning officers' appraisal of materials is focused on the visual impact of such materials in relation to the design of the overall scheme itself, the character of the local area or indeed on the amenities of local residents.

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

Conclusion

It is considered that this proposed mixed-use development would be acceptable for the application site and location. It would contribute to meeting housing demand and will make an important affordable housing contribution. It would not, as a result of its scale, bulk and massing, be harmful to most adjoining developments and occupiers, visual amenity or the local environment. The proposed design and appearance of the building would be of good quality, would complement the locality and would provide a satisfactory residential environment for occupiers.

Taking account of the important benefits of the scheme, including affordable housing provision, the proposal is considered to satisfy the relevant tests for allowing built development on MOL and for residential development on employment land.

The proposed development would provide high standards in terms of sustainable design and construction including high energy and water efficiency measures, low emission levels, Air Source Heat Pumps and solar Photo Voltaic panels. Potential impacts with regard to air quality, noise and land contamination can be adequately dealt with by the conditions proposed.

Impacts on woodland, habitats and the Site of Importance for Nature Conservation would be adequately mitigated by new planting, tree relocation, and Ecological Management Plan and substantial S106 contributions for improvements to Grove Farm Park, improvements to the stream habitat and towards offsite compensation measures for loss of woodland and badger habitat.

Transport Services have assessed potential implications of the development for the highway network regarding car parking, traffic, junctions and cycling and footpath infrastructure in the locality. They consider the site is located in an area of good public transport accessibility and, with suitable conditions and the planning obligations agreed, any potential future impact arising from the proposal will be satisfactorily mitigated. As such this proposal is recommended for conditional approval subject to S106 and S278 legal agreements.

Human Rights Act

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

Public Sector Equality Duty

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.

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

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.

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 1: CONDITIONS / REASONS:

1. Time Limit 3 years - Full Permission

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

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

2. Approved Plans and Documents

The development hereby approved shall be carried out in accordance with the following approved drawings and documents:

PVP-SRA-B1-XX-DR-A-05210 Rev P01, PVP-SRA-B1-XX-DR-A-05260 Rev P01, PVP-SRA-B1-XX-DR-A-05262 Rev P01, PVP-SRA-B1-XX-DR-A-05601 Rev P01, PVP-SRA-B1-XX-DR-A-05603 Rev P01, PVP-SRA-B5-XX-DR-A-05250 Rev P01, PVP-SRA-B5-XX-DR-A-05285 Rev P01, PVP-SRA-B5-XX-DR-A-05286 Rev P01, PVP-SRA-B5-XX-DR-A-05287 Rev P01, PVP-SRA-B5-XX-DR-A-05288 Rev P01, PVP-SRA-B5-XX-DR-A-05615 Rev P01, PVP-SRA-B5-XX-DR-A-05616 Rev P01, PVP-SRA-B6-XX-DR-A-05220 Rev P01, PVP-SRA-B6-XX-DR-A-05265 Rev P01, PVP-SRA-B6-XX-DR-A-05266 Rev P01, PVP-SRA-B6-XX-DR-A-05267 Rev P01, PVP-SRA-B6-XX-DR-A-05602 Rev P01, PVP-SRA-B7-XX-DR-A-05270 Rev P01, PVP-SRA-B7-XX-DR-A-05271 Rev P01, PVP-SRA-B7-XX-DR-A-05272 Rev P01, PVP-SRA-B8-XX-DR-A-05280 Rev P01, PVP-SRA-B8-XX-DR-A-05281 Rev P01, PVP-SRA-B8-XX-DR-A-05282 Rev P01, PVP-SRA-ZZ-00-DR-A-05101 Rev P01, PVP-SRA-ZZ-00-DR-A-05231 Rev P01, PVP-SRA-ZZ-00L-DR-A-05100 Rev P01, PVP-SRA-ZZ-00L-DR-A-05230 Rev P01, PVP-SRA-ZZ-06-DR-A-05103 Rev P01, PVP-SRA-ZZ-07-DR-A-05104 Rev P01, PVP-SRA-ZZ-11-DR-A-05106 Rev P01, PVP-SRA-ZZ-GF-DR-A-05231 Rev P01, PVP-SRA-ZZ-XX-DR-A-05090 Rev P01, PVP-SRA-ZZ-XX-DR-A-05091 Rev P01, PVP-SRA-ZZ-XX-DR-A-05095 Rev P01, PVP-SRA-ZZ-XX-DR-A-05096 Rev P01, PVP-SRA-ZZ-XX-DR-A-05102 Rev P01, PVP-SRA-ZZ-XX-DR-A-05105 Rev P01, PVP-SRA-ZZ-XX-DR-A-05115 Rev P01, PVP-SRA-ZZ-XX-DR-A-05116 Rev P01, PVP-SRA-ZZ-XX-DR-A-05232 Rev P01, PVP-SRA-ZZ-XX-DR-A-05610 Rev P01, PVP-SRA-ZZ-XX-SH-A-05904 Rev P01,

Accommodation Schedules for Buildings B1, B5, B6, B7, B8; Air Quality Assessment Rev 3 by Hoare Lea (December 2021); Construction Logistics Plan by Odyssey (June 2018); Daylight/Sunlight Report by Joel Michaels Reynolds (March 2021); Overshadowing Assessment by Joel Michaels Reynolds (April 2021); Design and Access Statement (including landscape and open space assessment) by Sheppard Robson (April 2021); Townscape, Visual Impact and Heritage Assessment by Peter Stewart Consultancy (March 2021); Drainage Strategy by Ramboll (June 2018); Preliminary Ecological Appraisal Report by SLR (February 2021); Energy and Strategy by Hoare Lea (February 2021); Sustainability Statement by Hoare Lea (February 2021); Whole Life-Cycle Carbon Assessment (July 2021), Flood Risk Assessment by ASK Ward (April 2021); Planning Statement by Rapleys (April 2021); Land Contamination Land Report by Argyll Environmental (February 2021); Acoustics Report by Hoare Lea (February 2021); Statement of Community Involvement by London Communications (April 2021); Transport Assessment (including Travel Plan) by Transport Planning Practice (April 2021); Residential Travel Plan) by Transport Planning Practice (April 2021); Updated Tree Constraints Plan Report and Arboricultural Implications Assessment by Bartlett Consulting Rev. 1 (October 2021); Fire Statement by Hoare Lea (March 2021); Circular Economy Statement Rev 01 by Hoare Lea (April 2021), Response on Ecology Issues by SLR Consulting Limited (December 2021), Affordable Housing Provision by Rapleys (December 2021), Responses to LB Ealing & GLA Comments by Rapleys (October and November 2021), Revised Landscape Master Plan TOWN716(03)3001 Rev P8 by Townshend Landscape Architects, Landscape and Public Realm Design Statement TOWN716(03) 2001 r05 by

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Townshend Landscape Architects (October 2021), Bat Tree Climbing Survey by SLR (January 2022), Biodiversity Net Gain Assessment by SLR (January 2022), Response on Ecology Issues by SLR (December 2021), Responses to LB Ealing & GLA Comments by Rapleys (October 2021).

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

4. Details of Materials - Building

Details of the materials and finishes to be used for all external surfaces of the building(s) within the development shall be submitted to and approved in writing by the local planning authority before any part of the superstructure of the development is commenced and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The development shall be implemented only in accordance with these approved details.

Reason: To ensure that the materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policy D3 of the London Plan (2021) and the National Planning Policy Framework (2021).

5. Hard/ Soft Landscaping and Boundary Treatment

Details of hard/soft landscape works, tree planting and boundary treatment for the site shall be submitted to and approved in writing by the local planning authority before any part of the superstructure is commenced and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The scheme shall include comprehensive details of the full planting specifications (size, species and numbers), the positions of all planting, ground preparation for tree planting, and staking/tying methods where applicable. The development shall be implemented only in accordance with these approved details. 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 and amenity of prospective occupiers, and in accordance with policies G5 and G7 of the London Plan (2021), policies 1.1 (h) (g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework (2021).

6. Landscape Management Plan

Details of a Landscape Management Plan to cover a minimum period of 5 years from the implementation of final planting shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats hereby approved. The development shall be implemented only in accordance with these approved details and retained thereafter.

Reason: To ensure that the development is landscaped in the interests of the visual character and appearance of the area and amenity of prospective occupiers, and in accordance with policies G5 and G7 of the London Plan (2021), policies 1.1 (h) (g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework (2021).

7. Demolition & Construction Management Plan

Prior to commencement of the development, a demolition method statement/ construction management plan shall be submitted to the Council for approval in writing. Details shall include control measures for:

- noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014),
- dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition),
- lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals),
- delivery locations,
- hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Mondays to Fridays and 0800 -1300 Saturdays (except no work on public holidays),
- neighbour liaison, notifications to interested parties and
- public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works.

Reason: To protect the amenity of neighbouring occupiers and to ensure adequate highway and site safety in accordance with policies 1.1(e), 1.1(j) and 2.1(c) of the Ealing Core Strategy (2012), policies S11, T4, T6 and D14 of the London Plan (2021), the National Planning Policy Framework (2021), 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.

8. Size of servicing vehicles

The size of vehicles servicing the development shall be limited to 10m rigid lorries.

Reason: In the interests of highway/pedestrian safety and an appropriate operation of the development in accordance with policies 1.1(e) and 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies T3 and T4 of the London Plan (2021), and the National Planning Policy Framework (2021).

9. Cycle Parking

Details of cycle parking facilities for the development to demonstrate that they comply with London Cycling Design Standards shall be submitted to and approved in writing by the local planning authority prior to the commencement of the superstructure of the development. The development shall be implemented only in accordance with these approved details prior to the first occupation or use of the flats and permanently retained thereafter.

Reason: To promote sustainable patterns of transport, in accordance with Section 9 of the National Planning Policy Framework (2021) and policy T5 of the London Plan (2021).

10. Cycle Management Plan

Details of a Cycle Management Plan shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats hereby approved. The development shall be implemented only in accordance with these approved details and retained permanently thereafter.

Reason: To promote sustainable patterns of transport, in accordance with Section 9 of the National Planning Policy Framework (2021) and policy T5 of the London Plan (2021).

11. Travel Plan

An improved Green Travel Plan designed to manage the transport needs of the occupiers of the development, including measures to minimise car usage and promote alternative modes of transport, shall be submitted to the Local Planning Authority before the first occupation of the development, and the approved Green Travel Plan shall be fully implemented in compliance with the approved document. Reason: To promote sustainable patterns of transport to safeguard the living and working conditions of local people and in the interest of highway and pedestrian safety, in accordance with section 9 of the National Planning Policy Framework, policies T2 and T4 of the London Plan (2021) and policies 1.1 (f) and 1.1(g) of the Ealing Development (Core) Strategy 2026.

12. Delivery/Serviceing Plan

The servicing of the development shall be operated strictly in accordance with the details contained in the Framework Delivery and Servicing Plan within the Transport Statement by Odyssey (June 2018) shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of a planning application.

Reason: To protect the living conditions of neighbouring properties in accordance with policies 1.1(e) (g) and 2.1 (c) and 2.10 of the Ealing Core Strategy (2012), policy 7.A of the Ealing Development Management Development Plan Document (2013), policies D6 and T4 of the London Plan (2021), and the National Planning Policy Framework (2021).

13. Deliveries/collections times

Deliveries to and collections, including waste, from the management office and commercial units hereby approved shall only take place during the period 0700 – 1800 hrs on Monday to Saturday, at no times on Sunday and Public Holidays.

Reason: To protect the living conditions of neighbouring properties in accordance with policies 1.1(e) (g) and 2.1 (c) and 2.10 of the Ealing Core Strategy (2012), policy 7.A of the Ealing Development Management Development Plan Document (2013), policies D6 and T4 of the London Plan (2021), and the National Planning Policy Framework (2021).

14. Sustainable Design and Construction Standards

- A) Upon the first occupation of each residential unit within the approved development, the approved dwellings shall incorporate sustainability measures as detailed in the approved Sustainability Statement prepared by Hoare Lea (February 2021);
- B) Upon the first use of each non-residential unit within the approved development, the approved non-residential spaces shall incorporate sustainability measures as detailed in the approved Sustainability Statement prepared by Hoare Lea (February 2021).

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with policies SI1, SI2, SI3, SI4, SI5, SI7 and SI13 of the London Plan (2021), policies LV5.2 and 7A of Ealing's Development Management DPD 2013, and policies 1.1(k) and 1.2(f) of Ealing's Development (Core) Strategy 2012.

15. Water Efficiency

- A. Prior to occupation of each residential unit within the development, the approved dwellings shall incorporate and maintain water saving measures that will meet water efficiency standards with a maximum water use target of 105 litres of water per person per day.
- B. Prior to occupation of each non-residential unit within the development, the approved non-residential unit shall incorporate and maintain water saving measures that will reduce the water consumption as detailed in the approved Sustainability Statement Rev06 prepared by Hoare Lea.

Reason: To ensure the sustainable use of water, in accordance with the approved sustainability statement and policy SI5 of the London Plan 2021.

16. Energy & CO2 Emissions

- A. Prior to construction completion and occupation, the permitted development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall site-wide reduction in regulated CO₂ emissions against SAP10 standards of at least 54.57% (equating to 173 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 Energy Statement prepared by Hoare Lea in February 2021 (version 1) including:
 - i. Lean, passive design measures to achieve an annual reduction of at least 15.54% equating to at least 46 tonnes in regulated carbon dioxide (CO₂) emissions over BR Part L 2013 for the residential development, and at least 19%, equating to at least 4 tonnes, over Part L 2013 for the non-residential space.
 - ii. Green, renewable energy equipment including the incorporation of six photovoltaic arrays with a combined total capacity of at least 54 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 38.8%, equating to 123 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2013.
 - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (COP) of the heat pumps including the heat generation and the combined parasitic loads of the heat pumps.
- B. 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.
- C. Prior to the installation of the renewable/low-carbon energy equipment technical details of the equipment shall be submitted to the Council for approval. The details shall include the exact heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact number of PV arrays, the kWp capacity of each array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the LZC installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.
- D. On completion of the installation of the LZC equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- E. Within three months of the occupation/first use of the development the relevant Energy Performance Certificate (EPC) and detailed SAP Worksheets showing clearly the TER and DER, and/or the Display Energy Certificates (DEC's), accompanying Advisory Reports and detailed

BRUKL modelling output reports showing clearly the TER and BER from the ‘as built stage’ following completion of the development, shall be submitted to, and approved by, the Local Authority in order to confirm compliance with the energy efficiency measures detailed in the approved Energy Strategy. The development shall be carried out strictly in accordance with the approved details.

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

17. Renewable/Low Carbon (&CO2) Energy Monitoring

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

- a) Enter into a legal agreement with the Council to secure a S106 financial contribution for the post-construction monitoring of the renewable/low carbon technologies to be incorporated into the development and/or the energy use of the development as per energy and CO₂ condition(s).
- b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency (COP) of any renewable/low-carbon energy equipment shall be installed. The monitored data shall be automatically submitted to the Council at daily intervals for a period of four years from occupation and full operation of the energy equipment. The installation of the monitoring devices and the submission and format of the data shall be carried out in accordance with the Council's approved specifications as indicated in the Automated Energy Monitoring Platform (AEMP) information document. The developer must contact the Council’s chosen AEMP supplier (Energence Ltd) on commencement of construction to facilitate the monitoring process.
- c) Upon final completion of the development and prior to occupation, the developer must submit to the Council proof of a contractual arrangement with a certified contractor that provides for the ongoing, commissioning, maintenance, and repair of the renewable/low-carbon energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational.

Reason: To monitor the effectiveness and continued operation of the renewable/low carbon energy equipment in order to confirm compliance with energy policies and establish an in-situ evidence base on the performance of such equipment in accordance with London Plan (2021) policy SI2 (“Be Seen” stage of the energy hierarchy), Ealing's Development (Core) Strategy 2026 (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.

18. Post-construction energy use monitoring (“be Seen”)

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

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

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

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

19. Whole Life-Cycle Carbon Assessment

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

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

20. Overheating analysis

The development shall incorporate the overheating and cooling measures in line with the relevant CIBSE TM49 and/or TM52 guidance and detailed in the Dynamic Overheating Assessment submitted by Hoare Lea in February 2021.

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy SI4 of the London Plan (2021), Ealing's Development (Core) Strategy, and the Ealing Development Management DPD.

21. Security features

Prior to first occupation of the development, the development shall achieve Secured by Design accreditation.

Reason: To ensure that the adequate security features are incorporated into the development that are appropriate to the overall design of the buildings and are adequate to promote safety and security, in accordance with policy D3 of the London Plan (2021), policy 1.1(e) and 1.1(h) of the Ealing adopted Development (or Core) Strategy 2012 and policies LV7.3 and 7B of the Ealing Development Management DPD (2013).

22. Transport and/or commercial noise sources

Prior to commencement of the superstructure of the development, a noise assessment shall be submitted to the Council for approval in writing, of external noise levels from transport and industrial/ commercial/ cultural sources, having regard to the assessment standards of the Council's SPG10. Details shall include the sound insulation of the building envelope including glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise) to achieve internal noise limits specified in SPG10.

Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces to achieve noise limits specified in BS8233:2014. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

23. Separation of noise sensitive rooms in neighbouring flats

The sound insulation of the floor/ceiling /wall structures separating different types of rooms/uses, namely, kitchen/living/dining/ bathroom adjoining/above/below bedroom of separate dwelling, should be enhanced by at least 5dB above the recommended Building Regulations value. The assessment and mitigation measures shall be based on standards and noise limits of the

Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

24. Separation of commercial and communal uses and facilities from dwellings

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

Reason: To ensure that the amenity of occupiers of the development site/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise, accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

25. External noise from machinery, extract/ ventilation ducting, mechanical gates, etc.

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

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

26. Anti-vibration mounts and silencing of machinery etc.

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

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

27. Extraction and Odour Control system for non-domestic kitchens

Prior to commencement of the of the superstructure development, details shall be submitted to the Council for approval in writing, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet without cowl at least 1m above the eaves of the main building. Details shall be provided of a reasonable distance of the extract outlet approximately 20.0meters from any openable window unless effective odour control is installed. Approved details shall be implemented prior to use and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by smell or steam, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), and policy 7.14 of the London Plan (2021), and the National Planning Policy Framework (2021).

28. Fresh air ventilation to habitable rooms

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

Reason: In the interests of the living conditions of future occupiers of the site, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy S11 of the London Plan (2021), and the National Planning Policy Framework (2021).

29. Non-Road Mobile Machinery

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

Reason: In the interests of the living conditions of future occupiers of the site, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management

Development Plan Document (2013), policy S11 of the London Plan (2021), and the National Planning Policy Framework (2021).

30. Building emissions

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. The plan shall include:

- a) Dust Management Plan for Demolition Phase
- b) Dust Management Plan for Construction Phase

The Air Quality Dust Management Plan shall be implemented on commencement of any works on site and the site shall be managed in accordance with the approved plan for the duration of the construction.

Reason: In the interests of improving air quality in the Borough, 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 S11 of the London Plan (2021), and the National Planning Policy Framework (2021) and Appendix 5 of the Sustainable Design and Construction (2014) Supplementary Planning Guidance, London Plan 2016.

31. Contaminated Land Site Desktop study / approved site investigation

No development approved by this planning permission shall be commenced until:

a) A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a Conceptual Site Model (CSM) for the site identifying all potential contaminant sources, pathways and receptors shall be produced and assessment of risk to identified receptors undertaken. The desk study will be submitted for approval in writing by the Local Planning Authority prior to any development work (except demolition and site clearance) commencing.

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to future occupants of the site and to groundwater and surface waters associated on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

Reason: In the interests of public and environmental health in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

32. Contaminated Land Site Investigation

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within an approved desk study phase 1 report) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site and any previously inaccessible ground. The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors up dated. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The findings of the site investigation and proposed remedial options shall be submitted to the Local planning authority for approval in writing prior to any remedial works commencing and any development works commencing.

Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

33. Contaminated Land Remediation Scheme

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

Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

34. Contaminated Land Verification Report

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

Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

35. External Lighting

External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site, 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 D6 of the London Plan (2021), and the National Planning Policy Framework (2021).

36. Opening hours commercial units

The ground floor commercial units hereby approved shall not be opened to customers outside of the hours from 0800 to 2000 hrs. All activity shall cease 30 minutes after closing times.

Reason: To protect the living conditions of neighbouring properties in accordance with policies 1.1(e), 1.1(g), 1.1 (j), 2.1 (c) and 2.10 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies D6 and D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

37. No masts/satellite dishes or external equipment

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

Reason: To safeguard the appearance of the buildings and the locality in the interests of visual amenity policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4, 7B and 7C of the Ealing Development Management Development Plan Document (2013), policies D4 and D5 of the London Plan (2021), section 7 and 12 of the National Planning Policy Framework (2021).

38. Refuse Storage

Each of the refuse and recycling storage facilities hereby approved for the residential element shall be implemented and operational before the first occupation of the relevant residential section they would serve, and permanently retained thereafter. The commercial units shall be provided with refuse storage to accord with the local planning authority standards prior to first occupation.

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy SI7 of the London Plan (2021) and the National Planning Policy Framework (2021).

39. Passenger Lifts

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

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), policy D5 of The London Plan (2021), and the National Planning Policy Framework (2021).

40. Detailed Drainage Design

Prior to commencement of development detailed drainage designs and an ordinary watercourse consent form shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved drainage design.

Reason: To reduce flood risk in accordance with the National Planning Policy Framework and policies SI12 and SI13 of the London Plan.

41. Drainage Maintenance Plan

Prior to the first occupation of the development hereby approved, a maintenance plan/schedule for the proposed sustainable urban drainage system (SUDS) for the lifetime of the development shall be submitted to and approved by the Local Planning Authority.

Reason: To reduce flood risk in accordance with Principle 10 of the National Planning Policy Framework and policies SI12 and SI13 of the London Plan.

42. Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling shall be carried out, including measures to prevent and 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: To ensure the integrity of underground water and sewerage utility infrastructure is not affected, in accordance with policy 1.1 (e), 1.2 (m) and 6.1 of the Ealing Core Strategy (2012), policy SI5 of The London Plan (2021) and the National Planning Policy Framework (2021). The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

43. Former Lifetime homes standards

90% 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 policy D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

44. Former Adaptable wheelchair housing

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

Reason: To ensure the provision of wheelchair housing in a timely fashion that would address the current unmet housing need; produce a sustainable mix of accommodation; and provide an appropriate choice and housing opportunity for wheelchair users and their families, in accordance with the

objectives of policies D3 and D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

45. Tree Planting & Protection

No operations (including initial site clearance) shall commence on site in connection with development hereby approved until a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows has been submitted and its installation on site has been approved in writing by the Local Planning Authority.

All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837*, with tree works proposals. All trees must be plotted on a site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.
- A plan** detailing all trees and hedgerows planned for retention and removal.
- A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
- Soil assessments/survey
- Timing and phasing of works
- Site specific demolition and hard surface removal specifications
- Site specific construction specifications (e.g. in connection with foundations, bridging, water features, surfacing)
- Access arrangements and car parking
- Level changes
- Landscaping proposals
- A Tree protection plan** in accordance with BS5837* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.
- Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones.
- Details of the arboricultural supervision schedule.

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

*Using the most recent revision the of the Standard

** Plans must be of a minimum scale of 1:200 (unless otherwise agreed by the Local Planning Authority).

Reason: To secure protection of trees, shrubs and hedges growing within the site which are of amenity and ecological value to the area and to ensure that the development is landscaped in the visual and ecological interests of the area in accordance with policy 7.4 of the Ealing Development Management DPD (2013), policies G4, G5 and G7 of the London Plan (2021) and Ealing’s SPG 9 - Trees and Development Guidelines.

46. Tree Planting and Soil Rooting Volume Condition

A suitable scheme of proposed tree planting and pits shall be submitted to and approved by the Local Planning Authority prior to the first use of the development hereby approved.

No operations shall commence on site in connection with the development hereby approved until a suitable scheme of proposed tree planting and tree pits have been submitted to and approved by the Local Planning Authority. The scheme shall include the following comprehensive details of all trees to be planted:

- Full planting specification - tree size, species, the numbers of trees and any changes from the original application proposals.
- Locations of all proposed species.
- Comprehensive details of ground/tree pit preparation to include:
 - o Plans detailing adequate soil volume provision to allow the tree to grow to maturity
 - o Engineering solutions to demonstrate the tree will not interfere with structures (e.g. root barriers/deflectors) in the future
 - o Staking/tying method(s).
 - o Five year post planting maintenance and inspection schedule.

All tree planting must be carried out in full accordance with the approved scheme in the nearest planting season (1st October to 28th February inclusive). The quality of all approved tree planting should be carried out to the levels detailed in British Standard 8545, Trees: from nursery to independence in the landscape - Recommendations.

Any trees which die, are removed, uprooted, significantly damaged, become diseased or malformed within five years from the completion of planting, must be replaced during the nearest planting season (1st October to 31st March inclusive) with a tree/s of the same size, species and quality as previously approved.

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of London's environment, air quality and adapting to and mitigating climate change in accordance with policies G4, G5 and G7 of the London Plan (2021), policy 5.10 the Adopted Ealing Development Management Development Plan Document (2013) and Ealing's SPD9 - Trees and Development Guidelines.

47. Existing Tree/Shrub/Hedge Retention

No trees, shrubs or hedges within the site which are shown to be retained on the approved plans shall be felled, uprooted, damaged or destroyed, cut back in any way or removed without previous written consent of the Local Planning Authority.

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.

If a tree marked on the tree report to be retained is removed without consent, or dying, or being severely damaged, or becoming seriously diseased (crown more than 50% sparse), within 5 years from the start of work on the development hereby permitted, a replacement tree shall be planted on the site or surrounding area reflecting the CAVAT value of the tree, or a proportion of its value reflecting the damage. This penalty shall be sought, unless the Local Planning Authority has given written consent to any variation.

Reason: to secure the protection, throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of important amenity value to the local landscape in accordance with policies G4, G5 and G7 of the London Plan (2021), policy 5.10 the Adopted Ealing Development Management Development Plan Document (2013) and Ealing's SPD9 - Trees and Development Guidelines.

48. Details of footbridge

Construction of the superstructure of the development hereby approved shall not be commenced until details of the proposed footbridge linking the application site with Grove Farm park have been submitted to and approved in writing by the local planning authority. The footbridge shall be implemented in accordance with these approved details prior to the first occupation of the flats hereby approved and retained thereafter.

Reason: To ensure that the footbridge is in accordance with the visual character and appearance of the area and residential amenity of prospective occupiers, and in accordance with policies G4 and D3 of the London Plan (2021), policies 1.1 (h), 1.1(g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework.

49. Signage

Details of a signage to public routes through the development shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats within the development hereby approved. The development shall be implemented only in accordance with these approved details and retained thereafter.

Reason: To ensure that adequate signage is provided for the development and in the interests of the visual character and appearance of the area and residential amenity of prospective occupiers, and in accordance with policies D4 and D5 of the London Plan (2021), policies 1.1 (h), 1.1(g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework.

50. Electric Vehicle Charging

The car parking spaces hereby approved shall be fully marked out and electric vehicle charging points spaces shall be provided in accordance with policies T6 and T6.1 of the London Plan prior to the first occupation of the development hereby approved, and these car parking spaces together with the associated access and internal carriageway shall be kept continuously available for the satisfactory operation of the parking area and shall not be used for any other purpose.

Reason: To reduce emissions of greenhouse gases and to improve local air quality in the interests of health, in accordance with policies T6, SI1 and SI2 of the London Plan (2021), policies 1.1(e), 1.1(f), 1.1(j) and 1.2(k) of Ealing's adopted Development (or Core) Strategy 2012, and the National Planning Policy Framework.

51. Car Parking Design and Management Plan

Details of a Car Parking Design and Management Plan shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats hereby approved. The development shall be operated only in accordance with these approved details permanently thereafter.

Reason: To promote sustainable patterns of transport, in accordance with Section 9 of the National Planning Policy Framework (2021) and policies T6 and T6.1 of the London Plan (2021).

52. Refuse Management Plan

Details of a Refuse Management Plan shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats hereby approved. This Plan shall include details of access and turning for refuse collection vehicles within the site. The development shall be implemented only in accordance with these approved details and retained permanently thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material, in accordance with policies 1.1 and 1.2 of the Adopted Development (Core) Strategy, policy 7B of the Adopted Ealing Management Development Plan Document (2013) and policy S7 of the London Plan (2021).

53. Play equipment

Details of design, layout and provision of any play equipment within the play areas proposed within the development site shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved. The development shall be implemented only as approved and retained thereafter.

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

54. Link to Public Open Space

The proposed new link over the footridge to the public open space shall be at least 2m wide, permanently available to the public and be connected to other paths in the public open space.

Reason: To promote sustainable patterns of transport and access to open space, in accordance with Section 9 of the National Planning Policy Framework (2021) and policies T1, T5 and G4 of the London Plan (2021).

55. Fire Safety

The development shall be implemented to comply with the submitted Fire Statement by Hoare Lea (March 2021).

Reason: In the interests of the safety of occupiers of the dwellings hereby approved and to ensure that the development incorporates the necessary fire safety measures in accordance with Policies D5 and D12 of the London Plan (2021).

56. Habitat Improvement

Prior to commencement of development on the site an ecological mitigation, compensation and enhancement plan for the site shall be submitted to and agreed in writing with the local authority. Prior to first occupation of the development the recommendations of the approved ecological mitigation, compensation and enhancement plan shall be fully implemented and maintained thereafter.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

57. Stag Beetle Enhancement Plan

Prior to commencement of development on the site a Stag Beetle Enhancement Plan shall be submitted to and agreed in writing with the local authority. The development shall be implemented only in accordance with these approved details and retained permanently thereafter.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

58. Invasive Species Management Plan

Prior to commencement of development on the site an Invasive Species Management Plan shall be submitted to and agreed in writing with the local authority. The development shall be implemented only in accordance with these approved details and retained permanently thereafter.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

59. Landscape Environment Management Plan

Prior to commencement of development on the site a Landscape Environment Management Plan

shall be submitted to and agreed in writing with the local authority. The development shall be implemented only in accordance with these approved details and retained permanently thereafter.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

60. Construction Environment Management Plan

Prior to commencement of development on the site a Construction Environment Management Plan shall be submitted to and agreed in writing with the local authority. The development shall be implemented only in accordance with these approved details and retained permanently thereafter.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

61. Lighting Constraints Plan

Prior to commencement of development on the site a Lighting Constraints Plan and a detailed lighting assessment shall be submitted to and agreed in writing with the local authority. The Lighting Constraints Plan shall demonstrate how lighting proposals will ensure bats and other nocturnal species are adequately protected from lighting impacts in the long term. The development shall be implemented only in accordance with these approved details and retained permanently thereafter.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

62. Bat Presence Survey

Prior to commencement of development on the site and any felling of trees, an additional bat presence/likely absence survey by means of a tree climbing inspection of tree 8 shall be carried out in the summer and submitted to the Local Planning Authority.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

63. Vegetation and Site Clearance

The developer shall ensure that vegetation and site clearance are timed to avoid the bird nest season of early March to August inclusive.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

Informatives

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

- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well designed places
- 13 Protecting Green Belt land
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

The London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design

D6 Housing quality and standards
D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of Change
D14 Noise
H1 Increasing housing supply
H2 Small sites
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H10 Housing size mix
HC1 Heritage conservation and growth
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 12 Flood risk management
SI 13 Sustainable drainage
E1 Offices
E2 Providing suitable business space
E3 Affordable workspace
E4 Land for industry, logistics and services to support London's economic function
E5 Strategic Industrial Locations (SIL)
E7 Industrial intensification, co-location and substitution
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.2 Office parking

Supplementary Planning Guidance /Documents

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

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

- 1.1 Spatial Vision for Ealing 2026 (a), (b), (c), (d), (e), (f), (g), (h), (j) and (k)
- 1.2 Delivery of the Vision for Ealing (a), (c), (d), (e), (f), (g), (h), (k) and (m)
- 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
- Policy 4A: Employment Uses
- Ealing Local variation to London Plan policy 4.7: Retail and town centre development
- Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions
- Ealing local variation to London Plan policy 5.10: Urban greening
- Ealing local variation to London Plan policy 5.11: Green roofs and development site environs
- Ealing local variation to London Plan policy 5.12: Flood risk management
- Ealing local variation to London Plan policy 5.21: Contaminated land
- Ealing local variation to London Plan policy 6.13: Parking
- Policy 7A : Operational amenity
- Ealing local variation to London Plan policy 7.3 : Designing out crime
- Ealing local variation to London Plan policy 7.4 Local character
- Policy 7B : Design amenity
- Policy 7D : Open space

Adopted Supplementary Planning Documents

- Sustainable Transport for New Development
- Interim Supplementary Planning Guidance/Documents
- SPG 3 Air quality
- SPG 4 Refuse and recycling facilities (draft)
- SPG 10 Noise and vibration

Other Material Considerations

- 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'.
- BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

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. No bonfires shall be lit on site. Prior to commencement of building works, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval.

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. 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 $L_{Aeq,16hr}$ 60 dB and $L_{Aeq,1hr}$ 67dB by 2016. In calculating the insulation required the $L_{leq,1hr}$ aircraft noise spectrum, shown at SPG10, shall be used, along with the spectrum for any other dominant noise sources. Under SPG10, the predicted $L_{leq,1hr}$ 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 - $L_{eq,1hr}$	
	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 $L_{Aeq,1hr}$ for spectrum 16 – 8K Hz	67	64

5. 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
- 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.
 - 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)
 - on-site monitoring for ground gases with any relevant laboratory gas analysis;
 - 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.
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. 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.

8. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

9. In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- From www.gov.uk:
 - Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency’s Guiding Principles for Land Contamination) in the ‘overarching documents’ section
 - Use MCERTS accredited methods for testing contaminated soils at the site
- From the National Planning Practice Guidance:
 - Land affected by contamination
 - British Standards when investigating potentially contaminated sites and groundwater:
 - BS5930:2015 Code of practice for site investigations;
 - BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;
 - BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
 - BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

10. Permitted hours for building work

Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be

carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

11. Notification to neighbours of demolition/ building works

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 and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

13. Dust

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. Dark smoke and nuisance

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

15. Noise and Vibration from demolition, construction, piling, concrete crushing, drilling, excavating, etc.

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 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Noise and BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Vibration.

18. Fire Statement

Prior to commencement of the superstructure of the development a fire statement, produced by a third party suitably qualified assessor, should be submitted to and agreed with the London Fire Brigade.

Works to footway

19. The developer will be liable for the cost of repairing any damage to the footway around the perimeter of the site resulting from the construction work.

